ORIGIN AND EARLY GROWTH OF THE RUTGERS COLLECTION OF UNITED STATES GOVERNMENT PUBLICATIONS: A HISTORICAL CASE STUDY OF A DOCUMENT DEPOSITORY

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THE depository library program, in which designated libraries throughout the country regularly receive the publications of the United States federal government and make these available for use, accounts for most of the nation's major government publications collections. The office of the Superintendent of Documents within the United States Government Printing Office supervises the program, one which has grown to significant proportions. To the designated depositories, numbering over 1,350, the Superintendent's office reported that during the fiscal year ending 1981 it had distributed over 28 million publications.1

The government began distributing its publications to various libraries shortly after the second decade of the nation's founding. Some of the older libraries of the country, coming under the early distribution programs and continuing their receipt of the publications, have long records of service as document recipients. Other

libraries, established later, necessarily began service under one of the more recent distribution programs; and even some of the older libraries became document depositories only in later years. The depositories, moreover, never constituted a group to which there was a steady and continual addition of members. Some libraries have relinquished their places on the government's lists of depositories even as other institutions were being added.

The lists of depositories, issued over the years, have shown in each case the institutions serving as depositories at the time of the lists' preparation. Occasionally the lists have given, in addition, the date which, from the Superintendent of Documents' records or in conformity with the various enactments then affecting the program, each institution on the list officially became a depository.

According to a recent list of this kind, Rutgers University's Library, in New Brunswick, began as a depository in 1907. Yet this official date, while in full agreement with the laws relating to the depository library system, fails to reveal the true nature of Rutgers' beginnings as a recipient of the federal government's publications. Receipt of this material seems, in actuality, to have begun at the Library over three quarters of a century earlier. Moreover, a resolution on document distribution introduced in Congress for the benefit in part of Rutgers was to be the first of a series of proposed enactments which ended in legislation affecting the document receipts of many libraries.

The earliest provisions Congress made for supplying the government's publications on a regular basis to any of the libraries of the country were embodied in an enactment of 1813. The legislation required that Congress' Journals and documents be regularly supplied, not only to the several kinds of governmental agencies and other institutions which were named, but also to "each university and college in each State."

Rutgers, then still Queens College, established in 1766, was fully qualified for the distribution. But it, as well as several of the other colleges of the time, did not claim this material, which was first sent out in 1814. The colleges' lack of information on the new

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enactment undoubtedly contributed to this situation. In Congress, itself, discussion occasionally arose concerning the extent to which Congress' existing methods for promulgating the laws were really sufficing for a full dissemination of information on those laws. In addition, at the time of passage of the 1813 distribution legislation, the nation was at war. The press of the day was giving little attention, in its various "Congress" columns, to any Congressional actions other than those concerned with the ongoing conflict. It was 1820 when Queens College received, under governmental auspices, its first federal government publication.

Shortly before that time Congress had begun arranging, on occasion, with various printers—no government printing office then being in existence—for the purchase of certain works just published or for the publication of a work. These usually related to the history, character or government of the new nation, with collected papers of some kind frequently among the selected items.

In determining the kind of distribution that should be given to the works once they came into the government's possession, Congress invariably included provisions for supplying a copy to each of the colleges of the country. For the first work sent out in this manner Queens College was, again, omitted, its name not yet recorded in the government's offices involved in the regular distribution of Congressional material. But the College was to receive the next work which the government obtained under such special legislation.

The work was Adam Seybert's Statistical Annals. Exemplifying well the type of publication Congress was beginning to purchase and distribute at this time was the Statistical Annals' subtitle which stated that the work was one Embracing Views of the Population, Commerce, Navigation, Fisheries, Public Lands, Post-Office Establishment, Revenues, Mint, Military and Naval Establishments, Expenditures, Public Debt and Sinking Fund, of the United States of America: Founded on Official Documents.

Congress, legislating for distribution of the Seybert work, required, in a change from earlier provisions, that the work be sent only to those colleges which "applied" for it.5 Queens College did so apply. Bernard Smith, a postmaster of New Brunswick from

4 Philadelphia, 1818.
1810 until 1819, had been elected as a Representative to the Sixteenth Congress, begun March 1819. Writing in early March 1820 to Daniel Brent, the senior clerk at the Department of State, Representative Smith stated that he had "been requested by the Trustees of Queens College, New Brunswick, N.J. to request a copy of Seybert's Statistical tables," adding that it was the work to which the institution was entitled by the recent Act of Congress.6

To Daniel Brent the wording evidently implied that the Representative intended, himself, to take the Statistical Annals to Queens College rather than to have the volume entrusted to the mails. Smith, for his part, may have assumed that the Trustees, in making their request, expected that he would, indeed, acquire the book while in Washington and deliver it to the College upon his return. In any case, the State Department, recording on Smith's letter their response, noted that they had, on 16 March, sent "Seyberts Statistics for Queens College, N.J." to the Congressman's lodgings.7 The Department's response is important in that by not, itself, sending the Seybert work to Queens College, the Department did not have the opportunity for entering the College on its list of institutions receiving the Congressional Journals and documents.

Writing the next day, the Representative presented his respects to Daniel Brent and acknowledged the "rect. of a copy of 'Seyberts Statistical Annals,' for the use of Queens College in New Jersey."8 The care he took through this manner of obtaining the Statistical Annals for the College may, ironically, have contributed to a further delay in a regular distribution of government publications to the College. Nevertheless, Smith had been the agent whereby the College received its first work distributed under authority of the government.

Smith undoubtedly presented the Statistical Annals to the College upon his return to New Brunswick after the adjournment of the first session of that Congress on 15 May 1820. The second session began 13 November of that year, and ended 3 March 1821. Smith did not run for a second term in Congress and did not, in fact, remain long in New Brunswick, departing before the year was over.

7 Ibid.
8 Smith to Brent, 17 March 1820, ibid.
for Little Rock, Arkansas, there to assume an appointment he had been tendered as registrar of the land office.

Regular distribution of Congressional publications to Rutgers began about a decade after receipt of the Seybert work. The distribution resulted in part from a joint resolution Congress passed in 1828. But an action which Rutgers took two years earlier appears to have helped to bring about that legislation. Rutgers, whose name had been changed in 1825 from Queens College, was exhibiting a renewed vitality which extended to its Library and acquisitions for it. It is not surprising that the school sought federal government publications. These materials of the still-new nation were viewed as desirable additions to the collections in most of the college libraries of the day.

It was to Congress that Rutgers looked for acquiring the government publications that were wanted. Lewis Condict, from Morristown, New Jersey, was currently serving in the House of Representatives. Placing the Library needs of Rutgers as well as those of the Military Academy before that chamber, Representative Condict, on 5 January 1826, introduced a joint resolution

directing a copy of the Laws of the United States, and of certain public documents, and state papers, to be furnished to the Superintendent of the Military Academy at West Point, and to the President of Rutgers College, in New Jersey, for the use of those institutions.

The proposed resolution was read and was scheduled for consideration by the House, sitting as a committee of the whole, the next day. Debate on the measure did not occur, however. The law Rutgers sought already existed as the 1813 distribution enactment, making such new legislation unnecessary. It is unclear why Rutgers' name was not merely sent directly to the agency distributing the wanted documents. On the other hand, the enactments which had distributed the individual titles differed from the 1813 legislation in that they were not of a continuing character. A question might well arise whether additional colleges could ask for these titles several years later.


The House confined itself to consideration of the Military Academy’s needs. Specific legislation for that institution would have been completely in order since other governmental agencies were individually named whenever chosen for document receipt. Consequently, on 17 May, during that session, the House passed and sent to the Senate a joint resolution providing the Academy with one set of the works “of which copies have been distributed to the Universities and Colleges.” The Senate referred the resolution to its Library Committee, and the Committee reported it out the following day. Congress adjourned four days later, however, on 22 May, with the Senate not having taken up the question of this distribution.

In the second session of the Nineteenth Congress, the matter surfaced again. This time it was Edward Everett, of Massachusetts, a member of the Library Committee in the House, who introduced a joint resolution for distributing to members of Congress not previously receiving them some of the works, now stored in the Library of Congress, which Congress had previously purchased or for which it had made provisions for publishing. Included in the resolution was a clause providing for the Military Academy’s receipt of these publications as well. Again the resolution passed the House, and again, on going to the Senate, failed of passage.

But a new request for documents on the part of an individual college came to Congress the next session. Amherst College, in Massachusetts, was founded in 1821; and Representative Samuel C. Allen from that state, much as Lewis Condict had done not long before for Rutgers, offered on 3 January 1828 a resolution for Amherst to receive “certain books and documents.” Representative Condict immediately recognized that Congress needed to pass new and general legislation for supplying with documents all those colleges which, for whatever reason, including a fairly recent establishment as in Amherst’s case, were not being supplied with governmental materials under the existing enactments. The next day,

therefore, as the Amherst resolution was being read for the second time, Representative Condict offered a motion to amend it by including a provision that publications would go to "each incorporated College and University in the several States and Territories not heretofore provided for." The House referred the resolution, as now amended, to its Committee on the Library.

That resolution was not reported out of committee; but on 17 May 1828 Representative Everett, amending a previous resolution of his own for providing new members of Congress with the publications, introduced legislation which provided also the stipulation Representative Condict had earlier proposed. The new resolution, approved 24 May 1828, mentioned several of the works previously distributed under individual enactments and required that one copy of each of these be delivered "to such universities and colleges as may not already have received them."  

Over two years had passed since the request on behalf of Rutgers had gone before the House; yet it was unquestionably the action of a college library's bringing before Congress its failure to receive the publications being issued that began the series of proposals leading to the legislation for providing these publications to all colleges. The Department of State, sending out inquiries to each state, obtained the information needed for the distribution; and the publications began to be received in the colleges soon afterwards.

Rutgers received a shipment in 1830. The College's 1832 *Catalogue of Books in the Library* gives evidence of the Library's holdings of government publications at that time. Two types of government publications appear in the *Catalogue*, these representing the two types received in the recent shipment. One type consisted of those publications published or purchased through the special enactments, the ones which were the subject, in part, of the 1828 legislation; and Rutgers had received them. Under the *Catalogue*'s heading, "Law, Politics and State Papers," appeared the "Secret Journals of Congress, 1775-1788, 5 vols.," "Spark's [sic] Dip-

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The second type of publication in the 1830 shipments which were sent out was the set of *Journals* and Congressional documents which, according to the 1813 legislation, should have been regularly going to all colleges. The 1830 distribution of these documents meant that Rutgers, as well as several other colleges, would now be in receipt of this material. The single title, “Senate Documents, 1827-1829, 24 vols.,” appearing in the *Catalogue*, denotes the material with which Rutgers became a regular recipient of federal government publications.

The *Catalogue* had entered the material somewhat incorrectly, but this is understandable. The volumes, for the most part, had no title pages. Moreover, the Senate’s printers, the firm of Duff Green, had not used the term “Document” on that chamber’s individual items within the volumes, although the printers for the House of Representatives, Gales and Seaton, had used the designation. That material of the House of Representatives was at all included in the set was not readily apparent, this no doubt accounting for the inaccurate “Senate Documents” the *Catalogue* used for all of the volumes.

A later *Catalogue* of the Library, that of 1854, gives an accurate rendering of this material. There were, in all, 29 volumes in that Twentieth Congress’ Documents, and these the Rutgers Library had. Of these volumes, 4 were the *Journals* of the two houses, one each for each session. Of the remaining volumes, 7 contained Senate Documents, not so titled and including, also, the Senate’s reports of its committees; 13 contained House Documents, individually called this but labelled on the volume spines, “State Papers”; and 5 volumes contained House Reports, also titled this individually but also bearing on the volume spines, “State Papers.”

That the volumes would receive little use at this time is not surprising, the curriculum of the day and the nature of the library at most of the colleges of the period calling for no perusal of material such as this. Even under ideal circumstances the volumes, in ap-

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19 Ibid.
pearance, would have had little appeal; and later, when their content was wanted for the scientific research begun to be pursued, the assemblage of material, as exemplified by those early volumes, was to make searches for that content incredibly difficult.

Included in the 1832 Catalogue, also, was "Seybert's Statistical Annals of the U. States," that first federal government publication the College had received.

The 1854 Catalogue, with its "State Papers—Law and Politics" section, presented a detailed view of the collection of federal government publications in the Rutgers Library by the middle of the nineteenth century. The first of the sets of Congressional Journals, Documents and Reports which the Catalogue listed were, as in the 1832 Catalogue, those for the Twentieth Congress, of 1827 to 1829, this bearing testimony, again, to the College's having begun its regular receipt of government publications with these volumes. This receipt continued uninterruptedly throughout the period covered by the Catalogue, the record there being brought down to the volumes issued in 1851 and 1852 for the Thirty-second Congress.

Congress in this period was continuing to purchase or have published the collected national documents and other works of this kind; and continued to draw up legislation for distributing each of the works. Among these were the Annals of Congress, the Sixth Census, of 1841, and the multi-volumed American Archives and American State Papers, each of which had legislation requiring distribution to colleges. The Rutgers Library, according to the Catalogue, had all of these. Some of Congress' distribution enactments provided only for supplying a stated number of copies of a work to each member of Congress, these for distribution by each member as desired. The Congressional Globe, begun to be published during this 1830 to 1850 period, was among such works; and the 1854 Catalogue showed that Rutgers had volumes of this title, also.

A few of the government works in the Catalogue, issued even earlier, had probably come into the Library as donations from individuals.

In three enactments of the years from 1857 to 1859, Congress restructured its distribution program. Institutions could no longer serve as regular document recipients merely by reason of being of

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21 Rutgers College, Library, Catalogue, 1832, p. 19.
23 Ibid., p. 102.
a given type, as was the case under the 1813 legislation which included, for instance, all colleges. Instead, Senators, acting for their states at large, and Representatives, acting respectively for their Congressional districts, would each designate a library to hold such status.

Rutgers was immediately selected under the new plan, undoubtedly by Garnett Adrain. A Representative in Congress from New Brunswick, he was the son of Robert Adrain, for many years an eminent professor of mathematics at Rutgers; and Garnett himself was a graduate of Rutgers. The Department of the Interior, made responsible for distribution under the new legislation and reporting soon afterwards on its activities in this area, included Rutgers College among the libraries which were designated to receive Congress' publications. It reported, in addition, on the publications sent to these new designees; and here, again, Rutgers was mentioned. To that institution the Department had sent on 7 July 1858, as the first material under the new legislation, the publications of the Thirty-fourth Congress, directing these to the attention of "Theo. Frelinghuysen, President."24

The Department's 1878 "register" of the libraries in the distribution program again included Rutgers, service here noted as being for New Jersey's third Congressional district.25 Subsequent reports of the Department, throughout the remainder of the century, included Rutgers College in the list of depositories.

Those later years of the century were to see, as well, greater use of government publications. The interest in scientific research, promoted early at Johns Hopkins University and evident at many of the institutions of higher education in the country, was present, also, at Rutgers. L. Ethan Ellis, writing on this subject, showed that scientific research was brought to Rutgers primarily by Professor Austin Scott, coming in 1883 from Johns Hopkins where he had been the one, in fact, who began the seminar method of instruction.26 The method involved the use of a variety of primary

source materials, including government publications. Undoubtedly the sessions of this kind held at Rutgers also made use of that Library's governmental material.

In the Library itself at this period there was evidence of an interest in a continued building of the government publications collection. The collection's executive branch materials, alone, bear testimony to some of this interest. At this time publications of the executive branch did not go to libraries through the depository program unless the publications were printed as part of the series of Congressional Documents and Reports. Many of these publications were not so printed, and acquiring them necessitated a relatively extensive correspondence with the agencies on the part of the librarian. Professor Isaac E. Hasbrouck, the faculty member serving as librarian at Rutgers from 1880 to 1884, reported for the academic year 1882-1883 that the Library's donations included 106 volumes and 125 pamphlets from the "Departments and Bureaus of the U.S. Gov." Such a number of executive agency publications could not have come into the Library without some amount of effort for their acquisition.

The donations of "Congressional and Legislative Docs." for that year amounted to 1662 volumes. Some of those documents may have come through the Superintendent of Documents' exchange program in which the Rutgers Library was similarly active. Through the exchanges with other libraries of the country, both depository and non-depository, libraries were able to complete their own sets of government publications while contributing, with their document duplicates, to the needs of others. In 1886-1887 Rutgers received 88 volumes through such exchanges, and gave and received volumes in other years, as well.

37 Ibid., p. 41.
38 Isaac E. Hasbrouck to the President and Board of Trustees of Rutgers College, "Third Annual Report of the Condition of the College Library, Being for the Year from March 7, 1882 to March 5, 1883," Rutgers University, Correspondence, 1883, p. 4, Rutgers University, N.B.
39 Ibid., p. 5.
40 U. S., Department of the Interior, Documents Received and Distributed by the Department of the Interior; Letter from the Secretary of the Interior, Transmitting a Statement of the Number and Disposition of Public Documents Received by That Department; Also Submitting a Report Relative to the Sale and to the Printing and Distribution of Public Documents, March 30, 1888, 50th Cong., 1st sess., H. Exec. Doc., p. 13; among the later reports, for instance, is: U. S., Superintendent of Documents, Fourth Annual Report of the Superintendent of Documents for the Fiscal Year Ended June 30, 1898, Washington, D.C., 1899, p. 22.
The 1880's marked, also, a new depository designation for Rutgers as well as for several other libraries in the program. The program, in the view of the Superintendent of Documents, suffered from a number of problems, one of these being the absence of any designation of a depository in some of the Congressional districts.

Individuals offered a variety of suggestions for remedying matters, including that of having Congress assign to the Secretary of the Interior the responsibility for designating depositories in those districts for which no designation had been made. Several bills for giving that assignment to the Secretary "in the present Congress" came before the two houses between 1882 and 1884. Congress never passed these, neither house, in fact, ever reporting one of the bills out of committee. Yet many of the legislators probably saw a need for strengthening the designations, for making new ones in some instances (the 1880 Census having necessitated some amount of redistricting), and for reaffirming earlier designations. Consequently, numerous designations were made in these years, in many cases for existing depositories.

New Jersey received several of the 1880's designations, Rutgers being among these designees. The designations for Rutgers came from John Kean, Jr., for the Third Congressional District, on 3 April 1884. Princeton University was another recipient of a new designation. Representative John Hart Brewer, of the Second District, made that designation the following day, 4 April 1884.

For Princeton as for a number of the other institutions receiving a designation at that time and continuing service as depositories in later years, the Department retained the 1880's date in its records as the one denoting when depository service had officially begun. A number of the libraries receiving the 1880's designations, however, including here both Princeton and Rutgers, had in reality begun their receipt of government publications some time earlier.


32 Information on these designations was compiled from data in U. S., Superintendent of Documents, Ninth Annual Report of the Superintendent of Documents for the Fiscal Year Ended June 30, 1903, Washington, D.C., p. 10; and New Jersey, Legislature, Manual of the One Hundred and Eighth Session of the Legislature of New Jersey, 1884, Trenton, 1884, pp. 52-58.
Rutgers subsequently received a still later "official" date. This resulted in part from efforts, begun in the nineteenth century and continuing into the twentieth, for obtaining depository status for some of the country's larger libraries. Accomplishing this was made difficult by the existing legislation limiting depositories in each state to two Senatorial designations and one for each Congressional district. A 1907 report to Congress from Congress' Printing Investigation Commission, however, offered a suggestion. It called to the attention of the legislators that there were sixty-five land-grant institutions in operation, adding that the group included "many of the leading colleges and universities of the country." All of these, the Commission ventured, could, by law, be designated depositories.\textsuperscript{33}

Congress followed the Commission's recommendation. The legislation it enacted, approved 1 March 1907, stipulated that "all land-grant colleges shall be constituted as depositories for public documents, subject to the provisions and limitations of the depository laws."\textsuperscript{34}

Rutgers had become a land-grant college in 1864; and although no change occurred in 1907 with respect to the Library's receipt of government publications, begun in 1830, a change did take place in the matter of the library's official date for having begun service as a depository. This would henceforth be 1907, and would be characterized as a "by law" designation.

The change from a Congressional to a "by law" depository category created a depository designation vacancy within the Congressional district in which Rutgers was located. The next year the New Brunswick Public Library, established in 1883, received the vacated Congressional designation.\textsuperscript{35}

In later years additional libraries within the Rutgers system would receive depository status as Congress passed laws for an increased


\textsuperscript{34} U. S., \textit{Statutes at Large}, vol. 34, p. 1014.

\textsuperscript{35} A list of the depositories under the new land-grant enactment and the designations made shortly afterwards, together with the earlier designated depositories, was issued as U. S., Superintendent of Documents, \textit{Official List of Depository Libraries, Consisting of Designated, Geological and Official Gazette Depositories, Corrected to January 1, 1909}, Bulletin no. 12, Washington, D.C., 1909.
number of designations and for encompassing law school libraries within the depository program. With these measures the school was able to expand, further, its service as a document depository. The University had begun to build the foundation for that service in the early part of the nineteenth century when the Library's first government publications began to be received.