

## Basic Instructions for Locating a Case

The process of locating a specific case file within the records contained herein is neither perfectly accurate, nor without its problems; however, this method is the best and most accurate considering the manner in which authorities cataloged the files.

There are generally two ways by of locating the specific case file, by name or by date. As such the researcher must possess either the name of one of the parties to the case (in civil cases, the plaintiff will be most helpful; in criminal cases, the defendant) or the rough date upon which the proceedings began.

The data contained herein are the clerk's docket of the Circuit Court of Boone County from 1842 - 1882, the index of cases that took place before the Circuit Court of Boone County from 1821 – 1903, and the actual case files from the Circuit Court of Boone County from 1847 -1877. The overlap in documentation facilitates the maximum effectiveness of searches for documents within the case files and was designed as such; however, each set of documents is organized in a different manner.

The clerk's docket is organized chronologically, recording the proceedings from each term of the court in a very general manner. The clerk recorded each appearance before the court roughly as it happened, and, seemingly, on the initial appearance assigned a number to the action that is located in the margin adjacent to the parties' names and summary of the appearance. The frequency of the reappearance of these numbers throughout the docket on further appearances is inconsistent, and can be described best as sporadic. As a result, the likelihood of locating case numbers is highest on or about the date of the initial appearance and the researcher would do well to keep this in mind while scanning the record for numbers.

The index of the Circuit Court is organized alphabetically by plaintiff; this standard holds for both civil and criminal cases heard before the court. The organization of the index is fairly consistent; however there are some minor inconsistencies with the general alphabetizing of the plaintiff's name in civil cases, and insofar as the plaintiff in criminal cases is the state, these cases can be found alternately under both M, for Missouri, and S, for State of Missouri. Located within the index is the term in which that the last action occurred. Researchers should cross-reference the term (i.e. March 1856) in the index with the clerk's docket to locate the case number as noted above bearing in mind that this is the last action in the case and that the corresponding case number may appear in a previous term and that the time noted in the index is only a starting point.

The case files of the Circuit Court of Boone County are organized numerically. Each case is assigned a file number (as noted above) and is located within the greater file in ascending order, which is to say that as the numbers in the file designation increase, so too do the file numbers located within the file. Each of the files is the equivalent of one roll of microfilm and contains a designated number of files (roughly 200). When the researcher has successfully located the file number from the record, she can select the file that includes the case number for which she is looking and scroll down to the designated file (each file is one full roll of microfilm converted into a large .pdf file).

The researcher needs to bear in mind the pertinent information that she possesses and how to proceed when initially selecting a file to begin her research (i.e. a researcher with a name should begin in the index and move to the clerk's record to get the file number while a researcher introduced in a certain time period should begin in the clerk's record).

## Brief Description of Files

Included below is a brief description of the files contained herein. Each of the files is listed under the microfilm numbers assigned by the state archives.

### Clerks Records

C820 – Dates 1847 – 1852

C821 – Dates 1852 – 1859

C822 – Dates 1859 – 1868

C823 – Dates 1868 – 1876

C824 – Dates 1876 – 1882

### Index

C47706 – Dates 1821 - 1903

### Circuit Files

C19717 – File Numbers - 02161 - 02332

C19718 – File Numbers - 02333 - 02537

C19719 – File Numbers - 02537 - 02694

C19720 – File Numbers - 02695 - 02885

C19721 – File Numbers - 02886 - 03125

C19722 – File Numbers - 03126 - 03322

C19723 – File Numbers - 03323 - 03526

C19724 – File Numbers - 03527 - 03775

C19725 – File Numbers - 03776 - 04013

C19726 – File Numbers - 04013 - 04261

C19727 – File Numbers - 04262 - 04496

C19728 – File Numbers - 04497 - 04740  
C19729 – File Numbers - 04741 - 05012  
C19730 – File Numbers - 05013 - 05260  
C19731 – File Numbers - 05261 - 05493  
C19732 – File Numbers - 05494 - 05627  
C19733 – File Numbers - 05628 - 05913  
C19734 – File Numbers - 05914 - 06166  
C19735 – File Numbers - 06167 - 06356  
C19736 – File Numbers - 06357 - 06517  
C19737 – File Numbers - 06518 - 06704  
C19738 – File Numbers - 06705 - 06955  
C19739 – File Numbers - 06956 - 07153  
C19740 – File Numbers - 07154 - 07408  
C19741 – File Numbers - 07409 - 07650  
C19742 – File Numbers - 07651 - 07937  
C19743 – File Numbers - 07938 - 08125  
C19744 – File Numbers - 08126 - 08361  
C19745 – File Numbers - 08362 - 08517  
C19746 – File Numbers - 08520 - 08738  
C19747 – File Numbers - 08739 - 08931  
C19748 – File Numbers - 08932 – 09251

## Example

As an example of roughly how to procure a document, take for instance the case of John Doe convicted on February 13, 1855 of murder. Assume that you have the basic amount of information, i.e. the defendant's name. The research process would go something like this.

- Open index file C47706 – locate under M or S the case *State of Missouri v. Doe* and locate the date – in this case March Term, 1855. At this point, move on to the clerk's record and in the file corresponding to the date. In this case, file C821.

- Open record file C821 – scroll down to the region in the document to a period before the March Term of 1855 (usually in the fall of the previous year) and begin your search for *State v. Doe* and continue looking through the March Term of 1855. If you fail to locate the file number for the case by this point, you'll need to expand your search to terms prior to the March 1855 Term in order to find the number. When you've located the specific case search along the margin for an annotated file number. When you've located the file number, in this case let's assume number 04973. Move on to the collection of case files to locate the case. In this case, the case is contained in C19729.

- Open the collection of case files in C19729 – scroll down and locate the case. Within this collection there is very little variation in the numerical organization and missing cases that possess numbers are rare, but not unheard of. If you do not locate the case in the collection check immediately situated files for numerical inconsistencies, the next step is to verify the number that you retrieved earlier in the clerk's record as there can be some difficulty in reading the handwritten text.

## Final Notes on Searching

- Bear in mind that these documents are digitized copies of microfilms made several decades ago of 19<sup>th</sup> Century documents and as such affects the readability.
- Some cases are better documented than others.
- The recording system is not perfectly consistent as a result of the fact that circuit court clerks and judges changed several times over the time period and 19<sup>th</sup> century habits regarding compilation and storage of legal documents are starkly different than the current. Indeed, to some degree the documents maintained depended on the procedural value of maintaining the documents, the personal habits of the specific clerk, the willingness of parties to pay to maintain them for prosperity, the financial advantage to the clerk to copy and maintain them, and outside influences such as workload relative to the docket, war, etc.
- The case files themselves encompass the years 1847 – 1877 and though there is some splash over in other files – notably the index and to a lesser degree the clerk's records – this is solely for the purpose of facilitating searches within the case files.
- As noted previously, not all cases recorded in the clerk's record book have corresponding case numbers and as such the location of that file will be difficult to ascertain using this method, unfortunately, the cases themselves are not organized in chronological order.