

June 11, 1959.

Mr. David C. Mearns,  
Chief, Manuscript Division,  
The Library of Congress,  
Washington 25, D.C.

Dear Mr. Mearns:

In your letter of June 4th you suggest the possibility of deposit of the papers of my father, Pierce Butler, and I am in entire agreement with the suggestion.

However, as far as matters of the Supreme Court were concerned, Father was extremely careful to preserve the confidential policy of his own views on matters while they were pending and also his views on matters which had been decided in so far as they might reflect the discussions in the Court or even his own initial observations. As a result of this he was quite careful to destroy anything relating to those matters other than the published opinion and on the afternoon of his death his clerk -- I have always assumed that pursuant to instructions -- destroyed what was then pending.

We have of course a great many papers dealing with his practice of the law in this office and also a great many personal papers, but none of those would be of particular value to the Library of Congress and would require initial winnowing and subsequent storage space without appropriate justification for the expense.

The same question arose in conversation three or four years ago with the Dean of the Yale Law School, who has received the papers of John M. Harlan, Sr., with like results.

Yours very truly,

FDB AW