

THE ANALYSIS OF COUNTY RECORDS

IN A sense, the public records which occupy a considerable portion of any county courthouse are similar to the contents of a library. Except for the fact that they are usually unprinted, the volumes and file boxes of records, particularly series of volumes such as the deed books, are in many ways analogous to a set of books in a library. A catalogue listing the contents of a library must sometimes go beyond the physical unit such as a book and consider separately the several subjects dealt with in it. To an even greater extent the analysis of the records of a county must rest on a foundation different from the physical containers of records. No conscientious librarian would bind together in a single volume the unrelated materials which may be found in a volume of miscellaneous county records; on the other hand, an item which is clearly recognizable as a record is frequently much less than a volume.

A record may be a sheet of paper with some writing on it, or a single map. In this case a record becomes synonymous with a document. Every item in a volume or file of mortgages is a record, and the container taken as a whole is also a record. Just as "bigger fleas have smaller fleas," the page which constitutes a record may carry a notation which in itself is a record. For example, the law may require that a record of mortgage releases be kept, and the recorder may meet this prescription by making notations of release in the margins of the pages of the mortgage record. These notations constitute a record in the legal sense.

When the problems of a record which is less than a whole volume or less than a page do not arise, there are other difficulties quite as perplexing. In the course of its existence a record may undergo changes of greater or lesser extent. In external appearance its title and labeling may change and its size may vary; it may even be kept in unbound form at one time and in bound form at another. The method of recording may vary, as may the arrangement of contents, the kind and amount of data, and the form in which they are presented.

Most of the changes in any given record are small, but if the record has had a long-continued existence, the sum total of these slight changes is staggering, and impossible to present in brief compass. Obviously they cannot all be shown in the comparatively few lines devoted to such descriptions of record contents as appear in the

entries of the Historical Records Survey inventories. The most that can be done is to give a description which is fairly representative of the majority of entries in the record of recent date. In the case of a few records, particularly property instruments, certain court records, and vital statistics, there is sufficient variation in day-to-day recordings that we can never be entirely certain that the description is accurate except for the few documents which the worker selected as the basis for his description. In most cases, however, the sample will be quite reliable, particularly since it will be checked by some member of the editorial staff who has had legal training.

Marked changes occur much less frequently, through changes in the law or in the recording methods of a given office in a particular place; this type of variation can be shown readily in a condensed entry, as illustrated by the following example from the inventory of the town records of Tremont, Maine:

2. RECORD OF BIRTH, 1848-69, 1892-1909, Mar. 26, 1936—. 3 vols. Missing, 1870-85. 1886-91, 1910-36 in Record of Births, Deaths, Intentions of Marriage, Marriages, entry 3.

One vol., 1848-69, contains family records of births, showing names of parents, name of child, date and place of birth. 2 vols., 1892-1909, and Mar. 26, 1936—, show in addition sex, color, and condition of child; birthplaces and residence of parents, occupation of father, no. of children born to this mother, no. living, no. of this child, name and address of person reporting birth, date recorded by town clerk, signature of town clerk. 1936—, occasional corrections entered with births on same forms chronologically by date of deposition, space for name and address of person reporting birth being used for person making deposition. 1 vol., 1848-69, arr. chron. within family units; 2 vols., 1892-1909 and 1936—, arr. chron. 1892—, indexed alph. by name of child; other not indexed. 1848-69, hdw.; 1892—, hdw. on pr. forms. Vols. aver. 170 pp. 12 x 9 $\frac{1}{4}$ x $\frac{1}{2}$. Home of t.c.

The quantity of information added or subtracted at various times may be comparatively large, without significantly changing the character of the record.

The variations which a record may undergo introduce other problems besides those of description. How widely may a given record vary from the one of similar type previously maintained and still remain the same series? This is not an academic question, but one which arises constantly in the work of the Historical Records Survey, because it is our intention that, in so far as possible, the series shall constitute the basis of an entry. That is, if part of a particular series

is in volume form and the remainder in file boxes or bundles, we assemble all of them in one entry, since the series, and not a particular kind of container, is the unit. On the other hand, we would not combine in a single entry two or more distinct and physically separate series. Therefore, instances appear almost daily where we must decide whether a particular group of volumes or boxes or both shall be combined in a single entry, because they are parts of the same series, or shall constitute two entries, because they are distinct series. If the change in contents is accompanied by a change in title and a new numbering system, we are likely to give each portion a separate entry, for all evidence indicates that a sharp break was intended. If the title changes and a new labeling appears, but the contents of the record remain unchanged, we set up one entry, indicating therein the variation in title and labeling.

In the early days of the Historical Records Survey, there was a tendency on the part of the workers to consider as a distinct series almost any record which differed noticeably from its predecessor. As a result, it was necessary to caution them that changes in contents and even a considerable gap in the dates of a record might exist without disturbing the continuity of the series. When a similar record serving the same general purpose appears at widely separated intervals, it is sometimes difficult to determine whether the several parts should be considered as distinct. For example, in the following entry from the inventory of the records of Baraga County, Michigan, it is doubtful that the two volumes should have been treated in a single entry:

26. SOLDIERS' DISCHARGE, 1864-65, 1918—. 2 vols.

First volume, 1864-65, contains copies of discharge from Civil War service, showing name of soldier, rank and company, name of commander, date and term of enlistment, date and place of discharge, reason for discharge, place of birth, age, physical description, name of commanding officer and certificate of identity signed by county clerk; one entry of discharge from service in Mexican War. Second volume, 1918—, shows names of members of conscription board, its chairman and secretary, physician and his assistant, appeal agent, chief clerk; also soldier's name, residence, date of discharge or death, certificate of identity, where and when served, length of service, personal history. Arr. chron. 1864-65, no index; 1918—, indexed alph. by name of soldier. Hdw. and typed on pr. forms. 550 pp. 20 x 12 x 2½.

Should these be considered parts of the same series merely because they treat the same subject in relation to two wars? There was no continuity in the record between the periods covered by the two

volumes, and their contents differ to some extent. This is an extreme case, for a record of this kind is not a series in the usual sense; it serves a special purpose for a limited period. In other cases, the record has been continuous but the portion of it which covers intermediate years is lost. Then it must be decided in similar fashion whether the difference in the manner of keeping the record and in its content is insignificant enough to make the fragments parts of the same series.

Even if the dates are unbroken, the general character of the record may change sufficiently in the course of its life to raise a question whether it constitutes one uninterrupted record or two or more distinct records which successively served a similar purpose. The style and scope of recording may vary markedly, although the purpose of the record remains the same. An entry for Duval County, Florida, illustrates this point:

119. TAX ADVERTISEMENT SALE, 1901—. 30 vols. (dated). Copy for advertisement (1901-10), newspaper clipping of advertisement (1911-30), and complete newspaper containing advertisement (1931—) of lands to be sold for unpaid taxes, showing date and place of sale, description of land, and amounts of taxes and costs. Not arr. syst., 1901-30; arr. num. by range no., num. thereunder by twp. no., num. thereunder by sec. no., 1931—; also arr., 1931—, by subdivision, num. thereunder by block no., num. thereunder by lot no. No index. Hdw., 1901-10; pr., 1911—. 50 pp. to 250 pp. 12 x 18 x 1½ to 24 x 24 x 2½. 29 vols., 1901-30, cir. ct. clk. bsmt. va., locked section; 1 vol., 1931—, cir. ct. clk. main va.

In this particular case there is no doubt that, although the record does not look exactly the same at all times, it is the same record. In many instances the situation is not so clear.

Changes from bound to unbound form or the reverse frequently involve alterations in the character of the record which render a decision much more difficult. In the case of concurrent files of original instruments and some kind of record thereof, as, for example, a file of original deeds and the deed record, there is little doubt that the two are distinct. We have always required that each be the subject of a separate entry. However, when one supplants the other, so that the two taken together form the continuous body of data on a particular subject, the matter is not so clear-cut. For example, in many states the earliest birth records were in the nature of a register, but when a uniform system of recording vital statistics was adopted, a file of original or duplicate birth certificates was instituted instead. Although

the purpose of the record is the same in either form, has it remained the same record throughout or are these two separate records, one of which succeeds the other? This type of change, from keeping a record of the register type to preserving the original documents or copies in bound or unbound form, occurs frequently.

Sometimes changes in governmental organization confuse the matter of the continuity of a particular record. This is especially true when a particular subject has been within the province of county government for a long time, but has not always been handled by the same agency. For example, probate cases may be handled by a number of different courts at various times in the life of a county. There may be a separate probate court for a period and then this court may be abolished and the jurisdiction conferred successively on two or more other courts; but irrespective of changes in court structure a docket of probate cases will be kept. Does this docket constitute a single continuous record, regardless of changes in the office of issue, or should the record as kept by each court be considered separate? The law may provide that with each transfer of jurisdiction the records of the parent institution shall become part of the records of the successor.

A similar question arises in regard to the transcripts from the records of a parent county which are usually present, sometimes by legal requirement, in the archives of counties derived from it. Do transcripts of those deeds recorded in the parent county which affect land now located in the new county belong to the same series as the separate deed record of the latter, or shall we consider that there was a fresh start in records with the creation of this county, so that records made during its life are distinct from any others?

In addition to the problems of describing a single record and of deciding whether two items are parts of the same record series, further complications are not infrequently added to the situation, doubling the difficulty of these problems and creating new ones. Many volumes and most file boxes or bundles contain at least two and often as many as several hundred different types of records. The mere attempt to ascertain how many records are included and what kinds is a tremendous task, for they are usually intermingled without any logic and without any segregation of types. If, in addition, one wishes to determine the dates for which each type is present and to describe its individual contents in some detail, the difficulties confronted are almost insuperable. Yet this is what the Historical Records Survey is trying to do. There has been considerable objection to such pro-

cedure from our workers and supervisors, because of the time-consuming nature of this work and because they feel that the "unimportant" character of the material frequently does not warrant such detailed analysis. In fact, our earlier inventories merely summarized the principal types of contents or dismissed them with the phrase "miscellaneous papers"; no attempt was made to mention all of them or to describe any of them. This is unsatisfactory, for these difficult-to-describe miscellaneous collections often contain the records of two or more offices and may be the key to apparent gaps in many records. On careful examination they frequently yield records which we are certain must be present, such as early portions of series now current or records which the law at some time required to be kept but which the present incumbent has never seen. They may conceal many other highly important and interesting items. Therefore we are tending more and more to insist that miscellaneous volumes, file boxes, and bundles be examined with great care and their contents analyzed in detail. As a result, of course, we must insist that the workers inspect individually hundreds of duplicate dog licenses, to make certain that the missing report of a special committee on schools appointed early in the life of the county or some other important item is not also present.

The question of the extent to which miscellaneous material will be examined and its contents listed having been settled, it must also be decided in how much detail the individual types of contents will be described. A particular item in a miscellaneous file may be present in small numbers and may be unimportant, but a detailed description of it may consume more space than similar treatment of records much greater in quantity and significance. Therefore a blanket decision to describe at length every item of content may prove to be unsatisfactory, and it is desirable to establish some basis for discrimination. In the Baraga County inventory, one of our earlier publications, appears the following entry:

78. MISCELLANEOUS FILES, 1875-1929. 1 file box.

Cancelled checks 1887, 1890, 1906; certificates of conviction 1892-1914, 1919; chancery subpoenas 1890-91; election returns 1894-95, 1899, 1901; liquor tax 1875-81; Spur Mountain Iron Mining Company bonds 1-125; annual reports of associations and corporations 1876; instructions from auditor general and attorney general to county treasurer; petition to organize Warm Lake Township, treasurer's certificates 1895-99, 1901; sworn statements of medical practitioners; fire insurance papers for courthouse and furnishings; petition to prevent the throwing

of sawdust, edgings and shingles into Keweenaw Bay; plans, bonds, agreement and bids for construction of courthouse and jail. Arr. chron. No index. 24 x 12 x 12. Basement va.

It is probable that a detailed enumeration of the items of information shown by the insurance policies would require more space than similar information concerning any other record in this box, although it warrants such treatment less than any of them.

It is difficult to set up satisfactory criteria which will determine in all such situations which records shall be described at length and which merely mentioned as being present. The compromise which appears most feasible is to demand that the workers listing the records in the courthouse shall give the dates and titles of all the types of contents in a miscellaneous record, but detailed descriptions only for those required by law or deemed by them or their supervisors to be important for other reasons.

The fact that so many volumes and file boxes contain a number of distinct records introduces also the problem of preventing the submersion of such records by virtue of separateness. In part this problem may be solved by giving full descriptions of miscellaneous records and appending a thorough subject index to the inventory. In cases where the miscellaneous record holds portions of a record which has been kept separately at other times, cross-references may be made from the entry for the separate record to the entry for the miscellaneous record, and the index listing for the specific record refers to two entries. Therefore the usual techniques go a considerable way in solving the problem.

However, the elements combined in a given miscellaneous record do not necessarily remain the same from beginning to end. A record which for a part of its life figures in one combination may at other times comprise a separate set of volumes or file boxes, or may be thrown into one or more combinations. The route by which cross-references or an index would lead the reader to the several parts of the record would be a cumbersome and difficult one, and would necessitate the most intense concentration to correlate obscure items in three or four miscellaneous records in order to reconstruct the complete story of the specific record. A person interested in circuit court judgment rolls for Morrow County, Oregon, would have a comparatively easy task in tracing them through the three following entries:

54. (MISCELLANEOUS PAPERS AND RECORDS), 1885—. 306 boxes (1-306).

Includes articles of incorporation; circuit court judgment rolls to 1920; abstract of land titles; bills and accounts of circuit court cases; county bonds; marks and brands; chattel foreclosures; coroner's reports; dependent children's guardianship; delinquents and their court appearance. Hdw. 10 x 5 x 12. Clerk's A va.

56. (MISCELLANEOUS PAPERS), 1885-93. 1 bundle.

Includes county clerk's statements of assessable property, real and personal; circuit court judgment rolls; voters' lists. Papers filed indiscriminately. No index. Hdw. 3 x 12 x 4. Clerk's B va.

89. (CIRCUIT COURT FILES), 1920—. 10 file boxes (A-J).

Files of all the papers entered in circuit court cases filed with or by the clerk in every case. For index see entry 55. Hdw. 15 x 11½ x 24. Clerk's A va.

For prior records see entries 54, 56.

However, if each of the miscellaneous records had been more complex and the entry for it twice as long, if portions of the judgment roll were in two or three additional miscellaneous combinations, if indeed there had never been a separate file, then even the best index and the most complete cross-references might not prevent the reader from becoming lost in the maze and, in any event, from visualizing the series as a whole.

It is not uncommon for a record to have such a complicated life history, and to handle situations of this kind adequately additional techniques must be employed. A special system of cross-references and "artificial" entries are the methods which have been adopted in the inventories produced by the Historical Records Survey. If a record has been kept separately for a portion of its life, we introduce into the title line of its entry a statement that for specified dates it may be found in another entry or in two or three other entries. The following entry from the inventory for Chatham County, Georgia, illustrates this practice:

217. CRIMINAL MINUTES, 1890—. 21 vols. (1-21). 1782-1890 in Civil Minutes, entry 156.

Minutes of criminal cases and proceedings had before court, showing date, case number, name of defendant, offense charged, verdict of jury, sentence (if found guilty), and names of attorneys, witnesses, sheriff, and prosecuting attorney. Minutes serve as index to entries 219-221. Arr. chron. Indexed alph. by name of defendant. Hdw. thru 1906; typed thereafter. Aver. 550 pp. 20 x 18 x 3. 19 vols., 1890-1932, 1-19, sup. ct. cl.'s bsmt. va.; 2 vols., 1932—, 20, 21, sup. ct. cl.'s 1st fl. va.

In the description of a record which contains portions of another record, a notation to that effect is made and a cross-reference given to the entry in which the latter is described. An example is the sister-entry to the one immediately above:

156. CIVIL MINUTES, 1782—. 133 vols. (1-130, and 3 odd vols. not labeled). Title varies: Minutes, 1782-1902, 77 vols. (1-74, and 3 odd vols.).

Minutes of all civil proceedings, business, and cases had before court, showing name and nature of case or business, date and disposition thereof. Volumes 1-53 also contain: Criminal Minutes, 1782-1890, entry 217. Arr. chron. Indexed alph. by names of plaintiff and defendant. Hdw. to 1905; typed thereafter. Aver. 400 pp. 20 x 15 x 4. Vols. 1-109 and 3 odd vols., 1782-1924, in sup. ct. cl.'s bsmt. va.; 21 vols., 1924—, 110-130, sup. ct. cl.'s 1st. fl. va.

The cross-reference in the body of an entry like entry 156 above might have been to an "artificial" entry. That is, if the Criminal Minutes or any other distinct record has never been kept separately, but has always been submerged in one or more other records, it might be the subject of an entry such as the following, which describes a record of Washington County, Ohio.

99. (RELIGIOUS SOCIETIES), 1820-30. In Marriage Record, entry 293.

Record of organization of religious societies showing name of sect, date of organization, and names of official members.

Another instance is the following in the inventory for Denton County, Texas:

183. RECEIVER'S OATH AND BOND, 1877—. 1877-1905, 1933— in Civil Suit Files, entry 173; 1906-32 in Bonds, entry 179.

Original bonds made by receivers of businesses appointed by court, to insure faithful performance of duties, showing name of receiver, names of sureties, date and amount of bond, and expiration date.

The fact that a detailed description for such a "contained" item may be given in a distinct entry of this kind also helps to unburden the entry for the miscellaneous record which contains it and which would reach gigantic proportions if all its varied contents were described as fully in a single entry. Furthermore, since artificial entries detach separate records from their accidental resting places, it enables us to place the entry for any given record under the proper office or subject heading.

Since we have not made the employment of these cross-reference

and artificial-entry techniques a rigid requirement, they are used to varying degrees in different states. Some states have not chosen to adopt them, because of their complicated character, or because the listing of the records in the county courthouses had not included a sufficiently detailed analysis of mixed records to make this type of breakdown feasible. The latter consideration affects all states, particularly as regards listing done early in the life of the Survey, for it is obvious that a thoroughgoing use of this system requires a complete description of every record within a mixed or miscellaneous volume or file. The difficulties involved in such an attack upon miscellaneous records have been discussed above.

Aside from these practical considerations, however, there are serious problems of definition. If an artificial entry is to be made for each distinct record which is contained in another, a completely workable definition of what constitutes a distinct record must be devised. A clue to some of the difficulties which arise in framing such a definition was given at the beginning of this paper, when mention was made of the fact that the legal requirement for keeping a particular record may be met in a manner far short of maintaining a separate book or file. Notations, regardless of their form or where they are made, in some cases become a record in the eyes of the law, but should they be considered a separate record deserving of an artificial entry? The county treasurer may be ordered by law to keep a record showing collections for licenses. Shall the additional column which he rules off in his cashbook satisfy our definition of a separate record as it does the law's? If not, then we cannot use as our principal criterion in determining separateness the existence of legal provision for the record, and we must adopt some definition which will clearly exclude such items as these. Obviously we cannot return to physical separability as the determining factor, for in many cases there is no doubt that items which cannot be physically detached are separate records.

The reverse of this situation presents just as many difficulties. Not all the physically separable items in a miscellaneous volume or file are actually separate records, and two clearly distinguishable types of papers may constitute a single record. The fact that they are readily separable cannot be conclusive evidence to the contrary. For example, the case files which will be found in any court clerk's office might conceivably be considered merely a miscellaneous file, composed of a number of separate records indiscriminately mingled together, such as writs of various kinds, orders, and so on. It would be a compara-

tively easy matter to go through such a file and segregate the depositions, the writs of attachment, the subpoenas, and the other kinds of documents. It is clear, however, that to consider each type of document found in such a file as a separate record would distort its relation to the whole; it would obscure the purpose of the record, the fact that the basic unit in this record is not the document, but the envelope or folder devoted to each case.

Certain other distinct items must be recorded or filed together to make up a single record, and the purpose they serve would be denied if they were considered separate. Yet if recorded or filed alone, the same item might be clearly a separate record. For example, if health certificates must be filed by applicants for marriage licenses together with their applications, it would be incorrect to consider this a mixed file combining two distinct records, health certificates and marriage applications. If found in a separate file box or even in a genuinely miscellaneous file, however, health certificates would unquestionably constitute a distinct record.

Thus the two most obvious tests of separateness, legal requirement and physical separability, must be modified if they are to determine when we shall make artificial entries. Although we have not yet been able to furnish our state staffs with a completely satisfactory definition of a separate record, we have recognized that in some instances they are carrying the artificial-entry technique too far, using it to isolate the different subjects of a single record, and we have attempted to correct these tendencies. Some of them broke down case files in the manner discussed above and which is illustrated by the following entry from the Denton County, Texas, inventory, which was published in August, 1937:

288. CIVIL CASES, 1875—. 10 cabinet drawers and 77 file boxes. Transcripts of judgments, subpoenas, citations, depositions, bills of cost, appeal bonds, motions for new trial, petitions, answers, witness attendance, special charges, motions, and all other papers filed in civil cases in county court. Contains: Garnishments, 1875-79, 1881—, entry 289; Writs of Attachment, entry 290; Writs of Sequestration, entry 291; Writ of Certiorari, entry 292; Writ of Error, 1925—, entry 293; Certiorari Bonds, entry 295; Supersedeas Bond, entry 296; Writ of Error Bonds, entry 297; Cost Bonds, entry 298; Petitions, Civil Cases, entry 303; Pleadings, entry 304; Transcripts, Civil, 1907—, entry 305. Filed numer. by case no. No index. Drawers, 28 x 4½ x 20; file boxes, 10 x 5 x 13½. 10 cabinet drawers, 1875-1910, C.C. vault; 77 file boxes, 1894—, C.C. office.

In particular, there was a tendency to analyze excessively the minutes of the county commissioners or board of supervisors and to consider notations on each subject which appeared regularly as a separate record. An entry from the inventory for Pend Oreille County, Washington, published only a month later than the one just cited, illustrates this practice:

1. COMMISSIONERS' JOURNAL, 1865—. 4 vols. (A, 1-3).

Record of proceedings in meetings of the board of county commissioners, including: Approval of Road Petitions, entry 3; General Public Works Petitions, entry 6; Rejection of Road Petitions, entry 5; Tax Levies to Pay County expenses, entry 2; and the settlement of any other county business. Arr. chron. Indexed alph. by names of persons involved and subjects discussed; for index to road records, see Engineer's Road Record Index, entry 351. Typed. Vols. aver. 600 pp. 18 x 12 x 3. Aud. va.

We have since made it clear to our editorial staffs that items which are merely part of the ordinary business transacted by the commissioners and which appear in their minutes for that reason should not be broken down into artificial entries. In some cases, of course, the minute books are actually a catchall for a number of records entirely distinct from the regular minutes of proceedings.

On the one hand, therefore, our system of cross-references and artificial entries runs up against a fundamental problem in any attempt to analyze records, that of defining a record. On the other hand, it also encounters the problem of determining how much divergence there may be between complementary portions of a record before they cease being parts of the same series and become two separate records. We have discussed this latter problem above as it affects the decision to combine materials in a single entry or to make each the subject of a separate entry; but it creates just as many problems in the matter of title line cross-references.

As indicated above, if a record has been the subject of a separate set of volumes or file boxes only for a limited portion of its existence, and for the remainder of its life has been combined with other records, the entry for the separate portion would show in its title line where the record may be found for other dates. Thus we enable the reader to trace a given record series through its various guises from its beginning to its end, by leading him directly from the entry for the separate portion to all the other parts of the same series, no matter within how many other records it has been kept. The object of the system is to have one of our entries cover a complete record series, and thus to

free our inventories from the haphazard methods by which county officials may have kept their records. The title line cross-reference system serves an entirely different purpose from cross-references to material which is merely related in subject; the latter type of guidance we give by cross-references in a third paragraph appended to the entry or cross-references between subject headings. The first system serves an archival purpose, the second a topical purpose.

Therefore, before we can determine whether the cross-reference shall be placed in the title line or the third paragraph of the entry, we must decide whether the material to which we are referring is the same record as the portion which has been kept separately, or is merely a similar record which precedes, supplements, or supplants it. Although it is difficult to decide this point when the entire record is physically separate, it is much more difficult when the complicating factor of combination with other records is introduced.

If the official merely decides that a particular instrument is not presented for recording often enough to warrant the use of separate books or containers for it, and that henceforth he will enter it in the same volume or file it in the same box with some other record, the case is clear-cut; the record has changed only in physical form, but has not lost its separate identity. This is obviously a case for a title line cross-reference. The same would of course be true if the record was small in quantity in its early days and was therefore entered in a miscellaneous record, but later increased sufficiently so that a separate container was devoted to it.

Frequently, the situation is not so simple. The official may decide that the separate record entails unnecessary labor or that it is partly a duplication of some other record. If he revises the printed form which he uses for the latter to include most of the information previously contained in the separate record, or if he rearranges the columns in a ledger, perhaps adding one or two, to present approximately the same data, may we consider the formerly separate record as contained in the other after the end of its physically separate existence? If so, we are justified in making a title line cross-reference in the entry for the separate portion of the record. A simple illustration may present the problem more clearly. The recorder of a given county, required by law to keep a fee book, has kept it separately until 1925, when he decides that by merely adding to each entry in his reception book the amount of fee collected and the name of the payer, he will obtain the same results, since the reception book already shows

the date, nature of the instrument, and the other items of information which had appeared in the fee book, though not in the same order. Can it be said that the fee book is contained in the reception book after 1925, so that a title line cross-reference may be made in the entry for the former; or has the fee book ceased to exist; are we justified only in making a third paragraph cross-reference from its entry to that of the reception book on the ground that the latter merely contains similar information after 1925? In the legal sense, this recorder is still keeping a fee book. Here we have the old question of the amount of change which a record may undergo without ceasing to be the same record, plus the other point that a given item may meet the legal requirement for keeping a particular record without always satisfying the archivist's idea of a record.

The example just cited is less disputable than many, for the fee record remains distinguishable. Many cases present far greater difficulty, however. Take an instance of two records formerly kept separately in Scott County, Illinois:

49. TAX JUDGMENT RECORD, 1840-79. 3 v. Missing: 1848-63. 1880—in Tax Judgment, Sale, Redemption, and Forfeiture Record, entry 48.

Record of tax judgments, showing term date, in whose name assessed, legal description, tax spread, total tax, costs, and total amount due. Arr. by sec., town, and range. No index. 1839-47, hdw.; 1864-79, hdw. under pr. hdgs. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

50. TAX SALE RECORD, 1841-79. 3 v. (A-C). 1880—in Tax Judgment, Sale, Redemption, and Forfeiture Record, entry 48.

Record of tax sales and redemptions showing legal description of property, to whom sold, value, amount of taxes and costs due, date and amount of sale, by whom redeemed, and date and amount of redemption. Arr. by sec., town, and range. No index. 1840-47, hdw.; 1848-79, hdw. under pr. hdgs. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

These two records were combined after 1879.

48. TAX JUDGMENT, SALE, REDEMPTION, AND FORFEITURE RECORD, 1880—. 3 v. (1 not lettered, G, H).

List of lands and lots forfeited for taxes, showing name and residence of owner, date, location and legal description of property, amount due, petition and court order for sale, by whom redeemed, date, and amount paid. This record is a combination of Tax Judgment Record and Tax Sale Record formerly kept separately, entries 49 and 50. Arr. by sec., town, and range. No index. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Not only the number and sequence of items formerly shown by each record has changed, but even the character of those items has changed somewhat, for the joint record requires a slightly different approach to the matter in hand from that entailed by two separate ones. The combined record is a continuation of the two, and it presents approximately the same data. Yet to justify the title line cross-references used in entries 49 and 50, it must be said that entry 48 describes a mixture rather than a compound, chemically speaking; that the two separate records continue to exist, though no longer in separate volumes. If, on the other hand, the combination goes beyond the amount of alteration which a record may undergo without changing its identity, if the combined record supplants rather than perpetuates the two separate ones, then these three entries represent an abuse of our title line cross-reference system and should have been linked together only as records related in subject matter. However, until we can with precision define a record series in all its aspects, we have no satisfactory basis for outlawing this particular use of the system and permitting others where the situation differs only by a slight margin.

Our attack upon the problem of record analysis, in terms of entries, title line cross-references, and artificial entries, is admittedly imperfect. Some of the difficulties we encounter are inherent in our system, but others are logical problems which reside in the records themselves and would tax any method of analysis. Perhaps our system attempts to reduce to geometrically sharp terms certain matters in which qualitative elements figure too largely to be disregarded. Nevertheless, we believe it is a step in the right direction, for it is at least an attempt to produce a real inventory of records, rather than an inventory of volumes and file boxes. Moreover, its use has directed attention to the need for further study of certain archival terms and the formulation of clear and inclusive definitions of them.

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