

**REPORT TO THE LEGISLATURE OF
MASSACHUSETTS MADE BY THE
COMMISSIONERS APPOINTED UNDER
RESOLVE, CHAP. 60,
1884, UPON THE CONDITION OF THE RECORDS
FILES, PAPERS AND DOCUMENTS IN THE
SECRETARY'S DEPARTMENT, JANUARY, 1885**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649240562

Report to the Legislature of Massachusetts Made by the Commissioners Appointed Under Resolve, Chap. 60, 1884, upon the condition of the records files, papers and documents in the Secretary's department, January, 1885 by Various

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

VARIOUS

**REPORT TO THE LEGISLATURE OF
MASSACHUSETTS MADE BY THE
COMMISSIONERS APPOINTED UNDER
RESOLVE, CHAP. 60,
1884, UPON THE CONDITION OF THE RECORDS
FILES, PAPERS AND DOCUMENTS IN THE
SECRETARY'S DEPARTMENT, JANUARY, 1885**

c. Univ. Pub.

Hist.

REPORT

TO THE

LEGISLATURE OF MASSACHUSETTS

MADE BY THE

COMMISSIONERS APPOINTED UNDER
RESOLVE, CHAP. 60, 1884,

UPON THE

Mass. Commissioners on the
CONDITION

603

OF THE

RECORDS, FILES, PAPERS AND DOCUMENTS

IN THE

SECRETARY'S DEPARTMENT.

JANUARY, 1885.

44

BOSTON:

WRIGHT & POTTER PRINTING CO., STATE PRINTERS,

18 POST OFFICE SQUARE.

1885.

Commonwealth of Massachusetts.

[CHAP. 60.]

RESOLVE relating to the Records, Files, Papers and Documents in the State Department.

Resolved, That the governor, with the advice and consent of the council, appoint five suitable persons, one of whom shall be the Secretary of the Commonwealth, who shall be commissioners without pay to investigate the condition of the records, files, papers and documents in the state department. Said commissioners shall make a report in print to the next general court setting forth what steps, if any, should be taken to render the contents of said records, files, papers and documents more accessible for examination and inspection, how reference to the same may be best facilitated, and what is the proper mode of indexing them.
[Approved May 27, 1884.]

Commonwealth of Massachusetts.

To the Honorable Senate and House of Representatives :

The Commissioners appointed under Chapter 60 of the Resolves of 1884, "to investigate the condition of the records, files, papers and documents in the state department," and to report "what steps, if any, should be taken to render the contents of said records, files, papers and documents more accessible for examination and inspection, how reference to the same may be best facilitated, and what is the proper mode of indexing them," — beg leave to

REPORT :

Although the Secretary of the Commonwealth is a member of this Commission, and their elected chairman, the other members of the Commission desire to say that they have found the documents of every kind under his charge in as good condition as he has been permitted, with the clerical force at his command, to put them; while at the same time the Commission as a whole, may report that condition to be far from what is desirable.

There have been movements at times, in the history of the Colony, Province and State, undertaken to the end of better ordering the archives of its government; but a clearly defined rule of what constitutes such archives has not been always adhered to, and in earlier days a proper distinction was not always made with public officers between their own and the public papers. For instance, — the province had a succession of accredited agents in London prior to the Revolution. Papers which accumulated in their hands relating to the business of the Province were in some measure at least, but apparently not always, handed over to their successors; but when the outbreak of the war

ended the mission of the last agent, the papers left on his hands were appropriated as private property; and mixed with other papers clearly his own, they now exist in three several depositories as far apart as Cambridge (Mass.), Philadelphia (Penn.), and the library of the University of Virginia. These papers were thus distributed by the younger Richard Henry Lee, who received them from Arthur Lee, the last agent of Massachusetts Bay in England. Again, the public papers accumulated in the hands of Jonathan Trumbull, Governor of Connecticut, were given by his son, David Trumbull, to the Massachusetts Historical Society. The recovery by the State of the Hutchinson Papers from the same society is a matter of record.

These instances of the alienation of state papers by agents of the State, who are above the reproach of faithlessness to their trust, clearly mark a prevailing sentiment in the past which has depleted the archives of this Commonwealth, though probably to a less degree than almost all the others, which belong to the thirteen original colonies of Great Britain.

The Commission have noted one instance in which a distinction was early made between public and private papers. When the Andros government was overthrown in 1689, John West was secretary, and in the Archives (*Fell's*) xxxv, p. 109, is a letter written by him from the prison where he was confined, respecting the public records and his private papers. On the 23d of April, 1689, a committee had been appointed to overlook and take account of the public records and papers then under seizure, and report to the Council (Court Records, vi. 7,) and on Dec. 7, 1689, a committee in response to West's appeal was appointed to make a list of any belonging to West, separating the same from the others, and to report to the Council. (Court Records, vi. 96.) No report is found.

It seems probable that there have not always been clearly defined notions as to the proper custody of certain classes of papers; and from inspection of files in the Secretary's office, there is a suspicion that considerable numbers of papers now exist in that depository, of which complements and supplements may doubtless be found in the keeping of the military

and treasury departments of the government, as well as in Court files of various descriptions. If this is the case it may in some measure have arisen by the different distribution of the functions of government which has prevailed at different times; and from a disposition to return to the Secretary's office, papers which have grown old and beyond use for current reference. There are for instance in the Adjutant-General's office, as the Commissioners have been informed, files of unarranged papers, with probably none of them antedating the adoption of the Constitution (1780), the like of which can be found in the Secretary's office, though it may possibly turn out on closer inspection, that they belong to Council files, when cognizance has been taken by that body of military matters. There are in the Secretary's office also, many papers, largely of the Revolutionary period, such as executions for non-payment of taxes, bills and accounts, etc., which probably at some time came from the treasury department, and which could hardly have been included in the disposition of papers provided for in a resolve of the Legislature, Feb. 25, 1829, which directed that files and records, not already under the care of some other officer, should be lodged with the Secretary of the Commonwealth, and a list be made. This last provision was in the nature of a supplement to an order of 1827 that a catalogue should be made of the Archives in the office of the Secretary of the Commonwealth.

It may be a question if a large number of writs and court papers, at present in the Secretary's office, may not properly be added to a similar collection now in the Court House of Suffolk; but this can only be determined by a more careful inspection than the Commission have been able to give them.

The most extensive work which has ever been done on the Archives of the State was accomplished between 1836 and 1846, by the Rev. Joseph B. Felt, who was assisted for a part of the time by a boy. Mr. Felt was appointed by Gov. Everett in April, 1836, and was paid during the early part of his labor at the rate of \$1,000 per annum, and later \$1,200. The vouchers show that he was paid in all \$8,960.33, the binding cost, \$1,771.87, making a total of

\$10,732.20. The result was 241 volumes of what are known as the MASSACHUSETTS ARCHIVES, costing as it will be seen an average for arranging and binding of \$45 per volume.

Having been subjected in parts to considerable wear, in the forty years which had intervened, about one-half of these, as well as many other bound records of the office, were in 1882-3 repaired in binding at a cost of about \$1,700; and they now rest in excellent order in the new cases in the Archive room.

The following enumeration shows the divisions into which Mr. Felt threw the mass of papers, which he selected to be thus preserved:—

MASSACHUSETTS ARCHIVES.

As Arranged by Joseph B. Felt, 1836-1846.

No. of the Volume.	TITLE.	Period.	No. of Vols. of Subject.
1, . . .	Agriculture, etc.,	1644 to 1774, .	1
2 to 6,	Colonial,	1629 to 1775, .	5
7, . . .	Commercial,	1686 to 1714, .	1
8, . . .	Depositions,	1662 to 1766, .	1
9, . . .	Domestic Relations,	1643 to 1774, .	1
10 to 14,	Ecclesiastical,	1637 to 1774, .	5
15A, . .	Emigrants,	1651 to 1774, .	1
15B to 19,	Estates, etc.,	1636 to 1774, .	5
20 to 22,	Foreign Relations,	1658 to 1775, .	3
23-24, .	French Neutrals,	1755 to 1769, .	2
25 to 27,	Hutchinson's Correspondence,	1741 to 1774, .	3
28, . . .	Hutchinson's MS. History, vol. 2, etc.,	1691 to 1780, etc.,	1
29, . . .	Indian Conferences, etc.,	1713 to 1776, .	1
30 to 33,	Indian,	1639 to 1775, .	4
34, . . .	Indian Treaties,	1645 to 1725-76, .	1
35 to 37,	Inter-Charter,	1689 to 1692, .	3
38A, . .	Journals,	1693 to 1767, .	1
38B to 44,	Judicial,	1640 to 1774, .	7

MASSACHUSETTS ARCHIVES—*Continued.*

No. of the the Volume.	TITLE.	Period.	No. of Vols. of subject.
45-46, .	Lands,	1622 to 1774, .	2
47, . .	Laws,	1645 to 1774, .	1
48 to 50,	Legislature,	1643 to 1775, .	3
51 to 56,	Letters,	1692 to 1774, .	6
57, . .	Letter Books, etc.,	1658 to 1779, .	1
58, . .	Literary,	1645 to 1774, .	1
59, . .	Manufactures, etc.,	1639 to 1773, .	1
60 to 66,	Maritime,	1641 to 1775, .	7
67 to 80,	Military,	1643 to 1774, .	14
81 to 86,	Minutes of Council, etc.,	1689 to 1775, .	6
87-88, .	Miscellaneous,	1630 to 1776, .	2
89-90, .	Military Accounts, etc.,	1741 to 1760, .	2
91 to 99,	Mustor Rolls,	1710 to 1774, .	9
100 to 104,	Pecuniary,	1629 to 1775, .	5
105, . .	Petitions,	1643 to 1775, .	1
106, . .	Political,	1638 to 1700, .	1
107, . .	Revolution,	1689,	1
108 to 110,	Speeches, Messages, etc.,	1702 to 1774, .	3
111, . .	Taverns, etc.,	1643 to 1774, .	1
112, . .	Towns,	1632 to 1693, .	1
113 to 118,	Towns, etc.,	1693 to 1774, .	6
119-120, .	Trade, etc.,	1645 to 1774, .	2
121, . .	Travelling, etc.,	1644 to 1774, .	1
122 to 125,	Treasury,	1692 to 1770, .	4
126 to 129,	Usurpation,	1686 to 1699, .	4
130 to 134,	Valuation of Towns,	1769 to 1771, .	5
135, . .	Witchcraft,	1656 to 1750, .	1
136, . .	Miscellaneous, Pecuniary, Military, etc.,	1715 to 1761, .	1
137, . .	Revolution Reports,	1774 to 1783, .	1
138 to 142,	Revolution Miscellaneous,	1774 to 1791, .	5
143, . .	Revolution, etc., Miscellaneous,	1772 to 1788, .	1
144, . .	Revolution, Conventions, Indians, etc,	1775 to 1783, .	1