

Guide to the Boris I. Bittker Papers

MS 1869



compiled by Barbara Heck and staff of Manuscripts and Archives

January 2007

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Table of Contents

Collection Overview	3
Requesting Instructions	3
Administrative Information	4
Immediate Source of Acquisition	4
Conditions Governing Access	4
Conditions Governing Use	4
Preferred Citation	4
Biographical / Historical	4
Scope and Contents	4
Arrangement	5
Collection Contents	6
Series I: Correspondence, 1939-2004, undated	6
Series II: Topical files, 1939-2006, undated	11
Accession 2014-M-011: Additional material, 1941-1995	13
Accession 2014-M-060: Additional material, 1938-1941	14
Selected Search Terms	15

Collection Overview

REPOSITORY: Manuscripts and Archives
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CALL NUMBER: MS 1869

CREATOR: Bittker, Boris I., 1916-2005

TITLE: Boris I. Bittker papers

DATES: 1938-2006

BULK DATES: 1959-1986

PHYSICAL DESCRIPTION: 11 linear feet (22 Boxes)

LANGUAGE: English

SUMMARY: The papers consist of correspondence, legal pleadings, memoranda, newspaper clippings, reports, subject files, and writings that document Boris I. Bittker's career as a professor at Yale Law School from 1946 to 2006. In addition to voluminous materials relating to taxation, the papers also include correspondence and subject files relating to Bittker's book, *Case for Black Reparations* (1973), and a small amount of materials relating to his role in the prosecution of the case of *Ex Parte Quirin* as a lawyer in the Office of Lend-Lease Administration from 1942-1943. Accession 2014-A-060 contains course notes from Yale Law School, 1938-1941.

ONLINE FINDING AID: To cite or bookmark this finding aid, please use the following link: <https://hdl.handle.net/10079/fa/mssa.ms.1869>

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.1869>.

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 Daniel Bittker and Susan Bittker, 2006. Transferred from the Yale Law Library, 2013-2014.

Conditions Governing Access

The materials are open for research.

Conditions Governing Use

Copyright is retained by Daniel Bittker and Susan Bittker for materials Boris I. Bittker authored or otherwise produced. After the lifetimes of both Daniel Bittker and Susan Bittker, copyright passes to Yale University. Copyright status for other 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.

Preferred Citation

Boris I. Bittker Papers. (MS 1869). Manuscripts and Archives, Yale University Library.

Biographical / Historical

Boris Irving Bittker was born on November 16, 1916, in Rochester, New York. He received his B.A. from Cornell University in 1938. Bittker attended Yale Law School and obtained his LL.B. in 1941. He clerked for Judge Jerome N. Frank on the U. S. Court of Appeals for the Second Circuit.

Bittker worked as an attorney in the Office of Emergency Management, Foreign Economic Administration (Lend-Lease Administration) from 1942 until he was inducted into the Army. He served as an infantryman in Europe and was awarded a Purple Heart. In 1946, he returned to Yale Law School as an assistant professor and was thereafter promoted to the posts of Southmayd Professor (1951), Sterling Professor of Law (1970), and Professor Emeritus (1983). Bittker was a prolific author and renowned expert in taxation, as evidenced by his two most influential casebooks *Federal Income, Estate, and Gift Taxation* and *Federal Income Taxation of Corporations and Shareholders*.

Boris I. Bittker died on September 8, 2005, and was survived by his two children, Daniel Bittker and Susan Bittker.

Scope and Contents

The papers consist of correspondence, legal pleadings, memoranda, newspaper clippings, reports, subject files, and writings that document Boris I. Bittker's career as a professor at Yale Law School from 1946 to 2006. In addition to voluminous materials relating to taxation, the papers also include correspondence and subject files relating to Bittker's book, *Case for Black Reparations* (1973) and a small amount of materials relating to his role in the prosecution of the case of *Ex Parte Quirin* as a lawyer in the Office of Lend-Lease Administration from 1942-1943. Accession 2014-A-060 contains course notes from Yale Law School, 1938-1941.

The Boris I. Bittker Papers were processed as a collaborative effort between Manuscripts and Archives and the Yale Law School to document the careers and accomplishments of Law School faculty and alumni.

Arrangement

Arranged in two series and two additions: I. Correspondence, 1939-2004, undated. II. Topical Files, 1939-2006, undated.

Collection Contents

Series I: Correspondence, 1939-2004, undated

There are two sets of correspondence. The first set is a series of folders arranged alphabetically by last name of correspondent.

The second set is a copy of numbered correspondence from 1980 to 1997 maintained in chronological order. At the beginning of each folder, there is a handwritten index indicating the name of each correspondent and the page number(s) for copies of letters to that individual. For example, the handwritten list for June 1980 to February 1981 indicates that letters to "Adams" will be found on pages 139, 155, and 195. There is no index for the period between July 1996 and November 1997.

Items outside the specified dates may appear in the folders. Researchers should check each folder for complete accuracy.

b. 1, f. 1	Abrahamson-Albertus Magnus College	1968-2000
b. 1, f. 2	Albrecht-American Bar Foundation	1966-2001
b. 1, f. 3	American Civil Liberties Union-American College of Tax Counsel	1955-2001
b. 1, f. 4	American Heart Association-Ayres	1983-2001
b. 1, f. 5	Aaron, Henry	1969-1989
b. 1, f. 6	American Law Institute	1961-1983
b. 1, f. 7	American Association of University Professors (AAUP)-Arkansas Act 10 Litigation Fund (AALS)	1960-1961
b. 1, f. 8	Arent, Albert E.	1946-1978
b. 1, f. 9	Asimow, Michael R.	1975-1989
b. 2, f. 10	Bachman-Beghe	1959-2002
b. 2, f. 11	Begleiter-Bhatia	1969-2004
b. 2, f. 12	Biale-Blumstein	1949-1998
b. 2, f. 13	Bobbit-Boyle	1969-2002
b. 2, f. 14	Braden-Brooks	1961-2004
b. 2, f. 15	Brown-Bywaters	1958-2004
b. 3, f. 16	Blum, Walter	1950-1986
b. 3, f. 17	Cabranes-Capron	1963-2004
b. 3, f. 18	Cardozo-Chambers	1975-2003
b. 3, f. 19	Chansue-Cochran	1969-2000
b. 3, f. 20	Coe-Connecticut	1971-2001
b. 3, f. 21	Conyers-Cutler	1982-2001

b. 3, f. 22	<i>Case for Black Reparations</i> (Toni Morrison) English	1971-1973
b. 4, f. 23-24	Chirelstein, Marvin	1955-2004
b. 4, f. 25	Cleveland State University	1983-1987
b. 4, f. 26	Coker, Francis W. Jr. and Kathie	1954-1971
b. 4, f. 27	<i>Commentary</i>	1990
b. 4, f. 28	Cone, Sidney	1961-1983
b. 4, f. 29	Commission on College Retirement	1984-1988
b. 4, f. 30	Cooley Lectures (University of Michigan)	1973-1974
b. 4, f. 31	Countryman, Vernon	1959-2000
b. 4, f. 32	<i>Constitutional Commentary</i>	1990-1997
b. 4, f. 33	Dahl-Ditkof	1967-2003
b. 4, f. 34	Diversity-Dworsky	1960-1999
b. 5, f. 35	Denning, Brannon	1997-2003
b. 5, f. 36	Easterbrook-Euro-Dutch	1972-2003
b. 5, f. 37	Emden, Norman and Helen	1948-1979
b. 5, f. 38	Emerson, Thomas I. and Ruth	1976-1991
b. 5, f. 39	Emory, Meade	1977-1995
b. 5, f. 40-42	Eustice, James	1964-2002
b. 5, f. 43	Fair-Firestone	1972-2002
b. 6, f. 44	First-Frost	1969-2004
b. 6, f. 45	Frank, Jerome	1941-1946
b. 6, f. 46-47	Frank, Estate of Jerome	1947-1997
b. 6, f. 48	Gaggini-George	1975-1998
b. 6, f. 49	Getman-Gnaizda	1962-2001
b. 6, f. 50	Gold-Gwynne	1946-2000
b. 6, f. 51	Ghana taxation	1962-1963
b. 6, f. 52	Griswold, Erwin N.	1951-1994
b. 7, f. 53	Haber-Hector	1956-1999
b. 7, f. 54	Heider-Hutton	1960-2000
b. 7, f. 55	Hamilton, Walton	1939-1989

b. 7, f. 56	Hawaii Tax Institute	1983-1984
b. 7, f. 57	Idleman-Isenbergh	1944-2004
	Internal Revenue Service	
b. 7, f. 58	General	1957-1994
b. 7, f. 59	<i>Commissioner v. Clay B. Brown</i> (Clay Brown)	1965
b. 7, f. 60	Jachino-Joseph	1957-2002
b. 7, f. 61	Kabaservice-Kezarian	1981-2001
b. 8, f. 62	Killingsworth-Kornhauser	1976-2002
b. 8, f. 63	Kowitz-Kurz	1899-2004
b. 8, f. 64	Kahn, Estate of Joan	1981-1996
b. 8, f. 65	Klein, William A.	1975-1990
b. 8, f. 66	Labaton-Laurents	1968-2000
b. 8, f. 67	Lawrence-Lewis	1981-2003
b. 8, f. 68	Lieberman-Lytton	1980-2004
b. 8, f. 69	Little, Brown and Company	1983-1996
b. 8, f. 70	Lokken, Lawrence	1981-2001
b. 9, f. 71-73	Lyon, Charles S.	1952-1983
b. 9, f. 74	Macey-Miller	1952-2003
b. 9, f. 75	Mills-Musgrave	1975-1999
b. 9, f. 76	McAniff-McClure	1968-2000
b. 9, f. 77	McMahon-McNulty	1983-2001
b. 9, f. 78	MacDonald, William	1966-1994
b. 10, f. 79	Mueller, Addison	1951-1981
b. 10, f. 80	Nacev-Newman	1973-2002
b. 10, f. 81	New Mexico-Norton	1965-1997
b. 10, f. 82-83	National Resources Defense Council	1980-2003
b. 10, f. 84-85	New Haven Legal Assistance, Inc.	1982-2003
b. 10, f. 86	Oakes-Oxford	1972-2001
b. 10, f. 87	Ohio State Law Forum (Black Reparations)	1969-1972
b. 11, f. 88	Pacheco-Peat	1956-2002

b. 11, f. 89	Pechman-Pushaw	1977-2003
b. 11, f. 90	Pollack, Louis	1949-2000
b. 11, f. 91	Quigley-Quinnipiac	1990-1995
b. 11, f. 92	Rahdert-Ritter	1976-2002
b. 11, f. 93	Roberts-Rose	1946-2002
b. 11, f. 94	Rosen-Ruttenerg	1967-2004
b. 11, f. 95	Redlich, Norman	1951-2002
b. 12, f. 96-97	Rostow, Eugene	1940-2003
b. 12, f. 98	Rothman & Co., Fred B. (<i>Collected Legal Essays</i>)	1989-1990
b. 12, f. 99	Safire-Schlesinger	1975-2002
b. 12, f. 100	Schmidt-Segall	1970-2002
b. 12, f. 101	Serling-Shulter	1941-2001
b. 12, f. 102	Siegan-Stapleton	1968-2004
b. 12, f. 103	Starcher-Swords	1946-2001
b. 13, f. 104-106	Stern, Carl	1949-2004
b. 13, f. 107	Stix family	1997-1999
b. 13, f. 108	Stone, Laurence	1968-1995
b. 13, f. 109	Streng, William	1977-1987
b. 13, f. 110	Taft-Thompson	1968-1999
b. 13, f. 111	Thorne-Tversky	1972-2000
b. 13, f. 112	Treasury Department	1954-1977
b. 13, f. 113	Troyer, Thomas	1967-1986
b. 14, f. 114	Ture, Norman	1952-1991
b. 14, f. 115	Uelmen-Untermeyer	1975-1992
b. 14, f. 116	Vafai-Vorenberg	1976-1994
b. 14, f. 117	Wadsworth-Waters	1978-2001
b. 14, f. 118	Watt-Winter	1971-2001
b. 14, f. 119	Wisconsin-Wyzanski	1965-2001
b. 14, f. 120	Wallace, Gerald	1952-1990
b. 14, f. 121	Warren, Alvin	1975-1987

b. 14, f. 122	Warren, Gorham & Lamont	1991-1995
b. 14, f. 122	Weinfeld, Edward	1952-1986
b. 14, f. 124	Yale-Young	1979-2001
b. 14, f. 125	Yale Law Journal	1970-1999
b. 15, f. 126	Yale Law School Class of 1941 Reunion Committee	1990-2001
b. 15, f. 127	Zalenck-Zolt	1954-2001
b. 15, f. 128-129	June 1980-February 1981	1980-1981
b. 15, f. 130-131	June 1981-January 1982	1981-1982
b. 15, f. 132-133	February 1982-August 1982	1982
b. 15, f. 134-135	September 1982-June 1983	1982-1983
b. 15, f. 136-137	July 1983-March 1984	1983-1984
b. 16, f. 138-140	April 1984-June 1985	1984-1985
b. 16, f. 141-143	July 1985-June 1986	1985-1986
b. 16, f. 144-145	July 1986-May 1987	1986-1987
b. 16, f. 146-147	June 1987-May 1988	1987-1988
b. 16, f. 148-149	June 1988-May 1989	1988-1989
b. 17, f. 150-151	June 1989-June 1990	1989-1990
b. 17, f. 152-153	July 1990-June 1991	1990-1991
b. 17, f. 154-155	July 1991-June 1992	1991-1992
b. 17, f. 156	September 1992-August 1993	1992-1993
b. 17, f. 157	September 1993-June 30, 1994	1993-1994
b. 17, f. 158-160	July 1994-June 1996	1994-1996
b. 17, f. 161-162	July 1996-November 1997	1996-1997

Series II: Topical files, 1939-2006, undated

This series includes correspondence, memorandums, newspaper clippings, publications, and other written materials from professional organizations that Boris I. Bittker was employed by, or subject files that he created. Arranged alphabetically by topic or organization name.

Bittker's participation in the prosecution of German saboteurs during World War II is documented in the folders titled *Ex Parte Quirin* and Office of Lend-Lease Administration. Bittker's interest in race relations and civil rights are shown in his mid-1960s research on black reparations and his 'Black Lawyer' seminar at Yale Law School.

Bittker, Boris I.		
b. 18, f. 163	Bar admissions	1942-2002
b. 18, f. 164	Lectures	1995
b. 18, f. 165-166	Personal	1939-2003
b. 18, f. 167	Photographs	undated
b. 18, f. 168-170	Black reparations	1969-2003
b. 18, f. 171-172	<i>Ex Parte Quirin</i> -German saboteurs case English	1942-1997
b. 19, f. 173-174	unspecified	
b. 19, f. 175	Humor and parody	1973-1977, 2005-2006
b. 19, f. 176	Income Tax-Citizen's Guide	1975
b. 19, f. 177	Istanbul	2000
b. 19, f. 178	Multicultural society	1990-1991
b. 19, f. 179-182	Office of Lend-Lease Administration (1942-1943)	1942-1945
U. S. Treasury Department		
b. 20, f. 183	<i>Clay Brown</i> legislation English	1966
b. 20, f. 184-186	Exempt organization advertising	1963-1968
b. 20, f. 187	<i>U. S. v. Jackson, et. al.</i> (Smith Act case) English	1957-1958
Yale Law School		
Publications		
b. 20, f. 188	<i>Legal Affairs</i> magazine English	2002
b. 20, f. 189-190	<i>The Yale Survey of Current Legal Issues</i> English	1995-1996

Yale Law School (continued)

Seminars

b. 20, f. 191	Black lawyer	1966-1969
b. 20, f. 192	Political and civil rights	1968-1969

Accession 2014-M-011: Additional material, 1941-1995*0.5 linear feet (1 box)*

This accession consists of correspondence, notes, and drafts of several unpublished manuscripts by Bittker.

b. 1, f. 1	Correspondence	1941-1995
b. 1, f. 2	Notes	Circa 1941
Manuscript drafts		
b. 1, f. 3	"A Functional Approach to Future Interests" English	Circa 1941
b. 1, f. 4	"Future Interests Restated: Tradition versus Clarification and Reform" English	Circa 1941
	"Legal and Equitable Future Interests: a Comparison"	1941
b. 1, f. 5	Manuscript	
b. 1, f. 6	Typescript	
b. 1, f. 7	"The Transmission of Wealth from Generation to Generation..." English	Circa 1941
b. 1, f. 8	Unidentified manuscript fragments	Circa 1941

Accession 2014-M-060: Additional material, 1938-1941

0.5 linear feet (1 box)

Handwritten course notes of law courses taken by Bittker, with some Law School examinations (associated with the notes), and "canned briefs" of notes sold by law students.

b. 1, f. 1-13

Course notes

1938-1941

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

African Americans -- Civil rights
African Americans -- Legal status, laws, etc.
Compensation (Law) -- United States
Educators
Law teachers
Lawyers
Reparations for historical injustices
Restitution -- United States

Geographic Names

United States -- Claims

Names

Bittker, Boris I., 1916-2005

Corporate Bodies

Yale Law School
Yale University -- Faculty