

(14 permits destroyed) (2 checks)

REQUEST FOR RECORDS RETENTION SCHEDULE

SCHEDULE NO. 411

Hall of Records Commission

To be Submitted to the Records Management Division
Hall of Records Commission

PAGE NO. 1 (15 items)

Requesting Agency
SUPREME BENCH OF BALTIMORE CITY

2. Division or Bureau of Requesting Agency
**Court of Common Pleas,
Legal Department**

3. Authorization Requested (Check only one of the squares below).

A Dispose of present accumulation. No additional accumulation is anticipated. Records have ceased to have value to warrant retention.

B Establish retention schedule for records for which there is a continuing accumulation. The records will cease to have value to warrant their retention after the period of time indicated.

C Microfilm and destroy originals. Originals if not microfilmed would be retained for the period of time indicated.

4. Item No.	5. Description of Records Describe records accurately. Include title, form number, size of documents, work or activity to which the records relate, inclusive dates, and quantity (cubic or linear feet). Show recommended retention period.	6. Recommendation of Hall of Records and Board of Public Works.
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1	<p>CASE FILES (COURT PAPERS)</p> <p>Quantity: 78 legal-size file drawers (10 current); 713 document files; 388 document transfiles; 69 bundles</p> <p>Size: Folded papers</p> <p>Dates: 1831...</p> <p>File Arrangement: Alphabetical by name of defendant prior to 1911, thereafter chronological case number by date of filing</p> <p>Index: Cases Instituted (Item 2)</p> <p>The Court Papers include habess corpus proceedings; appeals; insolvency proceedings held before the Commission on Insolvent Debtors for the City and County of Baltimore, 1831-1851, and subsequently before the Court of Common Pleas until c. 1898; State Industrial Accident Commission cases; continuations; steted cases; and cases in civil common law under the jurisdiction of this court, including receiverships.</p> <p>A typical case folder contains all or some of the following papers:-</p> <table border="0"> <tr> <td>Petitions</td> <td>Exhibits</td> </tr> <tr> <td>Docketing Requests and Notes</td> <td>Certifications</td> </tr> <tr> <td>Demands for Bills of Particulars</td> <td>Bonds</td> </tr> <tr> <td>Exceptions to " " "</td> <td>Transcripts</td> </tr> <tr> <td>Interrogatories</td> <td>Pleadings</td> </tr> <tr> <td>Dismissals</td> <td>Replications</td> </tr> <tr> <td>Issues</td> <td>Motions</td> </tr> <tr> <td>Orders for Writs</td> <td>Schedules of Property and Debts</td> </tr> <tr> <td>Writs</td> <td>Orders of Satisfaction</td> </tr> <tr> <td>Jury Panels</td> <td>Judgments and Orders of the Court</td> </tr> <tr> <td>Pleas, Prayers & Answers</td> <td>Discharges</td> </tr> </table> <p>These papers are docketed in Cases Instituted (Item 2).</p>	Petitions	Exhibits	Docketing Requests and Notes	Certifications	Demands for Bills of Particulars	Bonds	Exceptions to " " "	Transcripts	Interrogatories	Pleadings	Dismissals	Replications	Issues	Motions	Orders for Writs	Schedules of Property and Debts	Writs	Orders of Satisfaction	Jury Panels	Judgments and Orders of the Court	Pleas, Prayers & Answers	Discharges	<p style="writing-mode: vertical-rl; text-orientation: mixed;">APPROVED HALL OF RECORDS COMMISSION</p> <p>(continued)</p>
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7. Agency, Division or Bureau Representative

Frank C. Robey
Signature

Clerk
Title

7/28/64
Date

Schedule Authorized as Indicated in Col. 6 by Hall of Records Commission.

Disposal Authorized as Indicated in Col. 6 by Board of Public Works.

7/29/64
Date

Morris S. Daboll
Archivist

Date

William H. H. H.
Secretary

REQUEST FOR RECORDS RETENTION SCHEDULE
(Continuation Sheet)

4. Item No.	5. Description of Records Describe records accurately. Include title, form number, size of documents, work or activity to which the records relate, inclusive dates, and quantity (cubic or linear feet). Show recommended retention period.	6. Recommendation of Hall of Records and Board of Public Works.
(cont.)	<p>Flat filing was initiated in 1946, and all cases were renumbered, beginning in that year with #1. Case Files prior to 1946 are stored in the basement.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	
2	<p>CASES INSTITUTED</p> <p>Quantity: 179 volumes Size: 18" x 20" x 2" Dates: 1852... File Arrangement: Chronological Index: A. Internal index to name of defendant B. Since 1958, separate indexes by name of plaintiff C. Index to Cases Instituted (Item 3) D. Index to Judgments (Item 4)</p> <p>This record contains docket-type entries for all cases under the jurisdiction of the Court of Common Pleas. It gives the names of the parties and of their attorneys, date and case number, court costs and dates of payment, dates of issuance and receipt of papers, action of the court, and the judgment, with date of satisfaction.</p> <p>Flat filing was introduced in 1946 (Item 1). The volumes prior to 1912 are found in the main office of the Court of Common Pleas.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	
3	<p>INDEX TO CASES INSTITUTED</p> <p>Quantity: 12 vols. Size: 11" x 16" x 1" Dates: 1852-1868, 1876-1878, 1935-1936 File Arr.: Chronological Annual Accumulation: Discontinued</p> <p>This index is arranged alphabetically by name of defendant, giving the name of the plaintiff and the year and folio of entry in Cases Instituted (Item 2). The volumes for 1852-1868 are entitled "Index to Trials and General Index to Appeals."</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	
4	<p>INDEX TO JUDGMENTS</p> <p>Quantity: 30 vols. Size: 12" x 18" x 2" Dates: 1852... File Arr.: Internal, alphabetical index to name of defendant; External, chronological</p> <p>The Index to Judgments gives dates and names of the parties against whom the judgments are taken, case numbers, names of parties favored, amounts involved, and the folio and liber of recordation in Cases Instituted (Item 2).</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	(continued)

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(Continuation Sheet)

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5	<p>PETITION DOCKET (HABEAS CORPUS)</p> <p>Quantity: 4 vols. Size: 10" x 16" x 2" Dates: 1885... File Arr.: Chronological Index: Internal alphabetical, to name of defendant</p> <p>Prior to 1941, this record series, entitled Habeas Corpus, contained only entries for petitions for writs of habeas corpus. In 1941, all habeas corpus proceedings formerly handled by the Court of Common Pleas were transferred to the Baltimore City Court.</p> <p>Since 1941, the present record contains petitions presented to the Court of Common Pleas, including writs of mandamus; affidavits; exhibits and show-cause; certiorari; and petitions for leave to sue the Commissioner of Motor Vehicles under the Unsatisfied Claim and Judgment Act.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	
6	<p>BOND RECORD</p> <p>Quantity: 6 vols. Size: 15" x 20" x 3" Dates: 1902... Index: Internal alphabetical</p> <p>The Bond Record contains Certificates of Compliance filed by insurance companies, powers of attorney and revocations, replevin bonds, appeal bonds, and bonds of attachment.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	
7	<p>INSOLVENT RECORD</p> <p>Quantity: 11 vols. Size: 14" x 20" x 2" Dates: 1852-1898 File Arr.: Chronological Index: A. General Index to Insolvencies (Item 8) B. Insolvent Dockets (Item 9) Annual Accumulation: Discontinued</p> <p>This is a record of proceedings in insolvencies, giving the names of the parties and the dates, the full proceedings, and the judgment of the court. One volume is a record of insolvencies transferred to the Court of Common Pleas from other jurisdictions. One volume contains insolvent cases transferred from other jurisdictions (1851-1894).</p> <p>In 1898, the Nelson Act, passed by Congress to establish a uniform system of bankruptcy, provided for jurisdiction by the District Courts of the United States in such matters (30 Stats 544; U.S.C.A., Title 11). The Baltimore Court of Common Pleas relinquished proceedings in insolvencies as well as in bankruptcies at that time. Generally, state insolvency laws were superseded by the federal act and amendments, to the extent covered thereby or in conflict therewith, and</p>	

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(Continuation Sheet)

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7 (cont.)	<p>few insolvency cases have arisen in Maryland courts since 1898 (Annotated Code of Maryland, 1957 edition as amended, Art. 47, Sec. 1). However, insolvencies are not barred from the jurisdiction of State courts, if there is no conflict with federal bankruptcy laws. Receiverships are still adjudicated by the Court of Common Pleas (Items 1 and 11).</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	
8	<p>GENERAL INDEX TO INSOLVENCIES</p> <p>Quantity: 1 vol. Size: 14" x 20" x 2" Dates: 1851-1886 Annual Accumulation: Discontinued</p> <p>This is a phonetic index to names of parties in insolvency proceedings, giving liber and folio of recordation in the Insolvent Docket (Item 9).</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	
9	<p>INSOLVENT DOCKET</p> <p>Quantity: 6 vols. Size: 12" x 18" x 2" Dates: 1843-1898 File Arr.: Chronological Index: Internal alphabetical, by name of defendant Annual Accumulation: Discontinued</p> <p>The Insolvent Docket was an index to the Insolvent Record (Item 7), giving names of the parties and the date, a docket number, action of the court, the judgment, and recordation in the Insolvent Record. The earliest docket (1843-1851) is found in the main office of the court.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	
10	<p>INSOLVENT TRUSTEES' BONDS</p> <p>Quantity: 1 vol. Size: 11" x 16" x 2" Dates: 1851-1856 Index: Internal alphabetical index to name of insolvent Annual Accumulation: Discontinued</p> <p>This record contains copies of the bonds of trustees in insolvency proceedings, giving the date, names of the principal and the sureties, the amount of the bond, and the conditions, with the signatures of principal, sureties and witnesses, the approval of the clerk, and the date of filing and recording.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	

(continued)

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11	RECEIVER'S DOCKET Quantity: 1 vol. Size: 12" x 18" x 2" Dates: 1937... Index: Internal alphabetical, to name of defendant This is a record of court action on claims in receiverships, giving the names of the parties and the dates, fees and court costs, action of the court, and the judgment. RECOMMENDATION: RETAIN PERMANENTLY.	
12	EXECUTION DOCKET (JUDICIAL PROCEEDINGS) Quantity: 10 vols. Size: 12" x 20" x 2" Dates: 1851... Index: Internal alphabetical, by name of defendant This is a record of executions on judgments under the writ of fieri facias ("Fi Fa"), giving the date of issuance and the docket number, the amount of the debt or judgment, the court costs, and the date of payment or the result of the the execution. --- The original cases are recorded in Cases Instituted (Item 2). RECOMMENDATION: RETAIN PERMANENTLY.	
13	MISCELLANEOUS DOCKETS Quantity: 44 vols. Size: c. 14" x 20" x 3" Dates: 1851-1954 File Arr.: Chronological by title of docket Index: Internal alphabetical Annual Accumulation: Discontinued The following miscellaneous dockets are no longer kept by the Court of Common Pleas:- Subpoena Dockets City Trial Dockets - Transferred Cases Stet Dockets City Appeal Dockets All trial dockets have been maintained by the Assignment Office since 1954 and are provided for in Schedule 261, Item 6a, dated August 6, 1956. --- These discontinued dockets have no further value to the operation of the office. RECOMMENDATION: DESTROY ACCUMULATION.	
14	EJECTMENT RECORD Quantity: 1 vol. Size: 14" x 18" x 2" Dates: 1872... Index: Internal alphabetical index by name of defendant	(continued)

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(Continuation Sheet)

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14 (cont.)	<p>The Ejectment Record (evictions) gives the names of the parties and the case number, the date, the proceedings in full, and the judgment.</p> <p>Proceedings in ejectments are fully recorded only in cases in which the plaintiff requests such recording. Ejectments are included in Cases Instituted (Item 2), and the papers are filed with the Case Files (Item 1).</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	
15	<p>CASH RECEIPTS AND DISBURSEMENTS JOURNALS (LEGAL DEPARTMENT)</p> <p>Quantity: 1 vol. Size: 14" x 18" x 2" Dates: 1934... Audit: State and City</p> <p>This accounting record is kept in the main office of the Court of Common Pleas for the Legal Department, covering collections of fees from out-of-state lawyers. It gives the date of collection and the name of payer, the amount, the case number, and the recordation, with totals carried forward; disbursements appear on the opposite pages, giving the source of orders for payments, the check number and amount, the date, the name of payee, the case number and the recordation, with totals carried forward.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	

APPROVED
HALL OF RECORDS COMMISSION