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Collection Overview

**REPOSITORY:** Manuscripts and Archives
Yale University Library
P.O. Box 208240
New Haven, CT 06520-8240
mssa.assist@yale.edu
http://www.library.yale.edu/mssa/

**CALL NUMBER:** MS 356

**CREATOR:** Moore, Wm. Underhill (William Underhill), 1879-1949

**TITLE:** Underhill Moore papers

**DATES:** 1870–1948

**BULK DATES:** 1925–1943

**PHYSICAL DESCRIPTION:** 18 linear feet

**LANGUAGE:** English

**SUMMARY:** The papers consist of correspondence, course materials, diaries, legal documents, printed material, reports, subject files, and writings that document Underhill Moore’s career as a law professor and his personal life. The papers emphasize Moore’s teaching, writing, and involvement with Columbia Law School, Yale Law School, and the Institute of Human Relations at Yale University from 1924 to 1943. The papers also contain materials relating to Dr. William O. Moore and the Abraham Underhill estate.

**ONLINE FINDING AID:** To cite or bookmark this finding aid, please use the following link: http://hdl.handle.net/10079/fa/mssa.ms.0356

Requesting Instructions
To request items from this collection for use in the Manuscripts and Archives reading room, please use the request links in the HTML version of this finding aid, available at http://hdl.handle.net/10079/fa/mssa.ms.0356.

To order reproductions from this collection, please go to http://www.library.yale.edu/mssa/ifr_copy_order.html. The information you will need to submit an order includes: the collection call number, collection title, series or accession number, box number, and folder number or name.

Key to the container abbreviations used in the PDF finding aid:

- **b.** box
- **f.** folder

Administrative Information

**Immediate Source of Acquisition**
Gift of Underhill Moore, 1946-1948.
**Biographical / Historical**

William Underhill Moore was born on May 25, 1879, in New York City. He received three degrees from Columbia University: B. A. (1900), M. A. (1901), and LL.B. (1902). After graduation from law school, Moore worked briefly as an attorney in private practice and taught a course in mining law at Columbia University in 1906. Later in the same year, he obtained an appointment as a professor of law at the University of Kansas. In 1908, he left to join the law faculty at the University of Wisconsin where he taught courses in bankruptcy, insurance, negotiable interests, and property. He spent two years at the University of Chicago before returning to Columbia University in 1916.

At Columbia, Moore continued to teach courses relating to commercial transactions and was particularly well known for his expansive approach to legal instruction. His broad view that legal education should encompass the study of other social sciences (economics, sociology, and psychology), as well as conventional legal analysis, led to a division among faculty members in the late 1920s. As the situation at Columbia deteriorated, Moore sought an environment where he could explore his research interests and continue to teach.

In 1929, he accepted an appointment as Sterling Professor of Law and as a faculty member of the Institute of Human Relations at Yale University. The Institute had been formally established earlier that year as an interdisciplinary center for cooperative research and advocated intellectual collaboration among different academic disciplines. Moore received funding and assistance from the Institute throughout his years at Yale University. Moore remained on the faculty at the Law School and the Institute until his retirement in 1946. He taught intermittently at Ohio State University until his death in 1949.

Moore’s most significant legal education publication was *Cases on the Laws of Bills and Notes*, which he co-authored with Howard L. Smith through three editions between 1910 and 1932. In addition, he wrote a series of highly regarded articles relating to banking practices that appeared in the *Yale Law Review* in the early 1930s. He collaborated with T. H. Sanders and Henry R. Hatfield to produce two publications for the American Institute of Accountants: *Statement of Accounting Principles* and *Relationship Between Legal and Accounting Concepts of Capital*. Moore’s work at the Institute of Human Relations focused upon the effect of enforcement of parking laws upon the behavior of drivers in New Haven, Connecticut. The decade-long study culminated in the publication with Charles C. Callahan of *Law and Learning Theory: A Study in Legal Control* (commonly known as the New Haven parking study) in 1943.

Underhill Moore and his wife, Henelia Wilhelmi, had two children, Alwine Jane and Kent. He died in 1949 in Ohio.
Scope and Contents

The papers consist of correspondence, course materials, diaries, legal documents, printed material, reports, subject files, and writings that document Underhill Moore’s career as an academic and his personal life. The Correspondence Series is the most voluminous and contains large amounts of intermixed professional and personal correspondence and related materials. The Personal and Family Papers focus upon the Moore Family and the strong role that Moore played in lives of his children and extended family. The voluminous and detailed nature of the papers which span fifty years provide substantial evidence of Moore’s evolving roles as law student, practicing attorney, and law professor in his professional life and as an ardent suitor, husband, and father in his personal life.

Moore’s writings are highlighted by Law and Learning Theory: A Study in Legal Control, which represents the culmination of a decade’s study by Moore and his colleague Charles C. Callahan at the Institute of Human Relations at Yale University of the effect of automobile parking law enforcement upon driver behavior. Although the collection does not contain any preliminary data developed during the study, there are two different drafts of the book in the Writings Series.

The Underhill Moore Papers were processed as part of a collaborative effort between Manuscripts and Archives and the Yale Law School to document the careers and accomplishments of law school faculty and alumni.
Collection Contents
Series I. Correspondence, 1902-1943

This series includes both correspondence and other materials created or collected by Moore in both his personal and professional capacities. The correspondence is largely routine. It ranges from his requests for household chores to be done at his vacation home in Vermont to correspondence with colleagues about law school curriculum changes.

Moore’s original filing arrangement has generally been retained. Moore filed his correspondence by the last name of the correspondent rather than by the name of the organization or the office held by the correspondent. From 1902 to 1935, Moore filed correspondence chronologically by year, then alphabetically by the first letter of the last name of the correspondent. From 1936 to 1943, the system became more refined as Moore assigned separate folders to some individuals. The researcher should review both the general alphabetical folders and specific name folders to locate all correspondence relating to an individual. In addition, the researcher should be alert to the possibility that materials relating to the same topic may be collocated in more than one series in this collection. For example, materials relating to the administration of the estate of his maternal grandfather, Abraham Underhill, may be found in this Series under the name of the attorney for the estate (Daniel Burke) and in Series V under “Abraham Underhill estate.”

Correspondents include Arthur L. Bowley, William O. Douglas, H. R. Hatfield, Mark A. May, T. H. Sanders, Charles Seymour, Harlan Fiske Stone, and fellow faculty members. There are also materials relating to the fiduciary arrangement that Austro-German anthropologist Richard Thurnwald made with Underhill Moore to provide monetary disbursements when Thurnwald and his wife returned to Nazi-controlled Germany in 1933.

The administrative files and faculty meeting minutes from Yale Law School chronicle the changes in curriculum and student demographics caused by World War II.

Records from the National War Labor Board document Moore’s civilian service as a mediator during World War II.

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<tr>
<th>A</th>
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<tr>
<td>b. 1, f. 1 - 17</td>
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<td>1933-1943, n. d.</td>
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<td>American Sociological Society 1938, n. d.</td>
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<td>Arnold, Lord 1936-1938</td>
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<td>Ascher, Charles S. 1937-1938</td>
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<td>Association for Symbolic Logic</td>
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<td>b. 4, f. 47 - 56</td>
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<td>Burgess, Kenneth F.</td>
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<td>Child family</td>
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<td>Coan, Philip</td>
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<td>b. 8, f. 97</td>
<td>Cohen</td>
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<td>b. 8, f. 98</td>
<td>Commercial Bank Credit class</td>
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<td>b. 8, f. 99 - 121</td>
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<td>b. 9, f. 122</td>
<td>Dennis, O.W. L.</td>
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<td>b. 9, f. 149</td>
<td>Ebersole, J. F.</td>
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<td>Finlay, Stuart W.</td>
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<td>Golenbock, Justin M.</td>
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<td>b. 15, f. 277</td>
<td>Keener portrait</td>
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<td>b. 15, f. 278</td>
<td>Kocourek, Albert</td>
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<td>b. 18, f. 322 - 325</td>
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<td>b. 18, f. 326</td>
<td>Maloney, Francis T.</td>
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<td>b. 18, f. 327</td>
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<tr>
<td>b. 23, f. 466</td>
<td>Twirago, estate of Andy</td>
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<td>b. 25, f. 513 - 520</td>
<td>1931-1943, n. d.</td>
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<tr>
<td>b. 26, f. 536 - 538</td>
<td>Yale law school faculty meeting minutes</td>
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<td>b. 26, f. 539</td>
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</table>
**Series II. Subject Files, 1888-1937**

The subject files consist largely of records created when Moore was involved in private practice in the first decade of the twentieth century, and his tenure at the University of Wisconsin. The records include correspondence, notes, legal documents, opinions, receipts, and reports.

The Series is arranged alphabetically by topic with the vast majority of files listed under the heading “Law Practice.” These files are arranged chronologically and original folder titles have generally been retained.

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<tr>
<td>b. 27, f. 1</td>
<td>Case law reports</td>
<td>[1904]</td>
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<td>b. 27, f. 2</td>
<td>Institute of Human Relations</td>
<td>1937</td>
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<td>b. 27, f. 3</td>
<td>David Dows Sr., estate of</td>
<td>1888, 1904–1905, n. d.</td>
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<td>b. 27, f. 4</td>
<td>West-Reed agreement</td>
<td>1894, n. d.</td>
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<td>b. 27, f. 5 - 6</td>
<td>Linda Dows Cooksey (David Dows estate tax)</td>
<td>1901–1905, n. d.</td>
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<td>b. 27, f. 7</td>
<td>McClelland v. English</td>
<td>1902–1904, n. d.</td>
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<td>b. 27, f. 8</td>
<td>Street sweeper cases</td>
<td>1902, n. d.</td>
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<td>b. 27, f. 12</td>
<td>Belasco v. Fallert</td>
<td>1903–1904, n. d.</td>
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<td>b. 28, f. 13</td>
<td>Blume v. Interurban Street Railway Co.</td>
<td>1903</td>
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<td>b. 28, f. 15</td>
<td>Kellock-Eames (Richardson property)</td>
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<td>b. 28, f. 16</td>
<td>Smyth v. Western Zinc Company et. al.</td>
<td>1903, n. d.</td>
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<td>b. 28, f. 17</td>
<td>Stewart (patent extension)</td>
<td>1903–1904, n. d.</td>
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<td>b. 28, f. 18</td>
<td>Nathan Clark estate (Guardian of Gladys Clark, minor)</td>
<td>1903–1905, n. d.</td>
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<td>b. 28, f. 21</td>
<td>Harding</td>
<td>1904–1905, n. d.</td>
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<td>b. 28, f. 22</td>
<td>J. J. McKenna &amp; Bro. (Hall)</td>
<td>1904, n. d.</td>
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<td>b. 29, f. 23</td>
<td>McKenna v. Springer</td>
<td>1904, n. d.</td>
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<tr>
<td>b. 29, f. 25</td>
<td>Vallert v. Borbe</td>
<td>1904</td>
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<tr>
<td>b. 29, f. 26</td>
<td>Vallert (Deutschen Kreiger Bundes)</td>
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Law practice (continued)

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<td>Hill-Pierson and Nassau Beekman Co. v. Sheffield and Tischan</td>
<td>1905, n. d.</td>
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<td>McKenna (Noble title)</td>
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<td>b. 29, f. 32</td>
<td>James J. McKenna v. The Jones Electric Manufacturing Company</td>
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<td>b. 30, f. 35</td>
<td>Montgomery title</td>
<td>1905, n. d.</td>
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<td>b. 30, f. 36</td>
<td>Louis D. Ray (Headmaster of Irving School)</td>
<td>1905, n. d.</td>
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<td>b. 30, f. 38</td>
<td>William P. Johnston will</td>
<td>1906</td>
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<td>b. 30, f. 39</td>
<td>Catherine L. M. Simons (Kraft and Geller mortgages)</td>
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<td>b. 30, f. 40</td>
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<td>b. 30, f. 41</td>
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<td>1911–1913</td>
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<td>b. 30, f. 42</td>
<td>Conway v. Zender</td>
<td>Circa 1913</td>
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<td>b. 30, f. 44</td>
<td>In the matter of Joseph D. Sugarman (E. A. Gilmore)</td>
<td>1920–1922, n. d.</td>
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<tr>
<td>b. 30, f. 45</td>
<td>Memoranda of law-miscellaneous cases</td>
<td>1902–1905, n. d.</td>
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<td>b. 31, f. 46</td>
<td>New York State Bar examination</td>
<td>1899–1903, n. d.</td>
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<td>b. 31, f. 47</td>
<td>New York State National Guard, 71stRegiment</td>
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<td>Portland cement manufacturers study</td>
<td>1924–1925, n. d.</td>
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**University of Wisconsin**

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<td>b. 31, f. 50</td>
<td>Fraternity investigation</td>
<td>1910, n. d.</td>
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<td>b. 31, f. 51</td>
<td>Wisconsin Engineering Journal Association</td>
<td>1912, n. d.</td>
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<td>b. 31, f. 52 - 56</td>
<td>Veblen, Thorstein portrait fund</td>
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<td>b. 31, f. 57</td>
<td>Wisconsin lien statutes</td>
<td>1909, n. d.</td>
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Series III. Writings, 1901-1943

This Series only contains materials relating to two of Moore’s writings: an *Albany Law Journal* article entitled “What Constitutes A Contract?” published in 1901 and the interdisciplinary study of the effect of automobile parking law enforcement upon driver behavior entitled *Law and Learning Theory: A Study in Legal Control* (commonly known as the New Haven traffic study) published in 1943. *Law and Learning Theory* was the culmination of a decade’s work by Moore and his colleague Charles C. Callahan at the Institute of Human Relations. Although the Series does not contain any preliminary data developed during the study, there are two drafts of the book.

Also included in this series are writings by three of Moore’s students-Armory H. Bradford, Theodore P. Moser, and C. R. Vance-relating to banking or early colonial law.

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<td>Law and Learning Theory: A Study in Legal Control-(Draft I) [1943]</td>
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<tr>
<td>b. 32, f. 3 - 4</td>
<td>Law and Learning Theory: A Study in Legal Control-(Draft II) [1943]</td>
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<td>b. 32, f. 5</td>
<td>“What Constitutes A Contract” [1901]</td>
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**Writings of others**

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<td>b. 33, f. 6 - 7</td>
<td>Bradford, Armory H.-“Banker’s Lien” [1938]</td>
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<tr>
<td>b. 33, f. 8 - 9</td>
<td>Moser, Theodore P.-“History of New Haven Banks” [1933]</td>
</tr>
<tr>
<td>b. 33, f. 10</td>
<td>Vance, C. R.-“The Law of New Plymouth Colony” 1941</td>
</tr>
</tbody>
</table>
**Series IV. Law School Course Materials, 1902-1938**

The materials in this series consist primarily of course overviews, case notes, and final examination questions prepared by Moore and other faculty members from law schools where Moore taught early in his career, but also contain two folders related to his later work at Columbia Law School and Yale Law School.

The materials are arranged alphabetically by the name of the Law School and then alphabetically by course title.

<table>
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<tr>
<th>Law School</th>
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<tr>
<td><strong>Columbia University</strong></td>
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<td>b. 34, f. 1</td>
<td>Bills &amp; notes</td>
<td>1928</td>
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<tr>
<td>b. 34, f. 2 - 3</td>
<td>Mining law</td>
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<tr>
<td><strong>University of Chicago</strong></td>
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<tr>
<td>b. 34, f. 4</td>
<td>Damages</td>
<td>1906–1914</td>
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<tr>
<td>b. 34, f. 5</td>
<td>Mortgages</td>
<td>1903–1915</td>
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<tr>
<td>b. 34, f. 6</td>
<td>Suretyship</td>
<td>1905, 1908</td>
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<td><strong>University of Wisconsin</strong></td>
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<td>b. 34, f. 7 - 8</td>
<td>Bankruptcy</td>
<td>[1913]</td>
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<td>b. 34, f. 9</td>
<td>Insurance</td>
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<td>b. 34, f. 10</td>
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<td>Property I</td>
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<td>b. 34, f. 12 - 13</td>
<td>Property II</td>
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<td>b. 34, f. 14</td>
<td>Property III</td>
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<td>b. 34, f. 15</td>
<td>Yale University-Commercial bank credit I</td>
<td>1938</td>
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Series V. Family and Personal Papers, 1875-1948

The series is arranged in two sections: Family Papers and Personal Papers. This Series primarily contains correspondence, but also includes diaries, journals, student notebooks and other materials created by or about Moore and other family members including his wife and two children. The Personal Papers section is largely composed of correspondence and related materials between Moore and other family members, while Family Papers generally includes discrete items related to Moore or other family members.

Family Papers is arranged alphabetically by name of the family member, then alphabetically by subject. Moore’s efforts to have his daughter’s dissertation published as a book, Cityward Migration, and in obtaining complimentary book reviews for her from his colleagues and friends are well documented. Also included in the Family Papers section are materials created by Underhill Moore’s father, Dr. William O. Moore. Prior to Moore’s graduation from Columbia University, Dr. Moore had been a successful ophthalmologist with several articles published in medical journals. In addition, there is extensive correspondence relating to the administration of a trust established by Moore’s maternal grandfather, Abraham Underhill. Abraham Underhill was a lawyer whose financial successes provided multiple generations of his extended family with significant income from the 1880s through 1940s.

Although the Personal Papers section is composed primarily of correspondence between Moore and his family members, there is also a diary of his sailing trip to Gibraltar in 1929 and several items from his years as a student at Columbia University. Moore’s chronological arrangement of Personal Papers has been largely retained.

The materials in this section illustrate the sweeping changes in American life from 1906 when Underhill Moore moved to Lawrence, Kansas to begin teaching at the University of Kansas Law School to the early 1940s, his last years in New Haven, Connecticut. Moore’s letters to his wife, Henelia Wilhelmi Moore, during their courtship and early years of marriage are particularly expressive and reveal a very different aspect of his personality than shown elsewhere in the collection. The couple’s correspondence with each other and friends includes detailed reports of individual and family trips to Europe during the 1920s and 1930s, a diary of Moore’s sailing voyage to Gibraltar in 1929, correspondence and receipts documenting the couple’s spending habits, and records related to Moore’s extensive involvement with his children.

Moore’s influence upon the education and careers of his two children, Alwine Jane Moore and Kent Moore is also documented. These records include Jane Moore’s correspondence from Europe during the period from 1931 to 1935 as she continued her collegiate study of economics and gathered statistical data for her doctoral dissertation on migration patterns in Sweden. There is also a substantial amount of correspondence sent and received from Kent Moore while he served in the U. S. Army during World War II.

The researcher should be alert to the possibility that materials relating to the same topic may be collocated in more than one section and/or series in this collection. For example, materials relating to the administration of the estate of his maternal grandfather, Abraham Underhill, may be found in this Series under “Abraham Underhill estate” and in Series I under the name of the attorney for the estate (Daniel Burke).

<table>
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<th>Container</th>
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<td>b. 35, f. 1</td>
<td>Moore, Henelia Wilhelmi-dance cards</td>
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<td>b. 35, f. 4</td>
<td>Correspondence and newspaper articles relating to death of William Oliver Moore</td>
<td>1929–1943, n. d.</td>
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**Correspondence**

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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.

Subjects
Banks and banking -- Connecticut -- New Haven
Behaviorism (Psychology)
Educators
Families
Law -- Psychological aspects
Law teachers
Lawyers
Lawyers
Ocean travel

Genres / Formats
Diaries

Names
Callahan, Charles C.
Moore, Wm. Underhill (William Underhill), 1879-1949
Moser, Theodore P.
Underhill, Abraham

Corporate Bodies
Columbia University. School of Law
Yale Law School
Yale University -- Faculty
Yale University. Institute of Human Relations