Collection Summary
Title: Simon Ernest Sobeloff Papers
Span Dates: 1882-2005
Bulk Dates: (bulk 1950-1973)
ID No.: MSS50674
Creator: Sobeloff, Simon Ernest, 1894-1973
Size: 109,000 items
Size: 440 containers
Size: 175.8 linear feet
Size: 3 microfilm reels
Language: Collection material in English
Location: Manuscript Division, Library of Congress, Washington, D.C.
LC Catalog record: https://lccn.loc.gov/mmi82050674
Summary: Lawyer, United States Solicitor General, and federal judge. General correspondence, appointment books, solicitor general files, case and office files of the United States Court of Appeals, speeches and writings, subject file, family papers, scrapbooks, and miscellany relating chiefly to Sobeloff's involvement in Baltimore and Maryland law and politics, his duties as solicitor general, and cases heard before the Fourth Circuit U.S. Court of Appeals.

Selected Search Terms
The following terms have been used to index the description of this collection in the LC Catalog. They are grouped by name of person or organization, by subject or location, and by occupation and listed alphabetically.

People
Bazelon, David L. (David Lionel), 1909-1993--Correspondence.
Burger, Warren E., 1907-1995--Correspondence.
Eisenhower, Dwight D. (Dwight David), 1890-1969--Correspondence.
Frankfurter, Felix, 1882-1965--Correspondence.
Haynsworth, Clement F. (Clement Furman), Jr., 1912-1989--Correspondence.
Hoover, J. Edgar (John Edgar), 1895-1972--Correspondence.
Javits, Jacob K. (Jacob Koppel), 1904-1986--Correspondence.
Kennedy, Robert F., 1925-1968--Correspondence.
Leventhal, Harold, 1915-1979--Correspondence.
McKeldin, Theodore R. (Theodore Roosevelt), 1900-1974--Correspondence.
Mencken, H. L. (Henry Louis), 1880-1956--Correspondence.
Parker, John Johnston, 1885-1958--Correspondence.
Paul, John, 1883-1964--Correspondence.
Sobeloff family.
Soper, Morris Ames, 1873-1963--Correspondence.
Watkins, R. Dorsey (Robert Dorsey), 1900-1986--Correspondence.
Wright, J. Skelly--Correspondence.

Organizations
American Bar Association.
American Jewish Congress.
Baltimore Urban League (Md.)
National Council on Crime and Delinquency.
United States. Court of Appeals (4th Circuit)
United States. Solicitor General.
United States. Subversive Activities Control Board.

Subjects
Antisemitism--Germany.
Antisemitism--United States.
Civil rights--United States.
Courts--United States.
Courts-martial and courts of inquiry--United States.
Criminal law--United States.
Emigration and immigration law--United States.
Farms--Maryland--Riderwood.
Insanity (Law)--United States.
Jews--Germany.
Jews--Palestine.
Jews--Societies, etc.
Jews--United States.
Law--Maryland--Baltimore.
Law--Maryland.
Law--United States--Cases.
National security--United States.
Press--United States.
Race relations--United States.
School integration--United States.
Segregation in education--United States.
World War, 1939-1945--Germany.

Places
Baltimore (Md.)--Politics and government.
Maryland--Politics and government.

Occupations
Judges.
Lawyers.
Public officials.

Provenance
The papers of Simon Ernest Sobeloff, lawyer, solicitor general of the United States, and judge of the United States Court of Appeals for the Fourth Circuit, were received by the Library of Congress in 1973-2004 from the estate of Simon Ernest Sobeloff. Additional material was received by the Library between 2001 and 2006 from his daughters Ruth Mayer and Evva Vale. Scrapbooks pertaining to Sobeloff were lent by his grandson, Michael S. Mayer, to the Library of Congress for microfilming in 1984.

Processing History
The papers of Simon Ernest Sobeloff were arranged and described in 1983. This finding aid was revised to incorporate the scrapbook microfilm in 1999. The finding aid was revised in 2003. Material received between 2001 and 2006 was processed in 2019.

Additional Guides
Copyright Status

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

Access and Restrictions

The papers of Simon Ernest Sobeloff 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.

Microfilm

A microfilm edition of scrapbooks relating to Simon Ernest Sobeloff is available on three reels from the Library's Photoduplication Service for purchase subject to the Copyright Law of the United States (Title 17, U.S.C.). The microfilm may not be borrowed on interlibrary loan.

Preferred Citation

Researchers wishing to cite this collection should include the following information: Container or or reel number, Simon Ernest Sobeloff Papers, Manuscript Division, Library of Congress, Washington, D.C.

Biographical Note

<table>
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<tr>
<th>Date</th>
<th>Event</th>
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<tr>
<td>1894, Dec. 3</td>
<td>Born, Baltimore, Md.</td>
</tr>
<tr>
<td>1909</td>
<td>Page, U.S. House of Representatives</td>
</tr>
<tr>
<td>1915</td>
<td>LL.B., University of Maryland, College Park, Md.</td>
</tr>
<tr>
<td>1918</td>
<td>Married Irene Ehrlich</td>
</tr>
<tr>
<td>1919-1923</td>
<td>Assistant city solicitor, Baltimore, Md.</td>
</tr>
<tr>
<td>1923</td>
<td>Resumed private law practice, Baltimore, Md.</td>
</tr>
<tr>
<td>1927-1931</td>
<td>Deputy city solicitor, Baltimore, Md.</td>
</tr>
<tr>
<td>1931-1934</td>
<td>U.S. attorney for the District of Maryland</td>
</tr>
<tr>
<td>1935-1936</td>
<td>Conducted Baltimore Trust Company Investigation</td>
</tr>
<tr>
<td>1936</td>
<td>Resumed private law practice, Baltimore, Md.</td>
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<tr>
<td>1943-1947</td>
<td>City solicitor, Baltimore, Md.</td>
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<tr>
<td>1948</td>
<td>Resumed private law practice, Baltimore, Md.</td>
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<tr>
<td>1952-1954</td>
<td>Chief judge, Maryland Court of Appeals</td>
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<tr>
<td>1954-1955</td>
<td>Solicitor General of the United States</td>
</tr>
<tr>
<td>1956-1973</td>
<td>Judge, Fourth Circuit, U.S. Court of Appeals</td>
</tr>
<tr>
<td>1973, July 11</td>
<td>Died, Baltimore, Md.</td>
</tr>
</tbody>
</table>

Scope and Content Note

The papers of Simon Ernest Sobeloff (1894-1973) span the years 1882-2005, but are concentrated in the period 1950-1973. Sobeloff's duties as United States Solicitor General are represented in the collection. Documentation of his tenure as judge and chief judge of the Fourth Circuit Court of Appeals is particularly extensive and comprehensive. The papers are divided
Sobeloff's confirmation as a judge of the Fourth Circuit Court of Appeals was held up for a year by several members of the material on the segregation issue. Eisenhower took a personal interest in this case and called Sobeloff as solicitor general to the White House on a Saturday morning to review the brief. A copy of the brief with Eisenhower's notations is in the papers along with other related issues of the 1950s. This period is documented in the correspondence and the published hearings in the Senate Judiciary Committee, mainly because of his role in the desegregation decision and his views on other controversial matters. Files for cases which Sobeloff either argued personally or was on the brief before the Supreme Court include notes and drafts of briefs detailing his methods of argumentation as well as correspondence relating to the cases. Among the cases were those concerning actions of the Subversive Activities Control Board, the validity of trying a civilian by court-martial, federal preemption of state sedition laws, and segregation in the public schools. When the Supreme Court outlawed racial segregation in the public schools in May 1954, it ordered reargument the following term on the question of an appropriate decree to implement the decision. Opposing counsel were invited to address the court on this point, and Sobeloff appeared for the government. President Eisenhower took a personal interest in this case and called Sobeloff as solicitor general to the White House on a Saturday morning to review the brief. A copy of the brief with Eisenhower's notations is in the papers along with other related material on the segregation issue.

Sobeloff's confirmation as a judge of the Fourth Circuit Court of Appeals was held up for a year by several members of the Senate Judiciary Committee, mainly because of his role in the desegregation decision and his views on other controversial issues of the 1950s. This period is documented in the correspondence and the published hearings in the United States Court of Appeals Files series. When he became a judge and subsequently chief judge of the Fourth Circuit, Sobeloff rendered several important decisions in cases from counties in Virginia and North Carolina, striking down certain school districting plans and ordering a more speedy implementation of desegregation.

The Court of Appeals series contains a comprehensive record of Sobeloff's seventeen years on the federal bench and provides the opportunity for a close study of the judicial process in one appellate court. The case files include correspondence among the judges, intracourt memoranda, bench memoranda, notes, draft opinions, and other related material produced and collected by Sobeloff. Also included are records of the judicial conferences, which provide an account of the topics of interest discussed at the annual meetings of the judges of the Fourth Circuit. The United States Judicial Conference files contain correspondence, notes, and working drafts for various advisory committees upon which Sobeloff served. The Court of Appeals series also includes an office file of personnel records, court dockets and other scheduling matters, financial records, and general reference material relevant to the operation of the court.

Throughout his public life, Sobeloff made a great number of speeches both before the legal profession and various philanthropic organizations. Correspondence, notes, and rough drafts are included with these speeches, which make up the greater part of the Speeches and Writings File, 1928-1972. The writings consist of book reviews and scholarly articles which appeared mainly in legal journals. Major subjects include criminal insanity, courts and the press, civil liberties, freedom and security, administration of immigration laws, the criminal code, and the work of the solicitor general's office. At the end of this series is a group of speeches written by Sobeloff for the use of others, including his close friend and advisee, Theodore R. McKeldin, governor of Maryland.

The Subject File, 1936-1973, documents Sobeloff's activities in the American Bar Association, the Federal Bar Association, Maryland Commission on Administrative Organization of the State, National Council on Crime and Delinquency, Institute of Judicial Administration, the Jewish Court of Arbitration and Defamation League, and the Baltimore Urban League. These files reveal Sobeloff's involvement in the Jewish community both locally and nationally. He served as director of the Association of Jewish Charities, director of the Jewish Educational Alliance, and as an officer in the American Jewish Congress. Locally he served on the Baltimore Board of Jewish Education and the Baltimore Jewish Council. He was a trustee of Brandeis University and a member of the Visiting Committee in the Social Sciences at Johns Hopkins University.
Some of Sobeloff's early work in municipal and state functions is noted in the Miscellany series, 1882-1973, including material from the 1930s concerning the Baltimore Employment Stabilization Commission and Sobeloff's appointment as the United States attorney for the district of Maryland in 1931. Also included in this series are fragmentary files of Sobeloff's tenure as chief judge of the Maryland Court of Appeals, 1952-1954, which consist of drafts and printed copies of opinions and a small amount of correspondence and memoranda. Social correspondence, gift lists, travel files, and other personal and financial material are also included as well as biographical material for both Sobeloff and his wife, Irene. Few items in this series concern Sobeloff's early years, with the exception of a phonetic shorthand manual used while he served as a page in the House of Representatives in 1909. Additional biographical information can be found in an oral history transcript at the Maryland Historical Society.

The Scrapbook series consists of microfilm copies of fourteen volumes of scrapbooks relating to Sobeloff's career, 1914-1972.

The 2019 Addition, 1919-2005, supplements the initial portion of the collection and includes material relating to Sobeloff's tenure as United States Solicitor General, his duties as a judge of the United States Court of Appeals, his work concerning Jewish issues and organizations, and his service with various state commissions and public offices in Maryland. The bulk of the addition consists of routine correspondence, a combination of both personal and professional, from Sobeloff's time on the Fourth Circuit Court of Appeals and his involvement with local and national Jewish organizations. Documented in the files are the efforts of Sobeloff and the organizations with whom he was affiliated to stop antisemitism in the United States and to protest the government of Germany's mistreatment of Jews prior to and during World War II. Also present are files pertaining to the establishment of Palestine as a national home for Jewish people. The addition also includes family papers, files relating to Sobeloff's private legal practice, and material about his farm in Riderwood, Md.

Organization of the Papers

The collection is arranged in nine series:

- Appointment Books, 1952-1972
- General Correspondence, 1930-1973
- United States Solicitor General Files, 1953-1956
- United States Court of Appeals Files, 1955-1973
- Speeches and Writings File, 1928-1972
- Subject File, 1936-1973
- Miscellany, 1882-1973
- Scrapbooks, 1914-1972
- 2019 Addition, 1919-2005
Description of Series

Container     Series
BOX 1-8      Appointment Books, 1952-1972
             Volumes including a daily record of Sobeloff's professional and social activities. Arranged chronologically.
BOX 9-20     General Correspondence, 1930-1973
             Letters sent and received, memoranda, and miscellaneous attachments and enclosures. Arranged alphabetically, with correspondence relating to family matters at the end.
BOX 21-33    United States Solicitor General Files, 1953-1956
             Correspondence, memoranda, Supreme Court files, and office files including research material, printed matter, and clippings. Arranged by subject, and chronologically or alphabetically therein.
BOX 34-307   United States Court of Appeals Files, 1955-1973
BOX 34-109   Opinions, Dissents, and Special Concurrences.
             Correspondence, memoranda, opinions in manuscript, near-print, and printed form, research material, and printed matter. Arranged chronologically by term and alphabetically therein by name of case.
BOX 110-125  Three-Judge Courts.
             Correspondence, memoranda, opinions in manuscript, near-print, and printed form, research material, and printed matter. Arranged alphabetically by name of case.
BOX 126-253  Opinions, Dissents, and Special Concurrences by Other Judges.
             Correspondence, memoranda, opinions in manuscript, near-print, and printed form, research material, and printed matter. Arranged chronologically by term and alphabetically therein by name of case.
BOX 254-258  Case File Miscellany.
             District court cases and District of Columbia court cases (1971-1973). Organized alphabetically by name of case. Also included is a miscellany of unidentified material organized by docket number.
BOX 259-307  Office Files.
             Material related to Sobeloff's appointment to the Fourth Circuit Court of Appeals, judicial conferences, court dockets and other scheduling matters, personnel records, financial records, and general research material. Organized alphabetically by subject and, where applicable, chronologically therein.
BOX 308-343  Speeches and Writings File, 1928-1972
             Speeches and writings by Sobeloff, correspondence, and other related material. Arranged chronologically with speeches and writings by Sobeloff for others filed at the end of the series.
**Subject File, 1936-1973**

Correspondence, notes, memoranda, reports, material related to organizations in which Sobeloff was active, moot courts, and general reference material.

Arranged alphabetically by subject.

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**Miscellany, 1882-1973**

Correspondence, notes, memoranda, biographical material, clippings, material relating to family members, social invitations, printed matter, personal legal and financial matters.

Arranged alphabetically by topic or type of material.

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**Scrapbooks, 1914-1972**

Primarily clippings pertaining to Sobeloff's career. Available only on three rolls of microfilm, shelf no. 18,939.

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**2019 Addition, 1919-2005**

Correspondence, memoranda, appointment books, family papers, reports, speeches, writings, legal files, photographs, biographical information, a scrapbook, programs, pamphlets, printed matter, and newspaper clippings.

Arranged alphabetically by name of person, topic, or type of material.
## Container List

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<th>Contents</th>
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<tbody>
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<td><strong>Appointment Books, 1952-1972</strong>&lt;br&gt;Volumes including a daily record of Sobeloff's professional and social activities.&lt;br&gt;Arranged chronologically.</td>
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<td>BOX 1</td>
<td>1952-1953, 1957-1958&lt;br&gt;(4 vols.)</td>
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<td>1958-1959&lt;br&gt;(3 vols.)</td>
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<td>BOX 3</td>
<td>1960-1961&lt;br&gt;(3 vols.)</td>
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<td>BOX 4</td>
<td>1962-1963&lt;br&gt;(3 vols.)</td>
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<td>BOX 6</td>
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<td>BOX 7</td>
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<td>BOX 8</td>
<td>1970-1972&lt;br&gt;(3 vols.)</td>
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<td><strong>BOX 9-20</strong></td>
<td><strong>General Correspondence, 1930-1973</strong>&lt;br&gt;Letters sent and received, memoranda, and miscellaneous attachments and enclosures.&lt;br&gt;Arranged alphabetically, with correspondence relating to family matters at the end.</td>
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<td>Craven, J. Braxton, Jr., 1961-1973&lt;br&gt;&quot;C&quot; miscellaneous, 1951-1973&lt;br&gt;(2 folders)</td>
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<td>Grooms, H. H., 1958-1959</td>
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<td>Haynsworth, Clement F., Jr., 1957-1972</td>
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<td>Hemphill, Robert W., 1964-1967</td>
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<td>Larkins, John Davis, Jr., 1961-1962, 1971</td>
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General Correspondence, 1930-1973

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|           | "P" miscellaneous, 1951-1970  
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|           | Rhyne, Charles S., 1955-1957  
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|           | "R" miscellaneous, 1951-1973  
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|           | Warlick, Wilson, 1958-1968  
|           | Watkins, Harry E., 1958-1963  
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|           | Wilkin, Robert N., 1958-1959  
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|           | Wyche, Charles C., 1958-1966  
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|           | Unidentified, 1954, 1971  
|           | Family matters, 1953-1956  
|           | (2 folders)  
| BOX 21-33 | United States Solicitor General Files, 1953-1956  
|           | Correspondence, memoranda, Supreme Court files, and office files including research material, printed matter, and clippings.  
|           | Arranged by subject, and chronologically or alphabetically therein.  
| BOX 21    | Appointment as solicitor general, 1954  
|           | Correspondence  
|           | A-M  
|           | (7 folders)  

Simon Ernest Sobeloff Papers
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**BOX 23**  
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(3 folders)  
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**BOX 29**  
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<tr>
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Recommendations by Sobeloff  
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Segregation file  
(2 folders) |
| BOX 32    | (4 folders) |
| BOX 33    | State Department  
Stonewall Jackson Hall of Fame  
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| BOX 34-307| United States Court of Appeals Files, 1955-1973  
**Opinions, Dissents, and Special Concurrences.**  
Correspondence, memoranda, opinions in manuscript, near-print, and printed form, research material, and printed matter.  
Arranged chronologically by term and alphabetically therein by name of case. |
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Burna v. United States  
Cagle v. Norfolk S. Ry.  
Chesapeake Motor Lines v. United States  
Christian v. United States  
Colonial-American Nat'l Bank v. United States  
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Wallace, Weldon, interview, 1954 |
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McDonald v. Patton
McJunkin Corp. v. Orangeburg
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|           | Speeches and writings by Sobeloff, correspondence, and other related material.|
|           | Arranged chronologically with speeches and writings by Sobeloff for others filed at the end of the series. |
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<td>Review of <em>The Guilty Mind</em> by John Biggs, Jr.</td>
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1962, Review of Briefing and Arguing Federal Appeals by Frederick Wiener
1964
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"The Federal Courts"
Preface to Vision--A Biography of Dr. Harry Friedenwald by Alexandra Levin
Statement for Newsweek magazine concerning tenth anniversary of May 1954 segregation decision
"Striving for Impartiality in the Federal Courts"
1967, Review of Justice, Not Charity: a Biography of Harry Greenstein by Louis L. Kaplan and Theodor Schuchat

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BOX 349
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BOX 350
(6 folders)

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American Jewish Committee
American Jewish Congress
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| BOX 358   | Harvard University, Cambridge, Mass., civil rights survey and report, 1962  
           | Hebrew Union College-Jewish Institute of Religion, Cincinnati, Ohio  
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| BOX 359   | Jewish Theological Seminary of America, New York, N.Y.  
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<pre><code>       | Jewish Welfare Fund of Baltimore |
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| BOX 367   | Social Security  
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            State of Israel Bonds  
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            Miscellany  
            Simon E. Sobeloff Prize Fund  
            University of Wisconsin, Madison, Wis., seminar on segregation, 1963  
            Wise, Stephen S.  
            Zionist Organization of America  |
| BOX 368-395 | Miscellany, 1882-1973  
            Correspondence, notes, memoranda, biographical material, clippings, material relating to  
            family members, social invitations, printed matter, personal legal and financial matters.  
            Arranged alphabetically by topic or type of material.  |
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| BOX 396-440| **2019 Addition, 1919-2005**  
Correspondence, memoranda, appointment books, family papers, reports, speeches, writings, legal files, photographs, biographical information, a scrapbook, programs, pamphlets, printed matter, and newspaper clippings. Arranged alphabetically by name of person, topic, or type of material. |
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Sobeloff, Isidore (brother) 1924-1929 (3 folders)

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Wallerstein, Morton, biography about Sobeloff, 1975-1976

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### BOX 404

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# Appendix: Legal Abbreviations

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