

Guide to the Louis Starr Collection Concerning the Field Notes of William Clark

WA MSS S-2774



by Lisa Conathan

2012

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Collection Overview

REPOSITORY: Beinecke Rare Book and Manuscript Library
P. O. Box 208330
New Haven, CT 06520-8330
(203) 432-2977
beinecke.library@yale.edu
<http://beinecke.library.yale.edu/>

CALL NUMBER: WA MSS S-2774

CREATOR: Starr, Louis , collector

TITLE: Louis Starr collection concerning the field notes of William Clark

DATES: 1954-1965

PHYSICAL DESCRIPTION: 4.8 linear feet (13 boxes)

LANGUAGE: English

SUMMARY: The collection consists of legal records and personal papers that document litigation over William Clark's autograph manuscripts that recorded his impressions (in 1803 and 1804) during a portion of the Lewis and Clark Expedition. The collection is of interest not only for its documentation of the provenance of the Clark manuscripts and litigation concerning their ownership, but also for its relation to the broader legal and historical issues surrounding the distinction between public records and private papers, including replevin and quiet title actions. The files contain court records, correspondence, notes, and files that document the extensive research undertaken by the attorneys engaged in the case (principally Donald F. Hyde), and the contributions of expert witnesses. Also present are records relating to a later case that touched upon similar themes, State of New Mexico v. Kenneth Sender.

ONLINE FINDING AID: To cite or bookmark this finding aid, please use the following link: <https://hdl.handle.net/10079/fa/beinecke.starrl>

Requesting Instructions

To request items from this collection for use in the Beinecke Library reading room, please use the request links in the HTML version of this finding aid, available at <https://hdl.handle.net/10079/fa/beinecke.starrl>.

To order reproductions from this collection, please send an email with the call number, box number(s), and folder number(s) to beinecke.images@yale.edu.

Key to the container abbreviations used in the PDF finding aid:

- b. box
- f. folder

Administrative Information

Immediate Source of Acquisition

Gift of Louis Starr, 1992-1995, and of Abbey K. Starr and Frances Starr Todd, 2000.

Conditions Governing Access

The materials are open for research.

Box 13: Restricted Material. For further information consult the appropriate curator.

Conditions Governing Use

The Louis Starr Collection Concerning the Field Notes of William Clark is the physical property of the Beinecke Rare Book and Manuscript Library, Yale University. Literary rights, including copyright, belong to the authors or their legal heirs and assigns. For further information, consult the appropriate curator.

Preferred Citation

Louis Starr Collection Concerning the Field Notes of William Clark. Yale Collection of Western Americana, Beinecke Rare Book and Manuscript Library.

Processing Information

Collections are processed to a variety of levels, depending on the work necessary to make them usable, their perceived research value, the availability of staff, competing priorities, and whether or not further accruals are expected. The library attempts to provide a basic level of preservation and access for all collections, and does more extensive processing of higher priority collections as time and resources permit.

This collection received a basic level of processing, including rehousing and minimal organization, in 2013. Various acquisitions associated with the collection have not been merged and organized as a whole. Each acquisition is described separately in the contents list below, titled according to month and year of acquisition. Information included in the Description of Papers note and Collection Contents section is drawn from information supplied with the collection and from an initial survey of the contents. Folder titles appearing in the contents list below are often based on those provided by the creator or previous custodian. Titles have not been verified against the contents of the folders in all cases. Otherwise, folder titles are supplied by staff during initial processing. This finding aid may be updated periodically to account for new acquisitions to the collection and/or revisions in arrangement and description.

Associated Materials

Associated material: William Clark, Field notes (WA MSS S-897 (folio)). Beinecke Rare Book and Manuscript Library.

Louis Starr

Louis Starr, grandson of General John Henry Hammond, and party to the suit United States Government v. First Trust Company of St. Paul, over the ownership of William Clark's autograph manuscripts that

recorded his impressions (in 1803 and 1804) during a portion of the Lewis and Clark Expedition. The manuscripts, once in the possession of Civil War General John Henry Hammond, were found in the St. Paul, Minnesota, residence of his daughter, Sophia V. H. Foster, upon her death in 1952. The United States Government asserted that the manuscripts were federal property and sought to acquire them through litigation. At the center of the argument over ownership was the question of whether the manuscripts were official government records, or the personal papers of William Clark. The Minnesota Historical Society also asserted ownership of the manuscripts, claiming that they had been donated by one of the Hammond family heirs (a matter that was complicated by the presence of several heirs who had an interest in General Hammond's and Sophia Foster's estates). The United States Court of Appeals in St. Louis dismissed the federal government's claim in 1958, allowing ownership of the manuscripts to remain with the Hammond family. The Minnesota Historical Society and the family settled out of court in 1958. Frederick W. Beinecke, then the Chairman of the Yale Library Associates, purchased the manuscripts from Hammond family heir Louis Starr, and donated them to the Yale University Library in 1960.

Scope and Contents

The collection consists of legal records and personal papers that document litigation over William Clark's autograph manuscripts that recorded his impressions (in 1803 and 1804) during a portion of the Lewis and Clark Expedition. The collection is of interest not only for its documentation of the provenance of the Clark manuscripts and litigation concerning their ownership, but also for its relation to the broader legal and historical issues surrounding the distinction between public records and private papers, including replevin and quiet title actions. The files contain court records, correspondence, notes, and files that document the extensive research undertaken by the attorneys engaged in the case (principally Donald Hyde), and the contributions of expert witnesses. Also present are records relating to a later case that touched upon similar themes, *State of New Mexico v. Kenneth Sender*.

Arrangement

Organized into three groupings: June 1992 Acquisition, 1995 Acquisitions, January 2000 Acquisition.

Collection Contents

June 1992 Acquisition, circa 1955-circa 1956

3.96 linear feet (10 boxes)

The June 1992 Acquisition consists of records from the law office of McKenzie, Hyde, Willson, French & Poor that relate to the lawsuits over the William Clark manuscripts owned by the Hammond family. The records include research files, transcripts of testimony, memoranda, and correspondence created and accumulated by D. F. Hyde in the course of his work as attorney for members of the Hammond and Starr families. Also included are records relating to the case State of New Mexico v. Kenneth D. Sender, which touched on similar issues as the case involving the Clark manuscripts.

Former call number: Uncat WA MS 157

Not arranged in any particular order.

b. 1, f. 1	Statements on behalf of the Hammonds	1955
b. 1, f. 2	Law memoranda	1950s
b. 1, f. 3	Government neglect and abandonment	1955
b. 1, f. 4	Metzdorf	1955-1956
b. 1, f. 5	Working material Lewis and Clark	undated
b. 1, f. 6	Miscellaneous photostats	1950s
b. 1, f. 7	The Lewis and Clark chart	1950s
b. 1, f. 8	Jefferson-Lewis-Clark correspondence and publication	1950s
b. 1, f. 9-10	Research material, photostats	1950s
b. 2, f. 11	Appendix III	1950s
b. 2, f. 12	Government policy, research material, photostats and printed material	1950s
b. 2, f. 13-14	Research material, photostats and printed material	1950s
b. 2, f. 15	Stipulation	1955
b. 2, f. 16	Estate of Sophia W. Hammond	1958
b. 2, f. 17	Correspondence	1957-1958
b. 3, f. 18	Record file, United States of America v. Kenneth D. Sender	1968
b. 3, f. 19	Correspondence	1953-1954
b. 3, f. 20	Memoranda and briefs	1950s
b. 3, f. 21	Hammond Appendices I-V	1950s
b. 3, f. 22	State of New Mexico v. Kenneth Sender	1961-1969
b. 3, f. 23	Correspondence	1953-1958

b. 4, f. 24	Louis Starr Correspondence	1953-1959
b. 4, f. 25-28	Donald Hyde Correspondence	1953-1956
b. 5, f. 29-30	Donald Hyde Correspondence	1956-1960
b. 5, f. 31-33	Donald Hyde Correspondence (Sender file)	1965-1969
b. 5, f. 34	Memoranda and briefs	1950s
b. 6, f. 35-44	Unsorted files: notes, memoranda, printed material, and transcripts	1950s
b. 7, f. 45-51	Unsorted files: notes, memoranda, printed material, and transcripts	1950s
b. 7, f. 52-53	Donald Hyde Correspondence (Sender file)	1961-1964
b. 8, f. 54-55	Unsorted papers: notes, memoranda, printed material	1950s
b. 8, f. 56	Estate of Sophia W. Hammond	1953-1959
b. 8, f. 57-58	Notes	1950s
b. 8, f. 59	Court records	1955
b. 8, f. 60	Memoranda	1950s
b. 8, f. 61	Appendices	1950s
b. 9, f. 62	Correspondence	1953-1960
b. 9, f. 63	Unsorted files: notes, memoranda, correspondence	1950s
b. 9, f. 64-65	United States v. Sender, memoranda	1964-1966

1995 Acquisitions, circa 1956-1958

0.21 linear feet (1 box)

The 1995 acquisitions consist of legal briefs and a form letter that outlines the perspective of Louis Starr on the case of the Clark manuscripts.

Former call number: Uncat WA MS 157

b. 10, f. 66	Memorandum of law and legal briefs, typescripts, annotated	circa 1956
b. 10, f. 67-68	Form letter from Louis Starr	1958 July

January 2000 Acquisition, 1954-1965*0.63 linear feet (2 boxes)*

The January 2000 acquisition consists of trial records, articles and press releases, and correspondence relating to the litigation over the Clark manuscripts.

Former call number: Uncat MSS 10

Not arranged in any particular order.

b. 11, f. 69-70	Notes and memoranda	1950s
b. 11, f. 71	Printed material: articles relating to the Lewis and Clark case	1955-1965
b. 11, f. 72	Trial record, First Trust Company, etc. v. Minnesota Historical Society	1955
b. 11, f. 73	Trial record, United States Court of Appeals for the Eighth Circuit, United States of America v. First Trust Company of Saint Paul and Minnesota Historical Society and Elizabeth F. Bytlacil, Harriet F. Bunn and Roger Sherman Foster, printed version	1957?
b. 11, f. 74	Trial transcripts, photocopy	undated
b. 11, f. 75	Newspaper clippings	1954, undated
b. 11, f. 76	Yale University News Bureau, Press Release	1960 February 14
b. 11, f. 77	Summary of facts and legal questions ..., by Donald Hyde	1955
b. 12, f. 78	"The Case of the Clark Papers," by Robert H. Bahmer, draft	1955 September 30
b. 12, f. 79	Memorandum	1956
b. 12, f. 80	Correspondence	1958-1960
b. 12, f. 81	Scrapbook	1956

Restricted material

Box 13: Restricted Material. For further information consult the appropriate curator.

b. 13, f. 82	Contracts and financial records from 1992 Acquisition	1959-1960
b. 13, f. 83	Contracts and financial records from 2000 Acquisition	

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.

Subjects

Government property -- United States
Lawyers -- United States
Manuscripts -- Collectors and collecting --
United States
Personal property -- United States
Public records -- United States
Quiet title actions -- United States
Replevin -- United States

Geographic Names

United States -- Trials, litigation, etc.

Occupations

Lawyers -- United States -- 20th Century

Names

Beinecke, Frederick W.
Clark, William, 1770-1838
Foster, Sophia V. H.
Hammond, John Henry, 1833-1890
Hyde, Donald Frizell, 1909-1966
Sender, Kenneth -- Trials, litigation, etc.
Starr, Louis
Starr, Louis -- Trials, litigation, etc.

Corporate Bodies

First Trust Company of St. Paul -- Trials,
litigation, etc.
Lewis and Clark Expedition (1804-1806)
Minnesota Historical Society -- Trials, litigation,
etc.
Yale University. Library