

# Guide to the Fowler Vincent Harper Papers

MS 1347



compiled by Terry Hsu

December 1982

Yale University Library  
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New Haven, CT 06520-8240  
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## Collection Overview

**REPOSITORY:** Manuscripts and Archives  
Yale University Library  
P.O. Box 208240  
New Haven, CT 06520-8240  
(203) 432-1735  
(203) 432-7441  
beinecke.library@yale.edu  
<http://www.library.yale.edu/mssa/>

**CALL NUMBER:** MS 1347

**CREATOR:** Harper, Fowler V. (Fowler Vincent), 1897-1965

**TITLE:** Fowler Vincent Harper papers

**DATES:** 1941-1966

**PHYSICAL DESCRIPTION:** 1.25 linear feet (3 boxes)

**LANGUAGE:** English

**SUMMARY:** The papers consist of legal documents, correspondence and newspaper clippings relating to Harper's participation as a party or as attorney on cases involving government prosecution of alleged Communists during the McCarthy era of the late 1940s and 1950s. Included are papers on his own libel suit against the Hearst newspapers (1947-1948), his defense of Lyman R. Bradley in a suit against New York University (1951-1952) and of J.P. Peters in a loyalty investigation (1952-1954). Also in the papers are a small amount of personal correspondence, speeches, printed matter and memorabilia.

**ONLINE FINDING AID:** To cite or bookmark this finding aid, please use the following link: <https://hdl.handle.net/10079/fa/mssa.ms.1347>

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## 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 <https://hdl.handle.net/10079/fa/mssa.ms.1347>.

To order reproductions from this collection, please go to [http://www.library.yale.edu/mssa/ifr\\_copy\\_order.html](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

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## Administrative Information

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### Immediate Source of Acquisition

Transferred from Yale University Law School Library, 1982.

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### Conditions Governing Access

The materials are open for research.

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### Conditions Governing Use

Copyright status for collection materials is unknown. Transmission or reproduction of materials protected by U.S. Copyright Law (Title 17, U.S.C.) beyond that allowed by fair use requires the written permission of the copyright owners. Works not in the public domain cannot be commercially exploited without permission of the copyright owners. Responsibility for any use rests exclusively with the user.

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### Preferred Citation

Fowler Vincent Harper Papers (MS 1347). Manuscripts and Archives, Yale University Library.

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## Biographical / Historical

Fowler V. Harper, lawyer and legal educator, was born on July 21, 1897 in Germantown, Ohio. After earning several advanced legal and academic degrees, he served on the faculties of the University of North Dakota, University of Oregon, and Indiana University law schools. He then joined the faculty of the Yale Law School in 1947 and was named Simeon E. Baldwin Professor of Law in 1957. His association with Yale continued until his death on January 8, 1965.

Harper was best known for his publications in the legal field of torts, which concerns the private remedies for personal injury, and for his controversial advocacy of civil rights and liberties during the post-World War II "McCarthy Era."

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## Scope and Contents

The Fowler V. Harper Papers consist of materials related to several legal cases in which Harper was involved as a party or attorney. The cases all concern, directly or indirectly, controversies provoked through the widespread government prosecution and public condemnation of alleged Communists during the "McCarthy Era" of the late 1940s and 1950s.

A substantial portion of the materials (1946-1953) consists of legal papers and newspaper clippings pertaining to Harper's own libel suit against several Hearst newspapers for their coverage of an investigation of Harper's loyalty in 1946. (*Harper v. Hearst Consolidated Publications*). The investigation was provoked when Harper signed a petition asking that the Communist Party be given a place on a 1947 Indiana election ballot. In response, the American Legion demanded an investigation, which was eventually ordered by the Governor of Indiana. Harper and several others were questioned. Harper's libel suit concerning press coverage of this investigation was finally settled out of court, and Harper received damages and retractions in most of the newspapers.

The papers also contain materials for another suit in which Harper represented Lyman R. Bradley's claim against New York University for back pay, Bradley, a teacher at Washington Square College, was suspended when he received a jail sentence for contempt in connection with accusations of "un-American activities."

The legal papers and materials indicate that Harper's claim on behalf of Bradley was that the suspension was invalid, since it was for reasons unrelated to Bradley's professional abilities.

Materials are also found in the collection concerning Harper's representation of Dr. J.P. Peters of the Yale Medical School in a loyalty investigation ordered by the Loyalty Review Board of the Civil Service Commission. Correspondence, clippings and accounts indicate that active support and monetary contributions were given by numerous individuals to Harper's representation of Peters. Copies of legal arguments, proceedings, and memoranda for the hearing reveal the procedures followed in such investigations.

In addition to the above materials, the collection includes a small amount of personal correspondence, speeches and memorabilia.

## Collection Contents

### Inventory, 1941-1966

	American Legion Investigation	
b. 1, f. 1	Press clippings, correspondence, statements	1946
	Harper v. Hearst Consolidated Publications	
b. 1, f. 2	Illinois Publishing and Printing Co. correspondence, complaint, brief	1944-1948
b. 1, f. 3	<i>Milwaukee Sentinel</i> : correspondence, transcript, testimony English A copy of this material is available in digital form from Manuscripts and Archives. Contact Manuscripts and Archives at <a href="mailto:beinecke.library@yale.edu">beinecke.library@yale.edu</a> to request access to the digital copy.	1947-1948
b. 1, f. 4	<i>New York Herald Tribune</i> : correspondence, complaints, appeal	1947-1953
	Bradley v. N.Y.U.	
b. 1, f. 5	N.Y.U. Hearing	1951-1952
b. 1, f. 6	Court Case	1951-1952
	Peters v. Hobby	
b. 1, f. 7	Argument, complaint	1952-1954
b. 1, f. 8	Complaint, memoranda, correspondence	1952-1954
b. 2, f. 9	Correspondence	1952-1954
b. 2, f. 10	contributions, correspondence sent	1953-1954
b. 2, f. 11	Contributions, correspondence received	1953-1955
b. 2, f. 12	Contributions	1954-1955
b. 2, f. 13	Press clippings	1954-1955
b. 2, f. 14	Eulogy	undated
b. 2, f. 15	McCarthy debate	1954
b. 2, f. 16	<i>Harper v. National Review</i> : exhibits English	1964-1965
b. 2, f. 17	<i>Harper v. San Francisco Examiner</i> : correspondence English	1962
	<u>Miscellaneous</u>	
b. 2, f. 18	Bibliographies	undated
b. 3, f. 19	Correspondence: personal	1941-1966
b. 3, f. 20	Correspondence: commendations	1945-1965

## Miscellaneous (continued)

b. 3, f. 21	Correspondence: U.S. Specialist Program	1960-1963
b. 3, f. 22	Report of the Joint Army-Navy Committee on Welfare and Recreation	1946
b. 3, f. 23	Speeches	1946
b. 3, f. 24	Speech material	1950-1962
b. 3, f. 25	Speech by Fowler V. Harper "To Live in Freedom and Defend It," <i>Jewish Life</i>	1951
b. 3, f. 26	Pamphlets and Publications	1951-1964
b. 3, f. 27	Memorabilia and memorials	
b. 3, f. 28	Memorabilia	

## **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**

Civil rights -- United States  
Educators  
Law  
Lawyers  
Libel and slander -- United States  
Political rights -- United States

### **Geographic Names**

United States -- Politics and government --  
1945-1953

### **Names**

Bradley, Lyman R., d. 1979  
Harper, Fowler V. (Fowler Vincent), 1897-1965  
Peters, John P. (John Punnett), 1887-1955

### **Corporate Body**

Yale University -- Faculty