

Project Title: History of the United States Supreme Court 1874-1888

Investigator: Kens, Paul

Department: Political Science

Project summary: My project involved a study of the 19th century Supreme Court rulings regarding economic regulation and the change that occurred between *Munn v. Illinois* in 1877 and the 1890s. In order to learn more about this change in constitutional doctrine I studied a variety of manuscript collections located in Chicago and Washington D.C. In Chicago I studied collections of the Chicago, Burlington, and Quincy Railroad and the Chicago & Northwestern Railroad located in the Newberry Library. The most useful documents in these collections were the letters of the C & Q president Robert Harris, which provided a great deal of background regarding his company's opposition to the state regulation of railroad rates commonly called the Granger laws. They also illustrated the tactics the company employed to fight the laws in state legislature. Harris blamed the Supreme Court's decision in *Munn*, upholding regulation, for a drop in the value of railroad stock. Other valuable collections were those J. M. Walker of the C B & Q and Charles Perkins of the C & N W.

In Washington DC I studied collections at the Library of Congress and the National Archives. The most important were the papers of Chief Justice Morrison R. Waite and the Records of the Senate Judiciary Committee regarding the nomination of Justice Stanley Matthews. I photographed more than 300 documents. Although I have not yet fully digested these documents, I have learned that opposition to Matthew's appointment came from more sources than is commonly believed.