

Henry White Edgerton Papers

A Finding Aid to the Collection in the Library of Congress

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Revised and expanded by David Mathisen



Manuscript Division, Library of
Congress

Washington, D.C.

2011

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Collection Summary

Title: Henry White Edgerton Papers

Span Dates: 1910-1970

Bulk Dates: (bulk 1929-1966)

ID No.: MSS36038

Creator: Edgerton, Henry White, 1888-1970

Extent: 2,000 items; 8 containers; 3.2 linear feet

Language: Collection material in English

Repository: Manuscript Division, Library of Congress, Washington, D.C.

Abstract: Jurist, lawyer, and educator. Correspondence, memoranda, writings, case files, reports, notes, pamphlets, lists, newspaper clippings, and printed matter, relating mainly to White's career as a law professor and judge.

Selected Search Terms

The following terms have been used to index the description of this collection in the Library's online catalog. They are grouped by name of person or organization, by subject or location, and by occupation and listed alphabetically therein.

People

Arant, Herschel Whitfield, b. 1887--Correspondence.

Edgerton, Henry White, 1888-1970.

Frankfurter, Felix, 1882-1965--Correspondence.

Graustein, Archibald--Correspondence.

Harris, Rufus C. (Rufus Carrollton), 1897-1988--Correspondence.

Miller, Justin, 1888-1973--Correspondence.

Pound, Roscoe, 1870-1964--Correspondence.

Robinson, J. J.--Correspondence.

Waite, John Barker, 1882- --Correspondence.

Organizations

Association of American Law Schools.

Cornell University.

United States. Court of Appeals (District of Columbia Circuit)

United States. National Recovery Administration.

Subjects

Civil rights.

Courts--Washington (D.C.)

Criminology.

Law--Study and teaching.

Law--United States.

Separation of powers--United States.

Places

United States--Politics and government.

Occupations

Educators.

Jurists.

Lawyers.

Administrative Information

Provenance

The papers of Henry White Edgerton, jurist, lawyer, and educator, were given to the Library of Congress in 1970 and 1972 by his wife, Alice Durand Edgerton.

Processing History

The papers of Henry White Edgerton were arranged and described in 1970. Additional material received in 1972 was processed in 1985, and the finding aid was revised in 2011.

Copyright Status

Copyright in the unpublished writings of Henry White Edgerton in these papers and in other collections of papers in the custody of the Library of Congress has been dedicated to the public.

Access and Restrictions

The papers of Henry White Edgerton are open to research. Researchers are advised to contact the Manuscript Reading Room prior to visiting. Many collections are stored off-site and advance notice is needed to retrieve these items for research use.

Preferred Citation

Researchers wishing to cite this collection should include the following information: Container number, Henry White Edgerton Papers, Manuscript Division, Library of Congress, Washington, D.C.

Biographical Note

<i>Date</i>	<i>Event</i>
1888, Oct. 20	Born, Rush Center, Kans.
1905-1907	Attended University of Wisconsin, Madison, Wis.
1910	A.B., Cornell University, Ithaca, N.Y.
1910-1911	Attended law school, University of Paris, Paris, France
1913	Married Alice Durand
1914	LL.B, Harvard Law School, Harvard University, Cambridge, Mass. Attorney, Davis, Kellogg & Severance, St. Paul, Minn.
1915-1916	Attorney, Warner, Warner & Stackpole, Boston, Mass.
1916-1918	Acting assistant professor of law, Cornell University, Ithaca, N.Y.
1918-1921	Attorney, Ropes, Gray, Boyden & Perkins, Boston, Mass
1921-1928	Professor of law, George Washington University, Washington, D.C.
1928-1929	Visiting professor of law, University of Chicago, Chicago, Ill.

1929-1937	Professor of law, Cornell University, Ithaca, N.Y.
1934-1935	Special assistant to the attorney general, Antitrust Division, Department of Justice, Washington, D.C.
1937-1970	Judge, United States Court of Appeals for the District of Columbia Circuit, Washington, D.C.; chief judge, 1955-1968; senior status, 1963-1970
1970, Feb. 23	Died, Washington, D.C.

Scope and Content Note

The papers of Henry White Edgerton (1888-1970) range from 1910 to 1970, with the bulk of the material dating from 1929 to 1966. The papers document primarily Edgerton's activities as a law professor at Cornell University, 1929-1937, and as a judge for the United States Court of Appeals for the District of Columbia Circuit, 1937-1970. The collection is organized into a subject file and an addition.

Pertaining chiefly to Edgerton's career as a law professor and his writings, the subject file includes correspondence, drafts of articles, letters to the editor, notes, pamphlets, reports, newspaper clippings, and printed matter. Topics featured are civil liberties, criminology, law school curriculum, and the roles of the three branches of government. Edgerton's ideas on curriculum and criminology are revealed in correspondence with deans and professors at law schools on matters relating to his activities in the Association of American Law Schools. Among the correspondents are Herschel Whitfield Arant, Rufus C. Harris, Justin Miller, Roscoe Pound, J. J. Robinson, and John Barker Waite. Also included is correspondence with Felix Frankfurter and others relating to an article by Edgerton's about the incidence of judicial supremacy over Congress, although these files do not contain any drafts or working papers.

The only correspondence covering an appreciable span of years, 1930-1969, is with Archibald Graustein, an attorney with the Boston law firm of Ropes, Gray, Boyden & Perkins and president of the International Paper Company. The letters, chiefly from Graustein, touch on the opinions of Edgerton in various court cases, personal, family, and business matters, and occasionally on contemporary affairs. Included are references to Edgerton's activities while on the bench of the United States Court of Appeals for the District of Columbia Circuit.

Other correspondence documents Edgerton's affiliations with civil liberties organizations and his interest in several trials in which they were involved. There are also several manuscripts written while he was a special attorney in the Department of Justice relating to the National Recovery Administration, and a few items pertaining to three letters to editors by Edgerton. There is no documentation of Edgerton's activities as a private attorney and little information on his classroom lectures.

The addition to the collection, 1944-1967, consists primarily of case files documenting Edgerton's tenure as a judge for the Court of Appeals. The case files include memoranda, opinions, orders, and judgments.

Arrangement of the Papers

This collection is arranged alphabetically by name of person or organization, topic, or type of material.

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BOX 1	American Civil Liberties Union
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BOX 1	Correspondence, 1932-1937
BOX 1	Pamphlets, 1919, 1928-1937
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BOX 1	Association of American Law Schools
BOX 1	General, 1930-1933
BOX 1	Committee on Advertising and Soliciting, 1936-1937
BOX 1	Joint Committee on the Improvement of Criminal Justice, 1931-1934
BOX 1	Round Table on Criminal Law, 1933
BOX 1	Special Committee on the Teaching of Professional Ethics, 1929
BOX 2	Civil liberties, 1936
BOX 2	Competition, wastes of railroads, 1933
BOX 2	Constitution, proposed amendments, 1936-1937
BOX 2	Cornell University, Ithaca, N.Y.
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BOX 2	Heidelberg celebration, 1936
BOX 2	Criminology
BOX 2	Miscellany, 1930-1934
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BOX 2	Vengeance, 1932
BOX 2	Free speech, Ives law repeal, 1936
BOX 2	Graduate Faculty of Political and Social Science, 1935
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BOX 2	Incidence of Judicial Supremacy over Congress, correspondence (includes correspondence from Felix Frankfurter), 1936-1937
BOX 2	Imprisonment for costs, circa 1930-1970
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BOX 2	Labor unions and antitrust acts, 1932
BOX 2	Lawless law enforcement, 1932
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BOX 2	Abstracts
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BOX 3	Government Printing Office, publication lists, 1927-1930
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BOX 3	Supreme Court, 1937
BOX 3	Civil rights
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BOX 3	University of Chicago, Chicago, Ill., Committee on Graduate Work, circa 1928
BOX 4	Addition
BOX 4	Case file
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BOX 4	Blocker v. United States
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BOX 4	Far East Conference v. Federal Maritime Comm'n
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BOX 5	Florida Gulfcoast Broadcasters v. Federal Communications Comm'n
BOX 5	Frady v. United States
BOX 5	Franco v. United States
BOX 5	Frigillana v. United States
BOX 5	"F" miscellaneous
BOX 5	Gager v. Seidel
BOX 5	Georgetown College, application of the president of
BOX 5	Goldsmith v. United States
BOX 5	Grabois v. Grosner
BOX 5	"G" miscellaneous

Container List

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BOX 6	National Labor Relations Bd. v. Rice Lake Creamery Co.
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BOX 8	Judicial Council of the District of Columbia, minutes 1944, May
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