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INVENTORY
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COUNTY ARCHIVES
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PREPARED BY
The Historical Records Survey
Division of Women's and
Professional Projects
Works Progress Administration

No. 55. Pearl River County
(POPLARVILLE)

Jackson, Mississippi
The Historical Records Survey
March, 1938



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Jackson, Mississippi
The Historical Records Survey
February, 1938

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Luther H. Evans, National Director
C. C. Fisher, State Director

Division of Women's and Professional Projects

Ellen S. Woodward, Assistant Administrator
Ethel Payne, State Director

WORKS PROGRESS ADMINISTRATION

Harry L. Hopkins, Administrator
Roland B. Wall, Deputy Administrator in Charge

FOREWARD

The Inventory of County Archives of Mississippi is one of a number of bibliographies of historical materials prepared throughout the United States by workers on the Historical Records Survey of the Works Progress Administration. The publication herewith presented, an inventory of the archives of Pearl River County, is number 55 of the Mississippi series.

The Historical Records Survey was undertaken in the winter of 1935-36 for the purpose of providing useful employment to needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political,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, business men 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 attempt to do more than give merely a list of records - they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town, and other local inventories for the entire country will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

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

The Survey was organized and has been directed by Luther H. Evans, and operates as a nation-wide project in the Division of Women's and Professional Projects, of which Mrs. Ellen S. Woodward, Assistant Administrator, is in charge.

Harry L. Hopkins
Administrator

PREFACE

Work on the Historical Records Survey began in Mississippi in February 1936 as part of the program of the Federal Writers' Projects. In November 1936 the Mississippi Survey became a separate unit of Federal Project No. 1 with W. B. Haynie as state director. Mr. Haynie headed the Survey until July 15, 1937, at which time C. C. Fisher, editor-in-chief, was made state director.

To attain its general objective the Survey in Mississippi has examined, thoroughly and carefully, records kept by state, county, and municipal governments. In addition, preliminary lists of historical manuscripts, maps, and early imprints in private and unofficial collections have been prepared. Much has been accomplished in locating and inventorying the records of all churches in all counties. In completing this particular task the Survey will include the records of defunct churches if it is possible to locate them.

The Historical Records Survey has given valuable assistance to the Mississippi Department of Archives and History. Through a project initiated by the Survey, more than 900 volumes of loose newspapers have been sorted, arranged by date of publication and bound. Bulky old case records of the superior court of chancery, the high court of errors and appeals, and of the supreme court have been put in order, labelled, indexed, and made readily accessible for the first time. The Survey is preparing to make a complete inventory of all records, books, papers, and other historical materials collected by the department since its organization in 1902.

A project, sponsored by the secretary of state, and designed to arrange, index, and rebind the records of all offices or bureaus of state government, has been put into operation. This work is highly important in that it will at the same time determine the amount of space and equipment needed to house properly the surplus state records, provide a safe depository in Jackson for future accumulation of records, and protect the invaluable historical manuscripts, private collections and records now scattered throughout the state. In this connection the Survey has been collaborating with state officials and with the director of the Department of Archives and History in preparing a feasible plan to present to the legislature. It has been suggested that the state convert the old Capitol into an archives building or make use of one or more of the abandoned asylum buildings in North Jackson.

In Mississippi the Survey has stressed the completion of a state-wide examination of county records with the view to preserving them, making them more accessible, and disclosing their intrinsic value in the development of Mississippi as a Territory and a state.

At first skeptical or antagonistic, county officials have come to realize the worth of the Survey. In many counties it was necessary for Survey field workers to sort, rearrange, and put the records in their proper places before the actual inventorying could be started. As work progressed the need for the complete reorganization of records in these counties became so apparent that locally-sponsored projects were organized to index,

transcribe, restore, rebind, and set in order the confused, jumbled mass of county archives. The Survey, because of its limited quota, has not been able to complete this extra work with its own workers. However, it assisted gladly in making all preliminary arrangements and in preparing project proposals. It furnished technical supervision and gave its utmost cooperation to county officials in the systematizing of their records.

A further indication of the established value of the Survey is the fact that 18 chancery clerks in as many counties have requested the Survey to set up projects to provide the counties with sectional indexes to all land conveyances and other instruments touching or concerning the title to lands in the counties. By law it is mandatory that each county have such an index but for one reason or another 19 counties either do not have them or the indexes they have need copying or restoring.

The Survey plans to publish the Inventory of the County Archives of Mississippi in 82 units, one for each county in the state. Each unit will be numbered separately from 1 to 82, its number depending on the relative position of the county in an alphabetical list of all counties. The inventories of the state archives, of manuscript collections, of church records, of early imprints, and of municipal and other local records will be published separately.

By assembling and preparing concise, detailed inventories of, and guides to, the archives of all counties, the Survey in each instance, will make available an instrument which will: display for comparison the records system of the 82 counties of the state, the study of which may lead to the adoption of a simplified, standardized method of keeping records which will eliminate unnecessary and overlapping records; give a comprehensive medium which will familiarize the general public with history as it is shown by the records, and arouse interest in it; and help office holders to a better understanding of the exact scope of their office records and show them the record work of their predecessors.

Although every effort has been made to attain absolute accuracy in this inventory, The Survey cannot assure the user that this degree of perfection has been realized. Because of the many and varied systems of record keeping in use, the same records may have been given different names in different counties and what may seem an error is in reality only an evidence of the general non-uniformity existent throughout the 82 counties of the state.

The survey of the records of Pearl River County was started on February 26, 1936, and was finished September 1, 1936. Mrs. Margaret Scott Bayley, Historical Records Survey field worker, completed the work unaided by other paid workers. No advisory committee was formed, but all county officials gave valuable assistance and were helpful. Especially so were H. K. Rouse, veteran chancery clerk; Homer Moody, sheriff and tax collector; Miss Ida

Newsomm, deputy chancery clerk; Harvey S. Stewart, former sheriff and tax collector; and Leopold Locke, county prosecuting attorney. Ellis Mitchell, Nolas Ladner, W. J. Fronea, E. H. Stevens, and Pate Lumpkin, all members of the board of supervisors; Ray Fornes, superintendent of education; L. T. Simpson, circuit clerk, and J. D. Smith, tax assessor gave the Survey support and encouragement. The Survey was well received in Pearl River County, the county officers were more than willing to give information to the worker, and they showed their interest in many ways at all times.

This inventory of the records of Pearl River County was prepared by the editorial staff in the state office of the Historical Records Survey in Jackson, Mississippi.

I. Historical Sketch of Pearl River County	1
II. Governmental Organization and Records System	2
Chart of County Government	10
Holding, Care, and Accessibility of Records	17
List of Abbreviations, Symbols, and Explanatory Notes	23
B. County Offices	
1. Board of Supervisors	25
Proceedings, Allowances, Claims, Warrants and	
Disturbances, Bonds, 18th Section Records, Reports.	
2. Records	32
Jackson, Mississippi, Dead Records, Homesteads, Leases,	
March 7, 1938, and Resolutions, Corporations, Maps and Plat	
County, Township, School District, Municipal, Miscellaneous	
3. Clerk of the Chancery Court	37
Proceedings and Case Records, Dockets and General Court	
Records, Bonds, Fees, Newspapers, Miscellaneous, Bills	
and Returns.	
4. Clerk of the Circuit Court	47
Proceedings, Case Records, Criminal, Civil, Classifying,	
Treasurer, Supreme Court, Dockets and General Court	
Records, Judgments, Juvenile Records, Naturalization Rec-	
ords, Indictments, Jurors, Bonds, Fees, Certificates,	
Miscellaneous, Marriage Records, Licenses, Reports.	
5. County Court	57
6. Justice of the Peace	63
Reports, Dockets, Inquiries.	

Table of Contents

VII. County Attorney	53
VIII. Sheriff	55
IX. Constable	59
X. Coroner	70
TABLE OF CONTENTS	
A. Pearl River County and its Records System	
1. Historical Sketch of Pearl River County	3
2. Governmental Organization and Records System	8
Chart of County Government	10A
3. Housing, Care, and Accessibility of Records	17
4. List of Abbreviations, Symbols, and Explanatory Notes	21
B. County Offices and their Records	
I. Board of Supervisors	25
Proceedings. Allowances. Claims. Warrants and Disbursements. Bonds. 16th Section Records. Reports.	
II. Recorder	33
Abstracts. Deeds. Deed Records. Homesteads. Leases. Tax Sales and Redemptions. Corporations. Maps and Plats: County; Township; School District; Municipal. Miscellaneous	
III. Clerk of the Chancery Court	42
Proceedings and Case Records. Dockets and General Court Records. Bonds. Fees. Newspapers. Miscellaneous. Wills and Estates.	
IV. Clerk of the Circuit Court	47
Proceedings. Case Records: Criminal; Civil; Mississippi Power Company; Supreme Court. Dockets and General Court Records. Judgments. Juvenile Records. Naturalization Rec- ords. Indictments. Jurors. Bonds. Fees. Certificates. Miscellaneous. Marriage Records. Licenses. Reports.	
V. County Court	57
VI. Justice of the Peace	58
Reports. Dockets. Inquests.	
Chronological Index	42

Table of Contents

HISTORICAL SECTION OF PEARL RIVER COUNTY

	Page
VII. County Attorney	63
VIII. Sheriff	65
Court Orders and Services. Financial.	
IX. Constable	69
X. Coroner	70
XI. Tax Assessor	71
Assessments. Tax Rolls.	
XII. Tax Collector	75
Financial Records. Licenses. Tax Receipts. Register of Diamonds and Pearls.	
XIII. Treasurer and Auditor	78
Dockets. Ledgers. Receipts and Disbursements. Reports.	
XIV. Registrar	83
Registration and Poll Records. Ballots.	
XV. Superintendent of Education	86
Summary. Financial. Teachers. Reports. Junior College and Agricultural High School. Transportation. Correspondence. Educable children. School buildings. Petitions. Maps.	
XVI. Health Department	96
Vital Statistics. Examinations. Communicable Diseases. Immunizations. Miscellaneous Reports. Correspondence.	
XVII. Pension Board of Inquiry	100
XVIII. Surveyor	102
XIX. County Engineer	104
XX. Ranger	104
XXI. County Agent	106
Cotton Control. Soil Conservation. Miscellaneous.	
XXII. County Agent of Home Economics	108
Clubs.	
Index	109
Chronological Index	122

(First entry, p. 30)

HISTORICAL SKETCH OF PEARL RIVER COUNTY

Pearl River County, in the Piney Woods section of Mississippi in the extreme southern portion of the state adjoining Louisiana, was established originally as Pearl County in 1872, organized from parts of Hancock and Marion Counties. The act designated Riceville as the county seat and directed the governor to appoint three commissioners to organize the county. (Laws, 1872, pp. 110-113). In 1877 the small, frame courthouse burned, the fire destroying many of the records,

The county obtained its name from the stream called the "River of Pearls" by French explorers who discovered it in 1699. One Penicaut, a member of the expedition says in his Annals, "here we found those shells with which Indians scrape out their canoes after burning. Beautiful pearls are sometimes found in those shells. We presented some two dozen or more to M. Bienville, our commander" (Dunbar Rowland, Mississippi the Heart of the South, vol. II, p. 166).

Because Pearl County was unable to maintain itself, chiefly through the lack of development, the organization act was repealed in 1878. Its territory was returned to Hancock and Marion Counties and the records made during the six years of its existence were deposited with the two older counties. (Laws, 1878, pp. 153-154).

A thriving sawmill and lumbering business grew up during the next few years making it possible to re-establish the county as Pearl River County, the same land being taken again from Hancock and Marion Counties to form the new county (Laws, 1890, pp. 89-91). The boundaries were described as follows: "beginning at the point in the middle of Pearl River, in the center between townships 4 and 5 in the county of Hancock, thence running east through ranges 18, 17, 16, 15, and 14 to the line between ranges 13 and 14; thence north on said line to a point one mile north of the 31st parallel of north latitude; thence west to the dividing line between ranges 15 and 16; thence south to said 31st parallel; thence west along said 31st parallel to the center of Pearl River; thence southwest along the thread of the stream to the point of beginning". Poplarville was made the county seat and the first officers were appointed by the governor. Pearl River County is bounded at present on the north by Marion and Lamar Counties; on the east by Forrest and Stone Counties; on the south by Hancock County, and on the west by Pearl River which separates it from the Louisiana Parishes of Tammany and Washington. The boundaries were changed in 1904 when some of the county's northern territory was taken in the formation of Lamar County (Laws, 1904, Chapt. 102), and were changed again in 1908 when an area nine miles in depth was obtained from Hancock County (Laws, 1908, p. 89).

The region in which Pearl River County is situated, known alternately as West Florida, the Mobile District, and the Mississippi Gulf Coast section, was explored by the French brothers Le Moyne d'Iberville and de Bienville in 1699 and 1700 after they had established a base at Biloxi on the

coast. The section was part of the vast territory belonging to the Choctaw Indians but they used it mainly as a hunting and fishing ground, making regular excursions to the coast to eat the oysters which they found along the river. Huge piles of shells near the coast show that this custom was followed for many years prior to the coming of the French.

A map of the Mississippi region and Province of Louisiana by Elder Homan, dated 1687, but evidently published in the first part of the eighteenth century, shows that the Colopissa Indians lived on the lower reaches of the Pearl River. Legend has it that the Colopissa or Accolopissa Indians originated from the Five Town tribes of the Choctaw Indians. A group of braves, because of the pleas of the maidens they were wooing, refused to make war on the French. The braves were banished from the tribes but they held to Choctaw customs and took the name of Accolopissa, meaning "no homes". They were the smallest tribe numerically in the South. They became the ardent friends of the whites and established themselves in the lower southern sectors of Mississippi and Louisiana. It is believed that this small tribe withdrew entirely from the Mississippi region to Louisiana after France lost the territory to the English in 1763 (J. H. Bailey, Commentaries, Southern Indian Tribes, pp. 401-402).

France in establishing its right to the lower Mississippi Valley, based on the claim of LaSalle at the mouth of the Mississippi River in 1682, governed its southern possessions from New Orleans, founded in 1718. In 1762, unable to maintain and defend its holdings, France by secret treaty, ceded to Spain, its ally, all the present seaboard of Mississippi, (which included modern Pearl River County), Louisiana, and Alabama from the Mississippi River east as far as the Perdido. By the Treaty of Paris in 1763 which ended the French and Indian War in America and the Seven Years War in Europe, France gave victorious Great Britain all territory on the east side of the Mississippi River from its headwaters south to Bayou Manchac, the Amite River and Lakes Maurepas and Ponchartrain above New Orleans, as well as the fort and river of Mobile. Spain was forced to cede Great Britain all coast territory then called West Florida, retaining only New Orleans and the island of Orleans, as the land lying between Bayou Manchac, the Amite River, the lakes and the Mississippi River was then designated. By these cessions the Pearl River County region and the remainder of present-day Mississippi became British territory.

Between 1779 and 1781, Bernardo de Galvez, the Spanish Governor at New Orleans, taking advantage of England's entangling war with its American colonies on the Atlantic coast, captured Baton Rouge, Natchez, Mobile, and Pensacola, restored West Florida as a Spanish province and made Mississippi a possession of Spain. After the Americans had won their freedom they claimed all former British land but Spain claimed all

territory north to the Yazoo River. The controversy was compromised on October 27, 1795 by the Treaty of San Lorenzo el Real which fixed the 31st parallel as the southern boundary line of the United States (8 Stat. L., pp. 138-152), and left Spain still in possession of West Florida.

However, this section had filled up with refugee loyalists or Tories during the Revolutionary War and with American settlers following the war, especially after the Louisiana Purchase in 1803 (ibid., pp. 200-213). The United States renewed its claims to the land below the 31st parallel, asserting that it was part of the Purchase. In this continuous diplomatic contention the government was abetted by the predominantly English-speaking American, English, Irish, and Scottish inhabitants who openly resented Spanish domination. Tired of the bickering of diplomats, the settlers revolted, captured Baton Rouge on September 23, 1810 and set up the Independent Republic of West Florida under a blue flag with a single, five-pointed white star, the emblem which became famous again as the Lone Star flag of the Texas Republic and as the Bonny Blue flag of the Southern Confederacy in 1861. The territory seized extended from the Mississippi River eastward across the Pearl River country to a point just west of Mobile. On October 10, 1810 the new Republic sought admission to the United States (Annals of Congress, 11 Cong., 3 Sess., (1810-11), Appendix, 1254-55); Stanley Glisby Arthur, The Story of the West Florida Rebellion, pp. 122-123).

President James Madison, stating that this land "was not delivered to the United States in pursuance of the terms of the Louisiana Purchase", promptly took it over by proclamation on October 27, 1810 (Richardson, Messages and Papers of the President, (Washington, 1896, vol. 8, pp. 480-481), and made it a part of the Territory of Orleans. When the Territory was admitted as the state of Louisiana April 12, 1812 (2 Stat. L., pp. 701-704), only the land "below the line" west of Pearl River was annexed with it. The country between Pearl River and the Perdido River on the east, including present-day Pearl River County, was joined to the Mississippi Territory May 14, 1812 (2 Stat. L., p. 734). From this area the counties of Hancock and Jackson were organized December 12, 1812 (Turner's Digest, 1816, pp. 108-109). These counties were divided in 1841 to form Harrison County (Laws, 1841, pp. 145-147) and in 1872 Pearl County was established (Laws, 1872, pp. 110-113) only to be disbanded in 1878 (Laws, 1878, pp. 89-91). George County was established in 1910 (Laws, 1910, pp. 236-241). In 1916 Stone County was created from the north portion of Harrison County (Laws, 1916, pp. 594-597), completing the organization of county government in the district east of Pearl River.

While the Pearl River County area itself was not prominently connected with the early development of the region, it was in this Gulf section at what is now Ocean Springs in Jackson County that d'Iberville founded Old Biloxi in 1699. This post was the first white settlement in the lower Mississippi Valley, from 1699 to 1702 being the seat of government

Historical Sketch

(First entry, p. 30)

of the extensive Province of Louisiana. In this region the French made their first efforts to establish a southern empire in North America, efforts that were fruitless and expensive. (Francis Parkman, LaSalle and the Discovery of the Great West, Frontenac Edition, Vol. V).

The early settlers of Hancock County from which came a part of the land that formed Pearl River County, were clustered principally on the coast, engaged mainly in the fishing and oyster business. The original pioneers of Marion County which furnished the remainder of Pearl River County's area, turned to farming and to the sawmill and lumbering industries. The seepage from the population centers of these two counties, in which 17,840 people lived in 1890 (11th Census of the U. S.), was sufficiently large at that time to establish and maintain the new county supported by flourishing lumbering and turpentine businesses and a fairly prosperous agricultural development.

When the county was re-created on February 22, 1890, Poplarville was made the county seat (Laws, 1890, pp. 89-91). The first officers, appointed by the governor, were A. F. Rawls, P. E. Williams, James Smith, Joseph E. Wheat, and Thomas Martin, members of the board of supervisors; James M. Shivers, sheriff and tax collector; Rufus L. Ratliff, circuit and chancery clerk; Eli P. Stewart, assessor; and Andrew Smith, treasurer. By 1892 a two-story brick courthouse was erected. The three-story brick and stone courthouse now in use was built in 1913 (Minutes, Board of Supervisors, May 10, 1918, pp. 12-13). The first building is utilized as a public school.

The population of Pearl River County, 2,957 in 1890 (11th Census of the U. S.), by 1930 had increased to 19,405, of which 14,209 were native white and 5,149 were negro (15th Census of the U. S.). Lumbering continues to be the principal industry, augmented by the production of turpentine and other naval stores. There are 57,835 acres of timbered lands in the county assessed, exclusive of timber, at \$224,265. The timber, estimated at 38,398,611 board feet, was assessed at \$3,153,465 (Report of the State Tax Commission, 1936, p. 65), better than 50 percent of the \$6,005,761 total assessed valuation of all property. Of the county's 797 square miles of area, only three and one-half percent is under cultivation (Biennial Report of the Secretary of State to the Legislature of Mississippi, 1933-35, p. 213). In 1936 agricultural products raised in the river and creek bottoms and on the cleared lands had a total value of \$709,912 including \$67,261 in cotton, \$186,027 in corn, and \$456,624 in vegetables and leguminous crops (Bulletin, Report of Agricultural Production in Mississippi in 1936, State Department of Agriculture). Dairying and livestock raising have become increasingly important in recent years as the farmers have come to realize that the county's excellent grazing lands afford good pasturage. In addition, the sandy soil that predominates on the uplands has been found to be adaptable to the cultivation of tung trees. There has been a steady development in the production of highly valuable tung oil from the nuts of the trees, especially in the vicinity of the town of Picayune in the southwestern corner of

the county. Poplarville, the county seat, with a population of 1,498 in 1930 (15th Census of the U. S.), is situated in the north central section of the county on U. S. Highway 11 and on the New Orleans and Northeastern Railroad. The Pearl River Valley Railroad runs between Nicholson and Rowlands in the western part of the county, while the Mississippi Southern Railroad covers the eastern portion.

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GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

Development of Counties

Five established governments have controlled the territory which is now Mississippi and these governments have left their marks and their records as evidence of their existence.

France held Mississippi from 1682 to 1763 by claims of discovery and by settlement. England took possession of it as conquered territory in 1763 and retained it until 1779. At that time Spain seized it while England was embroiled with the rebelling American Colonies. Spain relinquished the land above the 31st parallel in 1795 to the United States (8 Stat. L., Treaties, pp. 138-152) and lost the land below the line in 1812 after rebelling settlers had set up the government of Independent West Florida. (see Historical Sketch, supra.) Mississippi was formally a part of the United States from 1798 until January 9, 1861 at which time the state seceded to join the Southern Confederacy (Journal of the State Convention, and Ordinances and Resolutions Adopted July, 1861, p. 119). The War between the States ended in 1865 and Mississippi was returned to the Union in 1870 (16 Stat. L., pp. 67-68).

The Georgia Claims

Of significance too is the struggle between the state of Georgia and the Federal Government for the land that is now Mississippi. Georgia, basing its claims on early royal English grants, established the County of Bourbon in 1785 in the Natchez District, despite its occupation by the Spaniards, (Digest, Laws of Georgia, (Watkins, (ed.), pp. 304-305), and sold land extensively, the transactions being commonly known as the Yazoo Frauds. That Georgia's claims were nevertheless valid was evidenced in 1798 when Congress in setting up the Mississippi Territory comprising the southern portion of modern Alabama and Mississippi, declared the rights

of Georgia to be "firm, available, and unimpaired" (1 Stat. L. pp. 549-550). Four years later, by virtue of an act entitled "Articles of Agreement and Cession", Congress agreed to pay Georgia a quarter of a million dollars for the land now included in all of Mississippi and Alabama; to extinguish all Indian titles to land within the state of Georgia; and to make many other concessions (2 Stat. L., pp. 214-216). However, the contest was not settled finally until 1814 when Congress voted \$8,000,000 in land script to satisfy all claimants (3 Stat. L., pp. 116-120).

The Natchez District

When the Mississippi Territory was created April 7, 1798 (loc. cit.) its white population was concentrated in the old Natchez District in the southwest corner of what is now the present state. The town of Natchez on the Mississippi River, founded by the French explorer de Bienville in 1716 was the emporium of the district. Under the lenient and fair rule of the Dons (see Historical Sketch, supra.) it was the center of suave, punctilious, civilization supported by the growing commerce of the River and by the local raising of indigo and tobacco. The cotton gin was invented in 1793, cheapening the tedious and expensive process of separating the fiber from the seeds. The gin, slave labor, a mild climate, and the fertile soil combined to make the Natchez country one of the first great cotton-producing areas in the south. The River swarmed with thousands of flatboats, keel boats, broadhorns, arks, and batteaux that drifted down from the upper valleys to disgorge cargoes of freight and settlers at Natchez on the bluffs. To meet the imperative need for an overland route to the new Territory, the United States in 1801 completed treaties with the Chickasaw Indians at Chickasaw Bluffs (7 Stat. L., pp. 65-66), and with the Choctaw Indians at Fort Adams (ibid., pp. 66-68). By these treaties the Indians permitted the government to construct a wagon road through their lands on the Natchez Trace, the age-old Indian trail which ran between Natchez and Nashville, Tennessee. They also guaranteed the unmolested passage of mail, United States troops, and immigrants along the Trace in return for the right of operating all taverns and ferries on the route. After the wagon road was opened up it teemed with intruding pioneers who came to claim a share of the cheap, plentiful land and the crop of white gold which could be raised on it. From this fecund country in 1799, within a year after the Territory was organized, Adams and Pickering were established. By 1809 five additional counties were formed: Wilkinson, Claiborne, Amite, Franklin, and Warren. In 1802 because of a shift of political opinions, the name of Pickering County was changed to Jefferson in favor of Thomas Jefferson.

The First Choctaw Cession

The first move in extinguishing Indian titles within the limits of the Territory was made in 1805. The Louisiana Purchase in 1803 (8 Stat. L., Treaties, pp. 200-213), created the need for a southern route to New Orleans and Natchez. On November 16, 1805, Mount Dexter, situated

near the present town of Macon in Noxubee County, was the scene of a treaty whereby the Choctaw Indians ceded to the United States 5,000,000 acres of land that lay in the southern part of the Territory above the 31st parallel. (7 Stat. L., pp. 98-100). This treaty, known as the First Choctaw Cession, threw new lands open to white settlement, made possible the westward extension of a post road from Georgia, and separated the Indians from the trouble-making Spaniards who still held West Florida. By 1811 Wayne, Greene, and Marion Counties were established, followed by Lawrence, Pike, Covington, and Perry by 1820, and by Jones in 1826. Between 1879 and 1914 Lincoln, Lamar, Forrest, Jefferson Davis, and Walthall Counties were created from land separated from the original units.

The West Florida Counties

After the Mississippi Territory's portion of West Florida or the Mobile District was annexed May 14, 1812 (2 Stat. L., pp. 420-421), Hancock and Jackson Counties were set up the following December. (see Historical Sketch, supra.). In 1841 these counties were divided to establish Harrison County, and in 1890 another division was made to form Pearl River County. George County was created in 1910 from parts of Greene and Jackson Counties. In 1916 Stone County was organized from the northern portion of Harrison.

First Chickasaw Cession

On September 20, 1816, American commissioners, headed by Major General Andrew Jackson, popular hero of the American victory over the British at New Orleans on January 8, 1815, completed a treaty with the Chickasaw Indians at Chickasaw Old Fields (7 Stat. L., pp. 150-152). Through this first Chickasaw Cession the United States obtained 408,000 acres of fertile prairie land in the northeastern part of the state on the upper tributaries of the Tombigbee River. One large county, Monroe, was formed from this acquisition in 1821 but in 1830 the southern portion of it was converted into Lowndes County.

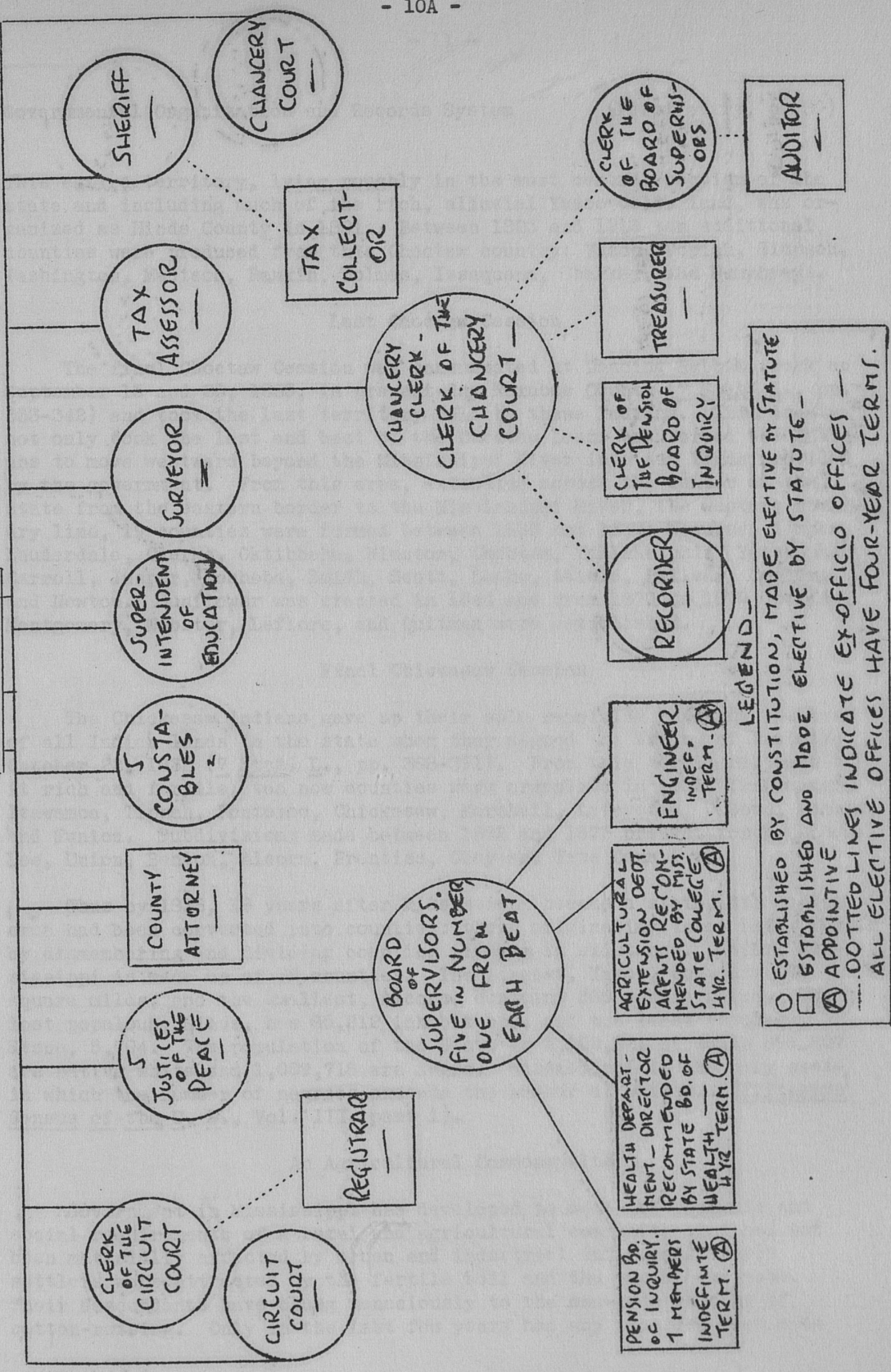
The State Established

On December 10, 1817 the western portion of the Mississippi Territory was made the state of Mississippi (3 Stat. L., pp. 472-473) with the limits as they are at present. The eastern portion became the Alabama Territory (ibid., pp. 371-373).

"The New Purchase"

Settlers and speculators poured into Mississippi demanding more and more land. "The New Purchase", the second Choctaw Cession, an area of about 6,000,000 acres was relinquished by the Choctaw Indians at the Treaty of Doak's Stand made October 18, 1820 at Doak's tavern on the Natchez Trace in what is now Madison County (7 Stat. L., pp. 201-204).

CHART OF GOVERNMENT OF PEARL RIVER COUNTY



LEGEND

- ESTABLISHED BY CONSTITUTION, MADE ELECTIVE BY STATUTE
- ESTABLISHED AND MADE ELECTIVE BY STATUTE
- Ⓐ APPOINTIVE
- DOTTED LINES INDICATE EX-OFFICIO OFFICES
- ALL ELECTIVE OFFICES HAVE FOUR-YEAR TERMS.

This entire territory, lying roughly in the west central section of the state and including much of the rich, alluvial Yazoo delta land, was organized as Hinds County in 1821. Between 1823 and 1918 ten additional counties were produced from this Choctaw country: Yazoo, Copiah, Simpson, Washington, Madison, Rankin, Holmes, Issaquena, Sharkey, and Humphreys.

Last Choctaw Cession

The final Choctaw Cession was consummated at Dancing Rabbit Creek on September 15 and 28, 1830, in present-day Noxubee County (7 Stat. L., pp. 333-342) and took the last territory held by these Indians. This treaty not only took the last and best of the Choctaw lands but forced the Indians to move westward beyond the Mississippi River into new lands provided by the government. From this area, extending across the center of the state from the eastern border to the Mississippi River, the western boundary line, 19 counties were formed between 1833 and 1838: Noxubee, Kemper, Lauderdale, Clarke, Oktibbeha, Winston, Choctaw, Tallahatchie, Yalobusha, Carroll, Jasper, Neshoba, Smith, Scott, Leake, Attala, Bolivar, Coahoma, and Newton. Sunflower was created in 1844 and from 1870 to 1877 Grenada, Montgomery, Webster, Leflore, and Quitman were established.

Final Chickasaw Cession

The Chickasaw Indians gave up their sole remaining land and the last of all Indian lands in the state when they signed the Treaty of Pontotoc October 22, 1832 (7 Stat. L., pp. 388-391). From this territory, much of it rich and fertile, ten new counties were organized in 1836: Tishomingo, Itawamba, Tippah, Pontotoc, Chickasaw, Marshall, Lafayette, DeSoto, Panola, and Tunica. Subdivisions made between 1852 and 1873 brought forth Calhoun, Lee, Union, Benton, Alcorn, Prentiss, Clay and Tate Counties.

Thus by 1836, 19 years after Mississippi became a state, its entire area had been converted into counties: those originating later being formed by dismembering and dividing counties already in existence. Modern Mississippi is made up of 82 counties. The largest, Yazoo, contains 905 square miles, and the smallest, Alcorn, contains 386 square miles. The most populous, Hinds, has 85,212 inhabitants, and the least populous, Stone, 5,704. The population of the State is 2,009,821 of which 898,807 are native white and 1,009,718 are negro. Mississippi is the only state in which the number of negroes exceeds the number of whites. (Fifteenth Census of the U. S., Vol. III, part 1).

An Agricultural Commonwealth

Government in Mississippi has developed to meet the economic and social requirements of a rural and agricultural community that has not been materially affected by urban and industrial influence. Early settlers were attracted by the fertile soil and the equable climate. Their descendants have clung tenaciously to the one-crop economy of cotton-raising. Only in the last few years has any progress been made

in diversified farming, livestock raising, dairying, and the development of latent industrial resources. The state has the largest rural population of any of the states, 83.1 percent being classed as rural and 67.7 percent as rural-farm. Only 13 cities have a population of more than 10,000 and in 1930, Jackson, the capital and largest city, had a population of 48,282, followed by Meridian with 31,594 and Vicksburg with 22,943 (Fifteenth Census of the U. S., Vol. III, part 1). However, local statistics gave Jackson a population of nearly 60,000 in 1937.

Cotton, politics, and government have always been important features of social and economic life and the records reflect these influences.

Social Factors in the Organization of Counties

In the creation of counties in Mississippi, as in other states, administrative convenience was frequently considered; but perhaps more weight was given to local pride, to the ambitions of a growing urban center, to the desire of individuals to exercise greater influence in county administration, to transitory jealousy or antagonism, or to some considerations having to do primarily with the courts.

Tradition was an important factor in the establishment of counties. The first settlers brought with them ideas of government to which they had become accustomed. Institutions existent in older states were frequently, and with slight modification, transplanted to Mississippi. In the minds of most people of the time, county government bulked larger and seemed more important than the central government of the state. It was the only government with which many persons ever came in close contact. Thus, there are today in the county and in the internal organization of the county, survivals of institutions which can be traced through the original American colonies back to medieval England.

Furthermore, in the early history of Mississippi there was real need for the county. The people lived in separate communities, each with its own local needs. A high degree of centralization in government would at that time have been impractical. Roads were poor. Rivers were widely used for transportation. Communication was difficult and expensive. Judicial convenience contributed to the establishment of the county as a fact and tradition.

Legal Status of the County

The county in Mississippi, as in other commonwealths, is a territorial area established by the state government for convenience of administration. The supreme court of Mississippi remarked that "A county is a governmental agency, created for local purposes;" but the court added that it is also "for many purposes, a corporation...or at least is clothed with corporate functions", in relation to certain subjects. (Rainey vs. Hinds County, 78 Miss. 313.) Thus the county in

this, as in other states, is not a municipal corporation; it is a quasi-municipal corporation. It cannot be sued, except by virtue of a law passed in the legislature (Code, 1930, sec. 214); Dr. S. C. Millspaugh, County Government, in Report on a Survey of the Organization and Administration of State and County Government in Mississippi by Institute for Government Research of the Brookings Institution, Washington, D. C., 1932, pp. 622-624).

The constitution of 1890 stipulates that a new county cannot be created unless a majority of the qualified electors of the county or counties concerned, voting at a special election, approve of such creation. The same section specifies that no county may contain less than 400 square miles and that no existing county may be reduced below that size (Const., 1890, sec. 260). Thus it appears that the legislature cannot abolish a county without the consent of a majority of the electors of the area concerned. However, the legislature is not prevented from changing county boundaries without the consent of the people.

Functions

The principal functions of the county can be classified as follows: (1) administering the fiscal and business affairs of the county; (2) enforcing state law and decrees; (3) administering justice; (4) holding elections; (5) collecting taxes; (6) maintaining the peace; (7) acting as a recording agency; (8) administering education; (9) regulating health and sanitation; (10) supervising agricultural work.

Administration of Affairs

The board of supervisors, given extraordinary powers and duties, administers the business and fiscal affairs of the county. This semi-legislative body has exclusive and absolute disbursing power, may borrow money and issue bonds. On it are conferred general authority of organization, supervision and control; the power to levy taxes, purchase supplies, care for county building, and make all contracts for public works. It is given jurisdiction over all matters of county police and over many in the field of county education, public health and welfare, agricultural and forestry. As a matter of course, the board of supervisors occupies an all-important, paternalistic position in the political, economic, the social make-up of the county.

The chancery clerk has been delegated a multitude of unallied duties, functions, and responsibilities which make his office unusual in American county government. As the business of conducting the affairs of the county has grown in volume and complexity, more and more administrative burdens have been imposed on the chancery clerk. Consequently, he has become the most important and influential county official and in many counties is in reality the county's chief executive. In general the duties which have

been conferred upon the chancery clerk, in addition to his functions as clerk of the court, are those of: clerk of the board of supervisors, recorder, auditor, clerk of the pension board of inquiry, treasurer, and accountant.

Enforcement of Laws

Laws are enforced through the district attorneys, the county attorneys, by the sheriffs, and by the constables. The coroner and ranger is also a law enforcement officer.

Administration of Justice

Justice is administered through justice of peace courts, county courts, circuit courts, and chancery courts. The justice of peace courts have been prominent in county government from the time the first counties were established in 1799. Their power and influence have been somewhat decreased in 13 counties in which county courts have been created, but they are still important in other counties. The county court, having jurisdiction in civil suits involving not more than \$1,000, is the court of origin of many important law-suits and of prosecution for serious criminal offenses and is the court of appeal from city and justice courts. The circuit court is the court of appeal from the inferior courts, has jurisdiction in litigation involving more than \$1,000, and is a court of criminal prosecution. The clerk of the circuit court is also clerk of the county court.

The chancery court has jurisdiction in all matters in equity; divorce and alimony; matters testamentary and of administration; minor's business; and in cases of idiocy, lunacy, and persons of unsound mind.

Elections

The clerk of the circuit court is registrar of elections and keeper of election records. The board of supervisors is required to call special elections when petitioned to do so by 25 percent of the county's qualified voters.

Tax Collection

The sheriff is by statute, the ex-officio collector of real and personal taxes.

Maintenance of Peace

The sheriff, as elsewhere, is charged with maintaining the peace in his county. Constables, regularly elective county peace officers, while primarily attached to the justice of the peace courts, are directed by law to assist other proper officials including the sheriff, in preserving the peace. The coroner and ranger can be classified as a conservator of the peace.

Governmental Organization and Records System (First entry, p. 30)

Recording

The clerk of the chancery court is the recorder of deeds, deeds of trust, mortgages, wills, court proceedings, and a wide variety of other documents.

Education

The superintendent of education directs the county educational program as part of the state educational system.

The Health Department

In many counties, a health officer, recommended by the state board of health, but appointed and paid by the counties, regulates county-wide health and sanitation work. In others, this program is carried on by a county health department with an organized staff, headed by the health officer.

Agricultural Program

The agricultural demonstration agent supervises local agricultural activities under the control of the Extension Department of Mississippi State College. The county agent of home economics, working under the direction of the county agricultural demonstration agent, carries on home demonstration work in the county. As prescribed by law this office is filled by a woman.

No Standard Records System

While no active, aggressive plan has been advanced to establish uniformity in records, some measures have been passed which show that lawmakers and officials have not been unmindful of the importance of a standardized system.

The county boards of supervisors are directed to supply all county offices with necessary record books, transcripts of records of other counties which relate to or affect titles of property, the original entries of land and the necessary township maps, and provide for the safe and orderly keeping of all the records thereof (Code, 1930, sec. 222). The boards are further instructed to rebind all record books of conveyances and of last wills and testaments, of indexes thereto, and all other record books of the county that need to be rebound, and shall have transcribed into new record books all conveyances and other instruments of records and indexes thereto, that need to be transcribed for preservation, (ibid., sec. 224). The board may provide a complete abstract of titles to land in the county (ibid., sec. 226), but in many

counties, has not done so. The boards are definitely directed to supply the office of the chancery clerk with a sectional index to the lands in their respective counties (Code, 1930, sec. 227), but in at least 12 counties, through ignorance of the law, carelessness, or neglect, the sectional index has not been provided.

The 1930 Code prescribed the form for many dockets, records, and books, but since these are generally purchased locally by the various boards, they vary in size, quality, and typographical makeup according to the ability and equipment of local printers.

No provisions have been made for the destruction of unimportant and obsolete records.

The courts and the board of supervisors are given authority to re-establish any records destroyed, lost, or stolen (ibid., chapt. 47).

The state organization of chancery clerks and of circuit clerks has endeavored to standardize their own forms but the movement has not progressed much beyond the discussion stage.

Various state agencies have made earnest efforts to standardize the reports made to them by county departments, especially the state auditor of public accounts who issues uniform blanks to the assessors, the collectors and to the boards of pension inquiry. With respect to the work of this official the report of the Brookings Institution on county government in Mississippi had this to say, "The state auditor's office has been given the function of prescribing uniform accounts and assisting in their installation, and of making audits of county offices. This auditing work has not been effective, partly because of an inadequate field staff, partly because the state auditor is an elective official, and partly because inspections of county offices has been merely an incidental function of an office which is primarily a state department, with its main interest centered in the operations of the one central office of the state. The need in Mississippi for fiscal supervision and control of local subdivisions has not yet been adequately met." (Brookings, chapt. 40, p. 609).

Carelessness, indifference, and ignorance have been the greatest deteriorating factors in the preservation and protection of records. As early as 1816 the Territorial legislature enacted a law giving the justices of the county court power to inspect the offices of clerks who "have neglected to record deeds, wills, and other matters of consequence, in due season, and have carelessly and confusedly kept the files of papers in their offices, and have neglected to make out proper indexes of the matters recorded, whereby great injury may ensue to persons concerned" (Turner's Digest, 1816, p. 195).

Legislation in 1803 and again in 1816 empowered the governor to appoint an officer to translate and preserve the records and papers which were kept during the administration of the Spanish government in Mississippi (1779-1795). This official was directed to "make a faithful translation and record in well bound books all the records.....and record in separate books those records relating to trials and judgments in suits, and those relating to conveyances of real and personal estate....and make a complete index in alphabetical order of the contents of each volume to be therein contained". (Turner's Digest, 1816, pp. 390, 491).

In 1902 the State Department of Archives and History was established to provide for the care and custody of official archives, the collecting of materials bearing upon the history of the state, the editing of official records and other historical material, the diffusion of knowledge in reference to the history and resources of the state, the preparation and publication of annual reports, and the encouragement of historical work. (Code, 1906, sec. 1633). Through the work of this department much progress has been made in bringing about an increased interest in preserving and protecting all records.

3. HOUSING, CARE, AND ACCESSIBILITY OF RECORDS

The Pearl River County courthouse is situated in Poplarville on Main Street. On the first floor are the offices and vaults of the chancery clerk, the circuit clerk, and the sheriff and tax collector; the offices of the tax assessor, the superintendent of education, the health officer and the board of supervisors. On the second floor are the offices of the agricultural demonstration agent, the agent of home economics, the county prosecuting attorney, and a justice of the peace. The court room, a witness room, and several other rooms not used for county record purposes take up the remainder of the second floor. The third floor has court room galleries, jury rooms, and one vacant room.

The building, of brick and stone construction, three stories in height, was erected in 1918. Its outside measurements are 125' x 60' x 40' and it contains 292,500 cubic feet of space. It is simple and unadorned and is 90 percent fireproof having cement floors, plastered walls and ceilings, throughout, and an asbestos roof. The building has not been damaged by fires or floods. Ventilation and lighting are uniformly good in all offices and the building has an excellent steam heating system. The three fireproof vaults contain approximately 72 percent of the quantity of records.

The east or main entrance opens into a vestibule which runs into a cross hall extending the length of the building. All offices on the first floor are entered from this hall and from an octagonal lobby which it forms in the center of the building at the juncture with the vestibule.

Housing, Care, and Accessibility of Records

(First entry, p. 30)

The office of the tax assessor, the first room to the right of the entrance hall, measures 18' x 10' x 14' and has one door $6\frac{1}{2}'$ x $2\frac{1}{2}'$, and two windows $6\frac{1}{2}'$ x $3\frac{1}{2}'$. On the north and west sides of the room are 40 linear feet of steel file boxes and 48 feet of wooden pigeon holes containing 80 linear feet of unbound material. Only ten percent of the tax assessor's records are kept in the office, the remainder being deposited in the vault of the chancery clerk.

The superintendent of education has two rooms in the northeast corner of the building on the first floor. One called the education room, measures 25' x 18' x 14' with one door $6\frac{1}{2}'$ x $2\frac{1}{2}'$ and four windows 8' x $2\frac{1}{2}'$. On the west and north walls are 19 linear feet of shelving containing 15 linear feet of bound volumes. Two steel cabinets each with 18 drawers 12" x 4" x 8" and two compartments each 8" x 3" x 18" and one steel cabinet four feet high with four drawers each 1' x 1' x 30" contain miscellaneous unbound material. The room is not crowded and there is ample room for expansion. Approximately three percent of the records of the office are kept in this room which is also used for the meeting room of the school trustees. The office of the superintendent is 25' x 19' x 14' and has two doors each $6\frac{1}{2}'$ x $2\frac{1}{2}'$ and two windows 8' x $2\frac{1}{2}'$. On the west wall 68 linear feet of adjustable steel shelving contain 56 linear feet of bound volumes, and 12 linear feet of unbound materials. This room is not crowded and there is ample room for expansion. Approximately 12 percent of the office records are kept in this office. The remaining 85 percent of the superintendent's records are stored in the vault of the chancery clerk. Equipment in both offices is adequate for both office workers and public users.

Directly across the hall and in the northwest corner of the building are the offices and vault of the circuit clerk. His private office contains no records but there is room for at least 800 linear feet of shelving in the event it is needed. The work office is a room 20' x 13' x 14' and has two entrance doors $6\frac{1}{2}'$ x $2\frac{1}{2}'$, two windows 8' x 3', and one steel door, the entrance to the vault, $6\frac{1}{2}'$ x 2'. On the east and west walls 192 linear feet of steel shelving and cabinets contain 112 linear feet of bound volumes and 80 linear feet of unbound material (in the cabinets). This office is crowded. On the top of the cabinets and on top of the safe are 41 volumes which cannot be placed elsewhere. Approximately 65 linear feet of additional shelving would relieve this congestion. Accommodations for office workers and public users are adequate but not extensive. The vault, 8' x 19' x 14', with steel window and door frames and plastered walls and ceiling, is not adequately ventilated although the lighting is good. On the south, north, and east sides, 120 linear feet of adjustable steel shelving contain 103 linear feet of bound volumes, and a number of steel file boxes each 12" x 4" x 14" contain 47 linear feet of unbound material. This room is badly congested and 20 volumes are stacked on a table against the west side of the room. The addition of 120 linear feet of shelving would care for these volumes and for the 41 volumes unprovided for in the circuit clerk's work office.

The vault is also used for the storing of ballot boxes and miscellaneous materials. There are practically no accommodations for workers or for public users. Approximately 44 percent of the records of the circuit clerk are stored in the vault and 56 percent are kept in the work office.

The chancery clerk has the three offices to the south. The work office is a room 35' x 25' x 14' and has two entrances $6\frac{1}{2}'$ x $2\frac{1}{2}'$, four windows 8' x $2\frac{1}{2}'$, and one steel door (the entrance to the vault), 6' x $2\frac{1}{2}'$. Under a steel desk or counter that extends the length of the room, are 30 linear feet of adjustable steel shelving and 18 linear feet of steel drawers each drawer being 1' x 6" x 18" containing 60 linear feet of bound volumes. Accommodations for public users are adequate.

The chancery clerk's private office, 7' x 15' x 14' contains only his correspondence and no public records.

The vault is 25' x 35' x 14' with four windows 8' x $2\frac{1}{2}'$, one window 8' x 3' and one steel door 6' x $2\frac{1}{2}'$. On the east, west, and north walls and under three double desks are 1,824 linear feet of adjustable steel shelves which contain 1,596 linear feet of bound volumes including 35 feet of bound newspapers, 230 linear feet of unbound materials, and 70 linear feet of miscellaneous materials. The vault is not crowded, one side of the room, 25' x 15' being without shelves. Accommodations for workers and for public users are excellent and there is ample room for expansion. Approximately 98 percent of all records for which the chancery clerk is responsible are kept in this vault.

The office of the board of supervisors is situated in the southwest corner of the building and is a room 25' x 30' x 14' with two doors each $6\frac{1}{2}'$ x $2\frac{1}{2}'$ and four windows 8' x $2\frac{1}{2}'$. On the north and south walls are 50 linear feet of steel shelving and a number of steel file boxes, each 10" x 4" x 14" containing 15 linear feet of bound volumes and 50 linear feet of unbound materials. The room is not crowded and there is room for expansion. Only ten percent of the board's records are kept in this room, the other 90 percent being stored in the chancery clerk's vault.

In the southeast corner of the building the health officer has his office and his laboratory. The office, a room 18' x 15' x 14', has two doors each $6\frac{1}{2}'$ x 3' and two windows each 8' x 3'. On the north wall, 30 linear feet of box type, steel shelving contain 30 linear feet of unbound materials. The room is crowded and it has only fair equipment. However, a new public building is being erected that will give this department exceptionally good facilities in the future. The laboratory measures 12' x 10' x 14' and has two windows 8' x $2\frac{1}{2}'$ and one door $6\frac{1}{2}'$ x $2\frac{1}{2}'$. The room contains no records and is overcrowded with laboratory equipment.

The two offices and vault of the sheriff and tax collector occupy the central portion of the east side of the building to the left of the

Housing, Care, and Accessibility of Records

(First entry, p. 30)

main entrance. The main office is a room 18' x 23' x 14' with four doors $6\frac{1}{2}' \times 2\frac{1}{2}'$, and one steel door, the entrance to the vault, $6' \times 2\frac{1}{2}'$, and three windows each $6\frac{1}{2}' \times 2\frac{1}{2}'$. On 40 linear feet of adjustable steel shelving under a steel counter that extends the length of the room, are 35 linear feet of bound volumes, current records in use. The room is not crowded and there is ample room for expansion. Accommodations for workers and public users are excellent. Approximately 15 percent of the sheriff and tax collector's records are kept in this room.

The private office of the sheriff and tax collector measures 19' x 16' x 14' and has one door $6\frac{1}{2}' \times 2\frac{1}{2}'$ and two windows $8' \times 2\frac{1}{2}'$. No records are kept in this room.

The vault, 6' x 10' x 14' has only one door $6\frac{1}{2}' \times 2\frac{1}{2}'$, and no windows. It is poorly ventilated but has good electric lighting. No records are kept in this vault although 36 linear feet of wooden shelving have been built in it.

In the northeast corner of the building on the second floor the agricultural demonstration agent has his office, a room 25' x 20' x 14' with one door $6\frac{1}{2}' \times 2\frac{1}{2}'$ and four windows each $6' \times 2\frac{1}{2}'$. On the east and south sides, 30 linear feet of shelving contain 18 linear feet of bound volumes. One steel cabinet with four drawers each 12" x 12" x 18" contain 12 linear feet of unbound materials. The room is crowded but equipment for workers and public users is adequate and sufficient. All the records of the bureau are kept in this room.

The office of the county prosecuting attorney adjoins that of the agricultural demonstration agent and is a room 25' x 15' x 14' with two doors each $6\frac{1}{2}' \times 2\frac{1}{2}'$ and three windows $6' \times 2\frac{1}{2}'$. The room does not contain any records but legal books belonging to the county library are kept here.

To relieve the congestion in the office of the agricultural demonstration agent the prosecuting attorney could move his effects to one of the witness rooms on the second floor and his present office could be given to the agricultural department.

On the north side of the building on the second floor, the agent of home economics has an office which measures $12\frac{1}{2}' \times 18' \times 14'$ and has two doors $6\frac{1}{2}' \times 2\frac{1}{2}'$ and two windows each $6' \times 2\frac{1}{2}'$. On the south side of the room 60 linear feet of pigeon-hole type wood shelving contain 60 linear feet of bound volumes. The room is not over-crowded but there is no room for expansion. All the records of this office are kept here.

List of Abbreviations, Symbols, and Explanatory Notes. (First entry, p. 30)

In a room in the northeast corner of the building on the second floor, the justice of the peace of beat one has his court room and office. It measures $12\frac{1}{2}'$ x $18'$ x $14'$ and has two doors each $6\frac{1}{2}'$ x $2\frac{1}{2}'$ and three windows each $6'$ x $2\frac{1}{2}'$. There are no shelves in this room and the justice keeps six volumes of his records on a table and on the floor, approximately 84 percent of the justice of peace records of beat one. The room is not crowded but there is a need for shelving on which the volumes could be placed.

4. LIST OF ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

Abbreviations

alph.	.....	alphabetical (ly)
ASP	.....	American State Papers
approx.	.....	approximately
arr.	.....	arranged
art., arts.	.....	article (s)
bmnt.	.....	basement
bd. of sup.	.....	board of supervisors
<u>Brookings</u>	.....	<u>Report on a Survey of</u> <u>the Organization and</u> <u>Administration of</u> <u>State and County Gov-</u> <u>ernment in Mississippi.</u> By Institute for Gov- ernment Research of the Brookings Institute, Washington, D.C. 1932.
chapt.	.....	chapter
ch. clerk	.....	chancery clerk
chron.	.....	chronological (ly)
cir. clerk	.....	circuit clerk
<u>Const.</u>	.....	Constitution
co.	.....	county
co. agt.	.....	agricultural demonstra- tion agent
dept.	.....	department
hdw.	.....	handwritten
home dem. agt.	.....	agent of home economics
<u>ibid.</u>	.....	Ibidem (the same as pre- ceding)
<u>infra.</u>	.....	below or after
J. P.	.....	Justice of the peace
<u>Laws</u>	.....	Session laws of Mississippi
<u>Miss.</u>	.....	Mississippi
<u>MDAH</u>	.....	Mississippi Department of Archives and History
no.	.....	number
numer.	.....	numerical (ly)
off.	.....	office or officer

List of Abbreviations, Symbols, and Explanatory Notes (First entry, p. 30)

p. pp.	.....	page, pages
<u>Poindexter's</u>	.....
<u>Code, 1824</u>	.....	<u>The Revised Code of the Laws of Mississippi in Which are Comprised All Such Acts of the General Assembly of a Public Nature, as were in Force at the End of the Year 1823. With a General Index. Natchez, Printed by Frances Baker, 1824. Revised by George Poindexter.</u>
ptd.	.....	printed
sec., secs.	.....	section, sections
sh.	.....	sheriff
<u>Stat. L.</u>	.....	United States Statutes at Large
supra.	.....	above or before
tax assr.	.....	tax assessor
tax col.	.....	tax collector
<u>Toulmin's</u>	.....
<u>Digest, 1807</u>	.....	<u>The Statutes of the Mississippi Territory Revised by the Honorable Harry Toulmin, one of the United States' Judges for the Mississippi Territory, Published by Authority, Natchez, Printed by Samuel Terrell, Printer to the Mississippi Territory, 1807.</u>
twp.	.....	township
<u>Turner's</u>	.....
<u>Digest, 1816</u>	.....	<u>Statutes of the Mississippi Territory, the Constitution of the United States with the Several Amendments, thereto, and Such Acts of Congress as Relate to the Mississippi Territory. Digested by Edw. Turner by Authority of the General Assembly. Natchez, Printed by Peter Isler, Printer to the Territory, 1816.</u>
tpw.	.....	typewritten
va.	.....	vault
vol., vols.	.....	volume, volumes

List of Abbreviations, Symbols, and Explanatory Notes (First entry, p. 30)

Symbols

x used in all measurements means "by".
-- indicates that the records are current.

Explanatory Notes

In this inventory the entries have been grouped, with one general exception, in the order of the importance of the records to their respective offices and to related matters. In arranging the records of the courts, this procedure was not followed. Here they are grouped so that case records show the progression of cases and suits from original filing to consummation.

Insofar as possible to determine, records have been listed under the office of their origin.

Record entries are cross-referenced to bring out their relation and to condense into one entry a complete series.

Wherever the contents of certain entries are duplicated or wherever similar records are found in other entries, cross references are made under these same subject headings as follows: "see entry (number of entry)".

If there are entries related in subject matter to other entries or to subject headings, they are cross-referenced under the entries and subject headings by the words, "see also entries (numbers of entries)".

Titles of records have been indicated by capital letters, assigned titles by lower case type in parenthesis. Numbered or lettered labeling of records is designated in parenthesis in the first line following the quantity; for example, 20 vols.(1-20), or 20 vols. (A-T).

Where no reason for the creation or for the discontinuance of records is given, and where no cross-reference appears, the reason for such creation or discontinuance could not be ascertained.

If no arrangement is indicated, none exists. If the kind of indexing is not shown, no index exists. Indexes to records are not themselves indexed.

Since measurements of records are always given in inches, the symbol for inches is omitted. The dimensions of volumes and bundles are given in sequence of height, width and thickness; for file cases and all other containers, in sequence of height, width, and depth.

Unless otherwise specified in the introductory or office essays or in the individual entries, it is to be assumed that the records are deposited in the county courthouse.

List of Abbreviations, Symbols, and Explanatory Notes (First entry, p. 30)

The locations given for the records are the locations of those records at the time the survey was made. These are, of course, subject to change, as it has been found that the records in the courthouse are moved occasionally from place to place.

The condition of the records is assumed to be good unless otherwise stated.

On maps and on plat records, the names of the author, engraver, and publisher, and information on scale have been omitted only when these data were not obtainable.

All population figures, unless otherwise stated, are taken from the reports of the United States Bureau of the Census from 1790 to 1930.

Sargent's Code, 1799 refers to the typescript of the original manuscript laws of the Mississippi Territory framed by Governor Winthrop Sargent and the Territorial judges in 1799 and 1800. These laws, written by hand on heavy paper approximately 14" x 20" are preserved in the Mississippi Department of Archives and History. In December 1937, in order that the fragile and brittle papers might be retired from active use the Historical Records Survey prepared typescripts of the laws and placed a copy in the department for public use.

1930, sec. 214. The board is required to construct and maintain the courthouse and the jail in Pearl River County (ibid., sec. 214) and may appropriate not in excess of \$500 annually in aid of any fire department for protection (ibid., sec. 234).

Together with the superintendent of education, the county school board, the district trustees, and the trustees of the Pearl River Junior College and Agricultural High School, the board organizes and directs the educational system of the county (ibid., secs. 653, 654, 655).

As permitted by law, the board of supervisors in Pearl River County has established county departments of agriculture (ibid., sec. 278; Laws, 1932, p. 517), road economics (Laws, 1931, sec. 251), and health (ibid., sec. 492). It may borrow money in any one year in anticipation of taxes up to \$50,000 and levy a special tax to repay the loan (ibid., secs. 211-239). At any call special elections to decide any issue affecting the entire county when petitioned to do so by 25 percent of the county's qualified electors; supervise public works, and perform a multitude of other duties allotted to it. (ibid., secs. 193-211).

The board may procure or have made a complete abstract of titles to lands in the county (ibid., sec. 225). It is required to provide the chancery clerk with a sectional index to all land conveyances and other instruments concerning the titles of lands in the county (ibid., sec. 227). In Pearl River County both of these records have been obtained by the board. The supervisors are directed

(First entry, p. 30)

I. BOARD OF SUPERVISORS

The business and fiscal affairs of Pearl River County are administered by the five-member board of supervisors established in 1869 (Const., 1869, art. VI, secs. 20-21) and perpetuated by the constitution of 1890 (Const., 1890, sec. 170). The county is divided into five districts or "beats" (*ibid.*) and the qualified electors of each beat elect one member of the board every four years (Code, 1930, sec. 195). To be eligible for membership on the board a person must be a resident freeholder in the district for which he is chosen and he must be the owner of real estate in the value of at least \$300 (*ibid.*, sec. 196).

He must execute a bond with sufficient sureties in a penalty equal to five percent of all state and county taxes as shown by the assessment rolls and the levies to have been collectible in the county for the year immediately preceding the commencement of his term of office (*ibid.*, sec. 197). As the assessed value of all property in Pearl River County in 1935 was \$6,005,761 (Biennial Report of the Secretary of State to the Legislature of Mississippi, 1935-36, p. 212), the bond of each member of the board taking office in January, 1936 was approximately \$300,000.

In this body is vested a wide variety of executive and administrative powers. The constitution and statute law give it full jurisdiction over roads, ferries, and bridges (Const., 1890, sec. 170) and over all matters of county police (Code, 1930, sec. 214). The board is required to construct and maintain the courthouse and the jail in Pearl River County (*ibid.*), it may insure county buildings (*ibid.*, sec. 233), and it may appropriate not in excess \$250 annually in aid of any fire department for protection (*ibid.*, sec. 234).

Together with the superintendent of education, the county school board, the district trustees, and the trustees of the Pearl River Junior College and Agricultural High School, the board organizes and directs the educational system of the county (*ibid.*, secs. 6568, 6584, 6630).

As permitted by law, the board of supervisors in Pearl River County has established county departments of agriculture (*ibid.*, sec. 278; Laws, 1932, p. 517), ~~and~~ economics (Code, 1930, sec. 281), and health (*ibid.*, sec. 4926). It may borrow money in any one year in anticipation of taxes up to \$50,000 and levy a special tax to repay the loan (*ibid.*, secs. 251-252). It may call special elections to decide any issue affecting the entire county when petitioned to do so by 25 percent of the county's qualified electors; supervise public works, and perform a multitude of other duties allotted to it. (*ibid.*, secs. 195-311).

The board may procure or have made a complete abstract of titles to lands in the county (*ibid.*, sec. 226). It is required to provide the chancery clerk with a sectional index to all land conveyances and other instruments concerning the titles of lands in the county (*ibid.*, sec. 227). In Pearl River County both of these records have been obtained by the board. The supervisors are directed

Board of Supervisors

(First entry, p. 30)

by law to supply all county offices with necessary records books (Code, 1930, sec. 222; see Government Organization and Records System, supra., "No Standard Records System"). In this respect during the 48 years that Pearl River County has been in existence, the work of the board has been well above the average.

The greater part of the business of this governing group is concerned with the finances of the county. It has general authority to levy taxes for county purposes (ibid., sec. 214) and to direct the appropriation of money that may come into the county treasury for objects authorized by law (ibid., sec. 256).

The terms of the members of the board, set at two years in 1869 (Const., 1869, art. VI, sec. 20), was increased to four years in 1890 (Const., 1890, sec. 102). The compensation of each member of the board in Pearl River County is \$5 for each day while in session or while inspecting roads and bridges or performing any other service required by law, but the total salary for any one year cannot exceed \$900 (Laws, 1932, p. 492).

Meetings are held regularly on the first Monday of each month as stipulated by law (Code, 1930, sec. 201),

The counties formed after the Mississippi Territory was organized (see Governmental Organization and Records System, supra., "The Territory Established"), were governed locally by the court of general quarter sessions of the peace and the court of common pleas. These courts were established by Governor Winthrop Sargent and the Territorial Judges in 1799 by the set of laws known as Sargent's Code and until 1807 the two courts shared the responsibilities of county government. The laws specified that a competent number of persons in each county be appointed by the governor to serve as justices of each court (Sargent's Code, 1799, pp. 6, 11).

As a county administrative body the court of general quarter sessions of the peace was empowered to divide the county into townships, appoint annually in each township one or more constables and one or more overseers of the poor (ibid., pp. 81-83). It was assigned the important function of estimating the amount necessary to meet the average annual expenses of the county, and it was given complete jurisdiction over the building and maintenance of all public roads (ibid., p. 84). Duties in this capacity included appointing a proper number of highway supervisors or overseers in each township; appointing three disinterested men to view and examine the route of a proposed road; ordering a surveyor with two other men to measure the route; and constructing and maintaining bridges (ibid., pp. 105-109). The court was required to inquire into the state of prisoners in jails and to see that the jails were clean and secure (ibid., p. 102). The county coroner could certify his inquisitions to this court (ibid., p. 41) and the sheriff and the jailer made regular reports to it.

The general quarter sessions was also authorized to appoint men to adjust boundary disputes between individuals and men to view and decide on the

Board of Supervisors

(First entry, p. 30)

height and efficiency of fences (Sargent's Code, pp. 118-120). An emergency measure enacted to give the governor power to establish ferries specified that the court fix the ferry rates from time to time (ibid., p. 131). A law passed September 21, 1799, recognizing the increasing importance of cotton-growing in the Territory, delegated the court to recommend suitable persons to be appointed by the governor as inspectors of cotton, cotton gins, and cotton presses (ibid., pp. 153-155).

The governor issued all licenses to taverns, alehouses, dramhouses and public houses, but it was necessary for applicants to obtain a recommendation from the court of general quarter sessions and pay the clerk of the court a fee of \$25 before the governor would grant such licenses (ibid., pp. 34-39).

In administrative matters the court of common pleas was given power to appoint biennially, with the approbation of the governor, commissioners to apportion taxes. Likewise it could appoint three or more commissioners, also with the approbation of the governor, to assess the taxes, using the budget estimate made by the quarter sessions as the basis of the assessments (ibid., pp. 84-92).

This court was given power to borrow money to erect courthouses and jails, pillories, stock, and whipping posts (ibid., pp. 96-98), to issue warrants to the county treasurer (ibid., pp. 108-109, 161-164), and through its prothonotary to certify the accounts of the commissioners (ibid., p. 92). It was authorized to contract for the building and keeping in repair of large bridges (ibid., p. 108).

On December 10, 1807, the Territorial general assembly established a single county court in each county to supersede the inferior court system set up by Governor Sargent (Toulmin's Digest, 1807, chapt. XXVIII). By the act the governor was empowered to appoint and commission five persons in every county as justices of the peace and of the quorum to hold county court. To this court was delegated many of the judicial, and all of the administrative functions vested in the former courts.

In its administrative capacities this county court had full power and authority to establish and maintain roads, bridges, and ferries, fix ferry rates (Turner's Digest, 1816, pp. 291-297), mark and lay out prison bounds, and make rules for prisons (ibid., p. 133).

As the counties were established their county courts were directed by the organization acts to erect courthouses and jails and keep them in repair (ibid., pp. 85-124). Similarly the courts were empowered to levy taxes, but on December 17, 1812, an act of the general assembly made the county court by general statute law the tax-levying body with power to direct appropriation of the money which came into the county treasuries (ibid., pp. 411-412). The court was authorized to clear and open navigable streams by the act of March 1, 1805 (ibid., pp. 292-307), and from March 4, 1803 until December 12, 1812

Board of Supervisors

(First entry, p. 30)

it was commissioned to erect a public pound at the respective courthouses and appoint a keeper (Turner's Digest, 1816, pp. 391-392). It licensed taverns and retailers of spirituous liquors and fixed their rates and prices (ibid., p. 397); it licensed grist mills, saw mills, and cotton gins, and fixed their rates (ibid., pp. 344-347); and it licensed billiard tables, the fee being \$100 (ibid., p. 241). By the act of December 24, 1812 the county court was directed to appoint inspectors to superintend elections for members of the house of representatives (ibid., p. 257). It was assigned the duty of making reasonable allowances to clerks, sheriffs, and constables for public services in either county court or superior (circuit) court, not to exceed \$50 yearly for sheriffs and clerks and \$1 a day to constables for necessary attendance in superior court (ibid., pp. 273-274).

The constitution adopted in 1817, the year Mississippi became a state, made no definite provision for the perpetuation of the county court other than specifying that the legislature could direct and establish such inferior courts as it considered necessary (Const., 1817, art. V, sec. 1). Accordingly, by the act of February 5, 1818 (Laws, 1818, p. 58), a county court was organized to consist of a chief justice and two associate justices elected by a joint vote of both houses of the general assembly and commissioned by the governor as justices of the peace and of the quorum and to serve during good behavior.

This court was delegated all the powers of county administration given by the laws of the Mississippi Territory in force at the time of the adoption of the constitution of 1817. It was authorized to lease the lands donated to Mississippi by the United States (the 16th section in each township) and to provide for the erection of one or more school buildings in each township. Leases were to be made for no longer than three years and the lands were to be protected against improper waste of soil and timber (Laws, 1818, p. 23).

On November 28, 1821 the general assembly relieved the county court of a portion of its police power by creating in each county a board of commissioners composed of one commissioner from each captain's district. To this body was allotted all the authority of the county court with respect to roads, highways, ferries and bridges. However, the court appointed these commissioners and the chief justice of the court served as president of the board. The court itself retained powers in taxation, licensing, elections, in erecting or purchasing public buildings, caring for the poor, auditing and allowing all accounts, and in providing clerks' offices with supplies and equipment. (Laws, 1821, p. 37).

The constitution of 1832 abolished the county court by dividing the judicial functions among a newly created court of probate, a superior court of chancery, a circuit court, and justices of the peace; and by giving its administrative duties to a county board of police (Const., 1832, art. IV, secs. 1, 14-16, 18, 20, 23).

Board of Supervisors

(First entry, p. 30)

This board was composed of five members chosen by the qualified electors of each county to serve for two years. It was given full jurisdiction over roads, highways, ferries, and bridges, and over all other matters of county police. It could order county elections to fill vacancies which occurred in the offices of the counties. The clerk of the court of probate was made the clerk of this board. (Const., 1832, art. V, sec. 20).

The act of March 2, 1833 which established and defined the powers and jurisdiction of the board of police, directed the county court in each county to divide the county into five districts and the qualified electors of each district to name a member to the board thus continuing the precedent of district, rather than county-wide representation, a precedent which still prevails in 1938 (Laws, 1833, p. 43). The board of police continued as the county administrative body, acquiring more duties and powers under its general scope of authority, through the War Between the States until 1869. At this time the constitution adopted preparatory to the re-entry of Mississippi into the Union, changed the name to board of supervisors (Const., 1869, art. VI, secs. 20-21).

Clerk of the Board

The clerk of the chancery court is clerk of the board of supervisors (ibid.; Const., 1890, sec. 170). From 1799 until 1832 the clerk of the county court was ipso facto clerk of the county governing body. From 1832 until 1869 the clerk of the court of probate was clerk of the board of police (Const., 1832, art. IV, sec. 20). Since Pearl River County was not established until 1890 (see Historical Sketch, supra.) only its clerks of the chancery court have served as clerks of the board.

The clerk must attend all meetings of the board (Code, 1930, sec. 198) and it is his duty to keep and preserve the records of the proceedings and the orders of the board (ibid., sec. 211). As clerk of the board he is ex-officio county auditor (ibid., sec. 295) and he is also county treasurer (ibid., secs. 254-255, 4546-47; Laws, 1932, p. 514; see Treasurer and Auditor, infra.)

As chancery clerk he receives copies of the assessment roll forms from the state board of public contracts and as clerk of the board delivers one copy to the tax assessor and keeps the other copies (Code, 1930, sec. 3134). He is required to enter in the rolls all changes in assessments made by the board (ibid., sec. 3174). After the board completes the assessment roll the clerk makes copies of it, delivering one to the state tax commission and the other to the tax collector, and filing the original as a public record (ibid., sec. 3181).

The clerk certifies the tax levy of Pearl River County to the state auditor of public accounts, the tax collector of the county, to the state land commissioner, and to the state tax commission (ibid., sec. 3228).

Board of Supervisors - Proceedings

(1-6)

Proceedings

1. MINUTES OF THE BOARD OF SUPERVISORS, 1890--. 8 vols. (1-8).
Proceedings of regular and special meetings of the board of supervisors, kept in narrative form, including disposition of claims against the county, authorization and approval of allowances and budgets, tax refunds and redemptions, road construction and maintenance, reports and contracts, and financial and governmental matters brought before the board. Chron. arr. Alph. indexed by entry. Hdw. and typed. 600 pp. 24 x 15 x 3. 6 vols., 1890-1925, ch. clerk's va.; 2 vols., 1926-- , supervisors' off.

2. PROCEEDINGS OF BOARD OF SUPERVISORS, 1890--. 39 file boxes.
Original claims, petitions, tax levies, tax refunds, requests, appropriations of school funds, loans, and reports of county officers to be passed on at regular and special meetings of the board. Chron. filed. No index. Hdw. and typed. 12 x 4 x 18. 1 file box, 1890-91, cir. clerk's off.; 38 file boxes, 1892-- , supervisors' off.

3. PETITIONS, 1929. 1 file box.
Original petitions from citizens in all precincts to the board of supervisors requesting changes in system of maintaining public works, bridges, roads, and methods of contracting such work. Chron. filed. No index. Typed. 12 x 4 x 18. Supervisors' off.

Allowances

4. REGISTER OF ALLOWANCES, 1904-29. 6 vols. (3-8). 1890-1903 missing.
Register of allowances made by board for general county expenses, showing to whom allowed, purpose, date, amount, court authorization, volume and page of record in minutes, expenditures of courthouse, jail, and county officers. Contains: Cash Receipts and Disbursements, 1924-29, entry 7; Register of School warrants, 1926-29, entry 8; Register Agricultural High School Warrants, 1925-29, entry 9; Register Consolidated School Warrants, 1925-29, entry 10. Chron. arr. No index. Hdw. on ptd. form. 500 pp. 18 x 20 x 2. Ch. clerk's va.

For subsequent records, see entry 7.

Claims

5. DOCKET OF CLAIMS, 1892--. 21 vols. (A-U).
Records of accounts and claims filed against the county for services, supplies, damages, and materials, showing name of claimant, nature of claim, number, date filed, fund, amount, purpose, and disposition. Chron. arr. No index. Hdw. on ptd. form. 550 pp. 24 x 16 x 3. Ch. clerk's va.

6. CLAIMS, 1912--. 276 file boxes.
Original claims for services, supplies, materials, and damages presented to board for approval, showing claim number, amount, date, purpose, and name of claimant. Chron. filed. No index. Hdw. on ptd. form. 12 x 2 x 12. Ch. clerk's va.

Warrants and Disbursements

7. CASH RECEIPTS AND DISBURSEMENTS, 1930--. 9 vols.
Register of county, school, agricultural high school, and consolidated school warrants, allowances, and other disbursements of county funds, showing warrant number, amount, date, payee, voucher number, claim number, allowance number, fund charged, date registered, date returned by treasurer, date cancelled; and remarks. Chron. arr. No index. Hdw. on ptd. form. 600 pp. 19 x 30 x 2 $\frac{1}{2}$. Ch. clerk's va.
For prior records, see entries 4, 8, 9, and 10.
8. REGISTER OF SCHOOL WARRANTS, 1891-1925. 3 vols. (1, 1, 2). 1926-29 in Register of Allowances, entry 4; 1930-- in Cash Receipts and Disbursements, entry 7.
Register of warrants issued in payment of county school expenses, showing number, pay certificate number, payee, date, amount, to whom delivered, name of school, scholastic month, date redeemed and cancelled, and remarks. Chron. arr. No index. Hdw. on ptd. form. 230 pp. 18 x 15 x 1 $\frac{1}{2}$. Ch. clerk's va.
9. REGISTER AGRICULTURAL HIGH SCHOOL WARRANTS, 1908-24. 1 vol. 1925-29 in Register of Allowances, entry 4; 1930-- in Cash Receipts and Disbursements, entry 7.
Register of warrants issued in payment of agricultural high school expenses, showing number, pay certificate number, date, payee, amount, purpose, and name of school. Chron. arr. No index. Hdw. on ptd. form. 476 pp. 18 x 15 x 2. Ch. clerk's va.
10. REGISTER CONSOLIDATED SCHOOL WARRANTS, 1914-24. 1 vol. 1925-29 in Register of Allowances, entry 4; 1930-- in Cash Receipts and Disbursements, entry 7.
Register of warrants issued in payment of consolidated school expenses, showing number, date, amount, payee, purpose, and school district. Chron. arr. No index. Hdw. on ptd. form. 600 pp. 18 x 15 x 3. Ch. clerk's va.
11. WARRANTS (County), 1890--. 414 vols.
Stubs of warrants issued by clerk of board in payment of general county obligations, showing number, date, amount, payee, purpose, fund, claim number, volume and page reference to minutes, and receipt. Chron. arr. No index. Hdw. on ptd. form. 150 pp. 18 x 18 x 1 $\frac{1}{2}$. Ch. clerk's va.
12. WARRANTS CANCELLED, 1890--. 64 file boxes and 3 cabinets.
Cancelled warrants issued in payment of county obligations, showing number, date, amount, payee, purpose, fund, and date cancelled. Chron. filed. No index. Hdw. on ptd. form. File boxes 12 x 5 x 10 and cabinets 12 x 30 x 36. Ch. clerk's va.
13. OFFICIAL BONDS, 1890--. 2 file boxes.
Original bonds and oaths of office of county officials, showing names of sureties and principal, amount of bond, date, office, date official elected,

Board of Supervisors - 16th Section Records

(14-19)

length of term, signatures of president of board and of clerk of board, and oaths of sureties and officer. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 18. Ch. clerk's va.

For record of official bonds, see entry 14.

14. RECORD OF OFFICIAL BONDS, 1890--. 3 vols.

Record of bonds and oaths of county officials, showing names of officers, office, names of sureties and principal, amount of bond, date, signatures of sureties, official, president of board, and clerk of board, and certification of recording. Chron. arr. Alph. indexed by name of official. Hdw. on ptd. form. 350 pp. 18 x 12 x 2. Ch. clerk's va.

For original bonds, see entry 13.

15. REGISTER OF COUNTY BONDS, 1914--. 1 vol.

Register of bonds issued by the county for construction of roads, school buildings, bridges, and public buildings, showing nature of bond, number, date issued, purchaser, amount, rate of interest, nature of payment, purpose of issue, date of maturity and redemption, and remarks. Chron. arr. No index. Hdw. on ptd. form. 160 pp. 16 x 11 x 1. Ch. clerk's off.

16. BONDS FOR LOST WARRANTS, 1914--. 2 file boxes.

Original bonds made by payees for lost county warrants, showing date, amount, purpose, to whom issued, number of bond, date filed, names of principal and sureties. Chron. filed. No index. Hdw. on ptd. form. 4 x 4 x 12. Ch. clerk's va.

17. CONTRACTS AND CONTRACTORS' BONDS, 1920-22. 1 file box.

Original contracts and contractors' bonds guaranteeing performance of work in construction and maintenance of highways in the county, showing signatures of sureties, amount of bond, date, name of contractor, terms of contract, and approval of board. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 18. Supervisors' off.

For other contracts and contractors' bonds, see entry 191.

16th Section Records
(See also entries 24-26)

18. 16th SECTION TOWNSHIP RECORD, 1887--. 3 vols.

Record of loans made from 16th section school fund, and transcript of record from Marion County 1887-39, showing amount of permanent fund, amount of loan, date and to whom made, amount paid on loan, date and by whom paid, interest, date received, from whom, date disbursed, to whom, amount, and warrant number. Chron. arr. Alph. indexed by name of borrower. Hdw. on ptd. form. 300 pp. 18 x 15 x 1 $\frac{1}{2}$. Ch. clerk's va.

19. INSURANCE POLICIES, 1914--. 2 file boxes.

Original insurance policies covering property on which 16th section fund loans were granted, showing date, number, amount, and terms of policy, description of property. Chron. filed. No index. Typed on ptd. form. 12 x 4 x 14. Ch. clerk's off.

Recorder

(20-23)

Reports
(see also entries 1, 2)

20. REPORTS OF ROAD OVERSEERS TO BOARD OF SUPERVISORS, 1890-1908. 2 file boxes. Discontinued. Position of road overseer abolished, 1908.

Semi-annual progress reports of road overseers to board of supervisors as to condition of county roads in their charge, showing date of report, road number, names and number of hands under their supervision, number of defaulting hands, amount of fines collected, mileage worked, insufficiency or surplus of hands, and detailed accounts of expenditures. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 14. 1 file box, 1890-1902, cir. clerk's va.; 1 file box, 1903-8, ch. clerk's va.

21. SHERIFF'S REPORTS, 1890-1911. 3 file boxes. Discontinued.

Original monthly reports of sheriff to clerk of the board of fines and fees collected, showing date collected, amount, purpose, case number, court, name of defendant, fines, penalties, state writ fees, fees for maintenance of jail. Chron. arr. No index. Hdw. on ptd. form. 4 x 4 x 12. 1 file box, 1890-97, cir. clerk's va. 2 file boxes, 1898-1911, ch. clerk's va.

22. TAX COLLECTOR'S MONTHLY REPORTS, 1896--. 2 file boxes.

Monthly reports of tax collector to clerk of the board of taxes collected, showing nature of tax, amount and date collected, tax collector's fee, amount paid into county treasury, and tax collector's affidavit. Chron. filed. No index. Hdw. on ptd. form. 4 x 4 x 12. Ch. clerk's off.

23. REPORTS OF JUSTICES OF THE PEACE, 1890--. 2 file boxes.

Reports of justices of the peace to the board of supervisors, showing name of justice, date, number and style of case, amount of fines and penalties, and remarks. Chron. filed. No index. Hdw. on ptd. form. 4 x 4 x 12. Ch. clerk's va.

II. RECORDER

The clerk of the chancery court of Pearl River County is the recorder. The first clerk went into office March 3, 1890 with the other original officers (see Historical Sketch, supra.) and the duties of the recorder have been discharged by regularly elected clerks of the chancery court since that time.

The functions of recorder have been given to the clerk of the chancery court by constitutional provisions and by statute law. However, in no instance is he referred to as the recorder. It is provided that certain records shall be kept by the clerk of the chancery court or by the chancery clerk.

As recorder the clerk receives and records all deeds and conveyances (Code, 1871, sec. 2302; Code, 1880, sec. 1209; Code, 1892, sec. 2454; Code,

Recorder

(Next entry 24, p. 35)

1906, sec. 2784; Laws, 1924, chapt. 239; Code, 1930, sec. 2146). All charters granted to private corporations are recorded in his office (Code, 1871, sec. 2401; Code, 1830, sec. 1030; Const, 1890, sec. 189; Code, 1892, sec. 835; Code, 1906, sec. 900; Code, 1917, sec. 4072; Code, 1930, sec. 4145). He is required to keep an abstract of land titles. (Code, 1892, sec. 301; Laws, 1898, chapt. 37; Code, 1906, sec. 320; Code, 1917, sec. 3693; Code, 1930, sec. 226), and it is obligatory that he keep a sectional index to all land conveyances (Code, 1890, sec. 302; Code, 1906, sec. 321; Code, 1917, sec. 3694; Laws, 1920, chapt. 255; Code, 1930, sec. 228). Both of these records have been provided by the board of supervisors in Pearl River County. The recorder is further required to enter all conveyances on the sectional index (Laws, 1920, chapt. 255; Code, 1917, sec. 3694a). It is his duty to report divorce statistics to the state board of health within ten days after the adjournment of chancery court (Code, 1906, sec. 1671; Code, 1917, sec. 1413; Laws, 1928, chapt. 132; Code, 1930, sec. 1426). As clerk of the chancery court he is the recording officer for all matters that come within the jurisdiction of the court, including last wills and testaments which are probated; all letters testamentary, of administration, and guardianship; all accounts allowed; all inventories, appraisments; and reports duly returned (Code, 1871, sec. 991; Code, 1880, sec. 1808; Code, 1892, sec. 561; Code, 1906, sec. 510; Code, 1917, sec. 267; Code, 1930, secs. 326-328). The recorder in Pearl River County keeps a register of marks and brands (Code, 1871, sec. 303; Code, 1880, sec. 914; Code, 1892, sec. 1736; Code, 1906, sec. 1913; Code, 1917, sec. 1562; Code, 1930, secs. 5468-5470).

The recorder is required to file, certify, record, and alphabetically index homestead exemption declarations (Code, 1892, sec. 1974; Code, 1906, sec. 2150; Code, 1917, sec. 1825; Code, 1930, sec. 1769). Although not required to do so by law, the recorder in Pearl River County provides a register in which may be recorded discharges of soldiers and sailors. He must record all surveys made by the surveyor (Code, 1892, sec. 4398; Code, 1906, sec. 4963; Code, 1917, sec. 7746; Code, 1930, sec. 7148), and all town plats (Code, 1892, sec. 4402; Code, 1906, sec. 4967; Code, 1917, sec. 7750; Code, 1930, sec. 7152). With respect to tax sales and redemptions the chancery clerk must send redemption notices to owners of lands sold for taxes (Code, 1892, sec. 3818; Code, 1905, sec. 4333; Code, 1917, sec. 6967; Laws, 1922, chapt. 241; Code, 1930, sec. 3257). Also all redemptions of lands sold for taxes must be made through the chancery clerk (Laws, 1920, chapt. 231; Code, 1930, sec. 3263).

For four years, from 1799 until 1803, the office of recorder designated as such existed in Mississippi county government. On February 28, 1799 Territorial Governor Winthrop Sargent and the Territorial judges established the office and gave to the recorder the following duties "...at his own proper costs and charges (the recorder) shall provide parchment or good large books of royal or other large paper, well bound, and covered; wherein he shall record, in a fair and legible hand, all deeds and conveyances which shall be brought to him for that purpose, according to the true intent and meaning of this law" (Sargent's Code, 1799, p. 41).

The law set the recorder's fees at "twenty cents per sheet of one hundred words for recording mortgages, and the like fees for recording all other deeds and instruments in writing; and for copies of all records and deeds, per sheet, sixteen cents" (Sargent's Code, 1799, p. 41).

An act of the Territorial assembly on March 4, 1803 made the clerk of the county court the register of deeds and conveyances (Toulmin's Digest, 1807, chapt. XXVIII, secs. 9-12, 15). At the same time, since he was register of the orphans' court (ibid., chapt. XXIV, sec. 23), he was designated and admonished to keep, preserve, and record all records of the orphans' court (wills, letters, testamentary and of administration, accounts, inventories) separate and distinct from the records of the county court. In this manner the clerk of the county court became the recorder in 1803, and he continued as such until 1832.

At that time the constitution established county courts of probate with the elective office of clerk of probate (Const., 1832, art. IV, secs. 18, 19). Both the recording and judicial duties of the clerk of the county court were given to the probate clerk (Laws, 1833, p. 505, sec. 2).

In 1869 the probate courts were consolidated with the chancery court and the duties of the clerk of the probate court were given to the clerk of the chancery court (Const., 1869, art. VI, sec. 16). No changes have been made in this arrangement and at the present time all duties of the recorder are discharged by the chancery clerk.

The term of office of the recorder is four years (Const., 1890, sec. 168). Between 1799 and 1803 the recorder was appointed by the Governor to serve during good behavior (Sargent's Code, 1799, p. 40), while the clerk of the county court who served as recorder, was appointed by the Governor with the assistance of the Territorial general assembly (Toulmin's Digest, 1807, chapt. XXVII, secs. 9-12). In 1832 the office of clerk of the court of probate was made elective with a term of two years (Const., 1832, art. IV, sec. 19). When the clerk of the chancery court was given the duties of the clerk of the probate court (Const., 1869, art. VI, sec. 19), the term of office was increased to four years and was confirmed by the constitution of 1890.

The clerk of the chancery court as recorder is paid in fees ranging from ten cents a hundred words for recording and indexing deeds and other instruments to not less than \$2.50 for recording charters of incorporations (Code, 1930, sec. 1786).

Abstracts
(See also deeds)

24. ABSTRACTS AND SECURITY FOR 16th SECTION FUNDS, 1905--. 8 file boxes. 1890-1904 missing.

Original abstracts of title evidencing ownership of lands given as security for loans made from 16th section school fund, showing description of land, all acts relating to devolution of titles, amount of loan, name of owner, rate of interest, and date due. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 14. Ch. clerk's va.

Recorder - Deeds

(25-29)

25. DEEDS TO SCHOOL LANDS (Abstracts), 1920-28. 1 file box. Original abstracts of title evidencing ownership of school lands in Pearl River County, showing description of land, all conveyances, grantors, grantees, dates, volumes and pages of record. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 18. Supt.'s off.

For other 16th section records, see entries 18, 19, 26.

Deeds

26. DEEDS AND DEEDS OF TRUST TO PEARL RIVER COUNTY, 1911--. 3 file boxes. Original deeds, deeds of trust, warranty deeds, trustees' deeds, and quit claim deeds in favor of Pearl River County, deeds of trust on lands to secure payment of 16th section school fund loans, warranty deeds for lands used for roads, and trustees' deeds for lands sold to Pearl River County for delinquent taxes, showing date, names of grantor, beneficiary, and trustee, consideration, legal description of land, signature and acknowledgement of grantor, clerk's fees for recording, date and exact time of filing, date of recording, clerk's signature. Chron. filed. No index. Typed on ptd. form. 12 x 4 x 14. Ch. clerk's va.

27. RIGHT-OF-WAY DEEDS TO COUNTY, 1935--. 1 file box. Original warranty deeds to lands in Pearl River County for right-of-way for Picayune-Bogalusa highway, showing names of grantor and grantee, legal description of land, number of acres, date, consideration, signature and acknowledgement of grantor, clerk's fees for recording, date and exact time of filing, date of recording, clerk's signature. Chron. filed. No index. Typed on ptd. form. 12 x 4 x 14. Ch. clerk's off.

Deed Records

28. ORIGINAL AND STATE ENTRIES, HANCOCK AND MARION COUNTIES TRANSCRIPTS, 1833-1900. 2 vols. Transcript of deed records to lands in original tract obtained from Hancock and Marion Counties in forming Pearl River County, showing legal description of tract, number of acres, rate per acre, purchaser's name, date of sale, receipt number, consideration, certificate of purchase, to whom patented, date, place of recording, clerk's fees for recording, date and exact time of filing, date of recording, clerk's signature. Chron. arr. No index. Hdw. and typed. 150 pp. 24 x 15 x 1 $\frac{1}{2}$. Ch. clerk's va.

29. LAND DEED RECORDS, 1810--. 41 vols. Transcript of deed records from Hancock and Marion Counties, 1810-89, and record of land transfers and conveyances in Pearl River County 1890--, showing names of grantor, grantee, legal description of land, date of transfer or conveyance, consideration, signature and acknowledgement of grantor, clerk's fees for recording, date and exact time of filing, date of recording, clerk's signature. Contains oil and gas leases 1890-1931, entry 39. Chron. arr. For separate index, see entry 30. Hdw. and typed. 500 pp. 24 x 15 x 3. Ch. clerk's va.

Recorder - Homesteads

(30-36)

30. GENERAL INDEX TO RECORD OF LAND DEEDS, 1810--. 11 vols.
Index to land deed records, entry 29, showing names of grantor and grantee, dates filed and recorded, volume and page of land deed record. Alph. arr. by names of grantor and grantee. Hdw. on ptd. form. 500 pp. 18 x 13 x $2\frac{1}{4}$. Ch. clerk's va.
31. LAND TRUST DEED RECORDS, (Mortgages), 1890--. 25 vols. (I-XXV).
Record of mortgages or deeds of trust on land in Pearl River County, showing names of grantor, beneficiary and trustee, date, terms of agreement, number and amount of deed of trust, rate of interest, date due, legal description of land, signature and acknowledgement of grantor, clerk's fees for recording, date and exact time of filing, date of recording, clerk's signature. Chron. arr. For separate index, see entry 32. Hdw. and typed on ptd. form. 600 pp. 24 x 15 x 3. Ch. clerk's va.
32. INDEX TO RECORD OF LAND TRUST DEEDS, 1890--. 4 vols (1-4).
Index to record of land trust deeds, entry 31, showing names of grantor, trustee, and beneficiary, nature of instrument, dates filed and recorded, volume and page of land trust deed record. Alph. arr. by names of grantor and beneficiary. Hdw. on ptd. form. 500 pp. 18 x 13 x $2\frac{1}{2}$. Ch. clerk's va.
33. SECTIONAL INDEX, 1810--. 8 vols.
Sectional index to record of land deeds and record of land trust deeds containing all land conveyances and other instruments touching or concerning the title of lands in Pearl River County, entries 29, 31, showing section, township, range, grantor, grantee, division of section, survey, volume and page of land deed record. Numer. arr. by sec., twp., and range. Hdw. on ptd. form. 400 pp. 18 x 22 x 3. Ch. clerk's va.
34. CHATTEL DEEDS, 1890--. 29 vols. (1-29).
Records of deeds to and mortgages or deeds of trust on personal property, showing grantor, beneficiary, and trustee, description of property, amount of deed of trust, terms of agreement, rate of interest, date of maturity, signature and acknowledgement of grantor, clerk's fees for recording, date and exact time of filing, date of recording, clerk's signature. Chron. arr. For separate index, see entry 35. Hdw. and typed on ptd. form. 500 pp. 24 x 15 x 3. Ch. clerk's va.
35. GENERAL INDEX TO RECORD OF CHATTEL DEEDS, 1890--. 4 vols. (1-4).
Index to record of chattel deeds and deeds of trust, entry 34, showing grantor, beneficiary, dates filed and recorded, volume and page of record. Alph. arr. by names of grantor and grantee. Hdw. on ptd. form. 500 pp. 18 x 13 x $2\frac{1}{2}$. Ch. clerk's va.
- Homesteads
36. HOMESTEAD MATTERS, RECEIVERS' RECEIPTS, 1901--. 1 file box. Last entry 1932.
Original declaration of homesteads by which occupants claim exemption from

Recorder - Leases

(37-41)

forced sale for payment of debts, showing county, name of declarer, amount and legal description of land, date and exact time filed, signature and acknowledgement of declarer; also duplicate copies of receipts issued declarer by chancery clerk as recorder in recording instrument, showing name of declarer, legal description of land, date and exact time issued, fees of clerk for recording instrument, volume and page of land deed record, signature of clerk; also correspondence concerning homestead matters. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 14. Ch. clerk's va.

For record of homestead declarations, see entry 37.

37. HOMESTEAD RECORD, 1903--. 1 vol. First entry, 1903. Last entry, 1932.

Record of homestead declarations in Pearl River County, showing name of declarer, transcript of declaration, date filed and recorded, legal description of land, certification of filing and recording, signature of declarer. Chron. arr. Alph. indexed by name of declarer. Hdw. on ptd. form. 450 pp. 16 x 13 x 2. Ch. clerk's va.

For other Homestead Matters, see entry 36.

Leases

38. OIL LEASES, 1932--. 2 vols. (1, 2). 1890-1931 in Land Deed Records, entry 29.

Record of leases for oil, gas, and mineral rights, showing lessee, lessor, legal description of land, date of lease, duration, expiration date, and consideration. Chron. arr. Alph. indexed by name of lessor. Typed on ptd. form. 540 pp. 24 x 16 x 3. Ch. clerk's va.

Tax Sales and Redemptions

39. LIST OF LANDS SOLD FOR TAXES (State), 1891--. 4 file boxes and 5 rolls.

Original lists of lands sold to state for delinquent taxes, prepared by sheriff for chancery clerk, showing to whom assessed, date of sale, legal description of land, section, township, range east or west, number of acres, printer's fees, state and county tax, sheriff's fees, total. Chron. filed. No index. Hdw. on ptd. form. File boxes, 12 x 4 x 14; rolls, 14 x 3. Ch. clerk's va.

40. LIST OF LANDS, SOLD FOR TAXES, 1891--. 5 vols.

Record of lands sold to state and individuals for non-payment of taxes, showing to whom assessed, legal description of land, amount of taxes, damages, fees, total, date of sale, to whom sold, by whom redeemed, date of redemption, total redemption, purchaser's receipt, and remarks. Chron. arr. No index. Hdw. on ptd. form. 1 vol., 1892-94 84 pp. 18 x 15 x $\frac{1}{2}$ and 4 vols., 1891--. 300 pp. 15 x 25 x 2. Ch. clerk's va.

41. NOTICES OF SALE OF STATE LANDS, 1891-1910. 1 file box. Not kept after 1910. For subsequent information, see entries 39, 40.

Original notices of sale of state lands by state land commissioner, showing date purchased, legal description of land, name of purchaser, section, township, range, number acres, date of sale to state. Chron. filed. No index.

Recorder - Corporations

(42-46)

Typed on ptd. form. 12 x 4 x 14. Ch. clerk's va.

42. NOTICES TO OWNERS OF LANDS SOLD FOR TAXES, 1899-1912. 1 file box. Not kept after 1912. For subsequent information, see entries 40, 41.

Duplicate copies of notices to owners of lands to be sold for taxes, showing legal description of land, name of owner, address, date of sale, date sale will become absolute, and record of execution of notice by sheriff. Chron. filed. No index. Hdw. and typed on ptd. form. 12 x 4 x 14. Ch. clerk's va.

43. TAX RELEASES, 1931--. 2 vols. Record created in 1931 by chancery clerk. For prior information, see entry 40.

Record of redemption of lands sold for taxes, showing name of owner, legal description of land, date of sale, date of release, consideration, signature of sheriff and tax collector. Chron. arr. Alph. indexed by name of owner. Typed on ptd. form. 400 pp. 29 x 15 x 2 $\frac{1}{2}$. Ch. clerk's va.

44. MONTHLY REPORT OF REDEMPTION OF LAND SOLD TO STATE FOR TAXES, 1936--. 1 vol.

Record of monthly reports made by tax collector to clerk of the board of redemption of lands sold for taxes, showing to whom assessed, date of sale, subdivision, section, township, range, state and county taxes, fees, damages, total collected, recapitulation, and certification by clerk. Chron. arr. No index. Hdw. on ptd. form. 600 pp. 18 x 18 x 2. Ch. clerk's off.

45. RECORD OF LAND REDEMPTION-PARTIAL PAYMENT, 1931--. 1 vol.

Record of applications of Southern Land and Royalty Company for permission to redeem state-owned lands by partial payment plan, showing name of owner, legal description of land, years delinquent, amount of taxes and costs, amount of each installment, and date. Chron. arr. No index. Typed on ptd. form. 318 pp. 16 x 20 x 2 $\frac{1}{2}$. Ch. clerk's va.

Corporations

46. RECORD OF CORPORATION CHARTERS, 1900--. 2 vols. 1890-99 missing.

Record of charters granted corporations engaged in business in Pearl River County, showing copy of original charter and amendments, corporate title, names and post office addresses of incorporators, domicile of corporation in state, amount, par value, and class (common or preferred) of authorized capital stock, sale price per share of stock without par value, period of existence, purposes, amount of paid-in stock, signatures and acknowledgements of incorporators, notarial seal, endorsements of secretary of state and governor, opinion of attorney-general, certificate of secretary of state, proof of publication, to whom delivered for recording, date and exact time filed, number given instrument by clerk, fee for recording, time recorded, date returned. Chron. arr. Alph. indexed by name of corporation. Hdw. on ptd. form. 400 pp. 18 x 13 x 2. Ch. clerk's va.

Maps and Plats

County

47. MAP OF THE FIVE BEATS OF THE COUNTY, approx. 1900. 1 map.
Political, communications, and land tenure map of Pearl River County, showing the boundaries of the five beats or districts, railroads, highways and roads, towns, settlements, rivers, creeks, boundaries of claims of original settlers along the Pearl River, names of original settlers, township boundaries, and section lines. Drawn by Jas. R. Clark, Picayune, Miss. Colored. Framed. $\frac{1}{2}$ " equals 6 mi. 40 x 60. Ch. clerk's off.

48. MAP OF PEARL RIVER COUNTY, approx. 1900. 1 map.
Political and communications map of Pearl River County and the northwest portion of Hancock County, showing location of all towns and villages, school districts, old claims on and near the Pearl River, railroads, rivers, creeks, bluffs, and ferries on the Pearl River, churches, highways, townships, sections, range. Drawn by Jas. R. Clark, Picayune, Miss. Colored. $1\frac{1}{2}$ " equals 1 mi. 40 x 55. Ch. clerk's va.

49. OWNERSHIP MAP, 1933. 1 map.
Political, communications, and land tenure map of Pearl River County, showing names of first white claimants, boundaries of claims, township and section lines, highways, and railroads. Drawn by W. W. Kilpatrick, Picayune, Miss. Blueprint. 1" equals $\frac{1}{2}$ mi. 64 x 60. Ch. clerk's va.

50. LAND OWNERSHIP MAP, 1933. 1 map.
Land tenure, political, and communications map of Pearl River County, showing United States Government township plats, railroad surveys, highway surveys, location of ferries on the Pearl River, ownership boundaries of original claims along the Pearl River, township boundaries, and section lines. Drawn by W. W. Kilpatrick, Picayune, Miss. Blueprint. 1" equals $\frac{1}{2}$ mi. 24 x 36.

Township

51. TOWNSHIP MAPS, 1810-1841, 50 maps. 1 vol.
Political and land tenure maps, showing boundaries of townships in Pearl River County, history of original survey, names of original claimants, boundaries of original claims. Maps based on original surveys made by Major Thomas Freeman, Surveyor General for the United States South of Tennessee and by Virgil Swaze. Black and white. 1" equals 6 mi. 24 x 36. Ch. clerk's va.

52. TOWNSHIP MAPS, 1896. 20 maps. 1 vol.
Political, communications, and land tenure maps, showing boundaries of townships of Pearl River County as organized in 1890, sections, water courses, boundaries of claims along the Pearl River, names of claimants, history of original surveys. Maps based on original surveys made by Major Thomas Freeman, Surveyor General for the United States South of Tennessee and by Virgil Swaze, and by Jas. T. Turner, Surveyor General for the United States South of Tennessee, 1829. Black and white. 2" equals 1 mi. 20 x 27. Ch. clerk's va.

Recorder - Miscellaneous

(53-58)

53. TOWNSHIP MAPS, 1922. 33 maps. 1 vol.

Political maps, showing boundaries of townships in Pearl River County, sections, and supplemental plat of section five, township 1 south of range 17 west which shows public lands remaining after segregation of patented lands; also duplicates of maps of townships added to Pearl River County in 1908 from Hancock County. Maps based on original surveys made by Major Thomas Freeman, Surveyor General for the United States South of Tennessee and Virgil Swaze, and by Jas. T. Turner, Surveyor General for the United States South of Tennessee, 1829. Black and white. 2" equals 1 mi. 20 x 37. Ch. clerk's va.

54. TRANSCRIPTS OF TOWNSHIP MAPS, 1908. 6 maps.

Political maps of the six townships added to Pearl River County from Hancock County in 1908, showing boundaries of sections. Traced from original surveys made by Major Thomas Freeman, Surveyor for the United States South of Tennessee and by Virgil Swaze, Township Maps, entry 52. Black and white. 2" equals 1 mi. 20 x 27. Ch. clerk's va.

School District

55. SCHOOL DISTRICTS MAPS, approx. 1900. 1 map.

Political and communications map of Pearl River County, showing boundaries of school districts, rivers, creeks, towns, villages, railroads, improved roads, graveled roads and a small key map which shows the location of Pearl River County in relation to surrounding counties. Drawn by Jas. R. Clark, Picayune, Miss. Colored. $\frac{1}{2}$ " equals 6 mi. 30 x 20. Ch. clerk's off.

Municipal

56. MAP OF THE PICAYUNE AREA, 1934. 1 map.

Political, economic, communications, and land tenure map of the south half of township 55 and the north half of township 65, range 17 west in Pearl River County, showing boundaries of oil leases, names of lessees, and expiration dates of leases; also Hobolochito and Mill Creeks, railroads, and the entire plat of the town of Ozona. Drawn by J. B. Mayfield and W. W. Kilpatrick. Blueprint. 5.28" equals 1 mi. 38 x 36. Ch. clerk's va.

Miscellaneous

57. SOLDIERS' DISCHARGE RECORD, 1917---. 1 vol.

Record of discharges of soldiers, sailors, and marines, showing name, age, address, regiment, company, date of enlistment, date of discharge, class of service, and war record. Chron. arr. Alph. indexed by name of veteran. Hdw. on ptd. form. 300 pp. 18 x 13 x $1\frac{1}{2}$. Ch. clerk's va.

58. RECORD OF MARKS AND BRANDS, 1890---. 2 vols.

Record of individual owners' marks and brands on livestock, showing description of ear mark, nature of brand, kind of livestock, name of owner, date registered. Chron. arr. Alph. indexed by name of owner. Hdw. on ptd. form. 370 pp. 18 x 10 x $1\frac{1}{4}$. Ch. clerk's va.

Clerk of the Chancery Court

(59)

59. ORDERS TO CHANCERY CLERK, 1903--. 2 file boxes.
Miscellaneous orders to chancery clerk, including orders to cancel deeds of trust which have been satisfied, orders to hold warrants until called for, receipts for pensions, witness certificates, and requests to withhold payment for parties entitled to a consideration. Chron. filed. No index. Hdw. and typed. 12 x 4 x 14. Ch. clerk's va.

III. CLERK OF THE CHANCERY COURT

The identity of the clerk of the chancery court as such, has been obscured by the many duties and functions which have been heaped upon him through more than a century of county government development. The term "chancery clerk" is applied to this functionary as the holder of a plethora of offices and it is synonymous with recorder, auditor, treasurer, clerk of the board of supervisors, and clerk of the pension board of inquiry.

The office of clerk of the chancery court as it exists at present in Pearl River County, was established in 1869 (Const., 1869, art. VI, sec. 16) and was continued by the constitution of 1890 (Const., 1890, sec. 168). He is elected every four years in the general elections (ibid.), and must make bond in the penalty sum of not less than \$3,000 or more than \$20,000 (Code, 1930, sec. 325).

His duties at present are: to attend chancery court and keep its minutes; to keep all records, files, papers, and proceedings belonging to his office; record all last wills and testaments which may be probated, all letters testamentary, of administration, and guardianship, all accounts allowed against estates, all inventories, appraisements, and reports duly returned. He shall issue process, keep a general docket, an issue docket, a motion docket, a register of claims, and an execution docket. He may conduct proceedings during vacation and at rules during vacation, his acts, judgments, orders, or decrees being subject to the approval or disapproval of the chancellor. He is required to keep a register of sureties on bonds; furnish the circuit clerk abstracts of certain decrees, and record all pleadings, proofs, exhibits, and proceedings of finally terminated suits in a final record book. He is the custodian of all records, books, and papers belonging to the probate court and board of police, except those required by law to be kept by the circuit clerk. However, since Pearl River County was established after both were superseded, (Const., 1869, art. VI, secs. 16, 20), these records do not exist in the county. He must also subscribe to such newspapers, not exceeding two, as the court or chancellor shall direct, and file and preserve them in his office. (Code, 1930, secs. 326-349).

The clerk of the chancery court in Pearl River County has kept full and complete records, since the office began to function March 3, 1890.

The clerks of the Territorial supreme court and of the superior court of the district of Washington were the first clerks of the chancery court. By the act of February 10, 1807 the legislature in empowering these courts

to act as courts of chancery, gave the clerks of these courts the duties of keeping rolls, records, and proceedings of the chancery court separate from the proceedings in law in the other courts (Toulmin's Digest, 1807; chapt. II, secs. 43-48).

The act of December 22, 1809 transferred this judicial power to the superior courts of law and equity which name had been given to circuit courts previously established in each county. The clerks of the circuit courts were required to transfer all their records to the clerks of the superior courts of law and equity (Turner's Digest, 1816; pp. 178-179, arts. 116-118, secs. I, II, V).

On November 27, 1821, using the power granted it by the first constitution of Mississippi (Const., 1817, art. V, secs. 4, 6) the legislature established a separate court of chancery for the state and divided the state into two districts, eastern and western, (Laws, 1821, p. 105). A clerk was provided for in each district, to be appointed by the chancellor (Poindexter's Code, 1834; chapt. XIII, secs. 1, 2), and he was given the power to appoint deputies, administer oaths and take affidavits.

The act of February 4, 1825 formed Monroe County (see Governmental Organization and Records System, supra., "First Chickasaw Cession") into a separate chancery district and instructed the clerk of the eastern district to turn over all records to the clerk of the Monroe district (Laws, 1825, p. 133). This act was repealed on February 25, 1827 and four chancery districts were created in the state with a clerk in each appointed by the chancellor (Laws, 1827, p. 139).

The revised constitution of 1832 made provision for a separate superior court of chancery with full jurisdiction in all matters of equity and specified that a clerk be appointed in each district (Const., 1832, art. IV, secs. 16, 22, 27).

The office of clerk of the chancery court was made elective by the act of February 26, 1848 (Laws, 1848, chapt. 68, p. 180). An amendment to the constitution of 1832 inserted by an act approved February 6, 1856, created a court of chancery in each judicial district to be held by the circuit judge, and the clerk of the circuit court was made clerk of the chancery court (Code, 1857, chapt. LXII, sec. III, art. 12).

In 1869 when the probate court was abolished its jurisdiction was transferred to the chancery court and the duties of the probate clerk were consolidated with those of the clerk of the chancery court (Const., 1869, art. VI, secs. 16, 19). The code adopted in 1871 provided for separate offices for the clerk of the chancery court and the clerk of the circuit court, thus separating the duties of the two offices (Code, 1871, sec. 547).

Proceedings and Case Records

60. MINUTES OF CHANCERY COURT, 1891--. 6 vols. (1-6).
Record of proceedings of chancery court, including petitions filed with clerk

Clerk of the Chancery Court - Dockets and General Court Records (61-67)

during vacation and history of trial, disposition of each case, and signature of chancellor. Chron. arr. Hdw. and typed. 600 pp. 24 x 15 x 3. Ch. clerk's va.

61. LIVE CHANCERY CASES, 1921--. 37 file boxes.
Original documents, papers, and case records concerning estates, guardianships, divorces, lunacy cases, injunctions, garnishments, and receiverships pending in chancery court. Numer. filed by case no. No index. Hdw. and typed on ptd. form. 12 x 4 x 14. Ch. clerk's va.

62. CHANCERY CASES-DEAD, 1891-1933. 127 file boxes.
Original papers, documents, and case records pertaining to estates, guardianships, lunacy cases, injunctions, divorces, garnishments, and receiverships disposed of in chancery court. Numer. filed by case no. No index. Hdw. and typed on ptd. form. 12 x 4 x 14. Ch. clerk's va.

63. ORDERS TO CHANCERY CLERK, 1903--. 1 file box.
Miscellaneous orders to chancery clerk from board of supervisors and other county officers pertaining to court matters. Chron. filed. No index. Hdw. and typed. 12 x 4 x 14. Ch. clerk's va.

64. MANDATES FROM SUPREME COURT, 1914--. 1 file box.
Original decisions of supreme court pertaining to cases appealed from chancery court confirming or reversing judgment. Chron. filed. No index. Hdw. and typed. 12 x 4 x 14. Ch. clerk's va.

Dockets and General Court Records

65. CHANCERY DOCKET-GENERAL, 1890--. 7 vols. (1-7).
Record of petitions, pleas, answers, demurrers, and other papers filed in cases tried and triable in chancery court, showing names of plaintiffs and defendant, case number, names of attorneys, decrees, orders, date, volume and page record in minutes and in other dockets. Chron. arr. Alph. indexed by name of defendant. Hdw. on ptd. form. 482 pp. 18 x 14 x 2. Ch. clerk's va.

66. ISSUE DOCKET-CHANCERY COURT, 1891--. 3 vols. (1-3).
Record of cases, final hearings, proceedings concerning insolvent estates, and final accounts of executors, administrators, and guardians, and other matters wherein order or decree of the court, or issuance of process or notice is necessary to a final hearing, triable at approaching term of court, showing case number, date, parties' names, attorneys in case, term set for hearing, disposition of case, and remarks. Chron. arr. No index. Hdw. on ptd. form. 200 pp. 18 x 12 x 2. Ch. clerk's va.

67. MOTION DOCKET, 1891--. 2 vols.
Record of demurrers, motions, ex-parte petitions, exceptions to evidence or reports, and other matters concerning administration and guardianship not directed to be placed on issue docket, showing date, case number, parties'

names, names of attorneys, nature of motion, disposition of case, and remarks. Chron. arr. No index. Hdw. on ptd. form. 319 pp. 18 x 10 x 2. Ch. clerk's off.

68. LIS PENDENS NOTICES, 1893-1913. 1 file box. Discontinued. Notices kept in case records, entries 61, 62.

Original notices filed at beginning of suit in any court to enforce lien upon, right to, or interest in real estate when claim is not based upon any instrument previously recorded or judgment duly enrolled, showing parties' names, description of land involved or levied upon, nature of suit or writ, brief statement of nature of lien, right, or interest sought to be enforced, date of filing, notice. Alph. filed by name of defendant. No index. Hdw. on ptd. form. 12 x 4 x 14. Ch. clerk's va.

For record of notices, see entry 69.

69. LIS PENDENS RECORD-CHANCERY COURT, 1893--. 1 vol.

Record of notices, filed at beginning of suit in any court to enforce lien upon, right to, or interest in real estate when claim is not based upon any instrument previously recorded or judgment duly enrolled, showing names of plaintiff and defendant, description of land involved or levied upon, nature of suit or writ, brief statement of nature of lien, right, or interest sought to be enforced, date of filing and recording lis pendens notice, result of suit or levy, and remarks. Chron. arr. Alph. indexed by names of plaintiff and defendant. Hdw. on ptd. form. 184 pp. 18 x 18 x 2. Ch. clerk's va.

For original notices, see entries 61, 62, 68.

70. FINAL RECORD, 1892--. 7 vols. (A-C, 1-4).

Record of all proceedings in suits involving real estate, or such parts of the proceedings required to be entered by the chancellor, showing names of plaintiff and defendant, date, case number, nature of suit, disposition; also motions, decrees, final hearing, final judgment, proof of publication, transcript of papers and exhibits; also record of all proceedings in other suits required to be entered by decree or order of chancellor. Chron. arr. Alph. indexed by name of defendant. Hdw. on ptd. form. 600 pp. 18 x 15 x 3. Ch. clerk's off.

71. ATTORNEYS' RECEIPT BOOK CHANCERY COURT, 1904--. 1 vol.

Record of papers and case records withdrawn from chancery clerk's office by attorneys, showing case number, number and list of papers, attorney's receipt, date withdrawn, clerk's receipt, date returned, and remarks. Chron. arr. No index. Hdw. on ptd. form. 320 pp. 18 x 13 x 1. Ch. clerk's va.

Bonds

72. REGISTER OF SURETIES ON BONDS, 1896-1927. 1 vol. Discontinued.

Register of sureties on appeal, cost, and appearance bonds, showing names of principals and sureties, obligor, obligee, date of bond, amount, penalty, nature, date recorded, case number, style, and date of discharge. Chron. arr. Alph. indexed by name of surety. Hdw. on ptd. form. 400 pp. 18 x 13 x 2. Ch. clerk's va.

Clerk of the Chancery Court - Fees

(73-79)

Fees

73. CHANCERY CLERK'S FEE BOOK, 1907--. 8 vols. (1-8).
Record of costs in cases tried in chancery court, showing date, to whom charged, description of costs, case number, volume and page of reference to dockets, names of plaintiff and defendant, and receipt. Chron. arr. Alph. indexed by names of defendant. Hdw. on ptd. form. 422 pp. 18 x 15 x 2. Ch. clerk's va.

74. CHANCERY CLERK'S CASH BOOK, 1920--. 2 vols. (1, 2).
Daily record of fees collected by chancery clerk for court services and recording instruments, showing date, amount, term of court, from whom received, description of charge, case number, volume and page of record in dockets, court costs, clerk's fees, date of recording and acknowledgement. Chron. arr. No index. Hdw. on ptd. form. 406 pp. 18 x 15 x 2. Ch. clerk's off.

Newspapers

75. LUMBERTON HEADBLOCK, 1890-1904. 14 vols.
Copies of weekly newspaper subscribed to by the clerk of the chancery court at the direction of the chancellor, containing publications ordered by the court. Chron. arr. No index. Ptd. 250 pp. 18 x 24 x 2. Ch. clerk's va.

76. POPLARVILLE FREE PRESS, 1891-1932. 41 vols.
Copies of weekly newspaper subscribed to by the clerk of the chancery court at the direction of the chancellor, containing publications ordered by the court. Chron. arr. No index. Ptd. 250 pp. 18 x 24 x 2. Ch. clerk's va.

77. THE PICAYUNE ITEM, 1933--. 4 vols.
Copies of weekly newspaper subscribed to by the clerk of the chancery court at the direction of the chancellor, containing publications ordered by the court, and proceedings of the board of supervisors ordered published monthly by the board. Chron. arr. No index. Ptd. 250 pp. 18 x 24 x 2. Ch. clerk's va.

Miscellaneous

78. ALLOWANCES AND SPECIAL ORDERS BY CHANCERY CLERK, 1920--. 1 file box.
Original orders for postponement of chancery court, appointment of court stenographers, approval of vacation minutes, approval of court expenses, and allowances for chancery clerk and chancery court expenses. Chron. filed. No index. Hdw. and typed. 12 x 4 x 14. Ch. clerk's va.

79. CORRESPONDENCE WITH ATTORNEY GENERAL, 1912--. 1 file box.
Correspondence between attorney general and chancery clerk pertaining to legal procedure of county government. Chron. filed. No index. Typed. 12 x 4 x 14. Ch. clerk's va.

Wills and Estates

80. WILLS, 1890-1900. 1 file box.

Exact copies of wills registered in other states and recorded in Pearl River County with statement from recording officer of the county of origin attesting to accuracy of copy, including volume and page of original recording. Chron. filed. No index. Typed. 12 x 4 x 14. Ch. clerk's va.

For subsequent record of wills, see entry 81.

81. RECORD OF WILLS, 1899---. 2 vols. (1, 2).

Transcript of wills and last testaments, including administration and executions according to terms and conditions outlined, filed in chancery court for probate. Chron. arr. Alph. indexed by name of decedent. Hdw. and typed. 929 pp. 18 x 12 x 2. Ch. clerk's va.

82. REGISTER OF CLAIMS AGAINST ESTATES, 1891---. 1 vol.

Register of claims filed against estates of inheritance, showing description of claim, date, claimant's name, amount, date due, date and place registered. Chron. arr. Alph. indexed by name of claimant. Hdw. on ptd. form. 450 pp. 18 x 15 x 1 $\frac{1}{2}$. Ch. clerk's va.

83. ADMINISTRATORS', EXECUTORS', AND GUARDIANS' BONDS AND LETTERS, 1890---. 2 vols. (1, 2).

Record of bonds and letters of administrators, executors, and guardians, showing name of deceased, name of administrator, executor, or guardian; names of minor heirs, amount and kind of bond, date, names of sureties, and date of letters. Chron. arr. Alph. indexed by name of decedent or minor. Hdw. and typed on ptd. form. 200 pp. 18 x 10 $\frac{1}{2}$ x 3. Ch. clerk's va.

84. ACCOUNTS, APPRAISEMENTS, AND REPORTS, 1892---. 4 vols.

Record of accounts, appraisements, and reports of estates of inheritance, showing itemized statement of assets and liabilities, accounts of expenditures, and appraised valuation of estates. Chron. arr. Alph. indexed by name of estate. Hdw. and typed on ptd. form. 420 pp. 18 x 10 $\frac{1}{2}$ x 2. Ch. clerk's va.

IV. CLERK OF THE CIRCUIT COURT

In many counties the clerk of the circuit court, generally called the circuit clerk, does not have enough work to keep him busy, but in Pearl River County the duties of the office require the full-time services of the clerk.

These duties can be separated into three principal divisions: clerical-judicial and judicial, recording and licensing, and the functions pertaining to registration and elections (see Registrar, *infra.*).

The clerk's clerical-judicial duties consist of keeping circuit court records and in issuing process from the court. He is required to keep the minutes of the court (Code, 1930, sec. 750), keep a general docket, a trial

Clerk of the Circuit Court

(Next entry 85, p. 50)

docket, a criminal docket, an appearance docket, a subpoena docket, an execution docket, and a final record book (Code, 1930, secs. 479-485). He must keep a jury fee book (ibid., sec. 487), deliver to the clerk of the board of supervisors within ten days after each term of court a certified list of all allowances made by the court (ibid., sec. 486), and report to the clerk of the board within ten days after each term of court a list of all judgments rendered and suits disposed of at such term (ibid., sec. 489). He is also required to report to the clerk, within 30 days after adjournment of every term of court, a list of all penalties, fines, and forfeitures assessed by the court and of fines collected (ibid., sec. 618). The circuit clerk must report to the county auditor a list of witness certificates payable out of the county treasury (ibid., sec. 1810). He is clerk of special courts of eminent domain (ibid., sec. 1483), held by justices of the peace in Pearl River County (see Justice of the Peace, infra.) and is the custodian of the records of such courts (ibid., sec. 1499).

The clerk must procure and keep in his office one or more books styled "The Judgment Roll" in which he must enroll within 20 days after the adjournment of each term of circuit court all final judgments rendered at each term (ibid., sec. 609). Final decrees of the chancery court (ibid., sec. 453), and final judgments of justice of the peace courts (ibid., sec. 2090) may be enrolled in the judgment roll if abstracts of such decrees or judgments rendered and filed with the circuit clerk.

As a recording and licensing official the circuit clerk issues marriage licenses (ibid., secs. 2362-2363), and he is required to keep all papers and records connected with marriage licenses and certificates of marriage (ibid., sec. 2368). He must make regular reports to the state registrar of vital statistics giving data concerning marriages (ibid., secs. 4933-4941). It is prescribed that the following professional licenses to practice shall be filed with the circuit clerk and preserved by him: dentists' (ibid., sec. 4307), pharmacists' (ibid., sec. 5863), physicians' (ibid., sec. 5854), osteopaths' (ibid., sec. 5861), embalmers' (ibid., sec. 4628), and veterinaries' (ibid., secs. 7323-7324). He is also custodian of a certified jury list delivered to him by the clerk of the board of supervisors (ibid., sec. 2035), of the records of coroners' inquests (ibid., sec. 648), of dockets of justice of the peace courts after justices have gone out of office (ibid., sec. 2109), and of a list of persons liable for military duty, prepared by the assessor by order of the governor (ibid., sec. 5483).

A Federal law approved June 29, 1906 gave the circuit court jurisdiction in the naturalization of aliens (34 Stat. L., p. 898), and since 1912, when the first application for citizenship papers was made in Pearl River County, the clerk of the circuit court has kept a naturalization register.

The clerk is paid in fees which range from ten cents for swearing each witness to \$3 for issuing a marriage license, taking affidavit, and recording the certificate of marriage, and \$3 for issuing summons and drawing the jury in eminent domain proceedings. For public service not particularly provided for, the circuit court of Pearl River County, in which the assessed valuation

59. ORDERS TO CHANCERY CLERK, 1903--. 2 file boxes.
Miscellaneous orders to chancery clerk, including orders to cancel deeds of trust which have been satisfied, orders to hold warrants until called for, receipts for pensions, witness certificates, and requests to withhold payment for parties entitled to a consideration. Chron. filed. No index. Hdw. and typed. 12 x 4 x 14. Ch. clerk's va.

III. CLERK OF THE CHANCERY COURT

The identity of the clerk of the chancery court as such, has been obscured by the many duties and functions which have been heaped upon him through more than a century of county government development. The term "chancery clerk" is applied to this functionary as the holder of a plethora of offices and it is synonymous with recorder, auditor, treasurer, clerk of the board of supervisors, and clerk of the pension board of inquiry.

The office of clerk of the chancery court as it exists at present in Pearl River County, was established in 1869 (Const., 1869, art. VI, sec. 16) and was continued by the constitution of 1890 (Const., 1890, sec. 168). He is elected every four years in the general elections (ibid.), and must make bond in the penalty sum of not less than \$3,000 or more than \$20,000 (Code, 1930, sec. 325).

His duties at present are: to attend chancery court and keep its minutes; to keep all records, files, papers, and proceedings belonging to his office; record all last wills and testaments which may be probated, all letters testamentary, of administration, and guardianship, all accounts allowed against estates, all inventories, appraisements, and reports duly returned. He shall issue process, keep a general docket, an issue docket, a motion docket, a register of claims, and an execution docket. He may conduct proceedings during vacation and at rules during vacation, his acts, judgments, orders, or decrees being subject to the approval or disapproval of the chancellor. He is required to keep a register of sureties on bonds; furnish the circuit clerk abstracts of certain decrees, and record all pleadings, proofs, exhibits, and proceedings of finally terminated suits in a final record book. He is the custodian of all records, books, and papers belonging to the probate court and board of police, except those required by law to be kept by the circuit clerk. However, since Pearl River County was established after both were superseded, (Const., 1869, art. VI, secs. 16, 20), these records do not exist in the county. He must also subscribe to such newspapers, not exceeding two, as the court or chancellor shall direct, and file and preserve them in his office. (Code, 1930, secs. 326-349).

The clerk of the chancery court in Pearl River County has kept full and complete records, since the office began to function March 3, 1890.

The clerks of the Territorial supreme court and of the superior court of the district of Washington were the first clerks of the chancery court. By the act of February 10, 1807 the legislature in empowering these courts

to act as courts of chancery, gave the clerks of these courts the duties of keeping rolls, records, and proceedings of the chancery court separate from the proceedings in law in the other courts (Toulmin's Digest, 1807; chapt. II, secs. 43-48).

The act of December 22, 1809 transferred this judicial power to the superior courts of law and equity which name had been given to circuit courts previously established in each county. The clerks of the circuit courts were required to transfer all their records to the clerks of the superior courts of law and equity (Turner's Digest, 1816; pp. 178-179, arts. 116-118, secs. I, II, V).

On November 27, 1821, using the power granted it by the first constitution of Mississippi (Const., 1817, art. V, secs. 4, 6) the legislature established a separate court of chancery for the state and divided the state into two districts, eastern and western, (Laws, 1821, p. 105). A clerk was provided for in each district, to be appointed by the chancellor (Poindexter's Code, 1834; chapt. XIII, secs. 1, 2), and he was given the power to appoint deputies, administer oaths and take affidavits.

The act of February 4, 1825 formed Monroe County (see Governmental Organization and Records System, supra., "First Chickasaw Cession") into a separate chancery district and instructed the clerk of the eastern district to turn over all records to the clerk of the Monroe district (Laws, 1825, p. 133). This act was repealed on February 25, 1827 and four chancery districts were created in the state with a clerk in each appointed by the chancellor (Laws, 1827, p. 139).

The revised constitution of 1832 made provision for a separate superior court of chancery with full jurisdiction in all matters of equity and specified that a clerk be appointed in each district (Const., 1832, art. IV, secs. 16, 22, 27).

The office of clerk of the chancery court was made elective by the act of February 26, 1848 (Laws, 1848, chapt. 68, p. 180). An amendment to the constitution of 1832 inserted by an act approved February 6, 1856, created a court of chancery in each judicial district to be held by the circuit judge, and the clerk of the circuit court was made clerk of the chancery court (Code, 1857, chapt. LXII, sec. III, art. 12).

In 1869 when the probate court was abolished its jurisdiction was transferred to the chancery court and the duties of the probate clerk were consolidated with those of the clerk of the chancery court (Const., 1869, art. VI, secs. 16, 19). The code adopted in 1871 provided for separate offices for the clerk of the chancery court and the clerk of the circuit court, thus separating the duties of the two offices (Code, 1871, sec. 547).

Proceedings and Case Records

60. MINUTES OF CHANCERY COURT, 1891--. 6 vols. (1-6).
Record of proceedings of chancery court, including petitions filed with clerk

Clerk of the Chancery Court - Dockets and General Court Records (61-67)

during vacation and history of trial, disposition of each case, and signature of chancellor. Chron. arr. Hdw. and typed. 600 pp. 24 x 15 x 3. Ch. clerk's va.

61. LIVE CHANCERY CASES, 1921--. 37 file boxes. Original documents, papers, and case records concerning estates, guardianships, divorces, lunacy cases, injunctions, garnishments, and receiverships pending in chancery court. Numer. filed by case no. No index. Hdw. and typed on ptd. form. 12 x 4 x 14. Ch. clerk's va.

62. CHANCERY CASES-DEAD, 1891-1933. 127 file boxes. Original papers, documents, and case records pertaining to estates, guardianships, lunacy cases, injunctions, divorces, garnishments, and receiverships disposed of in chancery court. Numer. filed by case no. No index. Hdw. and typed on ptd. form. 12 x 4 x 14. Ch. clerk's va.

63. ORDERS TO CHANCERY CLERK, 1903--. 1 file box. Miscellaneous orders to chancery clerk from board of supervisors and other county officers pertaining to court matters. Chron. filed. No index. Hdw. and typed. 12 x 4 x 14. Ch. clerk's va.

64. MANDATES FROM SUPREME COURT, 1914--. 1 file box. Original decisions of supreme court pertaining to cases appealed from chancery court confirming or reversing judgment. Chron. filed. No index. Hdw. and typed. 12 x 4 x 14. Ch. clerk's va.

Dockets and General Court Records

65. CHANCERY DOCKET-GENERAL, 1890--. 7 vols. (1-7). Record of petitions, pleas, answers, demurrers, and other papers filed in cases tried and triable in chancery court, showing names of plaintiffs and defendant, case number, names of attorneys, decrees, orders, date, volume and page record in minutes and in other dockets. Chron. arr. Alph. indexed by name of defendant. Hdw. on ptd. form. 482 pp. 18 x 14 x 2. Ch. clerk's va.

66. ISSUE DOCKET-CHANCERY COURT, 1891--. 3 vols. (1-3). Record of cases, final hearings, proceedings concerning insolvent estates, and final accounts of executors, administrators, and guardians, and other matters wherein order or decree of the court, or issuance of process or notice is necessary to a final hearing, triable at approaching term of court, showing case number, date, parties' names, attorneys in case, term set for hearing, disposition of case, and remarks. Chron. arr. No index. Hdw. on ptd. form. 200 pp. 18 x 12 x 2. Ch. clerk's va.

67. MOTION DOCKET, 1891--. 2 vols. Record of demurrers, motions, ex-parte petitions, exceptions to evidence or reports, and other matters concerning administration and guardianship not directed to be placed on issue docket, showing date, case number, parties'

Clerk of the Chancery Court - Bonds

(68-72)

names, names of attorneys, nature of motion, disposition of case, and remarks. Chron. arr. No index. Hdw. on ptd. form. 319 pp. 18 x 10 x 2. Ch. clerk's off.

68. LIS PENDENS NOTICES, 1893-1913. 1 file box. Discontinued. Notices kept in case records, entries 61, 62.

Original notices filed at beginning of suit in any court to enforce lien upon, right to, or interest in real estate when claim is not based upon any instrument previously recorded or judgment duly enrolled, showing parties' names, description of land involved or levied upon, nature of suit or writ, brief statement of nature of lien, right, or interest sought to be enforced, date of filing, notice. Alph. filed by name of defendant. No index. Hdw. on ptd. form. 12 x 4 x 14. Ch. clerk's va.

For record of notices, see entry 69.

69. LIS PENDENS RECORD-CHANCERY COURT, 1893--. 1 vol.

Record of notices, filed at beginning of suit in any court to enforce lien upon, right to, or interest in real estate when claim is not based upon any instrument previously recorded or judgment duly enrolled, showing names of plaintiff and defendant, description of land involved or levied upon, nature of suit or writ, brief statement of nature of lien, right, or interest sought to be enforced, date of filing and recording lis pendens notice, result of suit or levy, and remarks. Chron. arr. Alph. indexed by names of plaintiff and defendant. Hdw. on ptd. form. 184 pp. 18 x 18 x 2. Ch. clerk's va.

For original notices, see entries 61, 62, 68.

70. FINAL RECORD, 1892--. 7 vols. (1-C, 1-4).

Record of all proceedings in suits involving real estate, or such parts of the proceedings required to be entered by the chancellor, showing names of plaintiff and defendant, date, case number, nature of suit, disposition; also motions, decrees, final hearing, final judgment, proof of publication, transcript of papers and exhibits; also record of all proceedings in other suits required to be entered by decree or order of chancellor. Chron. arr. Alph. indexed by name of defendant. Hdw. on ptd. form. 600 pp. 18 x 15 x 3. Ch. clerk's off.

71. ATTORNEYS' RECEIPT BOOK CHANCERY COURT, 1904--. 1 vol.

Record of papers and case records withdrawn from chancery clerk's office by attorneys, showing case number, number and list of papers, attorney's receipt, date withdrawn, clerk's receipt, date returned, and remarks. Chron. arr. No index. Hdw. on ptd. form. 320 pp. 18 x 13 x 1. Ch. clerk's va.

Bonds

72. REGISTER OF SURETIES ON BONDS, 1896-1927. 1 vol. Discontinued.

Register of sureties on appeal, cost, and appearance bonds, showing names of principals and sureties, obligor, obligee, date of bond, amount, penalty, nature, date recorded, case number, style, and date of discharge. Chron. arr. Alph. indexed by name of surety. Hdw. on ptd. form. 400 pp. 18 x 13 x 2. Ch. clerk's va.

Clerk of the Chancery Court - Fees

(73-79)

Fees

73. CHANCERY CLERK'S FEE BOOK, 1907--. 8 vols. (1-8).
Record of costs in cases tried in chancery court, showing date, to whom charged, description of costs, case number, volume and page of reference to dockets, names of plaintiff and defendant, and receipt. Chron. arr. Alph. indexed by names of defendant. Hdw. on ptd. form. 422 pp. 18 x 15 x 2. Ch. clerk's va.

74. CHANCERY CLERK'S CASH BOOK, 1920--. 2 vols. (1, 2).
Daily record of fees collected by chancery clerk for court services and recording instruments, showing date, amount, term of court, from whom received, description of charge, case number, volume and page of record in dockets, court costs, clerk's fees, date of recording and acknowledgement. Chron. arr. No index. Hdw. on ptd. form. 406 pp. 18 x 15 x 2. Ch. clerk's off.

Newspapers

75. LUMBERTON HEADBLOCK, 1890-1904. 14 vols.
Copies of weekly newspaper subscribed to by the clerk of the chancery court at the direction of the chancellor, containing publications ordered by the court. Chron. arr. No index. Ptd. 250 pp. 18 x 24 x 2. Ch. clerk's va.

76. POPLARVILLE FREE PRESS, 1891-1932. 41 vols.
Copies of weekly newspaper subscribed to by the clerk of the chancery court at the direction of the chancellor, containing publications ordered by the court. Chron. arr. No index. Ptd. 250 pp. 18 x 24 x 2. Ch. clerk's va.

77. THE PICAYUNE ITEM, 1933--. 4 vols.
Copies of weekly newspaper subscribed to by the clerk of the chancery court at the direction of the chancellor, containing publications ordered by the court, and proceedings of the board of supervisors ordered published monthly by the board. Chron. arr. No index. Ptd. 250 pp. 18 x 24 x 2. Ch. clerk's va.

Miscellaneous

78. ALLOWANCES AND SPECIAL ORDERS BY CHANCERY CLERK, 1920--. 1 file box.
Original orders for postponement of chancery court, appointment of court stenographers, approval of vacation minutes, approval of court expenses, and allowances for chancery clerk and chancery court expenses. Chron. filed. No index. Hdw. and typed. 12 x 4 x 14. Ch. clerk's va.

79. CORRESPONDENCE WITH ATTORNEY GENERAL, 1912--. 1 file box.
Correspondence between attorney general and chancery clerk pertaining to legal procedure of county government. Chron. filed. No index. Typed. 12 x 4 x 14. Ch. clerk's va.

Clerk of the Circuit Court

(80-84)

Wills and Estates

80. WILLS, 1890-1900. 1 file box.

Exact copies of wills registered in other states and recorded in Pearl River County with statement from recording officer of the county of origin attesting to accuracy of copy, including volume and page of original recording. Chron. filed. No index. Typed. 12 x 4 x 14. Ch. clerk's va.

For subsequent record of wills, see entry 81.

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Transcript of wills and last testaments, including administration and executions according to terms and conditions outlined, filed in chancery court for probate. Chron. arr. Alph. indexed by name of decedent. Hdw. and typed. 929 pp. 18 x 12 x 2. Ch. clerk's va.

82. REGISTER OF CLAIMS AGAINST ESTATES, 1891--. 1 vol.

Register of claims filed against estates of inheritance, showing description of claim, date, claimant's name, amount, date due, date and place registered. Chron. arr. Alph. indexed by name of claimant. Hdw. on ptd. form. 450 pp. 18 x 15 x 1 $\frac{1}{2}$. Ch. clerk's va.

83. ADMINISTRATORS', EXECUTORS', AND GUARDIANS' BONDS AND LETTERS, 1890--. 2 vols. (1, 2).

Record of bonds and letters of administrators, executors, and guardians, showing name of deceased, name of administrator, executor, or guardian; names of minor heirs, amount and kind of bond, date, names of sureties, and date of letters. Chron. arr. Alph. indexed by name of decedent or minor. Hdw. and typed on ptd. form. 200 pp. 18 x 10 $\frac{1}{2}$ x 3. Ch. clerk's va.

84. ACCOUNTS, APPRAISEMENTS, AND REPORTS, 1892--. 4 vols.

Record of accounts, appraisements, and reports of estates of inheritance, showing itemized statement of assets and liabilities, accounts of expenditures, and appraised valuation of estates. Chron. arr. Alph. indexed by name of estate. Hdw. and typed on ptd. form. 420 pp. 18 x 10 $\frac{1}{2}$ x 2. Ch. clerk's va.

IV. CLERK OF THE CIRCUIT COURT

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docket, a criminal docket, an appearance docket, a subpoena docket, an execution docket, and a final record book (Code, 1930, secs. 479-485). He must keep a jury fee book (*ibid.*, sec. 487), deliver to the clerk of the board of supervisors within ten days after each term of court a certified list of all allowances made by the court (*ibid.*, sec. 486), and report to the clerk of the board within ten days after each term of court a list of all judgments rendered and suits disposed of at such term (*ibid.*, sec. 489). He is also required to report to the clerk, within 30 days after adjournment of every term of court, a list of all penalties, fines, and forfeitures assessed by the court and of fines collected (*ibid.*, sec. 618). The circuit clerk must report to the county auditor a list of witness certificates payable out of the county treasury (*ibid.*, sec. 1810). He is clerk of special courts of eminent domain (*ibid.*, sec. 1483), held by justices of the peace in Pearl River County (see Justice of the Peace, *infra.*) and is the custodian of the records of such courts (*ibid.*, sec. 1499).

The clerk must procure and keep in his office one or more books styled "The Judgment Roll" in which he must enroll within 20 days after the adjournment of each term of circuit court all final judgments rendered at each term (*ibid.*, sec. 609). Final decrees of the chancery court (*ibid.*, sec. 453), and final judgments of justice of the peace courts (*ibid.*, sec. 2090) may be enrolled in the judgment roll if abstracts of such decrees or judgments rendered and filed with the circuit clerk.

As a recording and licensing official the circuit clerk issues marriage licenses (*ibid.*, secs. 2362-2363), and he is required to keep all papers and records connected with marriage licenses and certificates of marriage (*ibid.*, sec. 2368). He must make regular reports to the state registrar of vital statistics giving data concerning marriages (*ibid.*, secs. 4933-4941). It is prescribed that the following professional licenses to practice shall be filed with the circuit clerk and preserved by him: dentists' (*ibid.*, sec. 4307), pharmacists' (*ibid.*, sec. 5863), physicians' (*ibid.*, sec. 5854), osteopaths' (*ibid.*, sec. 5861), embalmers' (*ibid.*, sec. 4628), and veterinaries' (*ibid.*, secs. 7323-7324). He is also custodian of a certified jury list delivered to him by the clerk of the board of supervisors (*ibid.*, sec. 2035), of the records of coroners' inquests (*ibid.*, sec. 648), of dockets of justice of the peace courts after justices have gone out of office (*ibid.*, sec. 2109), and of a list of persons liable for military duty, prepared by the assessor by order of the governor (*ibid.*, sec. 5483).

A Federal law approved June 29, 1906 gave the circuit court jurisdiction in the naturalization of aliens (34 Stat. L., p. 893), and since 1912, when the first application for citizenship papers was made in Pearl River County, the clerk of the circuit court has kept a naturalization register.

The clerk is paid in fees which range from ten cents for swearing each witness to \$3 for issuing a marriage license, taking affidavit, and recording the certificate of marriage, and \$3 for issuing summons and drawing the jury in eminent domain proceedings. For public service not particularly provided for, the circuit court of Pearl River County, in which the assessed valuation

Clerk of the Circuit Court

(Next entry 85, p. 50)

of all property does not exceed \$8,000,000, may allow the clerk a sum not exceeding \$600 (Code, 1930, sec. 1788). The clerk in Pearl River County is given no compensation under this provision, but he is paid \$900 annually for his services as registrar (Minutes, Board of Supervisors, October 6, 1934, vol. 8, p. 59; Code, 1930, sec. 6195; see Registrar, infra.) He is required to make bond of not less than \$3,000 nor more than \$10,000 to be fixed by the board of supervisors (ibid., sec. 478). The board in Pearl River County has set the clerk's bond at \$5,000.

The circuit clerk is directed to file with the secretary of state not later than January 15 of each year, a true and accurate report showing receipts from all sources accruing as compensation to his office, and disbursements from all sources accruing as necessary expenses (ibid., sec. 6955). The clerk of the circuit court of Pearl River County, according to the office of the secretary of state, has made no such report for 1937.

The office of clerk of the circuit court has existed in Mississippi since February 28, 1799. At that time Governor Winthrop Sargent and the Territorial judges wrote the act which established a court of common pleas possessed of jurisdiction similar to that of the present-day circuit court (Sargent's Code, 1799, p. 11). Thus, it can be said that the clerks of the first courts of common pleas were the first circuit clerks.

On January 26, 1802, an act was passed by the general assembly of the Territory to "provide for the more convenient organization of the courts" (Original Acts of the Territorial Legislature, Series D, vol. 6, MDAH). By this legislation a superior court with a clerk to keep its records was established in each of the three districts then organized, the counties of Adams, Jefferson, and Washington.

The law of February 10, 1807 set up circuit courts in Wilkinson, Adams, Jefferson, and Claiborne Counties, to be presided over by the Territorial judges. A clerk, "a person of skill and probity" was appointed in each to "do all things that appertain to the duties of a clerk of the court". In these courts the clerks' bonds were placed in the amount of \$7,000 and a \$20 fine was exacted in the event they did not make up and enter a full and complete record of the final determination of any suit or prosecution. (Toulmin's Digest, 1807, chapt. II, secs. 8, 9, 49, 50).

Two years later, the act of December 22, 1809 changed the name of the circuit court to "superior court of law and equity", bestowing on the court as the name indicates, jurisdiction in both law and equity. The clerks of the circuit courts were required to transfer all original papers, records, and other judicial proceedings to the newly organized courts in each county. (Turner's Digest, 1816, pp. 178, 179, secs. 116, 118).

The constitution of 1817, drafted the year the Mississippi Territory became a state, created a superior court for each county and provided that

the judge should appoint a clerk for each court, (Const., 1817, art. V, secs. 5, 11). Acts in 1818 (Laws, 1818, p. 7) and 1819 (Laws, 1819, p. 53) organized the courts accordingly. On June 22, 1822 the legislature restored the name of circuit court, at the same time dividing the state into judicial districts with a judge and a clerk for each district (Laws, 1822, p. 36). The clerks of the superior courts then existing, became the clerks of the circuit courts (Poindexter's Code, 1824, chapt. 13, sec. 1). Vacancies in clerkships were filled by appointment by the judge (ibid., sec. 10); the clerks were made liable to fine and imprisonment for making false entry or changing any records in their keeping belonging to their offices (ibid., sec. 15); clerks were given power to appoint deputies (ibid., sec. 12); and they were required to keep a list of freeholders provided by the assessor and the collector from which petit and grand jurors were to be drawn (ibid., sec. 122).

The revised constitution of 1832 made the office of clerk of the circuit court elective and set its term at two years (Const., 1832, art. IV, sec. 19). In 1856 a constitutional amendment delegated to the judges of the circuit courts the duty of holding chancery court. The clerks of the circuit courts were required to keep the records of the chancery court in addition to those of the circuit court (Amendment to Revised Constitution of 1832; inserted by act of February 6, 1856). When the county courts were re-established in 1865 (Laws, 1865, chapt. 11, sec. 1, p. 66), the circuit clerks were created custodians of the county court records as ex-officio clerks of the county court (ibid., sec. 5). These courts were abolished in 1870 releasing the circuit clerks of this duty (Laws, 1870, chapt. XIII).

The legislature of 1870 charged the circuit clerks with the task of issuing marriage licenses and keeping all records pertaining to the issuance of the licenses (Code, 1871, chapt. 8, sec. 570). It was at this time that circuit clerks were prohibited from practicing law (ibid., sec. 567).

Between 1832 and 1869 the offices of clerk of the circuit court and clerk of the probate court could be held by the same person (Code, 1857, chapt. VI, art. 199). At present in counties in which the population does not exceed 15,000, the offices of chancery clerk and circuit clerk may be held by the same person (Code, 1930, sec. 2918). Since the population of Pearl River County is more than 15,000 (see Historical Sketch, supra.), the county does not come within this limitation.

The term of office was increased from two years to four years in 1869 (Const., 1869, art. IV, sec. 19). In providing for the office in 1890 the constitution made no change in the term, keeping it at four years (Const., 1890, sec. 168). In 1892 the circuit clerk was made registrar of elections and custodian of election records (Laws, 1892, chapt. 68, p. 116; see Registrar, infra.)

Proceedings

85. MINUTES OF CIRCUIT COURT, 1890---. 9 vols. (1-9).
Record of organization of court, of grand, and petit juries, summons to jury

Clerk of the Circuit Court - Case Records

(86-92)

with sheriff's return, list of cases continued, cases tried, reports on indictments, and court proceedings kept in narrative form, showing style of case, nature of action brought, date of trial, final disposition of case, and signature of judge. Chron. arr. No index. Hdw. and typed. 600 pp. 18 x 15 x 2 $\frac{1}{2}$. Cir. clerk's va.

Case Records

Criminal

86. DEAD CRIMINAL CASES, 1890--.. 49 file boxes.
Original indictments, pleas, demurrers, motions, and complete case records of criminal cases disposed of in circuit court. Numer. arr. by case no. No index. Hdw. and typed. 12 x 4 x 14. Cir. clerk's va.

87. CRIMINAL CASES PENDING, 1935--.. 1 file box.
Original pleas, demurrers, indictments, motions, and complete case records of criminal cases triable in circuit court. Numer. arr. by case no. No index. Hdw. and typed. 12 x 4 x 14. Cir. clerk's va.

Civil

88. DEAD CIVIL CASES, 1890--.. 88 file boxes.
Declarations, pleas, demurrers, motions, and other papers filed in civil cases and disposed of in circuit court. Numer. arr. by case no. No index. Hdw. and typed. 12 x 4 x 14. Cir. clerk's va.

89. CIVIL CASES-PENDING, 1935--.. 2 file boxes.
Pleas, demurrers, motions, declarations, and complete case records of civil cases pending trial in circuit court. Numer. arr. by case no. No index. Hdw. and typed. 12 x 4 x 14. Cir. clerk's va.

Mississippi Power Company

90. MISSISSIPPI POWER COMPANY-CASES PENDING, 1934--.. 3 file boxes.
Original papers of suits filed against Mississippi Power Company triable in circuit court. Numer. arr. by case no. No index. Hdw. and typed. 12 x 4 x 14. Cir. clerk's off.

Supreme Court

91. MANDATES-SUPREME COURT, 1909--.. 1 file box.
Original decisions of supreme court on cases appealed from circuit court. Numer. arr. by case no. No index. Hdw. and typed. 12 x 4 x 14. Cir. clerk's off.

Dockets and General Court Records

92. GENERAL DOCKET, 1890--.. 4 vols. (1-4).
Record of criminal and civil cases tried and triable in circuit court, showing case number, style, names of plaintiffs, defendants, and attorneys, date,

cause of action, pleadings, nature and date of filing process, date issued, date returned, and remarks. Numer. arr. by case no. Alph. indexed by name of defendant. Hdw. on ptd. form. 400 pp. 18 x 15 x 2. Cir. clerk's va.

93. COURT STATE DOCKET, 1890--. 4 vols. (1-4).

Record of criminal cases kept for convenience of judge, showing case number, style, names of defendant and attorneys, offense, date of indictment, return of process, date of trial and verdict, orders preceding term, orders present term, and remarks. Numer. arr. by case no. No index. Hdw. on ptd. form. 300 pp. 18 x 15 x 3. Cir. clerk's off.

94. STATE BAR DOCKET, 1890-1920. 3 vols. (1-3). Discontinued because of duplication with Court State Docket, entry 93.

Record of criminal cases to be tried in circuit court, kept for convenience of attorneys, showing case number, style, names of defendant and attorneys, cause of action, date of filing, issuance and return, sheriff's return, date of trial, orders preceding term, volume and page of recording in court state docket, orders present term, date, page. Chron. arr. in order of original filing. Alph. indexed by name of defendant. Hdw. on ptd. form. 500 pp. 18 x 13 x 2 $\frac{1}{2}$. Cir. clerk's off.

95. ISSUE DOCKET, 1890--. 7 vols. (1-7).

Record of cases triable at approaching term of court in order in which they are filed and numbered on general docket, showing parties' name, attorneys, case number, style, action last term, judge's minutes. Chron. arr. in order of original filing. No index. Hdw. on ptd. form. 250 pp. 18 x 15 x 2 $\frac{1}{2}$. Cir. clerk's off.

96. TRIAL DOCKET (Issue Docket), 1890-1908. 1 vol. Discontinued because of duplication with Issue Docket, entry 95.

Record of cases to be tried in circuit court, showing case number, names of plaintiff, defendant, and attorneys, action, and judge's minutes. Chron. arr. in order of original filing. No index. Hdw. on ptd. form. 250 pp. 18 x 15 x 2 $\frac{1}{2}$. Cir. clerk's va.

97. APPEARANCE DOCKET, 1890-1921. 1 vol. Discontinued.

Record of criminal and civil cases in the order in which they are filed but not triable at first term of court, showing names of plaintiffs, defendants and attorneys; case number, nature of case, date of trial, and remarks. Chron. arr. in order of original filing. No index. Hdw. on ptd. form. 250 pp. 18 x 15 x 2 $\frac{1}{2}$. Cir. clerk's va.

98. SUEPOENA DOCKET CIRCUIT CLERK, 1902--. 4 vols. (1-4).

Record of subpoenas issued for witnesses in criminal and civil cases, showing case number, names of plaintiffs and defendants, names of witnesses and for whom appearing, present or absent, term of court, days, mileage, nature of process, date issued, date returned and filed, clerk's fees, sheriff's fees, to whom delivered, officer's return, and remarks. Chron. arr. by date of issuance. Alph. indexed by name of witness. Hdw. on ptd. form. 250 pp. 18 x 15 x 2. Cir. clerk's off.

For prior records, see entry 137.

Clerk of the Circuit Court - Judgments

(99-104)

99. EXECUTION DOCKET CIRCUIT COURT, 1891--. 2 vols.

Record of executions issued in circuit court, showing names of parties litigant, case number, date and amount of judgment or decree, costs, total, to whom delivered, county, date issued and returned, and sheriff's return. Chron. arr. No index. Hdw. on ptd. form. 250 pp. 18 x 15 x 2, and 480 pp. 18 x 15 x 2 $\frac{1}{2}$. Cir. clerk's off.

100. EXECUTIONS RETURNED, 1916--. 1 file box.

Original executions of judgment returned to circuit clerk for filing, showing statement of judgment and costs, names of parties litigant, date and amount of judgment, to whom charged, date issued and returned, amount of costs, total amount, to whom delivered, county, sheriff's return. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 14. Cir. clerk's off.

101. ATTORNEYS' RECEIPT BOOK, 1900--. 1 vol.

Daily record of withdrawal and return of papers, documents, and case records from circuit clerk's office by attorneys, showing cause, case number, number and list of papers, attorney's receipt, date withdrawn, clerk's receipt, date returned, and remarks. Chron. arr. No index. Hdw. on ptd. form. 315 pp. 18 x 15 x 2 $\frac{1}{4}$. Cir. clerk's va.

Judgments

102. ABSTRACT OF JUDGMENT FROM JUSTICE COURT, 1889-1912, 1917--., 1913-1916 missing. 1 vol., 1 file box.

Abstract of judgments rendered in justice of peace court, showing date, district, style of case, names of plaintiff and defendant, amount of judgment, signature of justice, date filed and recorded in judgment roll, and signature of circuit clerk. Vol. 1889-1912, Chron. arr. Alph. indexed by name of plaintiff. 296 pp. 16 x 10 x 1; file box, 1917--., Chron. filed. No index. 12 x 4 x 14. Hdw. on ptd. form. Cir. clerk's va.

103. JUDGMENT ROLL, 1891--. 2 vols. (1, 2).

Record of enrolled judgments, showing names of plaintiff and defendant, amount of judgment, date of rendition, county, date of enrollment, case number, date and satisfaction, court of rendition, rate of interest, volume and page of record in court minutes. Chron. arr. No index. Hdw. on ptd. form. 350 pp. 18 x 15 x 2 $\frac{1}{2}$. Cir. clerk's va.

Juvenile Records

104. INDUSTRIAL TRAINING SCHOOL PAPERS, 1916-31. 2 file boxes.

Original papers in juvenile delinquency cases tried in circuit court, including judgment of court, petitions of plaintiff, agreements, and restoration papers of minors to guardians after release from Mississippi Industrial Training School. Chron. filed. No index. Hdw. and typed. 12 x 4 x 14. Cir. clerk's va.

Clerk of the Circuit Court - Naturalization Records

(105-110)

105. JUVENILE RECORD, 1921--. 1 vol.

Record of juvenile delinquency cases tried in circuit court, showing name, age, and address of juvenile, offense, name and address of parent or guardian, date of trial, pleadings, exhibits, and disposition of case. Alph. indexed by name of defendant. Hdw. on ptd. form. 264 pp. 18 x 15 x 1 $\frac{1}{2}$. Cir. clerk's va.

Naturalization Records

106. NATURALIZATION PETITIONS AND RECORD, 1912--. 1 vol.

Record of aliens' petitions for citizenship, showing full name of applicant, place of residence, occupation, date and place of birth, place of emigration, date and place of arrival, date and place of declaration of intention, and name of court in which filed; affidavits of two witnesses as to length of residence and moral character of petitioner, signature of petitioner; order of court, oath of allegiance. Chron. arr. Alph. indexed by name of petitioner. Hdw. on ptd. form. 100 pp. 18 x 15 x 1 $\frac{1}{2}$. Cir. clerk's va.

Indictments

(see also entries 85, 93)

107. SECRET RECORD OF INDICTMENTS, 1890--. 10 vols. (1-10).

Record of criminal indictments or true bills returned by grand jury, showing name of defendant, offense, findings of grand jury, case number, names of witnesses, foreman of grand jury, district attorney. This book is not a public record. Chron. arr. by session of jury. Alph. indexed by name of defendant. Hdw. on ptd. form. 288 pp. 18 x 15 x 1 $\frac{1}{2}$. Cir. clerk's va.

Jurors

(see also entries 85-105, 107, 114-116, 118)

108. JURY PAPERS, 1919--. 2 file boxes.

List of jurors in attendance in circuit court, special venire and venire facias for jurors, grand jury reports, orders, and circuit court summons. Chron. filed by court and jury session. No index. Hdw. on ptd. form. 12 x 4 x 14. Cir. clerk's off.

109. REPORT OF JURORS' FEES, 1901-18. 1 file box.

Original fee bills of jurors for service in circuit court cases, showing date, number of certificate, name of juror, days, mileage, volume and page of recording in minutes, and amount. Chron. filed by court session. No index. Hdw. on ptd. form. 12 x 4 x 14. Cir. clerk's va.

For other jurors' records, see entry 108.

Bonds

(see also entries 13-17, 118, 196)

110. BONDS AND WARRANTS, 1913--. 1 file box.

Original appeal, appearance, and costs bonds, justice of peace warrants, affidavits of justice court, replevin bonds, stenographers' bonds. Chron. filed.

Clerk of the Circuit Court - Fees

{111-116}

No index. Typed. 12 x 4 x 14. Cir. clerk's va.
For record of Bonds, see entry 111.

111. REGISTER OF BONDS, 1905--. 1 vol.

Register of appearance, appeal, and costs bonds filed in circuit court cases, showing name of signer, principal obligor, obligee, date, penalty, sureties, nature of bond, place recorded, number of suit in which filed, date discharged, and remarks. Chron. arr. Alph. indexed by name of defendant. Hdw. on ptd. form. 150 pp. 18 x 15 x 1½. Cir. clerk's off.

For original bonds, see entry 110.

Fees

(see also entries 109, 114-116, 119)

112. FEE BILLS-CRIMINAL CASES, 1904--. 7 vols. (1-7).

Record of fees in criminal cases tried in circuit court, showing name of defendant, cause of action, term of court, case number, itemized list of fees paid each county officer involved, names of witnesses serving, and amount paid each. Chron. arr. No index. Hdw. on ptd. form. 300 pp. 18 x 15 x 2. Cir. clerk's off.

113. FEE BOOK-CIVIL CASES, 1904--. 9 vols. (1-9).

Record of fees in civil cases tried in circuit court, showing names of plaintiffs and defendants, cause of action, case number, itemized list of fees paid each county officer involved, names of witnesses serving and amount due each. Chron. arr. No index. Hdw. on ptd. form. 300 pp. 18 x 15 x 2. Cir. clerk's va.

Certificates

(see also entries 109, 112, 113, 119)

114. STATE WITNESS CERTIFICATES, 1919--. 2 vols.

Stubs of certificates issued state witnesses to obtain warrants in payment for services, showing date issued, case number, certificate number, amount, name of witness, style of case, number days, mileage. Chron. arr. No index. Hdw. on ptd. form. 200 pp. 18 x 16 x 1½. 1 vol., 1919-33, ch. clerk's va. 1 vol., 1934--, cir. clerk's va.

115. WITNESS CERTIFICATES-CIVIL CASES, 1919--. 3 vols.

Duplicate copies of certificates issued witnesses in civil cases to obtain warrants in payment for services, showing date issued, certificate number, amount, case number, name of witness, for what party, number of days, mileage, signature of circuit clerk. Chron. arr. No index. Hdw. on ptd. form. 250 pp. 20 x 18 x 1. 2 vols., 1919-32, cir. clerk's off. 1 vol., 1933--, ch. clerk's va.

116. JURORS' CERTIFICATES, 1919--. 3 vols.

Stubs of certificates issued jurors to obtain warrants in payment for services, showing date issued, certificate number, style of case, name of juror, number of days, mileage, amount. Chron. arr. No index. Hdw. on ptd. form. 150 pp. 18 x 16 x 1¼. 2 vols., 1919-33, ch. clerk's va. 1 vol., 1934--, cir. clerk's off.

Clerk of the Circuit Court - Miscellaneous

(117-122)

Miscellaneous

117. GARNISHMENT WRIT RETURNED, 1911-32. 1 file box.
Original writs of garnishment executed and returned to circuit clerk for permanent filing. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 14. Cir. clerk's off.

For other execution records, see entries 99, 100.

118. MISCELLANEOUS PAPERS (Orders From Judge In Vacation), 1911-31.
3 file boxes.

Final reports from grand jury, orders from judge in vacation, justice court bills, appearance bonds, summons, invoices for supplies, documents of circuit court. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 14. Cir. clerk's off.

119. REPORT OF CIRCUIT CLERK-STATE WITNESS, 1901-18. 1 file box.
Discontinued.

Duplicate copies of circuit clerk's reports to county auditor regarding state witnesses, showing case number, style of case, names of witnesses, certificate number, days, mileage, volume and page of record in minutes, authority, and amount. Chron. arr. No index. Hdw. on ptd. form. 12 x 4 x 14. Cir. clerk's va.

For other records, see entries 114, 115.

Marriage Records

120. MARRIAGE RECORDS, 1890--. 25 vols. (1-25)
Record of marriage licenses issued to white and to colored, showing application and affidavits of applicants, consent of parents or guardian of minor applicants, names of contracting parties, age, address, date license issued, signature of applicants and of circuit clerk, transcript of returned certificate with date of issuance. Alph. indexed by names of male and female applicants. Hdw. on ptd. form, 400 pp, 18 x 15 x 2 $\frac{1}{2}$. Cir. clerk's va.

121. CERTIFICATES OF MARRIAGE LICENSE RETURNED, 1915--. 3 file boxes.
(27-29).

Original certificates of marriage returned to circuit clerk for filing by person officiating at marriage, showing names of contracting parties, county, date ceremony performed, and signature of person officiating. Chron. filed by date received. No index. Hdw. on ptd. form. 12 x 4 x 14. Cir. clerk's off.

Licenses

122. PHYSICIANS', PHARMACISTS', DENTISTS', AND EMBALMERS' LICENSE RECORD, 1890--. 1 vol.

Record of licenses issued by state examining boards to physicians, pharmacists, dentists, and embalmers who are practicing or have practiced in Pearl River County, showing date, name and age of applicant, address, references, educational qualifications, date license issued, expiration date. Chron. arr.

County Court

(123-126)

Alph. indexed by name of licensee. Hdw. on ptd. form. 200 pp. 18 x 15 x $1\frac{1}{2}$.
Cir. clerk's va.

123. RECORD OF VETERINARY SURGEONS' LICENSES, 1916--. 1 vol.
Record of licenses issued by state board of veterinary examiners to veterinary surgeons who are practicing or have practiced in Pearl River County, showing name and age of applicant, residence, training, and qualifications, date license issued, expiration date. Alph. indexed by name of licensee. Hdw. on ptd. form. 200 pp. 18 x 15 x $1\frac{1}{2}$. Cir. clerk's va.

124. ATTORNEYS' ROLL, 1892-1909. 1 vol. Discontinued. Record now kept in minutes of chancery court, entry 60.
Register of licenses issued by chancellor to attorneys to practice law in the county, showing number, name of attorney, address, date admitted, state and county, oath of attorney, and remarks. Chron. arr. Alph. indexed by name of attorney. Hdw. on ptd. form. 75 pp. 18 x 15 x $1\frac{1}{2}$. Cir. clerk's off.

Reports

125. ANNUAL REPORTS OF RECEIPTS AND DISBURSEMENTS, 1930-31. 1 vol.
Duplicate copies of annual reports to secretary of state of receipts and disbursements of circuit clerk, showing total receipts, date, particulars, marriage licenses and certificates, court costs, fees of circuit clerk, enrolling judgment and certificates, salary as registrar, deputy hire, and disbursements. Chron. arr. No index. Hdw. on ptd. form. 250 pp. 24 x 16 x $1\frac{1}{2}$. Cir. clerk's off.

126. REPORT OF GENERAL ALLOWANCES OF CIRCUIT COURT, 1901-28. 1 file box.
Carbon copies of reports of allowances, made by circuit clerk to clerk of board of supervisors, showing date, number of certificate, to whom allowed, purpose, volume and page of record in minutes, authority, and amount. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 14. Cir. clerk's va.

V. COUNTY COURT

A county court is not maintained in Pearl River County. In 1926 the establishment of a county court was made mandatory in any county having; a permanent population of more than 35,000; or not having such population, an assessed valuation of real and personal property exceeding \$17,000,000; and in either event, having a municipality of 5,000 or more inhabitants. (Laws, 1926, chapt. 131).

Pearl River County to date has not come within the provisions of this law although Picayune, the largest town in the county, had a population of 4,698 in 1930 and may have a population of 5,000 or more in 1940. There has been no local agitation for the organization of a county court.

Justice of the Peace

(Next entry 127, p. 62)

VI. JUSTICE OF THE PEACE

Under the provisions of the county organization acts of 1890 (see Historical Sketch, *supra*.) the governor appointed three justices of the peace to serve in Pearl River County until the general election in 1892.

Laws in effect at that time authorized the qualified electors of each of the five supervisors' beats to elect two justices (Code, 1892, sec. 2392). However, Pearl River County has never required the services of two justices in each district, especially in the strictly rural beats and by 1908 only seven justices were holding office (Mississippi Official and Statistical Register, 1908, p. 1129).

The number chosen at each election has varied. In 1926 to meet the condition in Pearl River County which was typical of many counties in the state, the legislature directed that there be only one justice of the peace for each district in the county, except in districts or beats subdivided by the board of supervisors (Laws, 1926, p. 209), in which event there could not be more than three justices. This law was amended in 1932 to specify that only one justice could be elected from each beat, but provision was made that the board at its discretion could call an election for an additional justice in any beat (Laws, 1932, p. 472).

At the present time Pearl River County has five justices of the peace, one from each supervisor's district. Court is held in beat one at Poplarville; in beat two, at Lumberton; in beat three, at Poplarville; in beat four, at Picayune; and in beat five at McNeill.

The records of the justices of the peace in Pearl River County are far from complete but it was impossible to locate missing dockets and case records.

The office of justice of the peace was created February 28, 1799 (Sargent's Code, 1799, p. 6). The law stated that a competent number of justices should be nominated and appointed by the governor as justices of the peace and of the quorum (the county court) evidently to serve during good behavior as no mention was made of a definite term of office.

These justices were given power to take all manner of recognizances, with or without surety, to keep the peace, for good behavior, or for appearance at a superior judiciary. They were delegated authority to hear and determine, according to the course of common law, petit crimes and misdemeanors in which punishment was fine only not exceeding \$8 and they were assigned cognizance in pecuniary matters in which the principal of the amount involved was not more than \$8. (*ibid.*, pp. 6-13).

Justices of the peace were delegated to sit in the court of the general quarter sessions of the peace and as members of this body took part in the administration of county business affairs as well as in the administration of

Justice of the Peace

(Next entry 127, p. 62)

justice. (see Board of Supervisors, supra.) They were given jurisdiction in the legal regulation of slaves except in capital offenses, the punishment they could inflict consisting of not more than 39 lashes and/or fines imposed on the masters of convicted slaves (Sargent's Code, 1799, pp. 53-58). They heard and determined complaints of forcible entry and detainer and of forcible and unlawful detainer (ibid., p. 87). Appeals from their judgments could be taken to the court of common pleas.

Under Sargent's Code the justice was directed to "cause fair entries to be made in a book, by them to be provided, for that purpose; of the names of the defendants, in all such cases as may come before them; with the debt and costs adjudged, and the time when judgment was given" (ibid., p. 125).

By the act of February 10, 1805 trial by jury was made manatory in cases of forcible entry and detainer and of forcible and unlawful detainer (Toulmin's Digest, 1807, p. 263).

The law of February 10, 1807 which consolidated the three county courts established by Governor Sargent specified that the county court should be composed of "five persons in every county....who shall be justice of the peace and of the quorum" (ibid., p. 90) thus continuing the requirement that justices of the county court should be justices of the peace primarily. By the same act the civil cognizance of the justice court was extended to include debts under \$20 originating by contract (ibid., p. 88); justices of the peace were authorized to act as coroners when there was no coroner in the county (ibid., p. 223); and the granting of original writs of attachment against estates of fleeing debtors, returnable to county court was affirmed (ibid., p. 88), as was appealed to the next county court with the stipulation that the justice of the peace who tried the appealed case originally could not sit in the county court hearing the case (ibid., p. 89).

On December 27, 1814 a law enacted by the general assembly gave the justices of the peace jurisdiction in pecuniary demands up to \$50 based on contract (Turner's Digest, 1816, p. 216); authorized them to issue search warrants (ibid., p. 225); to take voluntary information (ibid., p. 324); and to fine for contempt not to exceed \$6 and imprison for contempt not to exceed six hours (ibid., p. 324). They were empowered to act as notaries public when notaries were absent or incapable of acting (ibid., p. 325). By the same act, justices of the peace were directed to "cause fair entries to be made in books by them to be provided for that purpose" of the proceedings of cases heard before them and they were required to make bond in the penal sum of \$500 (ibid., p. 321).

The first constitution of Mississippi provided for the appointment of a competent number of justices of the peace in each county and allotted them jurisdiction in all civil causes in which the amount did not exceed \$50 (Const., 1817, art. V, sec. 8).

A movement to reorganize the judicial system of the state culminated in acts in 1822 which established not less than one nor more than two justices of

Justice of the Peace

(Next entry 127, p. 62)

the peace in each militia captain's district, to be appointed for three years by the governor on the recommendation of the county court (Poindexter's Code, 1323, chapt. 8, pp. 19-27). Justices were prohibited from acting as attorneys in the county for which they were appointed, but in 1827 this clause was repealed with the provision that no attorney could appear in any case which he had decided as justice of the peace (Laws, 1827, p. 116). In 1822 it was made lawful for freeholders or householders to be sued in any civil case in any justice court out of the limits of the militia captain's district in which they lived or in which the debt or demand originated (Laws, 1822, p. 109). By the act of January 30, 1830, justices of the peace were required to make bond of not less than \$500 or more than \$5,000 to be approved by the judge of the court of probate (Laws, 1830, p. 215).

The legal authority of the county court was gradually diminished and in 1830 judgments obtained and executions issued in justice of the peace court were given equal dignity with those of the circuit court except in matters involving land (Laws, 1830, p. 122), and appeals from justice courts were made triable before other justices of the peace or a single justice of the peace with a jury of five, the justice trying the case originally being barred from participating in the general hearings (ibid., p. 119).

In 1833, pursuant to the provisions of the revised constitution of 1832, laws were enacted making the office of justice of the peace elective, shortening its term to two years, and giving it jurisdiction in civil causes up to \$50 (Const., 1832, art. V, sec. 8; Laws, 1833, p. 57). By the same laws not less than one nor more than two justices were to be elected from each of the five county districts, the districts being the same as those laid off for the election of the members of the newly-organized board of police. (see Board of Supervisors, supra.)

By the act of February 26, 1836 justices of the peace were made ex-officio notaries public and were required to keep a separate and distinct register of their acts as notaries (Laws, 1836, p. 99).

In 1857 the number of justices for each district was increased to two (Code, 1857, chapt. LVIII, arts. 1, 2).

After the outbreak of the War Between the States, an act was passed on August 5, 1861 suspending actions for the collection of debts in Mississippi (Laws, 1861, p. 23) with the result that all courts were virtually closed. In 1862 the statutes of limitations was also suspended for the duration of the war (Laws, 1862, p. 45). These acts removed the motive for suing and litigation was practically eliminated. The disorganization of the period brought about the passage of an act on January 9, 1863 making provision for the speedy recovery of personal property wrongfully taken or detained, by a summary repleving before two justices of the peace (Laws, 1863, p. 129).

After the close of the war justices of the peace were delegated to sit in the county court which was re-established on November 24, 1865. The court was

Justice of the Peace

(Next entry 127, p. 62)

composed of the probate judge as president and two associates chosen from among their own number by the justices of the peace of the county. Appeals from the judgments of justices were taken to this county court instead of to the circuit court, but no justice of the peace could sit on the court and hear a case he had decided originally. (Laws, 1865, p. 66).

In 1866 an amendment to the county court act conferred certain concurrent jurisdiction on the justice of the peace. Cases of assault, assault and battery in which no deadly weapon was alleged to have been used, petit larceny under \$10, and the unlawful carrying of arms were among the small offenses made cognizable by the justices. Appeal could be made to the next county court. (Laws, 1866, p. 1).

The constitution of 1869 in not providing for a county court increased the civil jurisdiction of justices of the peace to \$150 value of principal (Const., 1869, art. 6, sec. 23). The code of 1880 gave the justice of peace courts criminal jurisdiction concurrent with the circuit court in offenses wherein punishment did not exceed fine or imprisonment (Code, 1880, chapt. 61, sec. 2216). This code also allotted the justices jurisdiction in the partition of personal property not to exceed \$150 in value (ibid., chapt. 71, secs. 2580-84).

The constitution of 1890 extended the civil jurisdiction of the justices of the peace to causes in which the principal amount in controversy did not exceed \$200, increased the term of office to four years, and gave them criminal jurisdiction concurrent with the circuit court in crimes in which punishment did not exceed fine and imprisonment (Const., 1890, sec. 171). In 1892 special courts of eminent domain were established with the provision that a justice of the peace, selected by the circuit clerk, preside over hearings before a jury (Code, 1892, chapt. 40, sec. 1680). The code also stipulated that the mayors of cities having a population of less than 4,000 should be ex-officio justices of the peace and have the same powers as the justices (ibid., chapt. 2, sec. 300).

Justices of the peace lost their jurisdiction in the partition of personal property, in actions of unlawful entry and detainer, and in eminent domain hearings in counties in which county courts were established after 1926 (Laws, 1926, chapt. 131). Since Pearl River County has not organized a county court (see County Court, supra.) the jurisdiction of the justices of the peace in the county in these matters has not been affected.

Continual legislation (Sargent's Code, 1799, p. 125; Toulmin's Digest, 1807, p. 56; Turner's Digest, 1816, p. 317; Poindexter's Code, 1823, p. 17; Hutchinson's Code, 1843, chapt. 50, art. 2, sec. 12; Code, 1857, chapt. 58, art. 14; Code, 1871, sec. 1308; Code, 1880, sec. 2193; Code, 1892, sec. 2397; Code, 1906, sec. 2726; Code, 1917, sec. 2225; and Code, 1930, sec. 2074) has required justices of the peace to keep both civil dockets and criminal dockets and record in them all civil and criminal proceedings of their courts. Since 1871 the circuit clerk has kept as public records the dockets and papers relating to the office as the justice of the peace (Code, 1871, sec. 1341; Code, 1930, sec. 2109).

A law enacted in 1932 directed justices to account for all fines and penalties imposed in their courts by making monthly reports to the boards of supervisors in their respective counties (Laws, 1932, p. 497).

As a conservator of the peace within Pearl River County each justice of the peace has power to take all manner of bonds and recognizances from persons charged on affidavit with crimes and offenses, for their appearance in circuit court (Code, 1930, sec. 1320). Each justice may also commit persons so charged to jail if the offense is unbailable, or if it is bailable and the offender fails to find bail (ibid., sec. 1321).

Appeals from justice of the peace courts can be made to the county court in counties in which the county court functions, with the right of further appeal to the circuit court (Laws, 1926, chapt. 131), but in Pearl River County appeals are made direct to the circuit court. Justices of the peace discharge the duties of coroner and ranger in Pearl River County and in all other counties in which there is no regularly elected coroner and ranger (Code, 1930, sec. 649; see Coroner, infra., see Ranger, infra.)

Reports

(See also entries 23, 102)

127. LIST OF PERSONS CONVICTED IN JUSTICE COURT-BEAT 1, 1898-1904.

1 file box. 1890-97, 1905-07 missing, 1908-- in Justice Docket, Beat 1, entry 128.

Reports of conviction in justice of the peace court, beat 1, showing name of defendant, offense, date of conviction, penalty. Chron. filed by date of trial. No index. Hdw. on ptd. form. 4 x 4 x 12. Ch. clerk's va.

Dockets

128. JUSTICE DOCKET, BEAT 1, (S. C. Smith), 1908--. 12 vols. 1890-1907 missing.

Record of criminal and civil cases tried in justice of the peace court, showing style of cause or action, case number, names of defendant or of parties litigant, nature of process and date issued, date returnable, date returned, names of witnesses for plaintiff, or for state, names of witnesses for defendant, court fees, jurors' fees, court orders, signature of justice. Chron. arr. by date of filing. No index. Hdw. on ptd. form. 450 pp. 18 x 15 x 2 $\frac{1}{2}$. Ch. clerk's va.

For record of convictions 1898-1904, see entry 127.

129. JUSTICE DOCKET, BEAT 2 (A. R. Tynes), 1902-4, 1915--. 3 vols. 1890-1901, 1905-14 missing.

For description of contents, arrangement, indexing, nature of recording, number of pages, and dimensions of volumes, see entry 128. 1 vol., 1902-4, cir. clerk's va.; 2 vols., 1915--, Strahan's store, Orinsburg, Miss.

130. JUSTICE DOCKET, BEAT 3 (S. J. Moody), 1920--. 3 vols. 1890-1919 missing.

For description of contents, arrangement, indexing, nature of recording, number

County Attorney

(131-133)

of pages, and dimensions of volumes, see entry 128. 1 vol., 1920-27, ch. clerk's off.; 2 vols., 1928--., Strahan's store, Orinsburg.

131. JUSTICE DOCKET, BEAT 4 (Elbert E. Mitchell), 1927--. 3 vols. 1890-1926 missing.

For description of contents, arrangement, indexing, nature of recording, number of pages, and dimensions of volumes, see entry 128. City Hall, Picayune, Miss.

132. JUSTICE DOCKET, BEAT 5 (Bennie B. Carroll), 1908-14, 1926--. 3 vols. 1890-1907, 1915-25 missing.

For description of contents, arrangement, indexing, nature of recording, number of pages, and dimensions of volumes, see entry 128. 2 vols., 1908-14, 1926-30, ch. clerk's va., 1 vol., 1931--., Smith's store, McNeill, Miss.

Inquests

133. INQUEST PAPERS, 1890--. 2 file boxes.

Original reports of inquests made by justices of the peace as ex-officio coroner, showing name of deceased, if known, cause of death, precept directed to sheriff or constable to impanel jury, place and date of death, date, time, place of inquest, names of jurors and witnesses, return of sheriff or constable, subpoenas for witnesses, signature and seal of justice of the peace as ex-officio coroner. Chron. filed by date of inquisition. No index. Edw. on std. form. 12 x 4 x 14. Cir. clerk's off.

VII. COUNTY ATTORNEY

The office of county prosecuting attorney automatically became a part of the government of Pearl River County in 1910 with the establishment of the office in every county in the state by general law (Laws, 1910, chapt. 112). However, active opposition to the office in Pearl River County and in many other counties resulted in an amendment to the law in 1916 which made it possible for any county to establish or abolish the office at any time by special election (Laws, 1916, chapt. 233). Accordingly, a special election was called and the office was discontinued in Pearl River County in 1916.

In 1924 the office was re-created by order of the board of supervisors (Minutes, Board of Supervisors, May 6, 1924, vol. 5, p. 440), its existence dependant upon whether or not 20 percent of the qualified voters of the county petitioned against the re-establishment of the office (Laws, 1916, chapt. 233; Code, 1930, sec. 4222). Such petition was not presented and the office has functioned continuously in Pearl River County since June 1, 1924, as a regularly elective office.

The county attorney, as he is known, is chosen every four years at the general state and county elections. As specified by law he is a regular licensed and practicing attorney. He acts as prosecutor for the state in justice of peace courts of Pearl River County. He assists the district attorney in the prosecution of state or criminal cases appealed from the justice

County Attorney

(Next entry 134, p. 67)

courts to the circuit court. It is also his duty to assist the district attorney in all criminal cases in circuit court and in all civil cases in which the services of the district attorney are required if the state, Pearl River County or any municipality in the county is interested. He represents the state before the Pearl River County grand jury and, subject to the ratification of the district attorney, passes on accounts against the county before the accounts are allowed by the circuit court. (Code, 1930, secs. 4220-29).

The county attorney may be the attorney for the board of supervisors (ibid., sec. 4228), but in Pearl River County the board has always appointed other lawyers to this position. Other duties of the county attorney include representing the state plant board when called upon to do so (ibid., sec. 6792) in the enforcement of its quarantine regulations, serving as ex-officio member of the Pearl River County pension board of inquiry (ibid., sec. 6502; see Pension Board of Inquiry, infra.), prosecuting violators of the personal loan act (ibid., secs. 1969-70), and bringing actions in equity to abate nuisances (ibid., sec. 2870).

His compensation is fixed by law. Pearl River County having an assessed valuation of all property in excess of \$6,000,000 and less than \$8,000,000 (see Historical Sketch, supra.) is placed in class six of eight different classes into which counties are divided for the purpose of establishing a basis for fees and salaries (Code, 1930, sec. 6498). As a class six county Pearl River County may pay its county attorney not more than \$1,200 nor less than \$600 (ibid., sec. 6502), and does pay him \$1,200.

A county attorney, that is, an agent or attorney to appear on behalf of a county, was provided for by a law written April 12, 1799 by Governor Winthrop Sargent and the Territorial judges. The law authorized the court of general quarter sessions of the peace to appoint an attorney or agent to defend the county in suits instituted to recover from the county the sum or sums lost to plaintiffs when prisoners for debts escaped "through the insufficiency of the Gaol" (Sargent's Code, 1799, pp. 99-100).

In 1819, two years after the establishment of Mississippi as a state, a law was passed which gave the county court power to appoint counsel for the court in the prosecution of slaves in capital offenses, and pay him not more than \$20 (Laws, 1819, pp. 72-76).

After the county courts were discontinued in 1832 (Const., 1832, art. IV, sec. 24), the district attorney handled all prosecutions. In 1865, after the close of the War Between the States, county courts were established again (Laws, 1865, p. 66). As the entire judicial system of the state was disrupted at that time and practically non-existent, to facilitate its work, the court was given power to appoint a county prosecuting attorney and allow him a fee of \$5 for each prosecution (ibid.). In amending the act in 1866 the legislature directed the board of police in each county to elect a county prosecuting attorney to hold office for two years (Laws, 1866, p. 2).

The office was not included among those established by the constitution of 1869 or by the code of 1871, and it was not until 1910 that it was made a county office by legislative enactment (Laws, 1910, chapt. 112).

Sheriff

(Next entry 134, p. 67)

The county attorney is not required to keep any permanent, public records. Affidavits sworn out before him and other legal papers emanating from his office may be found in the criminal case records kept by the clerk of the circuit court (see entry 86, supra., p. 61).

VIII. SHERIFF

The first sheriff of Pearl River County was inducted into office March 3, 1890 (see Historical Sketch, supra.) after his appointment by the governor, to serve until the regular general elections of 1892. By the provisions of the constitution of 1890 his term is for four years and he cannot immediately succeed himself (Const., 1890, sec. 135). As specified by law the sheriff in Pearl River County must make bond in the amount of \$10,000 (Code, 1930, sec. 3308).

A large number of duties have been given to the sheriff, many of them unrelated. He is primarily the keeper of the peace in Pearl River County (ibid., sec. 3329), but he is also collector of real and personal taxes (ibid., sec. 3341). If he cannot qualify for the office of tax collector he must vacate the office of sheriff (ibid.; see Tax Collector, infra.)

He is executive officer of the Pearl River County chancery and circuit courts (Code, 1930, secs. 493, 3315) and as such he must attend all sessions in person or by deputy and execute all court processes and orders. He is also executive officer of the board of supervisors and is required to attend personally or by deputy all its meetings and execute all processes and orders of the board (ibid., sec. 208). He can adjourn a meeting if a quorum is not present (ibid., sec. 205). Likewise, he is executive officer for the board of election commissioners (ibid., secs. 6199, 6303; see Registrar, infra.) It is his duty to provide voting compartments and furniture at general elections (Code, 1930, sec. 6223). He is executive officer for the state comptroller of banks (ibid., sec. 3771; Laws, 1934, p. 303), and for the state plant board (Code, 1930, sec. 6972).

By law the sheriff is given charge of the Pearl River County courthouse and jail (ibid., sec. 3331); he is jailer and must see to the feeding and care of prisoners (ibid., sec. 3334); and he can provide medical care for prisoners (ibid., sec. 3337).

Among the many miscellaneous duties and functions which have been conferred on the sheriff are: assisting in the tick eradication program and in the enforcement of the regulations of the state livestock board (ibid., sec. 5437); giving aid to the state forester, the state fire warden, and agents of the United States Government in the prevention of forest fires (ibid., sec. 6172); investigating fires of incendiary origin outside of incorporated cities and towns; (ibid., sec. 5189); and enforcing game and fish laws and ordinances (ibid., sec. 4745).

In matters of public health and welfare he is required to enforce the provisions of the dangerous acids, alkalis, and poison law known as the Caustic

Sheriff

(Next entry 134, p. 67)

Poison Act of 1930 and he is authorized and empowered to approve and register labels intended for use (Laws, 1930, chapt. 27; Code, 1930, sec. 4896). The sheriff must enforce in general the Child Labor Law, make monthly inspections of mills, canneries, workshops, factories, and manufacturing establishments in Pearl River County employing child labor, and enforce particularly such recommendations as are made by the county health officer (ibid., secs. 4648-4649). He must removed incurable but harmless insane from the state hospital (ibid., sec. 4586), and convey feeble-minded persons to a state institution (ibid., sec. 4786).

On the order of the board of supervisors he must determine if lands claimed to be unproductive may be devoted to agricultural and forestry purposes (ibid., sec. 6156).

With respect to the public records to be kept by the sheriff, since 1831 it has been mandatory that a book be kept in which is entered a record of all executions received by the sheriff (Hutchinson's Code, 1848; Code, 1930, sec. 3327). In 1892 he was given the duty of providing a mesne process docket in which was to be noted each writ other than executions received by him (Code, 1892, sec. 4127; Code, 1930, sec. 3327). Also since 1892 the sheriff has been obligated to keep a jail docket in which a complete case history is entered of each person placed in the jail (Code, 1892, sec. 4129; Code, 1930, sec. 3328). Each month he must submit the jail docket to the Pearl River County board of supervisors (Code, 1930, sec. 4071), and he must submit to the county auditor a monthly account of jail expenses (ibid., sec. 3335). At the expiration of his term of office he is required to deliver to his successor a list of the names of all persons confined in the jail and file a copy of the list with the circuit clerk (ibid., sec. 3323).

The sheriff is custodian of the books other than record books belonging to Pearl River County and as such is librarian of the judicial, administrative, and general material in the county library (ibid., secs. 3331, 6942, 6946), kept in the office of the county attorney (see Housing, Care, and Accessibility of Records, supra.)

The sheriff is compensated by commissions, fees, and allowances (ibid., secs. 1789, 1804, 6507). The law requires that he file an annual report with the secretary of state of all receipts and disbursements of his office. According to the office of the secretary of state the sheriff of Pearl River County made no report in 1937. Of the 22 sheriffs reporting, the net incomes ranged from \$397 to \$12,936.

The office of sheriff is one of the oldest in Mississippi county government. One of the first acts of Territorial Governor Winthrop Sargent was to appoint and commission, and give extensive powers to a sheriff in each of the two newly-organized counties in the Mississippi Territory, a necessary step, as these counties lay in the center of the great southwest migration movement and much of the population was disorderly, turbulent, and lawless. The sheriff was directed to "quell and suppress all affrays, routs, riots, and insurrections

Sheriff - Court Orders and Services

(134, 135)

....pursue, apprehend, and commit to gaol, all felons, and traitors....attend upon all courts of record, at their respective terms or sessions in his county" (Sargent's Code, 1799, p. 40).

A law written April 3, 1799 made the sheriff the collector of taxes and under a distress warrant gave him power of imprisonment and distraint (ibid., p. 87). He discharged this function until 1807 when the separate office of tax collector was established (Toulmin's Digest, 1807, chapt. V, sec. 1; see Tax Collector, infra.)

In 1807 the sheriff was given the additional duty of advertising elections and acting as their returning officer (ibid., chapt. XIX, sec. 1).

The office was appointive until 1817, the year Mississippi became a state. The constitution drafted at that time provided that a sheriff should be elected in each county for a term of two years (Const., 1817, art. IV, sec. 24).

The constitution of 1832 made no changes in the duties or term of the office but in 1843 the sheriff was again made tax collector, ex-officio, (Laws, 1843, chapt. 1, sec. 7), a function he has retained to the present time.

The constitution of 1869 did not alter the status of the office. In 1871 a board of registrars was given the sheriff's duties of advertising elections and acting as their returning officer (Code, 1871, secs. 363, 378). The constitution of 1890 lengthened the term of office to four years and prohibited the sheriff from immediately succeeding himself (Const., 1890, sec. 135).

He is paid entirely by fees and allowances, being allowed \$3 each day for himself and one deputy for attending on the terms of the chancery and circuit courts, and on the board of supervisors, and \$5 for each day's attendance on any eminent domain court. For summoning jurors, empaneling grand juries, serving all public orders of the chancery and circuit courts of Pearl River County the sheriff receives not more than \$100 each year. Other fees or allowances range from 25 cents for entering each writ in his office to \$3 for attending prisoner on habeas corpus trial in vacation, and \$3 each day for attending an inquisition, summoning a jury and taking inquest (Code, 1930, sec. 1789).

Court Orders and Services

134. MESNE PROCESS DOCKET-CIVIL AND CRIMINAL, 1893--. 11 vols. (1-8, 8, 9, 9).

Records of writs other than executions received by sheriff for service, showing names of parties litigant, case number, court of issue, nature of process, date received, execution of writ, and date of return. Chron. arr. No index. Hdw. on ptd. form. 500 pp. 18 x 15 x 2. 10 vols., 1893-1927, 1933--; Cir. clerk's off.; 1 vol., 1928-32, ch. clerk's va.

135. EXECUTIONS, 1896--. 2 vols. (1, 2).

Record of execution of judgment received by sheriff for service, showing attorneys' names, case number, names of parties litigant, date received,

Sheriff - Financial

(136-140)

judgment, interest and fees, total, date received, county, abstracts or return, receipt, and remarks. Chron. arr. Alph. indexed by name of defendant. Hdw. on ptd. form. 375 pp. 18 x 15 x 3. 1 vol., 1896-1928, ch. clerk's va.; 1 vol., 1929--, sheriff's off.

136. SHERIFF'S WRIT BOOK, 1890-1900. 1 vol. Discontinued. Records now kept in Executions, entry 135.

Record of writs issued for execution by sheriff, showing case number, names of parties litigant, names of attorneys, nature of writ, date issued, county, amount of fees, date and by whom served, returns, and remarks. Chron. arr. Alph. indexed by name of plaintiff. Hdw. on ptd. form. 400 pp. 18 x 15 x 2. Ch. clerk's va.

137. SHERIFF'S SUBPOENA DOCKET, 1891-1903. 1 vol. Discontinued because of duplication with Subpoena Docket-Circuit Clerk, entry 98.

Record of subpoenas issued to sheriff for service, showing names of parties litigant, names of witnesses, case number, date received, date returnable, judgment served, return, amount. Chron. arr. No index. Hdw. on ptd. form. 480 pp. 18 x 15 x 3. Ch. clerk's va.

138. JAIL DOCKET, 1892-1931. 2 vols. Discontinued. Records now kept in Detention Warrants, entry 139.

Record of prisoners committed to custody of sheriff, showing name of prisoner, offense, date received, date of arrest, nature of writ or warrant, by what authority issued, amount of fines, monthly wages, date of release or discharge or receipt of penitentiary officials. Chron. arr. Alph. indexed by name of prisoner. Hdw. on ptd. form. 250 pp. 18 x 18 x 1 and 400 pp. 18 x 13 x 4. Ch. clerk's va.

139. DETENTION WARRANTS, 1922--. 3 vols.

Duplicate copies of detention warrants issued by sheriff and receipt for prisoners, see entry 138, showing number, name of superintendent of county farm, length of time of custody, name of prisoner, offense, court of conviction, fines and costs, jail sentence, date begun. This record is now used as a jail docket. Chron. arr. No index. Hdw. on ptd. form. 900 pp. 18 x 14 x 3. Sheriff's off.

Financial
(See also entry 159)

140. RECORD OF FEES AND COSTS, 1916--. 1 vol.

Daily record of fines and costs collected by sheriff, showing date, name, court, term, fine, costs, sheriff's fees, circuit clerk's fees, justice of peace fees, jury and state witness fees, stenographer's fees, total, and receipt. Chron. arr. No index. Hdw. on ptd. form. 255 pp. 18 x 18 x 1½. Sheriff's off.

Constable

(Next entry 141, p. 74)

IX. CONSTABLE

The office of constable has functioned continuously in Pearl River County since the county was organized in 1890. (See Historical Sketch, *supra*.) The constitution of 1890 stipulated that a competent number of constables should be chosen for each justice of the peace district (Const., 1890, sec. 171) and at the time the county was established the governor appointed three constables as a competent number.

In 1892 the code provided that one constable should be elected from each justice of the peace district by the qualified electors of each district (Code, 1892, sec. 767). A law in 1900 gave the board of supervisors authority to cause an additional constable or constables to be elected in each district but not to exceed the number of justices of the peace in the district (Laws, 1900, chapt. 71). However, there was no actual need for an increase in Pearl River County for a list of its county officers for 1908 shows that only four constables were serving (Mississippi Official and Statistical Register, 1908, p. 1129).

At the present time five constables, one from each justice of the peace district, attend the various justice courts.

The office of constable was first established by the law of April 18, 1799 which authorized the court of general quarter sessions of the peace to appoint one or more constables in each township (Sargent's Code, 1799, pp. 81-82). These officers were attached primarily to the justice of the peace courts and their duties included executing and returning all processes directed to them, paying over all monies collected, levying executions, selling property seized by execution, caring for of livestock taken in executions, and acting as general peace officers (*ibid.*). By the act of December 11, 1811 constables were required to make bond in the amount of \$500 (Turner's Digest, 1816, p. 319).

In 1822 the county court was empowered to appoint "not less than one nor more than two, fit and proper persons in each captain's district as constables to serve for a term of two years" (Laws, 1822, p. 260). The revised constitution of 1832 stipulated that a competent number of constables should be elected biennially in each district of every county by the qualified voters of the district (Const., 1832, art. IV, sec. 23). The constitution of 1869 made no change in this provision. The constitution of 1890 increased the term of office to four years but made no other changes (Const., 1890, sec. 171).

The duties of the constable have remained practically the same as those specified in 1799. The code of 1930 describes the functions of this official as follows: It shall be the duty of every constable to keep and preserve the peace within his county, faithfully to aid and assist in executing the criminal laws of the state; and give information without delay, to some justice of the peace, or other proper officer, of riots, routs, and unlawful assemblies, and of every violation of the penal laws which may come to his knowledge in any manner whatsoever; to execute all process, civil and criminal, lawfully directed to him, according to the command thereof; and to pay over all monies collected by him to the person lawfully authorized to receive the same (Code, 1930, sec. 632).

Coroner

(Next entry 141, p. 74)

Each constable is liable for failure to pay money on execution and for making false return (ibid., sec. 634). He is directed to attend the justice of peace court of his district and he is liable for contempt for failure to discharge any of the duties required of him (ibid., secs. 636, 637). He must make bond in the penal sum of \$1,000 (ibid., sec. 631).

Constables receive their remuneration in fees and have always been paid in this manner. One of the first schedules shows that in 1812 they received 25 cents for summoning each witness, \$1 for serving a peace warrant or a search warrant, ten cents per mile for carrying a criminal to jail, 50 cents for summoning a garnishee, 75 cents for making money on execution, and 75 cents for conveying a debtor to jail. (Turner's Digest, 1816, p. 270).

By the schedule now effective they still receive 10 cents a mile for conveying criminals to jail, but other fees range from 40 cents for attending each trial in justice court to \$2 for executing and returning attachment in justice court and in circuit court, \$2 for levying execution and making the money, and not more than \$60 annually for serving all warrants and other process, and attending all trials in state cases in which the state fails in prosecution. (Code, 1930, sec. 1793).

Constables are not required to keep any permanent, public records. Their returns are made to the issuing justice of the peace and are kept as part of the case records of that official. (See entries 127-133, supra., pp. 62, 63).

X. CORONER

The office of coroner has never been one of the regularly functioning offices of the county government of Pearl River County. The compensation, based on fees, has always been so small that there have been no candidates for the office at the quadrennial general elections. The duties of the office have been discharged since the organization of the county in 1890 by justices of the peace by authority of an act originally passed in 1807 providing that the nearest justice could perform the duties of the coroner if the coroner could not attend or if there were no coroner in the county (Toulmin's Digest, 1807, p. 219).

A coroner was included among the various county officials appointed by Territorial Governor Winthrop Sargent in 1799 (Sargent's Code, 1799, pp. 40-41). The duties as then defined were: "...by a jury of the county, to enquire concerning the Death of a person slain, who dies suddenly, or in prison; and his inquisition so taken shall certify to the next supreme court holden for the county. And it shall be the duty of the coroner, to execute process of every kind wherein the sheriff is a party or interested in the suit, or for other just cause is by law rendered incapable to execute the same. And in case the sheriff shall for any cause be committed to gaol, the coroner shall be himself or such person as he shall appoint, be keeper of the gaol, during the time the sheriff shall remain a prisoner" (ibid.).

Tax Assessor

(Next entry 141, p. 74)

The act of February 10, 1807 reaffirmed the original law, gave full and specific directions as to his procedure, and required him to keep a record of all inquisitions, to be certified at the next circuit or superior court. It also delegated justices of the peace authority to act as coroners under certain conditions. (Toulmin's Digest, 1807, p. 219).

The constitution of 1817 made the office elective with a two-year term (Const., 1817, art. IV, sec. 24). The constitution of 1832 made no change but the constitution of 1869 lengthened the term of office to four years (Const., 1869, art. V, sec. 21). In 1871 the coroner was made ex-officio ranger when the office of ranger was abolished as a separate office (Laws, 1871, chapt. CCCXCIII). In this capacity he has general jurisdiction over estrays (See Ranger, infra.)

Since 1857 the coroner has been required to make a return in all cases to the circuit clerk, of the finding of the jury, together with the precept and all proceedings before him. The circuit clerk is required to preserve such records carefully in his office. (Code, 1857, chapt. VI, art. 148; Code, 1930, sec. 648).

The office of coroner was one of the public offices provided for in the constitution of 1890 (Const., 1890, sec. 135), and its duties as discharged by the justices of the peace in Pearl River County are: to investigate violent, sudden, and casual death, to hold inquests with jury, to hold inquests on the request of the prosecuting attorney or the district attorney (Code, 1930, sec. 639), and to act as sheriff if the sheriff is imprisoned, incompetent, or absent (ibid., secs. 651, 654). On the written request of a majority of the jurors the coroner may summon a physician or surgeon to appear as a witness at an inquest (ibid., sec. 647).

The fee allowed the coroner in 1799 for viewing a body was \$5 (Sargent's Code, 1799, p. 77) and the same amount is allowed at the present time (Code, 1930, sec. 1791).

For coroner's inquest records, see Justice of the Peace, entry 133, supra., p. 63.

XI. TAX ASSESSOR

By authority of the constitution of 1890 the tax assessor of Pearl River County is chosen every four years at the general state and county elections (Const., 1890, secs. 135, 138). The first assessor in the county was appointed by the governor in 1890 at the time the county was organized (see Historical Sketch, supra.), to serve until the general election of 1892. Since the election of that year the office of assessor has functioned as a regularly elective office. He is required to make bond in the amount of not less than \$5,000 nor more than \$10,000 (Code, 1930, sec. 100) and in Pearl River County his bond has been fixed at \$5,000 by the board of supervisors.

Tax Assessor

(Next entry 141, p. 74)

Taxpayers receive from the assessor a printed form prescribed by the state tax commission (Code, 1930, sec. 3129) on which they list and value their property under oath, returning the list to the assessor not later than April 1 of each year assessments are made (ibid., secs. 3131-32). The assessor is required to deliver the lists, arranged alphabetically, to the board of supervisors which fixes the taxable value (ibid., secs. 3131, 3181). After the board has finished with the lists the assessor must preserve them for at least three years (ibid., sec. 3131). When a taxpayer fails to submit a list, and in the case of property owned by non-residents or by some one unknown to him, the assessor assesses such property at the highest value at which similar property is assessed and valued (ibid., sec. 3142).

The assessor has the right and power to inquire into the purchase price paid for any real and personal property in Pearl River County, and he may inspect property and demand that information be given him concerning it that he may make an estimate of its value (ibid., secs. 107-109).

The assessment rolls, real and personal, are made up by the assessor from the tax lists submitted to him by the taxpayers, the land roll every two years (ibid., sec. 3144), and the personal roll annually (ibid., sec. 3132). He is required to complete the rolls and file them with the clerk of the board of supervisors before the first Monday of July each year (ibid., sec. 3161). The board equalizes the assessment rolls at its July meeting (ibid., sec. 3162) with the assessor being present at all sessions in which the assessments are under consideration (ibid., sec. 3163). After the board has completed its work the clerk of the board makes two copies of the rolls, retains one as a public record and delivers the other to the tax collector (ibid., sec. 3181; see Clerk of the Board, supra., p. 29.)

By the act of 1934 which exempted homesteads from state ad valorem taxes to the extent of \$1,000 the assessor is directed to keep available a supply of application blanks furnished by the state tax commission and deliver one to any person who requests it at the same time and in the same manner as the real estate tax lists are delivered (Laws, 1934, p. 441). He is further required to prepare the assessment roll in such a manner as to show in appropriate columns on the land roll the lands designated as homesteads (ibid.)

Other duties of the assessor are to enumerate annually all widows of deceased Confederate soldiers and all Confederate soldiers living in Pearl River County (see Pension Board of Inquiry, infra.), and report to the sheriff who is the escheator, and to the state land commissioner, all property which may have escheated to the state within the preceding 12 months (ibid., sec. 1512).

The salary of the assessor in Pearl River County is \$2,500 for years in which the land roll is made up and \$2,200 for the years in which the personal roll only is made (Code, 1930, sec. 6499).

The Territorial tax system set up by Governor Winthrop Sargent and the Territorial judges was inaugurated by a law written April 3, 1799 authorizing

Tax Assessor

(Next entry 141, p. 74)

the court of general quarter sessions in each county to make an estimate of the average annual expenses of the county and submit it to the governor or one or more of the judges for approval. By the same act, commissioners appointed by the court of common pleas were directed to apportion the taxes among the towns of the county and assess the property in the towns (Sargent's Code, 1799, pp. 84-92). These commissioners were the first assessors in Mississippi county government. They were directed to ascertain what persons and estates were taxable and to determine the yearly profit accruing from the estates and "have special regard to such profit, taxing all lands in just proportion to their value" except property exempted. Assessments were returned to the prothonotary of the court of common pleas who made up the assessment rolls (ibid.). The striking feature of this first tax system in Mississippi is that real estate was assessed on the basis of the profit or income it might produce rather than on its intrinsic worth or actual selling value, thus establishing what amounted to a graduated income tax.

In 1815 the taxation system was changed (Turner's Digest, 1816, pp. 414-424), and power was given the governor to appoint in each county an assessor whose duty it was "to apply to every person resident within his county, who hath therein any taxable property, for a list thereof", the list to contain also "the amount of sales of merchandize sold within the year ending on the last day of December immediately preceding" (ibid., p. 416). A revenue act in 1817, the year Mississippi was admitted to the Union, consolidated the offices of tax collector and tax assessor, and made it appointive annually by the governor (Laws, 1817, p. 56). The assessors were directed to take the census of their respective counties by an act of 1820 (Laws, 1820, chapt. 1, p. 3) and were allowed a fee of two cents a person listed. In 1822 they were required to make an enumeration of births, deaths, and persons over 70 years of age at the time of making the next assessments, and for three succeeding years (Laws, 1822, chapt. XXI). For this work the assessors were paid a fee of five cents per person enumerated. The law was re-enacted in 1825 with the same provisions (Laws, 1825, p. 14).

The constitution of 1832 made county offices elective biennially (Const., 1832, art. V, sec. 19). In 1833 the legislature passed an act uniting the offices of assessor and collector except in the counties of Warren, Jefferson, Wilkinson, Adams, and Claiborne where the offices were made separate and distinct (Laws, 1833, p. 447). The same act directed the assessor to take the census for 1833.

In 1843 the sheriff was made the collector (Laws, 1843, pp. 41-48; see Sheriff, supra.; see Tax Collector, infra.) and until 1846 the same person held the three offices of assessor, collector, and sheriff in each county. At that time the offices of assessor and collector were made separate except in 17 counties; Clarke, Covington, Coahoma, Greene, Harrison, Hancock, Jackson, Jones, Washington, Neshoba, Issaquena, Marion, Scott, Perry, Simpson, Smith, and Wayne where the sheriffs remained ex-officio assessor and collector (Laws, 1846, p. 69). This act also stipulated that lands were to be assessed every two years. An act in 1856 directed the assessor to furnish to the president of the board of trustees a list of blind persons in their respective counties (Laws, 1856, p. 79).

Tax Assessor - Assessments

(141-144)

The constitution of 1869 provided for an assessor in each county and set his term at two years (Const., 1869, art. V, sec. 21). Among the duties delegated to the assessor by the code of 1871 were included: making out a list of persons qualified to serve as jurors and delivering it to the circuit clerk (Code, 1871, sec. 736); returning a list of escheats to the state auditor of public accounts and to the district attorney (ibid., sec. 1845); enumerating school children triennially (ibid., sec. 2007); and enrolling quadrennially the names of all able-bodied males subject to military duty (ibid., sec. 1673). The assessor was also directed to assess personal property annually and lands quadrennially (ibid., sec. 1675).

Assessments
(see also entries 1, 2)

141. ASSESSMENTS, 1928--. 15 file boxes.

Original lists of taxable personal property submitted by taxpayers, showing name of taxpayer, address, race, age, location of property, taxpayer's valuation, assessor's valuation, make and model of automobile, assessed value, miscellaneous property, quantity, description, cost, present value, oath of taxpayer, official certification. Alph. filed by name of taxpayer. No index. Hdw. on ptd. form. 12 x 12 x 12. Tax assr.'s off.

142. ASSESSMENT ROLLS AND HOMESTEAD EXEMPTION APPLICATIONS, 1936--.
31 file boxes.

Original lists of taxable real property submitted by taxpayers, and applications for exemption from state ad valorem tax on homesteads, showing total valuation, cultivatable lands, value of improvements, timbered lands, acres and value, estimated timber footage, uncultivatable lands, total acres, list of improvements, legal description of homestead, taxpayer's name, address, beat, school district, section, township, range, affidavit of taxpayer, official certification. Alph. filed by name of taxpayer. No index. Hdw. on ptd. form. 9 x 4 x 18. Tax assr.'s off.

143. MUNICIPAL REAL ESTATE ASSESSMENTS FOR TOWN OF PICAYUNE, 1919--.
1 vol.

Record of assessments on real property in the town of Picayune, showing name of taxpayer, address, legal description of land, value, value of improvements, total value of property, date, amount assessed, lot and block number. Chron. arr. No index. Hdw. on ptd. form. 100 pp. 24 x 15 x 1. Ch. clerk's va.

Tax Rolls

144. PERSONAL ROLLS, 1890--. 46 vols.

Record of taxes levied on personal property in the county, showing name of taxpayer, race, address, age, commutation tax, list of taxable property, value, poll tax, district, tax receipt number, amount. Alph. indexed by name of taxpayer. Hdw. on ptd. form. 400 pp. 20 x 25 x 4. Ch. clerk's va.

Tax Collector

(145)

145. LAND ROLLS, 1890--. 67 vols.
Record of taxes levied on real property in the county, showing taxpayer's name, race, age, address, district, section, township, range, valuation, tax receipt number, type and legal description of land, amount of assessment, tax collector's credit for uncollected assessments. Alph. indexed by name of political subdivision. Hdw. on ptd. form. 340 pp. 25 x 30 x 3. Ch. clerk's off.

XII. TAX COLLECTOR

The sheriff is ex-officio the collector of real and personal taxes in Pearl River County. In addition to the bond he must make as sheriff (see Sheriff, supra.) he is required to furnish bond in the penal amount of \$100,000 as tax collector. If he cannot qualify as tax collector he must vacate the office of sheriff. (Code, 1930, sec. 3341.)

The term of office as sheriff and tax collector is four years (Const., 1890, sec. 135.) The first sheriff and tax collector of Pearl River County was appointed by the governor in 1890 to serve until a successor could be chosen at the general election in 1892.

The tax collector computes the taxes due from each taxpayer using as the basis of his computations, the tax rolls delivered to him by the chancery clerk as clerk of the board (Code, 1930, secs. 3222, 3227; see Clerk of the Board of Supervisors, supra.; see Tax Assessor, supra.) Taxes are payable on or before December 15 of each year (ibid., sec. 3229.) When a taxpayer pays his taxes he is given a receipt from a bound book of receipts kept in triplicate. The tax collector must present this book of duplicate receipts to the board of supervisors whenever required by the board to do so and it is finally preserved in the office of the chancery clerk as a public record (ibid., sec. 3233.) The tax collector must keep a well-bound cash book which must also be presented to the board whenever required (ibid., sec. 3236.) He is directed to make a monthly report of taxes paid to him to the state auditor of public accounts and to the clerk of the board and he is required to make a final report to them on or within 15 days after September 1 of each year (ibid., sec. 3289.)

Taxes are preferential liens on all property. The tax collector has the duty of selling real estate on which taxes are delinquent, to the highest bidder to satisfy a tax lien (ibid., secs. 3245-49, 3255.) He must transmit to the clerk of the board of supervisors before the first Monday in June a list of all lands sold to individuals and a list of all lands sold to the state (ibid., sec. 3256.)

The tax collector issues motor vehicle licenses and tags (ibid., sec. 5609.) The form of the license is prescribed by law (ibid., sec. 5608.) and when it is issued it is in reality a receipt for the payment of the privilege of "driving upon the public roads of Pearl River County" for one year (ibid.). On payment to him at the time the license is issued, of a registration fee of \$1 the tax collector delivers to the owner of a vehicle one license tag (ibid., sec. 5615.) The collector is directed to keep a register in a well-bound book which shows definite and inclusive information on each motor vehicle licensed (ibid.).

Tax Collector

(Next entry 146, p. 77)

Licenses to hunt, fish, or seine are obtained from the sheriff as tax collector (Code, 1930, sec. 4761). The act of 1932 which created the state game and fish commission requires each officer authorized to issue licenses, which officer is the tax collector in Pearl River County, to keep in a book supplied to him by the commission, a correct and complete list in numerical order of all licenses issued by him, to pay monthly the sums collected for licenses, and to make a final report at the end of the license year and return all license stubs and all unused or mutilated license blanks (Laws, 1932, pp. 371-372). Prior to 1932 licensing was more of a county matter as money derived from the sale of hunting and fishing licenses was used to pay county-appointed game wardens and to promote the conservation of game within Pearl River County (Code, 1930, sec. 4762).

Practically every occupation carried on in Pearl River County is required to obtain a privilege license from the tax collector (Code, 1871, secs. 1747-50; Laws, 1935, pp. 52-133).

The tax collector of Pearl River County is compensated by fees and commissions. For example he receives five percent on all poll taxes and commutation taxes; five percent on the first \$30,000 of the road and bridge privilege taxes collected on motor vehicles and two percent of the excess over \$30,000; five percent on the first \$30,000 of the state privilege taxes and two percent on the excess over \$30,000; and five percent on the first \$10,000 of the state ad valorem taxes collected and two percent on the excess over \$10,000 but not on an amount exceeding \$40,000. (Code, 1930, sec. 1789).

As early as 1799 the sheriff was made the collector of taxes in the Mississippi Territory under a warrant of distress issued by the court of quarter sessions (Sargent's Code, 1799, p. 87). In 1807 the Territorial assembly provided for the appointment of a collector who was also assessor and inquirer, thus transferring the functions of tax collector from the sheriff to this new officer (Toulmin's Digest, 1807, chapt. V, sec. 1).

The act of December 27, 1815 affirmed the law of 1807 by empowering the governor to appoint annually a tax collector in each county who was required to make bond in the penalty of \$12,000 in Adams County and \$6,000 in other counties. (Turner's Digest, 1816, p. 418). This act established a new system of taxation which replaced the scheme set up by Governor Winthrop Sargent in 1799. (See Tax Assessor, supra.) In 1817 the offices of tax collector and tax assessor were united and the tax collector was directed to make distress and sale of goods, chattels and tenements of all persons who did not pay their taxes for the year ending the first of July (Laws, 1817, p. 56). Separate offices of collector and assessor were maintained in several counties through special legislation (Hutchinson's Code, 1848, p. 174).

In 1833 a law was enacted making the joint office of collector and assessor elective biennially (Laws, 1833, p. 477) inasmuch as the constitution of 1832 directed that county sheriffs, coroners, treasurers, rangers, and other officials should be elected (Const., 1832, art. V, sec. 19).

Tax Collector - Financial Reports

(146-149)

The sheriff was made tax collector again in 1843 and since, in some counties, the same person acted as both assessor and collector, the sheriff in those counties held the three offices (Laws, 1843, chapt. 1, sec. 7). However, the collector was relieved of the duties of assessor three years later in all counties except 17: Clarke, Covington, Coahoma, Greene, Harrison, Hancock, Jackson, Jones, Washington, Neshoba, Issaquena, Marion, Perry, Scott, Simpson, Smith, and Wayne, in which counties the sheriff continued to act as both collector and assessor, ex-officio (Laws, 1846, p. 69).

The constitution of 1869 directed that an assessor be elected in each county for a term of two years, thus making the offices of assessor and collector separate except in the counties designated by the law of 1846 (Const., 1869, art. V, sec. 21). The sheriff continued to be the tax collector by authority of the same law.

The constitution of 1890 increased the term of office to four years (Const., 1890, sec. 135). Under present conditions the function of tax collection is the most important part of the work of the sheriff of Pearl River County. This clerical duty has increased in significance as the keeping of the peace in the county has become less onerous.

Financial Records

146. TAX COLLECTOR'S RECEIPTS, 1913--. 3 file boxes. Original receipts issued by auditor to tax collector for collections deposited in county depositories, showing number, nature of tax, total, date, collector's fees, amount to be paid county treasury. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 18. Supervisors' off.

147. TAX COLLECTOR'S CASH BOOK, 1890--. 46 vols. Daily record of tax collection, showing tax receipt number, name of taxpayer, total assessment, state tax, county tax, consolidated school tax, separate school district tax, poll tax, road tax, damages, and total collections. Chron. arr. No index. Hdw. on ptd. form. 416 pp. 25 x 18 x 1 $\frac{1}{2}$. Ch. clerk's off.

Licenses

148. AUTOMOBILE REGISTER, 1921--. 16 vols. Register of automobile license tag numbers, showing date, tag number, owner's name, address, make, manufacturer, model, year, motive power, carrying capacity, horsepower, factory number, date delivered to owner, fee collected, and remarks. Numer. arr. by license no. No index. Hdw. on ptd. form. 200 pp. 18 x 15 x 1 $\frac{1}{2}$. Ch. clerk's va.

149. HUNTING AND FISHING LICENSES, 1928-31. 2 vols. 1932-- in Monthly Reports of Hunting and Fishing Licenses, entry 150. Record of hunting and fishing licenses issued, showing number, date, licensee, address, expiration date, amount of license, resident, non-resident, Numer.

Treasurer and Auditor

(150-153)

arr. by license no. No index. Hdw. on ptd. form. 200 pp. 18 x 15 x $1\frac{1}{2}$.
sh. off.

150. MONTHLY REPORTS OF HUNTING AND FISHING LICENSES, 1924--. 2 file boxes. Duplicate copies of reports to state game and fish commission of hunting and fishing licenses issued, showing date, license number, purpose, amount, name of licensee, expiration date. Contains record of hunting and fishing licenses, 1932--, entry 149. Numer. arr. by license no. No index. Hdw. on ptd. form. 200 pp. 18 x 15 x $1\frac{1}{2}$. Sh. off.

151. PRIVILEGE TAX RECEIPTS, 1905--. 3 vols. 1890-1904 missing. Record of privilege licenses issued individuals and corporation to practice a profession or engage in business in the county, showing name, address, date issued, expiration date, purpose, amount of tax, license number. Chron. arr. No index. Typed on ptd. form. 200 pp. 18 x 15 x 2. 2 vols., 1905-35, ch. clerk's va.; 1 vol., 1936--, sh. off.

Tax Receipts

152. TAX RECEIPTS, 1890--. 1,254 vols. Duplicate copies of all classes of tax receipts, showing number, date, taxpayer's name, purpose, year, district, nature of tax, amount, section number, range, acreage, valuation of real and personal property. Numer. arr. by receipt no. No index. Hdw. on ptd. form. 165 pp. 18 x 11 x 3. Ch. clerk's va.

Register of Diamonds and Pearls

153. REGISTER OF DIAMONDS AND PEARLS, 1928-29. 1 vol. Discontinued because of duplication with Assessments, entry 141. Register of diamonds and pearls in the county, showing name of owner, address, description, date and from whom purchased, amount paid, value, date sold, to whom sold, sale price. Chron. arr. by date of registration. No index. Hdw. on ptd. form. 60 pp. 18 x 22 x $\frac{1}{2}$. Sh. off.

XIII. TREASURER AND AUDITOR

The clerk of the board of supervisors is auditor ex-officio of Pearl River County (Code, 1892, sec. 326; Code, 1930, sec. 295). The chancery clerk, who is the clerk of the board (see Board of Supervisors, supra.), is treasurer ex-officio (Laws, 1932, p. 514).

The office of county treasurer was established and made appointive in 1799 by the laws drawn by Territorial Governor Sargent and the Territorial judges. The treasurer was required to furnish bond of \$3,000 and "keep fair and proper books of entries and accounts of all monies received and of rates and assessments made or to be made, and also of disbursements and payments". He was directed to submit his books and accounts to the Territorial legislature for audit

Treasurer and Auditor

(Next entry 154, p. 82)

and settlement. (Sargent's Code, 1799, pp. 45-46).

In 1806 the county court (quarter sessions of the peace) was given power to audit and allow all accounts and demands legally chargeable against the county (Toulmin's Digest, 1807, p. 32). An act in 1807 commanded the county treasurer to report to the county court and render a just and true account of the funds in his possession (ibid., p. 28).

The first constitution of Mississippi made no mention of a county treasurer but the office was continued by an act which gave the county court power to appoint in each county a treasurer to hold office for two years (Laws, 1817, p. 56).

In 1822 the office was made appointive by the governor on the recommendation of the county court, the term was set at two years, and the treasurer was required to examine the accounts of sheriffs and clerks to ascertain if any money belonging to the county was in their hands (Poindexter's Code, 1824, chapt. 52). The act directed the county court to continue to audit and allow claims against the county and it authorized the clerk of the court to issue warrants on the county treasurer for claims allowed by the court (ibid.)

The revised constitution of 1832 established the office of county treasurer and made it elective biennially by the qualified electors of the county. It also established a board of police in each county to take over the administrative duties of the county court and it made the clerk of the court of probate the clerk of the board of police (Const., 1832, art. V, secs. 19, 20). By the act of March 2, 1833 the county treasurer was required to make a report to the board of police of the condition of the county treasury (Laws, 1833, p. 47). The board, by authority of the same act, assumed all auditing functions of the county court and examined and allowed claims against the county (ibid.).

No changes were made in the functions, qualifications, and term of the treasurer by the constitution of 1869 but the name of the board of police was changed to board of supervisors (Const., 1869, art. VI, sec. 20). This board carried on the same duties in relation to the treasurer as had the county court from 1806 to 1832 and as had the board of police from 1832 to 1869.

The constitution of 1890 at the time of its adoption stipulated that "there shall be a sheriff, coroner, treasurer, assessor, and surveyor for each county to be selected as elsewhere provided herein, who shall hold their offices for four years. The sheriff and treasurer shall be ineligible to succeed themselves or each other " (Const., 1890, sec. 135).

The code of 1892 which went into effect not long after Pearl River County was organized in 1890 (see Historical Sketch, supra.), became the set of laws under which the county began its governmental organization. By this code the treasurer was given the general duties of receiving, keeping, and disbursing the money of the county according to law; and of keeping regular accounts of the receipts and expenditures of the funds and of all debts due to or from the county (Code, 1892, sec. 901). He was directed to make detailed reports quarterly of all receipts and disbursements and of accounts payable and receivable

Treasurer and Auditor

(Next entry 154, p. 82)

and exhibit with his reports the vouchers for the disbursements shown in the reports (ibid., secs. 902-903). He was empowered and required to examine the accounts, dockets, and records of the clerks and the sheriff for the purpose of ascertaining if any money rightfully belonging to the county was in their possession (ibid., sec. 905). He could pay money out of the county treasury only on warrant issued by the clerk of the board on the order of the board (ibid., sec. 906). He could receive money only on the receipt-warrant of the clerk of the board and he was directed to give the person making any payment duplicate receipts specifying the warrant on which payment was made, one of the receipts to be filed with the clerk (ibid., sec. 910).

The clerk of the board was made ex-officio county auditor (ibid., sec. 326). As auditor he was required to keep ledger accounts with each county office, with the courthouse, jail, and poorhouse, showing allowances for each; he was directed to keep separate accounts of allowances made for mileage and pay of members of the board, of jurors, and of witnesses for the state, as well as expenditures on account of each part of every public road under a separate overseer (ibid., sec. 328). It was made mandatory that he keep "The Treasurer's Docket" and record in it all reports of the treasurer after they had been examined and approved by the board (ibid., sec. 330). He was ordered to keep accounts with all officers who received or collected money for the county and he was given the duty of issuing receipt-warrants for payment of money into the county treasury, credit for payment and debit to the county treasurer being contingent upon the auditor's receiving a duplicate receipt signed by the treasurer (ibid., sec. 331). The auditor was empowered to examine, audit and settle the accounts of all officers receiving funds payable into the county treasury, and he could require and exact payment of sums due (ibid., sec. 332).

Without making mention of his being auditor, the code gave the clerk of the board the responsibility of keeping "The Docket of Claims" and entering in it all demands and accounts against the county in the order of their presentation (ibid., sec. 321).

In 1912 a system was inaugurated by which the board of supervisors designates and commissions a county depository (Laws, 1912, chapt. 194). This plan, designed to safeguard the county money by requiring the selected depository to deposit with the county treasurer selected securities in an amount ten percent greater than the maximum sum to be placed on deposit, took from the treasurer his receiving and disbursing powers, since all deposits were made subject to payment when demanded on warrant issued by the clerk of the board (ibid.)

In November 1922 section 135 of the constitution was amended by a vote of the people to read "the duties heretofore imposed on the county treasurer shall be discharged by some person or persons selected as required by law". The amendment was inserted in the constitution by the legislature of 1924, (Laws, 1924, chapt. 142).

With reference to this amendment Justice Ethridge of the Mississippi Supreme Court writes: "The amendment was designed to eliminate the county treasurer,

Treasurer and Auditor

(Next entry 154, p. 82)

but the original section made the sheriff and the treasurer ineligible to succeed themselves or each other. The new section authorized the legislature to impose the duty of county treasurer upon some person or persons selected as required by law, leaving the legislature to prescribe what person or persons should perform the duties of county treasurer. One of the duties of the county treasurer under the law as existed when the amendment was passed was to keep an independent set of books as to all county receipts and disbursements against the sheriff and county auditor. He was also to receive and pay out the county funds when there was no county depository selected. Under the provision of law creating county depositories and placing of practically all the funds of all counties in banks the duties of the treasurer other than as a bookkeeper, are largely eliminated. He was charged however, with the duties of coercing settlements with officers receiving funds and various other duties. By the new section the sheriff is made ineligible to immediately succeed himself in office, but the constitution does not prohibit him from discharging the duties of treasurer. The legislature perhaps, overlooked the importance of having the sheriff and treasurer keep mutual checks upon each other to prevent the manipulation of county books so as to conceal shortages. Nothing in the present section prevents the person who acts or performs the duties that were ordinarily imposed upon the treasurer from continuing in office so long as he may desire, provided he can secure the appointment or selection in accordance with law". (George H. Ethridge, Mississippi Constitutions, (Jackson, Miss., Tucker Printing House, 1928), p. 235).

Thus, by 1924 the office of treasurer was completely abolished and in 1932 its few remaining duties were given to the chancery clerk (Laws, 1932, p. 514) who as clerk of the board is one and the same person.

The functions discharged by the clerk which can be classified as treasurer's duties are: issuing warrants on the county depository for payment of claims allowed by the board of supervisors (Code, 1930, sec. 255); keeping a docket of claims in which he enters all demands and accounts against the county (ibid., sec. 254); receiving and having custody of the securities deposited by a depository bank (ibid., sec. 4346); and, with the president of the board, issuing commissions to designated depositories (ibid., sec. 4347).

The clerk of the board as auditor of Pearl River County must keep an account with each county office (ibid., sec. 296) and he must enter the accounts of all officers receiving or collecting money for the county (ibid., sec. 298). He is required to issue receipt warrants (ibid., sec. 299) and to settle with the tax collector and other officers receiving county funds (ibid., sec. 300). He or the board must file suit against any officer who fails to make payment to the county treasurer (ibid.). It is his duty to examine the accounts, dockets, and records of clerk, sheriffs, and other officers of Pearl River County to ascertain whether any money payable to the county is properly chargeable to them, and to make a written report under oath to each regular session of the grand jury (ibid., sec. 304). He must also report to the grand jury and to the district attorney any officer or depository failing to make a report or to pay public moneys into the county treasury as required by law (ibid., sec. 305). The auditor is directed to keep a book styled "The Depository's Docket" in which he

shall record all reports of the county depository after the reports have been examined and compared with the vouchers and approved by the board (ibid., sec. 297). This record could not be located in Pearl River County but the reports themselves up to 1927 have been preserved in file boxes, and from 1927 to date the reports have been incorporated in the minutes of the board.

As auditor the clerk of the board in Pearl River County receives \$1,200 annually (ibid., sec. 6505) and for discharging the duties of treasurer he is paid \$25 annually (Laws, 1932, p. 514).

Dockets

(See also entries 5, 6)

154. TREASURER'S DOCKET-TREASURER'S ACCOUNT WITH PEARL RIVER COUNTY, 1891-1923. 7 vols.

Auditor's record of reports of county treasurer approved by board, showing date, itemized receipts, name of depository, name of fund, balance forwarded, list of warrants issued, receipt warrant number. Chron. arr. by date report received. Alph. indexed by name of fund. Hdw. on ptd. form. 550 pp. 18 x 15 x 2 $\frac{1}{2}$. Ch. clerk's va.

Ledgers

155. LEDGER, 1890-1903. 2 vols. (A, B). Discontinued because of duplication with Treasurer's Docket, entry 154.

Record of amounts allowed each county bureau, showing name of bureau, fund, itemized statement of allowances, purpose, and date. Alph. indexed by name of bureau. Hdw. on ptd. form. 200 pp. 12 x 10 x 1. Ch. clerk's off.

156. COUNTY LEDGER, 1933--. 1 vol.

Auditor's accounts with each county bureau, showing date, items, debits, date, items, credits. Chron. arr. by date of entry. No index. Hdw. on ptd. form. 500 pp. 10 x 14 x 2. Supervisors' off.

157. FINES AND COSTS LEDGER, 1916-23. 1 vol.

Record of sheriff's reports of fines and costs, showing debit, date, case number, style of case, fine, days, jury tax, stenographer's fees, witness fees, court cost, total. Chron. arr. by date of report. Alph. indexed by name of person fined. Hdw. 150 pp. 18 x 12 x 2. Ch. clerk's va.

For prior and subsequent reports, see entry 2.

Receipts and Disbursements

(See also entries 4, 7-12)

158. AUDITOR'S ACCOUNTS, 1887--. 7 vols. (1-7).

Record of receipts and disbursements of county funds, and transcript of receipts and disbursements from Marion County 1887-89, showing date, amount received, from

Registrar

(159-163)

whom, source of revenue, amount disbursed, to whom, purpose, date, fund. Chron. arr. by date of entry. Hdw. 360 pp. 18 x 15 x 1½. Ch. clerk's va.

159. RECEIPT WARRANTS, 1916--. 2 vols. 1890-1915 missing.

Duplicate copies of receipt warrants issued by auditor for funds deposited in county depositories, showing receipt warrant number, amount deposited, nature of tax, date collected, tax year, date received, signature of auditor. Numer. arr. by warrant no. No index. Hdw. on ptd. form. 200 pp. 12 x 10 x 1. Ch. clerk's off.

160. COUNTY DEPOSITORY RECEIPTS, 1912--. 3 file boxes.

Duplicate copies of deposit receipts issued by county depositories, showing date, balance, amount deposited, amount withdrawn, balance. Chron. filed by date of deposit. No index. Hdw. on ptd. form. 12 x 4 x 14. Ch. clerk's va.

161. COUNTY DEPOSITORY RECEIPTS, 1923--. 1 file box.

Duplicate copies of receipts issued by county depositories for tuition money paid to the county for non-resident pupils attending schools in various districts, showing receipt number, from whom received, amount, name of school fund credited, auditor's receipt warrant number and date, date receipt issued, name of depository, signature of cashier. Chron. arr. by date of issuance. No index. Hdw. on ptd. form. 12 x 4 x 18. Supt's off.

162. SALARY VOUCHERS BY COUNTY OFFICERS, 1920-23. 1 file box.

Auditor's duplicate copies of warrants issued county employees for salaries, showing voucher number, payee, amount, fund, date, signature of payee, purpose. Chron. filed by number of voucher. No index. Hdw. on ptd. form. 12 x 4 x 14. Ch. clerk's va.

For prior and subsequent records, see entries 11, 12.

Reports

163. QUARTERLY REPORTS OF COUNTY TREASURER, 1890-1927. 2 file boxes.

1928-- in Minutes of the Board of Supervisors, entry 1.

Original reports made quarterly by county treasurer 1890-1924, and by county depositories 1924-27, to board of supervisors, showing name of fund, receipts, disbursements, balance in each fund. Chron. filed by date of report. No index. Hdw. on ptd. form. 12 x 4 x 14. Ch. clerk's va.

XIV. REGISTRAR

The circuit clerk of Pearl River County is ex-officio the registrar of voters (Code, 1892, sec. 3601; Code, 1930, sec. 6176). He registers the electors of Pearl River County in his office in the courthouse at Poplarville at any time but in the year of general election, in which year not less than four months before the election he spends one day at each voting precinct in the county for the purpose of registering voters (ibid., secs. 6181-85).

He is required to keep as a permanent record a list of poll tax delinquents which he obtains from the tax collector, and a register of convicts, as

Registrar

(Next entry 164, p. 85)

both delinquents and convicts are ineligible to vote (Code, 1930, secs. 3244, 4079, 6187).

Until the absent voters' law was repealed in 1932 (Laws, 1932, p. 629), the circuit clerk as register administered the law (Code, 1930, sec. 6288-6301). He must attend all meetings of the county election commissioners and render them all needed assistance in revising the list of qualified voters (ibid., sec. 6212). After each election the ballot boxes are deposited in the safekeeping of the registrar (ibid., sec. 5884) and full and exact duplicates of the certified vote are filed with him to be preserved (ibid., sec. 5895).

By the corrupt practices act of November 25, 1935 the circuit clerk as registrar was given several additional duties to perform. Candidates for nomination to county and county district offices are required by law to file with the clerk an affidavit that they have read the corrupt practices act and they will not violate any of its obligations and prohibitions, and they must file also an itemized statement of their campaign expenses to be kept as a public record for four years. The distributor of the ballots is directed to deliver to the clerk copy of the poll manager's receipt for the ballots. The books of duplicate poll receipts are delivered to the clerk who receives, receipts, and preserves them as a public record. He issues duplicate poll tax receipts for lost receipts and certifies that they are true and correct and he issues certificates of exemption to persons exempt from paying poll tax, keeps a record of such issuances, and receives \$100 per year for discharging these duties. The act stipulates that the ballot boxes shall be delivered to the circuit clerk and sealed by him in the presence of the poll manager making the delivery.

In cases of contested elections the clerk must notify the chief justice of the state supreme court or any other justice in the event the chief justice cannot be reached. The chief justice appoints a chancery or circuit judge from a district other than that in which the contest has arisen to hear and determine the case. The circuit clerk issues subpoenas to principals and to witnesses. When either or both of the principals demand an examination of the ballots, the circuit clerk must be present in person or by deputy to see that the ballots are not tampered with. In cases of prosecution for violation of the act the sheriff makes arrests on warrants issued by the trial court, and delivers all papers to the circuit clerk who files them and personally delivers them to the foreman of the next grand jury. (Laws, Extraordinary Session, 1935, chapt. 19, pp. 33-52).

As the corrupt practices act did not go into effect until after the general election of 1935, and as no county or county district elections have been held since that time, there are consequently no records in the registrar's office of candidate's affidavits or expenses accounts.

The compensation of the circuit clerk as registrar is fixed by the board of supervisors as directed by law (Code, 1930, sec. 6195). The board of Pearl River County, in addition to the \$100 allowed him annually for the added work entailed by the passage of the corrupt practices act, pays the registrar \$900 annually (Minutes, Board of Supervisors, October 8, 1934, vol. 8, p. 59).

Registrar - Registration and Poll Records

(164-170)

Registration and Poll Records

164. REGISTRATION BOOK, 1890--. 39 vols.

Registration of voters in the county, showing registration number and date, name of elector, age, color, sex, occupation, place of business, residence, notation on elector's ability to read or understand the constitution, signature of voter, and remarks. Chron. arr. Alph. indexed by name of voter. Hdw. on ptd. form. 75 pp. 15 x 10 x $\frac{1}{2}$. Cir. clerk's va.

165. POLL BOOKS, 1890--. 101 vols.

Purged list of qualified voters in the county obtained from registration books, showing registration number and date, name of elector, age, color, sex, voting record, whether delinquent, signature of registrar, and remarks. Chron. arr. No index. Hdw. on ptd. form. 75 pp. 15 x 10 x $\frac{1}{2}$. Cir. clerk's va.

166. POLL TAX RECEIPTS, 1935--. 4 vols. (1-4).

Duplicate copies of poll tax receipts, showing number, name of taxpayer, voting precinct, page and volume number of record in personal assessment roll, signature of tax collector. Numer. arr. by receipt no. For separate index, see entry 167. Hdw. on ptd. form. 300 pp. 18 x 15 x $2\frac{1}{2}$. Cir. clerk's va.

167. INDEX TO RECORD OF POLL TAX RECEIPTS, 1935--. 1 vol.

Index to record of poll tax receipts, entry 166, showing taxpayer's name, date tax paid, voting precinct, receipt number, volume and page of record in receipt book. Alph. arr. by name of taxpayer. Hdw. on ptd. form. 25 pp. 29 x 7 x 1. Cir. clerk's off.

168. AFFIDAVITS AND CERTIFICATES TO VOTERS, 1935--. 2 vols.

Record of affidavits of and certificates issued to qualified voters exempt from payment of poll tax because of age or disability, showing name of voter, reason for exemption, number of certificate, signature of voter, precinct, and signature of clerk. Chron. arr. Alph. indexed by name of exempted voter. Hdw. on ptd. form. 500 pp. 18 x 13 x $2\frac{1}{2}$. Cir. clerk's off.

169. RECORD OF CONVICTIONS, 1892--. 1 vol.

Record of persons convicted of either or any of the following crimes: bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, forgery, embezzlement, or bigamy; kept by registrar to enable him to erase the names of such persons from the registration book or to prevent such persons from registering; showing court of conviction, crime, name of convict, date of conviction, date of trial, sentence, volume and page of record in court minutes and remarks. Chron. arr. Alph. indexed by name of convict. Hdw. on ptd. form. 200 pp. 18 x 15 x $1\frac{1}{2}$. Cir. clerk's off.

Ballots

170. RECEIPT FOR BALLOTS, 1936--. 1 vol.

Carbon copies of receipts for ballot boxes, showing receipt number, date from whom received, number of ballots, precinct, box, date of election, signature of precinct manager and distributor for executive committee. Chron. arr. No index. Hdw. on ptd. form. 250 pp. 18 x 13 x 2. Cir. clerk's off.

Superintendent of Education

(171-172)

171. CIRCUIT CLERK'S RECORDS OF SEALS USED ON BALLOT BOXES OF VARIOUS PRECINCTS, 1936--. 1 vol.

Record of seals issued with ballot boxes, showing number of seal, precinct, date, by whom opened, and remarks. Chron. arr. No index. Hdw. on ptd. form. 250 pp. 18 x 13 x 1. Cir. clerk's off.

172. ELECTION REPORTS AND ACCOUNTS, 1936--. 1 file box.

Original election tally sheets and returns. Chron. filed. No index. 12 x 4 x 14. Cir. clerk's va.

XV. SUPERINTENDENT OF EDUCATION

At the time Pearl River County was established (see Historical Sketch, *supra*.) the county superintendent of education was appointed for a term of four years by the state board of education, by and with the advice and consent of the senate (Const., 1890, sec. 204). A superintendent was appointed for Pearl River County soon after the county government was organized and the office has functioned continuously as an important part of county administration.

The duties of this officer as outlined by the code of 1892 were:

(a) To employ for each school under his supervision, such teacher or teachers as may be recommended by the local trustees; but the teacher shall hold his certificate of proper date and grade and execute the required contract;

(b) To examine the monthly reports of teachers, when in his judgment necessary, and require the signatures of a majority of the trustees certifying to the accuracy of the report, and upon the report thus certified to issue a pay certificate showing the amount of salary due, and the scholastic month for which it is issued. The pay-certificate must be in the form prescribed by the board of education, and a stub duplicate made out and preserved in his office;

(c) To fix the salaries of teachers and to make contracts with them;

(d) To enforce the course of study adopted by the board of education, and the uniform text-books adopted for the county;

(e) To enforce the law and the rules and regulations in reference to the examination of teachers;

(f) To visit the schools and require teachers to perform all their duties;

(g) To select and employ teachers for public schools whose trustees fail to report a selection within ten days of the time fixed by the county school board for the beginning of the term;

(h) To administer oaths in all cases of teachers, trustees, and others relating to the schools, and to take testimony in appeal cases under the school-law;

(i) To keep on file and preserve in his office the biennial report of the superintendent of public education and all circular-letters sent out by him, and a copy of the school-law;

(j) To distribute promptly all reports, laws, forms, circulars, and instructions which he may receive for the use of school-officers and teachers, from the state superintendent of public education;

Superintendent of Education

(Next entry 173, p. 92)

(k) To carefully preserve all reports of school-officers and teachers, and, at the close of the term of office, deliver to his successor all records, books, documents, and papers belonging to the office, taking a receipt for the same, which shall be filed in the office of the chancery clerk.

(l) To make annually, on or before the first day of October, a written report to the board of supervisors and mayor and board of aldermen of the municipality, constituting a separate school district, showing the name, sex, and color of the teachers employed during the preceding scholastic year, the number of months taught by each, and the aggregate amounts of pay-certificates issued to each and to all; and the report shall be filed in the office of the chancery clerk or of the municipal clerk, as the case may be, and be compared by said officer with the pay-certificates of the county superintendent for the period embraced in the report;

(m) To file with the chancery and municipal clerks, before issuing any pay-certificate for the current term, lists of the teachers employed, and the monthly salary of each as shown by the contract, and to add to the list any teachers subsequently employed;

(n) To keep in his office, and carefully preserve the public school record provided; to enter therein the proceedings of the county school-board, the decisions of appeal cases, and other official acts; a list of the teachers examined, licensed, and employed; and, within ten days after they are rendered, to record the data required from the monthly and term reports of teachers; and the annual reports of county and separate school-district treasurers; and from the summaries of records thus kept, to render, on or before the twentieth of October, an annual report to the state superintendent in the form and containing the particulars required;

(o) To observe such instruction and regulations as the board of education may from time to time prescribe, and make special reports to those officials whenever required; and

(p) To perform such other duties as may be required of him by law or the rules and regulations of the board of education. (Code, 1892, sec. 3979).

Because of the general prosperity resulting from the extensive lumber and pine products industries in Pearl River County which enabled people to pay their taxes, and because of a steady, substantial income derived from 16th section lands, the county has always had more than an average amount of money to support and operate its school system. Since 1927 the granting of oil and mineral leases on the school lands has given Pearl River County an aggregate income of \$107,000 (Minutes, Board of Supervisors, June term, 1934, vol. 8, p. 10).

In 1922 an agricultural high school was established at Poplarville. It has been converted into an agricultural high school and junior college and is supported by Pearl River County, Marion County, Lamar County and Hancock County.

The code also made the office elective in Pearl River County and many other counties (ibid., sec. 4258).

The powers and duties of the superintendent of education at present are: to employ such teachers as may be recommended by the local trustees, (if recommendations are not made by June¹⁵, the superintendent may appoint the teachers);

Superintendent of Education

(Next entry 173, p. 92)

to allow assistant teachers as prescribed by law; to fix salaries of teachers and make contracts with them except as otherwise prescribed by law; to enforce the course of study adopted by the board of education and the uniform text books; to enforce the law and rules and regulations in reference to examinations of teachers; to administer oaths in all cases of teachers and others relating to the schools, and to take testimony in appeal cases under the school law. (Code, 1930, sec. 6570, arts. 1-6).

The superintendent is also required to issue pay certificates after a majority of the trustees have certified as to the accuracy of a monthly report; to preserve all reports of school officers and teachers; to deliver to the chancery clerk before pay certificates are issued, a list of teachers under contract, the list to show their monthly salaries; to keep a record of all official actions of the county school board, of his own official actions, and of teachers, examined, licensed and employed; to make a report annually to the state superintendent of public education; to prepare an outline map showing the number of sections included in each school district and to paste the map in the school register before it is delivered to the teacher of the district. (ibid., arts. 7-12).

He is obligated to report each month to the board of supervisors and the mayor and board of aldermen of the municipalities included in each public school district, the report to show the amount of pay certificates issued that month, the date of visits to each school and the time spent with each school; to visit the schools and require the teachers to perform all their duties; to distribute promptly all reports, laws, forms, circulars and instructions received from the state superintendent of public education; to keep on file and preserve the biennial report of the state superintendent of public education; to call meetings of the county school board; to call annually on the first of May a meeting of the trustees of the county for the election of the county school board. (ibid., arts. 13-18).

The superintendent is directed to observe such instructions and regulations as the state board of education may prescribe and make special reports to these officials whenever required; to be at the county seat on each Saturday of each scholastic month of the term to receive monthly reports, issue pay certificates and attend to other official duties; to make every two years an enumeration of all educable children in his county; to settle disputes in schools, his decisions being subject to appeal to the state board of education upon a written statement of the facts certified by the county superintendent or by the secretary of the board of trustees. (ibid., arts. 19-24; sec. 6572).

He may suspend or remove teachers from office for incompetency, neglect of duty, immoral conduct or other just cause; and he may fill vacancies in the positions of trustee or teacher; and have the same power as justice of the peace of issuing subpoenas for witnesses and compelling their attendance for the giving of evidence; and he can revoke teachers' licenses for intemperance or immoral conduct, brutal treatment of a pupil or for other just cause. (ibid., secs. 6573-74).

Superintendent of Education

(Next entry 173, p. 92)

The qualifications of the county superintendent of education are enumerated as follows: he shall be a qualified elector and a resident citizen of the state for four years and of the county for two years immediately preceding his election; he must hold a certificate certifying, that he is a graduate of a high school requiring at least 15 units for graduation or the equivalent thereof; that he has had at least two years successful experience as a teacher in the public schools of the state or that he is a graduate of a standard college; and, if he does not possess a professional life license, that he has passed an examination held by the state board of examiners (Code, 1930, secs. 6563-64).

The cause of common school education was first given aid after the Territory was established (see Governmental Organization and Records System, supra.) by the act of Congress approved March 3, 1803, entitled "An Act Providing for the Disposal of Land South of the State of Tennessee (2 Stat. L., pp. 229-235). By this act the government, in offering for sale the public lands, reserved in each township the section of land numbered 16 (or some other section if the 16th section had been legally disposed of), for the support of schools within the township (ibid., sec. 12). At first the lands were managed by the county court (Laws, 1818, p. 59) but the act of January 9, 1824 authorized the election by the resident heads of families of five trustees in each township who were empowered to rent, collect, and disburse the rents, erect school houses and employ teachers (Laws, 1824, pp. 9-11).

In 1833, the legislature authorized the sale on a credit of one to four years, of 99-year leases of the sixteenth section lands, the purchase money to be secured by a lien on the lands (Laws, 1833, p. 93). But the legislature, evidently carried away by the hysteria of speculation that prevailed in the early 1830's, directed that the proceeds when collected, be invested in the stock of the Planters' Bank at Natchez (ibid., p. 95). When this bank failed in 1837 along with hundreds of others in the United States, the educational program of Mississippi was set back many years.

The first legislation creating the office of county superintendent of education was the act of March 4, 1848 providing for and establishing common schools in the counties of Hinds, Holmes, Tunica, Jefferson, Wilkinson, Lawrence, and Amite (Laws, 1848, p. 56). The boards of police in each of these counties were directed to appoint a superintendent whose duty it was to visit the public schools in his county at least once every three months; examine the record or journal kept by the teacher in each school and all other matters touching the situation, discipline, mode of teaching, and improvements; keep a journal of all such examinations and of his remarks; make an annual report on his journal to the secretary of state; fill all vacancies; call elections annually for the election of school trustees in each township, and appoint five trustees in the event the elections were not held. The township trustees were required to account to the superintendent for all moneys raised and expended for school purposes and the superintendent examined and certified these accounts. He was given authority to examine candidates for teaching and give them 12-month certificates. He was also empowered to annul a teacher's certificate if a trial proved the teacher to be untrustworthy. (ibid.).

Superintendent of Education

(Next entry 173, p. 92)

In 1846 an effort had been made to establish a uniform system of free schools supported by license fees and taxation (Laws, 1846, pp. 98-104), but through faulty construction and narrow interpretation of the statute, the movement did not accomplish its purpose. The county superintendent's office was established by one of several local acts passed in an effort to set up a uniform and vigorous educational policy.

Because of the failure of the system established in 1846 and due to the stagnation and demoralization of the War Between the States and the Reconstruction aftermath, no definite common school educational progress was made until 1869. The constitution written that year established a state board of education and a county superintendent of education in each county to be appointed biennially by the state board by and with the advice and consent of the senate (Const., 1869; art. VIII, sec. 4). However, the legislature was given power to make the office elective. The design of the convention in making the appointment in this manner and leaving the legislature power to make the office elective was to preserve control of the educational interest of the state and to prevent its falling under the domination of ignorant and corrupt voters. It was not known to what extent the constitution's articles on franchise would be effective in giving the white race control of the political affairs of the several counties. The matter of public education was so important and was so influenced by the person who acted as superintendent of education that it was thought prudent to preserve this office to the control of the legislature. The constitution in other sections had provided a scheme, later expunged (ibid., art. VII, sec. 5), by which the legislature would at all times have control by the dominant intelligent race. The experiences of carpet bag rule and government had been anything but satisfactory and the constitutional convention desired to promote an effective system of education which would require the watchful care of a superintendent in each county. The suffrage experiment proved successful in placing the intelligent race in full control of education in all counties, but the office was not made elective until more than 20 years had passed.

In 1870, pursuant to the provisions of the constitution of 1869, the legislature outlined the duties of the county superintendent of education as follows: supervising the schools, examining applicants for teachers' licenses, performing duties required by the state board of education, and forwarding annually to the auditor of public accounts a list of educable children in the county (Laws, 1870; chapt. 1).

The constitution of 1890 provided that the county superintendent of education should be appointed for four years in each county by the state board of education but gave the legislature power to make the office elective (Const., 1890, sec. 204). In 1892 the office was made elective in Pearl River County and in all other counties except Adams, Sharkey, Sunflower, Tate, Bolivar, Coahoma, DeSoto, Grenada, Hinds, Issaquena, Panola, Warren, Washington, and Yazoo (Code, 1892, sec. 4258). In 1896 it was made elective in Bolivar, DeSoto, Issaquena, Panola, Sharkey, Yazoo and Tate Counties (Laws, 1896, chapt. 108); in 1900 in Coahoma County (Laws, 1900, chapt. III); in 1904 in Hinds County (Laws, 1904; chapt. 127); and in 1906 in all remaining counties (Code, 1906, sec. 4809).

Superintendent of Education

(Next entry 173, p. 92)

In 1932 the Brookings Institution in making its report on the organization and administration of state and county government in Mississippi had this to say in reference to the school system and to the superintendent of education: "Local School government in Mississippi involves many different agencies. On the county level there is the county superintendent of education, the county school board, and the county board of supervisors. There are five different types of school districts with different forms of boards for each. In addition to the regular schools provided through these agencies there is the county agricultural high school with its board of trustees, some of which have been developed into junior colleges. The city school districts have a type of government much like that of city school government in other states, but in the rural types of districts local government in Mississippi represents a number of unique features.

"Local school government is a county-local system in which the county superintendent is the most prominent as well as dominating element....The duties of the county superintendent of education as stated in the law are administrative rather than supervisory. Furthermore, a large portion of these administrative duties are financial. The origin of this unusual situation probably lies in the fact that in the earlier days the schools were small and isolated, that they were kept open for only a few months of the year and that the small amount of funds required to run them came largely from the state and the county.

"There are five different types of schools districts as follows:

1. Common School District: This term is used to designate the ordinary rural school district, usually containing nine whole square miles laid out according to the congressional survey plan.
2. Consolidated District: This district is formed by consolidating two or more common school districts; and it must contain a minimum area of ten square miles. It was the first type of district to have the authority to transport pupils. It contains but one school which in a great majority of cases has both elementary and high school grades, the number of pupils in the latter being as low as 30 and the total enrollment as low as 150.
3. Special Consolidated Districts: This is the newest type of district-- it is popularly known as the "super-consolidated district." It is intended that the consolidated districts unite to form the larger district. The minimum number of square miles is 25, and of pupils, 250.
4. Municipal Separate District: This is similar to the usual independent school district consisting of the territory within the corporate limits of a municipality and territory that may be added thereto.
5. Rural Separate Districts: According to the law this is to consist of "any unencumbered district with an assessed valuation of not less than \$200,000 or any unincorporated district of not less than sixteen square miles organized by the county school board in which a free public school is maintained for at least seven months with an average of not less than 25 children." Before the days of the consolidated district there were 60 or 80 of these in the more progressive communities. Many of them have recently been made consolidated districts (Code, 1930, sec. 6662) (Brookings, chapt. 30 pp. 828-829).

Pearl River County has school districts of all five types and was one of the first counties to establish an agricultural high school and develop it into a junior college.

The superintendent is required to give bond in the penal sum of not less than \$2,000 nor more than \$20,000 (Code, 1930, sec. 6565). His salary is fixed by law at \$2,000 a year (Laws, 1932, p. 492) with the addition of not more than \$400 payable out of sixteenth section and/or other school funds (ibid.).

During the first month of the school term the principal teacher, except in separate school districts must make an enumeration of the educable school children in the district and deliver a copy of the report to the superintendent and teachers must make monthly reports and a final term report. (ibid., secs. 6635-36). Trustees of separate school districts are required to report to him all expenses to conform with the financial report required of the superintendent by the state board of education. (ibid., sec. 6665, art. 14). The board of trustees of the agricultural high school and junior college is directed to make a detailed statement of receipts and disbursements to the board of supervisors and to the superintendent annually (ibid., sec. 6682).

Summary

173. SUPERINTENDENT'S RECORD BOOK, 1890--. 10 vols.

General summary of school administrative and financial affairs made by superintendent, showing official actions of school boards and of school trustees, names of teachers examined, licensed, and employed, financial statistics, copies of monthly and term reports made by teachers, and general information. Chron. arr. No index. 400 pp. 18 x 15 x 1 $\frac{1}{2}$. Hdw. and typed. Supt.'s off.

174. STATISTICAL RECORD, 1936--. 1 vol.

Record of general statistics compiled by superintendent, showing names of trustees of each school district, period of service, post office address, names of teachers employed, number and grade of license held and date granted; also reports of transportation contractors, showing school, amount and number of pay certificates, date issued, names of driver, number of pupils transported and month. Alph. arr. by subject. No index. Typed. 400 pp. 18 x 18 x 1 $\frac{1}{2}$. Supt.'s off.

Financial

(See also entries 1, 2, 4, 5, 7-10, 154-156, 158-163, 173, 183-186, 188-192, 196)

175. REGISTER OF RECEIPTS-SCHOOL FUNDS, 1929-30. 1 vol. 1890-1928 in Superintendent's Record Book, entry 173.

Record of school funds received from all sources, showing date and from what officer received, from what source received, state appropriation, ad valorem tax, dog tax, poll tax, income from investment fund, amounts, and receipt number. Chron. arr. No index. Hdw. on ptd. form. 150 pp. 20 x 12 x 1 $\frac{1}{2}$. Supt.'s off.

176. DOCKET OF CLAIMS-PEARL RIVER JUNIOR COLLEGE AND AGRICULTURAL HIGH SCHOOL, 1917-31. 1 vol. Discontinued as separate record. Record of claims now kept in Docket of Claims, entry 5.

Record of claims against schools for teachers' salaries, materials and supplies, and miscellaneous services rendered, showing name of claimant, nature and amount of claim, and disposition. Chron. arr. No index. Hdw. on ptd. form. 240 pp. 18 x 15 x 1 $\frac{1}{2}$. Supt.'s off.

177. PAY CERTIFICATES, 1891--. 23 file boxes and 67 bundles.

Duplicate copies of pay certificates issued by superintendent on which warrants are issued by chancery clerk in payment of departmental expenses, showing certificate number, payee, date, amount, purpose, and fund from which payable. Chron. filed. No index. Hdw. and typed on ptd. form. File boxes 12 x 5 x 15; bundles, 36 x 30 x 12. Ch. clerk's va.

Teachers

(See also entries 173, 174, 183, 184)

178. TEACHERS' APPLICATIONS, 1936--. 1 file box.

Original applications of teachers for teaching positions, showing name, address, grade of license held, experience, general average of examinations taken, and certificate from state superintendent of public education evidencing applicant's good moral character and ability to teach and govern. Chron. filed. No index. Typed on ptd. form. 12 x 4 x 18. Supt.'s off.

179. TEACHERS' CONTRACTS, 1932--. 3 file boxes.

Original contracts made by superintendent with teachers, showing names of teachers, grade, salary, school district, name of school, and recommendation of board of trustees. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 14. Supt.'s off.

180. VOCATIONAL TEACHERS' MONTHLY REPORTS, 1932-34. 2 file boxes.

Original progress reports of vocational teachers to superintendent giving resume of work done and outline of prospective work. Chron. arr. No index. Hdw. and typed. 12 x 4 x 18. Supt.'s off.

181. REPORTS OF SUMMER SCHOOL WORK-NEGRO TEACHERS, 1934--. 1 file box.

Original reports of negro teachers attending summer school, showing name of teacher attending school, name of school attended, date of entrance, courses taken, date completed, grade of teaching license held, teaching location for following year, home address. Chron. filed. No index. Hdw. and typed. 12 x 4 x 18. Supt.'s off.

Reports

182. REPORTS TO STATE SUPERINTENDENT OF PUBLIC EDUCATION, 1933--. 1 file box.

Duplicate copies of superintendent's annual reports to state superintendent of public education, showing attendance and achievement, enrollment and attendance,

Superintendent of Education - Junior College

(183-188)

grade distribution and attendance, record of promotion and retardations, causes of non-promotions, superintendent's signature. Chron. filed. No index. Hdw. and typed on ptd. form. 12 x 4 x 18. Supt.'s off.

183. MONTHLY REPORTS TO SUPERVISORS, 1932--. 1 file box.

Carbon copies of reports made each scholastic month by superintendent to board of supervisors, showing names of teachers receiving pay certificates, amount of certificates, statement of number of schools visited, date of visits and time spent in each school; also names of school bus drivers and amounts paid to drivers. Chron. arr. No index. Typed. 12 x 4 x 18. Supt.'s off.

For original reports, see entries 1, 2.

184. TEACHERS' AND TRANSPORTATION REPORTS, 1927--. 36 file boxes.

Original monthly reports made to superintendent by teachers and transportation contractors, certified to by trustees, showing name of school, date, white or colored, name of teacher, enrollment by grades, amount of teacher's pay certificate, certificate of trustees, signature of teacher; also name of transportation contractor, number and names of children transported, date and amount due contractor, signature of contractor. Chron. filed. No index. Hdw. 12 x 4 x 14. Supt.'s off.

185. REPORTS OF THE AGRICULTURAL HIGH SCHOOL AND JUNIOR COLLEGE, 1927--. 3 file boxes.

Duplicates of reports made by superintendent to state superintendent of public education, showing receipts from matriculation and incidental fees, accounts of the board of trustees, statement of receipts and disbursements of the dormitory and of the school farm. Chron. filed. No index. Hdw. and typed on ptd. form. 12 x 4 x 18. Supt.'s off.

186. SCORE CARDS FOR ELEMENTARY SCHOOLS, 1936--. 1 file box.

Duplicates of reports made by superintendent to state superintendent of public education, showing achievements and score with respect to premises, school houses, equipment, teachers, administration and extras compared with the perfect score. Chron. filed. No index. Hdw. and typed on ptd. form. 12 x 4 x 18. Supt.'s off.

187. NYA REPORTS, 1936--. 1 file box.

Reports of National Youth Administration workers, showing name of worker, sex, identification number, nature of employment, hours per day, rate per hour, total hours. Chron. filed by date of report. No index. Typed on ptd. form. 12 x 4 x 18. Supt.'s off.

Junior College and Agricultural High School
(See also entries 9, 176, 185)

188. MINUTE BOOK-PEARL RIVER JUNIOR COLLEGE AND AGRICULTURAL HIGH SCHOOL, 1935--. 2 vols. 1922-34 in Superintendent's Record Book, entry 173.

Record of proceedings of board of trustees at regular monthly meetings, including names of teachers employed and financial statistics. Chron. arr. No index. Hdw. and typed. 300 pp. 18 x 15 x 1 $\frac{1}{2}$. Supt.'s off.

Superintendent of Education - Transportation

(189-195)

189. ACCOUNTS RECEIVABLE AND PAYABLE, 1932--. 1 file box.
Itemized statements, showing accounts due, and payable by Pearl River Junior College and Agricultural High School. Chron. filed. No index. 12 x 4 x 18. Supt.'s off.

190. RECEIPTS AND DISBURSEMENTS, 1927--. 2 file boxes.
Original reports of school officials to board of trustees, showing itemized statements of receipts and disbursements of Pearl River Junior College and Agricultural High School. Chron. filed by date of report. No index. Hdw. on ptd. form. 12 x 4 x 18. Supervisors' off.

Transportation

(See also entries 173, 183, 184, 198)

191. TRANSPORTATION CONTRACTS, 1931--. 3 file boxes.
Original contracts for transportation of school children in consolidated school districts, showing name of contractor, terms of contract, route, schedule, bond of contractors, and date contract made. Chron. filed. No index. Hdw. on ptd. form. 12 x 4 x 18. Supt.'s off.

192. SCHOOL TRANSPORTATION FOR CONSOLIDATED SCHOOLS, 1933--. 1 file box.
Reports of trustees to superintendent of transportation provided for pupils attending consolidated schools, showing name of school, number of route, length, type of road, number of stops, number of pupils transported, cost of route, information concerning vehicle, contractor, driver, accidents, and extent of damages. Chron. filed. No index. Typed on ptd. form. 12 x 12 x 24. Supt.'s off.

Correspondence

193. LETTERS FROM STATE SUPERINTENDENT OF PUBLIC EDUCATION, 1928--.
1 file box.
Official correspondence between superintendent and state superintendent of education concerning general methods of procedure, including copies of all laws, reports, forms, circulars, and instructions issued by state superintendent. Alph. filed by subject. No index. Typed on ptd. form and mimeographed. 12 x 4 x 18. Supt.'s off.

194. LETTERS, 1929--. 1 file box.
General correspondence concerning local administration of school affairs, showing date, contents, name or signature of correspondent. Alph. arr. by name of correspondent. No index. 12 x 4 x 18. Supt.'s off.

Educable Children

195. EDUCABLE CHILDREN IN PEARL RIVER COUNTY, 1892--. 14 vols. 1898, 1900, 1914, 1916, 1919 missing.
Record of educable children, showing township, school district, name of child,

Health Department

(186-188)

age, sex, race, name of parent or guardian, address, and name of school. Chron. arr. No index. Hdw. and typed on ptd. form. 250 pp. 18 x 18 x 1 $\frac{1}{2}$. Ch. clerk's va.

School Buildings
(See also entry 15)

196. BUILDING CONTRACTS AND BONDS, 1926--. 2 file boxes. Original contracts for erecting school buildings, cost sheets, and performance bonds filed by contractors. Chron. filed. No index. Hdw. and typed on ptd. form. 12 x 4 x 18. Supt.'s off.

Petitions

197. PETITIONS TO SCHOOL BOARD AND OATHS OF OFFICE, 1926--. 1 file box. Original petitions from patrons of schools to county school board asking board to divide or dissolve school districts; also oaths of office of school trustees. Chron. filed. No index. Typed. 12 x 4 x 18. Supt.'s off.

198. PUPIL TRANSFERS, 1930--. 1 file box. Original petitions from patrons in various school districts asking trustees to provide transportation for pupils transferred from schools not having advanced grades to schools having such grades. Chron. filed. No index. Hdw. and typed. 12 x 4 x 18. Supt.'s off.

Maps

199. MAP OF PEARL RIVER COUNTY, 1933. 1 map. Political and communications map of Pearl River County, showing township lines, section lines, ownership boundaries, highways, railroads, United States government plats, railroad surveys, and highway surveys. Drawn by W. W. Kilpatrick, Picayune, Mississippi. Black and white. 2" equals 1 mi. 60 x 72. Supt.'s off.

XVI. HEALTH DEPARTMENT

Pearl River County has had sufficient population and taxable resources from the time it was organized to carry on a definite public health program. The first health officer, a practicing physician, was appointed by the state board of health in September 1892 (Code, 1892, sec. 2275; Minutes, Board of Supervisor's vol. 1, p. 295).

At that time the state board was composed of 12 physicians appointed by the governor, one from each of the seven congressional districts and five from the state at large (Code, 1892, sec. 2267).

Health Department

(Next entry 200, p. 98)

The duties and powers of the first county health officer of Pearl River County were: to enforce the rules and regulations of the state board of health as to the health interests in his county; to examine, as far as practicable, into all cases of malarial, malignant, pestilential, infectious, endemic, and epidemic diseases and their causes; to investigate sanitary conditions of schools, prisons, market houses, butcher stalls, and all buildings and places of public resort and their surroundings; to recommend to the governing authorities of the county and of any city, town or village in the county, such regulations as he deemed necessary to promote the health of the community; to report his actions and all information and the result of all investigations made by him to the state board of health; and to do such other things as the state board lawfully required of him (Code, 1892, sec. 2276).

The Code of 1906 made no change in the qualifications and duties of the county health officer but the state board of health was given more authority with the result that the health officer, acting for the state board, gained in prominence and importance.

Legislation in 1917 and 1918 (Code, 1917, sec. 4884g; Laws, 1918, chapt. 194) made it possible for counties to establish health departments. In October 1924 Pearl River County organized a department with an appropriation of \$4,500 for its maintenance for the year beginning January 1, 1925 (Minutes, Board of Supervisors, vol. 5, p. 362). The annual budget was increased to \$6,000 in 1932 (ibid., vol. 7, p. 349) and in October 1934 the appropriation was enlarged to \$8,670 at which figure it has remained (ibid., vol. 8, p. 59). The present personnel consists of the director, two nurses, a laboratory technician, and a sanitary inspector.

The director of the health department of Pearl River County is a graduate physician, well trained in health work and was selected by the board of supervisors on recommendation of the state board of health (Code, 1930, sec. 4926). His salary is fixed by the board of supervisors and is paid out of the county treasury (ibid., sec. 4895).

His duties in general are: to enforce all health laws of Pearl River County under the supervision and direction of the state board of health, or its executive committee, and to make such investigations of health problems and recommend and institute such measures as may be necessary, under the direction and supervision of the state board, and to make reports to the board of all matters concerning the sanitary conditions of the county in the manner prescribed by the board (ibid., sec. 4927). He is also required to keep an accurate record of all the activities of the health department for the use of the public and for information to the state board (ibid., sec. 4930).

The state board of health which directs the health work of Pearl River County through its executive officer, is composed of ten members, nine of whom are appointed by the governor with the advice and consent of the senate. Eight of these are physicians while the ninth is a dentist recommended by the state dental association. The executive officer, the tenth member, is elected by the

board and acts as state health officer and secretary of the board. The term of office is six years with the terms of three of the members expiring every two years (Code, 1930, sec. 4868).

To obtain well-balanced, efficient health service in the county the state board is divided into nine bureaus: administration and health education; vital statistics; state hygienic laboratory; sanitary engineering; county health work; communicable diseases; child hygiene and public health nursing; factory inspection and industrial hygiene; and tuberculosis and tuberculosis sanatorium. In the main, the work of the health department of Pearl River County falls into these same nine divisions and the director of the department is responsible to the state board for the performance of the work.

The director, until the last few years kept few permanent records. His reports were sent to the state board at Jackson, and as a rule, he kept no copies. The state board has gradually developed a standard reporting system and a uniform system of records. In 1934 a Record Manual was adopted for use in all health departments. On January 1, 1938 a revised manual was distributed. It contains 510 pages and includes approximately 125 forms to be used in administrative and clerical procedure and in reporting vital statistics, communicable diseases records, service records, sanitation records, and laboratory data.

Vital Statistics

200. BIRTH REGISTRATION, 1931--. 2 vols.
Record of births in the county, showing county, district, and registration number, voting precinct or village, or city, hospital, full name of child, sex, if plural births, twin or triplet, number in order of birth, premature, legitimate, month and day of birth, father's full name, address, color, age, birthplace, occupation, mother's full maiden name, address, color, age, birthplace, occupation, number of children born to mother, born alive and living, born alive and dead, if stillborn, cause of still birth, signature and certificate of physician or midwife, time filed with registrar, and signature of registrar. Chron. arr. by birth date of child. Alph. indexed by name of child. Hdw. on ptd. form. 88 pp. 18 x 8 x $\frac{1}{2}$. Health off.

201. BIRTH REGISTRATION, 1935--. 1 file box.
Duplicate copies of standard certificates of birth. For description of contents, see entry 200. Arr. by certificate number. For separate index, see entry 200. Hdw. on ptd. form. 18 x 6 x 30. Health off.

202. DEATH REGISTRATION, 1935--. 1 file box.
Duplicate copies of standard certificates of death, showing number of certificate, place and date of death, full name of deceased, personal and statistical particulars, occupation, name and birthplace of father and mother, name of informant, place and date of burial, cremation, or removal, medical certificate of death, additional statements of physician, signature of physician, date of filing with registrar. Filed alph. by name of deceased. No index. Hdw. on ptd. form. 18 x 6 x 30. Health off.

Health Department - Examinations

(203-207)

Examinations

203. PHYSICAL EXAMINATIONS OF SCHOOL CHILDREN, 1932--. 4 file boxes. 1924-31 missing.

Reports on examinations of school children by health department, showing name of child, age, sex, color, address, date and place of birth, school attending, names of parents, address, complete history of examination, physician's orders, progress report, if vaccinated. Alph. filed by name of child. No index. Hdw. on ptd. form. 18 x 6 x 30. Health off.

Communicable Diseases

204. CASE RECORDS, CLOSED AND ACTIVE, 1934--. 2 file boxes. 1924-33 missing.

Communicable disease office cards, showing number, name of disease, name of patient, race, age, sex, date of onset, address, removed to, name of physician, time of report, antitoxin given, date of laboratory examinations, findings, by whom investigated, date, school, grade, last day in school, history of contact with preceding case, name and address of milk dealer, family and immediate contact record, secondary cases among immediate contacts, services rendered, progress report, summary of physician's orders, name of worker, active or closed. Chron. filed by case number. No index. Hdw. on ptd. form. 18 x 6 x 30. Health off.

205. REPORTS OF LABORATORY AND MICROSCOPIC EXAMINATIONS, 1927--. 4 file boxes. 1924-26 missing.

Report cards on laboratory examinations, showing name of patient, number of card, findings, nature of test, date. Chron. filed by card no. No index. Hdw. on ptd. form. 18 x 12 x 30. Health off.

For other laboratory examination records, see entry 204.

Immunizations

206. IMMUNIZATION REPORTS AND RECORDS OF VACCINATIONS, 1927--. 5 file boxes and 7 bundles. 1924-26 missing.

Reports of smallpox vaccinations and diphtheria and typhoid fever inoculations, showing name of patient, age, sex, color, address, vaccination or inoculation, date, school, names of parents, result of vaccination or inoculation, and remarks. Alph. filed by name of patient. No index. Hdw. on ptd. form. 3 file boxes 18 x 6 x 30; 2 file boxes 12 x 12 x 30; bundles 4 x 12 x 28. Health off.

Miscellaneous Reports

207. MISCELLANEOUS FILE, 1931--. 1 file box.

Reports on examinations of bakeries, barber shops, bottling plants, drinking fountains, and disposal of human excreta. Alph. arr. by subject and name of property owner. No index. Hdw. on ptd. form. 12 x 12 x 30. Sanitary inspector's off.

Pension Board of Inquiry

(208-210)

208. DAIRY INSPECTOR'S FILE, 1931--. 1 file box.

Reports of dairy examinations, showing name of dairy owner, type of dairy, grade and condition of milk. Alph. filed by name of owner. No index. Hdw. on ptd. form. 12 x 12 x 30. Sanitary inspector's off.

For other dairy records, see entry 204.

209. DAILY REPORTS, 1933--. 1 file box.

Daily record of current work used as basis of monthly report, showing name of worker, district, date, nature of activity or service, name and address of patient, remarks. Chron. filed by date of report. No index. Hdw. and typed. 18 x 6 x 30. Health off.

Correspondence

210. LETTERS, 1930--. 1 file box.

Miscellaneous correspondence concerning the various activities of the health department, showing date, contents, and name of correspondent. Alph. filed by name of correspondent. No index. Hdw. and typed. 12 x 12 x 30. Health off.

XVII. PENSION BOARD OF INQUIRY

In 1892 the state auditor of public accounts was named pension commissioner and was directed to prescribe regulations for drawing pensions and to furnish blanks to all applicants. Those entitled to pensions were all soldiers and sailors who enlisted and honorably served in the Confederate army or navy, who were then resident in the state, and who were indigent and not able to support themselves; the indigent widows of such soldiers and sailors; and indigent colored persons who were servants of Confederate soldiers or sailors (Code, 1892, secs. 3225, 3227).

The county pension board of inquiry was established in 1898 (Laws, 1898, chapt. 36) but it was not organized in Pearl River County until 1905.

This board appointed by the board of supervisors, is composed of five persons originally selected and recommended to the board by the county camp of Confederate veterans; the county attorney; and a world war veteran. As there is no camp of Confederate veterans in Pearl River County - only two veterans are still living - the board of supervisors appoints the members of the board and fills any vacancies. Members must be discreet citizens who are qualified electors. (Code, 1930, sec. 5812).

This board was organized to receive, inquire into, and pass upon applications for pensions filed by all Confederate soldiers and sailors, or widows of Confederate soldiers and sailors, or by disabled servants of Confederate soldiers and sailors (ibid., sec. 5807). Pensioners are divided into four classes and pensions paid range from \$40 a year paid quarterly to \$1 a day paid quarterly (ibid.).

Pension Board of Inquiry

(211-213)

The board meets twice annually in Pearl River County on the first Monday in April and on the first Monday in September. It is given power to summon witnesses, administer oaths, and take proof. (Code, 1930, secs. 5812, 5822).

The chancery clerk is clerk of the pension board of inquiry and as such he has received and kept one copy of an application for pension and forwarded duplicates of approved applications to the state auditor (ibid., sec. 5812).

After pension funds are placed in the county depository by the state auditor, to pay the small number of pensioners in Pearl River County the chancery clerk as clerk of the board of supervisors issues warrants to the pensioners (ibid., sec. 5818). He is required to make an annual report to the state auditor showing receipts and disbursements of the pension fund (ibid.) and he must post and publish during the first week in December in each year a list of all names approved as pensioners by the board of inquiry (ibid., sec. 5812). Appointed members receive \$3 per day for each day actually spent in the discharge of the business of the board (ibid.) but no compensation is allowed any officer for services in connection with the work of the board (ibid., sec. 5824).

As the number of Confederate pensioners has decreased rapidly in recent years the need for the pension board of inquiry in Pearl River County has been minimized and its duties are only perfunctory. According to a statement issued September 1, 1937 by the state auditor there were, at that time, only 2,403 pensioners in the state. Of this number only 313 were former soldiers, the remainder being widows and servants of soldiers. The 313 veterans receive \$1 per day and 165 of the widows receive the same amount. A total of 739 class two widows receive \$15 monthly; 1,059 class three widows, \$10 monthly; and 127 servants, \$4 monthly. No pensions are paid to the 92 soldiers, widows and servants who live at the Confederate Soldiers' Home at Beauvoir, the former home of Jefferson Davis on the Mississippi gulf coast. The same records show that the number of soldiers drawing pensions is decreasing at the rate of 12 percent each year.

The board meets twice annually in Pearl River County for a short session and the chancery clerk distributes pension checks quarterly to two veterans.

211. MINUTES OF THE BOARD OF PENSION COMMISSIONS, 1905--. 1 vol.

Record of proceedings of the pension board of inquiry, showing disposition of applications for Confederate pensions; also record of pensioners, including name, address, history, record of war service, and affidavits of witnesses. Chron. arr. by date of meeting. No index. Hdw. and typed. 600 pp. 12 x 12 x 3. Ch. clerk's va.

212. PENSION APPLICATIONS, 1906--. 2 file boxes.

Original applications of Confederate veterans, widows, servants for pensions, showing name of applicant, address, age, history, record of war service, affidavits of witnesses and disposition by pension board. Alph. filed by name of applicant. No index. Hdw. on ptd. form. 12 x 4 x 14. Ch. clerk's va.

213. PENSION ROLLS, 1892-1918. 1 vol. Discontinued as separate record.

Now kept in Minutes of the Board of Pension Commissioners, entry 211. Record of Confederate pensioners in Pearl River County, showing name, address,

Surveyor

(214, 215)

date, and amount of pension. Alph. arr. by name of pensioner. No index. on ptd. form. 100 pp. 15 x 10 x $\frac{1}{2}$. Ch. clerk's va.

214. PENSION MATTERS, 1925--. 2 file boxes. Correspondence concerning funeral and last illness expenses of pensioners who have died; also statement from chancery clerk giving name of pensioner and amount of quarterly pension. Alph. filed by name of pensioner. No index. Hdw. and typed. 12 x 4 x 14. Ch. clerk's off.

215. ROSTER OF CONFEDERATE SOLDIERS AND SAILORS, 1865. 1 vol. List of Confederate soldiers and sailors showing name, place of birth, age at enlistment, company, regiment, battles, if wounded, place and date, place and time if in prison, date paroled, date of enlistment and date of discharge. Alph. arr. by name of veteran. Hdw. 100 pp. 18 x 18 x $1\frac{1}{2}$. Ch. clerk's va.

XVIII. SURVEYOR

The constitutional office of surveyor (Const., 1890, sec. 135) was established in Pearl River County in 1892. The surveyor was required to make bond in the penalty of \$1,000 and his duties were specified as follows: to execute all orders of survey directed to him by any court, to make all surveys of land within the county, at the request of the owners or proprietors and to do whatsoever in the surveying, measuring, and dividing of land that was required of him by any person (Code, 1892, secs. 4389-90).

He was directed to record in a suitable book provided for him by the board of supervisors and kept in the office of the chancery clerk, all surveys made by him and all surveys made by other surveyors by the order of a court. It was prescribed that the record book should be so made as to have the left-hand pages for diagrams, to be numbered progressively, and the right hand pages for notes and remarks; that diagrams should not be drawn to a scale less than one inch to 20 chains. The record was to show the course and distance of all lines run, and the number of acres contained in each piece of land surveyed; the time when the name of the person by whom, and the person for whom a survey was made, a description of all the witness trees or monuments marked on the survey, with their respective bearings and distances, and the variation of the magnetic from the true meridian. The record was to be kept accurately indexed and reference made in a suitable manner to each survey recorded. (ibid., sec. 4398).

After the board of supervisors had employed some competent person to establish the true meridian the surveyor was required to adjust annually any instrument used by him in making surveys (ibid., secs. 4405-06).

The office has existed continuously in Pearl River County since 1892. The duties of surveyor at present are the same as those outlined in 1892 (Code, 1930, secs. 7139-57).

Compensation is derived from fees paid by parties engaging the services of the surveyor or by allowances in the bill of costs if the services are rendered

Surveyor

(216-218)

in obedience to a court order (Code, 1930, sec. 1800). The surveyor receives \$10 for each day's attendance in making a survey, \$5 for a plat of the survey and a statement of the contents and certificate of survey, \$3 for each additional plat, \$2 for each chain-carrier for each day, and \$1.50 for recording each survey (ibid., sec. 1799).

A surveyor was provided for by the laws drafted in 1799 by Governor Sargent and the Territorial judges to be appointed by the governor and serve during good behavior. His duties included executing all orders of survey directed by any court, making surveys for the county, and replacing worn and defaced boundary markers. Compensation for his work was determined as follows: "for going to, and returning from a view, per day, thirty miles per day, one hundred and seventy-five cents. For going to, attending the court on trial, and returning, per day, one hundred and seventy-five cents". (Sargent's Code, 1799, p. 68).

In 1817 the county courts were authorized to recommend surveyors for their respective counties to the governor who appointed and commissioned them (Laws, 1817, p. 65). Surveyors' bonds were set at \$2,000 but the duties remained the same as originally prescribed (ibid.).

The constitution of 1832 made the office elective biennially (Const., 1832, art. V, sec. 19), the constitution of 1869 included the office but made no change in it (Const., 1869, art. V, sec. 21), but the constitution of 1890 increased the term of office to four years (Const., 1890, sec. 135).

As early as 1811 owners or proprietors of lands surveyed or re-marked were required to record the surveyor's reports and certificates (Turner's Digest, 1816, p. 16) but it was not until 1892 that the surveyor himself was directed to record his surveys (Code, 1892, sec. 4398).

216. SURVEYOR'S RECORD, 1892--. 1 vol.

Record of surveys made by county surveyor, showing for whom surveyed, location of property, name of surveyor, name of owner, section, township, range, witness trees and monuments, date survey made, date recorded, and plat of land surveyed. Chron. arr. by date of survey. Alph. indexed by name of owner. Hdw. 228 pp. 24 x 15 x 1 $\frac{1}{2}$. Ch. clerk's va.

217. GOVERNMENT FIELD NOTES, 1894-1908. 1 vol.

Transcript of original government field notes of surveys of lands deeded to Pearl River County by Hancock County in 1908, showing section, township, range east or west, number of acres, date of survey, description of witness trees and monuments with their bearings and distances, and variation of magnet from true meridian. Chron. arr. by date of survey. No index. Hdw. and typed. 100 pp. 18 x 13 x 1 $\frac{1}{2}$. Ch. clerk's va.

218. FIELD NOTES, 1810-95. 1 vol.

Transcript of field notes relating to boundaries of Pearl River County taken from records in the office of the Surveyor-General, showing section, township, range, number of acres, date survey made, description of witness trees and monuments. Chron. arr. by date of survey. No index. Hdw. 237 pp. 18 x 13 x 1. Ch. clerk's va.

County Engineer

(Next entry 219, p. 107)

XIX. COUNTY ENGINEER

The board of supervisors of Pearl River County employed a county engineer at its January meeting in 1922 (Minutes, Board of Supervisors, vol. 5, p. 168). In 1924 the legislature authorized all counties in Mississippi to retain as county engineer a civil engineer or person qualified to perform the duties of county engineer. The law made it mandatory that a qualified engineer be employed for the construction or reconstruction of a bridge costing more than \$5,000 or for the construction or reconstruction of roads costing more than \$5,000 per mile, whether the work is done by the county or a separate district or whether the work is done by contract or otherwise. But it was provided that in obligatory cases the employment of an engineer may be for the particular work, rather than for a term. (Code, 1930, sec. 6405).

The duties of the county engineer are: to prepare all plans and estimates for the construction of bridges and to superintend their construction; to make all estimates and plans of work to be done in the construction and maintenance of roads and superintend the work; to report to the board of supervisors as to what work should be done to keep up and maintain properly all roads and bridges in the county; and to check over and report to the board on all estimates before payment by the board of work done on public roads (ibid., sec. 6406).

That Pearl River County may cooperate with the state highway commission in the construction of roads under its supervision and to reduce the expense of such work, the county engineer may be required to furnish plans and estimates and may superintend such work (ibid.).

The salary of the engineer is determined by the board of supervisors and the employment and work of the engineer is under the control of the board (ibid., sec. 6403). The board in Pearl River County has fixed the salary at \$150 per month.

The engineer is not required to keep any permanent records. His reports, estimates, recommendations and approvals are kept in The Minutes of the Board of Supervisors, entry 1, Proceedings of the Board of Supervisors, entry 2, and in Petitions, entry 3.

XX. RANGER

The office of ranger was officially established by the act of December 24, 1812 which gave the governor power to "appoint some suitable person in each and every county...to hold the office of "ranger", enter into bond of \$500 payable to the chief justice...keep a book in which he shall register all certificates of strays delivered to him by the taker up of strays....and file the same in regular order,...to cause a copy of the certificates of every appraisalment to be published in the nearest newspaper three times,...make out a fair and correct list of all strays and affix the same at the door of the court-house.... on the first day of each term....and within three months after each appointment reside or keep an open office within one mile of the county court-house or the place where court is usually held" (Turner's Digest, 1816, p. 394).

Ranger

(Next entry 219, p. 107)

Previous to this legislation, by the act of March 4, 1803, revised and amended February 10, 1807, the justices of the county courts were required to erect a pound at their respective courthouses and appoint some person to take care of the pound (Turner's Digest, 1816, p. 391). The clerks of the courts kept the records of all strays delivered to the pound (ibid., p. 395).

By the law of 1812 the ranger was required to sell all strays after 12 months if no owner appeared, and deliver the net proceeds of the sale to the county treasurer after deducting five percent commission for his services (ibid.)

On February 11, 1828 an amendment was passed making it mandatory for the ranger to report to the county courts quarterly the amount of money received from the sale of strays, and make no allowance to takers-up of strays until approved by the county court (Hutchinson's Code, 1848, chapt. XIII, art. 3, secs. 1-3).

In 1832 the office of ranger was made elective with a term of two years (Const., 1832, art. V, sec. 19). Legislation enacted the next year in accordance with the provisions of the constitution made no change in the duties of the ranger (Laws, 1833, p. 477). In 1863 the sheriff was empowered to act as ranger in counties where the office was unfilled (Laws, 1863, chapt. XIV, p. 127) and in 1864 the ranger was no longer required to advertise in the newspapers (Laws, 1864, chapt. III, p. 5).

As the countryside became more thickly settled and fencing conditions improved, the office of ranger became less important and the fees derived from holding it became correspondingly less. It had been necessary to make the sheriff ex-officio ranger in 1864 because the office was unsought in several counties. In 1871 the office of ranger was abolished as a separate office and coroner was made ex-officio ranger (Laws, 1871, chapt. CCCXCIII).

Little change has been made in the scope of the duties of the ranger since 1871. The office is now of no great importance. The general stock law, (Laws, 1926, chapt. 263), requiring owners to keep their livestock in safe enclosures has done much to restrain stock from running at large. Justices of the peace were given authority to discharge the duties of ranger in counties where the office did not exist (Code, 1892, sec. 1730). At present the ranger has general jurisdiction over estrays (Code, 1930, secs. 5449-5465) and makes reports to the board of supervisors (ibid., secs. 5460-5461).

Pearl River County has been essentially a lumbering and industrial county with the result that the running of livestock at large has never been an important problem. The office of ranger has never functioned as a regularly elective office. The county came into existence in 1890 after the coroner had been given the duties of ranger and just before justices of peace were authorized to discharge such duties. Consequently there has been every reason for the office of ranger not to become a part of the county government.

No records were located to show that justices of the peace had performed the duties of the ranger.

County Agent

(Next entry 219, p. 107)

XXI. COUNTY AGENT

The county agricultural demonstration agent, better known as the county agent, is potentially and actually one of the most important county officers in Mississippi, a state in which agriculture dominates the economic life of the people. He has been called on to assist prominently in the development of the crop reduction and soil conservation program instituted by the Federal government.

The law of 1908 authorized boards of supervisors to establish in a county alone or in cooperation with other counties, a department of agriculture and appoint a commissioner of agriculture. The duties of the county commissioner as prescribed by the law were: to keep in close touch with the United States department of agriculture, the Mississippi Agricultural and Mechanical College (now called Mississippi State College), the state experiment stations, and the state department of agriculture; to assist in organizing agricultural societies, look after agricultural statistics, and advance in every way possible the farming interests of the county. The act provided that the board of supervisors in each county fix and pay the salary of the commissioner (Laws, 1908, chapt. 103). Pearl River County did not establish a county department of agriculture under the authorization of this law.

The Smith-Lever Act of 1914 (38 Stat. L., p. 372) granted Federal aid to the extension programs of land grant colleges and in 1916 Mississippi voted to accept this aid (Laws, 1916, chapt. 127; Code, 1930, sec. 7192). Pearl River County organized a department of agriculture in 1916 as part of the extension program of Mississippi State College.

The plan worked out since that time and clarified in 1932 is that the board of supervisors has authority to establish a county extension department in agriculture and home economics. The department has charge of such employees known as county agents, as the board of supervisors deems adequate to the needs of the county and these county agents are appointed by the board upon the recommendation of the extension department of Mississippi State College and with the approval of the United States department of agriculture. The board fixes the sums of money to be paid as salary, clerical help, and other necessary expenses of the county agents out of the general funds of the county and these sums are supplemented by the extension department of Mississippi State College and by the United States department of agriculture. (Laws, 1932, p. 517).

The purpose of the department is to disseminate useful information among the farmers, farm women, boys and girls, and to develop the agricultural resources and improve the homes of the county. It is the duty of the county extension department to carry on farm and home demonstration work, Boys' and Girls' Club work, cooperative marketing, and all other phases of extension work under the joint supervision of the board of supervisors, the extension department of Mississippi State College, and the United States department of agriculture, and under the provisions of the Smith-Lever Act the department is directed to render such reports as are required. (ibid.)

County Agent - Cotton Control

(219-221)

As Pearl River County has become more concerned with the development of its agricultural and livestock resources its department of agriculture has increased in activity and in influence. In January 1938 the county agent organized the Pearl River County Development Club for the purpose of inducing every farmer in the county to grow his own needs as far as possible and have a surplus to sell. More than 100 farmers immediately joined the organization and signified their intention of growing more cover crops, improving their livestock and their soil, diversifying their farming, and growing more fruit. The board of supervisors voted to employ a full-time assistant county agent to assist in the promotion of the work.

The personnel of the Pearl River County department of agriculture is composed of the county agent, two part-time assistants, and two clerical assistants.

Much of the record work of the department consists of making reports to the college extension department. However, the county agent has not retained copies of all these reports. The work entailed in the advancement of the government's agricultural adjustment programs has created several sets of records in the office of the department.

Cotton Control

219. APPLICATIONS FOR COTTON PRICE ADJUSTMENT, 1933--. 1 file box. Original applications for cotton price adjustments, including agreement to cooperate with the agricultural adjustment administration program, showing name of producer, address, oath, signature, basis for determining cotton acreage, yield, and production, cultivated acres, acres in cotton, total acres, amount of cotton sold, name of purchaser, date of sale, certification of county committee and approval of county agent. Alph. filed by name of producer. No index. Hdw. on ptd. form. 12 x 12 x 24. Co. agt.'s off.

Soil Conservation

220. SOIL CONSERVATION, 1936--. 3 file boxes. Reports of soil conservation program, showing work sheet, performance, application for grant, name of farmer, address, acreage, location, description of farm, yield, and number of farms owned and operated. Alph. filed by name of owner. No index. Hdw. on ptd. form. 12 x 12 x 24. Co. agt.'s off.

Miscellaneous

221. MISCELLANEOUS RECORDS, 1930--. 3 file boxes. Correspondence and miscellaneous reports of county agent's office, including bulletins on animal husbandry, agricultural engineering, farm debt adjustment, fertilizers and tests, farm credit administration, legumes and tests, potato growing, pasture improvement, syrup and sugar cane, and special reports of the Mississippi Cotton Cooperative. Alph. filed by subject. No index. Typed, mimeographed, and ptd. 12 x 12 x 36. Co. agt.'s off.

County Agent of Home Economics - Clubs

(222)

XXII. COUNTY AGENT OF HOME ECONOMICS

In 1914 the board of supervisors of a county or counties was authorized to establish a department of home economics to disseminate useful information among farm women and to organize and supervise canning and poultry clubs and other organizations for the improvement of the home. The department was placed under the direction of the county agent. (Laws, 1914, chapt. 190).

It was directed that it should be supervised by a woman well versed in scientific and practical home economics with the qualifications of a first grade teacher. She was to be appointed by the board of supervisors with the title of county agent of home economics and her duties were to keep in close touch with the United States department of agriculture, the Mississippi state colleges, the state department of agriculture, the county superintendent of education and the state board of education (ibid.).

The office was not established in Pearl River County until 1918, four years after the passage of the Smith-Lever Act of 1914. (see County Agent, supra.) Like the county agent, the home demonstration agent, as she is called colloquially, functions as a part of the extension program of Mississippi State College and she is appointed by the board on the recommendation of the extension department of the college and with the approval of the United States department of agriculture (Laws, 1932, p. 517). Like the county agent, also, she is paid by county funds supplemented by the extension department of Mississippi State College and the United States department of agriculture. (ibid.).

Her duties consist mainly of carrying on farm and home demonstration work and Boys' and Girls' Club work through various organizations formed locally (ibid.). Her records are composed of reports and are generally disposed of by out-going home demonstration agents or taken with them.

Clubs

222. FOUR-H CLUBS, 1936--. 1 file box.

Reports of activities and production of 4H clubs in the county, including instructions for carrying on the years' work, and showing name of member, address, age, name of school in which club is organized, date of enrollment. Alph. filed by name of member. No index. Hdw. on ptd. form. 12 x 12 x 24. Co. agt.'s off.

For other records of home demonstration agent, see entry 221.

INDEX

(AAA-Bir)

Italicized (underscored) figures refer to page numbers.
Other figures refer to entry numbers.

AAA, see Agricultural adjustment
administration; Agricultural
extension department
Aborigines, see Indians
Abbreviations, list of, 21
Abstracts
See also Deeds; Land
of judgments from justice
court, 102
of titles to 16th section
lands, 24
of titles to school lands,
25
Accessibility of records, 17-21
Accounts, see Financial records
Administration
of county, see Supervisors,
board of
of justice, 14
Administrators of estates
See also Courts
bonds, 83
letters, 83
oaths, 83
Affidavits
of applicants for marriage
license, 120
of justice court, 110
of voters claiming exemption
from payment of poll tax, 168
Agent, see County agent; County
agent of home economics
Agricultural
See also County agent; County
agent of home economics
adjustment administration
application for cotton
price adjustment, 219
extension department
application for cotton
price adjustment, 219
bulletins, 221
county agents correspondence,
221
Four-H clubs, 222
soil conservation, 220
high school and junior college
See also Schools; Superintendent
of education
established 1922, 87
minutes, 188

Agriculture
agricultural high school and
junior college, see Schools
county program, see Agricultural
extension department
statistics for 1936, 6
Aid, 1
Aliens, see Naturalization
Allowances, see Financial records
Animals, see Livestock
Appeal bonds, see Bonds
Appealed cases, see Courts
Appearance bonds, see Bonds
Applications
Confederate pensions, 211-12
cotton price adjustment, 219
homestead exemption, 142
marriage license, 120
teachers, 178
Appraisements of estates, see Courts
Assessments, see Taxation
Assessor, tax, 71-75
See also Taxation
compensation, 72
duties, 71-72
history, 72-74
records kept by, 72
term, 73
Attorney, see County attorney
Attorney-General
chancery clerks correspondence
with, 79
opinions of, 79
Attorneys
docket, 93, 94
licenses, 60, 124
receipts for documents, 71, 101
Auditor, see Treasurer and Auditor
Automobile
assessments, 141
license, 148
Ballots, see Elections
Bibliography, 7-8
Bienville, Le Moyne de, explores
gulf coast, 3
Biloxi
established 1699, 3
first white settlement in lower
Mississippi River Valley, 5
Births, see Vital statistics

Index

(Bon-Con)

Bonds

administrators, 83
appeal
 circuit court, 110, 111
contractors performance, 17, 191
county, register of, 15
costs, 110, 111
executors, 83
for lost warrants, 16
guardians, 83
officials, 13
 register of, 14
register
 of county bonds, 15
 of sureties, 72
replevin, 110
stenographers, 110
sureties on, 72
Boundaries, 3
 See also, Land
Brands, marks and, see Livestock
Budgets, see Financial records
Busses, school, see Schools; Transportation

Care of records, 17-21
Case records
 chancery court, 60-62
 circuit court, 86-90
Cash books, see Financial records
Cattle, see Livestock
Census, see Population; Schools
Certificates
 jurors pay, circuit court, 116
 marriage, 121
 superintendents pay, 177
 to voters exempt from poll tax, 168
 witness, circuit court, 114-15
Chancery clerk, see Clerk of the board of supervisors; Clerk of the chancery court; Clerk of the pension board of inquiry; Recorder; Treasurer and Auditor
Chancery court, see Courts
Chart of government of Pearl River County, 10A
Charters, see Incorporations
Chattel, see Deeds
Chickasaw Bluffs, Treaty of, see Transportation
Chickasaw Indians, see Indians

Chickasaw Old Fields, Treaty of, see Land
Children, see Guardians; Juvenile Delinquency; Schools; Health department
Choctaw Indians, see Indians
Circuit clerk, see Clerk of the circuit court
Circuit court, see Courts
Citizenship, see Naturalization
Civil Cases, see Courts
Claims
 against county, see Financial records
 against estates, 82
 of Georgia, 8
Clerk
 of the board of supervisors, 29
 See also Chancery clerk
 duties, 29
 history, 29
 records kept by, 29
 term, 42
 of the chancery court, 42-47
 See also chancery clerk
 duties, 42
 history, 42-43
 records kept by, 42
 term, 42
 of the circuit court, 47-57
 See also Registrar
 duties, 47-49
 history, 49-50
 records kept by, 47-48
Clubs, see Four-H clubs
Collector, tax, 75-78
 See also Taxation
 compensation, 76
 bond, 75
 duties, 75-77
 history, 76-77
 term, 75
Communicable diseases, see Health department
Commutation tax, see Roads
Confederate
 See also Pensions
 Soldiers and Sailors, roster of, 215
Conservation, soil, see Agricultural extension department
Constable, 69-70
 duties, 69
 history, 69-70
 term, 69

Index

(Con-Cou)

Contractors performance bonds, see
Bonds

Contracts
AAA, (cotton), 219
road construction and maintenance,
17
school transportation, 191
school buildings, 196
teachers, 179

Conveyances of land, see Deeds;
Deeds of Trust; Land

Convictions
See also Elections
in justice court, 127
list of, 169

Coroner, 70-71
compensation, 71
duties, 71
history, 70-71
office defunct in county, 71
term, 71

Coroners jury, see Jurors

Corporations, see Incorporations

Correspondence
of county agent, 221
of chancery clerk with attorney-
general, 79
of superintendent of education,
193-194

Costs
See also Fees
bonds, see Bonds

Cotton
crop control, 219
gin invented, 9
value of 1936 crop, 6

County
agent
See also Agricultural extension
department
creation of office, 106
duties, 106
history, 106
records kept by, 107
term, 106
agent of home economics
See also Agricultural extension
department
creation of office, 108
duties, 108
history, 108
term, 108
attorney
compensation, 64

County
attorney (continued)
creation of office, 63
duties, 63-64
history, 64
qualifications, 63
term, 63
bonds, see Bonds
court, see Courts

Counties, development of, see
Governmental Organization and
Records System

Courts
chancery court
admission of attorneys to bar, 60
allowances and orders, 59, 78
appealed cases
supreme court decisions, 64
attorneys receipts for documents, 71
bonds, register of, 72
case records, 61, 62
clerk, see clerk of the chancery
court
clerks correspondence with attor-
ney-general
decrees, 65-66
demurrers, 65, 67
divorces, 61, 62, 65
dockets
general, 65
issue, 66
lis pendens, 69
motion, 67
domestic relations, 61, 62, 65
estates
accounts, 84
appraisements, 84
bonds and letters
administrators, 83
executors, 83
guardians, 83
claims against, 82
reports, 84
proceedings, 66
ex-parte petitions, 67
fees and costs, 73, 74
final record, 70
garnishments, 61, 62
guardianships, 61, 62, 67
injunctions, 61, 62
insanity hearings, 61, 62
insolvencies, 61, 62
lis pendens notices, 68
record of, 69

Index

(Cou-Dee)

Courts

chancery court (continued)
lunacy hearings, 61, 62
minutes, 60
miscellaneous orders to clerk, 63
newspapers
 Lumberton Headblock, 75
 Picayune Item, The, 77
 Poplarville Free Press, 76
proceedings, 60
receiverships, 61, 62
wills, 80, 81
circuit court
allowances, 119, 126
appealed cases
 supreme court decisions, 91
attorneys receipts for documents, 101
bonds
 appeal, 110
 appearance, 110, 118
 costs, 110
 register of, 111
 replevin, 110
 stenographers, 110
Civil case records
 closed, 88
 pending, 89
 Mississippi Power Company, 90
Criminal case records
 closed, 86
 pending, 87
certificates
 jurors, 116
 witness
 civil, 115
 criminal, 114
dockets
 appearance, 97
 court state, 93
 execution, 99
 general, 92
 issue, 95, 96
 state bar, 94
 subpoena, 98
 trial, 96
demurrers, 86-89
executions returned, 100
fees
 civil cases, 113
 criminal cases, 112
 jurors, 109
garnishment writs returned, 117

Courts

circuit court (continued)
judgments
 abstract of, 102
 enrolled, 103
 juvenile records, 104, 105
 indictments, 85, 93
 secret record of, 107
 minutes, 85
 naturalization records, 106
 orders of court, 93, 97, 118
county court, 57
justice court
 affidavits, 110
 civil and criminal dockets,
 beats 1-5, 128-132
 convictions in beat 1, list of,
 127
 fees and fines, 128-132
 reports of, 23
 orders, 128-132
 inquests, 133
 warrants, 110
Courthouse
 at Riceville, burned, 3
 first at Poplarville
 built, 6
 description, 6
 utilized as school building, 6
 present, at Poplarville
 built, 6
 description, 6
 offices in, 6
 expenditures of, 4
Civil cases, see Courts
Criminal cases, see Courts
Dairying, development of, 6
Deaths, see Vital statistics; Health department
Declarations of homesteads, see Homesteads; Land
Dancing Rabbit Creek, Treaty of, see Land
Deeds
 See also Abstracts; Land
 chattel, 34
 index, 35
 land, 25-29
 general index, 30
 sectional index, 33
Deeds of trust
 chattel, 34
 index, 35

Index

(Dee-Fin)

Deeds of trust (continued)
 land, 31
 general index, 32
 sectional index, 33
 orders to cancel, 59
Delinquency
 juvenile, see Courts
 tax, see Taxation
Dentists licenses, register of, 122
Depositories, county
 deposit receipts, 160-161
 reports to board of supervisors,
 1, 163
Detention warrants, 139
Diamonds and Pearls, register of,
 153
Discharges
 Confederate soldiers and sailors,
 215
 world war veterans, 57
Divorces, see Courts; Vital
 statistics
Domestic relations, see Courts
Doak's Stand, Treaty of, see Land
Dockets
 board of supervisors, 5
 court
 chancery, 65-67, 69
 circuit, 92-99
 justice, 128-132
 Judges, 93
 sheriffs, 134, 137, 138
 treasurers, 154
Doctors licenses, register of, 122

Educable children, see Schools
Education, see Schools
Economy of Pearl River County,
 3, 6
Elections
 See also Registrar
 affidavits of voters claiming
 exemption from payment of poll
 tax, 168
 ballot boxes
 receipt for, 170
 record of seals on, 171
 corrupt practices act of 1935, 84
 returns, 172
 tally sheets, 172
 voters
 absent, law repealed, 84
 affidavits of, claiming exemption
 from payment of poll tax, 168

Elections
 voters (continued)
 certificates to, claiming exemption
 from payment of poll tax, 168
 convicted of crimes, list of, 169
 disenfranchisement of, 169
 poll
 books, 165
 tax receipts, 166
 registration of, 164, 83
Embalmers licenses, register of, 122
Enforcement of laws, 14
Engineer, County
 compensation, 104
 creation of office, 104
 duties, 104
 records of, 104
 term, 104
Entry arrangement, see Explanatory
 notes
Enumeration of educable children,
 see Schools
Epidemics, see Health department
Equalization of taxes, 72
 See also Taxation
Estimates of county engineer, 1, 2
Estates, see Courts
Examinations, teachers, see Schools
Executions, see Dockets; Writs
Executors of estates
 bonds, 83
 letters, 83
 oaths, 83
Expenditures, see Financial records
Extension department, agricultural,
 see Agricultural extension de-
 partment

Farmers, see Agricultural extension
 department, County agent; County
 agent of home economics
Fees
 See also Financial records
 in civil cases, 113
 in criminal cases, 112
 books
 chancery clerks, 73
 circuit clerks, 112, 113
 jurors, 108, 109
 sheriffs, 140
Field notes, surveyors, see Land;
 Surveyor
Final record, see Courts

Index

(Fin-Han)

Financial records

See also Taxation

cash receipts

accounts

auditors

general, 158

with county officers, 156

auditor, see Treasurer and Auditor

auditors receipts to tax collector, 146

cash books

chancery court, 74

sheriffs, 147

daily cash receipts, sheriffs, 147

depository receipts, 159-161

fee books

chancery court, 73

circuit court, 112, 113

reports

depositories quarterly, 163

justices of the peace, 23

sheriffs monthly, 21

tax collectors monthly, 22

treasurers quarterly, 163

school receipts, register of, 173, 175

treasurers docket, 154-155

disbursements

accounts

auditors general, 158

allowances

chancery court, 78

circuit court, 126

general, 4

bonds, county

register of, 15

budgets, 1

certificates

superintendents pay, 177

witness

civil, 115

criminal, 114, 140

claims, 5, 6, 176

fees and costs

civil cases, 113

criminal cases, 112

jurors, 108, 109

sheriffs, 140

invoices for supplies, 118

salaries of county officers, 11,

12, 162

Financial records

disbursements (continued)

warrants

cancelled, 12

general county, 11

receipt, 159

school

agricultural high school and

junior college, 4, 7, 9

general, 7, 8

consolidated, 4, 7, 10

Fines

See also fees

collected by

road overseers, 20

sheriff, 21

justices of the peace, 23, 128-132

Fishing licenses, see Licenses

Foreward, ii

Forfeitures, see Fines

Fort Adams, Treaty of, see Transportation

Four-H clubs, see Agricultural extension department

France, domination of, 4, 8

Functions of the county, 13-15

Galvez, Bernardo de, restores West Florida to Spain, 4

Garnishments, see Courts

Gas leases, see Leases

Georgia claims, to land now Mississippi, 8

Government of Pearl River County, chart of, 10A

Grand jury, see Jurors

Guardians

See also Courts

bonds, 83

letters, 83

oaths, 83

Hancock County

early settlers, 6

map

of northwest portion, 43

of six townships added to Pearl

River County in 1908, 54

territory taken from, to form Pearl River County, 3

transcript of deed records from, 28, 29

Index

(Hea-Lan)

- Health department
creation of, 96, 97
director of
duties, 97
history, 96-97
records of
activities, correspondence concerning, 210
birth registrations, 200, 201
death registrations, 202
diphtheria inoculations, 206
examinations
of school children, 203
laboratory, 205
microscopic, 205
immunization reports, 206
inspections, sanitation, 207, 208
reports, daily, 209
typhoid inoculations, 206
vaccinations, 206
Highways, see Roads
Historical sketch, 3-7
Home demonstration agent, see Agricultural extension department;
County agent of home economics
Homesteads, see Lands; Taxation
Housing of records, 17-21
Hunting licenses, see Licenses
Iberville, le Moyne d', established Biloxi, 1699, 3
Immunization, see Health department
Incorporations, record of, 46
Independent Republic of West Florida established 1810, 5
became part of United States, 5, 8
Indexes, see Separate indexes
Indians
See also Land; Transportation
Accolopissa, 4
Chickasaw, 9
Choctaw
aborigines, 4
Individual entry arrangement, see Explanatory notes
Industrial training school, see Juvenile delinquency
Injunctions, see Courts
Inoculations, see Health department
Inquests, 133
Insanity hearings, see Courts
Insolvencies, see Courts
Inspections, sanitation, see Health department
Insurance on 16th section loan security, see Land; Schools
Issue docket, see Dockets
Jail docket, see Dockets
Judgments, see Courts
Judgment roll, 103
See also Courts
Junior college, agricultural high school and, see Schools
Jurors
See also Courts
petit jury
certificates, 116
fees, 109, 112, 113
summonses, 85, 108
verdicts, 93
grand jury
final reports, 118
indictments, 85, 93, 107
summonses, 85, 108
impaneled in inquests, 133
Justice of the peace, 58-63
creation of office, 58
dockets, 128-132
duties, 61-62
history, 58-62
jurisdiction, 61
reports to board of supervisors, 23
term, 61
Juvenile delinquency
See also Courts
commitments to industrial training school, 104
trial papers, 104
records of, 105
Land
See also Abstracts; Deeds; Deeds of trust; Taxation
boundaries
counties, 3
of claims, 47-52
of oil leases, 56
of school districts, 55
of townships, 51-54, 56, 199, 218
conveyances of, 24-33
granted to schools, 28, 18, 19, 24, 25
homesteads, 36, 37, 142
leases, 29, 38
map
of county beats, 47
of claims, 47-52
of highways, 47-49, 55, 199

Index

(Lan-Mis)

Land

- map (continued)
- of railroads, 47, 50, 55, 199
- of roads, 47-49, 55, 199
- of townships, 47-54, 199
- plat
- of townships, 50-54
- of townsite of Ozona, 56
- sixteenth section, 28, 18, 19, 24, 25
- sold for taxes, 39-45
- surveys
- field notes, 217-218
- record of, 216
- treaties
- with Indians
- Chickasaw Old Fields, 10
- Dancing Rabbit Creek, 11
- Doaks Stand, 10
- Mount Dexter, 9-10
- Pontotoc Creek, 11
- with France
- Louisiana Purchase, 5
- with Spain
- San Lorenzo el Real, 5, 8
- La Salle, claims Mississippi Valley for France, 4
- Lawyers
- admitted to bar, 60
- register of, 124
- Leases
- oil and gas, 38
- expiration date of, 56
- map of boundaries, 56
- names of leases, 56
- Ledgers, see Financial records
- Legal status of the county, 12
- Letters
- See also Correspondence
- administrators, 83
- executors, 83
- guardians, 83
- Licenses
- attorneys, 60, 124, 151
- automobile, 148
- dentists, 122, 151
- embalmers, 122, 151
- fishing, 149
- marriage, 120
- motor vehicle, 148
- occupational privilege, 151
- pharmacists, 122, 151
- privilege, 151
- professional privilege, 151
- veterinary surgeons, 123, 151

Liens

- general, see Judgment roll
- mechanics, see Lis pendens
- Livestock
- bulletins, 221
- marks and brands, 58
- raising becoming more important, 6
- Lis pendens, see Courts
- Lists of taxable property
- personal, 141
- real, 142, 143
- Loans, 18th section, see Schools; Financial records
- Lone Star Flag, originated in Mississippi, 5
- Louisiana Purchase, see Land
- Lumbering, principal industry, 6
- Lumberton Headblock, see Courts
- Maintenance of peace, 14
- See also Sheriff; Constable
- Mandates of Supreme Court, see Courts
- Maps and Plats, see Land
- Marines, soldiers, sailors, and, see Discharges; Pensions
- Marion County
- early settlers, 6
- receipts and disbursements, 158-159, 158
- territory taken from, to form Pearl River County, 3
- transcript of deed records from, 28, 29
- Marks and brands, see Livestock
- Marriage, see Clerk of the circuit court; Vital statistics
- Mesne process docket, see Dockets
- Mechanics liens, see Lis pendens
- Minors, see Courts
- Minutes
- See also Proceedings
- agricultural high school and junior college, 188
- board of pension commissioners, 211
- board of supervisors, 1
- chancery court, 60
- circuit court, 85
- Mississippi
- admitted to Union, 8, 10
- an agricultural commonwealth, 11
- gulf coast and Pearl River County, 3
- Power and Light company, cases pending, 90
- Territory organized, 9

Index

(Mob-Ran)

- Mobile District and Pearl River
County, 3
- Mortgages, see Deeds of Trust
- Motion docket, see Dockets
- Motor vehicle licenses, see
Licenses; Roads
- Mount Dexter, Treaty of, see Land
- Natchez Trace, functions of, 9
See also Transportation
- National Youth Administration,
see Schools
- Naturalization
See also Clerk of the circuit
court; Courts
papers and record of, 106
- Newspapers, see Courts
- Oaths
administrators, 83
executors, 83
guardians, 83
of office
county officials, 14
school trustees, 197
- Occupational licenses, see Licenses
- Officials bonds, see bonds
- Oil leases, see Leases
- Opinions of attorney-general, 79
- Origin of name of county, 3
- Orphans, see Courts
- Ozona, town of, plat, 56
- Papers, see Correspondence
- Pay certificates, see Financial
records
- Pearl County, Pearl River County
first organized as, 3
- Pearl River
county named for, 3
discovered by French explorers, 3
- Pearls, register of diamonds, and,
153
- Pension board of inquiry
created, 100
composition of, 100
clerk of, 101
duties, 100-1
records of
applications, 212
correspondence, 214
minutes, 211
rolls, 212, 213, 215
receipts, 59
- Permits, see Licenses
- Personal property, see Taxation
- Petitions
ex-parte, 67
naturalization, 106
to board of supervisors, 3
to school board, 197
- Pharmacists licenses, register of, 122
- Picayune Item, The, see Courts
- Picayune, town of
area, map of, 56
center of tung tree cultivation, 6
municipal assessments, 143
- Plats, Maps and, see Land
- Polls, see Elections; Taxation
- Pontotoc, Treaty of, see Land
- Population
county, 6
Mississippi, 12
- Poplarville, made county seat, 6
- Poplarville Free Press, see Courts
- Prisoners, see Detention warrants;
Dockets
- Privilege licenses, see Licenses
- Probate records, see Courts
- Proceedings
See also Minutes
of board of supervisors, 2
of chancery court, 60
of circuit court, 85
of pension board of inquiry, 211
of school board, 173
of school trustees, 173, 183
- Professional licenses, see Licenses
- Prosecuting attorney, see County
attorney
- Prosecutor, see County attorney
- Pupils, see Schools
- Public buildings
See also Courthouse
board of supervisors required to
construct, 25
bonds, 14, 196
records of, 15
schools
contracts, 196
- Railroads
maps of, 47, 48, 55, 56, 199
New Orleans and Northeastern, 7
Pearl River Valley, 7
surveys of, 50, 199
- Ranger, 104-5
See also Coroner; Justice of the
peace

Index

(Ran-San)

- Ranger (continued)
duties, 104-5
discharged by justice of the peace
history, 104-5
office defunct in county, 105
term, 105
- Real estate, see Land
- Receipts
See also Financial records; Taxation
for documents, attorneys, 71, 101
for Confederate pensions, 59
duplicate, for fee paid for recording homestead declarations, 36
for delivery of prisoners, 138, 139
for ballots, 170
- Receiverships, see Courts
- Recorder, 33-42
See also Chancery clerk; Deeds
creation of office, 33-34
duties, 33, 34
history, 34, 35
term, 35
- Records
accessibility of, 17-21
care of, 17-21
early legislation concerning, 16-17
equipment for, 17-21
forms
prescribed by
law, 16
state board of health, 98
state auditor, 16
housing of, 17-21
system, not standard, 15-17
- Registrar, 83-86
See also Clerk of the circuit court; Elections
compensation, 84
creation of office, 83
duties, 83-84
history, 83-84
term, 50
- Registration of voters, see Elections; Registrar
- Relief, 1
- Replevin bonds, see Bonds
- Reports
of elections, 172
of estates of inheritance, 84
of fishing licenses sold, 150
- Reports (continued)
of grand jury, 118
of health department, daily, 209
of hunting licenses sold, 150
of redemptions of land, 44
of superintendent of education, 182-87
of sanitation inspections, 207-8
to board of supervisors
by circuit clerk
of allowances, 126
of jurors fees, 109
of receipts and disbursements, 125
of state witnesses, 119
by county depositories, 163
by engineer, 1, 2
by justices of the peace
of fines and penalties, 23
of persons convicted, 127
by road overseers, 20
by sheriff, 21
by superintendent of education, 183
by tax collector, 22
by treasurer, 163
- Revenue, see Financial records; Taxation
- Right-of-way deeds, see Deeds
- Road overseers reports, see Reports
- Roads
and bridge privilege tax, 75, 143
bonds, 15
commutation tax, 144
contracts, 17
maps of, 47-49, 55, 199
petitions to construct, 3
reports
of engineers, 1, 2
of overseers, 20
- Roll
assessment, 141-143
Confederate soldiers, and sailors, 215
judgment, 103
pension, 213
tax
personal property, 144
real property, 142
world war veterans, 57
- Salaries, county officers, 11, 12, 62
San Lorenzo el Real, Treaty of, see Land
Sanitation inspections, see Health department

Index

(Sch)

Schools

See also Superintendent of education

accounts

- auditors ledger, with superintendent, 155, 156
- payable, 1, 2, 4, 5, 7-10, 158, 162, 163, 173, 176, 189, 190
- receivable, 161, 188-190

agricultural high school and junior college

accounts

- payable, 7, 9, 176, 185, 189, 190
- receivable, 185, 189, 190

dormitory

- disbursements, 185
- receipts, 185

farm

- disbursements, 185
- receipts, 185

financial statistics, 188

minutes, 188

names of teachers, 138

reports, general, 185

trustees proceedings, 188

warrants, 7, 9

attendance

- of pupils, 182, 188
- of negro teachers in summer school, 181

buildings

- bonds, 196
- contracts to erect, 196

busses, 174, 183, 192, 195

children

- educable, list of, 195

consolidated

- warrants, 7, 10

contracts

- building, 196
- teachers, 179
- transportation, 191

correspondence of superintendent

- general, 194
- with state superintendent, 193

districts

- map of, 55
- petitions

 - to dissolve, 197
 - to divide, 197

elementary

- achievements of, 186
- enrollment, 182, 184

Schools (continued)

funds

- appropriation of, 2
- record of receipt of, 175
- sixteenth section, 18, 19, 24-26
- tuition, 161

lands

- abstracts of title to, 25

loans made from sixteenth section funds, 18

National Youth Administration, 187

petitions

- to change school districts, 197
- to provide transportation, 198

promotions, 182

pupils

- attendance of, 182
- enrollment of, 182, 184
- petitions to provide transportation for, 198
- promotions of, 182
- retardations of, 182

retardations, 182

reports

- elementary school, 186
- NYA workers, 187
- of agricultural high school and junior college, 185
- of negro teachers attending summer school, 181
- superintendents, 182, 183, 185, 186
- teachers, 173, 180, 184
- transportation contractors, 174, 184
- trustees, 192
- vocational teachers, 180

sixteenth section funds

- loans made from

 - record of, 18
 - security for, 19, 24-26

transportation

- petitions to provide, 198

reports

- of contractors, 174
- of trustees, 192

trustees

- names of, 174
- oaths of office, 197
- proceedings, 173, 188
- reports of, 192

tuition fees, 161

warrants

Index

(Sch-Tea)

Schools

warrants (continued)
agricultural high school and
junior college, 7, 9
consolidated school, 7, 10
general, 7, 8
Secret record of indictments, 107
Separate index
to birth registration, 200
to chattel deeds and deeds of
trust, 35
to chattel mortgages, 35
to land
deeds, 30
deeds of trust, 32
mortgages, 32
sectional, 33
to poll tax receipts, 167
Sheriff, 65-68
See also Tax Collector
compensation, 67
creation of office, 65, 66
is tax collector, 65, 75
records kept by, 66
detention warrants, 139
dockets
jail, 138
mesne process, 134
subpoena, 137
executions, 135, 136
fees and costs, 140
reports to board of super-
visors, 1, 2, 21
writ book, 136
Sixteenth section lands, see Deeds;
Schools
Smith-Lever Act, 106
Social factors in the development
of counties, 12
Soil conservation, see Agricul-
tural extension department
Soldiers, sailors, and marines,
see Discharges; Pensions
Stillbirths, see Health department
Subpoena docket, see Dockets
Superintendent of education, 86-96
See also Schools; Reports
bond, 92
compensation, 92
creation of office, 86
duties, 86-88
history, 89, 90
qualifications, 89
term, 90

Supervisors, board of, 25-33
bonds of members, 25
clerk of, 29
compensation, 26
creation, 25
duties, 25, 26
history, 26-29
qualifications and term, 25
records, 30-33
Supreme court, mandates of, see
Courts
Sureties, see Bonds
Surgeons, veterinary, license
register, 123
Surveyor, 102-103
See also Land
compensation, 102
creation of office, 102
duties, 102
history, 102-103
records kept by, 103
term, 103
Symbols, list of, 23

Taxation

See also Assessor, tax; Collector,
tax; Financial records
assessments
applications for exemption of
homesteads from, 142
equalized by board of super-
visors, 72
personal property, 141, 153
real property, 142, 143
collections
cash book, 147
receipts for payment
of commutation taxes, 152
of occupational privilege
taxes, 151
of personal property taxes, 152
of poll taxes, 152
of real property taxes, 152
of road and bridge privilege
taxes, 148
redemption of land sold for taxes
record of, 43, 45
reports of, 44
tax sales
by collector, 42
by state, 41
to individuals, 39, 40
to state, 39, 40
Teachers, see Schools

Index

(Tim-Wri)

- Timber land
 - assessed value of in 1936, 6
- Townships
 - See also 16th section school funds maps of, 53, 54, 199
- Transportation
 - See also Natchez Trace; Railroads; Roads; Schools
 - treaties providing
 - Chickasaw Bluffs, 9
 - Fort Adams, 9
- Treasurer and Auditor, 154-163
 - See also Chancery clerk; Financial records
 - compensation, 82
 - creation of office, 78
 - duties, 81-82
 - history, 78-81
 - term, 42
- Trust deeds, see Deeds of trust
- Trustees
 - deeds, 26
 - school, see Schools
- Tung oil, production of, 6
- Vaccinations, see Health department
- Valuations, see Taxation
- Veterans, see Soldiers, sailors, and marines
- Veterinary surgeons licenses, register of, 123
- Vital statistics
 - births, 200, 201
 - deaths, 202
 - divorces, 61, 62, 65
 - marriages, 120, 121
- Vocational training, see Schools
- Voters, see Elections
- Vouchers, see Financial records
- Warrants, see Financial records; Schools
- Warranty deeds, see deeds
- Welfare, 1
- West Florida
 - counties, 10
 - Independent Republic of, 5
- Wills, see Courts
- Writs of execution, see Sheriff

Chronological Index

CHRONOLOGICAL INDEX

1890-1899 (continued)

1810-1899

1810-41 Township Maps, 51
1810-95 Field Notes, 218
1810-- General Index to Record of Land Deeds, 30
1810-- Land Deed Records, 29
1810-- Sectional Index, 33
1833-1900 Original and State Entries, Hancock and Marion
Counties Transcripts, 23
1865 Roster of Confederate Soldiers and Sailors, 215
1887-- Auditor's Accounts, 158
1887-- 16th Section Township Record, 18
1889-1912 Abstract of Judgments From Justice Court, 102

1890-1899

1890-1900 Sheriff's Writ Book, 136
1890-1900 Wills, 80
1890-1903 Ledger, 155
1890-1904 Lumberton Headblock (newspaper), 75
1890-1908 Reports of Road Overseers to Board of
Supervisors, 20
1890-1908 Trial Docket (Issue Docket), 96
1890-1911 Sheriff's Reports, 21
1890-1920 State Bar Docket, 94
1890-1921 Appearance Docket, 97
1890-1927 Quarterly Reports of County Treasurer, 163
1890-- Administrators', Executors', and Guardians'
Fonds and Letters, 83
1890-- Chancery Docket - General, 65
1890-- Chattel Deeds, 34
1890-- Court State Docket, 93
1890-- Dead Civil Cases, 88
1890-- Dead Criminal Cases, 86
1890-- General Docket - Circuit Court, 92
1890-- General Index to Record of Chattel Deeds, 35
1890-- Index to Record of Land Trust Deeds, 32
1890-- Inquest Papers, 133
1890-- Issue Docket, 95
1890-- Land Rolls, 145
1890-- Land Trust Deed Records (Mortgages), 31
1890-- Marriage Records, 120
1890-- Minutes of the Board of Supervisors, 1
1890-- Minutes of Circuit Court, 85
1890-- Official Bonds, 13
1890-- Personal Rolls, 144

Chronological Index

1890-1899 (continued)

- 1890-- Physicians', Pharmacists', Dentists', and
Embalmers' License Record, 122
- 1890-- Poll Books, 165
- 1890-- Proceedings of Board of Supervisors, 2
- 1890-- Record of Marks and Brands, 58
- 1890-- Record of Official Bonds, 14
- 1890-- Registration Book, 164
- 1890-- Reports of Justices of the Peace, 23
- 1890-- Secret Record of Indictments, 107
- 1890-- Superintendent's Record Book, 173
- 1890-- Tax Collector's Cash Book, 147
- 1890-- Tax Receipts, 152
- 1890-- Warrants Cancelled, 12
- 1890-- Warrants (County), 11
- 1891-1903 Sheriff's Subpoena Docket, 137
- 1891-1910 Notices of Sale of State Lands, 41
- 1891-1923 Treasurer's Docket - Treasurer's Account
with Pearl River County, 154
- 1891-1925 Register of School Warrants, 8
- 1891-1932 Poplarville Free Press (newspaper), 76
- 1891-1933 Chancery Cases - Dead, 62
- 1891-- Execution Docket Circuit Court, 99
- 1891-- Issue Docket - Chancery Court, 66
- 1891-- Judgment Roll, 103
- 1891-- List of Lands Sold For Taxes, 40
- 1891-- List of Lands Sold For Taxes (State), 39
- 1891-- Minutes of Chancery Court, 60
- 1891-- Motion Docket (Chancery Court), 67
- 1891-- Pay Certificates, 177
- 1891-- Register of Claims Against Estates, 82
- 1892-1909 Attorneys' Roll, 124
- 1892-1918 Pension Rolls, 213
- 1892-1931 Jail Docket, 138
- 1892-- Accounts, Appraisements, and Reports, 84
- 1892-- Docket of Claims, 5
- 1892-- Educable Children in Pearl River County, 195
- 1892-- Final Record (Chancery Court), 70
- 1892-- Record of Convictions, 169
- 1892-- Surveyor's Record, 216
- 1893-1913 Lis Pendens Notices, 68
- 1893-- Lis Pendens Record - Chancery Court, 69
- 1893-- Mesne Process Docket - Civil and Criminal, 134
- 1894-1908 Government Field Notes, 217
- 1896 Township Maps, 52
- 1896-1927 Register of Sureties on Bonds (Chancery
Court), 72
- 1896-- Executions (Sheriff's), 135

Chronological Index

1890-1899 (continued)

1896-- Tax Collector's Monthly Reports, 22
1898-1904 List of Persons Convicted in Justice Court
Beat 1, 127
1899-1912 Notices to Owners of Lands Sold For Taxes, 42
1899-- Record of Wills, 81

1900-1909

1900 Map of Pearl River County, 48
1900 Map of the Five Beats of the County, 47
1900 School District Maps, 55
1900-- Attorneys' Receipt Book (Circuit Court), 101
1900-- Record of Corporation Charters, 46
1901-18 Report of Circuit Clerk - State Witness, 119
1901-18 Report of Jurors' Fees, 109
1901-28 Report of General Allowances of Circuit
Court, 126
1901-- Homestead Matters, Receivers' Receipt, 36
1902-4 Justice Docket, Beat 2, 129
1902-- Subpoena Docket Circuit Clerk, 98
1903-- Homestead Record, 37
1903-- Orders to Chancery Clerk, 59, 63
1904-29 Register of Allowances, 4
1904-- Attorneys' Receipt Book Chancery Court, 71
1904-- Fee Bills - Criminal Cases, 112
1904-- Fee Book - Civil Cases, 113
1905-- Abstracts and Security For 16th Section
Funds, 24
1905-- Minutes of the Board of Pension Commis-
sions, 211
1905-- Privilege Tax Receipts, 151
1905-- Register of Bonds (Circuit Court), 111
1906-- Pension Applications, 212
1907-- Chancery Clerk's Fee Book, 73
1908 Transcripts of Township Maps, 54
1908-14 Justice Docket, Beat 5, 132
1908-24 Register Agricultural High School
Warrants, 9
1908-- Justice Docket, Beat 1, 128
1909-- Mandates - Supreme Court, 91

1910-1919

1911-31 Miscellaneous Papers (Orders From Judge In
Vacation), 118

Chronological Index

1910-1919 (continued)

- 1911-32 Garnishment Writ Returned, 117
1911-- Deeds and Deeds of Trust to Pearl River
County, 26
1912-- Claims, 6
1912-- Correspondence With Attorney General
(Chancery Clerk's), 79
1912-- County Depository Receipts, 160
1912-- Naturalization Petitions and Records, 106
1913-- Bonds and Warrants, 110
1913-- Tax Collector's Receipts, 146
1914-24 Register Consolidated School Warrants, 10
1914-- Bonds For Lost Warrants, 16
1914-- Insurance Policies, 19
1914-- Mandates From Supreme Court, 64
1914-- Register of County Bonds, 15
1915-- Certificates of Marriage License Re-
turned, 121
1915-- Justice Docket, Beat 2, 129
1916-23 Fines and Costs Ledger, 157
1916-31 Industrial Training School Papers, 104
1916-- Executions Returned, 100
1916-- Receipt Warrants, 159
1916-- Record of Fees and Costs, 140
1916-- Record of Veterinary Surgeons' Licenses, 123
1917-31 Docket of Claims - Pearl River Junior College
and Agricultural High School, 176
1917-- Abstract of Judgment From Justice Court, 102
1917-- Soldiers' Discharge Record, 57
1919-- Jurors' Certificates, 116
1919-- Jury Papers, 108
1919-- Municipal Real Estate Assessments For Town of
Picayune, 143
1919-- State Witness Certificates, 114
1919-- Witness Certificates - Civil Cases, 115

1920-1929

- 1920-22 Contracts and Contractors' Bonds, 17
1920-23 Salary Vouchers by County Officers, 162
1920-28 Deeds to School Lands (Abstracts), 25
1920-- Allowances and Special Orders by Chancery
Clerk, 78
1920-- Chancery Clerk's Cash Book, 74
1920-- Justice Docket, Beat 3, 130
1921-- Automobile Register, 148
1921-- Juvenile Record, 105

Chronological Index

1920-1929 (continued)

1921-- Live Chancery Cases, 61
1922 Township Maps, 53
1922-- Detention Warrants, 139
1923-- County Depository Receipts, 161
1924-- Monthly Reports of Hunting and Fishing
Licenses, 150
1925-- Pension Matters, 214
1926-- Building Contracts and Bonds, 196
1926-- Justice Docket, Beat 5, 132
1926-- Petitions to School Board and Oaths of Office, 197
1927-- Immunization Reports and Records of Vaccina-
tions, 206
1927-- Justice Docket, Beat 4, 131
1927-- Receipts and Disbursements (Junior College and
Agricultural High School), 190
1927-- Reports of the Agricultural High School
and Junior College, 185
1927-- Reports of Laboratory and Microscopic Examina-
tions, 205
1927-- Teachers' and Transportation Reports, 184
1928-29 Register of Diamonds and Pearls, 153
1928-31 Hunting and Fishing Licenses, 149 (1932--, 150)
1928-- Assessments, 141
1928-- Letters From State Superintendent of Public
Education, 193
1929 Petitions, 3
1929-30 Register of Receipts - School Funds, 175
1929-- Letters (Superintendent of Education), 194

1930--

1930-31 Annual Reports of Receipts and Disbursements
(Circuit Clerk), 125
1930-- Cash Receipts and Disbursements, (Board of
Supervisors), 7
1930-- Letters (Health Department), 210
1930-- Miscellaneous Records (County Agent), 221
1930-- Pupil Transfers, 198
1931-- Birth Registration, 200
1931-- Dairy Inspector's File, 208
1931-- Miscellaneous File (Health Department), 207
1931-- Record of Land Redemption - Partial Pay-
ment, 45
1931-- Tax Releases, 43
1931-- Transportation Contracts, 191
1932-34 Vocational Teachers' Monthly Reports, 180

Chronological Index

1930-- (continued)

- 1932-- Accounts Receivable and Payable (Junior College and Agricultural High School), 189
- 1932-- Monthly Reports to Supervisors (Superintendent of Education), 183
- 1932-- Oil Leases, 38
- 1932-- Physical Examinations of School Children, 203
- 1932-- Teachers' Contracts, 179
- 1933 Land Ownership Map, 50
- 1933 Map of Pearl River County, 199
- 1933 Ownership Map, 49
- 1933-- Applications For Cotton Price Adjustment, 219
- 1933-- County Ledger, 156
- 1933-- Daily Reports (Health Department), 209
- 1933-- Reports to State Superintendent of Public Education, 182
- 1933-- School Transportation For Consolidated Schools, 192
- 1933-- The Picayune Item (newspaper), 77
- 1934 Map of the Picayune Area, 56
- 1934-- Case Records, Closed and Active (Health Department), 204
- 1934-- Mississippi Power Company Cases Pending, 90
- 1934-- Reports of Summer School Work - Negro Teachers, 181
- 1935-- Affidavits and Certificates to Voters, 168
- 1935-- Birth Registration, 201
- 1935-- Civil Cases - Pending, 89
- 1935-- Criminal Cases - Pending, 87
- 1935-- Death Registration, 202
- 1935-- Index to Record of Poll Tax Receipts, 167
- 1935-- Minute Book - Pearl River Junior College and Agricultural High School, 188
- 1935-- Poll Tax Receipts, 166
- 1935-- Right-of-Way Deeds to County, 27
- 1936-- Assessment Rolls and Homestead Exemption Applications, 142
- 1936-- Circuit Clerk's Records of Seals Used on Ballot Boxes of Various Precincts, 171
- 1936-- Election Reports and Accounts, 172
- 1936-- Four-H Clubs, 222
- 1936-- Monthly Report of Redemption of Land Sold to State For Taxes, 44
- 1936-- National Youth Administration Reports, 187
- 1936-- Receipt For Ballots, 170
- 1936-- Score Cards for Elementary Schools, 186
- 1936-- Soil Conservation, 220
- 1936-- Statistical Record (Superintendent of Education), 174
- 1936-- Teachers' Applications, 178

Chronological Index

1930-- (continued)

1930--	Teachers' Applications; 178
1930--	Statistical Record (Superintendent of Education); 174
1930--	Soil Conservation; 280
1930--	Score Cards for Elementary Schools; 188
1930--	Receipt for Ballots; 170
1930--	National Youth Administration Reports; 187
1930--	to State for Taxes; 44
1930--	Monthly Report of Redemption of Land Sold
1930--	Four-H Clubs; 282
1930--	Election Reports and Accounts; 176
1930--	Ballot Boxes of Various Precincts; 171
1930--	Circuit Clerk's Records of Seals Used on Applications; 142
1930--	Assessment Rolls and Homestead Exemption Right-of-Way Deeds to County; 27
1930--	Roll Tax Receipts; 188
1930--	and Agricultural High School; 188
1930--	Minute Book - Pearl River Junior College
1930--	Index to Record of Roll Tax Receipts; 187
1930--	Death Registration; 202
1930--	Criminal Cases - Pending; 87
1930--	Civil Cases - Pending; 89
1930--	Birth Registration; 201
1930--	Attidavits and Certificates to Voters; 168
1930--	Teachers; 181
1930--	Reports of Summer School Work - Negro
1930--	Mississippi Power Company Cases Pending; 90
1930--	Department; 204
1930--	Case Records, Closed and Active (Health Map of the Plevyns Area; 26
1930--	The Plevyns Item (newspaper); 77
1930--	Schools; 192
1930--	School Transportation For Consolidated
1930--	Education; 182
1930--	Reports to State Superintendent of Public
1930--	Daily Reports (Health Department); 202
1930--	County Ledger; 158
1930--	Applications For Cotton Price Adjustment; 212
1930--	Ownership Map; 49
1930--	Map of Pearl River County; 192
1930--	Land Ownership Map; 50
1930--	Teachers' Contracts; 172
1930--	Physical Examinations of School Children; 203
1930--	Oil Leases; 28
1930--	Monthly Reports to Supervisors (Superintendent of Education); 183
1930--	and Agricultural High School; 189
1930--	Accounts Receivable and Payable (Junior College

