Guide to the Charles Doe Papers, 1841-1957

Administrative Information

Title and Dates:
Charles Doe Papers, 1841-1957

Repository:
New Hampshire Historical Society
30 Park Street
Concord, NH 03301
603-228-6688
http://www.nhhistory.org/

Collection Number:

Author of Finding Aid:
Mary Ann Gunderson

Creator:
Doe, Charles, 1830-1896

Language:
The materials in this collection are in English.

Extent:
12 boxes and 3 folders

Abstract:
The Charles Doe Papers, 1841-1957 at the New Hampshire Historical Society document Charles Doe’s career as student, Assistant Clerk of the State Senate, County Solicitor, Associate Justice and Chief Justice of the Supreme Judicial Court of New Hampshire. The collection includes correspondence, accounts, case notes, and draft opinions.
Access and Use

Acquisition Information and Provenance:
The majority of the collection arrived with accession 1984.066, but there are several other accessions which comprise the entire Charles Doe Papers. The accession numbers are: 1986.036 (m), 1988.033 (m), 1983.031 (m), 2001.003, and 1984.080 (a), 1986-036 (m) was a gift of Richard Upton, 1986. The acquisition of 1984.066 was made possible by personal contributions from Richard Upton, Justice David Souter, and Chief Justice John King. 2014.085 was purchased from Resser – Thorner Auction House in October 2014. The remaining accessions were either purchased or lack original provenance information.

Processing Information:
Mary Ann Gundersen processed the collection in September 1984. The processing of the collection was made possible by personal contributions from Richard Upton, Justice David Souter, and Chief Justice John King. The finding aid was updated by Sarah Galligan, November 2013, to follow the standards set-forth by Describing Archives: A Content Standard.

Access Restrictions:
Available for research.

Location:
The collection is housed at the New Hampshire Historical Society in Concord, New Hampshire.

Physical Characteristics and Technical Requirements:
No special physical characteristics or technical requirements exist for this collection.

Copyright/Conditions Governing Use:
For permission to reproduce or publish materials from this collection, please contact the New Hampshire Historical Society. Researchers are responsible for following all copyright and intellectual property laws.

Preferred Citation:

Collection Overview

Biographical Information/ Administrative Information:
Charles Doe was born on April 11, 1830 in Derry, NH to Joseph and Mary Bodewell (Ricker) Doe. He soon after moved to Somersworth (now Rollinsford), NH. In 1841, Doe attended Berwick Academy in South Berwick, ME. He briefly attended Andover Academy in Andover, MA in 1845 before moving on to Harvard University in Cambridge, MA. Doe transferred to Dartmouth College in Hanover, NH, where he
graduated in 1849. Between 1849 and 1854, he worked in the law office of Daniel M. Christie of Dover, NH, as assistant clerk of the New Hampshire State Senate and attended Harvard Law School in Cambridge, MA. From 1853 to 1856, Doe served as Strafford County Solicitor.

In 1859, Doe changed his party affiliation from Democrat to Republican. On September 23, 1859, Doe was appointed Associate Justice of the Supreme Court of New Hampshire. He married Edith Haven, daughter of George Wallis Haven of Portsmouth, NH in 1865. The New Hampshire judicial branch was reorganized between 1874 and 1876, and Doe was not reappointed to the Supreme Court. Then, in 1876, Doe was appointed as Chief Justice of the New Hampshire Supreme Court. Doe held that position until his death on March 9, 1896 in Rollinsford, NH.

Chief Justice Doe was a nationally recognized juror and at one time was recommended for a seat on the United States Supreme Court. During his career on the bench, he was recognized for his innovation in the field of legal procedure and evidence. Judge Doe has also received special note for his decisions concerning mental disorders. His decisions in Boardman v. Woodman, State v. Pike, and State v. Jones set important precedents for cases involving insanity and established by the New Hampshire Doctrine, which rejected the use of tests to determine the sanity of a witness, thus leaving the jury to decide the issue based on the facts involved in the case.

Collection Scope and Content Note:
The Charles Doe Papers at the New Hampshire Historical Society cover the period from 1841 to 1957 documenting Charles Doe’s career as a student, Assistant Clerk of the State Senate, County Solicitor, Associate Justice, and Chief Justice of the Supreme Judicial Court of New Hampshire.

The collection consists of correspondence, arranged chronologically and volumes of case notes, drafts of opinions, and accounts. The correspondence begins in 1841 with letters received by Doe from his school friends. Later correspondents include Samuel D. Bell, Ira Perley, William E. Chandler, John Parker Hale, Henry W. Blair, John G. Palfrey, and Jeremiah Smith. Both personal and business correspondence is present throughout the collection. A printed name index appears with the collection (only relates to accession 1984.066). The volumes within the collection include Doe’s notebooks recording his expenses while in school. Four volumes are from Doe’s law practice in Dover, NH. Two volumes are the account books of Charles Doe and his father, Joseph Doe. The remaining volumes are case notes and drafts of opinions from 1859 to 1883.

Doe put a large amount of historical and contemporary research into writing his opinions, so that his opinions often served as informative scholarly sources for his colleagues. In its entirety, the collection offers both a personal glimpse into the thinking as a legal scholar, and a political view of the New Hampshire judicial system during the later half of the nineteenth century.
Arrangement:
The collection is divided into sex series based upon the accession number of the papers in order to maintain the current arrangement of the entire collection of papers.

   Sub-series I. Correspondence, 1841-1891 (includes one letter, 2014.085)
   Sub-series II. Volumes, 1845-1890
Series II. Charles Doe Papers, 1856-1886, 1957 (1983.031 (m))
Series IV. Charles Doe Correspondence, 1861-1868 (1986.036 (m))
Series V. Charles Doe Correspondence, 1866-1868 (1988.033 (m))

Contents List

Series I. Charles Doe Papers, 1841-1890
Accession Number: 1984.066
Extent: 10 boxes including 45 volumes
Scope and Content: Series one consists of the correspondence, expense books, account books, and volumes containing notes and drafts for court opinions. The series is divided into two sub-series: Sub-series I. Correspondence, 1841-1890 and Sub-series II. Volumes, 1845-1883.

Sub-series I. Correspondence, 1841-1890
Extent: 3 boxes
Scope and Content Note: Sub-series one consists of correspondence, arranged chronologically. The correspondence begins in 1841 with letters received by Doe from his school friends. There is also a letter written in 1849 from Charles Doe to his father describing his meeting with President Zachary Taylor. Other correspondents include Samuel D. Bell, Ira Perley, William E. Chandler, John Parker Hale, William W. Blair, John G. Palfrey, and Jeremiah Smith. Both personal and business correspondence is located within the collection. A name index appears at the beginning of Box 1.

Box 1
Folder 1 Correspondence, 1841-1845
Folder 2 Correspondence, 1846-1847
Folder 3 Correspondence, 1848-1849
Folder 4 Correspondence, 1850-1853
Folder 5 Correspondence, 1854
Folder 6 Correspondence, 1855
Folder 7 Correspondence, 1857-1859
Folder 8 Correspondence, 1860-1861
Folder 9 Correspondence, 1862-1864
Folder 10 Correspondence, 1865
Sub-series II. Volumes, 1845-1883
Extent: 7 boxes
Scope and Content: Sub-series two contain 45 volumes dated 1845 to 1883 from the life of Charles Doe. The volumes include expenses while Doe was at school, account books from Doe’s Dover law practice, and notes on opinions and cases from Doe’s service on the New Hampshire Supreme Court.

Box 4
Volume 1 Expenses at Andover Academy, Andover, MA, 1845
Expenses at Cambridge, MA, 1845-1846
Expenses at Hanover, NH, 1846-1848
Accounts, July 1864
Volume 2 Dockets, Dover, NH Law Office, September 15, 1854
Volume 3 Cash accounts, Dover, NH Law Office, September 15, 1854
Volume 4 Daybook, Dover, NH Law Office, September 15, 1854
Volume 5 Ledger, Dover, NH Law Office, September 15, 1854

Box 5
Volume 1 Supreme Judicial Court, Grafton, Eastern District at Plymouth, NH, November 3, 1859 – November 23, 1859, “No. 1”
Volume 2 November Term, 1859, Concord, NH February Term, 1860, “No. 2”
Volume 3 Concord, NH February Term, 1860 (continued); Ossipee, NH April Term, 1860, “No. 3”
Volume 4 Ossipee, NH April Term, 1860 (continued); Plymouth, NH May Term, 1860, “No.4”
Volume 5 Plymouth, NH May Term, 1860 (continued), “No. 5”
Volume 7 Amherst, NH, September 4, 1860

Box 6
Volume 1 Amherst, NH, September 1860 (continued), Portsmouth, NH, October 1860
Volume 2 Keene, NH, October 20, 1863
Volume 3 Ossipee, NH, October 1864, Lancaster, NH, November 1864
Volume 4 Lancaster, NH, November 1864
Volume 5 Keene, NH, October 1865
Volume 6 Portsmouth, NH, October 16, 1866
Volume 7 Portsmouth, NH, October 1866 (continued); Exeter, January 15, 1867

Box 7
Volume 1 Exeter, NH, 1867 (continued)
Volume 2 Keene, NH, April 2, 1867; Dover, NH, September 3, 1867; Portsmouth, NH, October 15, 1867
Volume 3 Portsmouth, NH, October 1867 (continued)
Volume 4 Portsmouth, NH, October 1867 (continued)
Volume 5 Manchester, NH, January 7, 1868; Colebrook, NH, February 4, 1868; Dover, NH, September 1, 1868
Volume 6 Hale v. Everett, December 1868, “No. 3”
Volume 7 Manchester, NH, January 4, 1870

Box 8
Volume 1 Manchester, NH, March 14, 1870 (continued); Adj. Term
Volume 2 Dover, NH, October 10, 1870; Portsmouth, NH, October 1870, State v. Jones and other cases
Volume 3 Haverhill, NH, March 1871
Volume 4 Concord, NH, October 1872, “No. 2”
Volume 5 Concord, NH, October 1872, “No. 3”
Volume 6 Concord, NH, October 1872, “No. 4”
Volume 7 Haverhill, NH, March 1873

Box 9
Volume 1 State v. Campbell (continued), Canaan, NH, July 14, 1873
Volume 2 Ossipee, NH, October 21, 1873
Volume 3 Manchester, NH, January 6, 1874
Volume 4 Manchester, NH, February 2, 1874
Volume 5 Exeter, NH Term, June 1877 – July 6, 1877
Volume 6 Lancaster, NH, November 6, 1877; Colebrook, NH, February 5, 1878; Manchester, NH, October 1878; Lancaster, NH, November 7, 1878
Volume 7 Newport, NH, January 28, 1879
Volume 8 Newport, NH, January 1879 (continued)

Box 10
Volume 1 Bowles v. Town of Landaff and other cases, June 1879
Series II. Charles Doe Papers, 1856-1886, 1857
Accession Number: 1983.031 (m)
Extent: 1 folder
Scope and Content: Series two contains correspondence between Charles Doe and constituents dated 1856 to 1886. This series also contains two printed documents labeled “Printed only for Private Use” and a newspaper clipping from the Concord Daily Monitor, February 12, 1957 titled, “Kenison Lauds Pioneer Work by Doe in Insanity Question.”

Series III. Joseph Doe and Charles Doe Account Books, 1820-1886
Accession Number: 1984.080 (A)
Extent: 1 box
Scope and Content: Series three contains two daybooks kept by Joseph Doe and Charles Doe in Somersworth, NH, now Rollinsford, NH. Joseph Doe’s accounts are for work done on the farm in Somersworth. Charles Doe used one of the books after his father’s death to record prescriptions and for recording information about his planting, mostly of apples.

Series IV. Charles Doe Correspondence, 1861-1868
Accession Number: 1986.036 (m)
Extent: 1 folder
Scope and Content: Series four contains eight letters from Henry W. Blair, Jacob Benton, and Josiah Benton, Jr.

Letter 1 Letter from Blair to Doe concerning the upcoming trial of the Williams murder case, July 8, 1861
Letter 2 Letter from Blair to Doe asking for a recommendation for appointment as Major in one of the 9 militia regiments, September 15, 1862
Letter 3 Letter from Blair to Doe about Blair’s health and professional life, September 28, 1863
Letter 4 Letter from Blair to Doe referring to the vacancy on the Federal District Court in New Hampshire, May 25, 1866
Letter 5 Letter from Blair to Doe discussing the upcoming election of a United States Senator from New Hampshire, June 4, 1866
Letter 6 Letter from Blair to Doe discussing Blair’s candidacy for the New Hampshire State Senate, March 5, 1868
Letter 7 Letter from Jacob Benton in Washington, DC to Doe, February 27, 1868
Letter 8 Letter from Josiah Benton to Doe approving of the appointment of Jordan as Clerk of the Court
Series V. Charles Doe Correspondence, 1866-1868  
Accession Number: 1988.033 (m)  
Extent: 1 folder  
Scope and Content: Series five is composed of two letters. One letter is dated April 166 from Henry W. Blair concerning an upcoming Senatorial election. The second letter is dated January 20, 1868 and is from Gilman Marston, who also discusses upcoming elections and laws.

Series VI. Charles Doe opinion in Hale v. Everett and Robert G. Pike Correspondence, 1892-1916  
Accession Number: 2001.003  
Extent: 1 box  
Scope and Content: Series six consists of three volumes containing the manuscript version of Doe’s opinion in Hale v. Everett. This series also contains correspondence between Robert G. Pike to former friends and colleagues of Judge Doe asking for comments about the former Chief Justice. There are also remarks by David Cross, a Manchester, NH lawyer, on Judge Doe.

Subject Terms

People:
Bartlett, William H.  
Bell, Samuel D. (Samuel Dana), 1798-1868  
Bell, Henry W. (Henry William), 1834-1920  
Chandler, William E. (William Eaton), 1835-1917  
Conger, Henry Swan  
Dana, Henry Swan  
Doe, Charles, 1830-1896  
Ela, Jacob H. (Jacob Hart), 1820-1884  
Foster, William L. (William Lawrence), 1823-1897  
Fowler, Asa, 1811-1885  
Hale, John P. (John Parker), 1806-1873  
Hall, Daniel, 1832-1920  
Hayes, William Allen, 1848-1924  
Jordan, Chester B. (Chester Bradley), 1839-1914  
Nesmith, George W.  
Palfrey, John Gorham, 1796-1881  
Perley, Ira, 1799-1874  
Prescott, Benjamin F. (Benjamin Franklin), 1833-1895  
Ramsdell, George A. (George Allen), 1834-1900  
Ray, Mr. (Ossian), 1835-1892  
Rollins, Edward Henry, 1824-1889  
Shirley, John M. (John Major), 1831-1887  
Smith, Jeremiah, 1837-1921

Organizations:
Dartmouth College
Harvard University
Leavitt & Lusch
New Hampshire, General Court
New Hampshire, Supreme Court

**Subjects:**
- Accounts
- Daybooks

**Locations:**
- Amherst, NH
- Cambridge, MA
- Colebrijm BG
- Concord, NH
- Dover, NH
- Exeter, NH
- Hanover, NH
- Haverhill, NH
- Keene, NH
- Lancaster, NH
- Manchester, NH
- Newport, NH
- Ossippe, NH
- Portsmouth, NH
- Plymouth, NH
- Rollinsford, NH

**Occupations:**
- Clerks of the court
- Farmers
- Judges
- Justices
- Lawyers
- Senators

**Related Materials**


Charles Francis Adams Correspondence, 1985.039 (m). New Hampshire Historical Society, Concord, NH.

Doe, Charles Cogswell. *A New View of the Dartmouth College Case*.


Gilman Marston Letter of Complaint, 1866, 1993.033 (m). New Hampshire Historical Society, Concord, NH.


