

**James Kent Papers**  
**A Finding Aid to the Collection in the Library of Congress**



**Manuscript Division, Library of Congress**  
**Washington, D.C.**  
**2007**

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

Catalog Record: <https://lcn.loc.gov/mm75028498>

Additional search options available at: <https://hdl.loc.gov/loc.mss/eadmss.ms010132>

Prepared by Beverly W. Brannan

Finding aid encoded by Library of Congress Manuscript Division, 2010

## Collection Summary

**Title:** James Kent Papers

**Span Dates:** 1779-1854

**Bulk Dates:** (bulk 1798-1847)

**ID No.:** MSS28498

**Creator:** Kent, James, 1763-1817

**Extent:** 1,500 items

**Extent:** 17 containers plus 4 oversize

**Extent:** 7 linear feet

**Extent:** 7 microfilm reels

**Language:** Collection material in English

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

**LC Catalog record:** <https://lccn.loc.gov/mm75028498>

**Summary:** Jurist and legal commentator. Correspondence, including family letters, journals of official and personal travels, diplomas, and commissions pertaining primarily to Kent's service as judge of the New York supreme court and as chancellor of the New York court of chancery.

## 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

Adams, John Quincy, 1767-1848--Correspondence.

Bailey, Theodorus, 1805-1877--Correspondence.

Baldwin, Simeon, 1761-1851--Correspondence.

Baldwin, Simeon, 1761-1851.

Bancroft, George, 1800-1891--Correspondence.

Biddle, Nicholas, 1786-1844--Correspondence.

Carroll, William, 1788-1844--Correspondence.

Clay, Henry, 1777-1852--Correspondence.

Daggett, David, 1764-1851--Correspondence.

Everett, Edward, 1794-1865--Correspondence.

Hamilton, Alexander, 1757-1804.

Hamilton, Elizabeth Schuyler, 1757-1854--Correspondence.

Johnson, William, 1771-1834--Correspondence.

Kent family.

Kent, Elizabeth Bailey, 1768-1851--Correspondence.

Kent, James, 1763-1847.

Kent, Moss, 1766-1838--Correspondence.

Kent, William, 1802-1861--Correspondence.

Lieber, Francis, 1800-1872--Correspondence.

Seward, William H. (William Henry), 1801-1872--Correspondence.

Silliman, Benjamin, Sr., 1779-1864--Correspondence.

Story, Joseph, 1779-1845--Correspondence.

Webster, Daniel, 1782-1852--Correspondence.

Wirt, William, 1772-1834--Correspondence.

### Organizations

Livingston and Kent.

Livingston and Thompson.

New York (State). Court of Chancery.

New York (State). Militia.

New York (State). Supreme Court of Judicature.

## **Subjects**

Courts--New York (State)  
Practice of law--New York (State)  
Voyages and travels.

## **Occupations**

Educators.  
Judges.  
Justices, State--New York (State)  
Lawyers.

## **Provenance**

The papers of James Kent, jurist and legal commentator, were given to the Library of Congress by William Kent, 1904 and 1906, and by the heirs of William Stone, 1914. An additional item was purchased in 1969 and transferred from the Miscellaneous Manuscripts Collection to the Kent Papers in 2007.

## **Processing History**

The James Kent Papers were prepared for microfilming in 1974. The collection was revised and expanded in 2007.

## **Additional Guides**

The *Quarterly Journal of the Library of Congress* (Nov. 1951) 9:3-8, contains an article about a journal by Kent of a 1793 trip to Washington, D.C.

## **Related Material**

The original of Kent's journal of a trip to Washington, D.C., in 1793, kept in the back pages of Tobias Lear's *Observation on the River Potomack* (New York, 1793), is held by the Library's Rare Book and Special Collections Division. A reproduction is included in the collection.

## **Copyright Status**

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

## **Access and Restrictions**

The papers of James Kent Papers 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 part of these papers is available on seven reels. Consult a reference librarian in the Manuscript Division concerning availability for purchase or interlibrary loan. To promote preservation of the originals, researchers are required to consult the microfilm edition.

## Preferred Citation

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

## Biographical Note

| Date          | Event   |
|---------------|---|
| 1763, July 31 | Born, southeastern New York (now Putnam County)   |
| 1781          | B.A., Yale University, New Haven, Conn.   |
| 1781-1784     | Apprenticed to law office of Egbert Benson, New York attorney general, Poughkeepsie, N.Y.       |
| 1784          | M.A., Yale University, New Haven, Conn.   |
| 1785          | Admitted to New York bar<br>Married Elizabeth Bailey  |
| 1785-1793     | Practiced law in partnership with Gilbert Livingston, Poughkeepsie, N.Y.                        |
| 1786          | Commissioned paymaster in the New York state militia  |
| 1790-1794     | Member, New York assembly   |
| 1794-1798     | Professor of law, Columbia University, New York, N.Y.   |
| 1796-1798     | Member, New York assembly   |
| 1797-1798     | Recorder, New York, N.Y.  |
| 1798          | Appointed to New York supreme court   |
| 1799-1823     | Resided in Albany, N.Y.   |
| 1804          | Appointed chief justice, New York supreme court   |
| 1814          | Appointed chancellor, New York court of chancery  |
| 1823          | Forced by provision in state constitution to retire as chancellor of New York court of chancery |
| 1824-1826     | Professor of law, Columbia University, New York, N.Y.   |
| 1828          | President, New-York Historical Society  |
| 1847, Dec. 12 | Died, New York, N.Y.  |

## Scope and Content Note

The papers of James Kent (1763-1874) span the period 1779-1854, with the bulk of the material concentrated in the years 1798-1847. The collection consists of [correspondence](#), travel [journals](#), and a [register](#) of law cases entered by James Kent and his associate, Gilbert Livingston. Kent's life as lawyer, traveler, and family man is well documented in the collection, and there are records of his military service in the New York state militia and his election to public office.

Kent corresponded with many of the political and judicial leaders of the period, including John Quincy Adams, Simeon Baldwin, George Bancroft, William Carroll, Henry Clay, David Daggett, Edward Everett, William Johnson, Francis Lieber, William H. Seward, Benjamin Silliman, Joseph Story, Daniel Webster, and William Wirt. A letter to Elizabeth Schuyler Hamilton, wife of Alexander Hamilton, dated Dec. 10, 1832, includes the draft of "Chancellor Kent's Memories of Alexander Hamilton." In 1847, Simeon Baldwin prepared a similar sketch of James Kent's life for Kent's son, William.

The greater part of Kent's correspondence is with family members—his wife, Elizabeth, his brother, Moss, his son, William, and his brother-in-law, Theodorus Bailey. The originals of many of Kent's letters to family members are included in the collection. The letters refer frequently to Kent's interest in the classics.

Among other papers included in Kent's correspondence files are diplomas, awards, a military commission, certificates of election to public office, and documents related to his career as a jurist. These documents and all of Kent's correspondence have been indexed.

A single [register](#) records law suits entered by the law firms of Livingston and Kent and of Livingston and Thompson. Kent's reputation as a legal writer rests chiefly upon his four-volume *Commentaries on American Law*, a work that he

began preparing for publication only after his retirement but that was based on his lectures as a Columbia law professor. His outstanding achievements as a jurist were recorded by his long-time associate William Johnson in three sets of reports: ; and *Cases Argued and Determined in the Court for the Trial of Impeachments and the Correction of Errors, 1799-1803* (3 vols.); *Report of Cases Argued and Determined in the Supreme Court of Judicature and in the Court for Trial of Impeachments and the Correction of Errors, February 1806-February 1823*(20 vols.); and *Cases of the State Court of Chancery, March 1814-July 1823*(7 vols.). No manuscripts pertaining to these works are in the collection.

Kent kept detailed accounts of his travels between 1793 and 1847, annotating them in later years and adding pertinent newspaper clippings. The fifteen volumes in the collection describe his journeys that ranged from Quebec to Richmond, Virginia. Volume 14 of the [Journals](#) series contains an account of William Kent's 1848 journey to his father's birthplace.

Included in the [Correspondence and Other Papers](#) series is a photocopy of a journal Kent maintained in the back pages of Tobias Lear's *Observation on the River Potomack* (New York, 1793) while on a trip to Washington in 1793. The original of the volume is held by the Library's Rare Book and Special Collections Division.

## Arrangement of the Papers

This collection is arranged in four series:

- [Correspondence and Other Papers, 1779-1854](#)
- [Register, 1793-1803](#)
- [Journals, 1797-1848](#)
- [Oversize, 1781-1814](#)

## Description of Series

| Container            | Series  |
|----------------------|---|
| BOX 1-12 REEL 1-5    | <p><b><u>Correspondence and Other Papers, 1779-1854</u></b></p> <p>General and family correspondence, memoranda, diplomas, awards, certificates, circulars, travel accounts, notes, and miscellaneous papers and documents.</p> <p>Arranged chronologically. Oversize items were removed from their chronological sequence and filmed at the end of the series. Also at the end of the series is a photocopy of a journal by Kent, 1793, and a few original notes, dated 1838, that were added to the collection in 2007. The notes have been not filmed. An card index to the series, filmed at the end of the collection, is located in the Manuscript Division Reading Room. Consult a reference librarian for availability of the original index.</p> |
| BOX 13 REEL 5        | <p><b><u>Register, 1793-1803</u></b></p> <p>Bound register of the law firms of Livingston and Kent and Livingston and Thompson.</p>   |
| BOX 14-17 REEL 6-7   | <p><b><u>Journals, 1797-1848</u></b></p> <p>Journals describing trips by Kent mostly along the eastern seaboard, including an account by his son, William Kent, to his father's birthplace in Putnam County, N.Y., in 1848.</p> <p>Chronology in the volumes is irregular. Included at the end of the microfilm edition is a card index of correspondents in the <u>Correspondence and Other Papers</u> series. Consult a reference librarian in the Manuscript Division regarding availability of the original index in the Manuscript Division Reading Room.</p>  |
| BOX OV 1-OV 4 REEL 5 | <p><b><u>Oversize, 1781-1814</u></b></p> <p>Certificates, awards, and appointments. Oversize material originally in Containers 1-4 that was filmed as part of Container 12 in the <u>Correspondence and Other Papers</u> series.</p> <p>Arranged in the order in which it was filmed.</p>   |

# Container List

Available on microfilm. Shelf no. 16,216

| Container                 | Contents  |
|---------------------------|---|
| <b>BOX 1-12 REEL 1-5</b>  | <b>Correspondence and Other Papers, 1779-1854</b><br>General and family correspondence, memoranda, diplomas, awards, certificates, circulars, travel accounts, notes, and miscellaneous papers and documents.<br>Arranged chronologically. Oversize items were removed from their chronological sequence and filmed at the end of the series. Also at the end of the series is a photocopy of a journal by Kent, 1793, and a few original notes, dated 1838, that were added to the collection in 2007. The notes have been not filmed. An card index to the series, filmed at the end of the collection, is located in the Manuscript Division Reading Room. Consult a reference librarian for availability of the original index. |
| <b>BOX 1 REEL 1</b>       | 1779-1793 <a href="#">See also Container 12, Certificates, awards, and appointments</a>   |
| <b>BOX 2 REEL 1</b>       | 1794-1798 <a href="#">See also Container 12, Certificates, awards, and appointments</a>   |
| <b>BOX 3 REEL 2</b>       | 1799-1808 <a href="#">See also Container 12, Certificates, awards, and appointments</a>   |
| <b>BOX 4 REEL 2</b>       | 1809-1820 <a href="#">See also Container 12, Certificates, awards, and appointments</a>   |
| <b>BOX 5 REEL 3</b>       | 1821-1828   |
| <b>BOX 6 REEL 3</b>       | 1829-1832   |
| <b>BOX 7 REEL 4</b>       | 1833-1835   |
| <b>BOX 8 REEL 4</b>       | 1836-1837   |
| <b>BOX 9 REEL 5</b>       | 1838-1840 <a href="#">See also Container 12, Notes</a>  |
| <b>BOX 10 REEL 5</b>      | 1841-1846   |
| <b>BOX 11 REEL 5</b>      | 1847-1854, undated  |
| <b>BOX 12 REEL 5</b>      | Certificates, awards, and appointments, 1781-1814 <a href="#">See Oversize</a>  |
| <b>BOX 12 not filmed</b>  | Notes, 1838   |
| <b>BOX 12 REEL 5</b>      | <i>Photocopy of Observations on the River Potomack</i> (1793) by Tobias Lear, with annotations  |
| <b>BOX 13 REEL 5</b>      | <b>Register, 1793-1803</b><br>Bound register of the law firms of Livingston and Kent and Livingston and Thompson.   |
| <b>BOX 13 REEL 5</b>      | Law suits entered by the firm Livingston and Kent, 1791, May 16-1793, Apr. 12   |
| <b>BOX 13 REEL 5</b>      | Law suits entered by the firm Livingston and Thompson, 1801, Nov. 25-1803, Nov. 12  |
| <b>BOX 14-17 REEL 6-7</b> | <b>Journals, 1797-1848</b><br>Journals describing trips by Kent mostly along the eastern seaboard, including an account by his son, William Kent, to his father's birthplace in Putnam County, N.Y., in 1848.<br>Chronology in the volumes is irregular. Included at the end of the microfilm edition is a card index of correspondents in the <a href="#">Correspondence and Other Papers</a> series. Consult a reference librarian in the Manuscript Division regarding availability of the original index in the Manuscript Division Reading Room.   |
| <b>BOX 14 REEL 6</b>      | Vol. 1, 1797-1820   |
| <b>BOX 14 REEL 6</b>      | Tour of the western circuit, 1797   |
| <b>BOX 14 REEL 6</b>      | Tour up the Connecticut River from New York, N.Y., to Albany, N.Y., 1817  |
| <b>BOX 14 REEL 6</b>      | Trip from Albany, N.Y., to Poughkeepsie, N.Y., 1817   |

## Journals, 1797-1848

### Container

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| BOX 14 REEL 6 | Trip to Northampton, Mass. 1819  |
| BOX 14 REEL 6 | Trip to the Mohawk River, N.Y., 1819   |
| BOX 14 REEL 6 | Trip to the head of the Delaware River, N.Y., 1819                               |
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| BOX 14 REEL 6 | Tour of the circuit in Orange County, N.Y., 1799, June                           |
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| BOX 15 REEL 6 | Vol. 4, 1800-1801  |
| BOX 15 REEL 6 | Tour of the northern circuit, 1800, June   |
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| BOX 15 REEL 6 | Tour of the Mohawk, N.Y., circuit, 1801, June                                    |
| BOX 15 REEL 6 | Tour of the Orange and Delaware, N.Y., circuits, 1801, Sept.                     |
| BOX 15 REEL 6 | Tour of the Catskill, N.Y., circuit, 1801, Sept.                                 |
| BOX 15 REEL 6 | Vol. 5, 1802-1811  |
| BOX 15 REEL 6 | "Memoranda made on my western circuit in 1802, 1810, and 1811"                   |
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| BOX 15 REEL 6 | Tour to the Black River, N.Y., 1808  |
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| BOX 15 REEL 6 | Tour to Washington, D.C., 1821, May  |
| BOX 15 REEL 6 | Tour to Plattsburgh, N.Y., 1821, June  |
| BOX 15 REEL 6 | Tour to Cayuga Lake, N.Y., 1822, May   |
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| BOX 15 REEL 6 | Tour to the White Mountains, N.Y., and Boston, Mass, 1823, Aug.                  |
| BOX 15 REEL 6 | Tour to Waterford, N.Y., 1823, Sept.   |
| BOX 15 REEL 6 | Tours from New York, N.Y., 1824  |
| BOX 15 REEL 6 | Tour to Lake Champlain, N.Y., and Upper Canada, 1824                             |
| BOX 15 REEL 6 | Tour to commencement at New Haven, Conn., 1824                                   |
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| BOX 16 REEL 6 | Vol. 9, 1828-1830  |
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| BOX 16 REEL 6 | Tour to Ulster County, N.Y., 1831, May   |
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| BOX 17 REEL 6 | Princeton, N.J., 1835, Sept.  |
| BOX 17 REEL 6 | “The Eastern States. Mr. Biddle’s below Bristol, Pa., and again in 1836,” 1836, June-July |
| BOX 17 REEL 6 | Plattsburgh, N.Y. (two visits), 1836, June-July   |
| BOX 17 REEL 6 | Albany, N.Y., 1837, May   |
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| BOX 17 REEL 6 | Dutchess and Putnam Counties, N.Y., 1844, July  |

## Journals, 1797-1848

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| BOX 17 REEL 6               | Philadelphia, Pa., 1845, Oct.  |
| BOX 17 REEL 6               | Albany, N.Y., 1846, May  |
| BOX 17 REEL 6               | Memorandum of a visit by Kent to Putnam County, N.Y., 1848, Oct.   |
| BOX 17 REEL 6               | Vol. 15, 1846-1847   |
| BOX 17 REEL 6               | Cambridge and Boston, Mass., 1846, Oct.  |
| BOX 17 REEL 6               | Cambridge and Boston, Mass., 1847, May   |
| BOX 17 REEL 7               | Card index of <u>Correspondence and Other Papers</u> series <i>Consult a reference librarian in the Manuscript Division concerning originals of index in the division's Reading Room</i>   |
| <b>BOX OV 1-OV 4 REEL 5</b> | <b>Oversize, 1781-1814</b>   |
|                             | Certificates, awards, and appointments. Oversize material originally in Containers 1-4 that was filmed as part of Container 12 in the <u>Correspondence and Other Papers</u> series. Arranged in the order in which it was filmed. |
| BOX OV 1 REEL 5             | Correspondence and Other Papers  |
| BOX OV 1 REEL 5             | Certificates, awards, and appointments, 1781-1814  |
| BOX OV 1 REEL 5             | 1781-1798 (Containers 1-2)   |
| BOX OV 2 REEL 5             | 1784 (Container 1)   |
| BOX OV 3 REEL 5             | 1804 (Container 3)   |
| BOX OV 4 REEL 5             | 1814 (Container 4)   |