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Franklin County Board of Commissioners, Franklin County, North Carolina
c/o Kristen G. Green, Clerk of the Board
113 Market Street
Louisburg, NC 27549

Dear Commissioners:

As a family historian, Smithsonian Graduate Fellow, former Communications Director for the Cook County Board of Commissioners, Office of the President (Chicago, IL), and descendant of enslaved ancestors (55 years old), I am writing to express my sadness and shock at the destruction of recently discovered historical documents in the basement of the Franklin County Courthouse. I request that this letter be entered into the official record.

When I first learned of this atrocity, I found it hard to believe and impossible to digest. Still, some days later, the idea of it -- the excessive wielding of power, impatience with the assessment process underway by the Heritage Association, disregard for the potential historical value of certain documents continues to haunt me. Unlike some who might evaluate these precious records only as old paper that has outlived its usefulness (retention schedules), I hear voices in records like these -- voices of slaveholders, enslaved people, women, merchants, land owners, free blacks, and more. I learn from records like these about the legal system and how it was used as a tool to address grievances and seek redress.

As an African-American who has conducted significant study of my enslaved relatives, I shudder at the thought that while some documents had been copied and are retained by the state of North Carolina, there were no doubt countless records in the basement that could have informed slavery and slaveholding, Reconstruction and the Jim Crow era that will now not ever be seen. Franklin was a large slaveholding county, as large as Albemarle County, Virginia. According to Mr. Tom Blake who transcribed the 1860 U.S. Census Slave Schedules for Franklin County, North Carolina (NARA microfilm series M653, Roll 922) in 2003, the county was home to 104 slaveholders who held 20 or more slaves, accounting for 4,162 slaves and 501 slaveholders who held the balance for a total of 7,076 enslaved persons.¹ Surely some of the destroyed records, the loose and still folded documents in particular, would have shed light on this dark period of Franklin County's history. In similar bundles in other states I have found crucial material relating to my enslaved ancestors by carefully going through each piece of unindexed paper in loose material like this. I

¹ Tom Blake, FRANKLIN COUNTY, NORTH CAROLINA LARGEST SLAVEHOLDERS FROM 1860 SLAVE CENSUS SCHEDULES and SURNAME MATCHES FOR AFRICAN AMERICANS ON 1870 CENSUS, <http://freepages.genealogy.rootsweb.ancestry.com/~ajac/ncfranklin.htm>, viewed on January 2, 2013

urge the Commissioners, if you have not already done so, to view the pictures of the records that were incinerated, which include one of the boxes containing loose materials.²

I have a special interest in loose court bundles. Earlier this year I spent 5-months of graduate work at the National Archives conducting a preliminary assessment of loose records like these. I interviewed state archivists and county clerks from around the country, trying to understand what factors are standing in the way of care for these deteriorating records and preservation. I'm trying to understand how they can be made more accessible.³

According to a blog post on this subject⁴, the North Carolina General Assembly enacted legislation stating that ...

*When the custodian of any official State records certifies to the Department of Cultural Resources that such records have no further use or value for official and administrative purposes and when the Department certifies that such records appear to have **no further use or value for research or reference**, then such records may be destroyed or otherwise disposed of by the agency having custody of them.*

The part of that passage that is instructive is that the **records ought not be destroyed if they have research or reference value**. Some evidence of historical value was provided by the Heritage Association and surely more would have been uncovered if the process had been allowed to continue. Instead, it was abruptly halted and the records, all the records, were burned. This case presented extenuating circumstances and should have been handled with flexibility. The basement room had been hidden from public view for decades. Members of the community had a deep interest in the records and assumed the burden of rallying the town for space and supplies to do a thorough assessment.

I would like to note that one of the findings of my research was that loose material like the loose folded bundles are often not subject to retention schedules because of limited staff capacity to properly assess them. This is why the involvement of historical organizations, independent of government, could play a critical role. They can muster community-wide efforts. These organizations should be allowed to keep and preserve historical documents, even if local and state governments cannot or will not.

I would appreciate a response to the following question: Do the Commissioners believe it was proper for local and state government to destroy viable records that had not been fully and completely assessed by the Heritage Association for research or reference value?

Thank you for your attention. Genealogists, historians, and ordinary citizens across the country are watching Franklin County to see if officials will address this matter with the seriousness it deserves. I hope you will make a strong and clear statement that the draconian measures employed in Franklin County with regard to many of its historical records should not occur elsewhere in our nation.

Cordially,

Pam Smith

² See a picture of loose bundles at <http://stumblingintheshadowsofgiants.files.wordpress.com/2013/12/boxes-burned.jpg>

³ My article can be read at http://www.nagara.org/associations/5924/files/VOL29_No2_Final_0604_2013.pdf

⁴ § 121-5. Public records and archives, can be viewed at http://blog.eogn.com/eastmans_online_genealogy/2013/12/franklin-county-nc-destroys-100-year-old-records.html