

# **Carl Brent Swisher Collection of Research Material Relating to Roger Brook Taney**

**A Finding Aid to the Collection in the Library of Congress**

**Prepared by Mary M. Wolfskill**



**Manuscript Division, Library of Congress**

**Washington, D.C.**

**2012**

Contact information: <http://hdl.loc.gov/loc.mss/mss.contact>

**Finding aid encoded by Library of Congress Manuscript Division, 2012**

Finding aid URL: <http://hdl.loc.gov/loc.mss/eadmss.ms012136>

## Collection Summary

**Title:** Carl Brent Swisher Collection of Research Material Relating to Roger Brook Taney

**Span Dates:** 1836-1962

**ID No.:** MSS51110

**Collector:** Swisher, Carl Brent, 1897-1968

**Extent:** 12,250 items ; 34 containers plus 1 oversize ; 15 linear feet

**Language:** Collection material in English

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

**Abstract:** Historian. Chiefly reproductions of correspondence, reports, records, and newspapers gathered by Swisher for a history of Roger Brooke Taney's tenure as chief justice of the U.S. Supreme Court.

## 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

Black, Jeremiah S. (Jeremiah Sullivan), 1810-1883.

Blickensderfer, Joseph P. (Joseph Patrick), 1894-1960--Correspondence.

Buchanan, James, 1791-1868.

Catron, John, ca. 1786-1865.

Chase, Salmon P. (Salmon Portland), 1808-1873.

Clifford, Nathan, 1803-1881.

Davis, David, 1815-1886.

Dunlap, Lloyd A.--Correspondence.

Freund, Paul A. (Paul Abraham), 1908-1992--Correspondence.

McLean, John, 1785-1861.

Peters, Richard, 1743-1828.

Story, Joseph, 1779-1845.

Swisher, Carl Brent, 1897-1968.

Taney, Roger Brooke, 1777-1864.

Van Buren, Martin, 1782-1862.

Webster, Daniel, 1782-1852.

Welles, Gideon, 1802-1878.

### Organizations

Bank of the United States (1816-1836)

United States. Permanent Committee for the Oliver Wendell Holmes Devise.

United States. Supreme Court.

### Subjects

African Americans.

Banks and banking--United States.

Censorship.

Courts--United States.

Indians of North America.

International relations.

Money.

Slave trade.

Slavery.

Slaves--Emancipation--United States.

Slaves.

### Places

United States--History--Civil War, 1861-1865.

## **Occupations**

Historians.

# **Administrative Information**

## **Provenance**

The Carl Brent Swisher collection of material relating to Roger Brooke Taney was given to the Library of Congress by Swisher in 1966 in accordance with an agreement with the Oliver Wendell Holmes Devise. The Holmes Devise was established to write a multivolume history of the Supreme Court of the United States.

## **Processing History**

The collection were arranged and described in 1973. The finding aid was revised in 2012.

## **Copyright Status**

The status of copyright in the unpublished writings of Carl Brent Swisher is governed by the Copyright Law of the United States (Title 17, U.S.C.).

## **Access and Restrictions**

The Swisher collection of material relating to Roger Brooke Taney is 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, Carl Brent Swisher Collection of Research Material relating to Roger Brooke Taney, Manuscript Division, Library of Congress, Washington, D.C.

# **Biographical Note**

## **Carl Brent Swisher**

| <i>Date</i>   | <i>Event</i>                                                                                                  |
|---------------|---------------------------------------------------------------------------------------------------------------|
| 1897, Apr. 28 | Born, Weston, W. Va.                                                                                          |
| 1918-1919     | Student, West Virginia Wesleyan College, Buckhannon, W.Va.                                                    |
| 1926          | A.B., Pomona College, Claremont, Calif.                                                                       |
| 1927          | M.A., Pomona College, Claremont, Calif.                                                                       |
| 1929          | Ph. D., Robert Brookings Graduate School of Economics and Government, Brookings Institution, Washington, D.C. |
| 1930-1935     | Instructor in government, Columbia University, New York, N.Y.                                                 |
| 1935-1937     | Special assistant to attorney general                                                                         |
| 1937-1938     | Associate professor of political science, Johns Hopkins University, Baltimore, Md.                            |

|               |                                                                          |
|---------------|--------------------------------------------------------------------------|
| 1938-1968     | Professor of political science, Johns Hopkins University, Baltimore, Md. |
| 1947          | Commonwealth lecturer, University College, London, England               |
| 1957          | Lecturer, Salzburg Seminar in American Studies                           |
| 1968, June 16 | Died, Baltimore, Md.                                                     |

### **Roger Brooke Taney**

| <b><i>Date</i></b> | <b><i>Event</i></b>                                                            |
|--------------------|--------------------------------------------------------------------------------|
| 1777, Mar. 17      | Born, Calvert County, Md.                                                      |
| 1795               | Graduated, Dickinson College                                                   |
| 1799               | Admitted to Maryland bar                                                       |
| 1799-1800          | Member, Maryland legislature                                                   |
| 1806               | Married Anne P. C. Kay                                                         |
| 1812               | Leader of dissenting Federalist faction, "Coodies," supporting the War of 1812 |
| 1816-1821          | Member, Maryland senate                                                        |
| 1827-1831          | Attorney general for Maryland                                                  |
| 1828               | Chairman, Maryland committee for Andrew Jackson's presidential candidacy       |
| 1831               | Acting secretary of war                                                        |
| 1831-1833          | Attorney general                                                               |
| 1833-1834          | Secretary of the treasury                                                      |
| 1835               | Nominated for associate justice, Supreme Court                                 |
| 1836               | Appointed chief justice, Supreme Court                                         |
| 1864, Oct. 12      | Died, Washington, D.C.                                                         |

## **Scope and Content Note**

The collection of Carl Brent Swisher (1897-1968) spans the years 1836-1962 and consists mostly of research material used for the writing of a history of Roger Brooke Taney's period on the Supreme Court of the United States. Included are reproductions of letters, reports, records, and newspapers, 1836-1864, gathered from repositories such as the Manuscript Division of the Library of Congress, Historical Society of Pennsylvania, University of Virginia, Chicago Historical Society, Clements Library of the University of Michigan, Maryland Hall of Records, Duke University, Maine Historical Society, and the National Archives and Records Administration.

Correspondence and other papers in the collection relate to Jeremiah S. Black, James Buchanan, Richard Peters, Martin Van Buren, Daniel Webster, and Gideon Welles, as well as to Taney's contemporaries on the court— Justices John Catron,

Salmon P. Chase, Nathan Clifford, David Davis, John McLean, and Joseph Story. Subjects include the Bank of the United States, censorship, the Civil War, currency, Indians, international relations, slavery, the slave trade, emancipation, the Supreme Court, and various court cases.

Swisher's correspondence and notes, dated 1958-1962, chiefly contain administrative files pertaining to the Permanent Committee for the Oliver Wendell Holmes Devise and efforts to uncover original source material. Correspondents include editor-in-chief and administrative editors Paul A. Freund, Joseph P. Blickensderfer, and Lloyd Dunlap; representatives of private and public repositories; and individuals with expertise in the Taney period.

## **Arrangement of the Papers**

This collection is arranged by name of person, topic, or type of material with miscellaneous notes and reproductions of newspapers filed at the end.

# Container List

\* Indicates the presence of Swisher correspondence

| <i>Container</i> | <i>Contents</i>                                                                                    |
|------------------|----------------------------------------------------------------------------------------------------|
| BOX 1            | *Administrative matters                                                                            |
| BOX 1            | Permanent Committee for the Oliver Wendell Holmes Devise, Manuscript Division, Library of Congress |
| BOX 1            | Photoduplication                                                                                   |
| BOX 1            | *Admiralty                                                                                         |
| BOX 1            | Baldwin, Henry                                                                                     |
| BOX 2            | Bank of the United States                                                                          |
| BOX 2            | *Bankruptcy                                                                                        |
| BOX 2            | Bar Barbour, Philip P.                                                                             |
| BOX 2            | Bates, Edward                                                                                      |
| BOX 2            | Berrien, John M.                                                                                   |
| BOX 2            | Betts, Samuel R.                                                                                   |
| BOX 2            | Biggs, Asa                                                                                         |
| BOX 2            | Black, Jeremiah S.<br>(1 folder)                                                                   |
| BOX 3            | (3 folder)                                                                                         |
| BOX 3            | Boteler, Alexander R.                                                                              |
| BOX 3            | Buchanan, James                                                                                    |
| BOX 4            | Cadwalader, John                                                                                   |
| BOX 4            | Caldwell, Henry Clay                                                                               |
| BOX 4            | *Campbell, John A.                                                                                 |
| BOX 4            | Carmichael, Richard B.                                                                             |
| BOX 4            | *Catron, John<br>( 2 folders)                                                                      |
| BOX 5            | ( 1 folder)                                                                                        |
| BOX 5            | Censorship                                                                                         |
| BOX 5            | Chase, Salmon P.                                                                                   |
| BOX 5            | *Circuit court                                                                                     |
| BOX 5            | *Circuit work                                                                                      |
| BOX 5            | Civil War                                                                                          |
| BOX 5            | Clifford, Nathan<br>(3 folders)                                                                    |
| BOX 6            | *Codification                                                                                      |
| BOX 6            | *Commerce power                                                                                    |
| BOX 6            | Concentration of power                                                                             |
| BOX 6            | Confiscation                                                                                       |
| BOX 6            | *Conkling, Alfred                                                                                  |
| BOX 6            | Conscription                                                                                       |
| BOX 6            | Contracts                                                                                          |
| BOX 6            | *Corporation                                                                                       |
| BOX 6            | Court cases                                                                                        |

## Container List

| <i>Container</i> | <i>Contents</i>               |
|------------------|-------------------------------|
| BOX 6            | Amistad case                  |
| BOX 6            | *Bank of Augusta v. Earl      |
| BOX 6            | *Booth case                   |
| BOX 7            | Briscoe v. Bank of Kentucky   |
| BOX 7            | Bridge case                   |
| BOX 7            | California land cases         |
| BOX 7            | General<br>(4 folders)        |
| BOX 7            | Frémont, John Charles.        |
| BOX 8            | *Charles River Bridge         |
| BOX 8            | *Gaines case                  |
| BOX 8            | Girard will case              |
| BOX 8            | Groves v. Slaughter           |
| BOX 8            | Jones v. Van Zandt            |
| BOX 8            | Kendall v. United States      |
| BOX 8            | *Kentucky v. Dennison         |
| BOX 8            | *Land claims cases            |
| BOX 8            | *License cases                |
| BOX 8            | Methodist Church case         |
| BOX 8            | *Moore v. Illinois            |
| BOX 8            | New York v. Bank of Commerce  |
| BOX 8            | Ohio tax cases                |
| BOX 8            | *Passenger cases              |
| BOX 8            | *Patent cases                 |
| BOX 8            | Prigg v. Pennsylvania         |
| BOX 8            | Prize cases<br>(1 folder)     |
| BOX 9            | (1 folder)                    |
| BOX 9            | Rhode Island v. Massachusetts |
| BOX 9            | *Scott, Dred<br>(2 folders)   |
| BOX 9            | Strader v. Graham             |
| BOX 9            | *Swift v. Tyson               |
| BOX 10           | *Court fees                   |
| BOX 10           | Currency                      |
| BOX 10           | Curtis, Benjamin R.           |
| BOX 10           | Daniel, Peter V.              |
| BOX 10           | Davis, David<br>(3 folders)   |
| BOX 11           | (4 folders)                   |
| BOX 12           | (3 folders)                   |
| BOX 13           | (1 folder)                    |
| BOX 13           | Davis, John                   |
| BOX 13           | Deady, Matthew P.             |
| BOX 13           | Drummond, Thomas              |
| BOX 13           | Durell, Edward H.             |
| BOX 13           | Emancipation                  |

## Container List

| <i>Container</i> | <i>Contents</i>                                   |
|------------------|---------------------------------------------------|
| BOX 13           | Field, Richard S.                                 |
| BOX 13           | Field, Stephen J.                                 |
| BOX 13           | Gaston, William                                   |
| BOX 13           | Gayle, John                                       |
| BOX 13           | Gholson, Samuel J.                                |
| BOX 13           | Gibson, John B.                                   |
| BOX 13           | Giles, William F.                                 |
| BOX 14           | Grier, Robert C.                                  |
| BOX 14           | Habeas corpus                                     |
| BOX 14           | Hall, Nathan Kelsey                               |
| BOX 14           | Hall, Willard                                     |
| BOX 14           | Historical Society of Pennsylvania                |
| BOX 14           | Hitchcock, Peter                                  |
| BOX 14           | Hoffman, Ogden                                    |
| BOX 15           | *Holt, Joseph                                     |
| BOX 15           | Humphreys, West H.                                |
| BOX 15           | Indians                                           |
| BOX 15           | International relations                           |
| BOX 15           | Interstate renditions                             |
| BOX 15           | Jackson era                                       |
| BOX 15           | Jones, William J.                                 |
| BOX 15           | Judges                                            |
| BOX 15           | Judicial tenure, salaries, etc.                   |
| BOX 16           | Kane, John K.                                     |
| BOX 16           | Kent, James                                       |
| BOX 16           | Kentucky                                          |
| BOX 16           | <i>Law Magazine and Law Review</i><br>(2 folders) |
| BOX 16           | Leavitt, Humphrey H.                              |
| BOX 16           | Legal education                                   |
| BOX 16           | Lumpkin, Joseph H.                                |
| BOX 16           | McAllister, M. Hall                               |
| BOX 16           | McCaleb, Theodore H.                              |
| BOX 16           | *McKinley, John                                   |
| BOX 16           | McLean, John<br>(2 folders)                       |
| BOX 17           | (1 folder)                                        |
| BOX 17           | Magrath, A. Gordon                                |
| BOX 17           | Maryland                                          |
| BOX 17           | Maryland Hall of Records<br>(2 folders)           |
| BOX 18           | Miller, Daniel F.                                 |
| BOX 18           | Miscellaneous                                     |
| BOX 18           | Missouri                                          |
| BOX 18           | *Monroe, Thomas B.                                |
| BOX 18           | National Archives record groups                   |
| BOX 18           | RG 46                                             |

## Container List

| <i>Container</i> | <i>Contents</i>                                |
|------------------|------------------------------------------------|
| BOX 18           | RG 59                                          |
| BOX 19           | RG 233                                         |
| BOX 19           | RG 267                                         |
|                  | (2 folders)                                    |
| BOX 20           | (5 folders)                                    |
| BOX 21           | (1 folder)                                     |
| BOX 21           | Federal Records Center, Atlanta, Ga.           |
| BOX 21           | Negroes–slavery                                |
|                  | (1 folder)                                     |
| BOX 22           | (2 folders)                                    |
| BOX 22           | Nelson, Rensselaer R.                          |
| BOX 22           | *Nelson, Samuel                                |
| BOX 22           | Newspapers <a href="#"><i>See Oversize</i></a> |
| BOX 22           | Peters, Richard                                |
| BOX 22           | *Political questions                           |
| BOX 22           | Pope, Nathaniel                                |
| BOX 23           | Property                                       |
| BOX 23           | Reporter                                       |
| BOX 23           | Secession and war                              |
| BOX 23           | Slave trade and prewar filibusters             |
| BOX 24           | Smith, William                                 |
| BOX 24           | Sprague, Peleg                                 |
| BOX 24           | Story, Joseph                                  |
|                  | (3 folders)                                    |
| BOX 25           | *(1 folder)                                    |
| BOX 25           | *Supreme Court and Washington, D.C.            |
|                  | (3 folders)                                    |
| BOX 26           | Supreme Court                                  |
| BOX 26           | Dockets, justices                              |
| BOX 26           | *Swayne, Noah H.                               |
| BOX 26           | *Taney, Roger Brooke                           |
| BOX 26           | 1825-1855                                      |
|                  | (22 folders)                                   |
| BOX 27           | 1856-1857                                      |
|                  | (8 folders)                                    |
| BOX 27           | 1871-1874, 1883                                |
| BOX 27           | 1936, 1957-1959, undated                       |
|                  | (2 folders)                                    |
| BOX 27           | Tennessee                                      |
| BOX 27           | Thompson, Smith                                |
| BOX 27           | Treason                                        |
| BOX 27           | Treat, Samuel                                  |
| BOX 27           | Treat, Samuel Hubbet                           |
| BOX 28           | Tyler, John                                    |
| BOX 28           | Underwood, John C.                             |
| BOX 28           | *Vallandigham, Clement L.                      |
| BOX 28           | Van Buren, Martin                              |

## Container List

| <i>Container</i> | <i>Contents</i>                                           |
|------------------|-----------------------------------------------------------|
| BOX 28           | Virginia                                                  |
| BOX 28           | Ware, Ashur                                               |
| BOX 28           | Washburne, Elihu B.                                       |
| BOX 29           | *Wayne, James M.                                          |
| BOX 29           | Webster, Daniel                                           |
| BOX 29           | Welles, Gideon<br>(2 folders)                             |
| BOX 29           | Wells, Robert W.                                          |
| BOX 29           | White, Albert S.                                          |
| BOX 29           | Wilkins, Ross                                             |
| BOX 29           | Woodbury, Levi                                            |
| BOX 30-34        | Notes                                                     |
| BOX OV 1         | Oversize newspapers (mostly reproductions) (Container 22) |