

THE EMERGENCE OF AN ARCHIVES FOR PENNSYLVANIA

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In 1903, Pennsylvania took the fateful step of establishing bureaucratic responsibility for preserving public records by creating through the Division of Public Records (DPR), as a unit of the State Library, a modest office that eventually evolved into today's State Archives. The 1903 decision implied that the state no longer placed its principal reliance on publication of volumes of printed copies of official papers as the best way to preserve historic sources, and was finally getting serious about extending the life of the original papers. The two methods rivaled each other. Which was better, printing copies of the texts of old manuscripts or preserving the originals? Printed documents, so convenient for research and storage, raised possibilities of editors' interference through bad transcription or biased selection and arrangement. Published documents also irked some historians and members of the interested public who had the antiquarian's love of original items. However, publication in large runs made it likely that at least a few copies would always be extant, even in centuries to come.

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The 1903 enactment involved interaction among political and academic personalities advancing varying plans but united in the attitude, so pronounced in America since the 1870s, that change, reform, and increased efficiency could benefit society. During the process of enactment, however, the archives measure received little legislative or public attention. The statute was neither fully understood by the public nor carefully studied by most legislators.

Throughout the nineteenth century, the volume of papers created by government, at the state, county, and local levels, had grown progressively in Pennsylvania at such a pace that the need for a central archival unit became obvious by the late 1890s. A series of gradual changes in administration created this paper avalanche. Since the eighteenth century, administrative duties were being gradually drawn away from the county courts and given to new or strengthened county and local bureaucratic offices.¹ By the nineteenth century, this trend was supported by public distrust of judges, of some litigation processes, and, in the minds of some citizens, of the entire legal establishment.² Row offices tended to create more paperwork than courts. One result of this trend appeared in 1926 in lexicographer William E. Baldwin's *Baldwin's Century Edition of {John} Bouvier's Law Dictionary*. In his essay defining "Deed" Baldwin commented: "Much of the English law in reference to the possession and discovery of title-deeds has been rendered useless in the United States by the System of Registration, which prevails so universally."³ At the same time, exemplification copies of original documents increasingly became acceptable as legal evidence, so that many official duplicates came into existence. Furthermore, government increasingly turned to auditing to assure honest and accurate public spending, and the recording of certain specialized statistics became routine in government operations.⁴ Statistical compilations were coming into use to set standards for determining the future path of governance. In addition, new taxes frequently emerged, and licensing and certification, both professional and commercial, were imposed on activities unregulated in the past.⁵

The most startling change working toward increased volume of data, however, was the shift in government activity, in the last three decades of the century, into new areas. In Pennsylvania, recognition of a new approach came with the creation of a Secretary of Internal Affairs in the state's 1874 Constitution. Once Internal Affairs was embedded in the organic law, it could not be easily abolished. Hereafter the secretariat could be authorized to work with "corporations . . . charitable institutions, the agricultural,

manufacturing, mining, minerals, timber and other material and business interests of the State." Enabling legislation in 1874 gave the new unit even more strength, especially through the redefined powers to its Bureau of Industrial Statistics, which now was told to gather statistics regarding "the wages of labor and the social conditions of the laboring classes as may enable the people . . . to judge how far legislation can be invoked to correct existing evils." The secretary was also expected to achieve social justice by closely confining business corporations within the limits of their charters. The stage was set for the growth of mountains of government paper.⁶

The Civil War era was the turning point in relations between the state and the leading private institution engaged in preserving manuscripts of historic value, the Historical Society of Pennsylvania (HSP). Previously, collection of original historical manuscripts was primarily the society's mission, which it had acquired by default, and the state's role was printing volumes of old official texts and data, the originals of which the state offices continued to hold. These books were meant both to educate the public and preserve indefinitely the statements in the gradually deteriorating originals. In the 1850s, the HSP, threatened by declining membership, had liberalized its eligibility rules, causing an influx of enthusiastic members who were young Philadelphians. Society collections increased during the Civil War because old Philadelphia families donated papers to the sanitary fairs, the private fundraising events that paid for medical and comfort needs of Union soldiers. Society members bought these treasures and contributed them to the HSP. In the last two years of the war, the society developed a very patriotic profile but, as much as its directors wanted to memorialize wartime valor, its facilities clearly would never hold the copious military records generated by the state's military system. The society only had room for a few examples of military documents, the narratives of individual soldiers and statesmen, and some spectacular personal collections, not the enormous military rolls generated by the state's adjutant general.⁷

Pennsylvania's first post-Civil War governor, the military hero John White Geary, personally sponsored the huge, five-volume work of Samuel Penniman Bates, *The History of the Pennsylvania Volunteers, 1861-1865*, completed in 1871. In 1866, the governor commissioned Bates, a scholarly New England educator, to produce the books originally authorized by statute in May 1864. Most Northern states were launching similar projects using state adjutant general data as their basic source. Except for Pennsylvania's compendium, these were merely published state rosters with slight embellishments.

Pennsylvania Volunteers was the first in the field with detailed essays on the campaign operations of all the regiments and independent units, and the first with background notes on individual soldiers. According to bibliographer William E. Parrish, Bates's 1871 work, although not without faults, appeared four decades before any works of comparable quality were published by other states. The public was enthusiastic about these books.⁸

As the second half of the century wore on, further popular interest in historical documentation arose from another source, a renaissance in genealogy. In 1982, Robert M. Taylor Jr., in "Summoning the Wandering Tribes: Genealogy and Family Reunions in American History," explained how this movement manifested itself in family reunions, genealogical charts, publications derived from both the charts and the reunions, and the formation of descendants' societies. Taylor found that many late nineteenth-century Americans wanted to connect to their ancestors because it linked them to the celebration of the nation's centennial. The image of the family cried out to be strengthened because it provided emotional sanctuary for individuals threatened by the rapid pace of cultural change. Industrialization, urbanization, and the ever-engulfing new communicating systems inevitably produced more daily contact with non-kin than had been the case in antebellum society. A long pedigree covering many generations in America, however, seemed to create status through blood that no second-generation immigrant's money could buy. New England Protestants had long been the most prolific genealogists; now their zeal spread across the nation. In addition to the growth of descendants' societies, there was a tremendous upsurge in publishing family genealogies and reports of family reunions. From the start, the genealogy boosters understood the contrast between their exclusive concentration on their own families and America's democratic principles. To defend themselves they adopted modifying tactics, especially a down-home style and a least-common-denominator theme. These seemed to say: "all of us, no matter how great or small, have interesting lines of family descent." Taylor found that although two-thirds of the family reunions issuing printed reports took place in New England, another one-quarter took place in the Middle Atlantic States, largely in Pennsylvania. The founding of the Genealogical Society of Pennsylvania in 1892—basically as an auxiliary of the HSP—reflected the rising prestige of genealogy as an avocation, although this new society was not one that especially identified with common people. The Genealogical Society earned praise by stalwartly giving the HSP financial, technical, and staffing assistance.⁹

The growing interest across the nation in launching state archival systems, burning so brightly between 1870 and 1910, was a result of many factors working simultaneously. A generation of American professional historians had arisen committed to German theories of institutional history. Its writings, anchored so firmly in primary sources, were considered "scientific history." The startling victory of Prussia over France in 1870, tended to squelch those scholars who had been critical of the entire German philosophical approach.¹⁰ In the last quarter of the nineteenth century, German historians steeped in the ideas of Hegel and von Ranke took control of the important document repositories in their recently created nation state. Spellbound by German idealism, the Commission on Public Archives of the American Historical Association (AHA), beginning in 1900, sponsored reports on the status of archives in many states and some major American cities. Through these, possibilities for producing better history emerged. Few academic historians, however, had the public esteem it took to convince state governments to create archival units. It was only when the amateur and self-taught historians, antiquarians, and loyal state boosters aligned themselves with the academicians that the latter could make their influence felt.¹¹

A widespread enthusiasm for self-taught knowledge also pervaded the United States in these years, accompanying the rise of public education. The adult population was not going to return to the schoolhouse to keep up with the emerging younger generation, but it could become learned and erudite through leisure-time reading in the growing mass of printed material now available. These could be absorbed at home in the evenings, within the comfortable surroundings of modern heating and lighting arrangements. History was a field one could understand with only minimal technical background and yet it could be infinitely fascinating. It suited the tastes of many late nineteenth-century, middle class readers.¹²

State archival growth followed several patterns. From the beginning of national independence, the office of secretary of state in every state had primary responsibility for saving old official papers created by its central government. This was the secretary's inheritance from the colonial government system of the British North American colonies. The secretary seemed to be always at the governor's elbow, acting as his official spokesman in creating many documents and responsible for recording executive actions. However, the justification for the secretary's plenary control over records of the past was the assumption that all documents, no matter how old, might somehow again become pertinent to ongoing administration. Only after bureaucrats came to

believe that many papers detailing operations decades in the past remained useful to society only for commemorative or historical purposes, did state governments transfer some papers elsewhere. State libraries often received much of this transferred material, and in Pennsylvania that was very important.¹³

By the end of the nineteenth century several patterns for the development of state archives emerged. The former Confederate states, by the 1890s, tended to create state historical commissions. Although obsessed with their "Lost Cause," several southern states also funded the copying of records overseas that were important to their colonial past, especially those in England. Legislation in Alabama, in 1901, envisioned the strongest all-around state historical program in the country, including museums, historic sites, education, and separate archives. This was the brainchild of Thomas McAdory Owen who, in 1903, also argued before the AHA that libraries and librarians should not control archival programs. Librarians could not cope with untidy materials, nor could they pull from historical data the statistical reports Owen thought would be the most important public function of an archives. Owen's outburst was a plea to put historical commissions in full control rather than having them serve in advisory capacity, but his message was ignored in most other states, including Pennsylvania. The Western states' growth pattern involved private state historical societies gradually receiving more and more support from their governments. Support was accompanied by supervision and control, which in turn grew until the societies became completely agencies of the state governments.¹⁴

The West, of course, did not have the colonial and early national period background of the Atlantic coast, so the holdings of Western state private societies did not have the uniqueness, national historical value, and appraisers' estimated cash value found in the East. Without those, it was difficult to rally resistance to the state governments taking over.

From the late 1890s through the first decade of the twentieth century, progress in the archival and public records field varied among the Mid-Atlantic and New England states. Although in none did the archives achieve full executive department status, in five states the archives were put on a firm footing: Pennsylvania, New York, Massachusetts, Connecticut, and Rhode Island. In New Jersey and Maryland, vigorous efforts led largely by the private state historical societies—along the model of the Western states—were defeated at the legislative level by the end of the decade. Delaware reformed its system but only after a century of neglect and pilferage had destroyed

much of its historical record; Maine, New Hampshire, and Vermont expressed no interest in improving their traditional systems. Massachusetts' Public Record Commissioner, Robert T. Swan, explaining his work to the AHA in 1901, proudly applauded the Bay State's central government system: "Massachusetts has been the first to establish most, if not all the boards or commissions into whose care the chief interests of the State have been committed, and her example has been followed by nearly all the States." His office, therefore, was created only to deal with county and local government documents. He described in detail many improvements he had imposed: fire-proof and moisture resistant structures, durable ink and paper, rebinding, legible longhand copying, the re-discovery of long forgotten manuscripts, etc. These activities were required under legislation that began in 1884. In addition to fulfilling the specific purposes for which the records were created, Swan argued that bound volumes of original records would make a truer picture of the past than local historical narratives constructed by historians: "The town records would be the town histories, histories no longer being such extracts as historians choose to make from records at hand, each enlarging upon the subject which most appeals to him." Connecticut and Rhode Island created state officials permanently assigned to inspecting records and assuring safety and quality, but unlike Swan's Massachusetts commission their jurisdictions included state central government documents as well as county and local records.¹⁵

The 183-page report on manuscripts in New York State that Professor Herbert L. Osgood of Columbia University delivered to the AHA in 1901 received praise for its thoroughness. It extended to New York City's records and those of Onondaga County and Syracuse, as well. The state's archival holdings were already within a system controlled by the powerful University of the State of New York and largely held in the State Library. From the standpoint of recognition of the cultural importance of the records this seemed to be a very desirable arrangement, but in 1911 a devastating fire destroyed the building and a large portion of New York State's historical record.¹⁶

The first Harrisburg Capitol building, designed by Stephen Hills, had been completed in 1822. The General Assembly had quickly occupied it, but there was little space for departmental staff offices. The State Library, however, was placed adjacent to the two legislative chambers so that reference books would be close at hand for the legislators. Before 1850, both the fireproof North and

South Buildings, erected in 1812, had been expanded. In 1867, a two-story wing was built on the back of the Capitol, on the first floor of which various offices were placed. The State Library moved to the second floor. Two more wings were built onto the Capitol before 1875, but offices there were filled by legislative employees, not departmental staff. The Department of Internal Affairs, a multi-purpose agency that seemed likely to absorb so much of the new work caused by expanding state government, was created by the Constitution of 1874. Under it fell three functions that had already generated and stored a large volume of records: the Land Office, the Topographical and Geological Survey, and the Bureau of Industrial Statistics. Internal Affairs soon took over most of the South Office Building.¹⁷

Governor James Addams Beaver's appointment of Dr. William Henry Egle, M.D., as state librarian, on March 3, 1887, was a tour de force in view of the vast knowledge and aptitude Egle brought to the position. As soon as he took office, the position of editorship of the all future *Pennsylvania Archives* series became associated with the state librarian's position. Egle had originally been chosen by Governor Hartranft in 1873 to share the editorship with a comparably talented state and local historian, lawyer John Blair Linn. The *Archives* project was administered by the secretary of state, at that time the powerful Republican Matthew S. Quay. Linn was Quay's assistant secretary of state and briefly replaced him when the Republican machine attempted to put Quay in power in Philadelphia. When the scheme failed, Quay returned to the State Department and Linn retired from state political office. Secretaries of state continued to administer the *Archives* publications until 1914. During that period, appointments of editors were officially made by the secretaries, since neither governors nor legislatures opted to speak on the matter, and from 1873 until the final *Archives* volumes were printed in 1936, the state librarian was always the editor. Governor Beaver certainly recognized Egle's remarkable background. For years Egle had written detailed Pennsylvania local histories and collected and published genealogical materials. His experiences as a Civil War combat surgeon and private physician were connected to his love for humanity, and he had a basic knowledge of science. Naturally precocious, he believed that knowledge in many fields, both practical and philosophical, could be acquired by ordinary citizens with the assistance of government run libraries. His wide range of interests was in keeping with the ideals of many other educators, academics, and leaders in the late nineteenth century.¹⁸

In his first biennial message to the Assembly, on January 1, 1889, Governor Beaver encouraged plans to increase the library's reference collections and works dealing with Pennsylvania, and to reduce its circulation of light literature. He also wanted to increase the number of copies of printed state documents placed in the state librarian's hands to be exchanged for books from other states and foreign governments. By now, the *Pennsylvania Archives* and *Colonial Records* series were very attractive items for promoting exchange. In his final address, on January 6, 1891, Governor Beaver asked that five hundred copies of each state published item be given to the librarian to use for exchange acquisitions, free distributions, or longtime storage within the State Library.¹⁹

In 1893, in the second term of Governor Robert E. Pattison, the "State Departments and Library Building," (now named the Speaker Matthew J. Ryan Building) was authorized, and it was completed the following year at a cost of half a million dollars. It was intended to solve four spacing problems: (1) the Library, constantly expanding, needed a fireproof structure; (2) state owned historic paintings had to be gathered in one location for display; (3) the Geological Survey's collection was to be guarded and displayed; and (4) some place was needed for "safe-keeping of the archives and early records of the State Department" because "the same are inaccessible and liable to loss as well as in great danger of destruction by fire." This was one of the earliest official references to "archives" in the true sense—collections of original documents—and not referring to the *Pennsylvania Archives* volumes. The statute mandated immediate removal to the new building of "the State Library and such of the archives, paintings, maps, deeds, battle flags, and other memorials . . . [and] ornithological, geological, and mineralogical collections [of] the State Geological Commission, or as much as may seem proper." It also made the existing Commission of Public Grounds and Buildings (consisting of the governor, auditor general, and state treasurer) responsible for assigning the executive departments to office space in the new 1894 building, the Capitol, and the other older buildings. As a result, the governor, secretary of the commonwealth, attorney general, state treasurer, and auditor general were assigned offices in the 1894 building, and Internal Affairs remained in the old, 1812 fireproof South Office Building.²⁰

The 1894 building was the delight of Librarian Egle who, as the 1890s progressed, counted among his triumphs the completion of many volumes of the *Archives* series, legislation creating free public libraries, and enlargement of the publications exchange program. The exchanges depended on the continuation of a substantial amount of state printing. But Egle's critics deplored



FIGURE 1: East façade of the State Departments and Library Building, built in 1894, which held the Division of Public Records beginning in 1903 and is today the Speaker Matthew J. Ryan Building.
Source: Pennsylvania Department of Education.

his delay in producing the latest *Pennsylvania Archives* volumes and the quality of that work. Also, State Librarian William N. DeWitt's 1860 catalogue system, once praised by Governor William Packer, had by now proved inadequate. The Dewey Decimal System had recently revolutionized library standards, but it was already being criticized as too inflexible for specialized libraries, so Egle would not adopt it. In his report of 1896, he announced it was his goal to obtain all the law case reports of the English speaking countries, boasting that he was currently negotiating for the 1862 to 1864 reports from New South Wales! He lamented that future *Pennsylvania Archives* volumes would be difficult to produce because of the scattered and neglected state of the original papers. Most of the documents were withheld by the departments that had created them, and "in no one department are these in proper condition" for public research or to be copied in print into volumes of collected source material. Interestingly, he also commented that he saw nothing wasteful in simultaneously publishing document transcriptions and binding, displaying, and preserving the original manuscripts themselves. In a confessional prefatory note to his last volume of the *Archives*, published in 1897, Egle revealed one reason why his books had been delayed for so long: "No appropriation had ever been made for the transcribing of papers." In other words, the originals Egle worked from were so difficult to read that contemporary hand copies had to be made for the typesetters. Apparently for Hazard's pre-Civil War *Archives* volumes and Editor George E. Reed's later *Archives, Fourth Series*, type was set directly from the original manuscripts.²¹

The 1894 building still did not provide enough space. On January 5, 1897, ironically barely four weeks before the total destruction of the Capitol Building on February 2, Governor Daniel Hastings remarked in his address to the legislature:

. . . there is still not sufficient room for all of the several departments of State government. The departments, bureaus, boards, commissions and divisions of the State government are now so much crowded together that it is a positive inconvenience for the heads of department and their assistants to do their work with much comfort or convenience. The Lieutenant Governor was compelled to relinquish his apartments in the new Executive building for others in the Legislative Building [the 1822 Hills Capitol] in order to provide partial accommodations for the Attorney General. . . . In the agricultural department, the Deputy Secretary, the Forestry Commissioner, Dairy and Food Commissioner, the Economic Zoologist and State Veterinarian, with all their assistants, are assembled in one room where it is almost impossible for any of them to perform his work without becoming an annoyance and a hindrance to the others. The same is true in more or less degree in other departments, especially in the old Executive Building. The apartments occupied by the Secretary of the Commonwealth and his assistants have also been found entirely too limited. The increasing demands for floor space in the Department of Internal Affairs has compelled the Secretary to use for the ordinary requirements of his office the room hitherto set apart for the Supreme and Superior Courts, the Board of Pardons and other boards. The room containing the State battle flags and Rothermel's painting of the Battle of Gettysburg, together with other valuable historical paintings and war relics, is entirely inadequate. . . . All departments of State government are necessarily enlarged and are constantly growing.²²

The specter of destruction by fire has always haunted custodians of government records. The public could never forget the destruction at the nation's capital by the British in August 1814. Prior to 1903, Pennsylvania county courthouses had burned down in Hannastown (the seat of Westmoreland County) in 1782; Washington in the winter of 1790–1791; Erie in 1823; Uniontown in 1845; Towanda in 1847; Chambersburg in 1864; and Pittsburgh in 1882.²³ The Hannastown and Chambersburg fires

were acts of war, but the others were caused by accidents or possibly arson. Erie's fire completely destroyed all the records in the courthouse. The last courthouse destruction before the twentieth century was the Sunday, May 7, 1882, burning of Allegheny County's 1840s courthouse, which was adjacent to the county jail. It had occupied a full city block between Grant Street, Diamond Street, and Fifth Avenue, in Pittsburgh's Grant's Hill section. The public did not regret the loss of the building because it was dirty, crowded, and impractically arranged for late nineteenth-century government. The fire started near a lunch counter, unattended on Sunday, where there was heating equipment for making coffee. Courthouse staff and officials appeared in time to remove many books and papers, although the grandson of the jury commissioner was killed by falling glass in one of the inflamed rooms. The Pittsburgh *Daily Post* praised Common Pleas Judge Thomas Ewing: "In the Recorder's office the clerks had commenced to remove the records, but he [Ewing] caused an examination to be made of the cases where these records are kept, and finding them to be fireproof and waterproof, ordered the books and papers put back in place, which was done, avoiding much confusion and possible loss." The courageous magistrate then gained access to the locked law library, to evacuate its contents, by crawling along an outside window ledge, finding an unlocked window, and entering. The day's events seemed to convey the message that fire resistant storage cases and brick construction had paid off.²⁴

Unfortunately, on windy, snowy February 2, 1897, many years of lax attention to the possibility of fire took their toll on the State Capitol, and a conflagration totally destroyed the building in a single afternoon. Improperly fitting water hydrants, excess pressure in the water hoses, failure to understand an electric alarm signal, and outdated steam-powered pumping units hampered the fire fighters, and there was delay in getting men and hoses in place up the slope to the building while wind and snow blew against them. The most credible theory about causation was that a wooden ember, thrown from the open fireplace in the Lieutenant Governor's Suite, had dropped unnoticed through an opening in the wooden floor several hours before anyone detected smoke. The next day's newspapers quoted capital officials who insisted no important records had been lost, but that conclusion has been questioned. In 1996, David W. Houseal, writing a pamphlet about the fire for the Fire Museum of Greater Harrisburg and the Pennsylvania Capitol Preservation Committee, noted that, "The principal records of the House and Senate had been saved, but a vast quantity were lost, including the originals

of the bills and petitions that had been read in the Senate from 1800 to the current date, which could not be replaced." By the next week the legislature was back in full session, in the borrowed facilities of the Grace Methodist Church on State Street.²⁵

The principal critic of the events and circumstances of the fire was a Harrisburg Methodist clergyman, the Rev. Dr. Silas Comfort Swallow, the editor of the weekly *Pennsylvania Methodist* and a leader of the Prohibition Party in the state. On February 27, he devoted his weekly paper to denouncing state government dishonesty, claiming that "iron furnishings" recently installed in the Capitol had been stolen and the old furnishings they had been intended to replace put back into the office rooms. He conjectured that the building was set on fire to conceal these thefts and destroy certain state fiscal records temporarily held by the Senate for an investigation of the State Treasury. Unable to prove any of this, he was convicted that summer of criminally libeling the governor and Superintendent of Grounds and Buildings John Carroll Delaney, one of his longtime personal enemies. Although Swallow repeated his accusations for years afterward, he never said what specific documents he believed had been destroyed in the fire. The best he could do was to assert that important account books had been stored in an open space directly over the Senate Chamber, the starting point of the fire. Swallow continually referred to stolen "metal furnishings," but he never clarified whether this included fireproof metal casings, a popular type of office equipment that had proved their worth in the Allegheny County Courthouse fire of 1882.²⁶

Egle left office at the end of Governor Daniel H. Hastings's administration, in January 1899. In his last annual report, he revealed that he had personally administered the book exchanges and could no longer physically endure the work. As in 1896, he continued to defend both manuscript preservation and arrangement and the costly process of producing volumes of printed document text transcriptions. He was certain that publishing these in large runs would assure that their historical passages would be "preserved for all time."²⁷

Governor William Alexis Stone's replacement for Egle, the Rev. George Edward Reed, had a persona much like the chief executive he served. A 53-year old ordained Methodist minister, raised and educated in New England, the smoothly congenial Reed had been very popular at several congregations in Connecticut and Brooklyn, New York, before 1889, when he began a 22-year career as president of Dickinson College. He brought numerous sweeping reforms to the staid institution in Carlisle, and his wide circle of

acquaintances and out-of-state experiences paralleled Stone's background. He agreed in principle with Stone's pursuit of fiscal stringency and operational efficiency, and his home base near the capital was a plus, in view of the shortage of offices following the destruction of the Capitol. Reed instituted the first State Library card catalogue, directly supervising a temporary work force to get the job done in record time. He also supervised the index volumes needed to finish Egle's *Pennsylvania Archives* series, and produced all twelve elegant volumes of the governors' papers that make up the *Pennsylvania Archives, Fourth Series*. Yet, while doing all this, he did not neglect his presidential duties.²⁸

Governor Samuel Whitaker Pennypacker, elected in November 1902, had no intention of retaining Reed, however. Reed resigned as soon as Pennypacker's victory was certainty. In his first librarian's report, Reed had accused Egle of dishonestly inflating the number of volumes in the State Library by as much as 45 percent. Governor Pennypacker, in announcing Thomas Lynch Montgomery's appointment as his administration's new librarian, had characterized all previous state librarians except Egle and the Rev. Charles J. Ehrenfeld (State Librarian from 1878 to 1882) as political hacks without real library training, an indirect insult to Reed. Then too, Reed's cataloguing system failed to satisfy critics, and his publications appeared, by Pennypacker's standards, to be unduly expensive and wasteful. The governor demanded that all state publications be produced without any blank space—calling it “removing the fat”—in order to keep costs low. A glance at Reed's published librarian's reports and his elegant *Pennsylvania Archives, Fourth Series* shows that he had not adhered to that standard. But regardless of these criticisms, Pennypacker never would have reappointed Reed because, in October 1902, Reed had bolted the Republican Party to campaign for the Democratic gubernatorial candidate, former Governor Robert E. Pattison.²⁹

Governor Pennypacker replaced Reed with Thomas Lynch Montgomery, who had been the actuary and librarian at the Wagner Free Institute of Science in Philadelphia, was an authority on the Revolutionary period, and had just been offered a lifetime directorship at the Carnegie Library of Pittsburgh. He was also a stalwart member of the HSP, belonged to a socially prominent Philadelphia family, and was a University of Pennsylvania graduate. Furthermore, he was highly respected in the American Library Association where he advocated expansion and innovation.³⁰

Meanwhile, after discussing the matter with the governor, members of the HSP petitioned the legislature for an appropriation to build a new fireproof

building for the society in Philadelphia. The governor signed a \$50,000 appropriation for this on May 15, which required the auditor general to approve the building plans and construction contract. By 1909, when construction was completed, the state had appropriated a total of \$150,000 for the building.³¹



FIGURE 2: Herman V. Ames, professor of history at the University of Pennsylvania and, from 1907 to 1928, dean of its Graduate School. From the Collections of the University of Pennsylvania Archives.

The direct link between American historians' new academic enthusiasm for German methodology—with its emphasis on the development of institutions and use of primary sources—and the birth of Pennsylvania's archival agency lay in an AHA report by University of Pennsylvania Professor Herman Vandenburg Ames at the turn of the century. Ames was a rising academic known for recently co-authoring *The XYZ Letters* with the renowned John Bach McMaster, and he would become dean of the University of Pennsylvania's Graduate School in 1907. Born in Massachusetts, he received a Ph.D. in history from Harvard in 1890. His post-graduate education included studies at the Universities of Leipzig and Heidelberg in 1894 and 1895, directly linking him to advanced German methodology. In 1897, Ames began his career at Penn as an instructor of American constitutional history. In 1899 he spent a few weeks at the state capital, accompanied by Harrisburg's historian and popular public school teacher Lewis Slifer Shimmell. Coming from a Bucks County Mennonite family (originally "Schimmell"), Shimmell received a Ph.D. in history from Penn in June 1900, having written a dissertation about Pennsylvania colonial frontier warfare. In 1902, Shimmell would write some newspaper articles for the Pennsylvania G.O.P., although this link to the Republicans was offset by his Democratic

publisher, Robert L. Myers of Cumberland County. Assisting Ames and Shimmell was another Harrisburg historian, though not an academician, Luther Reily Kelker. He belonged to a Harrisburg family known for its retail hardware business and connected with the socially prominent Market Square Presbyterian Church. Kelker had retired from the hardware enterprise, and then from his own insurance agency, in order to spend his remaining years in historical and genealogical activities. The Ames-Shimmell report, only twenty-six pages long, was designated "Report on the Public Archives of Pennsylvania" to the Public Archives Commission of the recently formed AHA. In order to describe and thereby indirectly protect primary sources in the United States, the AHA had formed both an American Manuscripts Commission that was to identify manuscript sources in both public and private hands, and a Public Archives Commission that was to survey official government records on site and advocate their preservation, arrangement, and description. Only Pennsylvania and Texas had archives reports completed in time for the AHA's *Annual Report for 1900*. In 1900, Ames also completed a much more extensive "Report on the Public Archives of the City and County of Philadelphia," which the AHA published in 1901.³²

It is notable that both of Ames's reports largely ignore Pennsylvania's and Philadelphia's notorious reputations for corrupt government, but this may have been the price paid for gaining access to the records areas. As a result, although there are many references to slipshod and thoughtless handling of records, there are no statements directly linking the records system to crooked politics. In retrospect, this was ironic because much of the work of many upcoming "Progressive" American historians involved criticism of bad government. In view of the total destruction of the old Capitol building and obvious inadequacies of its first, jerrybuilt replacement, the report was also remarkably silent about where records should be stored in the future.³³

The Ames and Shimmell report on state holdings was based only on a study of the published documents of the state and a hurried trapeze through certain offices holding original public papers in the Capitol complex. The only holding areas they could even summarily inventory were the Office of the Secretary of the Commonwealth's cache in the attic of the 1894 Executive and State Library Building, which they inventoried under fifty-four headings, and the accumulation held by the Auditor General's Office in that building's basement, which they described under thirty-four headings. The vagueness of the categories they wrote down, their approximations of quantities, and their admitted unfamiliarity with what they were allowed to see suggest that even

Shimmell's and Kelker's local popularity had not been enough to gain reasonable time for the trio to make comprehensive notes. The report also did not explain why the auditor general held so many records generated by other offices, leaving us today to wonder whether the integrity of these items had been threatened, or whether the agencies that had created them had been scheduled for investigations. Most of the executive and administrative agencies were found to be holding old, functionally unnecessary records, but the report made specific comments only about those at the State Library, Auditor General's Office, Department of Internal Affairs, and State Department. In their admittedly "cursory examination," they found reinforcement for the general principle that "each department should have the documents naturally pertaining to it," although they tempered the comment by referring to "many exceptions to this rule." Scattered illogically among several agencies were papers of the Canal Commission, railroads, turnpikes, War of 1812 and Civil War (letters and musters), and three land-related series: the Seventeen Townships of Wyoming Valley, the Holland Land Company papers, and the John Nicholson papers. In Ames and Shimmell's opinion, all had historical value, were presently in danger, and ought to be published to permanently preserve their contents. The report accepted the Hastings administration's view that no significant records had been destroyed in the February 1897 fire, but they concluded that bad conditions, as described to the General Assembly way back in 1851, had not at all improved in the intervening decades.³⁴

Most of pages of the 1900 report described the published documentary volumes, although the AHA had not called for it. In discussing the *Pennsylvania Archives*, the report touched on the question of missing and possibly stolen original sources that had been given to the printers either in the original longhand versions, from which the printers' staff could set type directly, or in editors' transcriptions. It was known that the editor Samuel Hazard worked in the State Department office in the old Capitol during part of 1851, placing papers he had arranged by date and subject into desk pigeonholes and loose piles. He was plagued by the complete absence of arrangement he faced and the abundance of duplicates that could easily trick him into printing the same text several times. When he received legislative approval to continue, in 1855, his duties were expanded. Now he was obligated to pull out of the pigeonholes and loose piles the manuscripts after the *Archives* volumes had been type set, bind them, and deposit them for public access at the State Library. However, in 1899, Ames and Shimmell could not find these bound manuscripts. They stated that "Reports are current that

some years since the Manuscript Archives of the State were systematically 'plundered' by certain State employees and others who had access to them, and there is considerable evidence to confirm these reports." Original Pennsylvania items known to be held in the collections of New York and Boston libraries suggested theft, and the clipped-off signature blocks on documents known to have been signed by William Penn and other famous figures proved the same point. Ames and Shimmell wondered if either those items evacuated because of the Confederate threat in 1863, or the historical papers loaned in March 1880 by the Secretary of the Commonwealth to the HSP—with Governor Henry M. Hoyt's approval—had been returned.³⁵

The "Report on the Public Archives of the City and County of Philadelphia," the work of Ames and another of his former students at Penn, Albert Edward McKinley, was completed in 1900 and published in the *Annual Report of the AHA for 1901*.³⁵ It was the most comprehensive archival survey ever conducted within Pennsylvania and clearly showed both an amazing volume of surviving documents, reaching back into the seventeenth century, and the tragic results of neglect, inadequate storage, and callous disrespect for the value of history. Remarkably, William R. Shepherd's outstanding *History of Proprietary Government in Pennsylvania*, published in 1894, cited none of the public records series described by Ames and McKinley.³⁶ As with the Ames-Shimmell report, the Philadelphia report avoided reference to corrupt government, except possibly in one observation about "several wagonloads of records . . . taken out of the city hall and cremated in one of the furnaces of the gas department." This may have been a reference to the misdeeds of James McManes's Gas Ring that had victimized Philadelphians from 1865 to 1887.³⁶

Without interrupting their teaching duties, Ames and McKinley devoted afternoons for more than five months to conducting inventories. Although their time was restricted by a tradition that all Philadelphia government offices closed at three o'clock, they had much more work time than Ames's previous team had been allowed in Harrisburg. Because the city and the smaller incorporated governments of Philadelphia County had been consolidated in 1854, most of the work could take place at City Hall. In addition, Ames and McKinley inspected legal records and colonial local government records at the HSP. Other storage areas they visited included the House of Corrections, the Stephen Girard Building, Girard College, and the Bourse Building.³⁷

The two believed their study proved that whenever financial or legal interests were connected to a records series good preservation was likely to follow

and, conversely, neglect and damage often plagued records whose only value lay in their historical content.³⁸ Thus, after inspecting the City/County Register of Wills office, they concluded:

The condition of the records of this office will illustrate the relative influence which legal value on the one hand and historical interest on the other have in the preservation of public archives. Where there is any pecuniary interest at stake it has been found that the records are well preserved, but when the economic motive is lacking the historical interest has seldom been strong enough to save the records from neglect or even destruction.³⁹

For many of the public records series, the 1901 report on Philadelphia proved that investment in printing copies of manuscripts had been worthwhile. Concerning the records of the colonial city government, for example, the two historians reported “. . . the minutes of the common council, as far as they are extant, were published by order of the council in 1847, under the title of ‘The minutes of Common Councils,’ 1701–1776. It is fortunate that these records have been preserved in print, for most diligent inquiry has failed to elicit any information in regard to the original manuscript.” They also reported that the minutes and journals series of the Select and Common Councils of the City, for the period from the City Charter of 1789 to 1835, that existed only in manuscript form had time gaps that probably would have been covered if printed copies had been made in previous decades. When the two tried to inventory all Philadelphia’s printed records, they found it a daunting task. The best they could do was to conclude the report with a thirty-two page “Bibliography of the Official Publications of the City, Incorporated Districts and Boroughs, and County of Philadelphia.” It was compiled at the five major libraries in Philadelphia, but even so the authors were certain it was far from complete.⁴⁰

Ames and McKinley made a few favorable comments on storage conditions in City Hall offices, even applauding the available vacant space into which new accessions might be placed in future years. Concerning the Orphans Court, they stated:

The original papers of the court are filed in handsome steel filing cabinets, which surround the five rooms of the clerk’s office. There are thousands of metallic files, enough, it is believed for twenty years to

come. The papers from 1719 to 1800 occupy only 39 files, from 1800 to 1879, 1,441 files, and from 1878 to the present time, over 1,500 files. The present rate of increase is about 125 files a year. At present, by rule of court, all papers are of uniform size, but some earlier documents upon large sheets of paper or parchment are stored in steel drawers numbering 56. The filing equipment of the office is excellent. The document files are constructed of strong japanned steel, and the books are stored on modern roller shelves, with sliding metallic screens.⁴¹

The Register of Wills Office system also met their approval, except in one respect:

The originals [of wills] are stored in wooden filing cases in fireproof vaults in the basement directly under the register's office. The cases, numbering between 2,000 and 3,000, will each contain 50 or more wills, and perhaps 150 administrations. A few larger and more important wills, like those of Franklin and Girard, are locked in steel boxes. The books containing the transcripts of wills, administrations, inventories, and accounts are kept in cabinets arranged around the sides of a large reference room where they are opened to the public. The room contains 237 folio volumes of transcripts of wills, 27 volumes of administration, 38 volumes of inventories, and 192 volumes of accounts of estates. Two indexes are kept of wills and two of administrations, the first will index including the probates from 1682 to 1889, the second from 1889 to the present time. The administration index is also divided at the year 1889. The four indexes comprise 96 folio volumes. . . . A much needed improvement, however, is the introduction of steel filing cases in place of the old wooden ones, thus making not only the room but the cabinets fireproof.⁴²

In addition to Philadelphia City and County consolidated government, the 1901 report covered the nine incorporated districts, five boroughs, and eight townships that had existed as independent units until the Charter in 1854. As a guide to locating Philadelphia's records, the report was a priceless reference source, but it did not immediately motivate the city fathers to create an archives. The separate working departments maintained the preponderance of their inactive records until the Philadelphia City Archives was created in 1952.⁴³

The AHA's annual meetings in these years were exciting events, and in December 1902 the gathering took place in Philadelphia. The University of Pennsylvania's contingent was conspicuous, including John Bach McMaster, Ellis Paxson Oberholtzer, and the independently wealthy reformer and medieval historian Henry Charles Lea. But the non-academics were distinguished, too. Governor-elect Samuel Whitaker Pennypacker, and Ida Tarbell, journalist, muckraker, and Lincoln expert, were attending members. Contingents from other states were in many cases equally distinguished. The gathering's collective weight supported gradual progress toward the creation of archival bureaus and protection of records, both state and local, by state governments.⁴⁴

Samuel Pennypacker, a Philadelphia County Court of Common Pleas judge, was elected president of the HSP in 1900 and held that office until his death in 1916. He was a recognized expert on the Pennsylvania Germans and Dutch.⁴⁵ His first three years at the society's helm gave witness to his zeal for the expansion of historical activities. HSP's holdings of transcriptions of Pennsylvania items from the English Board of Trade were completed under his leadership, and a petition was sent to Congress advocating federal legislation to preserve and publish historical documents of all the states and territories. As president, Pennypacker also tried to build cooperative arrangements among all the historical societies within the state. When elected governor of Pennsylvania in November 1902, Pennypacker asked and received a vote of support from the society's council, with the understanding that he was unable to attend its functions for the next four years.⁴⁶

Probably this historical involvement enhanced Pennypacker's image in the gubernatorial election of November 1902, softening the impression that he was a tough, big-city judge, but soon afterwards it would draw criticism. Nonetheless, the Pennypacker administration (January 20, 1903-January 15, 1907) would be notable for funding historic sites, public ceremonies, memorials, publications, museums, and library collections.⁴⁷

Two sections of the governor's inaugural address, on January 20, 1903, had bad repercussions. He chose the occasion to point out the need to curb vicious newspaper attacks on public figures by strengthening Pennsylvania's newspaper libel law. Then, to prove that patriotism and state pride justified spending on historic sites like Valley Forge and Bushy Run, he chanced to elaborate that: "The history of the world shows that a correct sentiment is a more lasting and potent force than either accumulated money or concentrated authority. The theses that Luther nailed to the church door in

Wittenberg still sway the minds of men and the Fuggers disappeared when they died.” This reference to the sixteenth century’s wealthiest family, the bankers named Fugger, was to haunt him. The Philadelphia *North American*’s cartoons and comments attacked him as a time-wasting dilettante and a man carrying around impractical mental baggage. A newspaper’s interview of Mrs. Pennypacker was distorted to show that she was present-minded and he an antiquarian. An afternoon the governor spent in a used book store was discovered by the news hawks, and a *North American* cartoon depicted him reading an enormous volume, *The History of the Fuggers, Vol. III*, while volumes labeled *State Affairs* and *Public Business* gathered cobwebs on the shelves behind him. Cartoonist Charles Nelan likely intended the name of Germany’s wealthy medieval banking family as a malapropism for a well known street obscenity describing sexual intercourse.⁴⁸

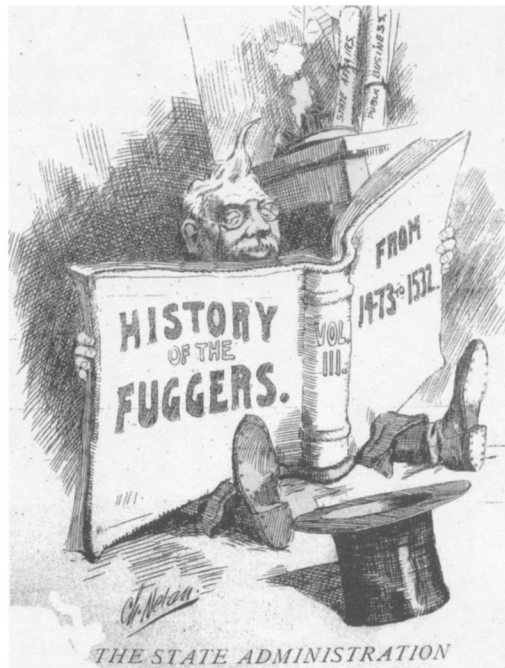


FIGURE 3: Cartoonist Charles Nelan’s depiction of Governor Samuel W. Pennypacker. From *The North American*, February 1, 1903.

The following week two house bills were introduced by Delaware County assemblymen intended to carry out the governor’s announced policies of commemorating history and curbing the newspapers’ ridicule of public

officials. Representative Thomas Valentine Cooper's bill was meant to improve Gettysburg Battlefield by authorizing an equestrian statue of Robert E. Lee, to stand on the Confederate battle lines where it would balance the Union statues on the opposite side. Cooper's friend, the veteran editor and political reformer Col. Alexander K. McClure, had proposed the statue and defended it in a speech at a public forum held outside the legislative chambers on January 27. By placating Southern sentiment, Lee's statue might convince the Southern states to accept Union Army memorials on battlefields south of the Mason Dixon Line. But when McClure embellished his speech by praising Lee as a great general and moral leader, letters denouncing the statue poured in to legislators and the governor from Pennsylvania Grand Army of the Republic (G.A.R.) chapters. The bill soon disappeared from the calendar.⁴⁹

Cooper, now 68, was powerful within the state's Republican organization. Since 1855 he had published a weekly, *The American*, in Media. Serving as a private throughout the Civil War, he sat in the State House of Representatives from 1870 to 1872 and the State Senate from 1874 to 1889, and he was devoted to the Boss Quay-led Republican system. He had returned to the Capitol as an assemblyman in 1901 to help re-elect Quay to the United States Senate and lead opposition to the repeal of an 1897 libel statute that limited the number of times a publisher could be sued for a single act of libel. Cooper's peppery editorials in *The American* had long been considered marginally libelous. Quay was re-elected and the repeal was defeated. Cooper became chairman of the House Railroads Committee and retained the position in several later sessions.⁵⁰

Frederick Taylor Pusey, a 31-year-old freshman representative from Delaware County, a lawyer, and a descendant of the early Quaker settler Caleb Pusey, had been irked by newspaper cartoons depicting him as a pussy cat and Governor Pennypacker as a wisecracking old parrot. On January 28, he introduced a bill outlawing cartoons depicting people as beasts, birds, fish, or other animals. This was an inept way to try to implement Pennypacker's wishes, and the bill received little support, provoked further snide ridicule, and was soon dropped from the calendar. Cartoons continued to link the governor with Pusey's elitism, one of them showing Pennypacker holding a book of Pusey family genealogy.⁵¹

On February 10, an early version of the House's general appropriations bill was returned to the Appropriations Committee for reconsideration. Since it did nothing to protect the old public documents in the state's departmental

offices, Cooper introduced a bill that eventually—as Joint Resolution No. 3—became one of two enactments creating a state archives. An unsalaried, three-member commission was to be given \$10,000 to clean, mend, press, classify, and catalogue “old manuscript archives . . . belonging to our State . . . stored away in a neglected condition.” When that work was completed, the commission would cause these “archives” to be bound and placed in the State Library. The House referred the bill to the Library Committee, one member of which was the 40-year-old Delaware County Representative Ward Ripley Bliss, who was also chairman of the House Appropriations Committee.⁵²

Despite the newspaper inspired criticism of his fascination with events of the past, Governor Pennypacker continued to sponsor history-related activities. On March 1, the *Philadelphia Press* quoted the governor as saying he was anxious to protect state records created before 1750 from damage, specifically the “many old papers in the Treasury, Executive, Internal Affairs, State and other departments.” He would seek legislation to collect all such manuscripts in the State Library, under the direction of a single administrator. On March 17, Appropriations Chairman Bliss introduced the bill that created the DPR within the State Library, having also written in \$8,000 to pay for it (\$3,000 for a division chief’s salary and \$5,000 for the operations) within the Library

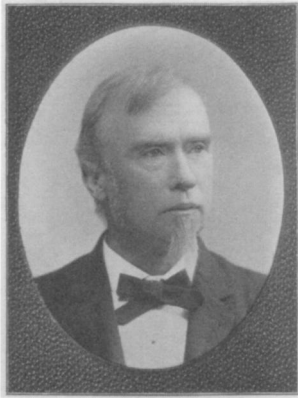


FIGURE 4: Thomas V. Cooper, who represented Delaware County in the Pennsylvania Senate, 1874–1889, and Pennsylvania House of Representatives, 1870–1872 and 1901–1909. He was owner and editor of the weekly *The American*. Source: William Rodearmel, *Twentieth-Century Pennsylvania State Government in Picture and Story* (Harrisburg, PA, 1903).

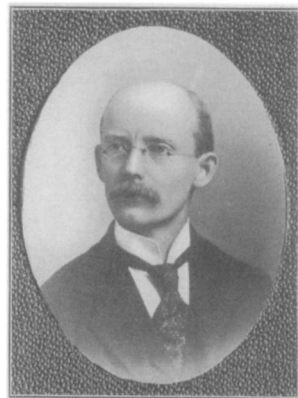


FIGURE 5: Ward R. Bliss, who represented Delaware County in the Pennsylvania House of Representatives, 1899–1903, and was chairman of the House Appropriations Committee in the 1903 session. Source: William Rodearmel, *Twentieth-Century Pennsylvania State Government in Picture and Story* (Harrisburg, PA, 1903).

funding category of the general appropriations bill. This provoked the emergence from the Library Committee to the House floor of Cooper's \$10,000 commission bill, on March 25.⁵³

Cooper and Bliss had different standards, although both joined ranks in backing Delaware County Senator William C. Sproul's good roads bill, a proposal that the public and press watched closely. Back in the 1899 General Assembly session, Quay's bid for re-election to the U. S. Senate had been repeatedly considered and defeated on every working session day, creating deep divisions among the Republican legislators. Quay was on trial for embezzlement of state funds that had been on deposit at the People's Bank of Philadelphia, a scandal revealed in March 1898 when the bank became insolvent and its cashier committed suicide. In 1899, Bliss had led an anti-Quay Republican faction seeking legislation to bring Quay's long delayed trial to a swift and successful conclusion. On March 3, Bliss temporarily replaced the elected House speaker in a boisterous floor revolt against Quay partisans. The sincerity of Bliss's objections to Quay was evidenced by his refusal to vote for the boss on any of the numerous ballots for U. S. Senator; his 74 votes were all cast for other nominees. The anti-Quay measure failed, however, and the Philadelphia court acquitted Quay. Nevertheless, Bliss's disloyalty to the machine was forgiven when, on January 16, 1901, he joined the very slim majority of four votes in the ballot that returned Quay to the Senate. Bliss was then rewarded by election as chairman of the House Appropriations Committee. He intended to use that position to reform the legislative process, in 1903, by resolving disputes over appropriations early enough during the session to remove them from the avalanche of business that inevitably crowded the final days. Fiscal proposals could only be understood after diligent scrutiny, and the final-hours environment had usually made that impossible. Revenues to cover appropriations also had to be carefully estimated to determine if an appropriated item had any chance of being funded. In his 1903 biographical sketch of Bliss, the veteran observer of state government officials, William Rodearmel of Harrisburg, explained: "It had been customary until this year to hold the appropriation bills until near the close of the session of the Legislature, but this year an innovation was made by reporting these to the House as early as consistent with their proper examination." Since the 1850s, the general appropriations bill, because of its importance, had been singled out for a degree of early consideration by Joint Senate and House Rule Number 6. This required the appropriations committee to present the bill to the House by the first Monday in March, and gave

it priority over all other business in both houses from that point until the end of the session. General appropriations subsumed three major areas: ordinary expenses of the central government's departments, interest on the public debt, and the public schools. Bliss was able to present the bill on the House floor and see it returned to the committee on February 10, three weeks before Rule Number 6's deadline. With the governor's approval, Bliss also worked to reduce contingency items in institutional and state agency appropriations requests and, if a requesting organization would not yield, to identify which items were inflated so the governor would know which to line-item veto. Rodearmel believed there were about four hundred appropriation requests. In order to arrange appropriations reductions, Bliss personally made a tour of the prestigious Philadelphia hospitals, each of which had for years received major state funding. He was so busy that he had to make the trip on a weekend.⁵⁴

Possessed of both the appearance and organizational ability of his older brother, the future U. S. Army Chief of Staff Tasker Howard Bliss, Ward Bliss did his job well, warning Governor Pennypacker two weeks before the end of the session that the Treasurer's revenue estimate was two million dollars too high. But he may have worked himself nearly to death, entering Harrisburg Hospital ten days before the end of the session with pneumonia, the same condition that would kill him on January 10, 1905. His general strategy seems to have succeeded because the 1903 session's final days, though hectic, were not completely disrupted by squabbles over misunderstood, miscalculated, and sometimes very trivial financial details.⁵⁵

After Bliss's death, Librarian Montgomery, in his official *Report of the State Librarian: 1905*, revealed that the DPR statute had been fathered by a noted historian, biographer, and busybody sycophant, Burton Alva Konkle (1862–1944), who resided in Swarthmore. Konkle had discovered some very early Bucks County court documents at an auction and had convinced Attorney General Carson to support legislation that would preserve “*all* records throughout the state.” Montgomery interpreted Konkle's intention as only *incidentally* including state department documents in the group meant to be protected.⁵⁶

The DPR statute had curious features, including subtle wording and gray areas apparently intended to stretch the powers of the agency. The DPR was “*devoted*” to preserving *all* Pennsylvania's public records, which meant those still in daily use for legal and ongoing regulatory purposes and certainly included county and local holdings. But it had “*custody*” of all *state* government records *no longer used by the originating agencies* and thus valuable only for

history's sake. Yet, the statute went on to *require* state departments to surrender to the DPR only items created *up to 1750*. The 1750 delineation had been advanced by the governor in his March 1 statement to the newspapers, but had origins in Joshua Francis Fisher and Peter DuPonceau's December 1836 petition to the General Assembly that had led to the publication of the first *Colonial Records*, covering 1681 to 1717. For those petitioners, the council minutes of the earliest colonial years deserved attention first because they contained facts nowhere else recorded. The elaborate wording in Bliss's DPR bill provided arguing points for future executive and legislative measures to expand the division's power. It was a blueprint for evolution in one field of government, the type of evolution Konkle applauded. Checks and balances between offices were also written into the statute, but the precise boundaries between powers were not clear. The state librarian controlled the DPR, but there was an appointed board of five document experts sitting as an advisory body and making recommendations to the legislature. The State Library trustees also had power and, since they were already an established supervising unit, it would seem that they were the final authority. Yet a division chief for the DPR's work force was also written into the general appropriations act, at a biennial salary of \$3,000.⁵⁷

The statute's devious structure seemed to resemble Konkle's personal style. In his historical biographies, his favorite vehicle for explaining important events, talented patriots increased their personal power to bestow democracy's benefits on the people in gradual, evolving steps. Furthermore, as an admirer of James Wilson's role in shaping the Constitution Konkle was enthusiastic about checks and balances. In the past two years, he had carried on a personal campaign to develop his occasional acquaintances with members of the Pennsylvania Bar Association into recognition as the group's official historian. He wanted the association to support his biographies of major judicial figures, but all they wanted was someone to write dignified obituaries of recently deceased lawyers. In his name-dropping, sycophant manner, Konkle was initially supported by a powerful Philadelphia lawyer, Hampton S. Carson, who was also deeply involved in HSP affairs and a close friend of Pennypacker. In 1902, however, the Bar Association squelched Konkle's pretensions, and Carson did not intervene. In later years, Konkle would stumble again in seeking notoriety. He failed to raise the money he wanted to re-inter James Wilson's remains to a Philadelphia site, and his 1922 biography describing the lukewarm patriot Thomas Willing as "the George Washington of American finance" drew criticism.⁵⁸

The only comment about the DPR in legislative debates occurred incidentally in an exchange, on April 1, between Bliss and Cumberland County Democratic assemblyman Robert L. Myers, the owner of a printing company in Harrisburg. Critical of the renewed funding of the pre-1801 *Statutes at Large* volumes project—a pet hobby of Supreme Court Judge John T. Mitchell that had dragged on for decades—Myers asked if the new DPR ought not to be doing that work. No, Bliss replied emphatically, DPR was not intended to undertake the *Statutes at Large*.

The business there of that office will simply be to select, file and index properly and to preserve the records of the various departments of State government and to see that they are preserved in the future and keep them within reach of those who may want to consult them.⁵⁹

What alternative to the DPR did Cooper's \$10,000 resolution propose? By identifying "old manuscript archives . . . belonging to our State" Cooper asserted that there was, in principle, a body of papers one could call an "archives," and he made no reference to a public record or records. Workers hired with the \$10,000 were to be under an unsalaried, gubernatorial appointed board. But unlike the DPR's advisory board (also unsalaried), the Cooper board members were required to know the techniques of document preservation and directly supervise whomever they hired.⁶⁰

What was in the back of Cooper's mind? In his weekly editorials he had, in the past, objected to bureaucratic boards whose only real function was hiring workers.⁶² These opened the door to patronage graft. But, for Cooper, paying temporary workers from whatever portion of the \$10,000 the board chose to dispense for them was appropriate. Since the board Cooper created would consist of working supervisors with technical knowledge, they were all right, too. Cooper's bill assumed that state government departments would not resist surrendering the "archives" items, since these were being neglected, but there was no mandate that they must do so. He did not intend to set up a permanent system; once the \$10,000 was spent, the preservation staff would disappear. By only involving the State Library as the destination of the manuscripts, Cooper avoided yielding supervisory powers to Governor Pennypacker's strong-willed State Librarian, Thomas Lynch Montgomery.⁶¹

Neither Cooper's nor Bliss's measures drew floor criticism, and both were enacted with almost no negative votes. On all four ballots, about one-third of the members of the voting bodies were absent or abstained. The unreliable

Legislative Record showed Bliss as “absent or abstaining” during the House vote on Cooper’s measure, but the more reliable *House Journal* listed him as voting affirmatively. Cooper clearly voted for Bliss’s DPR bill, but the powerful Senator Sproul of Delaware County, who voted for the DPR proposal, abstained from voting for Cooper’s bill. The legislators casting affirmative votes were evenly distributed across the state. Allegheny and Philadelphia Counties voted heavily in favor of both measures. Both houses were about 25 percent Democratic, and slightly less than half of those members voted affirmatively on at least one of the bills—the other Democrats were absent or abstained.⁶²

When the Senate received Cooper’s bill on April 8, the Committee on Judiciary General changed its status to a joint resolution, and its final passage was in that form. This made certain that it did not duplicate the State Library’s DPR funding item in the general appropriations bill.⁶³

Ironically, on the same day Cooper’s bill received final enactment in the Senate, April 13, its author made a strong argument in the House against the controversial newspaper libel bill (the Salus-Grady Bill), which temporarily removed him from the ranks of those unflinchingly faithful to the Republican agenda. As a newspaper owner and editor, Cooper opposed the Salus-Grady Bill, even though many other legislators tied to the newspaper world knuckled under. Cooper’s long association with the Republican Party was too strong to permit him to be cast aside, but his temporary alienation may explain why he did nothing when Joint Resolution No. 3 was swallowed up in the DPR.⁶⁴

In the final days of the legislative session and the succeeding thirty days when vetoes could be filed, the two archival laws received little attention. The libel act and Sproul’s good roads statute held the spotlight. The Philadelphia *North American* simply commented, on April 15, that a “Cobweb Bureau” had been created. The Harrisburg *Patriot*, however, noted a month later that the two laws seemed to be “confounded,” but explained the distinction between the advisory board in Bliss’s measure and the board of supervisors of document preservation in Cooper’s resolution. The *Patriot* cheered when local historian Luther Reily Kelker was placed on the State Library staff as chief of the DPR, but pointed out that it was incorrect to refer to him officially as “the State Archivist.” He soon acquired the title “Custodian of the Public Records.”⁶⁵

How did the two laws impact one another? On June 22, 1903, State Librarian Montgomery wrote the governor that he believed the preservation

staff created by the Cooper measure was supposed to work on the same documents as those for which the DPR was responsible. Although he clearly reminded the governor of the technical difference between the DPR advisory board and the Cooper resolution's work supervising board, he added "I suppose it necessary to elect officers—Secretary and Treasurer—in order to draw upon this fund." When the DPR's five-man advisory commission met with the governor on July 9, Pennypacker explained that he had appointed three from these five to *also be* the \$10,000 manuscript preservation board, "in order that the two commissions might act together." But as Montgomery had implied, the temporary organization contemplated under the Cooper resolution was a sham. Minutes are preserved for only one of its meetings, held at the HSP on August 3, 1903. Montgomery and John J. Jordan, librarian of the HSP, were there as two of the three appointees, the third having excused himself. The two elected the governor president and adjourned, apparently forever.⁶⁶

It fell to Custodian and Division Chief Kelker to gather knowledge of manuscript preservation from the New York Public Library, the New York State Library, the HSP, and the Library of Congress. Within six months he had launched an extremely aggressive and expensive program. Besides his trips to the four repositories, he hired a crew of eight young women for sorting, cleaning, binding, and storing the papers. They had to be trained at the HSP. Classification categories were immediately established, and Kelker began contacting private sources for other desirable manuscripts. He boldly went beyond the scope of government papers and made efforts to collect Pennsylvania German folk and religious representations. He even wrote Secretary of the Commonwealth Frank M. Fuller asking him to look again for the lost or stolen original gubernatorial papers that had been used for the text of George Reed's *Pennsylvania Archives, Fourth Series*, but then found missing from the package sent back from the State Department to the DPR. This was impertinent in view of the relative ranks of the two officers, but Kelker must have stood in good favor. The custodian also began to argue that he needed more storage space.⁶⁷

Could the DPR be allowed to continue at this pace? A letter from Librarian Montgomery to the governor, on November 4, 1904, asked for a meeting of the DPR board in joint session with the Library trustees—the governor attending—to decide whether the DPR should be continued at all.⁶⁸ The result was smoothly summarized in Montgomery's December 1, 1904 official report,

The appropriations for miscellaneous books, newspapers, parliamentary papers from England, and for expenses in the preservation of the public archives seemed to meet the [Library's] needs but in the last item it must be remembered that \$10,000 was appropriated under Joint Resolution 3 for the building up the archives department. The item for archives expenses should, therefore, be \$15,000 for the two years. This sum may be materially decreased when the papers have been removed from the various departments and only routine work is necessary.⁶⁹

Clearly, the money provided by Cooper's Joint Resolution No. 3 made it possible for Kelker to continue his Herculean efforts. The limitation on the documents the DPR could actually demand to pre-1750 items would be repealed in 1911, following vigorous agitation from the DPR's advisory board, led by Professor Ames and others. But the 1750 rule had not greatly impeded the DPR's work in its earliest years; annual State Librarian reports covering the accomplishments of the division make it clear that the preponderance of its work had concerned documents created after 1750.⁷⁰ When the state executive departments moved to their offices in the resplendent new Capitol, early in 1907, they were forced to consider what should be done with their old stored papers. Since space now seemed plentiful in the 1894 building, now exclusively the domain of the State Library, it made sense to voluntarily surrender the old manuscripts to the DPR.

The Pennypacker administration had given Pennsylvanians something of permanent value by creating the little "Cobweb Bureau" that would eventually evolve into a resilient archival institution. It was a small step toward modern government achieved by reconciling and compromising certain theoretical disagreements about what should be done with public documents. The *North American* had been wrong to characterize Samuel Whitaker Pennypacker, because of his love of history, as an impractical antiquarian lost in the dead past.

NOTES

1. Sylvester K. Stevens and Donald H. Kent, eds., *County Government and Archives in Pennsylvania* (Harrisburg, PA: Pennsylvania Historical and Museum Commission [hereafter PHMC], 1947), 6–8, 96. A reaction against the swing from court administration to row office administration developed in the nineteenth century. Row office incompetence led to several courthouse document series being

- subjected to judicial review for validation. Cambria County (PA) Commissioners and PA Historical Records Survey, *Inventory of the County Archives of Pennsylvania: Cambria County* (Ebensburg, PA: County Commissioners, 1950), 42–43.
2. Popular resistance to a formal legal establishment took many paths. See Sanford W. Higginbotham, *Keystone in the Democratic Arch, Pennsylvania 1800–1816* (Harrisburg, PA: PHMC, 1952), 49–67; Philip S. Klein, *Pennsylvania Politics, 1817–1832: A Game Without Rules* (Philadelphia: University of Pennsylvania Press, 1940), 27; Charles F. Himes, *Life and Times of Judge Thomas Cooper* (Carlisle, PA: Dickinson School of Law, 1918), 26–31; “Alexander Addison,” in *DAB*. For removal of Pennsylvania judges, see G. S. Rowe, *Embattled Bench: The Pennsylvania Supreme Court and the Forging of a Democratic Society, 1684–1809* (Newark, DE: University of Delaware Press, 1994), 265–72; Burton Alva Konkle, *The Life of Chief Justice Ellis Lewis, 1798–1871, of the First Elective Supreme Court of Pennsylvania* (Philadelphia: Campion Co., 1907), 153–56. The undercurrent of public anger toward the legal establishment is described in Orie L. Phillips and Philbrick McCoy, *Conduct of Judges and Lawyers: A Study of Professional Ethics, Discipline and Disbarment* (Los Angeles, CA: Parker & Co., 1952), Chap. 9: “The Layman’s View of the Lawyer.” Humorous criticism of the legal system appeared in such works as a collection of poems edited by Ina R. Warren, *The Lawyer’s Alcove: Poems by the Lawyer, for the Lawyer, and about the Lawyer* (New York: Doubleday, Page, 1900).
3. William E. Baldwin, *Baldwin’s Century Edition of Bouvier’s Law Dictionary* (New York: Banks Law Publishing Co., 1926), 282.
4. John Purdon, comp., *A Digest of the Laws of Pennsylvania from the Year 1700 to the Sixth Day of July, 1883. 11th Edition*. Revised with notes by Frederick C. Brightly. 2 Vols. (Philadelphia: Kay & Bros., 1885), 1: 582, 729–32, 2: 1295, 1379, 1468, 1720–21.
5. Stevens and Kent, *County Government and Archives*, 16, 49, 385–88.
6. Purdon, *Digest of Laws, 11th Edition*, 1: 2, 8, 21, 219–21, 839, 923, 2: 1077, 1080, 1086–93, 1307, 1308, 1539, 1582–86, 1593–95, 1613–26, 1632–34, 1688, 1696.
7. Pennsylvania Constitution of 1874, art. 4, sec. 19 and art. 17, sec. 11; Act of 11 May 1874, PL 135.
8. Sally F. Griffith, *Serving History in a Changing World: The Historical Society of Pennsylvania in the Twentieth Century* (Philadelphia: Historical Society of Pennsylvania [hereafter HSP], 2001), 30–31; Hampton L. Carson, *A History of the Historical Society of Pennsylvania*. 2 vols. (Philadelphia: HSP, 1940), 1: 307–308.
9. William E. Parrish, “The Union: State and Local Studies,” in *Civil War Books: A Critical Bibliography*, eds. Allan N. Nevins, Bell J. Wiley, and James I. Robertson. 2 vols. (Baton Rouge, LA: Louisiana State University Press, 1969), 2: 141–68; Samuel P. Bates, *The History of the Pennsylvania Volunteers, 1861–1865*. 5 vols. (Harrisburg, PA: State Printer, 1869–1871); George Edward Reed, ed., *Pennsylvania Archives. Fourth Series*. 12 vols. (Harrisburg, PA: State Printer, 1900–1902), 8: 1018.
10. Robert M. Taylor Jr., “Summoning the Wandering Tribes: Genealogy and Family Reunions in American History,” *Journal of Social History*, 16 (winter 1982): 21–37; Griffith, *Serving History*, 41.
11. Ernst Posner, *American State Archives* (Chicago: University of Chicago Press, 1964), 17, 38–39, 154–55, 278–84, 296. For the influence of the German historical method, see Walter Krause and Davis D. Joyce, *The Writing of American History*, rev. ed. (Norman, OK: University of Oklahoma Press, 1985), 136–51; Peter Novick, *That Noble Dream: The “Objectivity Question” and the American Historical Profession* (Cambridge, UK: Cambridge University Press, 1988), 21–31.

12. Janice A. Radway, *A Feeling for Books: The Book-of-the-Month Club, Literary Taste, and Middle-Class Desire* (Chapel Hill, NC: University of North Carolina Press, 1997), 127–53; Ruth Schwartz Cowan, *More Work for Mother: The Ironies of Household Technology from the Open Hearth to the Microwave* (New York: Basic Books, 1983), 89–90; Susan Strasser, *Never Done: A History of American Housework* (New York: Random House, Inc., 1982), 71–75.
13. Posner, *American Archives*, 12–262.
14. Posner, *American Archives*, 20–23, 38, 214, 268, 296.
15. Posner, *American Archives*, 68–69, 243; Robert T. Swan, “The Massachusetts Public Record Program and its Work,” *Annual Report of the American Historical Association for 1901*, 1: 97, 101–12.
16. Herbert L. Osgood, “Report on the Public Archives of New York,” *Annual Report of the American Historical Association for 1900*, 2: 67–250; Edward F. Rowse, “The Archives of New York,” *American Archivist*, 4 (1941): 268–71.
17. George H. Morgan, *Annals of Harrisburg* (Harrisburg, PA: Geo. A. Brooks, 1858), 226–31; Constance Greiff, *The Pennsylvania Capitol: A Documentary History*. 4 vols. (Harrisburg, PA: Heritage Studies, Inc., 1987), 1: 30–33.
18. “William Henry Egle,” *DAB; Commemorative Biographical Record of Central Pennsylvania: Including the Counties of Centre, Clinton, Union and Snyder* (Chicago: J. H. Beers, 1898), 51; Henry H. Eddy and Martha Simonetti, *Guide to the Published Archives of Pennsylvania* (Harrisburg, PA: PHMC, 1949), 66–69.
19. *Pennsylvania Archives*, 4th Ser., 10: 729–30, 900–01.
20. Act of 14 April 1893, PL 17; Greiff, *Pennsylvania Capitol*, 1: 34.
21. William H. Egle, “Report of the State Librarian, December 14, 1896,” in *Official Documents, Comprising the Department and Other Reports made to the Governor, Senate and House of Representatives of Pennsylvania, 1896* (Harrisburg, PA: State Printer, 1897), Pt. 2: 3–4; Eddy and Simonetti, *Guide to Published Archives of Pennsylvania*, 2, 62–63; Robert P. Bliss, *A History of the Pennsylvania State Library* (Harrisburg, PA: Telegraph Press, 1937), 23–24.
22. *Pennsylvania Archives*, 4th Ser., 11: 799–800.
23. Solon J. Buck and Elizabeth H. Buck, *The Planting of Civilization in Western Pennsylvania* (Pittsburgh: University of Pittsburgh Press, 1939), 198; Boyd C. Crumrine, *History of Washington County, Pennsylvania* (Philadelphia: L. H. Everts, 1882), 465; John Miller, *A Twentieth Century History of Erie County, Pennsylvania*. 2 vols. (Chicago: Lewis Publishing Co., 1909), 1: 763; Franklin Ellis, *History of Fayette County, Pennsylvania with Historical Sketches* (Philadelphia: L. H. Everts, 1882), 135; *Inventory of the County Archives of Pennsylvania: Bradford County* (Towanda, PA: Bradford County Commissioners, 1946), 10; Wayland F. Dunaway, *A History of Pennsylvania* (New York: Prentice Hall, 1935), 510; *Pittsburgh Daily Post*, May 8, 1882.
24. *Pittsburgh Daily Post*, May 8, 1882.
25. Greiff, *Pennsylvania Capitol*, 1: 34–40; Robert M. Houseal Jr., *The Pennsylvania State House Fire* (Harrisburg, PA: Fire Museum of Greater Harrisburg, PA and PA Capitol Preservation Committee, 1996), 8–12, 17; Harrisburg *Patriot*, February 3, 4, 1897; Lewis S. Shimmell, *A History of Pennsylvania* (Harrisburg, PA: R. L. Myers & Co., 1900), 247.
26. Greiff, *Pennsylvania Capitol*, 1: 36; *Pennsylvania Methodist*, February 25, 1897; *Patriot*, February 26, 1897; *Commonwealth v. Swallow*, 8 PA Superior Court Reports, 539; *Commonwealth v. Swallow, Paper Book of Appellant* (Harrisburg, PA: M. E. Book Rooms, 1897); *Commonwealth v. Swallow, Paper Book*

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- for the Commonwealth*. Swallow's hatred of his contemporary fellow Schuylkill County native, Delaney, was obvious throughout the controversy.
27. William H. Egle, "Report of the State Librarian, 1898–1899," in *Pennsylvania Official Documents*, 1898, 9: 3.
 28. Charles Coleman Sellers, *Dickinson College: A History* (Middletown, CT: Wesleyan University Press, 1973), 285, 287–316; Bliss, *History of the Pennsylvania State Library*, 24.
 29. Samuel W. Pennypacker, *The Autobiography of a Pennsylvanian* (Philadelphia: John C. Winston Co., 1918), 284, 292; George E. Reed, "Report of the State Librarian, December 13, 1899," in *Pennsylvania Official Documents*, 1899, 6: 8.
 30. For Montgomery, see Griffith, *Serving History*, 57–58, 70–80; William Rodearmel, *Twentieth-Century Pennsylvania State Government in Picture and Story* (Harrisburg, PA: Star Independent Press, 1903), xxii; *Who Was Who in America*. Vol. I, 1897–1942 (Chicago and New York: Marquis Co., 1943), 856.
 31. Act of 15 May 1903, PL 443; Carson, *History of HSP*, 2: 177–78, 182–83; Griffith, *Serving History*, 51.
 32. Herman Vandenburg Ames and Lewis Slifer Shimmell, "Report on the Public Archives of Pennsylvania," *Annual Report of the American Historical Association for 1900*, 2: 267–93; For Ames, see *Pennsylvania Magazine of History and Biography*, 59 (1935): 201; DAB; *Who Was Who in America*, 1: 21; *Who's Who in Pennsylvania*, ed. John W. Leonard. 2d ed. (New York: L. R. Hamersly, 1908), 11. For Shimmell, see folders 1–2: obituary notices (March 1914) and related items, Manuscript Group 113, Lewis Slifer Shimmell Papers, Pennsylvania State Archives, Harrisburg, PA. For Luther Reily Kelker, see *Who's Who in Pennsylvania*, 404; Luther Reily Kelker, *History of Dauphin County Pennsylvania*. 3 vols. (New York & Chicago: Lewis Publishing Co., 1907), 3: 42e–42f.
The full citation for the "Report on the Public Archives of Philadelphia" appears in note 36 below.
 33. Thomas V. Cooper to Lewis S. Shimmell, August 27, 29, September 10, 27, October 18, 27, 1903, Manuscript Group 113, Shimmell Papers, State Archives.
 34. Ames and Shimmell, "Public Archives of Pennsylvania," 280–93. Samuel Hazard's 1851 complaints to the General Assembly are discussed in Roland M. Baumann, "Samuel Hazard: Editor and Archivist for the Keystone State," *Pennsylvania Magazine of History and Biography*, 107 (April 1983): 195–215.
 35. Ames and Shimmell, "Public Archives of Pennsylvania," 2: 283–84; Baumann, "Samuel Hazard," 200–08; Luther R. Kelker to Frank M. Fuller, November 25, 1904, Record Group 13, Records of the PHMC, folder marked "Gen. Corre. of Custodian of DPR 1904–1910", Pennsylvania State Archives, Harrisburg, PA.
 36. Ames and Edward Albert McKinley, "Report on the Public Archives of the City and County of Philadelphia," *Annual Report of the American Historical Association for 1901*, 2: 231–343; William R. Shepherd, *History of Proprietary Government in Pennsylvania* (New York: Columbia University Press, 1896). For McKinley, see *University of Pennsylvania Commencement Program, June 13th, 1900, American Academy of Music*, copy in Manuscript Group 113, Shimmell Papers, State Archives; *Who Was Who in America*, 1: 303.
 37. Dorothy Gondos Beers, "The Centennial City, 1865–1876," in Russell F. Weigley, *Philadelphia: A 300-Year History* (New York: Norton, 1982), 438–40, 787n71.
 38. Ames and McKinley, "Public Archives of Philadelphia," 2: 231–232, 237, 245, 288, 300, 313, 339.
 39. Ames and McKinley, "Public Archives of Philadelphia," 2: 232.

40. Ames and McKinley, "Public Archives of Philadelphia," 2: 303–04.
41. Ames and McKinley, "Public Archives of Philadelphia," 2: 232, 243–45.
42. Ames and McKinley, "Public Archives of Philadelphia," 2: 302.
43. Ames and McKinley, "Public Archives of Philadelphia," 2: 302.
44. *American Library Directory 1997–98: 50th Edition*. 2 vols. (New Providence, NJ: R. R. Bowker, 1997), 1: 1792.
45. *Annual Report of the American Historical Association for 1902*, 1: 37, 45. Pennypacker, Ames, McKinley, Lea, McMaster, and many other stalwarts of the HSP and the University of Pennsylvania's history department made up the local arrangements committee. Ida M. Tarbell was almost certainly there because she was appointed to the entertainment committee for the 1903 meeting and her work on Lincoln had recently been critically reviewed by the AHA.
46. His scholarly works in this area are well recognized. See Norman B. Wilkinson, comp., *Bibliography of Pennsylvania History*. S. K. Stevens and Donald H. Kent, eds. (Harrisburg, PA: PHMC, 1957), 32, 64, 79, 117, 169, 174, 210, 226, 540, 574. For Pennypacker, see *DAB*; *ANB*; Carson, *History of HSP*, 2: 148–171; Hampton L. Carson, *An Address upon the Life and Services of Samuel Whitaker Pennypacker* (Philadelphia: privately printed, 1917).
47. Among the many history-related measures of the 1903 legislature were:
Antietam Battlefield Commission and Monument: 1903 PL 174, 175
Gettysburg Battlefield Commission appropriation: 1903 PL 380
Historical Society of Pennsylvania appropriation: 1903 PL 443
Funding historical works about Civil War units: 1903 PL 168
Monument, Andersonville Prison Camp: 1903 PL 412, 437
Monument, Hanover: 1903 PL 426
Monument, Germantown Battlefield: 1903 PL 453
Monument for each county, for soldiers and sailors of Civil War: 1903 PL 136
Monument, Missionary Ridge and Wauhatchie battlefields: 1903 PL 416
Monument or tablets at Antietam: 1903 PL 174, 175
Monument, Shiloh, dedication of: 1903 PL 218
Monument, Middlespring Cemetery, Cumberland Co., soldiers before Civil War: 1903 PL 411
Monument, 10th Pennsylvania Regt., U.S. Vols., Spanish–American War: 1903 PL 132
Monument, Samuel Meredith, first U.S. Treasurer: 1903 PL 419
Publication of a history of Pennsylvania soldiers and sailors in the Philippine and China Wars: 1903 PL 260, 261
Care of the Governor Ritner Monument: 1903 PL 453
Care of a state boundary line monument: 1903 PL 507.
48. *Philadelphia Press*, January 21, 1903; *Philadelphia Inquirer*, January 25, 1903; *North American*, February 1, 1903. Copies in Manuscript Group 171, Samuel W. Pennypacker Papers, Private Papers, Newspaper Cuttings (microfilm) 1826–1913, Reel #1640 (1903) and Reel #1645 ("Caricatures 1903–1907"), Pennsylvania State Archives, Harrisburg, PA. Charles Nelan of the *North American* was the leader of the cartoonists ridiculing Pennypacker, beginning with a depiction, on January 21, 1903, of Pennypacker putting a dog's muzzle on "Free Press" while allowing thieves and hoodlums to carry on at will. Nelan then devised the Pennypacker parrot and a cat with Pusey's smiling face.

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Although the Pusey bill was withdrawn, the governor reached an understanding with Nelan in the spring so that the bird and animal depictions stopped, but not the political satire and ridicule. Nelan died November 22, 1904.

49. *Patriot*, January 28, 1903; *Journal of the House of Representatives*, 1903, 245, 2317; "Resolution of the Col. Seneca G. Simmons Post #116, G. A. R., adopted January 29, 1903," in Manuscript Group 171, Pennypacker Papers, Governor's Papers, Executive Correspondence, folder marked "Appropriations, 1903—R. E. Lee Statue Protest," State Archives.
50. For Cooper, see Rodearmel, *Twentieth-Century Pennsylvania State Government*, 214; *Smull's Legislative Hand-Book and Manual of the State of Pennsylvania*, 1904. Thomas B. Cochran, comp. (Harrisburg, PA: State Printer, 1904), 1001; John W. Jordan, ed., *History of Delaware County, Pennsylvania and Its People*. 3 vols. (New York: Lewis Publishing Co., 1914), 1: 683–85.
51. *Legislative Record* 1903, 289, 492, 562; Rufus Shapley to Samuel W. Pennypacker, January 28, 1903, and Frederick Taylor Pusey to Pennypacker, January 30, 1903, Manuscript Group 171, Pennypacker Papers, Governor's Papers, Exec. Corre., State Archives. For cartoon sources see note 48 above.
52. The *Legislative Record* suggests that the \$10,000 bill was introduced by Rep. A. F. Cooper of Indiana County, but the more reliable *Journal of the House of Representatives* states that it was Thomas V. Cooper. The minutes of February 10 in the *Legislative Record* 1903 merely say "Mr. Cooper," but the index to that volume credits the introduction of the bill to Rep. A. F. Cooper. This was likely an indexing error. *Legislative Record* 1903, 549, 4944; *House Journal* 1903, 468. A. F. Cooper, who apparently never was identified by his full first or middle names, was only in his second term in the House. He was personally wealthy, having been one of the first to develop poultry incubators.
53. *Philadelphia Press*, March 1, 1903; [General Appropriations Act] 1903, PL 502—State Library's appropriation items at p. 510; *Legislative Record* 1903, 1682, 2135.
54. Rodearmel, *Twentieth-Century Pennsylvania State Government*, 59; *Patriot*, March 4, 1899, April 22, 1899; *Philadelphia Inquirer*, January 17, 1901; *Smull's Legislative Hand-Book and Legislative Manual of the State of Pennsylvania*, 1901 (Harrisburg, PA: State Printer, 1901), 1030–32, 1203; *Smull's Hand-Book*, 1903 (Harrisburg, PA: State Printer, 1903), 1197; James A. Kehl, *Boss Rule in the Gilded Age: Matt Quay of Pennsylvania* (Pittsburgh: University of Pittsburgh Press, 1981), 224–26, 234.
55. Rodearmel, *Twentieth-Century Pennsylvania State Government*, 59; *Patriot*, January 21, 22, February 6, 27, April 3, 20, 27, 1903.
56. *Report of the State Librarian*, 1905 (Harrisburg, PA: State Printer, 1906), 9; Bliss, *History of the Pennsylvania State Library*, 25.
57. "An Act for the creation and government of a division of the State Library, for the preservation of public records." Act of 14 May 1903, PL 177; [General Appropriations Act] 1903, PL 502—State Library's appropriation items at p. 510; *Philadelphia Press*, March 1, 1903; *Pennsylvania Colonial Records*: Minutes of the Provincial Council, 1683–1776, 9 vols., and Minutes of the Supreme Executive Council, 1776–1790, 6 vols. Samuel Hazard, ed. (Harrisburg, PA: Thos. Fenn, 1851–1853), 1: ii.
58. "Report of the Committee on Legal Biography," in *The Report of the Seventh Annual Meeting of the Pennsylvania Bar Association at Bedford Springs, June 25 to June 27, 1901* (Philadelphia: Geo. Buchanan Co., 1901), 98–102; *Report of the Eighth Annual Meeting of the Pennsylvania Bar Association at*

- Cambridge Springs, June 30 to July 2, 1902* (Philadelphia: Geo. Buchanan Co., 1902), 55, 237–59. Konkle was closely associated with Carson as a researcher, and he claimed to be well acquainted with Judge John T. Mitchell and other important lawyers. Konkle, *The Life and Times of Thomas Smith, 1745–1809, Pennsylvania Member of the Continental Congress* (Philadelphia: Campion Co., 1904), [ii–iv]; “Konkle, Burton Alva,” in *Who Was Who in America*. Vol. II, 1943–1950 (Chicago and New York: Marquis Co., 1950), 306.
59. *Legislative Record* 1903, 2677–78.
 60. Joint Resolution No. 3, 15 April 1903, PL 545.
 61. *Delaware County American* (also cited as *The American*), January 10, February 28, 1903. Cooper wrote editorials against a bill to place a state hospital under administrative control of a directors’ board that would hire the staff, and against creating boards in each county to grant tavern licenses, a function long performed by the courts.
 62. *House Journal* 1903, 1277–78, 1834–35; *Legislative Record* 1903, 2012, 3017, 3113, 3643. The DPR passed the House on March 24 and the Senate on April 8. Cooper’s \$10,000 measure passed the House on April 7 and the Senate on April 13. Many inaccuracies are obvious in the *Legislative Record* for these years, such as lists of names of the voting members that do not add up to the numbers declared by the speaker at the end of voting. For the final House vote on the DPR, the *Record* shows Rep. Benjamin Bierman of Lebanon County (Republican and former president of Lebanon Valley College) as the sole nay vote; the *Journal* indicates there were no nay votes. For the House final vote on Cooper’s \$10,000 measure, the *Record* shows Alfred B. Garner and Wesley F. Crone of Schuylkill County, both Republicans and strong advocates of better conditions for miners, as the only negative voters, but the *Journal* shows the two negative voters as Crone and John T. Fisher, a Democrat of Northumberland.
 63. *Legislative Record* 1903, 2499, 2657. The shift to joint resolution status seems to have occurred in the Committee on Judiciary General of the Senate.
 64. Cooper, on April 7, had spoken in defense of Sproul’s good roads bill against criticisms of the organizational arrangement that the bill set up. On April 10, he asserted a point of order against the libel bill, which had been revised in the House when Rep. Salus dropped his version and Senator Grady’s version was presented for final vote. Cooper said one bill could not be substituted for another until it reached the same stage it held on the calendar in the other house, and the Grady bill was one stage behind Salus’s now withdrawn bill. Cooper lost the challenge, yet in the last hours of the House session, on April 15, he was inserted as speaker and numerous humorous remarks celebrated the end of the session. He had contended that he had often seen himself in cartoons but did not mind at all. Although he had offended the wishes of Pennypacker, Quay, and Penrose, he was still the “Grand Old Man” of Pennsylvania’s G.O.P. *Patriot*, April 8, 11, 16, 1903; *North American*, April 16, 1903; *Legislative Record* 1903, 3368–69.
 65. *North American*, April 15, 1903; *Patriot*, May 15, 1903.
 66. Minutes of the Advisory Commission of the DPR [hereafter MAC], April 3, July 9, August 3, 1903, Record Group 13, Records of the PHMC, DPR 1903–1923, folder marked “Minutes of the Advisory Commission, 1903, 1909–1912, 1918”, State Archives.
 67. Luther R. Kelker: Report to T. L. Montgomery, June 22, 1903, MAC., folder marked “Reports of the DPR 1903 . . . 1920”; MAC, Report of December 12, 1903; Kelker to Secretary of the

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- Commonwealth Frank M. Fuller, November 25, 1904, MAC, folder marked "Gen. Corre. of Custodian of DPR 1904-1910"; *Report of the State Librarian, 1907* (Harrisburg, PA: State Printer, 1908), 17.
68. Montgomery to Samuel W. Pennypacker, November 4, 1904, Manuscript Group 171, Pennypacker Papers, Carton 59, folder marked "State Library/Archives/(public records Com.)," State Archives.
69. "Division of Public Records," in *Report of the State Librarian, 1905*, 8-9.
70. MAC, January 5, 1911, folder marked "Minutes of the Advisory Commission, 1903, 1909-1912, 1918," State Archives; *Legislative Record 1911*, 1795, 3272, 3355, 3394, 3481; Act of 27 April 1911, PL 100.