

Clement F. Haynsworth

A Register of His Papers in the Library of Congress

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Latest revision: 2004-07-09

Collection Summary

Title: Papers of Clement F. Haynsworth

Span Dates: 1886-1989

Bulk Dates: (bulk 1957-1989)

ID No.: MSS79781

Creator: Haynsworth, Clement F. (Clement Furman), 1912-1989

Extent: 71,575 items; 205 containers; 81.8 linear feet

Language: Collection material in English

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

Abstract: Lawyer and judge. Correspondence, memoranda, reports, opinions, orders, briefs, writs, petitions, notes, agenda and minutes of meetings, and genealogical and printed material chiefly from Haynsworth's career as a federal judge on the United States Court of Appeals for the Fourth Circuit.

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.

Names:

Haynsworth, Clement F. (Clement Furman), 1912-

Barzun, Jacques, 1907-

Brennan, William J. (William Joseph), 1906-

Burger, Warren E., 1907-

Clark, Tom C. (Tom Campbell), 1899-1977

Frank, John Paul, 1917-

Hollings, Ernest F., 1922-

Kennedy, Edward Moore, 1932-

Lewis, J. Woodrow

Meador, Daniel John

Miller, Arthur Raphael, 1934-

Nixon, Richard M. (Richard Milhous), 1913-

Powell, Lewis F., 1907-

Thurmond, Strom, 1902-

Walters, Johnnie McKeiver

Ward, Bernard J.

Wright, Charles Alan

United States. Court of Appeals (4th Circuit)

Subjects:

Administrative law--United States

Antitrust law--United States

Appellate courts

Civil rights--United States

Industrial relations--United States

Judges--United States

Judicial opinions--United States

Maritime law--United States

Prisoners--Legal status, laws, etc.

United States--Constitutional law

Occupation:

Jurists

Administrative Information

Provenance:

The papers of Clement F. Haynsworth, lawyer and judge, were received by the Library of Congress from the Haynsworth estate in 1990.

Processing History:

The papers of Clement F. Haynsworth were arranged and described in 1991. A description of the Haynsworth Papers appears in *Library of Congress Acquisitions: Manuscript Division, 1990*, pp. 25-30. The finding aid was revised in 2003.

Transfers:

Sound recordings have been transferred to the Library's Motion Picture, Broadcasting, and Record Sound Division where they are identified as part of these papers.

Copyright Status:

The status of copyright in the unpublished writings of Clement F. Haynsworth is governed by the Copyright Law of the United States (Title 17, U.S.C.).

Restrictions:

Restrictions apply governing the use, photoduplication, or publication of items in this collection. Consult a reference librarian in the Manuscript Division for information concerning these restrictions.

Preferred Citation:

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

Biographical Note

<i>Date</i>	<i>Event</i>
1912, Oct. 30	Born, Greenville, S.C.
1933	A.B., Furman University, Greenville, S.C.
1936	LL.B., Harvard University, Cambridge, Mass.
1936-1957	Lawyer, Haynsworth, Perry, Bryant, Marion & Johnstone, Greenville, S.C.
1942-1945	Officer, United States Naval Reserve
1946	Married Dorothy Merry Barkley
1950-1951	Alternate member, Regional Wage Stabilization Board
1957-1989	Judge, United States Court of Appeals for the Fourth Circuit; chief judge, 1964-1981; senior judge, 1981-1989
1965-1981	Member, United States Judicial Conference; Executive Committee member, 1970-1981; Bicentennial Committee co-chairman, 1975-1981
1969	Nominated, United States Supreme Court

Scope and Content Note

The papers of Clement F. Haynsworth (1912-1989), span the years 1886-1989, with the majority of the papers concentrated from 1957 through 1989 when Haynsworth was a judge on the United States Court of Appeals for the Fourth Circuit. The papers consist of three series: [Personal Correspondence](#), [United States Court of Appeals File](#), and [Miscellany](#). There are no materials documenting Haynsworth's early life, his military service, or his career as a lawyer. Papers related to Haynsworth's unsuccessful nomination to the United States Supreme Court are in the possession of Furman University located near Greenville, South Carolina.

The [Personal Correspondence](#) series includes incoming and outgoing correspondence relating to Haynsworth's personal interests and activities. Because many of Haynsworth's friends were members of the legal profession, some of these letters also relate to his professional activities. Interfiled throughout this series are a few letters of his wife, Dorothy Barkley Haynsworth. There is little personal correspondence prior to 1976.

The [United States Court of Appeals File](#) constitutes almost all of the collection. This series documents Haynsworth's more than thirty years of service on the fourth circuit (Maryland, Virginia, West Virginia, North Carolina, and South Carolina). The papers are divided into three subseries: [General Correspondence](#), [Case File](#), and [Office File](#). The [General Correspondence](#) subseries contains incoming and outgoing correspondence mainly from members of the legal profession and prisoners. The letters pertain primarily to fourth circuit administrative matters and contain complaints and pleas for legal assistance from prisoners. The "Congratulatory Correspondence" folder includes many letters to prominent members of the legal profession and government officials; a few of these letters contain comments by Haynsworth about his unsuccessful nomination to the Supreme Court. Other than the congratulatory correspondence, there is no correspondence prior to 1978.

The [Case File](#) subseries includes correspondence and memoranda, chiefly between judges, court clerks, and lawyers; opinions (drafts and printed copies); orders; briefs; writs; petitions; notes; background information; clippings; and printed matter. Many of the files also contain a sheet (photocopied from the outside of the original file folders during processing) that lists the judges on the panel, their votes (concurrences or dissents), and the concurrences or dissents of non-panel judges who reviewed the opinion. Cases are arranged chronologically by court term, October through June, and therein by case number. Opinions generated after June are filed in the previous October court term, e.g., an opinion written in August 1979 would be filed in the October 1978 term.

The majority of the case files pertain to civil cases and cases involving prisoner appeals and complaints. The files reflect the wide range of cases heard by the fourth circuit court on issues such as civil rights, constitutional law, labor relations, antitrust matters, maritime law, government regulations, and prisoners' rights. Many of the files for the terms from 1961 through 1967 contain only printed opinions; the Library did not receive any other material relating to these cases.

Also included in this subseries are cases documenting Haynsworth's occasional sittings on special three-judge district court cases (usually involving constitutional challenges to state statutes) and his service as a visiting judge for other circuits. These cases are filed at the end of the [Case File](#) subseries.

The [Office File](#) subseries relates to Haynsworth's administrative duties and professional activities during his tenure on the court of appeals. The files reflect his participation in judicial conferences and councils, admission ceremonies, legal organizations, and moot courts. Also documented are his interests in judicial conduct standards and in the creation of a national court of appeals that would reduce the Supreme Court's work load by hearing less important cases. An item worthy of note in this subseries is a thirty-six page document entitled "United States Court of Appeals for the Fourth Circuit," which provides a detailed description of the inner workings of the court (See the "General" file in container 166).

The final series in the papers, [Miscellany](#) includes correspondence, memoranda, reports, speeches, writings, photographs, genealogical material, and printed matter. The bulk of the series dates from 1957 to 1989 and relates to Haynsworth activities as an alumnus and member of the Advisory Council of Furman University.

The most significant and frequent of Haynsworth's correspondents are Jacques Barzun, William J. Brennan, Warren E. Burger, Tom C. Clark, John Paul Frank, Ernest F. Hollings, Edward Moore Kennedy, J. Woodrow Lewis, Daniel John Meador, Arthur

Raphael Miller, Richard M. Nixon, Lewis F. Powell, Jr., Strom Thurmond, Johnnie McKeiver Walters, Bernard J. Ward, and Charles Alan Wright.

Haynsworth Papers outside LC

Papers related to Haynsworth's unsuccessful nomination to the United States Supreme Court are in the possession of Furman University located near Greenville, South Carolina.

Organization of the Papers

The collection is arranged in three series:

- Personal Correspondence, 1960-1989, n.d.
- United States Court of Appeals File, 1955-1989, n.d.
- Miscellany, 1886-1989, n.d.

Description of Series

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BOX 159-201	<p><u>Office File, 1955-1989, n.d.</u></p> <p>Correspondence, memoranda, speeches, agendas and minutes of meetings, reports, notes, background information, invitations, clippings, and printed matter.</p> <p>Arranged alphabetically by subject.</p>
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