

Cost of Division

Expense Will Run To More Than One Hundred Thousand Dollars.

An Accurate and Exhaustive Report of the Records of Custer County.

It Will Pay You to Read This Article.

The Cost of Division.

Transcribing Register's records.....	\$ 24 000
Transcribing Co. Clerk's records.....	6 000
Transcribing Co. Treasurer's records....	5 000
Transcribing Dist. Clerk's records.....	5 000
Transcribing Co. Judge's records.....	6 000
Transcribing Surveyor's records.....	1 000
Transcribing Supt's, Assessor's, Attor- ney's and Coroner's records.....	500
300 Books at \$20.....	6 000
Other supplies for three new counties....	3 000
Three court houses at \$25,000.....	75 000
Total cost of division.....	\$131 500

The cost of transcribing the records is always an important feature in a county division campaign. When we take into consideration the fact that Custer county has been doing business for thirty years and that twenty years of this time a force of people, numbering from ten to fifteen, has been constantly at work on the records, we can just commence to imagine the tremendous volume of work it would take to transcribe these records for three new counties. Go into the vaults at the court house and see the huge record books stacked to the ceiling and you get a little idea of what it means. But if you want to get your eyes opened wide, just delve into the books themselves and count the pages and you will become almost bewildered before you arrive at an estimate of the expense of this tremendous task.

In order to convey correct information regarding the volume of records, we have asked the officials themselves the question and have written down their answers. This we believe is the most reliable manner that the real conditions can be arrived at.

The following are the questions asked the county officers of Custer county and their answers.

Register of Deeds.

Question.—What is the total number of deed, mortgage, miscellaneous, mechanics lien and patent records in your office?

Answer.—61 deed records, 81 mortgage records, 9 miscellaneous records, 4 mechanics lien records and 8 patent records.

Q.—What is approximately the total amount of pages and words in these books?

A.—These books contain 640 pages each and will average something more than 500 words to the page, making approximately 321,600 words in these records.

Q.—How many alphabetical indexes?

A.—There are 12 of deed, 12 of mortgage, 3 of miscellaneous, and 1 of mechanics liens.

Q.—How many numerical indexes?

A.—14 of lands and 7 of lots.

Q.—Will the records contained in these books have to be transcribed in case of division?

A.—Yes, about three-fourths of them.

Q.—What in your opinion will it cost to transcribe these records, if the full amount allowed by law is charged?

A.—The legal rate for transcribing the record books is 10 cents per hundred words and at this rate it would cost \$52,160 to transcribe the 163 record books.

Q.—How much would it cost for the 37 index books?

A.—The legal rate for transcribing these indexes is 15 cents for each extension. There are approximately 65,000 land extensions and at this rate they would cost \$9,750. The lot extensions at the same rate would cost about \$2,500.

Q.—What in your opinion would be a fair living price for this work estimating competent clerical help at what the county would have to pay for the same.

A.—I would think that half the legal rate would be as low as it could be done. This is what it is costing the new county of Morrill and the party who has the contract makes a statement that he has taken it too

low. At one-half the legal rate the transcribing of the records for this office would cost \$32,205, three-fourths of this for the three new counties would be about \$24,150. This does not include the cost of books. I believe the price given to be very conservative estimate and when you take into consideration the vast amount of proof reading in addition and the great care that has to be used, I doubt whether it could be done at the rate I have named.

Q.—How does the office or register of deeds in Custer county compare with other counties of the state?

A.—In volume of work and in fees it is third in Nebraska, being surpassed by Douglas and Lancaster counties.

County Clerk.

Question.—How many books are there in your office?

Answer.—About 50.

Q.—How many supervisors records are there and will they have to be transcribed?

A.—There are 6, and they will have to be transcribed for the reason that they contain the record of the action of the board in the establishment and vacation of roads, levies and a large amount of other matter that will effect the new counties and they will have to be constantly referred to.

Q.—What about the bond records?

A.—There are 9 bond records. They will have to be transcribed for ten years back, that is the life of a bond. All of the justices and notaries bonds will have to be transcribed from the beginning of the county for the reason that the county clerk is constantly called upon to make certificates as to whether John Doe was a notary public or justice of the peace on a certain date. He cannot do this unless he had a record of the qualifying and the bonds given by such notary or justice of the peace.

Q.—How about the road records and what about the transcribing of these?

A.—There are 6 road records and these are very important books. They contain a history of the establishment of each road and are used in conjunction with the surveyors records.

Q.—What about the notary commission records?

A.—There are 2 of these books and they will have to be transcribed for the same reason that the justices bonds and notaries bonds will be needed.

Q.—What about the school bond record?

A.—There are 2 of them and they will have to be transcribed.

Q.—How about the corporation records?

A.—There are two of these books and a part of them will have to be transcribed.

Q.—How many chattel mortgages indexes are there and what will have to be done with them?

A.—There are 10 big chattel mortgage indexes and there is no question whatever about the necessity of transcribing these books.

Q.—How many chattel mortgages are on file in your office?

A.—There are approximately 125,000.

Q.—What will be done with them?

A.—I would think that duplicates would have to be made of those not cancelled. I don't know how many of them there will be. There are a

very large number.

Q.—What books in your office, in your opinion, would not have to be transcribed?

A.—The claim register, the abstract of votes, the miscellaneous record, part of the corporation records, part of the bond record, dental register and physicians register.

Q.—How many books in your office will have to be transcribed in whole or in part.

A.—27.

Q.—How many words do these books contain?

A.—They will average 500 pages to the book and 500 words to the page making a total of 6,750,000 words.

Q.—What per cent of these records will, in your opinion, be necessary to be transcribed.

A.—I would say about 4-5 of them.

Q.—What would be your very lowest estimate per hundred words, for transcribing, and what would be the approximate cost?

A.—I would say that 5 cents per hundred words would be a very low estimate. The transcribing of these books, together with copies of chattel mortgages unexpired would cost approximately from five to seven thousand dollars. I doubt if this figure is high enough.

County Treasurer.

Question.—How many books are there in your office?

Answer.—About 120.

Q.—Will it be necessary to transcribe all of these records in case of division?

A.—No, it will not.

Q.—What records will be needed?

A.—There are delinquent personal taxes dating back many years, there are also delinquent tax on lots in the various towns of the county. These would have to be sorted out and copied from about one hundred large tax books. The farms are readily sold for taxes, but a large per cent of town property is offered year after year with no takers.

Q.—What record do you have regarding school district moneys?

A.—We keep a record of the state apportionment for 260 districts.

Q.—Do you have a record in your office of all school land leases and contracts and do you collect and remit these collections to the state treasurer?

A.—We have a large special record book for all school land leases and contracts. We collect and remit to the state treasurer.

Q.—How many duplicate tax receipts have you filed away in your office?

A.—About 175,000.

Q.—If a person living in one of the counties set off lost a tax receipt and wants to get a duplicate of the same, how would he get it?

A.—He would have to send to this office for it.

Q.—Would you charge him for making a copy of this tax receipt?

A.—At the present time we would not for the reason that he is a resident of this county. After division carries and his land was located in another county he would have to pay for this work.

Q.—In your opinion what would be the cost of transcribing such part of the records of the treasurer's office as would be necessary in case of division?

A.—The records of more than 100 big tax books would have to be searched and portions extracted. My best judgement is that \$5,000 would be a low estimate for this work, it might run to twice that amount.

County Judge.

Question.—How many books are there in your office?

Answer.—There are about 65, possibly a few more.

Q.—What are these books?

A.—There are probate records, judgement records, marriage records, trial dockets, adoption records and miscellaneous books of all kinds. Each book contains approximately 640 pages.

Q.—Are all these record books provided with indices and must every suit, whether civil, probate or other proceeding to property indexed?

A.—Yes, the records of the county judges office are very particular records, and each proceeding, especially probate proceedings, must be properly indexed so that the record of all papers can readily be found.

Q.—Can an abstract of title be made to a town lot or tract of land owned by an estate without showing in detail the probate proceedings of such estate?

A.—No, any attorney in examining an abstract of title to land, must have a complete report of all probate proceedings, involving the lot or tract of land.

Q.—In case of division will all of these records have to be transcribed?

A.—No, they will not.

Q.—What part of the records of your office will be needed, in the new counties in case of division?

A.—All records, files, decrees and

court orders, pertaining to administering of estates and probating of wills, wherein the deceased owned or was interested in lands at the time of his death. Titles that have come through the estates to the heirs are the most particular, hence the need of accurate and complete records of these estates.

Q.—How many probate cases are there on file and how many separate instruments pertaining to these cases?

A.—Probate cases are now filed at the rate of about 100 a year and there are something over 1,200 cases filed. There are from 15 to 25 separate instruments and entries made in each case. The record of such instruments are scattered all the way from book one to book twelve depending entirely upon the time the instrument was filed. Each probate record has much matter that pertains to each part of the county and in order to get a complete record of any quarter of the county, it will be necessary to go over the entire record and transcribe that part that pertains to the particular land.

Q.—What would be the cost of transcribing the records necessary in case of division?

A.—I do not know. There are 65 records of 640 pages each; there are 46 lines to the page and about 12 words to the line. I estimate there would be about 23,000,000 words. If this could be done at 5 cents per hundred words, which I believe is a low figure it would cost somewhere in the neighborhood of \$11,500. Three-fourths of this would be about \$8,625. I suppose that each county would order the records transcribed that pertain to land in each county, with transcripts of that portion of this office affecting land titles. I can only estimate the amount of those records that would be needed. It might be one half and it might be more.

County Surveyor.

Question.—How many surveyors records in your office?

Answer.—There are 3.

Q.—What is the nature of these books?

A.—The surveyors record contains a map of the roads surveyed and established in each township giving distances, a record is made of each corner monument, field notes, of when the survey was made, name of applicant and a record of those who made and assisted in the survey.

Q.—How many maps do these books contain?

A.—There being 72 government townships in Custer county, there are 72 of these maps.

Q.—What other books have you?

A.—A road plat book, which is the largest book in Custer county. Its pages are 25 by 28 inches, it also contains 72 maps on which are plats of the roads in each township of Custer county and all information regarding the establishment of said roads.

Q.—Would these records have to be transcribed?

A.—They certainly would.

Q.—What in your opinion would it cost to transcribe these books.

A.—They all have been transcribed within the past five years on account of the old books being in a very bad shape. The three surveyors records took one person about one year to complete. The other book is worth about \$250 to transcribe.

District Clerk.

Question.—How many suits have been filed in your office since the organization of Custer county?

Answer.—About 6700.

Q.—How many papers are filed in each of these cases?

A.—One to twenty.

Q.—Are all of these papers recorded in special books called complete record books?

A.—Yes, except cases not tried by court.

Q.—What is the average cost of complete record per case?

A.—About \$8.

Q.—How many of the 6700 cases were foreclosure cases, or other cases affecting titles to land, including tax foreclosures.

A.—About half.

Q.—How many books of complete record and pages?

A.—72 books, 400 pages in each book, and 500 words to the page.

Q.—How many books of other kinds in your office?

A.—24 appearance dockets, 17 court journals, 42 trial dockets, 6 execution dockets, 4 judgement records, 3 naturalization records and 1 insanity record, also 4 general indexes in which the names of the plaintiff and defendants in each suit are indexed both direct and reverse.

Q.—Would an abstractor in making an abstract of title to land in any of the proposed new counties have to have access to practically all of these records?

A.—Yes, he would.

Q.—Would it require a complete copy of the four judgement records, for

each of the new counties, thus making three sets.

A.—Yes, of the live judgements.

Q.—Then each suit would have to be examined by an expert abstractor or attorney who would check off those suits affecting land in each of the counties, that copies of the record of that suit might be made?

A.—Yes.

Q.—As a matter of fact the records of your office are just as important as the records of the Recorder's office for each of the new counties are they not?

A.—Yes.

Q.—If you were asked to make a transcript of the records of your office for each of the new counties what would be a fair price per hundred words.

A.—About 5 cents.

County Superintendent.

Question.—How many school districts are there in active operation in Custer county?

Answer.—260.

Q.—Do you keep a separate record of each of these districts?

A.—Yes, I do.

Q.—Are there any school districts that would be left in two or more counties should the county be divided?

A.—Yes. The new county lines run through and divide 28 school districts. 27 of these would be located in two counties and one district would be in three counties.

Q.—What effect, if any, would division have on the teachers certificates now in force.

A.—Each teacher must have a state certificate unless they hold a county certificate and they would have to pay a registration fee. A county certificate costs \$1.50 and I suppose that the teachers in the new counties would be put to this expense.

Q.—What is the present salary of the superintendent.

A.—His salary is \$1200 and he is allowed \$400 for clerk hire.

Q.—What in your opinion would be the salary of the superintendent in the new counties?

A.—As near as I can figure it in Alfalfa Co. it would be not less than \$1000 in Custer county not less than \$1000, in Sheldon county the estimated population is so close that I am not sure whether it would be \$800 or \$1000, and in Higgins county the superintendent would be paid per diem and in that case, could not be more than \$800. Instead of \$1600 as it now is, it would no doubt amount to more than \$3500, and that would not include a clerk in any of the counties after division carried.

Q.—Is the superintendent and clerk paid by fees of the office?

A.—No, they are paid out of the general fund of the county.

Necessity of Complete Records in Each of the New Counties.

The following questions were asked five reliable abstractors, who signed their names below.

Mr. Abstractor:—

Question.—What is an abstract of title?

Answer.—An abstract of title is a certified memorandum and transcript of all transfers, whether, deeds, mortgages, mechanics liens, powers of attorney, release, leases, contracts for sale and purchase of land, decrees of court either probate or district court, a detailed transcript of all probate proceedings in county court or actions to quiet title or other suits affecting title to land and all judgements as shown by the records in the District Clerk's office. The abstractor also certifies as to any foreign judgements in the hands of the sheriff that in any way affect the title to the land of which the abstract is being made.

Q.—Do you mean that you must have access to the probate records in the county judges office?

A.—Yes sir.

Q.—And that you must examine the general indexes, the judgement records, and every suit in the district Clerk's office that any of the parties who may have held title to the land you are abstracting were interested in either plaintiff or defendant?

A.—Yes sir.

Q.—And do you examine the tax books in the treasurer's office to see that not a single tax for any year is unpaid?

A.—Yes sir.

Q.—Of course you make a thorough search in the recorder's office for every instrument, deed mortgage or other instruments that may affect the land you are abstracting?

A.—Yes sir.

Q.—You cannot make an abstract then of the smallest piece of ground in Custer county or in any of the proposed new counties without making a thorough search in each of the offices of the Recorder, Treasurer, Probate Court and Clerk of district court can you?

A.—No, Sir.

Q.—You can't leave out the treasurer's office?

A.—No, sir.

Q.—You can't leave out the office of the clerk of the district court?

A.—No sir.

Q.—Nor you can't leave out the office of the Probate Court?

A.—No sir.

Q.—Then what do you say would be the condition of the new counties that transcribed only the records of the recorder's office as far as titles of land are concerned?

A.—They would be like an automobile without gasoline or oil.

Q.—And what do you say would be the condition of a new county as regards general county business, that did not get the necessary transcripts of records from the county clerk, superintendent, treasurer, county or probate court, district court and even the surveyor's office, in fact all of the county offices as well as the recorder's office?

A.—It would be like an automobile even without gasoline, oil chauffeur or even an engine, in fact it would be a mere part of a machine.

The above answers are subscribed to by the undersigned abstractors.

Ross G. Moore,
Willis Cadwell,
J. G. Leonard,
I. A. Reneau,
J. C. Moore.

Record Books and Supplies.

There are more than 500 big record books in the court house at the present time. A conservative estimate of the new books that would be necessary to start the new counties could not safely be placed at less than 300. The loose-leaf record would in most cases be used and that could not cost less than \$20 per book.

In Morrill county these books cost \$25 per book according to the statement of Mr. Trinnier, who is transcribing the records for that county.

In Custer county they are now being furnished for \$21 per book. Placing the cost of these books in quantities at \$20 per book, it would cost \$6000 for new books, \$1000 per new county would be a low estimate for the endless number of other supplies needed.

Grand Summary.

It is a hard matter to arrive at the exact figures to transcribe the records for three new counties. Custer county probably stands about third or fourth among the counties of the state in volume of records. We believe we are more liable to place the cost of transcribing at a lower than at a higher figure for the reason that it is very hard to take into consideration all of the various kinds and classes of record books. From the investigation we have made we believe that the following is a fair and conservative estimate of the cost of starting the new counties in business.

Register \$ 24,000
County Clerk 6,000
County Treasurer 5,000
District Clerk 5,000
County Judge 6,000
Surveyor 1,000
Supt., Assessor, Atty., and
Coroner 500
300 Books at \$20 6,000
Other Supplies for Three New
Counties 3,000
Three Court Houses at
\$25,000 75,000
Total \$131,500

The old county of Custer will necessarily be put to quite an expense and a great inconvenience in transcribing these books. It must be remembered that while this work is going on they will have to be referred to constantly and the work interrupted a great deal. The estimate of \$25,000 for each of the new court houses is a matter that, of course, will be left to the new counties, but it is none too small an amount to put up a substantial building. Many of the school houses in the small towns cost fully as much as this. If you will stop to consider the tremendous expense you will readily see that it can not be done without voting bonds. It must be remembered that the new counties one-fourth the size of Custer cannot maintain a full set of county officers and pay for a full county government on one-fourth the amount of taxes that Custer county now raises and in all probability the full limit of the law will have to be levied in each of the new counties for actual running expenses say nothing of the tremendous cost of transcribing the records and building new court houses. A 15 mill levy next year would cost the four proposed counties \$55,000 more than we are now paying and every cent of this would be needed for running expenses and the transcribing of records and building of court houses would have to be provided for in some other way.