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B.2

REEL 4

1835-1836

RECORDS
OF THE STATES
OF THE
UNITED STATES OF AMERICA

A MICROFILM COMPILATION

PREPARED BY
THE LIBRARY OF CONGRESS
IN ASSOCIATION WITH
THE UNIVERSITY OF NORTH CAROLINA



COLLECTED AND EDITED UNDER THE DIRECTION OF
WILLIAM SUMNER JENKINS

MICROFILMED BY
THE LIBRARY OF CONGRESS PHOTODUPLICATION SERVICE

1949

FOREWORD

Not so many years ago I headed the Historical Records Survey (1935-39) which gave prime emphasis to the Inventory of County Archives, chiefly because the program distributed work opportunities to the greater number. When, however, the State Records Microfilm Project was proposed by the University of North Carolina to the Library of Congress, the seed fell on well-harrowed soil. Over the years, through too many vicissitudes the Project has been brought near completion. Here, in sub-publication form on a scale never before attempted, 120,000 feet of film is the equivalent of about 1,920,000 pages or 6,400 three-hundred page volumes under one title. Gaps there are sure to be and our attention will be devoted to filling those gaps. Errors will certainly be noted, and we will welcome learning of them. By and large, however, we consider this Records of the States, a milestone in the democratic process of making the materials, recording the workings of a democratic society, available to all who would learn how we came to be what we are as a people.

LUTHER H. EVANS
Librarian of Congress

PREFACE

The plan of the State Records Microfilm Project has been to assemble in microfilm form the official records of the states of the United States in order to prepare an encyclopedia of primary source materials for research use. Its purpose has been to resurrect little known records, to discover supposedly lost records and to coordinate the findings into a pageant of the past. Its aim is to make up the nation's "Heritage Train" which, moving over the country in the future, will display the record of the freedom of America.

The project emerged as a cooperative enterprise of the Library of Congress and the University of North Carolina. In its initial stage, which began in 1941, the project was limited to locating and micro-copying the proceedings of legislative assemblies of the American colonies, territories and states. Resumed in 1946, after suspension during the War, the work assumed a broad expansion in groups of materials which it encompassed. The comprehensive range of these materials is shown in the six regular and five special classes represented in the arrangement outline. The size of the task involved in locating and copying the materials is indicated in that over 55,000 miles of travel have been required for the field work so far. During the course of this work each of the forty-eight states was visited and 120,000 feet of film was exposed. The result represents, with few exceptions, contributions of the combined holdings of official records of the states. Hundreds of agencies, government officials and individual citizens have given of their resources and services in various

stages of the project.

The second phase of the project involved the working out of a simple classification scheme and the physical arrangement of the filmed material under that scheme. The materials are systematically organized on individual reels of film and the reels are numbered chronologically by states. Within each state jurisdiction the materials are arranged under the eleven lettered classes. This scheme allows for a two-way grouping of the microfilms into separate state collections or into a nation-wide collection of any of the lettered subject classes and, it is believed, will adequately meet requirements of the various research interests as the microfilms are serviced to users. The scheme also lends itself to supplementation of the Records of the States by both terminal and collateral additions.

During the collection and editorial phases of the project notes have been kept from which a guide to the use of the Records of the States might be prepared. This third phase of the project will require analysis of the materials and coordination of information contained in the findings. Its completion must await the more urgent task of making the microfilms readily available to all who desire to obtain a better understanding of the behavior of our free institutions of government.

Space does not permit the mention of all who have contributed to the unfolding of this project. Miss Adelaide R. Hasse, however, has rendered an invaluable service by making an inventory of the collection and developing the classed arrangement.

For the cooperation of the many libraries and archives both

public and private which almost without exception in the nation have freely given access to their holdings,

To the legion of fellow searchers who have offered encouragement, stimulation and guidance,

For the vision and support of the sponsors and the administrators who have provided the ways and means,

For the devotion of those helpers who endured the rigors and hardships attendant on itinerant microphotography,

And for the loyalty of the editorial staff, and

To the host of contributors the Director makes grateful acknowledgment that a common impulse may dedicate these microfilms to the spirit of American scholarship.

WILLIAM SUMNER JENKINS

Library of Congress
May 17, 1949

ARRANGEMENT OUTLINE

CLASSES

- A. LEGISLATIVE RECORDS
- B. STATUTORY LAW

Parts

- B.1 Codes and Compilations
 - B.2 Session Laws
 - B.3 Special Laws
 - B.X Miscellany
- C. CONSTITUTIONAL RECORDS
 - D. ADMINISTRATIVE RECORDS
 - E. EXECUTIVE RECORDS
 - F. COURT RECORDS
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- L. LOCAL RECORDS -- COUNTY AND CITY
 - M. RECORDS OF AMERICAN INDIAN NATIONS
 - N. NEWSPAPERS
 - R. RUDIMENTARY STATES AND COURTS
 - X. MISCELLANY

CLASS B

INTRODUCTION

Class B constructs the body of statutory law, as it has been enacted in each of the states, into a number of companion series arranged in chronological sequence. The class is subdivided into four parts: Part 1, Codes and Compilations; Part 2, Session Laws; Part 3, Special Laws; and Part X, Miscellany.

Part 1 consists of the compiled and codified law of the states and includes abridgments of the law, collections of laws in special fields, codes, compilations, revisions and digests. This part groups the classics of American statute law. The first of these to be adopted in each colony and territory formed the core and the base support for the future build-up of enactment in the state. Later ones reveal the results of reform in the basic system of law in particular jurisdictions and show the status of enactment in its breadth as of a certain time. These masterpieces in the summation and statement of the law reflect the contributions of great legal scholars and their influence on the development of the American system of law.

Part 2 contains the sessional laws enacted from the beginning by the legislatures of each of the states. The original session laws contain much basic information, not carried forward in the periodic revisions of the body of law, which retains present value for the lawmaker engaged in the formulation of new legislation. Development trends in any subject division of the law may be traced historically state by state through the series of session laws and comparative studies may be made of the progress of legal reform at any given time throughout the states.

Part 3 contains many types of specialized legislation separately printed and issued collaterally with the regular sessional volumes. Series of special laws provide a rich source for specialists studying institutional development and social and administrative reforms in the law.

Part X provides a catch-all for miscellaneous statutory materials that do not fit into one of the regular categories.

Class B is a closely unified segment of the microfilm collection. The purpose in its arrangement has been to prepare a statutory source book generally useful to the largest possible number of libraries and institutions engaged in legal research. The plan followed, therefore, has been to select a terminal date for each state on the basis of the unavailability of the laws of the state in law libraries generally, and then to microfilm the entire series from the earliest copy found down to the terminal date rather than to copy as fill in material only exceptionally rare periods of various series. The aim has been to construct on microfilm complete series of volumes of laws, state by state, with perfect text volume by volume

of each series. This has required painstaking piecing together of materials copied at widely separated holdings over the nation in order to fill in missing pages and eliminate imperfections in volumes so that the entire body of statutory law might be presented for research use complete and perfect. Manuscript copies of the laws have been filmed when found, in order to reconstruct the record when printed copies could not be located. The materials of which Class B is formed lend themselves readily to a systematic arrangement, but the precision work necessary in preparing the reels with the textual exactness required in legal publication has been time consuming.

Location symbols in the table of contents serve two purposes. They give credit to holdings which have contributed materials to be copied for the collection and they indicate rarity of items. Symbols have not been indicated for late periods where the materials could have been copied in any one of a number of libraries. Because of the convenience and economy in time, the greatest part of the materials forming Class B was furnished by the Law Library of the Library of Congress, which holds the nation's largest single collection of statutory laws. Secondly, the Harvard Law School, the Charlemagne Tower Collection of colonial laws in the Historical Society of Pennsylvania and the Association of the Bar of the City of New York, in that order, have contributed the largest number of individual items to Class B. Each state law library has generally supplied missing volumes to complete the file of its particular state, and a great number of collections throughout the country have furnished rare items needed to fill gaps in various series.

Terminal extensions made to any of the parts of Class B in the future will continue the regular order of numbering the reels of the series involved. A collateral series added will be indicated in the identification symbol following the part number by lower case "s"; reels preliminary to the present beginning dates of series will be indicated by lower case "p". When both preliminary and collateral materials are arranged on the same reel, the identification symbol will contain lower case "p:s". In cases in which additions will fill gaps at present intervening within a series of consecutively numbered reels, lower case "a", "b", etc. will follow the reel number so that the material may be placed in its proper chronological progression. Following Part 2 in the symbol, in states where two or more companion series of session laws were published concurrently for a period of years, lower case "a" will indicate Public or General Laws, lower case "b" Private, Local or Special Laws, and lower case "c" Resolves. Following Part 3 lower case letters will also be assigned to the various types of special legislation. When duplicate records of materials of a similar kind are allocated to the same numbered part and appear on consecutively numbered reels within overlapping periods of years, ".1", ".2", etc. will follow the reel numbers in order to show date progression.

When materials are not sufficient in volume to make it feasible to arrange parts or classes serially on separate reels, a composite

reel or series of reels will be arranged chronologically with parts and classes grouped under the general classification scheme. In such cases the symbols of the lettered classes will appear in the table of contents following the unit number and the symbols of the numbered parts will appear to the left of each entry within the unit. These reels will bear the caption of the political entity concerned, a reel number with inclusive dates, and that part of the symbol which may be applicable to and inclusive of the materials.

Principles of logic cannot be followed strictly in grouping certain types of materials on some of the reels due to practical factors involved in their physical assembly. Economy and facility in printing, cataloging, shelving and marketing the reels and use of the material by students dictate a hundred feet as the practical length of a standardized reel of microfilm. The retention of association of materials within their proper holding collections, the identification of their original issuing authority, and the inclusion and preservation of stray items and hybrid materials present additional problems in making up individual reels. These considerations require a continuing readjustment of the arrangement scheme to meet new situations and to allow for contingencies arising in future preparation of reels. Notes and cross references in the table of contents are being used as aids in locating and correlating materials which may logically appear to be displaced from a normal order. In time a general index of the collection will provide a more adequate finding tool.

James C. Hiatt, Benjamin R. Wilkinson, Peter L. Long, Wallace C. Wade and Lena H. Slevin all participated in microfilming Class B and Winifred Dye proofread most of the film. Dorothy Fordyce Lucas helped assemble and rearrange the film material and prepared the table of contents for the reels composing Part I of Class B and Pauline Purdin Evans prepared Part II. Proper reference citation to be made by users of the microfilms will be RSUS., followed by the reel symbol and number and the unit number.

The Check-List of Session Laws and the Check-List of Statutes ... published by the National Association of State Libraries have been the basic guides used in assembling Class B.

B.2

REEL 4

Tennessee. Session laws.

State, 1796-

Unit 1

1835	Oct.	21st Ass.	1st sess. Pub.	viii, 246 p. Tables
			State constitution	17 p.
1835	Oct.	21st Ass.	1st sess. Local	ix, 295 p.
1836	Oct.	21st Ass.	Called sess. Pub.	32 p.