

— 30 ITEMS RELATING TO THE —

U.S. SUPREME COURT

April 19, 2016



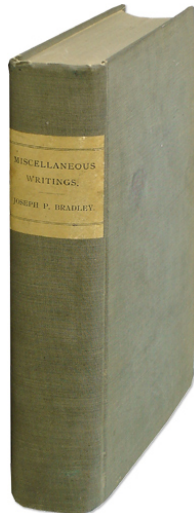
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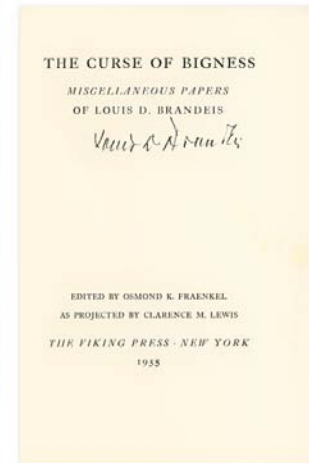
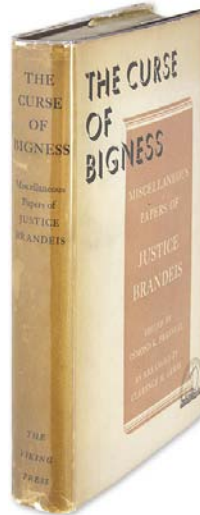
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30 Items Relating to the U.S. Supreme Court



Item 1



Item 2

Collected Writings of Justice Bradley

1. Bradley, Joseph [1813-1892].

Miscellaneous Writings of the Late Hon. Joseph P. Bradley, Associate Justice of the Supreme Court of the United States. With a Sketch of His Life by His Son, Charles Bradley. And a Review of His "Judicial Record" by William Draper Lewis, and an Account of His "Dissenting Opinions" by A.Q. Keasbey. Edited and compiled by his son, Charles Bradley. Newark, [NJ]: L.J. Hardham, 1902. Frontispiece. xii, 435 pp.

Cloth with paper spine label. Some soiling and shelfwear, rear hinge starting, internally clean. \$85.

* Bradley served on the U.S. Supreme Court from 1870 to 1892. In a time of rapid expansion of trade and transportation, he aggressively asserted the supremacy of the federal government to control interstate commerce. Bradley began in private practice in New Jersey, specializing in patent and railroad law, and he became very prominent in these fields and quite wealthy. Bradley remained dedicated to self-study throughout his life and collected an extensive library most of which on his death was donated to Rutgers Law School. His legal and court papers are archived at the New Jersey Historical Society in Newark.

Signed by Brandeis

2. Brandeis, Louis D. [1856-1941].

The Curse of Bigness: Miscellaneous Papers of Louis D. Brandeis. Edited by Osmond K. Fraenkel. New York: The Viking Press, 1935. ix, 339 pp.

Cloth in dust jacket. Cloth very good, light edgewear to dust jacket, some soiling to spine, minor chipping to ends. "Louis D. Brandeis" in bold hand to center of title page, internally clean. \$950.

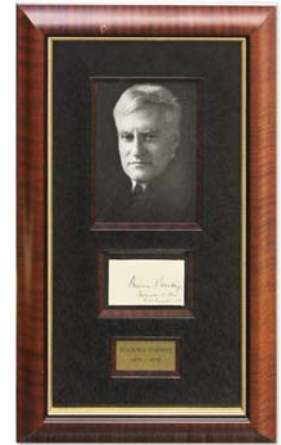
* First edition, second printing. "Preceding the text of the reprinted matter each section of this work contains a brief note and following it a bibliography of the articles and addresses on the subject covered by that section. The reprinted articles are given in full even when parts of them appear more than once.": Foreword.



Item 3



Item 4



Item 5

Brandeis on Life Insurance and Risk

3. Brandeis, Louis D. [1856-1941].

To the Policy Holders of the Equitable Life Assurance Society. Boston: [Office of the Protective Committee], May 19, 1905. Four-page 8-1/2" x 11" leaflet. Minor discoloration at fold. A remarkably well-preserved copy. \$65.

* This set of recommendations was written while Brandeis was serving as counsel to the Policy Holders' Protective Committee, which aimed to curb the Equitable's risky investment policies. "In order to reduce the heavy burden [of risk and expense] upon policy holders, radical economies in management should be introduced, the competitive rush for business discounted, and the methods of the great savings-banks and mill mutual insurance companies more nearly followed" (4). Not included in Roy Mersky's *Louis Dembitz Brandeis: A Bibliography*.

In Honor of Justice Cardozo

4. Cardozo, Benjamin N. [1870-1938].

[6-1/2" x 8-1/2" Black-and-White Photograph of Cardozo's Chair in the Supreme Court Courtroom Draped in Black Bunting]. [Washington, DC: International News Photos, July 12, 1938]. Light wear to edges, stamps and caption to verso. \$75.

* The caption reads (in part): "IN MOURNING: The Supreme Court chair of Justice Benjamin N. Cardozo, who died last Saturday, was draped in black today. It was the first time that mourning black was placed on the bench since 1930, when Justice Sanford died."

Handsomely Framed Image of Cardozo with Inscribed Card

5. Cardozo, Benjamin N.

[*Photograph of Cardozo in Judicial Attire with Inscribed Studio Card*]. Washington: The Clinedinst Studio, 1920. 8" x 10" portrait black-and-white photograph and 3" x 5" card inscribed and signed in bold hand above an engraved brass plaque. Handsomely matted and glazed. Small scrape to top section of frame, otherwise fine. \$1,250.

* The card is dated November 5, 1932. Cardozo, an Associate Justice of the Supreme Court from 1932 to 1938, was one of the most influential American jurists of the twentieth century. Note: Item unexamined out of the frame.



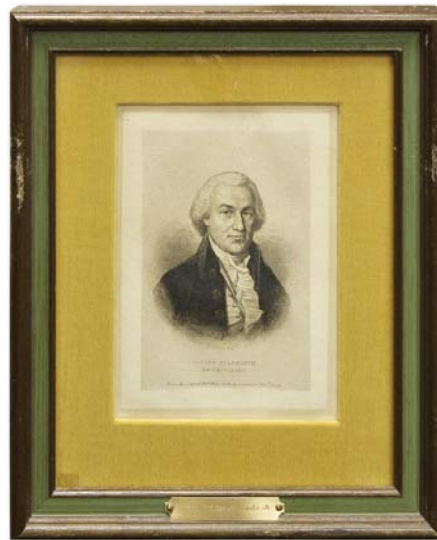
Informal Image of Justice Douglas and President Truman

6. Douglas, William O. [1898-1980].

Truman, Harry S. [1884-1972].

[8" x 10-1/2" Black-and-White Press Photograph of Douglas and Truman]. [New York: AP Wirephoto, (1945)]. Light rubbing to edges, caption along right margin trimmed closely affecting text, stamps and annotations to verso. \$125.

*The caption reads: "President Congratulates Justice Douglas--President Truman (right) congratulates Associate Justice William O. Douglas (center) of the U.S. Supreme Court, On His 47th Birthday today during formal visit of court to White House."



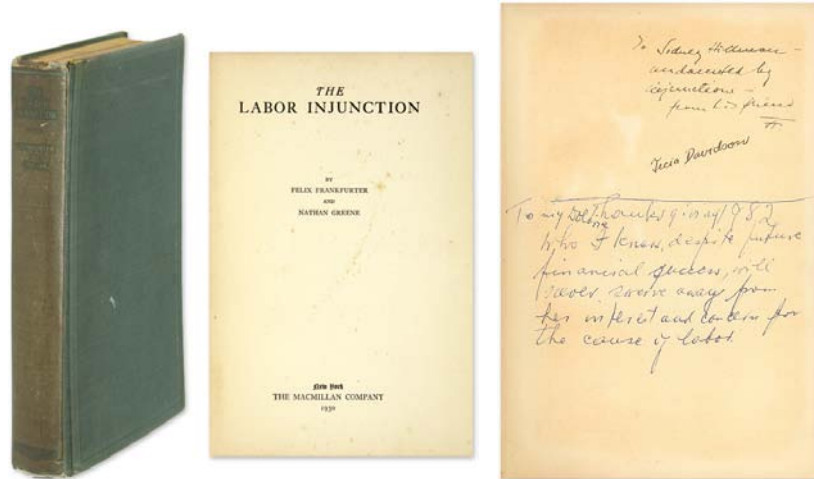
Handsome Portrait of Chief Justice Ellsworth

7. [Ellsworth, Oliver (1745-1807)].

Rosenthal, Max [1833-1939].

[Etched Portrait of Oliver Ellsworth]. [N.p.: S.n., 1888]. Attractively glazed and matted 5" x 6-3/4" print in attractive 9-1/2" x 11-1/2" wooden frame, small brass plaque to center of bottom. Some rubbing and a few nicks to frame, otherwise fine. \$300.

* Most famous for his work on the drafting of the U.S. Constitution, Ellsworth [1745-1807] was an important figure in Revolutionary and Federal periods, was the third chief justice of the U.S. Supreme Court. Born in Poland and trained in Paris and Philadelphia, Rosenthal was a respected artist who specialized in portraits of notable individuals and historical figures.



Inscribed by Frankfurter to Important Union Leader Sidney Hillman

8. Frankfurter, Felix.

Green, Nathan.

The Labor Injunction. New York: The Macmillan Company, 1930. Folding charts. [12], 343 pp.

Cloth, moderate shelfwear, fading to spine, moderate chipping to spine ends. Inscription by Frankfurter, later inscription by an unknown individual and later owner signature to front free endpaper. Unique. \$500.

* First edition. This copy was inscribed to Sidney Hillman [1887-1946], an important labor leader who was one of the founders of the Congress of Industrial Organizations (CIO) and a member of Franklin Roosevelt's Labor Advisory Board. The inscription reads: "To Sidney Hillman-/undaunted by/injunctions-/From his friend/F.F." The front free endpaper has another unsigned inscription dated Thanksgiving 1982: "To my Dolorie/Who I know, despite future/financial success,/will never swerve away from/her interest and concern for/the cause of labor."

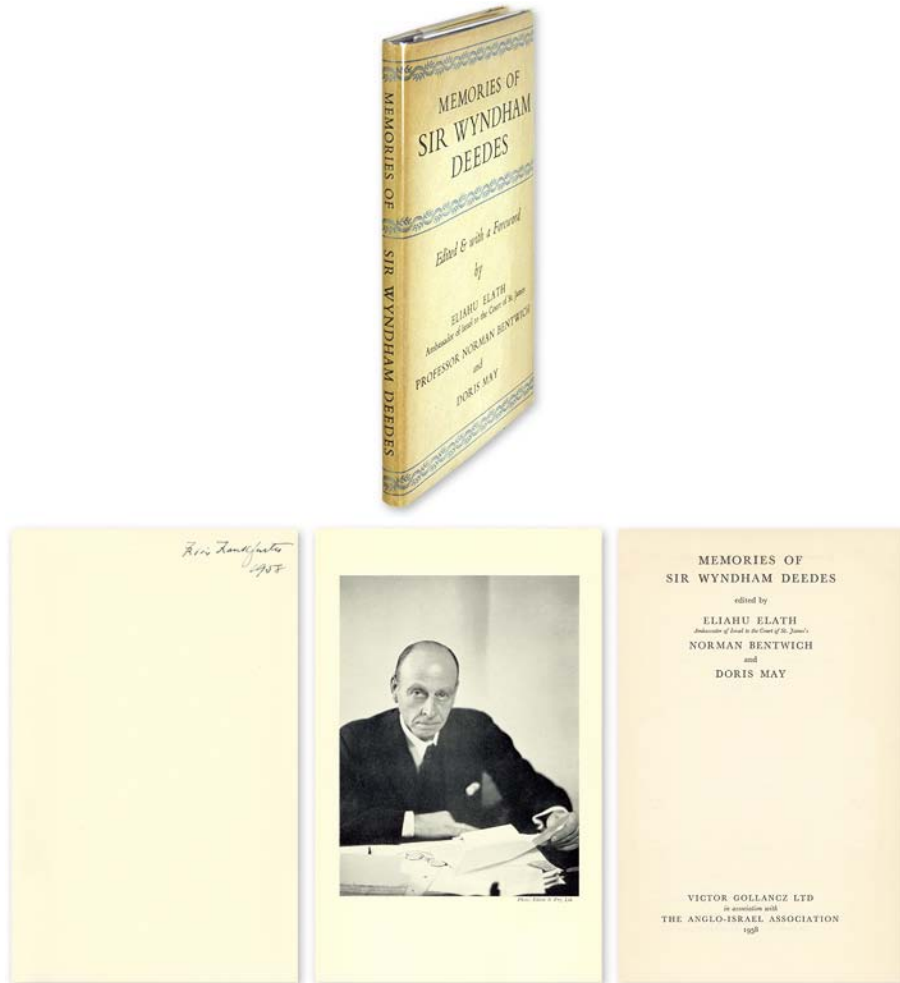


Frankfurter Quotes Holmes

9. Frankfurter, Felix [1882-1965].

[*Typed Letter, Signed, On Harvard Law School Letterhead, November 5, 1932*]. Single 8" x 5-1/2" sheet and 6" x 3-1/2" envelope. Some toning, two horizontal fold lines to letter, which has a full signature. Items housed in handsome recent cloth solander case with calf lettering piece. \$650.

* Friendly letter to Alice Strong, who was compiling an anthology of quotations. It appears she asked Frankfurter for a suggestion. He writes, "I should like to offer...Mr. Justice Holmes' words: 'The mode by which the inevitable comes to pass is effort'." It appears that Strong never completed (or published) her anthology. This letter was part of the collection of James S. Copley, the newspaper chief and bibliophile.



Felix Frankfurter's Copy

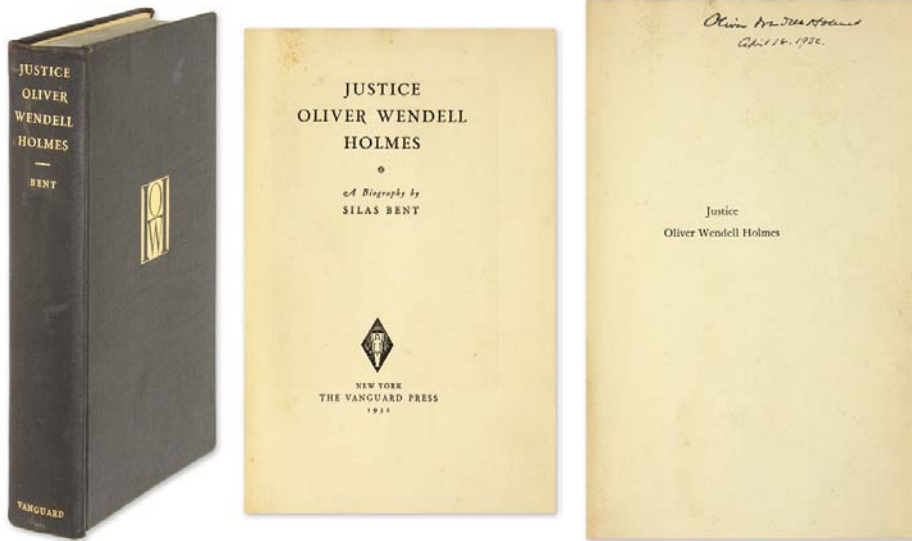
10. [Frankfurter, Felix].

Elath, Elihu, Norman Bentwich and Doris May, Editors.

Memories of Sir Wyndham Deedes. [London]: Victor Gollancz, Ltd. In Association with the Anglo-Israel Association, 1958. 93 pp.

Cloth in dust jacket. Cloth very good, dust jacket lightly edgeworn and somewhat toned. "Felix Frankfurter/ 1958" to front free endpaper, interior otherwise clean. \$500.

* Frankfurter knew Deedes through their shared interest in Jewish efforts in Palestine. They met at the 1919 Paris Peace Conference, where Frankfurter led the American Zionist delegation. Deedes also attended and went on to serve as chief secretary to the British High Commissioner in Palestine. Deedes founded the Anglo-Israel Association in 1919, one year after the establishment of the state of Israel.



The First Biography of Oliver Wendell Holmes, Signed by Holmes

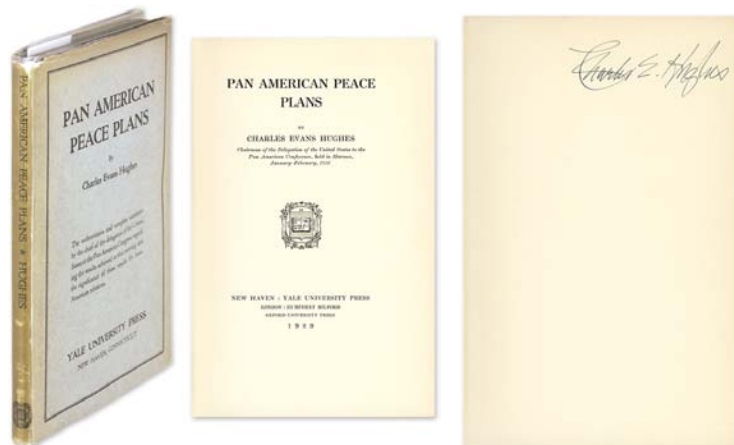
11. [Holmes, Oliver Wendell (1841-1935)].

Bent, Silas.

Justice Oliver Wendell Holmes. New York: The Vanguard Press, 1932. xi, 386 pp. Frontispiece. Illustrated.

Original cloth, light rubbing to extremities, rear hinge cracked. Owner signature to front free endpaper, light marks in pencil to some pages, notes in pencil to rear pastedown, light foxing to a few leaves. "Oliver Wendell Holmes/ April 18, 1932" to head of half-title, single-sheet 8-1/2" x 5-1/2" letter from Holmes's secretary, Horace Chapman Rose, laid-in. \$750.

* First edition. This was the first biography of Holmes. The letter from Rose, Holmes's secretary, is a reply to the book owner's request for Holmes's signature. It reads, in part, "Mr. Justice Holmes would be happy to autograph your copy of his biography." The rest of the letter discusses shipping details.



Pan American Peace Plans, Signed by Hughes

12. Hughes, Charles Evans [1862-1948].

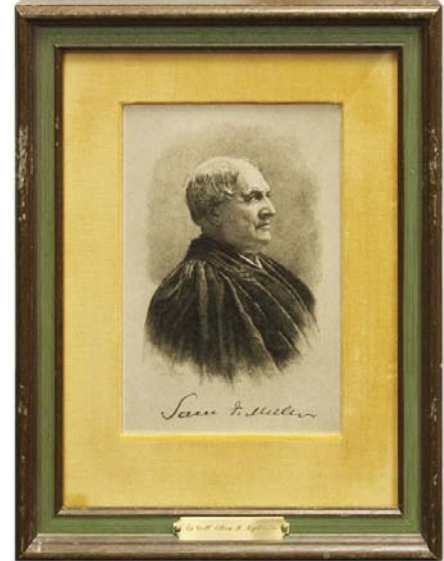
Pan American Peace Plans. New Haven: Yale University Press, 1929. [iv], 68 pp.

Cloth in dust jacket. Light edgewear to dust jacket, some fading to spine, chipping to ends. "Charles E. Hughes" in bold hand to front free endpaper, internally clean. \$500.

* First edition. An associate justice of the U.S. Supreme Court from 1910-1916, Hughes resigned to accept the Republican presidential nomination. Secretary of State from 1921 to 1925, Hughes was appointed again to the Court as Chief Justice, an office he held from 1930 to 1941. He is the only person who served two terms on the Court. In 1928 Hughes represented the U.S. at the Pan American Conference. *Pan American Peace Plans* is his review of that event. Hughes believed this conference "represented the most complete and effective cooperation that has been witnessed in any meeting of the representatives of the American republics" (68).



Item 13



Item 14

**Thurgood Marshall
After His Senate Confirmation**

13. Marshall, Thurgood [1908-1993].

[6-1/2" x 8-1/2" Black-and-White Press Photograph of Thurgood Marshall]. [New York: Associated Press, August 30, 1967]. Some rubbing to edges, caption to left-hand margin, some underlining to caption, annotation to bottom margin, stamp to verso. \$75.

* The caption reads: "After Senate Confirmation--Thurgood Marshall leaves Justice Department today after being confirmed by the Senate to be a member of the Supreme Court. With him is a chauffeur who is standing in front of a department guard mirror which reflects part of the Justice Department building. The senate vote on confirmation was 69 to 11."

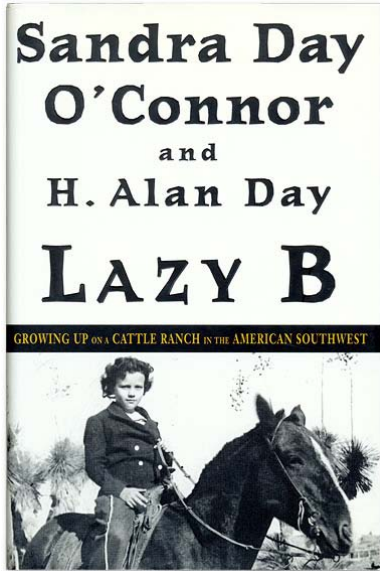
**Handsome Portrait
of Justice Samuel Miller**

14. [Miller, Samuel F. (1816-1890)].

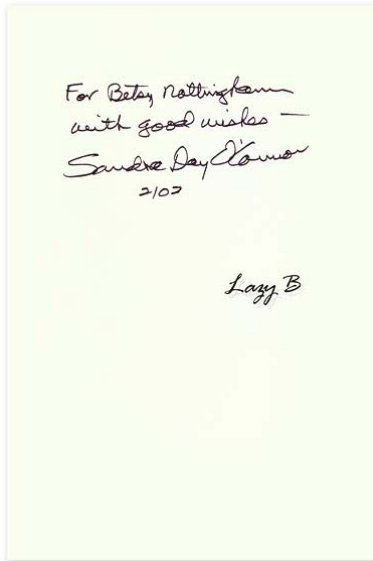
Rosenthal, Max [1833-1939].

[Etched Portrait of Samuel F. Miller]. [N.p.: S.n., 1890]. Attractively glazed and matted 5" x 6-3/4" etching in attractive 9-1/2" x 11-1/2" wooden frame, small brass plaque to center of bottom. A few nicks to frame, otherwise fine. \$300.

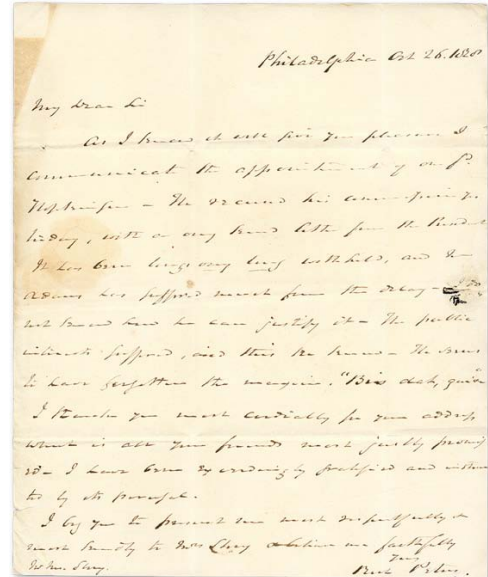
* Miller, who also held a medical degree, was an associate justice of the U.S. Supreme Court from 1862 to 1890. The author of nearly twice the number of opinions as the rest of his fellow justices, he was probably the most dominant member of the court. Born in Poland and trained in Paris and Philadelphia, Rosenthal was a respected artist who specialized in portraits of notable individuals and historical figures.



Item 15



Inscribed by O'Connor



Item 16

**15. O'Connor, Sandra Day.
Day, H Alan.**

Lazy B: Growing Up on a Cattle Ranch in the American Southwest. New York: Random House, [2002]. xiv, 318, [2] pp.

Hardcover in dust jacket. Negligible faint dampstain to foot of text block near spine, otherwise fine. Author inscription to front free endpaper. \$40.

* First edition. Memoirs of the first female justice of the U.S. Supreme Court. Appointed by President Reagan, she served from 1981 to 2006.

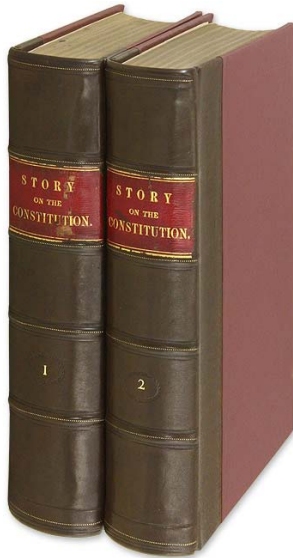
The Supreme Court Reporter Writes to Justice Story

**16. Peters, Richard [1740-1848].
[Story, Joseph (1779-1845)].**

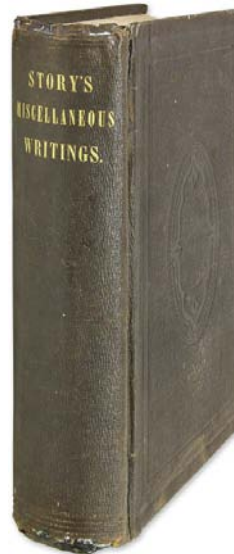
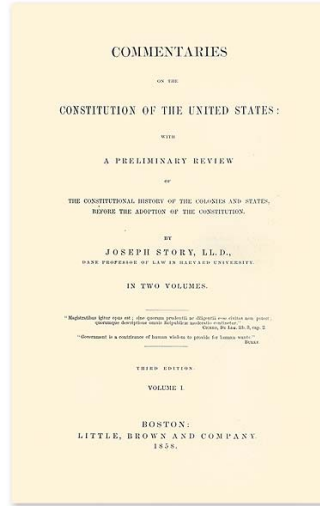
[*Autograph Letter, Signed, to Story, Philadelphia, October, 26 1828*]. Single leaf folded to form 10" x 8" quarto bifolium, written in ink, addressed, franked and postmarked on verso of fourth page, which has a wax seal.

Fold lines, some toning along margins, otherwise fine. \$500.

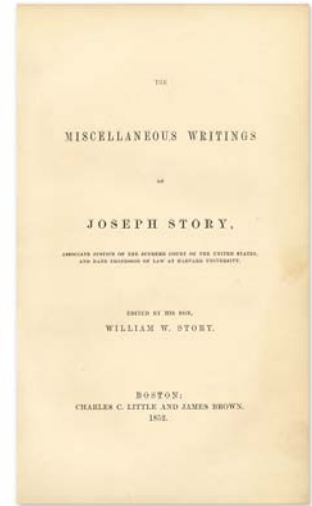
* Peters, a Philadelphia lawyer and county official, was the reporter of the U.S. Supreme Court from 1828 to 1843. (His volumes are reported today as 26-41 U.S.). This letter refers to the delayed commissioning of Joseph Hopkinson [1770-1842], son of founding father Francis Hopkinson, as a judge on the United States District Court for the Eastern District of Pennsylvania, a post held previously by Peter's father. President Adams issued Hopkinson's recess appointment to the District Court on 23 October 1828. He was confirmed by the Senate and formally commissioned in February 1829. According to Peters: "It has been long, very long, withheld, and Mr Adams has suffered much from the delay -- I do not know how he can justify it -- The public interests suffered, and this he knew -- He seems to have forgotten the maxim 'Bis dat qui' &c [Bis dat qui cito dat- he gives twice who gives promptly]. It was a wise appointment. Joseph Hopkinson's distinguished legal career included his successful defense of Supreme Court Associate Justice Samuel Chase during his impeachment trial (1804-05). (Hopkinson also wrote the lyrics to the patriotic anthem "Hail, Columbia.") Peters also thanks Story for sending him a copy of an address, most likely *A Discourse at the Request of the Essex Historical Society, September 18th, 1828, in Commemoration of the First Settlement of Salem, Massachusetts*, and says he was "exceedingly gratified and instructed by its perusal."



Item 17



Item 18



Attractive Third Edition of Story's Commentaries

17. Story, Joseph.

[Bennett, E.H., Editor].

Commentaries on the Constitution of the United States: With a Preliminary Review of the Constitutional History of the Colonies and States, Before the Adoption of the Constitution. Boston: Little, Brown and Company, 1858. Two volumes. 8, xxxiii, [ii], 735; [ii], 702 pp. (Eight-page publisher catalogue at beginning of Volume I.) Octavo (9" x 5-1/2").

Recent period-style quarter calf over cloth, raised bands, retaining original red morocco lettering pieces, endpapers renewed. Light to moderate toning, negligible foxing to a few leaves, some offsetting to margins of Volume I title page, internally clean. A nice copy in a handsome binding. \$1,500.

* Third edition. First published in 1833, this work is probably the most important work written on the American Constitution. Though overshadowed by Marshall on the U.S. Supreme Court, Story had no peer as a teacher or writer. Comparing the *Commentaries* to *The Federalist*, James Kent observed that Story's treatise was "written in the same free and liberal spirit, with equal exactness and soundness of doctrine, and with great beauty and eloquence of composition. Whoever seeks for a complete history and exposition of this branch of our jurisprudence, will have recourse to the above work, which is written with great candor, and characterized by extended research, and a careful examination of the vital principles upon which our government reposes" (cited in Marvin, *Legal Bibliography* 669-670). Cohen, *Bibliography of Early American Law* 2917.

Miscellaneous Writings of Joseph Story

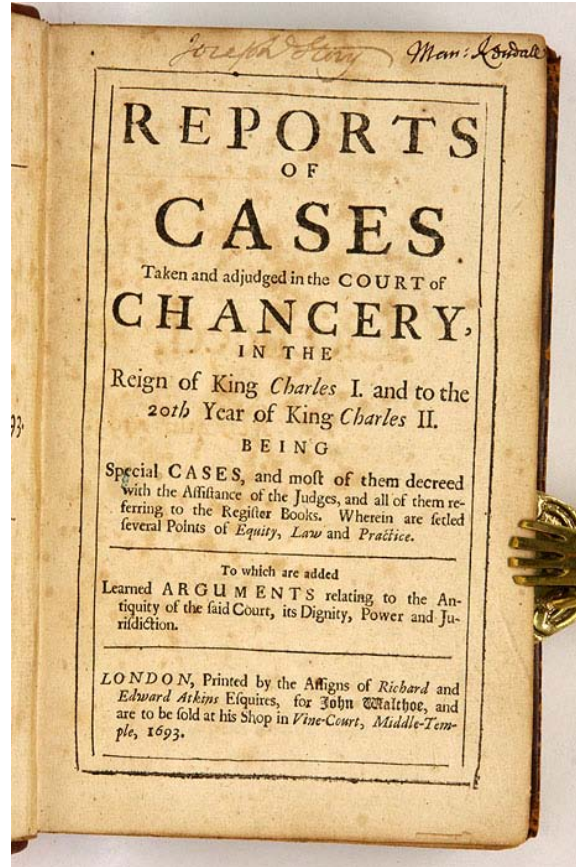
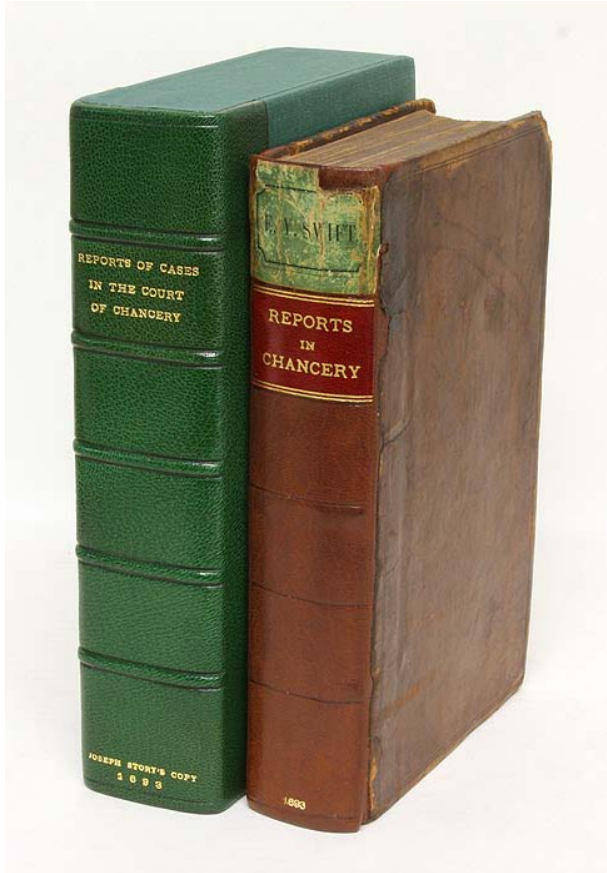
18. Story, Joseph.

[Story, William W. (1819-1895), Editor].

The Miscellaneous Writings of Joseph Story, Associate Justice of the Supreme Court of the United States and Dane Professor of Law at Harvard University, Edited by his Son. Boston: C.C. Little and J. Brown, 1852. 4, x, 828 pp. Includes four-page publisher catalogue. Octavo (9" x 6").

Contemporary textured cloth with decorative blind-stamping. Light wear to spine ends and corners, gathering containing pp. 701-704 bound upside down. Toning to text, internally clean. A nice copy. \$275.

* Second edition, substantially expanded and reorganized. Story's enormous influence on American law is demonstrated in this collection, which was originally published by Joseph Story in 1835. It includes an autobiography, which is in the form of a fascinating long letter to his son, and many other articles, essays, lectures and biographical sketches of judges and lawyers (including Chief Justice John Marshall and Associate Supreme Court Justice Bushrod Washington). Other pieces are a proposed course of legal study and essays on maritime law, piracy, the slave trade, commercial law and codification of the common law. Cohen, *Bibliography of Early American Law* 2289.



Joseph Story's Copy

19. [Story, Joseph].
[Great Britain]
[Court of Chancery].

Reports of Cases Taken and Adjudged in the Court of Chancery in the Reign of King Charles I and to the 20th Year of King Charles II. Being Special Cases, And Most of Them Decreed with the Assistance of the Judges, And All of Them Referring to the Register Books. Wherein are Settled Several Points of Equity, Law and Practice. To Which are Added Learned Arguments Relating to the Antiquity of the Said Court, Its Dignity, Power and Jurisdiction. London: Printed by the Assigns of Richard and Edward Atkins Esquires, For John Walthoe, 1693. [xlviii], 288, 88 pp. Octavo (7-1/2" x 4-1/2").

Contemporary calf, blind rules to boards, rebacked in period style, blind fillets and lettering piece to spine, later owner label to head of spine, early hand-lettered title to fore-edge of text block. Light rubbing to boards, moderate rubbing to extremities, front hinge just starting. Moderate toning to text, occasional light dampspotting, some leaves have spark burns, clean tear to rear free endpaper, crack in text block between front free endpaper and title page. "J (?) Story" in light pencil to front pastedown, "Joseph Story" and signature of previous owner to head of title page. Ex-library. Small bookplate to of William L. Clements Library, with withdrawn stamp, to rear pastedown. Book housed in a cloth slipcase with chemise and a morocco spine with raised bands and gilt title. Unique. \$2,500.

* First edition. It is not surprising that Story owned a copy of this title, an important work that established the importance of judicial precedents for cases in equity. It is one of the three collections of chancery reports listed in the 1846 auction catalogue of Story's library. *English Short-Title Catalogue* R200612. Hoeflich and Beck, *Catalogues of Early American Law Libraries: The 1846 Auction Catalogue of Joseph Story's Library* 581.



Images of the U.S. Supreme Court

20. [Supreme Court, United States].

[A Collection of Twenty-Two Black-and-White Press Photographs of (or About) the U.S. Supreme Court, 1935-1987]. Sizes ranging from 7" x 9" to 8-1/2" x 11." Light edgewear, annotations, tipped-in captions and stamps to versos, some have minor creases, one is lacking a corner with no damage to image. \$1,800.

* Nine of these are formal group portraits of the Court taken in 1935, 1937, 1946, 1952, 1955, 1957, 1965, 1970 and 1976, two record the Court's annual White House visits in 1935 and 1939, the others are images of individual justices (William Brennan, Tom Clark, Felix Frankfurter, Thurgood Marshall, Lewis Powell, Stanley Reed and Earl Warren). There is also a photo of the U.S. Supreme Court building flying the flag at half-mast in honor of Justice Frank Murphy.

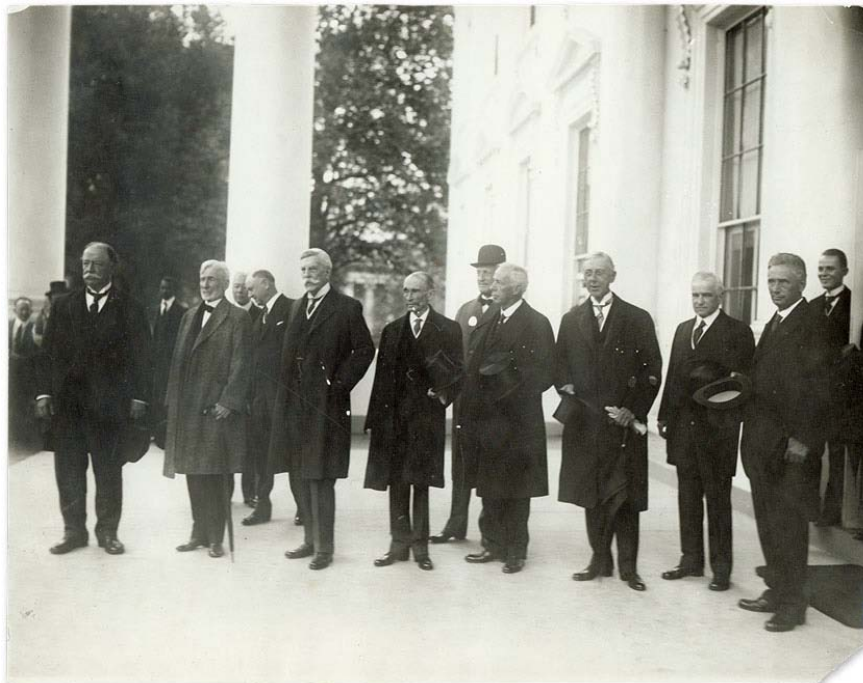


Informal Image of Chief Justice Burger and Three Associate Justices

21. [Supreme Court, United States].

[7-1/2" x 10" Black-and-White Press Photograph of Chief Justice Burger with Associate Justices Blackmun, Douglas and White]. [New York: AP Wirephoto, October 9, 1970]. Light rubbing to edges, right margin removed, caption along left margin. \$125.

* The caption reads: "An Aside at Justice--Associate Justice William O. Douglas, a controversial member of the Supreme Court, has a word with Chief Justice Warren E. Burger today as the justices posed in the courtyard at the Supreme Court Building. Behind them are Associate Justices Byron R. White and Harry A. Blackmun. Blackmun is the newest to sit on the high bench, joining the court on June 9, 1970."



The Taft Court Visits the White House

22. Supreme Court, United States.

[9" x 7" Black-and-White Press Portrait Photograph of the Taft Court]. [(Washington, DC): National Photo, October 4, 1921].

Some edgewear and minor wrinkling, piece of bottom right corner lacking, stamps, pencil markings and tipped-in caption to verso. \$100.

* The caption reads: "Members of the United States Supreme Court photographed at the White House today. Left to right: Chief Justice Taft, Justices McKenna, Holmes, Day, McReynolds, Van Devanter, Pitney, Clarke, Brandeis."



Item 23



Item 24

"Nine Young Men"

23. [Supreme Court, United States].

"The Nine Young Men," *Coronet*. Volume 11, Number 5 (March, 1942). 180 pp. Softbound, light shelfwear, internally clean. \$65.

* This issue has an interesting unsigned essay with photos about the U.S. Supreme Court. At this time the justices were Harlan Fiske Stone, Felix Frankfurter, Robert H. Jackson, Frank Murphy, William O. Douglas, James F. Byrnes, Owen Roberts, Stanley Reed and Hugo Black.

A Portrait of the Burger Court

24. [Supreme Court, United States].

[*Group Portrait of the Supreme Court*]. [Washington, DC], Spring 1976. 9-1/2" x 14" color photograph of nine justices of the Warren Court in judicial attire, glazed and framed in tasteful brown wooden 16" x 20" frame. A few minor scuffs and nicks to frame, some toning to mat, image fine. \$150.

* The associate justices at this time were Byron White, William J. Brennan, Jr., Potter Stewart, Thurgood Marshall, William Rehnquist, Harold Blackmun, Lewis F. Powell, Jr. and John Paul Stevens.

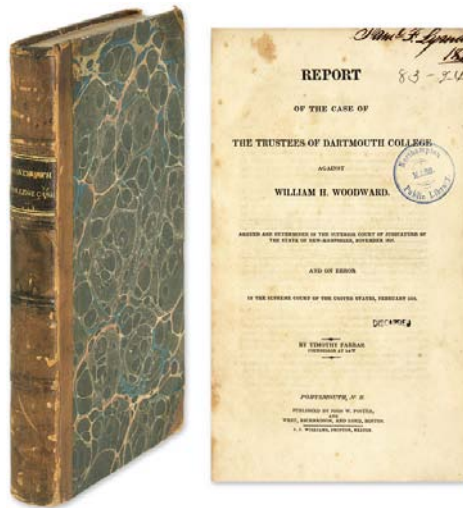


Hugo Black Joins the Hughes Court

25. [Supreme Court, United States].

[7" x 9" Black-and-White Portrait Photograph of the Hughes Court]. [New York: World-Wide Photos, November 23, 1937]. Some rubbing to edges, a few minor creases, tiny tear to top margin just touching image, stamps and tipped-in captions to verso, part of one caption lacking. \$150.

* One of the captions says this is the first group photograph of the Supreme Court with Hugo Black. The other associate justices at this time were Sutherland, McReynolds, Brandeis, Butler, Cardozo, Stone and Roberts. Hughes was chief justice.



First Report of the Landmark Dartmouth College Case

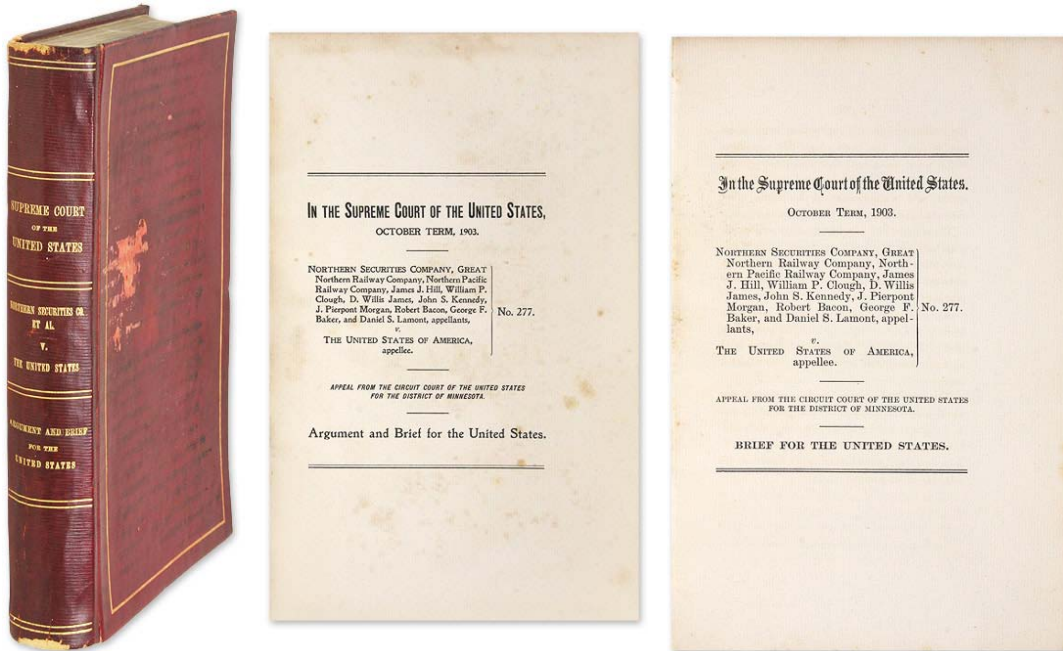
26. [Trial].

[Dartmouth College Case]. Farrar, Timothy [1788-1874], Reporter.

Report of the Case of the Trustees of Dartmouth College Against William H. Woodward. Argued and Determined in the Superior Court of Judicature of the State of New-Hampshire, November 1817. And on Error in the Supreme Court of the United States, February 1819. Portsmouth: Published by John W. Forster, And West, Richardson, And Lord, Boston, [1819]. [iv], 406 pp. Octavo (9" x 5").

Later nineteenth-century three-quarter calf over marbled boards. Moderate rubbing to extremities with wear to corners, hinges cracked. Moderate toning and light foxing to text. Early owner signature and annotation to head of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown, two small inkstamps to title page, residue from card pocket to rear pastedown. A solid copy. \$750.

* First published report. This is probably the most important American case concerning the contract right of corporations. The New Hampshire legislature passed a bill in 1816 that revoked Dartmouth College's original charter and converted the college from a private to a state institution. The college challenged the constitutionality of this act in the state Supreme Court without success, but the U.S. Supreme Court reversed the state's decision in a landmark opinion based on the contract clause of the Constitution. This decision represented "an assurance for all investors in American corporate enterprises that the terms upon which they had committed their capital could not be unilaterally altered by a state. At a time when corporations were first being widely used, it thus encouraged the expansion of American business enterprise. The decision vested the Corporation with indestructible contract rights, even against its creator" (Schwartz, 86, 111). "By construing the contract clause as a means of protecting corporate charters from state interventions, Marshall derived a significant limitation on state authority. As a result, various forms of private economic and social activity would enjoy security from state regulatory policy. Marshall thus encouraged, through constitutional sanction, the emergence of the relatively unregulated private, autonomous economic actor as the major participant in a liberal political economy that served the commonwealth by promoting enlightened self interest" (Konefsky). Farrar's comprehensive report contains all material related to the case, including the arguments of Webster and Wirt and the opinions of Chief Justice Marshall and Justices Story and Washington and texts of related documents. Alfred F. Konefsky, "Dartmouth College v. Woodward" in *The Oxford Companion to the Supreme Court* 218-219. Sabin, *A Dictionary of Books Relating to America* 23887. Cohen, *Bibliography of Early American Law* 11614.



A Landmark Antitrust Case

27. [Trial].

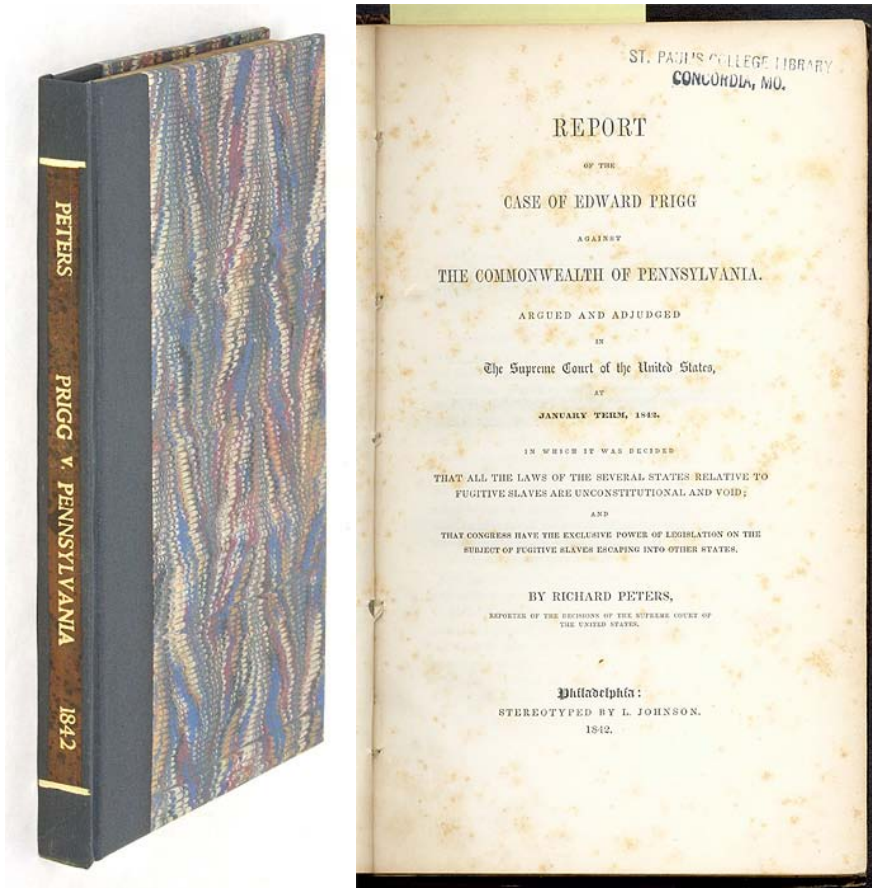
[Knox, Philander (1853-1921)].

[Northern Securities Co. v. United States].

In the Supreme Court of the United States, October Term, 1903. Northern Securities Company [et al.] v. United States of America, Appellee. Appeal for the Circuit Court of the United States for the District of Minnesota. Argument and Brief for the United States. [Washington, DC: Government Printing Office, 1904]. [iv], 94; [ii], ii, 180 pp. Two parts preceded by general title page.

Contemporary morocco, gilt frames to boards, gilt title to spine, untrimmed edges. Moderate rubbing to extremities, with some wear to spine ends and corners, scuffing and light soiling to front board, which is slightly bowed, a few cracks to text block. Light toning to text, foxing in a few places, internally clean. \$950.

* First edition. This volume, containing Attorney General Philander C. Knox's Supreme Court argument in the landmark Northern Securities Case, and the federal government's appeal of the case from the Circuit Court to the Supreme Court, was likely bound by Knox as a gift to a colleague or friend. Decided in 1904, the Northern Securities Case was a pivotal case in the legal history of the Progressive Era and the history of railroads in the American West. The Northern Securities Company was a powerful trust formed by J.P. Morgan and James G. Hill to control railroad trunk lines in the Northwest and into Chicago and stifle competition. President Roosevelt, seeing an opportunity to exert federal power against a business monopoly, instructed Knox to bring suit against the Northern Securities Company. Knox handled the case personally, writing the appeal from the decision of the Minnesota Circuit Court, and arguing the government's case before the U.S. Supreme Court. Invoking the Sherman Antitrust Act of 1890, Knox argued that The Northern Securities Company acted in restraint of trade. The court's decision, on a 5-4 vote with Oliver Wendell Holmes and Chief Justice Melville Fuller dissenting, upheld the government's argument, affirming the constitutionality of the Sherman Antitrust Act.



The Crucial Decision that Undercut the Fugitive Slave Act

28. [Trial].

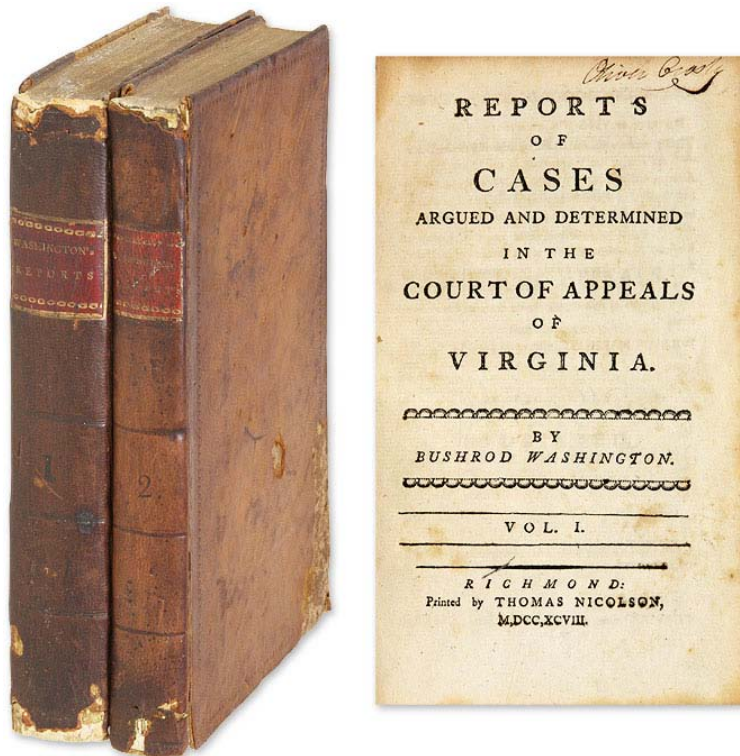
Prigg, Edward, Plaintiff in Error.

Peters, Richard [1780-1848], Reporter.

Report of the Case of Edward Prigg Against the Commonwealth of Pennsylvania. Argued and Adjudged in the Supreme Court of the United States, At January Term, 1842. In Which it was Decided That All the Laws of the Several States Relative to Fugitive Slaves are Unconstitutional and Void: And that Congress Have the Exclusive Power of Legislation on the Subject of Fugitive Slaves Escaping into Other States. Philadelphia: Stereotyped by L. Johnson, 1842. 140 pp. Octavo (9-3/4" x 6").

Recent quarter cloth over marbled boards, gilt title to spine. Light toning and foxing to text. Ex-library. Small inkstamps to edges and head of title page. A nice copy in a handsome binding. \$1,750.

* Only edition. A landmark in the history of American slavery, *Prigg v. Pennsylvania* was the first Supreme Court case to address the state and Federal laws concerning fugitive slaves, most notably the Federal Fugitive Slave Act of 1793. Prigg, a Maryland slave-catcher, apprehended Margaret Moran, an alleged fugitive slave, in Pennsylvania and brought her back to Maryland. Pennsylvania convicted him for kidnapping because he failed to obtain a state-mandated Certificate of Removal, a court document permitting the capture of a fugitive slave. The U.S. Supreme Court reversed the decision. In an opinion written by Justice Story, the Court held that Congress had the exclusive power to regulate the treatment of fugitive slaves. Thus Pennsylvania's requirement of a Certificate of Removal was illegal under the Constitution. The Court held that slave-catchers could seize alleged fugitives without judicial approval. However, and more important, the Court also said the Federal government lacked the authority to compel state officials to enforce the Fugitive Slave Act. In sum, *Prigg v. Pennsylvania* undercut the power of that act. Anger in the slave states over this decision led to the Compromise of 1850, which compelled the governments and residents of free states to enforce the capture and return of fugitive slaves. Finkelman, *Slavery in the Courtroom* 60-64. Cohen, *Bibliography of Early American Law* 13856.



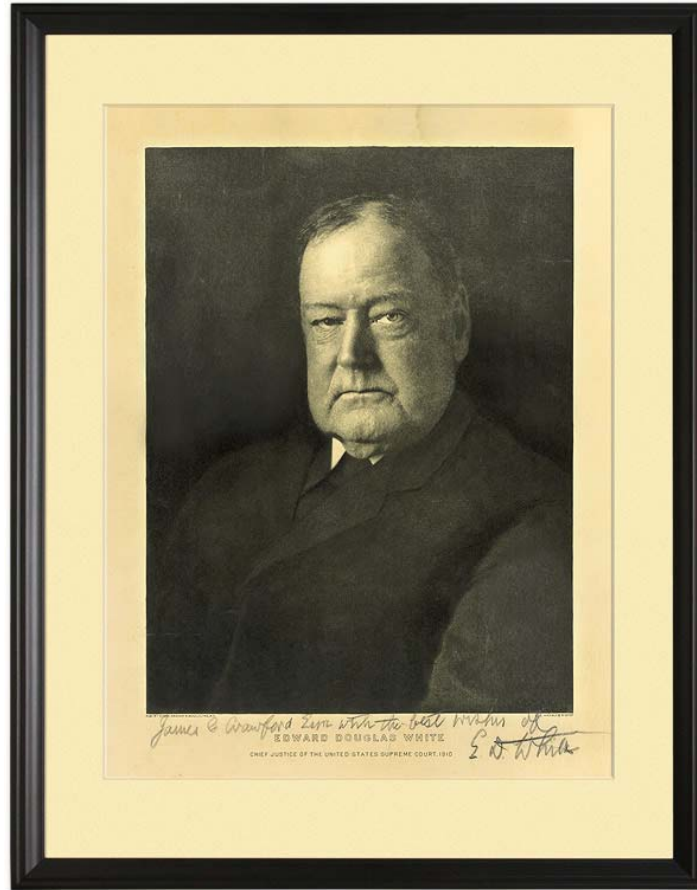
First Edition of Washington's Reports, Richmond 1790-1799

29. Washington, Bushrod [1762-1829].

Reports of Cases Argued and Determined in the Court of Appeals of Virginia. Richmond: Thomas Nicolson, 1798-1799. Two volumes. [x], 392, [30]; vii, [1], 302, 19 pp. Errata sheet in Volume I bound between Table of Contents and main text. Octavo (8" x 5").

Contemporary sheep, blind fillets to boards, lettering pieces and blind fillets to spines. Moderate rubbing to extremities, chipping to spine ends, corners worn, front board of Volume I just beginning to separate, insect damage to portions of boards. Moderate toning, occasional light foxing, small paper flaw to pp. 299-300 of Volume II with negligible loss to text. Small early owner signatures to head of each title page, interior otherwise clean. An appealing unsophisticated nice set. \$450.

* First edition. Covers the years 1790-1796, includes Tables of Cases and an Index. Gathered when Washington was in practice in Richmond, these reports demonstrate his methodical attention to legal detail. Washington, nephew of President Washington, was a member of the Virginia House of delegates in 1787 (voting for ratification of the U.S. Constitution) and later an associate justice of the U.S. Supreme Court from 1798-1829. This was one of the first, and one of the best, American reporters of the eighteenth century. Marvin, *Legal Bibliography* 719.



Signed Portrait of Chief Justice White

30. White, Edward Douglas [1845-1921].

[Large Black & White Photogravure Portrait]. New York: Close, Graham and Scully, 1910. Frame size 20" x 16," image size, 11-1/2" x 8-1/2." Attractively matted and glazed.

Wide-margined portrait photograph with caption reading "Edward Douglas White/ Chief Justice of the United States Supreme Court. 1910." Inscribed in pencil by White to James G. Crawford and signed. Image dark and strong, presentation large and clear, toning and negligible faint dampspotting to outer edges of margins. A handsome, well-preserved image. \$950.

* A rare signed portrait of the ninth Chief Justice. White was a United States Senator from Louisiana when he was appointed to the Court by President Cleveland in 1894. Following the death of Chief Justice Melville W. Fuller in 1910 White was nominated as Chief Justice by President Taft and held that office until his death. Note: Item unexamined out of the frame.

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