

ARCHIVES AND LOCAL ADMINISTRATIVE HISTORY

WHEN local government is referred to in this paper it should be borne in mind that the term is restricted to county government and New England town government. Municipal government and special district government had best be treated separately at some later date for the problems that have arisen in connection with the survey of their archives are somewhat different from those considered here.

From the point of view of the members of this Society it seems apparent that administrative history might be practically, if not entirely accurately, defined as the record of those activities which produced the records which it is the archivist's function to process. Anyone who has had occasion to arrange or use the older county records series realizes that a knowledge of the history, functions, and structure of the office which created them is essential to their arrangement or intelligent use.

Aside from the pioneer work of the Public Archives Commission of the American Historical Association, the inventory of the county archives of California by Dr. Owen C. Coy and a similar work for Illinois by Dr. Theodore C. Pease, and some local CWA and FERA archival projects, Dr. Luther H. Evans had the benefit of very little accumulated experience in local government archival work when he launched the survey program at the end of 1935. As a result the original manual of instructions to survey workers made little provision for the study of administrative history in connection with the preparation of inventories of public records. However, the basis for the later development of research staffs in each state project was there in the provision that a research editor should be attached to each state staff whose duty it would be "to compile lists of sources and types of material to be covered, control the assignments and work out the method of checking, for accuracy." Note particularly the phrase "work out the method of checking, for accuracy." This provision would have had little significance if all county governments had had all their records neatly arranged on shelves in the offices which originated them or for which they were originated. Actually the records of the various offices were intermingled in the basements and attics of county buildings and sometimes in rented garages and storerooms.

In the oldest states county government had evolved over a period of three centuries during which many changes were made in the structure and functions of the various units constituting this type of government. These changes resulted in the beginning of some record series and the discontinuance of others. With the increase in the volume of county business a single series of the eighteenth century might be divided and subdivided several times. As pointed out by Dr. Evans and Miss Edythe Weiner in the article, "The Analysis of County Records,"¹ the physical facts of recordation in even the easily recognizable series present numerous problems in preparing an undistorted logical guide to county archives.

As a result of these conditions it became necessary to provide a frame of reference into which the worksheets resulting from the physical inventories made in the field could be fitted. Its creation involved a detailed study of the history of the agencies which created the records which were being surveyed. Theoretically it should be possible to reconstruct the history of a county government solely from the records produced in the course of administering the county's business. However, such a procedure for one of the older counties would require an analytical mind of the caliber of Vinogradoff's and years of close study. Even then the extensive loss and destruction which has reduced the bulk of county archives would prevent a discussion of some phases of this history and necessitate a hypothetical treatment of others. Consequently it was recognized at an early stage in the survey's work that it would be necessary to undertake research in material other than the records in order to provide this frame of reference.

The most important body of such material is legal—laws, court decisions, and attorney-generals' opinions. There would be little to be gained here from attempting any definition of the legal status of a county by bringing in such terms as "quasi-corporation," "political corporation," "civil division," "administrative division," et cetera. It is sufficient for our purpose to realize that the bulk of county archives has been produced by the county as an administrative unit of the state government. Consequently the state legislatures have passed numerous laws defining minutely the functions of county officers and the manner in which these functions are to be executed. The extent of this type of legislation may be illustrated by a mimeographed issue of the Historical Records Survey project

¹ THE AMERICAN ARCHIVIST, 1 (October, 1938), 186-200.

in Texas entitled: *Check List of Records Required or Permitted by Law in Texas*. This publication, which incidentally, is restricted to the records of county officials, lists 525 types of records. Furthermore, it was based on Vernon's *Complete Texas Statutes*, 1936 edition, and, therefore, does not include laws which prescribed records during former periods of Texas history but which had been repealed by the time of Vernon's compilation.

The utility of a complete check list of all the records ever required or permitted by law to the state offices of the survey soon became clear. Its most obvious advantage was that it would provide the central offices with a check on the completeness of the field work done in the county seats. It would also provide the basis for suggesting that certain records had been overlooked and that a search be made for them. Further it would aid in classifying the records' descriptions under the proper office of origin and reveal inaccurate or incomplete descriptions and mistakes in chronology.

However, its disadvantages were equally obvious. First of all, the legal requirements were not reflected in actual recording practice. The state legislature might prescribe that county officials keep certain records but these officials were usually responsible to the county electorate directly and, consequently, enforcement would have been difficult even if effectively provided for, which was not usually the case.

Furthermore, there was an objection to the compilation of these check lists from the point of view of research mechanics. Their preparation required extensive research in legal materials for a single type of information, whereas with very little more effort other highly useful types of information could be gathered. All laws and constitutional provisions relating to the structure and functions of county offices could be brought under control by means of classified indexes, abstracts, and transcripts. By assembling this research data in the state central offices the staffs would have access to detailed information regarding the structural development of county government, that is, a record of all the offices, boards, commissions, and courts which functioned in the counties at any time together with a record of any combinations, divisions, additions, and terminations of offices. It would also provide a picture of general county administration which would show the controls exercised over the various offices by other official bodies and by the electorate.

A knowledge of the numerous laws regarding the registration of

title to property—the manner of recording deeds, mortgages, assignments, satisfactions, and related instruments—would be of great value to a person preparing a guide to the archives produced by such registration. Even more voluminous is that legislation relating to the administration of justice in criminal, civil, probate, and other types of jurisdictions which have been associated with the name “county court” since medieval times. Other traditional county functions such as the conduct of elections and collection of the state revenue have occupied an important part of the record-producing energies of local officials and a knowledge of the manner in which these functions have been executed in the past is essential to the compilers of logical guides to county archives. Public services now associated with state governments such as education, health, and the care of the poor and defective, were formerly performed and often continue to be performed by the counties and have produced both legislation and records.

It became clear that the accumulation of the basic data on the structure and functions of county government would require a study of all the acts passed by the state legislatures. The indexes in the published codes and session laws were of little value since at least seventy-five per cent of all state legislation affected local government in some way. As a result the laws have to be read page by page. This is being done in each state in accordance with a memorandum from the national director circulated in September, 1937, which laid the groundwork for a series of comprehensive reports on “County government and records.”

In the new states of the Rocky Mountain region this task was formidable enough but it appeared puny in relation to that confronting the projects in the oldest states where literally hundreds of volumes of printed session laws had to be covered. Of course, the use of compiled codes provides short cuts in this research which have been used extensively in order to permit the necessary flow of published inventories of county archives. However, since 1937, the state research staffs have worked at the task of analyzing every volume of session laws in order to obtain all the information on local government contained in them. The codes, even when official, cannot be finally relied upon for the following reasons: (1) acts passed subsequent to the publication of one code and repealed before the issuance of the next code would not be represented; (2) the codes are often condensations of the original law; (3) special legislation is

often omitted although it might be of importance in preparing a guide to the archives of a particular county since a special act might explain an anomaly in some records series; and (4) some codes have serious omissions and mistakes.

The emphasis upon research in session laws may appear to be too great to those who have approached public administration at the state and federal levels. However, it should be remembered that state laws affect the counties as administrative subdivisions and are often as detailed in their instructions as those we find in the mimeographed departmental procedures of the units of the state and federal governments. The information regarding former procedures in county administration is frequently not available outside the laws. Even the oldest county officials in service cannot explain the purpose and origin of certain old records. However, a law long since repealed may give us all the information needed regarding these records. Indeed one of the most important factors in enlisting the increasing enthusiasm of local officials in the work of the survey has been the knowledge of noncurrent records which the local project workers have accumulated and made available to these officials.

The main objection to research in legal materials alone as the source of data on administrative history has already been suggested; namely, that it gives a more or less idealized view of what should happen rather than of what actually happens. The further objection probably has occurred to you that the laws provide only the dry bones and nothing of the dynamics of county administration. The reasons for changes in procedure, function, and structure are omitted from the laws as are descriptions of the local conditions which warped or prevented the execution of the laws. Naturally we have little in the way of diaries and letters of former local officials describing their daily routine for it would scarcely occur to them that such descriptions would be of interest to anyone. Newspapers are of little assistance in providing the flesh and blood for our legal skeleton of administrative history for their editors have shown only a perfunctory interest in the operation of their local governments. The secondary literature in the form of monographs on taxation, education, welfare, administration of justice, and law enforcement is helpful for the most recent period but usually gives scanty treatment of historical backgrounds. Furthermore, there is a general tendency to base these studies on state documents rather than on county archives. This course is understandable in view of the fact

that devising a research procedure for the valid exploitation of the data of social value in county archives is most formidable. Such a procedure would involve research in scattered towns and cities and into records the quantity, availability, and content of which have been hitherto almost entirely unknown.

The debates and proceedings of constitutional conventions, where they are available, provide the most valid and interesting sources of descriptions of county administration as it appeared to those who dealt with it and worked in it in former periods. Much of value is also to be found in the recent analyses of local government by legislative committees set up to draft reform legislation, executive commissions designed to study and improve the efficiency of administration at the county level, and the surveys made by such organizations as Griffenhagen and Associates, Limited, and the Brookings Institution. They must be used cautiously, however, for no matter how scientific the approach a bias against existing forms of administration is usually the motivation of the study. Furthermore, the literature embracing their findings is confined almost entirely to the period since 1919, and certain venerable county institutions suffer when exposed to the analysis of the twentieth century efficiency expert. Those persons who could best defend these institutions in their heyday were never called upon to make a defense since none was needed. Therefore, it is dangerous to apply the findings of the expert survey analyses by any type of fourth dimension projection into the operation of local governments of a hundred or even fifty years ago.

While making use of all the sources described above in creating the frame of reference for archival guides, it has become increasingly apparent to field workers and the state and national editorial staffs of the survey that the records themselves provide the best and most reliable source for administrative history.

When bundles of county records forgotten for a century are found in a storage room the labeling, if any, is noted but experience has shown that this labeling may be illegible, meaningless, or actually misleading. Obviously it would be helpful in making the entry in the guide describing the records in this bundle to have available every scrap of information regarding how the government which made them was constructed and what it was expected to do during the period covered by the documents. It often happens that the bundle contains a miscellaneous collection of documents and the field worker has no knowledge of administrative history. Before any

accurate and usable description of such a collection can be written it is necessary that the documents be analyzed individually and the information assembled and sent to the state editors. In this manner much information regarding the actual operation of the offices in the counties and towns is accumulated and the unusual recording practices of the various localities and clerks made known. It has been found that these analyses of miscellaneous documents often enable the filling in of otherwise unexplainable gaps in other records series.

Similar problems sometimes arise in connection with clearly titled bound volumes which fit neatly, according to their titles, into a logical archival series. However, it sometimes happened that a former official, perhaps with the idea of saving paper, entered, for the period of his incumbency, other types of recordings not covered by the title on the volumes. For example, in the archives of the town of Berlin, Connecticut, there is a series of volumes entitled Berlin Land Records. In these volumes were recorded, in addition to a wide variety of instruments affecting the transfer of land, the following types of records for limited periods: births, marriages, deaths, bills of sale of personal property, bee-keepers' registrations, two local censuses, election of church trustees, articles of incorporation, earmarks, sanitary regulations, and town proceedings. Furthermore, three volumes in this series apparently missing turned up in other places with other titles. Since this is by no means an extreme or unique example, it is apparent that administrative history must from the archivist's point of view include a study of the peculiar recording practices of the various officials.

These mixed types of records are, of course, special problems and must be studied as such when they are found. However, there is one record series the study of which has proved essential in order to provide sufficient background in the administrative history of the county to enable the preparation of the best archival guides. These are the minutes and proceedings of the body which represents the county as a corporation. It is variously entitled the board of county commissioners, board of supervisors, county court, and, in Louisiana, the police jury. These boards usually supervise in some way the activities of all the other county officers and their proceedings provide a running picture of county administration. By carefully checking this series it is possible to ascertain how far, when, and in what manner the laws passed by the legislatures were executed.

In summary then it may be said that the experience of the survey

has shown that in archival work it is almost impossible to overestimate the importance of acquiring a thorough, detailed picture of what the officers creating the archives did, why they did it, and what it was done with. As much of this picture as possible should be at hand before any archives are catalogued, classified, or even listed. This background material should be made available not only to the user of archives but also to the potential user for it will serve to lessen the shock of the first contact with masses of apparently disorganized piles of old volumes and papers and most important of all it will indicate what types of data may be abstracted from the archives for the study of society.

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