

Guide to the Jonathan Barnes Papers

MS 901



compiled by Bruce P. Stark

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Collection Overview

REPOSITORY: Manuscripts and Archives
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CALL NUMBER: MS 901

CREATOR: Barnes, Jonathan, 1789-1861

TITLE: Jonathan Barnes papers

DATES: 1816-1835

PHYSICAL DESCRIPTION: 0.5 linear feet

LANGUAGE: English

SUMMARY: Six manuscript volumes on law: "Jurisprudence of the United States," "Law of nations," and "Municipal law," possibly intended as compendia for teaching. Also in the papers is Jonathan Barnes' translation from the French of Baron de Wimpffen's "The experienced soldier."

ONLINE FINDING AID: To cite or bookmark this finding aid, please use the following link: <https://hdl.handle.net/10079/fa/mssa.ms.0901>

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.0901>.

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

Conditions Governing Access

The materials are open for research.

Conditions Governing Use

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Preferred Citation

Jonathan Barnes Papers (MS 901). Manuscripts and Archives, Yale University Library.

Biographical / Historical

Jonathan Barnes, the eldest child of Jonathan Barnes (Yale 1784), of Tolland, Connecticut, was born in Tolland on November 21, 1789, and was prepared for College by Saul Alvord (Yale 1800), of Bolton, a neighboring town, where his mother had been brought up.

He began the study of law after graduation with his father, and in 1811 removed to Middletown, where he completed his preparatory studies with Chauncey Whittelsey (Yale 1800).

He was admitted to the bar in 1813, and from that time practiced his profession in Middletown with unusual industry and success. He shunned public office, but was held in the highest esteem as a counsellor and a citizen, for his great legal acquirements and his conscientious and upright character. He was thus for many years the acknowledged head of the bar of Middlesex County.

He married on April 29, 1819, Maria Ward, daughter of Dr. Ebenezer and Maria (Ward) Tracy, of Middletown, and sister of the wife of his former preceptor, Mr. Whittelsey.

He had long suffered from a disease of the heart, and he died in Middletown after several weeks of great weakness, on December 24, 1861, in his 73d year.

His widow died on April 30, 1873.

Their children were four daughters and two sons, all of whom grew up and married. The eldest daughter married the Rev. Elisha C. Jones (Yale 1831).

Mr. Barnes was an occasional contributor, without his name to local periodicals; and in particular furnished in 1838 a series of sketches on "Lessons from History" to *The Constitution*, a weekly newspaper published in Middletown.

(Taken from Franklin Bowditch Dexter, *Biographical Sketches of the Graduates of Yale College*, Vol. VI (New Haven: Yale University Press, 1912), pp. 299-300.)

Scope and Contents

The Jonathan Barnes Papers are housed in one box (7 folders). Barnes, Yale Class of 1810, was a lawyer and six of the seven folders contain legal material. The last folder contains Barnes' 1816 translation from the French of "The Experienced Soldier" by Baron Wimpffen.

The major documents in the Jonathan Barnes Papers are six bound handwritten volumes on law: "Jurisprudence of the United States" in two parts, "Law of Nations" Part II, and "Municipal Law" in three parts. These three items, probably written between 1825 and 1836 by a man, probably Barnes, of National Republican-Whig views, may have been intended to be used by Barnes to train aspiring lawyers. Legal

theories and practices are discussed in question and answer format. The questions and answers are clearly stated, easy to understand and follow a logical progression.

"Jurisprudence of the United States" begins with a discussion of confederations, beginning with the New England Confederation established in 1643 and concluding with the Constitution of the United States. Then the powers of the government are discussed. The author refers to specific Supreme Court cases and emphasizes that Congress has the power to charter a national bank and promote internal improvements, subjects of considerable controversy during this period. Part II of "Jurisprudence" analyzes the executive and judicial powers. "Law of Nations", Part II only extant, concerns rights of neutrals, belligerent rights, blockades, treaties, piracy, and the slave trade. "Municipal Law" contains background material on Roman Law and Common Law and discusses such matters as *habeas corpus*, citizenship and naturalization, relations between husbands and wives, corporate law, property rights, copyright, contract law, maritime law, and bills of exchange and promissory notes.

The Jonathan Barnes Papers should be of use to researchers interested in the development of American law and how it was understood in the Jacksonian era.

Collection Contents

	"Jurisprudence in the United States,"	
b. 1, f. 1	Part I	undated
b. 1, f. 2	Part II	undated
b. 1, f. 3	"Law of Nations" Part II English	undated
	"Municipal Law"	
b. 1, f. 4	Part I	undated
b. 1, f. 5	Part II	undated
b. 1, f. 6	Part III	undated
b. 1, f. 7	"The Experienced Soldier" English	1816

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

Armed Forces
Law -- Study and teaching
Law -- United States
Lawyers

Names

Barnes, Jonathan, 1789-1861
Wimpffen, Félix de, 1745-1814