

**Charles C. Marshall Papers**  
**A Finding Aid to the Collection in the Library of Congress**



**Manuscript Division, Library of Congress**  
**Washington, D.C.**  
**2012**

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

Catalog Record: <https://lcn.loc.gov/mm77022509>

Additional search options available at: <https://hdl.loc.gov/loc.mss/eadmss.ms012147>

Prepared by Paul T. Heffron

Finding aid encoded by Library of Congress Manuscript Division, 2012

## Collection Summary

**Title:** Charles C. Marshall

**Span Dates:** 1886-1968

**Bulk Dates:** (bulk 1927-1937)

**ID No.:** MSS22509

**Creator:** Marshall, Charles C.

**Extent:** 2,000 items

**Extent:** 27 containers plus 1 oversize

**Extent:** 10.5 linear feet

**Language:** Collection material in English

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

**LC Catalog record:** <https://lcn.loc.gov/mm77022509>

**Summary:** Lawyer. Correspondence, notes, scrapbooks, book manuscripts, reprints, and newspaper clippings relating primarily to Marshall's controversy in 1927 with Alfred Emanuel Smith over the qualifications of a Roman Catholic for the presidency of the United States. Other topics include church-state questions and the Calvert controversy in seventeenth-century Maryland.

## 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

Baltimore, Charles Calvert, Lord, 1637-1715.

Barrett, E. Boyd (Edward Boyd), 1883- --Correspondence.

Calvert family.

Coudert, Frederic R. (Frederic René), 1871-1955--Correspondence.

Dodd, Frank Courtenay, 1875-1968--Correspondence.

Gillis, James M. (James Martin), 1876-1957--Correspondence.

Lehmann, L. H. (Leo Herbert), 1895-1950--Correspondence.

Lippmann, Walter, 1889-1974--Correspondence.

Lloyd, Arthur Selden, 1857-1936--Correspondence.

Marshall, Charles C.

Parsons, Wilfrid, 1887-1958--Correspondence.

Smith, Alfred Emanuel, 1873-1944.

Williams, Michael, 1878-1950--Correspondence.

### Organizations

Catholic Church.

### Subjects

Church and state.

Freedom of religion.

Presidents--United States--Election--1928.

### Places

Maryland--History--Colonial period, ca. 1600-1775

### Occupations

Lawyers.

## Provenance

The papers of Charles C. Marshall, lawyer, were given to the Library of Congress his daughter, Mrs. Roswell Barratt, in 1969.

## Processing History

The papers of Charles C. Marshall were arranged and described in 1970. The finding aid was revised in 2012.

## Copyright Status

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

## Access and Restrictions

The papers of Charles C. Marshall 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.

## Preferred Citation

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

## Biographical Note

Date	Event
1860, June 19	Born, Poughkeepsie, N.Y.
1880	Entered Columbia College, New York, N.Y.
1882	Graduated Columbia University Law School, New York, N.Y. Admitted to New York Bar
1889	Became member of the law firm of William D. Shipman and William C. Choate
1890	Married Abby A. Story
1900	Joined firm of Marshall, Moran, and Williams
1906	Retired from active legal practice
1927	Published "An Open Letter to the Honorable Alfred E. Smith," <i>Atlantic Monthly</i>
1928	Published <i>The Roman Catholic Church in the Modern State</i> . New York: Dodd, Mead, and Co.
1932	Published <i>The Historical Relation of Law and Religion (in its American Aspect.)</i> New York: n.p.
1938, June 9	Died, Millbrook, N.Y.

## Scope and Content Note

The papers of Charles C. Marshall (1860-1938), span the years 1886-1968, with the bulk of the material concentrated in the period 1927-1937. The collection consists of correspondence, notes, scrapbooks, reprints, and newspaper clippings and is organized into seven series: [General Correspondence](#), [Scrapbooks](#), [Book Manuscripts](#), [Calvert Controversy](#), [Printed Matter](#), [Miscellany](#), and [Oversize](#).

Marshall was known for his controversy in 1927 with Alfred E. Smith over the qualifications of a Roman Catholic for president of the United States. In "An Open Letter to the Honorable Alfred E. Smith" in the *Atlantic Monthly*,

Marshall suggested that there was an irreconcilable conflict between the dogmas of the Catholic Church and the American Constitution. Smith answered Marshall in the May issue of the same journal denying that his religious beliefs conflicted with the Constitution and at the same time proclaiming his adherence to the principle of separation of church and state.

The correspondence which this controversy evoked is of interest for a study of one aspect of the 1928 presidential election as well as for students of the church-state problem in the United States. Of further interest on the latter subject is the correspondence relating to Marshall's book *The Roman Catholic Church in the Modern State*, first published in 1928 and revised in 1931.

Marshall was an active layman in what was known as the Catholic Church of the Anglican Church, and this interest is represented in the papers. His deep interest in the early history of religious freedom in this country is seen in the material that he assembled in the Calvert controversy in seventeenth-century Maryland.

Correspondents in the collection include E. Boyd Barrett, Frederic R. Coudert, Frank Courtenay Dodd, James M. Gillis, L. H. Lehman, Walter Lippmann, Arthur Selden Lloyd, Wilfrid Parsons, and Michael Williams.

## Arrangement of the Papers

This collection is arranged in seven series:

- [General Correspondence, 1886-1968](#)
- [Scrapbooks, 1927-1931](#)
- [Book Manuscripts](#)
- [Calvert Controversy, 1928-1935](#)
- [Printed Matter](#)
- [Miscellany](#)
- [Oversize](#)

## Description of Series

Container	Series
BOX 1-10	<p><b><u>General Correspondence, 1886-1968</u></b> Letters send and received. Arranged chronologically by year and therein alphabetically by name of correspondent.</p>
BOX 11-18	<p><b><u>Scrapbooks, 1927-1931</u></b> Bound volumes of correspondence, notes, writings, clippings, and miscellaneous material. Organized chronologically.</p>
BOX 19	<p><b><u>Book Manuscripts</u></b> Holograph and typewritten drafts of chapters and other book-length material on church-state relations. Organized by writing.</p>
BOX 20	<p><b><u>Calvert Controversy, 1928-1935</u></b> Correspondence, notes, writings, printed matter, and miscellaneous material relating to the question of religious tolerance in colonial Maryland. No arrangement.</p>
BOX 21-28	<p><b><u>Printed Matter</u></b> Published articles and books. No arrangement.</p>
BOX 29-30	<p><b><u>Miscellany</u></b> Notes, memoranda, an clippings. Arranged by type of material.</p>
BOX OV 1	<p><b><u>Oversize</u></b> Scrapbooks. Arranged according to the series and container from which the volumes were removed.</p>

# Container List

Container	Contents
BOX 1-10	<b>General Correspondence, 1886-1968</b> Letters send and received. Arranged chronologically by year and therein alphabetically by name of correspondent.
BOX 1	1886-1926
BOX 1	1927
BOX 1	A-G
BOX 2	H-Q
BOX 3	1928
BOX 3	A-N
BOX 4	O-W
BOX 5	1929
BOX 5	A-J
BOX 6	K-W
BOX 7	1930
BOX 8	1931-1932
BOX 9	1933-1935
BOX 10	1936-1968, undated
BOX 11-18	<b>Scrapbooks, 1927-1931</b> Bound volumes of correspondence, notes, writings, clippings, and miscellaneous material. Organized chronologically.
BOX 11	1927-1928
BOX 12	1928-1929
BOX 13	1928
BOX 14	1929-1931
BOX 15	1930
BOX 16	1927-1928 <i>See Oversize</i>
BOX 17	1927-1928 <i>See Oversize</i>
BOX 18	1928 <i>See Oversize</i>
BOX 19	<b>Book Manuscripts</b> Holograph and typewritten drafts of chapters and other book-length material on church-state relations. Organized by writing.
BOX 19	Holograph and handwritten drafts of writings on church-state relations
BOX 20	<b>Calvert Controversy, 1928-1935</b> Correspondence, notes, writings, printed matter, and miscellaneous material relating to the question of religious tolerance in colonial Maryland. No arrangement.

## Calvert Controversy, 1928-1935

<b>Container</b>	<b>Contents</b>
BOX 20	Clippings, notes, writings, printed matter, and miscellany, 1928-1935
BOX 21-28	<b>Printed Matter</b> Published articles and books. No arrangement.
BOX 21-28	Articles and books
BOX 29-30	<b>Miscellany</b> Notes, memoranda, an clippings. Arranged by type of material.
BOX 29-30	Notes, memoranda, clippings, printed matter, and other material
BOX OV 1	<b>Oversize</b> Scrapbooks. Arranged according to the series and container from which the volumes were removed.
BOX OV 1	Scrapbooks
BOX OV 1	1927-1928 (Container 16)
BOX OV 1	1927-1928 (Container 17)
BOX OV 1	1928 (Container 18)