

LETTERS & PHOTOGRAPHS

September 15, 2015

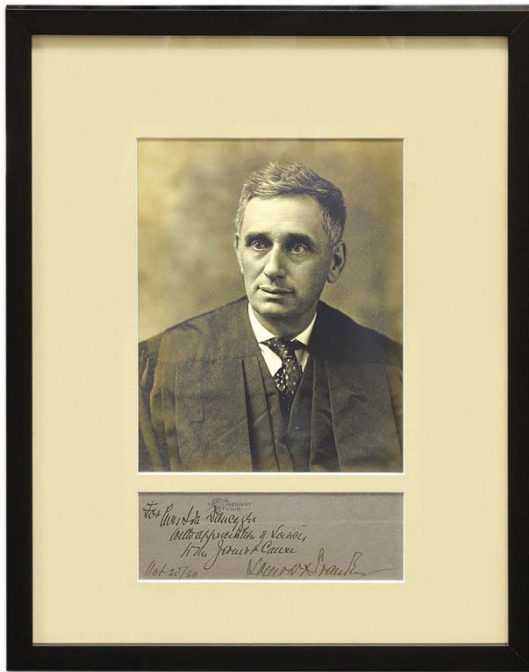


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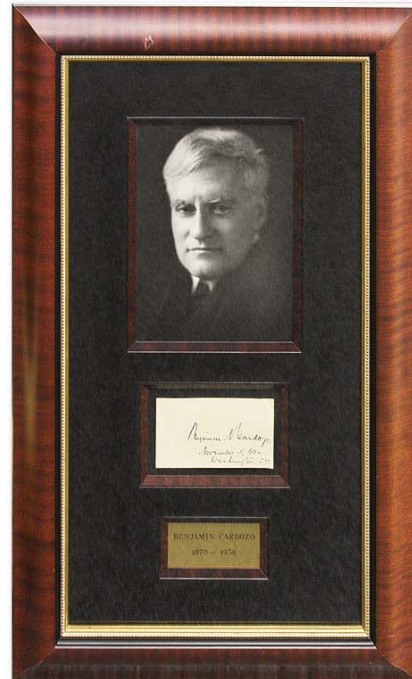
The Lawbook Exchange, Ltd.

Letters and Photographs

15 September 2015



Item 1



Item 2

Photograph of Brandeis with Inscribed Studio Card Expressing Thanks for "Services to the Jewish Cause"

1. Brandeis, Louis D. [1870-1938].

[*Photograph of Brandeis in Judicial Attire with Inscribed Studio Card*]. Washington: The Clinedinst Studio, 1920. 7" x 10" portrait black-and-white photograph and 2" x 7" card from the Clinedinst Studio. Card inscribed and signed in bold hand. Handsomely matted and glazed. \$1,250.

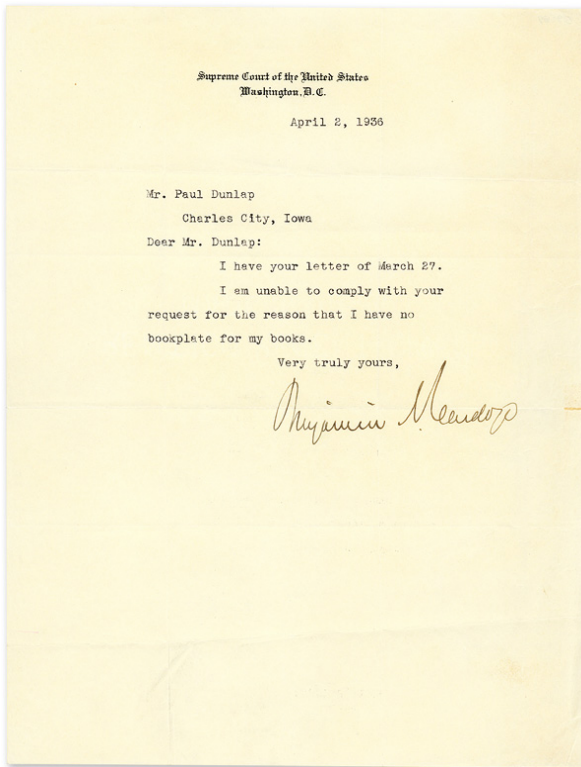
* The card reads: "For [illegible] with appreciation of services/ to the Jewish cause/ Oct. 20, '20/ Louis D. Brandeis." Brandeis became an Associate Justice of the United States Supreme Court in 1916 and was the first Jewish Justice on the Court, where he served until 1939.

Handsomely Framed Image of Cardozo with Inscribed Card

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

[*Photograph of Brandeis 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.



Item 3



Item 4

**Cardozo TLS Regarding
the Non-Existence of His Bookplate**

3. Cardozo, Benjamin N.

[*Typewritten Letter, Signed, on Supreme Court Stationery*]. Washington, DC: April 2, 1936.

Single 8" x 10-1/2" sheet. Light toning to letter, faint vertical and horizontal fold lines, minor short tear near center of right-hand margin along fold. An interesting letter with a large full signature. \$500.

* This letter is a reply to a bookplate collector. Cardozo says he is unable to give him one because he does not use them. This letter relates to what was to become a confusing issue. Sometimes books are found with "Cardozo" bookplates. These were added posthumously to mark books that were in his library.

Justice Clark Prepares to Address the Graduates

4. Clark, Tom C. [1899-1977].

[*7-1/2" x 10" Black-and-White Photograph of Clark*]. [Chicago: Field Enterprises, June, 16 1974]. Margins cropped, some wear to edges, stamps, annotation and caption to verso. \$50.

* The caption reads, in part: "Former US Supreme Court Justice To C. Clark prior to his commencement speech for Illinois Institute of Technology's Chicago Kent College of Law."



Legends of Hoarding

5. [Collyer Brothers].

[Collyer, Homer (1881-1947)].

[Collyer, Langley (1885-1947)].

[7" x 9" Black-and-White Press Photograph of an Action to Evict Homer and Langley Collyer from Their Harlem Brownstone]. [New York: Acme News Agency, November 18, 1942]. Minor wrinkling and edgewear, stamps, annotations and tipped-in caption to verso. \$75.

*The caption reads (in part): "Locksmith Joseph Cohn works with hammer and chisel to chop away the heavy wire on the iron gate before the basement of the Collyer home, as John McMullen, lawyer for the Collyers (at left) looks on. The hermit Collyer Brothers had refused, for 33 years, to 'pay up or get out' of their home after their bank had foreclosed. They would not even see their lawyer. Finally, after deputy sheriffs had broken into the house, the brothers agreed to buy the home back from the bank."



Item 6

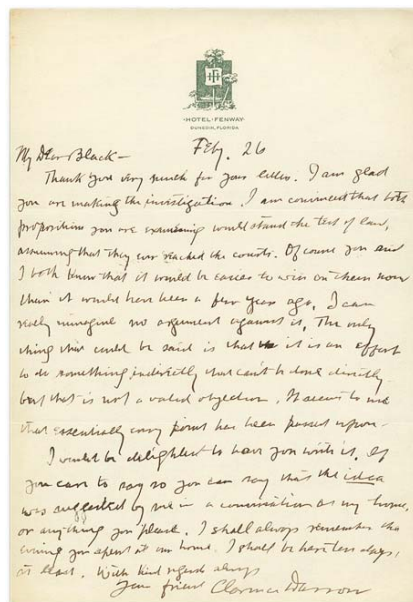
Darrow Attends the 1932 Democratic National Convention

6. Darrow, Clarence [1957-1938].

[9" x 7" Black-and-White Press Portrait Photograph of Darrow at the 1932 Democratic National Convention]. [Chicago: Acme Newspictures, June 25, 1932].

Negligible edgewear, stamps, annotations and tipped-in caption to verso. \$150.

* The caption reads: "SIDELIGHTS ON THE CONVENTION. Pictured above are three prominent men attending the Democratic convention in Chicago, Ill. and pictured as they chatted in the lobby of the Congress Hotel, Chicago, Ill. Left to right, Roy W. Howard of the Scripps-Howard Newspapers; Clarence Darrow, noted attorney; and Senator Burton K. Wheeler of Montana."



Darrow Discusses Prohibition with a Colleague

7. Darrow, Clarence [1857-1938].

[Black, Forrest R].

[Autograph Letter, Signed, To Black, On the Letterhead of the Hotel Fenway, Denedin, Florida, February 26]. Single 10-1/2" x 7-1/4" sheet. Some toning, two horizontal fold lines, light soiling to upper right hand corner, otherwise fine.

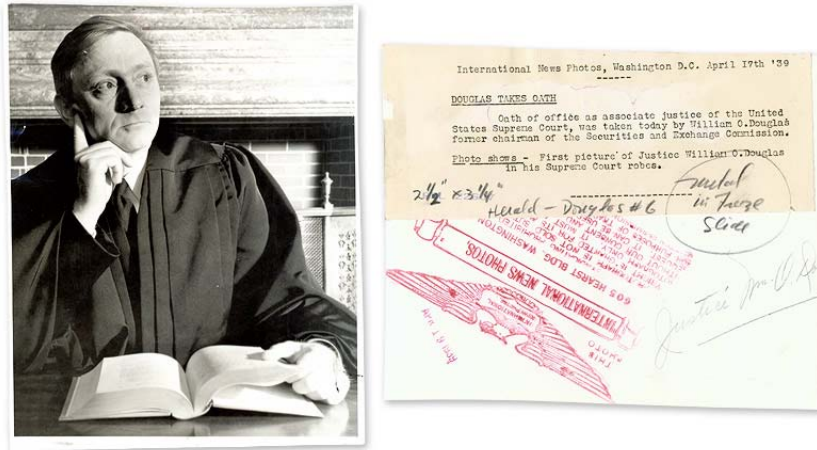
[With]

Darrow, Clarence [1857-1938].

The Story of My Life. New York: Charles Scribner's Sons, 1932. xiv, 465 pp. Fourteen plates (with 16 illustrations). First edition, first issue (Scribner "A").

Cloth in moderately worn and lightly soiled multi-color Art Deco dust jacket, light toning to text. Check marks and underlining in pencil to a few pages, interior otherwise clean. \$1,950.

* Black was a law professor at the University of Kentucky and the author of *Ill-Starred Prohibition Cases: A Study in Judicial Pathology* (1931), which has a foreword by Darrow. Darrow's letter from February 26 was probably written in 1930 or 1931, the period in which the two exchanged a number of letters about the manuscript of Black's book. Darrow appears to be discussing a passage in the manuscript: "I am convinced that both propositions you are examining would stand the test of law, assuming they ever reached the courts. Of course you and I both know that it would be easier to win on them now than it would have been a few years ago. I can really imagine no argument against it. The only thing that could be said is that it is an effort to do something indirectly that can't be done directly, but that is not a valid objection. It seems to me that essentially every point has been pressed upon." The letter is accompanied by a first edition, first issue, of Darrow's autobiography. Hunsberger, *Clarence Darrow: A Bibliography* 272.



Douglas Joins the Court

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

[6" x 7-1/2" Black-and-White Press Photograph of Justice Douglas]. [Washington, DC: International News Photos, April 17, 1939]. Light rubbing to edges, top margin removed, stamps, caption and annotations to verso. \$75.

*The caption reads: "Douglas Takes Oath--Oath of office as associate justice of the United States Supreme Court was taken today by William O. Douglas, former chairman of the Securities and Exchange Commission. Photo Shows--First picture of Justice William O. Douglas in his Supreme Court robes."

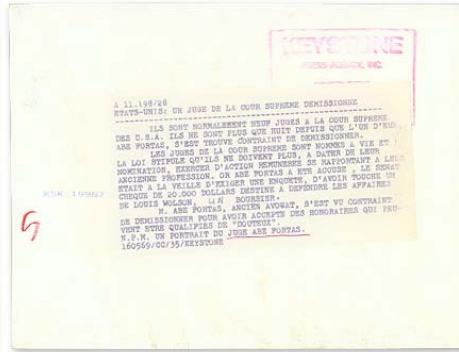


A Friendly Note From Justice Douglas

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

Autograph Note Signed. Washington, 20 November 1942. On small oblong card with the embossed letterhead of the Supreme Court. Together with the original hand-addressed envelope initialed by Douglas at upper left. Fine. \$100.

* A friendly note, addressed to Capt. Malcomb A. MacIntyre, beginning: "Dear Mac, It was good to hear from you...." Douglas was a justice of the United States Supreme Court from 1939 to 1975.



Abe Fortas at the Time of His Resignation from the Supreme Court

10. Fortas, Abe [1910-1982].

[7-1/2" x 10" Black-and-White Press Photograph of Abe Fortas]. [New York: Keystone Press Agency, (1970)]. Negligible rubbing to edges, margins trimmed away, stamps and caption (in French) to verso. \$50.

* An image of Fortas at the time of his resignation from the Supreme Court. The caption, for an unnamed French-language publication, discusses the reasons for his resignation.



A Fine Image of Justice Frankfurter

11. Frankfurter, Felix [1882-1965].

[8" x 10" Black-and-White Photograph of Frankfurter]. [New York: Culver Pictures, c.1945].

Light edgewear to margins, a few creases, minor tear just affecting to edge of image, tiny scuff near bottom (both of which could be covered by a mat), tipped-in caption and stamps to verso. \$125.

* Frankfurter is standing outside in a suit facing the camera, hat and gloves in hand.



Frankfurter Quotes Holmes

12. Frankfurter, Felix.

[*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.

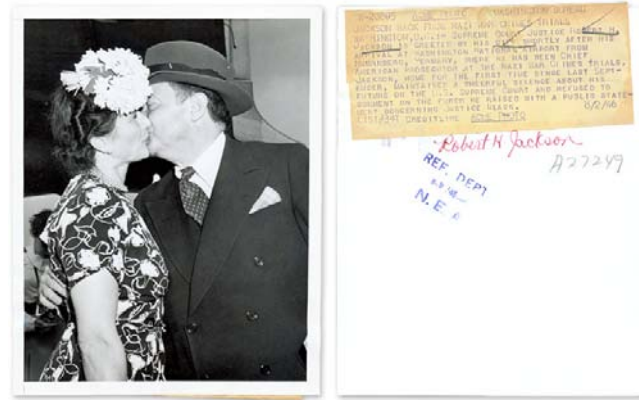


"Holmes' Greatest Romance"

13. Holmes, Oliver Wendell [1841-1935].

[*Autograph Letter, Signed ("H"), To Lady Hibernia Castletown*]. Boston, December 4, 1897. 3 pp. on conjoined Commonwealth of Massachusetts Supreme Judicial Court stationery. Lightly foxed and toned. Item matted and framed with half-tone portrait plate portrait and transcription, transmittal envelope affixed to back of frame. \$3,000.

* A flirtatious letter to the object of Holmes's affection, Lady Clare Castletown, "My Dear Hibernia," about a shipment of pink and blue pond lily roots he plans to send her as a gift. Displaying shades of his poet-father, he goes on to wax lyrical about another botanical specimen: "There is a very handsome pink marshmallow that grows wild on the south shore of Mass. I wonder if you would care for that if it can be got? I remember once, when life seemed at a low ebb, driving over a dreary sandy waste and suddenly coming on a lonely pool, with woods on one side, a dead tree hovering over it with the appropriate crow. And on the other side a wilderness of pink flowers standing about as high as my breast, I should think. And I felt that the romantic could be found almost anywhere after that." Holmes was introduced to Lady Clare while traveling through England in the summer of 1889. A mutual infatuation followed, which led to a correspondence - punctuated with occasional visits - that lasted until Lady Clare's death in 1926. In an effort to keep the relationship a secret - both Holmes and Lady Clare were married - Holmes destroyed most of her letters, but Lady Clare did not follow suit, and many of Holmes' letters to her survive. They reveal an intimate relationship. Its extent remains a mystery, but which, in the opinion of White and Minor, was "Holmes' greatest romance." See White and Minor, *Justice Oliver Wendell Holmes* 229-252.

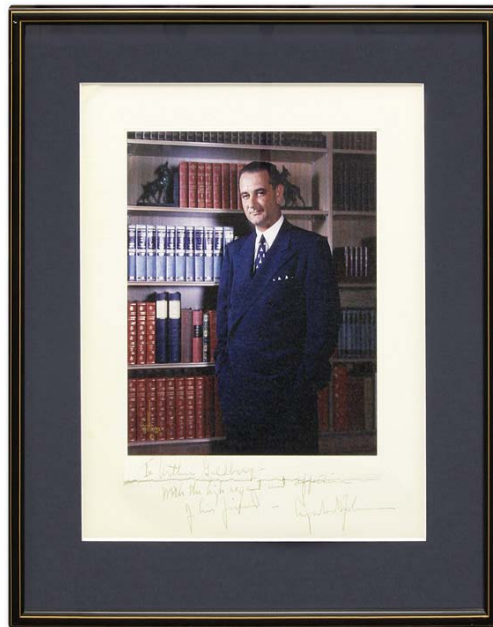


Welcome Home, Mr. Justice

14. Jackson, Robert H. [1892-1954].

[7" x 9" Black-and-White Photograph of Jackson Kissing His Wife]. [New York: Acme News Agency, August 2, 1946]. Light wear to edges, stamps, annotations and caption to verso. \$125.

* The caption reads (in part): "JACKSON BACK FROM WAR CRIMES TRIALS (...) Supreme Court Justice Robert H. Jackson is greeted by his wife shortly after his arrival at Washington National Airport from Nuremberg, Germany, where he has been chief American prosecutor at the Nazi War Crimes Trials."



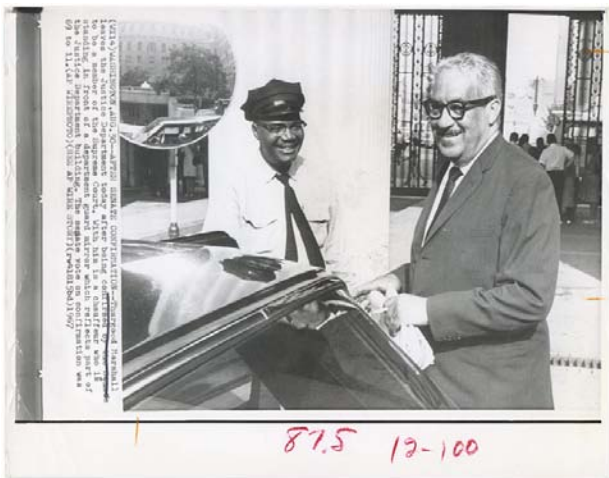
**Portrait Photograph of Lyndon Johnson Inscribed
To Supreme Court Justice and UN Ambassador Arthur Goldberg**

15. Johnson, Lyndon Baines [1908-1973].

[Goldberg, Arthur (1908-1990)].

[Photograph of Johnson Inscribed to Goldberg]. N.p., N.d. (1965?). 8" x 10" color portrait photograph, printed credit in the image at bottom left, glazed and framed in tasteful black-and-gold wooden 16" x 19" frame. Bold inscription and full signature below image. A few tiny nicks to frame, image fine. \$5,000.

*The (undated) inscription reads "To Arthur Goldberg-/ With the high regard and affection/ of his friend-/ Lyndon B. Johnson." Appointed by President Kennedy, Goldberg was an Associate Justice of the U.S. Supreme Court from 1962 to 1965 and one of the most significant justices of the twentieth century. In his three terms on the bench he pushed the Court toward a broader construction of personal rights, a course it followed over the following two decades. He is best known for his influential 1963 internal Supreme Court memorandum that condemned capital punishment as an example of "cruel and unusual punishment," as defined by the Eighth Amendment, and his opinion in *Griswold v. Connecticut* (1965), which argued against a Connecticut law banning the use of contraceptives because it violated an un-enumerated right to privacy guaranteed by the Ninth Amendment. The memo initiated a wave of litigation and legislation that led to the abolition of the death penalty in several states; the *Griswold* opinion laid the foundation for *Roe v. Wade* (1973), which established a women's right to have an abortion. When Adlai Stevenson, Ambassador to the United Nations, died in 1965 President Johnson decided to appoint Goldberg to fill his seat. Johnson's larger plan was to put Abe Fortas on the bench because he knew Fortas would defend his Great Society programs (and spy on the Court for him). Probably a recipient of the legendary Johnson "treatment," Goldberg was persuaded to resign while flying to Stevenson's funeral on Air Force One. Goldberg went on to say that he accepted the UN Ambassadorship in order to resolve the Vietnam Conflict. This photograph may be a memento of that 1965 flight, or one of the tools Johnson used to persuade Goldberg.



Item 16



Item 17

Thurgood Marshall After His Senate Confirmation

16. 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."

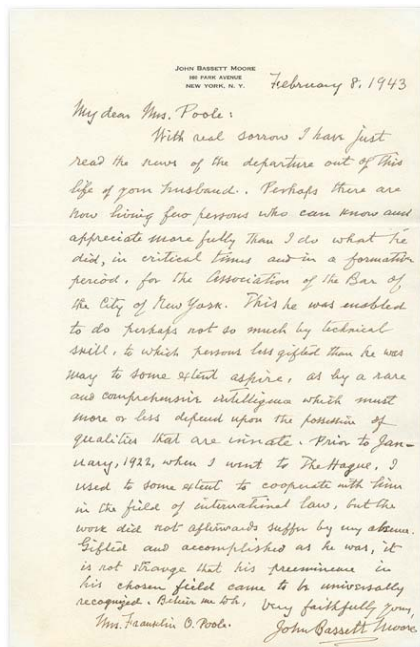
"Seldom Photographed"

17. McReynolds, James Clark [1862-1946].

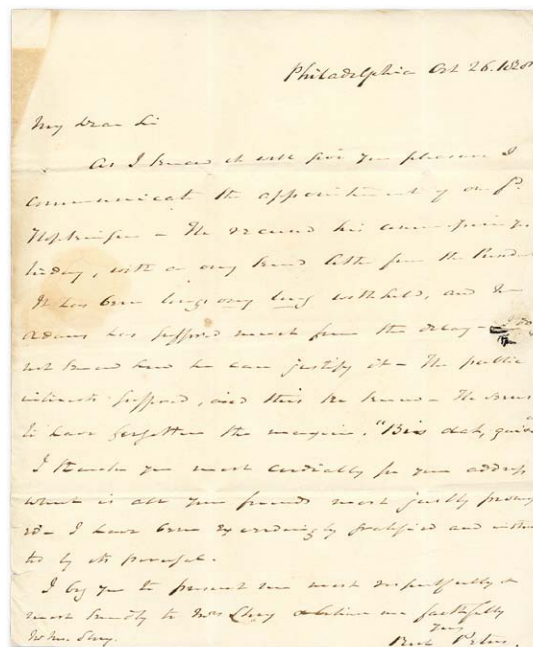
[7" x 9" Black-and-White Press Photograph of McReynolds]. [New York: Acme Newspictures, October 13, 1933].

Minor wear to corners, light wrinkling, annotations, stamps and tipped-in caption to verso. \$125.

*The caption reads (in part): "Justice James Clark McReynolds of the U.S. Supreme Court in Washington, D.C., Oct. 12th, arriving to attend a session of the Fall term which opened recently. Seldom photographed in other than group pictures, Justice McReynolds is shown in an informal action pose as he arrives at the Supreme Court..."



Item 18



Item 19

A Famous International Lawyer Expresses Condolences

18. Moore, John Bassett. [1860-1947].

[Poole, Mrs. Franklin O.].

[Autograph Letter, Signed, On Moore's Letterhead, New York, NY, February 8, 1943]. Single 1-1/4" x 6-1/2" sheet. Some toning, two horizontal fold lines. Fine. \$150.

*"With real sorrow" Moore notes that he has just read of the death of Mrs. Poole's husband, who had been librarian of the Association of the Bar of the City of New York since 1905 and also, at one time, president of the American Association of Law Libraries. Moore, a distinguished international lawyer and long-time professor of law and diplomacy at Columbia, was the first American jurist to sit on the Permanent Court of International Justice.

The Supreme Court Reporter Writes to Justice Story

19. 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 20



Item 21

**"She May Even Become
the First Female Supreme Court Justice"**

20. Potter, Vivienne [b.1933].

[7" x 9" Black-and-White Portrait Photograph of 1955 Miss America Contestant, And Law Student, Vivienne Potter]. [New York: United Press Photos, August 16, 1955]. Some rubbing to edges, minor wrinkling, stamps and tipped-in caption to verso. \$50.

* The caption reads: "LADY AND THE LAW: Shapely Vivienne Potter of Reno, Miss Nevada of 1955, stands with her law books on the U.S. Supreme Court Steps in Washington, where she is studying for the bar at American University. Vivienne is the first law student ever to enter the Miss America Contest. She's an accomplished golfer, skier and swimmer, and come 1980, she may be even become the first female Supreme Court justice."

Justice Roberts at Cardozo's Funeral

21. Roberts, Owen J. [1875-1955].

[Cardozo, Benjamin [1870-1938)].

[7" x 9" Black-and-White Photograph of Roberts at Cardozo's Funeral]. [New York: Acme News Agency, July 11, 1938]. Light wear to edges, stamps, annotations and caption to verso. \$75.

* The caption reads (in part): "Owen J. Roberts, Associate Justice of the United States Supreme Court, shown as he attended the funeral of his colleague, Benjamin N. Cardozo, at the home of Justice Irving Lehman of the New York State Court of Appeals at Port Chester, July 11. Burial was at Cypress Hills Cemetery, Queens."



Jack Ruby Confers with His Lawyer

22. Ruby, Jack [1911-1967].

Belli, Melvin [1907-1996].

[7" x 9" Black-and-White Photograph of Jack Ruby and Melvin Belli]. [Boston: United Press International, 1964]. Light edgewear to margins, fingerprint to left of image, apparently from negative, stamps to verso. \$75.

* "1/20/64 DALLAS: Jack Ruby, (L) shown with his defense attorney Melvin Belli, (R) in courtroom prior to the opening of Ruby's bond hearing."



Scalia Is Nominated to the Court

23. Scalia, Antonin [b. 1936].

[Three 10-1/2" x 8-1/2" Press Photographs Relating to Justice Scalia's Nomination]. [New York: Associated Press, June 16, June 25 and August 5, 1986]. Light wear, caption and crop marks to margins, two reinforced with masking tape, stamps to versos. \$100.

* The June 16th image shows Scalia addressing an audience at the White House at the time of his nomination, Chief Justice Burger at his side. The other two images, from June 25 and August 5, relate to Scalia's confirmation. In one, he is speaking with Bob Dole at the Capitol. In the other, Maureen and Margaret Scalia are observing the hearings before the Senate Judiciary committee.



Justice Sotomayor Remembers Yale Law School

24. Sotomayor, Sonya [b. 1954].

[*Typed Letter, Signed, On Supreme Court Letterhead, October 30, 2009*]. Single 8-1/2" x 6-1/24 sheet and 6-1/2" x 4-1/2" envelope. Single horizontal fold line to letter, which has a full signature. Fine. \$150.

* Friendly letter to fellow alumnus Albert Besser. The letter reads, in part: "It is a true pleasure to enjoy a school experience as we did attending Yale Law School."

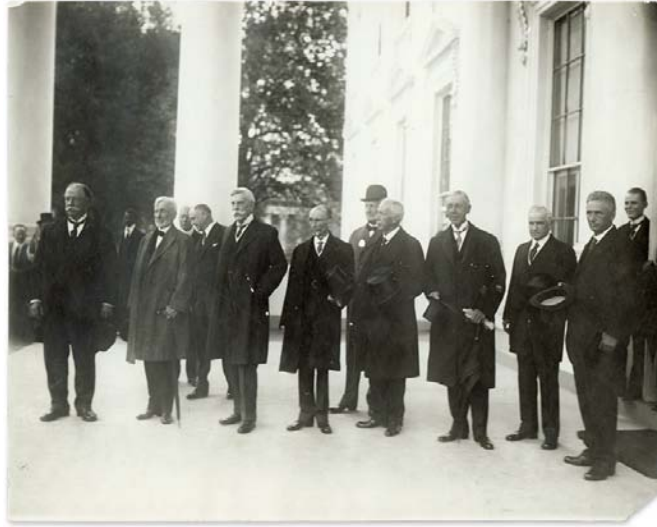


Souter Is Appointed to the Court

25. Souter, David [b. 1939].

[*8" x 10" Black-and-White Press Photograph of Justice Souter*]. [Boston: The Boston Herald, October 2, 1990]. Negligible rubbing to edges, stamps to verso. \$50.

* Judge David Souter addressing the press in the New Hampshire State House following his appointment to the Supreme Court.



The Taft Court Visits the White House

26. 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."



A Portrait of the Burger Court

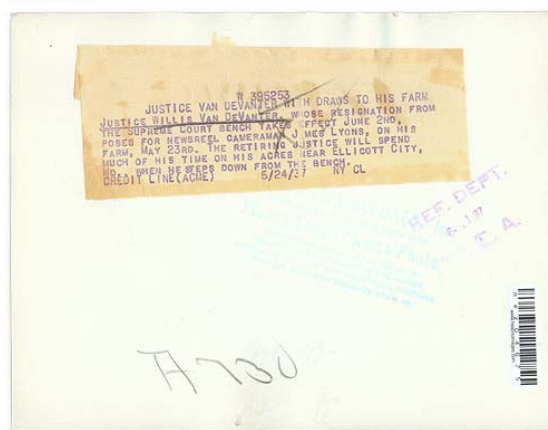
27. [Supreme Court, United States].

[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.



Item 28



Item 29

Keeping Fit with Chief Justice Taft

28. Taft, William Howard [1857-1940].

[6-1/2" x 8-1/2" Black-and-White Press Photograph of Taft]. [Washington, DC: National Photo, June 11, 1924].

Negligible edgewear, margins removed (?), stamps and tipped-in caption to verso. \$150.

* The caption reads: "Keeping Fit--Chief Justice Taft of the United States Supreme Court keeps down to weight through a daily walk of four or five miles to the Capitol."

Justice Van Devanter Addresses the Camera

29. van Devanter, Willis [1859-1941].

[7" x 9-1/2" Black-and-White Press Photograph of Justice Van Devanter Addressing a Newreel Camera]. [New York: Acme Newspictures, May 24, 1937]. Minor wear and crinkling to edges, caption, stamps and annotations to verso. \$75.

* The caption reads: "Justice Van Devanter Withdraws to His Farm. Justice Willis Van Devanter, whose resignation from the Supreme Court bench takes effect June 2nd, poses for newsreel cameraman James Lyons, on his farm, May 23rd. The retiring justice will spend much of his time on his acres near Ellicott City, MD., When he steps down from the bench."



Byron White Joins the Court

30. White, Byron R. [1917-2002].

[6-1/2" x 9" *Black-and-White Press Photograph of Justice White*]. [New York: Associated Press Wirephoto, April 17, 1962]. Light rubbing to edges, top margin removed, caption to bottom margin, stamp and annotations to verso. \$50.

* The caption reads: "New Member of Supreme Court--Byron R. White, former deputy attorney general, poses in his robes as an associate justice of the United States Supreme Court in his chambers this morning before taking oath of his new office. Justice White, the youngest member of the court at 44, replaces resigned Justice Charles H. Whittaker."



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