Clio in the Courthouse: North Carolina's Local Records Program at Age Twenty-Five

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Abstract: Recent archival literature decrying the worsening condition of local government records offers little practical advice for the alleviation of the problem, which remains a fundamental responsibility of local governments themselves. State archival agencies, however, can and should develop programs in partnership with the counties and municipalities. North Carolina's local records program, which observed its silver anniversary in 1984, remains unique in the country. While it is not reviewed here as a model for emulation, this program does suggest that a state-financed local records program both feasibly and effectively conquers the paper mountains that have accumulated over the centuries.

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Documenting America is another of a growing number of books, reports, and articles assessing the condition of American documentary resources, particularly state and local records. Published by the National Association of State Archives and Records Administrators, the book reviews the findings of the first X Max less vost round of state assessment studies funded by the National Historical Publications and Records Commission (NHPRC) in 1982. The willingness of members of the NHPRC to allocate nearly one million dollars for these and subsequent state selfstudies betrayed their suspicion that the documentary health of the nation was ailing, and that the archival profession was not immune from hyperbole.

That the suspicion was well-founded is painfully demonstrated by the survey essays of Edwin C. Bridges on state government records and Richard J. Cox on local government records. The essays do not pretend to measure up to the 1963 report by Ernst Posner in either depth or scope, but both provide distressing, even shocking, evidence that few of the standards set by Posner more than twenty years ago have been met or even approached by state and local governments.² In many states, for example, virtually nothing has been done to alleviate the condition of local records. In fact, two decades of new problems have been added to those that worried the gentle "dean of American archivists."

Cox found the "predominant theme" of the state assessment reports to be the "worsening condition" of local government records. He confirmed the findings of previous nation-wide evaluations that few state archival agencies have developed effective programs of assistance to counties and municipalities and that "professional records management is unknown to thousands of local government jurisdictions in the United States because it does not occupy a high priority among archivists, records managers, state and local officials, and their respective organizations."

Cox further noted that "there are no model local government records programs visible in these reports; at best, we can detect parts of programs that are working and that might be replicable in other states, or can identify programs with potential to serve as that model."5 One might add that a model is often less a reality than a boast, and that new programs, launched with great fanfare, sometimes wrap themselves in the cloak of that ubiquitous word. Programs conducted by someone else's money, in particular, may be heralded by both grantees and grantors as archetypes, when, in fact, they may be archival Potemkin villages.6

The peril of proclaiming model programs, particularly those highly publicized in the press and in the archival world, is illustrated by the citation of Allegheny County, Pennsylvania, in the chapter en-

^{&#}x27;Lisa B. Weber, ed., Documenting America: Assessing the Condition of Historical Records in the States ([Atlanta]: National Association of State Archives and Records Administrators, [1983]). In addition to the Bridges and Cox essays mentioned in this article, Documenting America includes reports by William L. Joyce on private manuscripts and Margaret Child on statewide functions and services, plus useful appendives

²The 1963 report was published as Ernst Posner, American State Archives (Chicago: University of Chicago Press, 1964).

Weber, Documenting America, p. 20.

⁴H. G. Jones, Local Government Records: An Introduction to Their Management, Preservation, and Use (Nashville: American Association for State and Local History, 1980), p. x.

^{&#}x27;Weber, *Documenting America*, p. 20.

'Grigori Aleksandrovich Potemkin (1739–1791), Russian field marshal and statesman, was alleged to have erected in the Crimea a series of false-front "villages" to impress the touring Catherine the Great. His name has since been associated with projects reflecting more show than substance.



In the early stages of North Carolina's local records program, Ernst Posner (far left) observed the microfilming phase in the Johnston County courthouse. Others in the picture are, left to right, H. G. Jones, state archivist; Nora P. Southerland, clerk of superior court; Walter R. Langston, microfilmer; William G. Massey, register of deeds; and A. M. Patterson, assistant state archivist. *Photo by H. G. Jones*.

titled "It Can Be Done" of Local Government Records: An Introduction to Their Management, Preservation, and Use.\(^7\) News from Pittsburgh, the county seat, now indicates that while the Records Management Task Force did reduce substantially the quantity of existing records through scheduled disposition, other ambitious proposals of the Committee for Progress, to which business executives volunteered thousands of hours

of their time, generally were not implemented by county officials. Consequently, a new initiative in Allegheny County was necessary in 1984, and its success is not yet determined.8

The primary responsibility for the care of local public records lies in the local governments themselves, yet only a few counties and municipalities in the entire nation have established truly effective and

⁷Jones, Local Government Records, pp. 85-87.

[&]quot;See, for instance, P. J. Boyle, "Rotting records: Old papers decay in Courthouse attic," *Pittsburgh Press*, 16 Sept. 1984; and an editorial, "Saving the county records," *Pittsburgh Press*, 18 Sept. 1984. The same newspaper on 16 May 1985 carried another article entitled "Fire in records prompts new blast at county's inaction." Further comments on the Allegheny situation were furnished to the author in letters from David O. Stephens, 23 January 1985, and Roland M. Baumann, 15 February 1985.

efficient records programs. Most archivists agree, however, that the records of governmental levels subordinate to the state are of great interest to the state archival agency. The statutes of most states grant to that agency a degree of authority over local records. Even in states with adequate statutory authority, however, few substantial outreach programs have been developed.

As long as responsibility for local records involved just state and local governments, archivists and other officials felt a degree of pressure. With the advent of records grants through the National Historical Publications and Records Commission (and occasionally through other federal agencies such as the National Endowment for the Humanities and the Appalachian Regional Commission), the sense of *mea culpa* has been more easily shed-or at least more easily transferred-by state archivists and local officers. The tone of reports such as Documenting America, indeed the tone of countless grant proposals received by NHPRC, reflects a new philosophy that argues that the problem of local government records can be solved only through its nationalization, including, of course, the infusion of funds from beyond a state's borders. This trend toward seeking federal money to carry out one's own responsibility may be checked by the new prevailing mood of the country, but its legacy can still be pernicious if the idea of nationalization of local records problems allows state archivists and local officials to humor their consciences by transferring their frustrations to Washington.

Progress in the management and preservation of local public records thus remains

a task for state and local governments. To be sure, it is a task that enormously complicates the lives of state archivists, whose capabilities and resources are already stretched thinly. Struggling to do justice to the records of state government, they can spare little time for or attention to the expansion of services to hundreds or thousands of counties and municipalities whose records present multifarious problems in quantity, content, format, value, and use. The immensity of the problem is the greatest enemy to its resolution, for its very size and complexity often lead to frustration and inactivity rather than to an evolutionary plan that removes the obstacles in stages.

A sense of helplessness at the state level is understandable but indefensible, for an extension of records assistance to local governments need not become a leech upon an existing archival program. In fact, a new program, established under a separate budget, can lend enormous strength to an existing one. The following review of North Carolina's local records program illustrates this point.

Origin of the Program

August 1984 marked the twenty-fifth anniversary of the first comprehensive local records program launched by an American state. Its origin was described in detail in the *American Archivist* two decades ago and can be summarized here briefly.¹⁰

The vicissitudes of North Carolina's local records prior to the twentieth century paralleled those of the older eastern states until Robert D. W. Connor, secretary of the North Carolina Historical Commission from 1903 until 1921, became intense-

⁹One of the more effective programs—that of Montgomery County, Ohio—will be cited in Bruce W. Dearstyne's forthcoming guide for local officials, to be published by the American Association for State and Local History.

¹⁰H. G. Jones, "North Carolina's Local Records Program," *American Archivist* 24 (January 1961): 25-41; and John Alexander McMahon, "A County Official Looks at a State-Supervised County Records Program," *American Archivist* 25 (April 1962): 211-218.

ly interested in them. 11 Connor's initial objective was to provide for the proper care of original records in situ; but as his indefatigable collector, Fred A. Olds, carted more and more of them to the state archives in Raleigh, the archivist yielded to the policy of centralizing county records when courthouse officials could be persuaded to let them go. Olds was not always as patient. Julian P. Boyd remembered that as a graduate student at Duke University he helped Olds load eighteenth-century records of a northeastern county on the pretext of moving them into storage in an old jail. The records came directly to Raleigh and have been there ever since. By the 1930s, a huge body of records from scores of counties and a few municipalities had been accumulated in the state archives.

At the urging of Albert Ray Newsome, secretary of the North Carolina Historical Commission and chairman of the Public Archives Commission of the American Historical Association, the General Assembly in 1935 passed legislation giving the state agency rather awesome authority over all public records. About the same time two federal agencies, the National Youth Administration and the Historical Records Survey (HRS), began their work, which included, respectively, arranging and indexing genealogically important records and inventorying local records. The resulting descriptive inventories, published and widely distributed in three volumes, revealed for the first time the richness of the county archives and whetted the research appetites of archivists, historians, and genealogists.12 In the 1940s and 1950s the State Department of Archives and History (as the North Carolina Historical Commission was renamed in 1943) cooperated with the Genealogical Society of the Church of Jesus Christ of Latter-day Saints, whose microfilm cameras copied records in sixty-eight of the one hundred counties. Through this program the archives obtained reading copies of hundreds of reels containing deeds, wills, and similar documents.

Nevertheless, most local records remained in their original form in the courthouses and city halls, and little was done to help alleviate problems facing their custodians. Having pioneered in the preparation of retention and disposition schedules for state agencies, the archives in 1951 appointed an Advisory Committee on the Disposal of Noncurrent Records, which drafted schedules for retention and disposition of records in the offices of clerks of court and registers of deeds. Not until 1957, however, were the draft schedules revised, officially adopted, and issued in mimeographed form.

Thus more than a half century after the establishment of the state's archival agency and two decades after it was given authority over the disposition of public records, the state archives had done little for local records except to enrich its holdings with originals and microfilm copies. Yet at least two-thirds of the counties and some of the municipalities had suffered losses of records from a variety of causes such as occupying soldiers, fires, floods, hurricanes, vermin, neglect, theft, and careless housekeeping. Even worse, losses were continuing. It was time for help from Raleigh.

[&]quot;The early history of the records is told in H. G. Jones, For History's Sake (Chapel Hill: University of North Carolina Press, 1966), and in the same author's "The Public Archives of North Carolina," (Ph.D. diss., Duke University, 1965). After 1903, details on archival interests in local records were included in the biennial reports of the North Carolina Historical Commission and (after 1942) the Department of Archives and History.

¹²Charles Christopher Crittenden and Dan Lacy, eds., *The Historical Records of North Carolina: The County Records*, 3 vols. (Raleigh: North Carolina Historical Commission, 1938–1939). North Carolina was the only state to publish its inventories in attractive printed format.

A review of archival programs around the United States indicated that no state had developed a satisfactory local records plan, although several administered pieces of programs.¹³ Clearly, North Carolina had to develop its own unique program to help Clio in the courthouse.

Helping Clio, however, was only part of the need. Local officials urgently needed assistance in managing the mounting documentary burden and in meeting the dangers of over-zealous microfilm and instant copier peddlers. If the existing paper mountains could be conquered, undivided attention could be given to improving current and future record-keeping practices. The General Assembly in 1958 provided a new position of public records examiner, but only a bold new program could make much of a dent in the local records problem. Consequently, the state archivist turned to the people most needing help—the county officials themselves. The municipalities would have to wait.

That story, too, has been told previouslv. but the strategy is worthy of restatement, for it explains the success of the campaign to develop a state-administered local records program. Although the professional aspects of the proposed program were devised by the state archivist, they were adopted by local officials, both individually and through their associations. From the beginning, the program was designed as a partnership; the department would administer the program if the local officials and their legislators obtained the passage of an act to authorize and fund it. In reviewing the campaign two decades later, an archivist wrote, "The strategy necessary to secure the . . . appropriation

from the General Assembly involved the development of a grass-roots demand for the program. It was essential for local officials to participate fully and for the department to take a non-promoter stance in establishing the program; it was to be an 'asked-for' service, not one forced upon the counties.''14

The approach was so successful that the plan was adopted by all of the major associations of county officials, and as the 1959 session of the General Assembly approached, legislators asked to be permitted to cosponsor the special bill that was introduced in both houses. These requests were gladly granted, and alleged legislative parenthood became almost humorous.

In language, the act, enacted without a negative vote in either house, was simple:

The North Carolina Department of Archives and History is hereby authorized and directed to formulate and execute a program of inventorying, repairing, and microfilming in the counties for security purposes those official records of the several counties which the Department determines have permanent value, and of providing safe storage for microfilm copies of such records.¹⁵

The act carried an appropriation of \$147,000 for the biennium, and budget officials allowed the state archivist to divide the funds into line items. A County (later Local) Records Section was established with ten (later fifteen) positions, headed by an assistant state archivist for local records. Some of the funds were allocated for the enhancement of the existing archival and records center programs. The

¹⁴Frank D. Gatton, "A History of Local Records in North Carolina, 1665–1959" (Master's thesis, North Carolina State University, Raleigh, 1977), pp. 132–133.

¹³Virginia, for example, had made an effort to procure for its state archives microfilm or photostatic copies of historically valuable county records, and Georgia was currently microfilming and repairing its county records. Neither, however, was conducting and publishing inventories and retention schedules or extending professional records management services to local governments.

¹⁵ Chapter 1162, Session Laws of 1959.

new child quickly learned to share with its siblings.

The new legislation, together with the broad authority of the public records act and an amendment giving statutory enforcement to retention and disposition schedules approved by the archives, permitted the launching in August 1959 of a program designed to (a) inventory and schedule all county records; (b) restore deteriorating original volumes by the Barrow laminating process and rebind them; (c) destroy useless records and transfer to the state archives permanently valuable originals no longer required for local administration; (d) microfilm all permanently valuable records, make duplicate reference copies for the state archives, and provide security storage for the master negatives; and (e) extend professional assistance in the field of records management. A further amendment to the public records act in 1961 required all state and local agencies to cooperate with the department in "the application of efficient and economical management methods to the creation, utilization, maintenance, retention, preservation, and disposal of official records."16

Phase I (the inventorying, scheduling, repairing, and retrospective filming of all permanently valuable records in each of the one hundred counties) required eleven and one-half years instead of the projected seven, mainly because the number of land transactions in the 1960s dramatically increased the volume of deeds requiring

filming. There was no time for rest when the last county was finished in 1971, moreover, for Phase II called for a regularized updating of activities in each county. Furthermore, county officials, at the dawn of the computer age, were impatient for more extensive advice and assistance regarding their proliferating current records, and municipal officials continued to feel neglected.

The subordination of the previously independent Department (now Division) of Archives and History to a new politically administered cabinet-level Department of Cultural Resources had a deleterious effect upon the local records program. Resources were severely strained during the 1970s. To the extent of staff capability, however, records management services were extended to local governments, including an increasing number of municipalities. When the program was twenty-one years old, on the assumption that records management assistance could be intensified, the Local Records Branch was abolished and its previous functions divided among the Archival Services Branch and the Records Services Branch.

Summary of Accomplishments

After twenty-five years, North Carolina's local records program can be evaluated in several ways. Early on, local officials showcased it in their national meetings and publications as an example of effective state and local government partnership, 17 and it was cited extensively

¹⁶Chapter 68, Session Laws of 1959, applied specifically to state agencies, but the additional act in 1961 (Chapter 1041, Session Laws of 1961) extended the department's records management responsibilities to "each county, municipality and other subdivision of government." Thus in two years the public records act (Chapter 132 of the General Statutes of North Carolina) was strengthened to give the Department of Archives and History a broad mandate over all state and local public records. In a recent nationwide evaluation, North Carolina's public records statutes were judged the most satisfactory among the fifty states. See George W. Bain, "State Archival Law: A Content Analysis," American Archivist 46 (Spring 1983): 158–174.

¹See, for example, "North Carolina's County Records Program," *The County Officer* 25 (June 1960): 181; "Microfilm Applications in a State Archival-Records Management Program," *Proceedings of the Twelfth Annual Meeting and Convention* (Annapolis: National Microfilm Association, 1963), pp. 273–279; and H.G. Jones, "The Case *for* a State-Assisted County Records Program" (Paper presented at the annual meeting of the National Association of County Recorders and Clerks, New York, 10 July 1962).

by archivists and records managers. 18 In 1964 the program was influential in the selection of North Carolina as recipient of the Society of American Archivists's first Distinguished Service Award. The rich holdings of original and microfilmed county records in the state archives attracted national attention and led to a dramatic increase in the number of visiting researchers, both historical and genealogical. Furthermore, the legislature was increasingly generous in funding the program, though some of the support was administratively siphoned off for more arty, trendy, and attention-grabbing activities after the reorganization of state government.19

The most impressive measurement, of course, is the statistical record for the period 1959–1984.²⁰

1. For each of the counties an inventory of all records, together with retention and disposition schedules, was published and distributed to records custodians, leading to the voluntary destruction of thousands of cubic feet of records of no further administrative or research value. These one

hundred bound volumes essentially superseded the three volumes of HRS inventories published in the 1930s.

- 2. The nation's first printed *County Records Manual* and *Municipal Records Manual*, initially published in 1960 and 1961, respectively, were revised and republished.²¹
- 3. An estimated 55,000,000 pages of permanently valuable county records contained in 110,376 volumes, as well as large quantities of unbound manuscripts, were microfilmed on 47,873 reels; about half of the reels were duplicated for research use in the state archives; and the master negatives were filed in a scientifically designed security vault beneath the Archives and History-State Library Building on Jones Street in Raleigh.
- 4. An additional 53,720 reels, microfilmed to archival specifications by local governments, were accepted for preservation in the security vault.
- 5. Records of several thousand churches and church associations were included in the microfilming program.

¹⁸Reports other than those published in the American Archivist included John Alexander McMahon, "The Local Records Program in North Carolina," North Carolina Historical Review 39 (Spring 1962): 165-174; A. M. Patterson, "Records Management in North Carolina Local Government," Records Management Journal 4 (Autumn 1966): 11-14; H. G. Jones, A Program for Microfilming County Records (Salt Lake City: World Conference on Records, 1969); and Frank D. Gatton, "The Local Records Program," Records Management Quarterly 7 (January 1973): 12-15, 22.

¹⁹On the whole, the Division of Archives and History, larger than all other cultural agencies combined at the time of reorganization, fared reasonably well fiscally under the new cabinet-level department. Its growth, however, was deceptive, for most of the gains were made in the bloated administrative echelon and in the more showy programs—museums, historic sites, and celebrations. Archives and records management are not fashionable subjects for the ribbon cuttings, cocktail parties, banquets, and media events so dear to the hearts of camera-conscious politicians; consequently, while highly visible activities flourished, the local records program bore more than its share of the recession-era belt tightening. Potemkin villages were not unknown in Raleigh in the late 1970s and early 1980s.

²⁰These statistics are based on the biennial reports of the State Department of Archives and History, 1958–1972, and the Division of Archives and History, 1972–1984, supplemented by summaries contained in H. G. Jones, "Clio in the Courthouse," unpublished presidential address delivered before the Historical Society of North Carolina, Raleigh, 17 October 1980, and a letter from David J. Olson, state archivist, to H. G. Jones, 9 July 1984.

²¹H. G. Jones and A. M. Patterson, eds., *The County Records Manual* (Raleigh: State Department of Archives and History, 1960); this manual was revised and republished by the same editors in 1962 and by A. M. Patterson and Frank D. Gatton in 1970. H. G. Jones and A. M. Patterson, *The Municipal Records Manual* (Raleigh: State Department of Archives and History, 1961); this guide was updated and republished by A. M. Patterson and Frank D. Gatton in 1971. Both manuals were essentially superseded by retention and disposition schedules issued in a new format for the counties in 1982 and for the towns, cities, and councils of government in 1984.

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Both microfilm and original records flowed into the Local Records Section in Raleigh, where the clerical staff inspected exposed film, ordered and spliced in corrections, and arranged for the duplication of reading copies and the security storage of the master negatives. Archivists arranged and described vast quantities of paper records no longer required for administrative purposes in the counties. The crowded room shown here was replaced in 1968 by more spacious quarters in the new Archives and History-State Library Building on Jones Street. *Photo by Division of Archives and History*.

6. The Barrow lamination process restored 1,335,718 pages of deteriorating local records, and more than 3,100 volumes were rebound.

7. More than 5,000 volumes and several thousand cubic feet of original records from all of the one hundred counties, no longer needed at the local level, were transferred to the state archives. The heavy use of these records and the microfilm copies of original records remaining in the counties largely explains the impressive biennial reference figures of the state archives: 33,561 visiting readers and 32,327 mail inquiries during the latest reporting period.

8. Modern records management techniques were introduced to local governments.

In an age of grantsmanship, this mammoth program was conducted without federal or foundation assistance. In fact, except for the small cost to the counties of space, electricity, and a little inconvenience, the entire expense of the program—an estimated \$5 million over twenty-five years—was borne by a relatively poor state, demonstrating that good archival programs depend more on priority and leadership than on the financial condition of the state. It was money well spent, for the program demonstrated graphically that state and local officials can work together effectively and harmoniously for the common weal—in this case, their documentary heritage.

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Admittedly, the program can be criticized as being almost wholly one of state assistance to local governments. Three points, however, must not be overlooked in judging the program: first, the records of local government are a part of the common heritage of the people of a state and therefore deserve to be managed properly, regardless of their location and custodianship; second, the enlistment of support

Chinol Buryon Boryon from local public officials provides a lesson in diplomatic administration for state officials who have unsuccessfully sought to impose their will upon local governments; and third, the extension of the principles and practices of modern records management to the counties and municipalities has resulted in significant progress in the development of improved programs for current records at the local level.

For example, since the completion of the retrospective filming of permanently valuable records in the counties, the Division of Archives and History has devoted increasing resources to conducting workshops for and giving direct assistance to local governments to enable them to develop their own records management programs.²² Now in the larger cities, such as Charlotte, Durham, Greensboro, Raleigh, and Winston-Salem, automated micrographics systems, computer records systems, modern filing systems, and records disposition plans are in use. Some counties, such as Buncombe, operate records centers. While the state staff will continue to consult with and assist these larger units, more attention will be required in the future by smaller municipalities, to which approximately 75 percent of staff resources will be directed during the 1985-86 fiscal year.²³

North Carolina's Lesson

This review does not suggest North Carolina's experience as a model for other states to follow. The constitution, laws, administrative structure, traditions, needs, and archival personalities of each state differ. Program blueprints are seldom adaptable from one state to another. For example, the transfer of records of research value to the state archives was a natural consequence of a long tradition of satisfactory centralization of local records in North Carolina, but in states without a similar tradition—such as New York and California with their enormous volumes of local records—such a proposal might generate fierce resistance. Furthermore, in states where local officials depend on the fee system for their salaries, downright hostility might be expected. On the other hand, inventorying, scheduling, microfilming, and the extension of records management services are appropriate in any state that chooses to assume its legitimate, even obligatory, role in preserving its documentary heritage.

Nor is it alleged that the program has effectively solved the local records problems of North Carolina. Indeed, those problems are perpetual, will grow more complex, and can be solved only by a steady, continuous application of increasingly sophisticated techniques and systems in the record-making offices themselves.

What this review does reveal, however, is that North Carolina devised and carried out a shared, long-range plan that brooked no interruption until its first objective was accomplished. Its old-fashioned persistence has essentially conquered the paper mountain that once stood as an intimidating mental and physical barrier to the design of strategies to manage the more complex characteris-

²²Statistics kept since the separation of functions in 1981 are not easily compared with those recorded when the Local Records Section was an organizational entity. However, records management and micrographics on-site services reported for the period from July 1980 through June 1984 included 32 records management consultations, 4 file system studies, 3 county record-keeping studies, 75 micrographics consultations, 75 micrographics systems surveys and reports, 31 microfilm assistance visits, 6 microfilm feasibility studies, 5 records filming procedures consultations, and one appraisal project involving a defunct city department. Forty-nine records management and micrographics workshops were conducted for 776 county and municipal officials and employees. David J. Olson, state archivist, to H. G. Jones, 9 July 1984.

²³David J. Olson, state archivist, to H. G. Jones, 7 August 1985.

tics of modern records. Now, with three hundred years' accumulation of archival materials under professional management, the Division of Archives and History can give more intensive attention to current records, thus strengthening the sense of cooperation between archivists, records managers, and local officials. Like archivists, county and municipal officials come and go; consequently, continuing and frequent contacts are essential to maintain the vitality of the partnership.

If there is a lesson that every state can

learn from North Carolina, it is that the unconscionable condition of local government records can be improved if the state assumes its own responsibility by providing a substantive program that enlists local officials as partners with archivists and records managers. Time and labor spent on studies, surveys, and grant applications may be spent more profitably on missionary work among one's own legislators and community officials. Archival salvation will be found at home, not in Washington, D.C.