

Library
Supreme Court of the United States
Washington, D. C.

January 2, 1947

Secretary,
Maryland Historical Society,
Annapolis, Maryland.

Dear Sir:

The Library of the Supreme Court of the United States has undertaken the compilation of a bibliography which we hope will contain references to everything that has been written by or about its Justices, past, present and future. The Justices listed below are, according to our records, sons of Maryland, and we are taking the liberty of asking your assistance in giving us any information your files may contain about them.

Samuel Chase, 1741-1811, appointed by President
Washington

Gabriel Duvall, 1752-1844, appointed by President
Madison

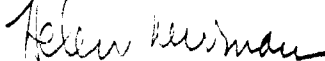
Robert H. Harrison, 1745-1790, appointed by
President Washington

Thomas Johnson, 1732-1819, appointed by President
Washington.

We have various biographical dictionaries in our Library and also have access to the records of the Library of Congress, but other than biographical sketches, with the exception of Samuel Chase, we find little or nothing by or about the other Justices given above.

We would be most appreciative if you could furnish us with a list of materials which your files disclose, such as addresses by or about them, articles, books, etc., so that we may include it in our bibliography with a statement that it is contained in your archives. Perhaps later on we can arrange to secure copies for our own.

Cordially yours



Helen Newman
Associate Librarian

January 7, 1947

Miss Helen Newman
Associate Librarian
— Supreme Court of the United States
Washington, D. C.

My dear Miss Newman:

Your letter of January 2nd addressed to the Secretary, Maryland Historical Society, Annapolis, Maryland, has been delivered to me. I am not sure whether you wanted this letter to go to the Hall of Records or to the Maryland Historical Society in Baltimore. If it is the Baltimore institution that you really want, you may address the Director, Mr. James W. Foster, 201 West Monument Street, Baltimore, Maryland.

After reading your letter I thought I might make a few comments on the bibliography of Justices of the Supreme Court which you are now compiling. In the first place, your list of Maryland Justices lacks the name of Roger Brooke Taney who, as you are of course aware, was the only Marylander who became a Chief Justice.

I was surprised to learn that you have what you consider to be sufficient material on Samuel Chase. I have been working on Samuel Chase recently and I have been able to find hardly anything about him. I am now reading proof on Publication No. 5 of the Hall of Records Commission, which is entitled Calendar of Maryland State Papers No. 2, The Bank Stock Papers. Chase was the Maryland agent for the recovery of the bank stock in England and this collection contains forty or fifty letters written by Chase, some of them during the period of his suit against the State of Maryland, 1807-1810, when he was a Justice of the Supreme Court. In addition, I should like to call your attention to the fact that a new life of Chase is now being written by Professor Philip H. Crowl who may be addressed at Princeton University. Professor Crowl probably has a very large list of materials concerning Chase.

I should think that the most useful source of materials on Thomas Johnson would come from the very scholarly The Life of Thomas Johnson by Edward S. Delaplaine. The author of this book is now an Associate Judge of the Maryland Court of Appeals and may be addressed either at the Maryland Court of Appeals in Annapolis or at the Court House in Frederick, Maryland. He is a very scholarly person and I am sure that he would be glad to let you have any materials which he did not use in his book.

Miss Helen Newman

2.

January 7, 1947

In the case of Taney, I would suggest that you write to Professor Carl Brent Swisher, the author of Robert B. Taney, which appeared in 1935. Professor Swisher is no longer at Columbia University where he completed this biography, but at the Johns Hopkins University in Baltimore, where he is Professor of Political Economy. He is a very sympathetic person and I am sure that he would be glad to help you in any way that he can.

There are short discussions of each of these men in The History of the Maryland Court of Appeals written some years ago by the late Chief Judge Carroll Taney Bond. So far as I know, there have been no large-scale biographies of Gabriel Duvall and Robert Harrison, but the Archives of Maryland, both printed and manuscript, are, of course, full of references to them. The material on Duvall is especially rich because, as you know, he was a prominent jurist in Maryland before going to Washington.

I need not tell you, since you have visited us several times, that the Hall of Records does not have a large library of printed books. The Maryland State Library, which is located in the Court of Appeals building, has a fairly good collection, most of which was catalogued many years ago, and this catalogue is available to you in printed form at the Library of Congress. I do not believe, however, that you will find, either at the Maryland State Library, or at the Maryland Historical Society, anything that would not be at the Library of Congress. In any case, do you not think it would be wise to consult the Union Catalogue at the Library of Congress, formerly known as Project B. In addition to the cards already filed in this project I recently sent to its director all of the Maryland imprint slips which were gathered by the Historical Record Survey. These imprint slips are being incorporated in the Union Catalogue.

If I may be of any further assistance to you, please feel free to call on me.

Very sincerely yours,

Morris L. Radoff,
Archivist.

MLR/rdb

Library
Supreme Court of the United States
Washington, D. C.

January 8, 1947

Mr. Morris L. Radoff, Archivist
Hall of Records
Annapolis, Maryland

Dear Mr. Radoff:

I was surprised, though pleased, to receive your letter of January 7th. We had intended that our letter go to the Secretary of the Maryland Historical Society. I appreciate your giving us the name of the Director and his address in Baltimore.

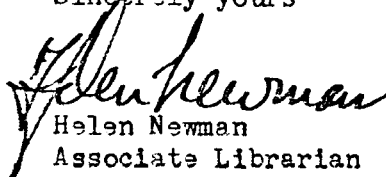
You were very kind to take the time and trouble to list so many references for us.

Miss Gertrude Jenkins, who is doing the active work on this project, has already consulted the Union Catalogue at the Library of Congress, and found very little on the Maryland mer with the exception of Taney. She plans to get material on her later. We are glad to have Professor Swisher's address at Johns Hopkins.

I shall look forward to calling upon you when I am in Annapolis again.

With cordial regards,

Sincerely yours


Helen Newman
Associate Librarian

Library
Supreme Court of the United States
Washington, D. C.

January 8, 1947

Mr. Morris L. Radoff, Archivist
Hall of Records
Annapolis, Maryland

My dear Mr. Radoff:

May I add my thanks to those of Miss Newman for the helpful references contained in your letter of the 7th.

Our bibliography has just begun, the letters to the Historical Societies being one of the first steps in its building. The Union List at the Library of Congress has already been consulted, but the Manuscript and Periodicals Divisions must also be searched. I found nothing in the Union List about Duvall or Harrison and only three references to Thomas Johnson, one being the Delaplaine book. The other two items are a sketch of Johnson in a book by Mrs. Frances Parkinson Keyes, and a reference to the dedication ceremonies in connection with the unveiling of a monument in the Court House Square at Frederick, Maryland on July 4, 1929.

I didn't forget Taney when I write you, but I thought perhaps the material on him would be considerable, and that I had better not overburden the Maryland Hall of Records with him at this time.

Our material is far from what we consider sufficient on Samuel Chase. I hope to unearth much more about him. I enclose for your information the few references I found in the Union List. I am glad to know about Professor Crowl's book and shall write him with the hope that he will be able to give us some information.

I expect later on to read books written about these Justices in a search for further references, and with ninety-one Justices (including the present membership of the Court) having sat on the Bench, it will be some time before our bibliography is completed. When it is I shall send you a list of everything we have found on the Maryland Justices, and from time to time additional references in the case of Mr. Justice Samuel Chase.

Very truly yours

Gertrude Perkins

Samuel Chase, April 17, 1741-June 19, 1811.

Library of Congress

Paul Leicester Ford, in his "Essays on the Constitution of the United States, published during its discussion by the people 1787-1788" (Ed. by Ford. Brooklyn, N.Y., Historical Printing Club, 1892), refers to Chase's "Cursory remarks on the Constitution."

Extracts from Journal of the Senate of the United States of America in cases of impeachments ... Washington, Govt. Printing Off. 1904.

Same "in all cases of impeachment presented by the House of Representatives, 1798-1904." Washington. Government Printing Off., 1912.

Journal of the Senate of the United States in cases of impeachments. 20th February, 1805. Printed conformably to a resolution of the Senate. Washington City. Printed by William Duane & Son. 1805.

"Hamilton's 'Publius.'" by Worthington Chauncey Ford. (From the New York Evening Post.) Washington, 1886.

The answer and pleas of Samuel Chase, one of the associate justices of the Supreme Court of the United States, to the articles of impeachment, exhibited against him in the said court, by the House of Representatives of the United States, in support of their impeachment against him, for high crimes and misdemeanors, supposed to have been by him committed. Printed by order of the Senate. Washington City. Printed by William Duane & Son, 1805.

Same. Newburyport. Published by Angier March. 1805

Same. Salem: Reprinted by Joshua Cushing. 1805.

Report of the trial of the Hon. Samuel Chase. Baltimore. Printed for Samuel Butler and George Keatinge. 1805. Taken in short-hand by Charles Evans.

Same. Augmented.

Same. Another issue.

Trial of Samuel Chase.... Taken in short-hand, by Samuel H. Smith and Thomas Lloyd. .. Washington City. Printed for Samuel H. Smith, 1805.

"The Impeachment of Samuel Chase." By A. P. Humphrey. Virginia State Bar Association Report 1889, pp. 205-32.

"The Impeachment Trial of Samuel Chase". By R. W. Carrington. Va Law Rev. 9: 485-500. May, 1923.

"The Impeachment Trial of Samuel Chase." American Law Review, Vol. XXXIII, St. Louis. 1899.

Also see "History of the United States" by Adams. New York, 1889.

And the sketches in the American Dictionary of Biography and the Encyclopaedia of Americana.

T. G. Chase

January 13, 1947

Miss Gertrude Jenkins
Library, Supreme Court of the United States
Washington, D. C.

My dear Miss Jenkins:

Thank you very much for your list of references about Samuel Chase. I shall certainly be on the lookout for additional materials about Chase, as well as about the other members of the Supreme Court whose native state was Maryland.

While I think of it, I want to send you a reference concerning Chase's difficulties with a grand jury in Baltimore County when he was both a County Judge and a Judge of the General Court. The grand jury in his own court claimed that he was violating the Constitution. Chase's bitter reply is one of the most revealing documents I have ever seen. The full reference is "Samuel Chase and the Grand Jury of Baltimore County", Maryland Historical Magazine VI (1911) pp. 131-137.

Your project seems to me to be an enormous one and I wish you the best of luck with it.

Very sincerely yours,

Morris L. Radoff,
Archivist.

MLR/rdb