

## Guide to the Mobile County Circuit Court Records

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### History of the Courts

Circuit courts are provided by the Alabama state constitution and organized by statute. They are required to be held in each county in the state at least twice in every year. Five judicial circuits were created in 1819, each including several counties. More circuits were created after 1819, and now there are twenty, with Mobile County comprising the thirteenth. At various times during the nineteenth century, however, Mobile County was in the same judicial circuit as Baldwin and Washington counties, and some cases from these counties may be found in the records.

Circuit courts have original jurisdiction in all matters civil and criminal in the state. Equity jurisdiction was vested in the circuit courts from 1819 to 1839, and then in the courts of chancery until 1915. At that time it was transferred to the circuit courts with the reorganization of the state judicial system. The records of the Mobile County chancery court are included in the circuit court materials.

The growth of population and the development of cities necessitated increased court facilities. This need was met by the creation of county and city courts. County courts had jurisdiction concurrent with the circuit courts of all misdemeanors, however, county courts judges determined both the law and the facts, and awarded the punishment without the intervention of a jury. City courts (sometimes called law and equity courts) had the jurisdiction of the circuit courts, or of the circuit and chancery courts, or in some cases of the criminal jurisdiction of the circuit court only. Prior to the Immigration and Naturalization Act of 1906, persons could also apply for citizenship in any court of record. These inferior courts were eliminated by the state legislature in the consolidation act of 1915, and their records are included in the circuit court materials.

For a brief history of the circuit and chancery courts in Alabama, see Thomas MacAdory Owen's *History of Alabama and Dictionary of Alabama Biography* (1921; reprint, Spartanburg, S.C., 1978).

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## **Inventory**

### **Circuit Court**

Circuit Court Index (Criminal) , 1846-1938

Circuit Court Indexes (Civil):

1828-88 Direct & Reverse

1892-1904 Direct & Reverse

1917-38 Direct & Reverse

Circuit Court Minute Books (Criminal), 1917-20

Circuit Court Minutes (Civil), 1833-1914 (Microfilmed 1833-1907)

Circuit Court Final Record Books (Civil):

1828-30 Case # 2451-1474, 2590-7319

1834-36 Case # 8442-8893

1840-41 Case # 16200-18040

1841-46 Case # 18921-22104

1852-66 Case # 27150-32340

1866-87 Case # 32802-40188

1888-91 Case # 1-726

1889-91 General Cases

1895-01 Case # 1419-2684

1900-01 Miscellaneous Cases

Circuit Court Naturalization Records, 1903-06 (microfilmed)

Circuit Court (Civil) Case Files, 1821-1915 (no criminal case files)

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### **Law & Equity Court**

Law & Equity Indexes, 1907-17, Direct & Reverse (microfilmed)

Law & Equity General Docket, 1907-16

Law & Equity Motion Docket, 1907-15  
Law & Equity Execution Docket, 1898-1903, 1907-26  
Law & Equity (in Equity) Trial Docket, 1909-13  
Law & Equity (in Equity) Commission Docket, 1908-13  
Equity City Tax Docket, 1916-18  
Law & Equity (in Equity) Order Books, 1907-17  
Law & Equity (in Law) Minute Book, 1909-11  
Law & Equity Minute Books, 1911-16  
Law & Equity (in Law) Final Record Books, 1907-08  
Law & Equity (in Equity) Final Record Books, 1906-16  
Equity Record Books, 1909-17  
Law & Equity Case Files:  
    1907-19 (In Law)  
    1907-16 (In Equity)

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## **City Court**

City Court Index (Civil), 1851-1916

City Court Criminal Minute Books:

    1846-1902      (microfilmed)  
    1905-17      (microfilmed 1905-7)

City Court Civil Minute Books, 1840-42, 1868-89, 1895-16

City Court Final Records and Judgments (Criminal)

    1854-58      Case # 1589-2469  
    1862-74      Case # 3036-5920  
    1880-99      Case # 7861-13100  
    1899-1905    Case # 13570-14798  
    1905-10      Case # 15066-16174

City Court Final Record Books (Civil) :

1838-41	Case # 7188-7435
1845-52	Case # 537-725 (1852)
1855-59	Case # 2364-2481, 3507-6622
1862-96	Case # 7594-9578, 1654-2649
1872-75	Case # 1-414
1878-89	Case # 724-11173
1890-99	Case # 11336-12369
1906-14	Case # 12900-13370

City Court Naturalization Records, 1891-1906 (microfilmed)

City Court Record of Indictments, 1896-1917

City Court (Civil) Case Files, 1851-1916 (no criminal case files)

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**Chancery Court**

Chancery Court Indexes:

1829-1880	Direct & Reverse
1880-1889	Database created from docket books C & D
1898-1904	Reverse only
1904-1909	Direct & Reverse (microfilmed)

Chancery Court Minute Books, 1831-38

Chancery Court Final Record Books:

1840-42	Vol. E (contains complete transcripts of cases)
1842-44	Vol. 1
1884	Vol. 22
1894	Vol. 45
1905-17	Vols. 79-121

Chancery Court Writ and Bond Record Book, 1882-99

Chancery Court Order Books, 1892-1916

Chancery Court Subpoena Docket, 1905-08

Chancery Court Commission Docket, 1889-1906

Chancery Court General Docket:

1852-98	Vols. B-D	Case # 1746-6256
1904-17	Vols. F-H	Case # 7682-10735

Chancery Court General Docket (Equity), 1857-73

Chancery Court Delinquent Taxes City of Mobile, 1912-15

Chancery Court Case Files, 1833-1918 (The early chancery case files, ca. 1833-42, are in very poor condition and barely legible. All of the divorce cases have been microfilmed and an index is available.)

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## **County Court**

County Court General Index, 1838-40 (Direct & Reverse)

County Court Admiralty Records, 1842, 1847-69

County Court (Civil) Case Files, 1837-46

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## **Miscellaneous Records**

Tax Record Books, 1916-18

City & Special Tax Book, 1912-16

City Fee Ledger, 1917-19

Court Register's Fee Books, 1900 & 1904