

Duplication of Serial Set Publications in the American State Papers

An Annotated Inventory

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A principal rationale for compiling, editing, and printing the collection of early US Federal documents, known as the American State Papers (ASP), is clearly given in the report of the Secretary of the Senate, Walter Lowrie, and the Clerk of the House of Representatives, Matthew St. Clair Clarke, of January 4, 1832, titled Republication of congressional documents. Report of the Secretary of the Senate, and Clerk of the House of Representatives, of their proceedings, under the Act of 2d March, 1831, directing a republication of congressional documents:

The great mass of these documents were to be found only in the archives of the archives of the two Houses. No complete set of them existed in any other place. They were contained in one hundred and sixty octavo and folio printed volumes, eighty large folio manuscript records, and in some hundred large files of documents. ...To make the separation of those to be published, without producing disorder, required the knowledge and experience, and the most patience, persevering industry of the most able of our assistants, and of ourselves. Had any one, without that knowledge of these things, which can only be obtained by long experience, undertaken to separate and arrange these documents, he would have been in great danger of reducing the whole to a heap of confusion. In addition to this, many of these documents exist only in the manuscript records of the two Houses, consisting of large folio volumes substantially bound, and in the best

state of preservation. We could not suffer these valuable records to be taken apart, and the portions selected sent to the printing office. We were also unwilling, either to permit them to be taken from the office to be copied, or to permit strangers to come in the office, and occupy our desks and tables in copying them.

From these consideration (and others of a similar nature not here detailed) it was evident to us that it was our duty, not only to select these documents, but also to prepare them for the press.¹

Furthermore, during the War of 1812 the destruction of the Capitol had contributed to the scarcity of many of those Congressional and Executive Department documents and, together with the reasons adduced above, resulted in the following Bill, which was passed on March 2, 1831, and was signed into law by President Andrew Jackson:

Be it enacted, etc., That the clerk of the House of Representatives hereby is authorized and directed to subscribe for 750 copies of the compilation of the Congressional documents proposed to be made by Gales & Seaton: *Provided*, that the documents shall be selected under the direction of the secretary of the Senate and the clerk of the House: *And Provided also*, That the price paid for the printing of copies shall be at the rate not exceeding that of the price

paid to the printer of Congress for printing the documents of the two Houses.²

As a result of that Act, the first twenty-one volumes of the ASP, covering 1789–1824, were published from 1832–1861.

But political reality is not always as simple as one might hope. During the decades before the establishment of the Government Printing Office by an Act of 1860, all congressional printing had been done by contractors. By 1829, the firm of Gales and Seaton had lost its congressional printing contract to Duff Green, and, in the words of historian Oz Frankel, “they contemplated alternative projects that would keep their press working. In March 1831, after two years of intensive lobbying, they finally succeeded by a narrow vote. Gales and Seaton claimed that manuscript copies of state papers were subject to mutilation from overuse, constant reference, and that beyond their utility for the statesman and the student, state papers should be saved by print ‘as a monument of the past, and beacons of the future. A proper National pride demands that they shall be rescued from oblivion.’” See the Bill H.R. 652 21st Congress, 2nd Session, and also the House Journal of that same session (pp. 350, 363, 368, 404, and 419), and a report on the progress made by Gales and Seaton as of Jan. 4, 1832 in S.Doc. 16, *Letter from Gales and Seaton, publishers of a compilation of congressional documents, transmitting two volumes of that work for the inspection of the Senate*.³

The subsequent and final eleven volumes, which went up to 1838, although 1841 had been the target,⁴ were produced under an Act of 1858; bringing the total number of volumes commissioned by Congress and printed by the same firm, Gales & Seaton, to thirty-eight volumes.

The work of selecting, editing, and preparing the documents to be republished was largely carried out by General William Hickey, who assessed the papers from the first appropriation to the issue of the final volume in 1861.⁵

There are some 6,354 publications (6,316 if one excludes the front matter, indexes, etc. of the volumes) in the American State Papers, but only two-fifths of them antedate the Serial Set, i.e., 15th Congress onward. Some 2,592 publications date from the first fourteen Congresses; the other three-fifths (3,762 publications) overlap chronologically with the Serial Set from 1817 up to, at least in the Military Affairs class, 1838.

The type used for printing, or in not a few cases reprinting as we shall show, the materials to be included in the American State Papers had to be newly set. That fact, together with the editorial procedures implemented by Hickey and his assistants,

had a number of consequences—some minor and others more substantial.

Numbering of the publications: None of the so-called Pickering numbers for pre-Serial Set publications were used by the ASP editors, nor, in the cases of the republication of Serial Set items, were the House and Senate Document or Report numbers used. Nor were any other original numbers of any kind employed by the ASP editors. The items in ASP were numbered sequentially, which but for a few exceptions means chronologically as well, in each class listed below under the heading Organization.

Series: The publications were not divided into the Serial Set series of Reports and Documents nor even separated into Congressional as opposed to Executive Department materials.

Pagination: Most of the original Serial Set publications were printed octavo or quarto but all of the American State Papers volumes are folios. This means the number of pages, except usually for items of only one page, will be different for ASP items and the Serial Set version. The pages were numbered sequentially in the folio ASP volumes and sometimes there would be, in the case of very brief documents, as many as three full items per page. [One does find sometimes the end of one item at the top of a page, having been continued from the previous page or pages, a short item in the middle of the page, and the beginning of a third item at the bottom of the page.]

Titles: The materials reprinted from manuscript may or may not have had titles, but in any case General Hickey and his editors constructed, in a fairly consistent manner, new titles for every ASP publication. This means that even for those Serial Set Reports and Documents reprinted in the American State Papers, new titles were created. Furthermore, for the Serial Set publications the format of what we would recognize as a formal title was slow to evolve. In the 15th Congress, both chambers issued only their respective Journals and a Documents series of publications. In the 16th Congress, the House separated what were formally, legislative or otherwise, reports into a separate Reports series; whereas the Senate maintained only a Documents series until the 30th Congress, which began in December 1847. The titles used for the Documents, again especially on the Senate side, tended to resemble an epistolary style consisting of the date, a kind of address or salutation, and a statement of the nature of the communication. Those titles, of which the following offers an example, are in fact often a communication from a lower body, e.g., a Committee of the House or Senate, or from an entity, be it individual (a private petitioner) or governmental (an Executive Department), to the full House or Senate. The place, date, sender (usually a Committee in approximately 1,800 of

the publications post-December 1817), and addressee are often given. All of which is to say that such “titles” do not represent what we commonly understand by a title for a Report or Document and are certainly not like the title formulations that evolved after the Civil War developing to the currently highly regularized title formulations for Reports and Documents. Here is an example of such an epistolary style opening in lieu of a title:

In Senate of the United States, January 21, 1818. The Committee on Naval Affairs, to whom have been referred the memorial of certain commissioned officers of the Navy, under the rank of commanders, and also the memorial of certain officers of the Marine Corps attached to the Mediterranean Squadron, have had the same under consideration, and report...⁶

Often the formulation of the titles of the ASP individual publications differs greatly from the actual title which was used in the original Report or Document in the Serial Set. Here are a few examples from the many hundreds in the tables:

ASP title of Foreign Relations no. 467 is “Claims for slaves and other property carried away by the forces of Great Britain” and the title of the identical Serial Set item, H.Rpt. 77 of January 11, 1828, is “H.P. Cathell.”

ASP title of Foreign Relations no. 430 is “Correspondence relative to the Congress of Panama” and the title of the identical Serial Set item, H.Doc. 150 of April 5, 1826, is “Message from the President of the United States, transmitting documents accidentally overlooked in his reply to a Resolution of the House of Representatives of the 30th ultimo.”

If the formulation of the titles in the two collections show great differences, the dates in the duplicate items almost always match with but a few exceptions. Here is one example in which the ASP editors simply made a human error: Foreign Relations no. 356 has the date January 21, 1823, but actual date of the Report submitted by Mr. Russell was February 21, 1823—see original publication H.Rpt. 96, 17th Congress, 2nd Session as well as the entry in the House Journal, 17th Congress, 2nd Session. p. 242, for February 21, 1823.

In another case, the dates do not match because procedural or other material prefaced to the main portion of the Serial Set item has a subsequent date to the date of the main part of the publication. *Official conduct of the printers to the House of Representatives* (Miscellaneous number 538) includes publications for January 30, 1823, and February 27, 1823, whereas, H.Rpt. 76 only contains January 30, 1823.

Finally, the ASP publication may represent the republication of only a part of a Serial Set item and therefore carries the date of that specific part within the Serial Set Report or Document which of course bears a later date. This often occurred in the reprinting of parts of the Annual Message of the President. Here is an example: *Condition of the Post Office Department* was published in ASP as Post Office Department number 96.

Procedural preambles: Those Serial Set Reports and Documents, especially on the Senate side for its Document series publications, which lack formal or real titles, often repeat what may essentially be described as a kind of procedural preamble to the actual body of the report. Here is an example from a House publication:

REPORT

Of the Committee on Military Affairs, on the resolution instructing them to inquire into the expediency of constructing fortifications at the entrance of Pensacola Bay, for the protection of the Navy Yard at that place.

The Committee on Military Affairs, to whom was referred the resolution of this

House, “that they inquire into the expediency of constructing fortifications at the entrance of Pensacola Bay, for the protection of the Navy yard and Naval depot at that place,” report: ...⁷

In the American State Papers, such duplication indicated above in the House original text, was eliminated by General Hickey and the duplicative sentences combined into one sentence. Here is the American State Papers version of how the above Serial Set publication’s initial paragraphs are combined into one paragraph:

Mr. Hamilton, from the Committee on Military Affairs, to whom was referred the resolution of this House “that they inquire into the expediency of constructing fortifications at the entrance of Pensacola Bay, for the protection of the navy yard and naval depot at that place,” reported ...⁸

Minor editorial changes: Certain changes occurred naturally in the transition from one page size to another, for example the columns and rows of tables were sometimes reformatted; salutations and complimentary closes of included correspondence

(a common feature in these publications) were sometimes situated differently on the respective pages of the two editions; small orthographic changes (e.g. the location Havana spelled Havanna and the surname Villiers spelled Villier), whether deliberate or unintentional, may be found; but none of these changes seriously compromise the overall accuracy or integrity of the American State Papers versions.

Organization of the American State Papers

The ten classes of publications in the Gales and Seaton edition of the American State Papers are listed by class, volume number, years of coverage, and date published:

I: Foreign Relations in six volumes: Vol. 1. 1789–1797 (published 1832); Volume 2. 1797–1807 (published 1832); Volume 3. 1807–1815 (published 1832); Volume 4. 1815–1822 (published 1834); Volume 5. 1818–1826 (published 1858); Volume 6. 1826–1828 (published 1859).

II: Indian Affairs in two volumes: Volume 1. 1789–1814 (published 1834); Volume 2. 1815–1827 (published 1834).

III: Finance in five volumes: Volume 1. 1789–1802 (published 1832); Volume 2. 1802–1815 (published 1832); Volume 3. 1815–1822 (published 1834); Volume 4. 1822–1824 (published 1858); Volume 5. 1824–1828 (published 1859).

IV: Commerce and Navigation in two volumes: Volume 1. 1789–1815 (published 1832); Volume 2. 1815–1823 (published 1834).

V: Military Affairs in seven volumes: Volume 1. 1789–1819 (published 1832); Volume 2. 1819–1825 (published 1834); Volume 3. 1823–1828 (published 1860); Volume 4. 1828–1832 (published 1860); Volume 5. 1832–1836 (published 1860); Volume 6. 1836–1837 (published 1861); Volume 7. 1837–1838 (published 1861).

VI: Naval Affairs in four volumes: Volume 1. 1794–1825 (published 1834); Volume 2. 1824–1827 (published 1860); Volume 3. 1827–1831 (published 1860); Volume 4. 1831–1836 (published 1861).

VII: Post-office Department in one volume: 1790–1833 (published 1834).

VIII: Public Lands in eight volumes: Volume 1. 1789–1809 (published 1832); Volume 2. 1809–1815 (published 1834); Volume 3. 1815–1824 (published 1834); Volume 4. 1823–1827 (published 1859); Volume 5. 1827–1829

(published 1860); Volume 6. 1829–1834 (published 1860); Volume 7. 1834–1835 (published 1860); Volume 8. 1835–1837 (published 1861).

IX: Claims in one volume: 1789–1823 (published 1834).

X: Miscellaneous in two volumes: Volume 1. 1789–1809 (published 1834); Volume 2. 1809–1823 (published 1834).

Methodology employed in constructing the table of duplicate publications

The methodology followed to construct the table of identical, or nearly identical, American State Papers and Serial Set publications was relatively simply. On the Readex databases of the Serial Set and the American State Papers we had an SQL query run to identify publications in both databases with the same date. Those pairs of possible duplicates were then examined pair by pair and the false matches (i.e., same date but quite different publications) were eliminated. A quality control check was conducted on the positive matches by searching the references in these documents and searching by selective subject matter. Through this process three documents were discovered with different dates between the American State Paper and Serial Set publications. In all three cases, the Serial Set version includes multiple dates, whereas the American State Papers publication contains only one date. The following pair exemplifies this anomaly:

*Choctaw reservations. Message from the President of the United States, respecting Choctaw reservations of land, under the fourteenth article of the treaty of 1830. February 9, 1835. -- Read, and referred to the Committee on Indian Affairs. February 19, 1835. -- Bill reported by Mr. Dickinson, No. 145.*⁹

*Claims to Choctaw reservations of land under the 14th article of the treaty of 1830. Communicated to the House of Representatives February 9, 1835.*¹⁰

There are other noticeable content differences between the duplicate publications. Nineteen pairs have evident textual differences where information is included in one source and not in the other. In fourteen of the cases, the Serial Set version includes more material. Some publications have small additions, where a statement, correspondence, or introductory note is in one source and not in the other. There are other document pairs that share core elements, but one document comprises several

pages of more material. In most cases where the Serial Set version includes more information, the equivalent ASP publication contains references to previously published documentation.

Then, to our horror, we realized the parameters of the initial SQL had been too strictly formulated and there were many, many hundreds more duplicates than the original two hundred-nineteen we had identified. After the discovery more precise SQL reports were generated with the help of Readex and arduous comparative analysis of whole classes was performed by the authors. As a result of that work, we here below present a table of duplicates for five of the ten classes of the ASP. Subsequent parts of this article will complete the identification of the duplicate pairs and perhaps hazard some possible rationales for this amazing and, to our knowledge, previously undocumented state of affairs.

Significant differences between the ASP republications and Serial Set Report or Document originals were noted in the table.

Table organization

In this first part of our multi-part article, we present in the tables below the basic bibliographical data for Serial Set items duplicated in ASP. The tables show, by column, the congressional session, publication number, publication date, publication title, and annotations.

The amount of duplication in our opinion is surprisingly high as the following figures for the ASP items from the 15th Congress through the final Congress of each of the five document classes below show:

Foreign Relations	159 duplicates out of 212
Indian Affairs	75 duplicates out of 105
Commerce and Navigation	44 duplicates out of 58
Post Office	73 duplicates out of 93
Miscellaneous	75 duplicates out of 109

In a continuation of this article we shall complete the documentation of duplicate publications in the remaining five classes of ASP publications and finally hazard some reasons why this substantial duplication occurred.

Conclusion

There is of course the very real possibility that we have overlooked some pairs of duplicates either through simple human error, or because of a printing error in the date of one or both members of a legitimate pair of actual duplicates, or for other reasons; but we hope that we have left the relationship between the ASP and the Serial Set for the years 1817–1838 in

something a little better than the “heap of confusion” to which Walter Lowrie and Matthew St. Clair Clarke alluded in their January 4, 1832 Report.

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References

1. H.Doc. 35, 22nd Cong., 1st sess., 2.
2. *Statutes at Large*, vol. 4, 470.
3. Oz Frankel. *States of Inquiry: Social Investigations and Print Culture in Nineteenth-Century Britain and the United States*. (Baltimore: Johns Hopkins University Press, 2006), 90.
4. H.Rpt. 502, 35th Cong., 1st sess., *Public documents. (To accompany Bill H.R. No. 639.)* May 29, 1858.
5. *Checklist of United States Public Documents, 1789–1909, Third Edition Revised and Enlarged, Volume 1, Lists of Congressional and Departmental Publications*. (Government Printing Office: Washington, D.C., 1911) p. 3. For further discussion of General Hickey's role, see August A. Imholtz Jr. “The American State Papers: The Incomplete Story, or What Was Selected and What Was Omitted,” *DTTP* 36:1 (2008): 18–21.
6. S.Doc. 70, 15th Cong., 1st sess., 1–10.
7. H.Rpt. 46, 19th Cong., 1st sess., 1.
8. *American State Papers*, 19th Cong., 1st sess., Military Affairs: Vol. 3, 217, On the expediency of constructing fortifications at the entrance of Pensacola Bay.
9. H.Doc. 138, 23rd Cong., 2nd sess., 1–48.
10. *American State Papers*, 23rd Cong., 3rd sess., Public Lands: Vol. 7, 627–52.