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Irvin May

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## COUNTY ARCHIVES AS A SOURCE OF HISTORY: RUSK COUNTY ARCHIVES, AN EXAMPLE

IRVIN MAY

Rich and rewarding experiences await the historian who visits one of the more than 3,000 county archives in the United States. County archives contain valuable sources for the study of local history, government, economics and society. In most states, county archives are the first sizeable accumulation of local history, government, economics and society. In most states, county archives are the first sizeable accumulation of local records. The keystone position of county records in the national record structure remains unquestioned.<sup>1</sup> Yet some historians neglect county archives. Their vast importance is minimized. One has only to consult bibliographical guides and the bibliographies of county and state histories to conclude that county archives constitute a vast unexplored reservoir.

What are county archives? County archives consist of written or printed books or maps made and received in pursuance of law by counties in the transaction of public business. "They comprise the entirety of public records or documents officially produced and received by the officers of all government subdivisions" within the county. County archives include official correspondence, letter books, reports, minute books, wills, marriage records, vital statistics, deeds, official oaths and bonds, vouchers, assessment rolls, tax lists, court records, election returns, militia lists, records of estates, and all other papers and documents accumulated during the operation of the units of local government. Excluded from county archives are personal papers which originate from private sources and the private correspondence of local officers.<sup>2</sup>

County archives reflect the citizens' concern for local government, the need of individuals for local government and the efficiency of local elected and non-elected representatives. The archives contain vast amounts of information which protect the rights of the individual and his government.

The dependence of the citizens upon local government has been a major factor in establishing county archives. Other contributing factors included the dislike of large and centralized government, lack of communication, isolation and local pride. However, recently this relationship has been changing.

Future management of county records will be affected by three factors. These are the increase or decrease in county population, the expanding needs of the citizens in terms of governmental services, and the money to pay for these services. With the anticipated increase in county services, there will be more records in county archives.<sup>3</sup> The historian must be cognizant of the nature of county archives if he is to use them wisely.

Research in county archives is a unique experience and often an uninviting challenge. Many historians consider research in county archives too time consuming in relation to the material received. Why? County archives are numerous and occasionally unorganized. Designed primarily for the use of county agencies and not for historical research, they are often inconvenient sources of historical materials. The researcher encounters many unfamiliar and occasionally conflicting methods of arrangement and order which vary within county agencies and are

subject to change with the election of new county officials. Records may vary from an alphabetical-chronological arrangement to the look-and-see approach. Within each county office, the researcher handles records containing a minimum of detail to elaborate, highly detailed records of great value.

Some county archives are immaculate, well organized and contain ample facilities for research. Facilities of this nature are the exception rather than the rule. Most county officials do not realize the importance of county archives. Records have not been kept in good order. There are many instances when county officials have indiscriminately destroyed records or allowed records to accumulate in chaos. The researcher must be aware that most operating agencies of government do not normally keep or want their noncurrent records. County officials usually do not have the time, the personnel, the funds or the facilities to maintain adequate care of their archives and to provide indexes to all records. Noncurrent records are often considered a space problem for operating agencies. Unless county officials take special interest in their records, the records are not well preserved.<sup>4</sup>

The researcher should not expect to find all public records complete. The major destroyers of public records are fire, decay and use.<sup>5</sup> Valuable Rusk County records were destroyed by fire. The first fire occurred on August 5, 1860, and the second on March 6, 1878. Although complete destruction of county records did not occur in either instance, many records were destroyed. These fires have made it difficult for historians to assess the severity of "reconstruction" in the county after the Civil War.

County officials have also destroyed valuable records. Ignorance of their value, lack of interest and need for space are common reasons for destruction. Because of the lack of specific state legislation regulating the preservation and disposal of public records, their fate has rested "solely with their custodians and the governing county officials."<sup>6</sup>

The preservation of county records in Rusk County has been, with few exceptions, efficiently accomplished. In all offices the researcher will find ample facilities and room to conduct his research.

The County Clerk's office is the center of the county archives. His records are those most frequently consulted by historians and the general public. The county clerk has a three-fold function. He is the ex-officio recorder for the county, the clerk of the county court and the clerk of the commissioners court. As clerk of the county court, he records and preserves all papers relating to civil, criminal and probate cases. As clerk of the commissioners court, he makes and preserves a record of the court's proceedings. His office is the legal depository for records of notaries public and the surveyor. The clerk is required to record official discharges of all persons serving in the armed forces and to complete alphabetical cross indexes to all records of judgment.

The most important records are the Minutes of the Commissioners Court. The partial inventory of Rusk County Archives compiled by the Historical Records Survey lists the earliest entry as 1844. However, examinations reveals that volume one contains minutes from 1852 to 1859. Records prior to 1852 are not available. Volume two contains minutes from 1859 to 1883. After 1878 the entries seem

to be fairly complete. Beginning with volume four, an alphabetical name index occurs. The records are preserved in bound volumes on easily accessible roller shelves. "County commissioners' records constitute the nearest approach to a connected and inclusive account of the county's past." They provide the historian with a history of county taxing and spending, the development of county government, the building and maintenance of transportation routes. They are also valuable sources of political and social history.

In 1860 Rusk County had 6,132 slaves,<sup>8</sup> but the records indicating sale or ownership of slaves are not available.<sup>9</sup>

Wills and probate records are valuable sources of information regarding property divisions, marriages, blood relationships and vital statistics. The Probate Records begin in 1847 and the first three volumes are in the District Court Records. Volumes K and L were destroyed in the courthouse fire of 1878, but the remainder are in the County Clerk's office. Following alphabetical, A through Z, listing of volumes, volume one begins in October, 1877. The records are complete through volume 39 which concludes in June, 1946. After that date, probate proceedings are recorded in Probate Minutes beginning with volume 15.

Election returns illustrate the county's political history. Volumes two (1920-1952) and three (1952- ) are found in the County Clerk's office. Prior election returns have been misplaced; however, election returns may be examined in the Secretary of State's offices in Austin.

Indispensible tools to biographers, historians and genealogists are the birth, death and marriage records. Birth and Death Records are complete from 1903 to the present. Volumes one, two and 2A (4 volumes) of the Birth Records list births in alphabetical-chronological arrangement. Beginning with volume three, the Birth Records list names in chronological arrangement according to the date filed with the County Clerk's office. At the front of each preceding volume an alphabetical index is provided which gives the name and page number. Beginning in January 1950, birth records are photostated. The Death Record is similar. In 1956 the Delayed Probate Death Record was established. The record contains death notices received about persons who died prior to 1956. These are photostated. The Affidavit Birth Records begin in 1938 with volume 8 and continue through volume 46. In 1960 the records were labelled Court Order Delayed Birth Record and continue from that time.

The earliest marriage recorded was on May 11, 1843. Volume A of the Marriage Records begin with that entry and conclude in 1852. Marriage records are complete from 1843 to the present; however, there is no volume D. This is an error as there is no chronological break. Indexes to the Marriage Records are arranged by husband-wife and by wife-husband listing but are incomplete.

Deed records assume an important role in the Rusk County Archives. The deeds begin in 1843 and are complete with the exception of volumes B through E (1846-1851) which were destroyed by fire. They comprise 782 volumes and for the most part are in chronological order according to the date filed in the County Clerk's office. An exception is volume 91 which contains deeds from 1904-1917. In 1930 the great East Texas Oil Field was discovered in Rusk County. Many residents who had not filed their deeds rushed to the courthouse. The attack

overwhelmed County Clerk W. T. Arnold and his small staff. The result is that from 1930 to 1934 deeds were not arranged by date of filing. Beginning with volume 438 (1949) the deeds are photostated. Deed records give the names, dates, occupations of participants, prices paid, and a rather detailed description of the land conveyed. Indexes to the deeds give the name of the grantor, the grantee, the kind of instrument, volume number, page number and date of filing. These indexes are both direct and reverse. The direct index lists the grantors in alphabetical order; the reverse index lists the grantees first. There are indirect and direct indexes for all deeds, including the missing volumes.

The tax records are kept in the office of the County Tax Assessor-Collector. The office contains tax records beginning in 1919; those prior to 1919 are kept in the County Clerk's vault. These records aid in assessing the wealth of the county. The Tax-Assessor-Collector's office also maintains a modern card abstract which is supposed to be a complete ownership and property description record. Established in 1961, it is contained in three metal filing cabinets on the third floor of the courthouse. The arrangement is by towns in alphabetical order and then by lot numbers. In rural areas, property is arranged alphabetically by survey and then by landlord or estate. By consulting the huge county map on the east wall, one discovers a land abstract of the county. Once locating the correct survey, it is possible for one to find a tract of land and trace its ownership in the card abstract. Unfortunately the records are not complete, and some are erroneous. To prevent serious error, one should consult the clerk on duty.

The office also contains other records of value. Bound volumes of Assessment of Property in Rusk County; Owned and Rentered for Service and Oil Company Division Orders, preserved in post binders, are valuable for determining ownership of minerals. The Assessor's Abstract of City Lots record city property dating from 1880. The system of recording varies. The usual citation is lot number, name of property owner and value of property. The records are arranged chronologically, but the year 1921 may be found following 1907.

The office of District Clerk contains the Civil and Criminal Minutes which are preserved in metal containers. The Criminal Minutes are supposedly complete from 1869. The earliest Civil Minutes examined were dated January 4, 1847, and are complete from 1882. The District Clerk's office also contained Juvenile Records dating from 1943, Bench Warrants, Trust Fund Records, Jurors Certificates, Divorce Minutes and Registration of Doctors. There is a General Index of District Court Minutes, 1933 to the present.

Adjacent to the offices of the District Clerk are the Sheriff's offices. The Sheriff's Civil Docket and Fee Book, complete since 1939, is divided into three parts. The first part contains district court records which list the items and amount of cost, names of parties, and cost and mileage of serving citations, the kind of process, and the name of the officer. The second part contains county court records and lists the participants, the officer and the fee. Foreign fees constitute the third division. This division lists suits from other counties against Rusk County residents and lists the fee, officer and defendant. The Sheriff's Criminal Docket and Fee Book contains similar information and is complete since 1934. The Register of Prisoners Confined in Jail is complete since 1902.

These records reveal much about the moral conduct of Rusk County inhabitants. Unfortunately the value of these records varies greatly with each administration.

The prudent researcher should not overlook other county offices which may contain pertinent records of particular historical interest. These offices would include the County Superintendent, the County Treasurer, County Surveyor, County Attorney, County Health Officer, County Judge, County Auditor, and the Justices of Peace.

Unfortunately no complete guide exists to the county archives of the United States. Yet, the historian may use some incomplete guides. Henry P. Beers's *Bibliographies in American History* (1942) is a good point of departure. With the exception of the Historical Records Survey, existing guides to county archives published prior to 1942 are nearly all in Beers's work. Robert B. Downe's *American Library Resources, A Bibliographical Guide* (1951) with supplement (1951-1961) includes American Historical Association reports concerning local archives. It includes references to published Historical Records Survey inventories, yet excludes inventories sponsored by state agencies. The *Bibliographical Index* should be consulted for current bibliographies. The *American Archivist* is the foremost journal in its field. With few exceptions, since 1943 this journal has published a section entitled "Writings on Archives and Manuscripts" (title varies) which lists recent bibliographies. Also, one may find beneficial articles on state, federal, county and local archives in the journal.

From 1935 to 1942 the Historical Records Survey of the Works Progress Administration attempted to arrange, classify and inventory records in public depositories. More than 700 inventories of county archives were published before the work was halted in June, 1942. The work accomplished by this agency was invaluable. Published inventories of county archives were listed in the *Checklist of Historical Records Survey Publications* (1936-1942).

The inventories of the Historical Records Survey are excellent guides. Arrangement is by county office and then by record types. The records' condition and their manner of storage are indicated. Also the inventories include a brief county history, information on the housing and care of records, county governmental organization and a county map. Only twenty-four Texas county inventories were published before the project was halted. The county inventories were for Bandera, Bastrop, Brown, Calhoun, Caldwell, Denton, Dewitt, Fayette, Gillespie, Gregg, Hays, Hood, Jackson, Marion, Milam, Miles, Orange, Robertson, Rockwall, Sabine, Somervell, Uvalde and Wilson counties. Incomplete inventories of all Texas county archives have been placed in the University of Texas Library. Today they are part of the Archives Collection of the University of Texas.

Of lesser value is *The Official Publications of American Counties: A Union List*, compiled by James G. Hodgson. The work includes 5,243 entries which list county publications. Texas has only thirty-nine entries.

County archives remain the best source of information for county and local history. They reveal the origin and development of local government, reflect the life of the people and contain voluminous material concerning social, political, legal, moral, and economic conditions of the area. They are a valuable storehouse of materials for the biographer, genealogist and historian.

## FOOTNOTES

<sup>1</sup>Edward M. Johnson, "Trends in the County Records Management," *The American Archivist*, XXIV (1961), 297-299.

<sup>2</sup>American Historical Association. Public Archives Commission. *The Preservation of Local Archives: A Guide for Public Officials* (Washington, 1932), 5.

<sup>3</sup>Johnson, *The American Archivist*, XXIV, 297-299.

<sup>4</sup>Phillip C. Brooks, *Public Records Management* (Chicago, 1961), 15.

<sup>5</sup>American Historical Association. A Public Archives Commission Guide, 5; H. G. Jones, "North Carolina's Local Records Program," *The American Archivist*, XXIV (1961), 27.

<sup>6</sup>Franklin F. Holbrook, "Some Possibilities of Historical Field Work," *Minnesota History Bulletin*, II (1917), 72.

<sup>7</sup>Dorman Winfrey, *A History of Rusk County, Texas* (Waco, 1961), 37; *Eighth United States Census* (Microfilm), *Population Schedule*. University of Texas Library, Austin, Texas.

<sup>8</sup>The only information I gained was a direction to the Julian Devereux will located in Volume G, pages 344-359 of the *Probate Records*. Although the will is fascinating reading, little knowledge of the county's slave trade was gained.

<sup>9</sup>American Historical Association. Public Archives Commission Guide, 7.