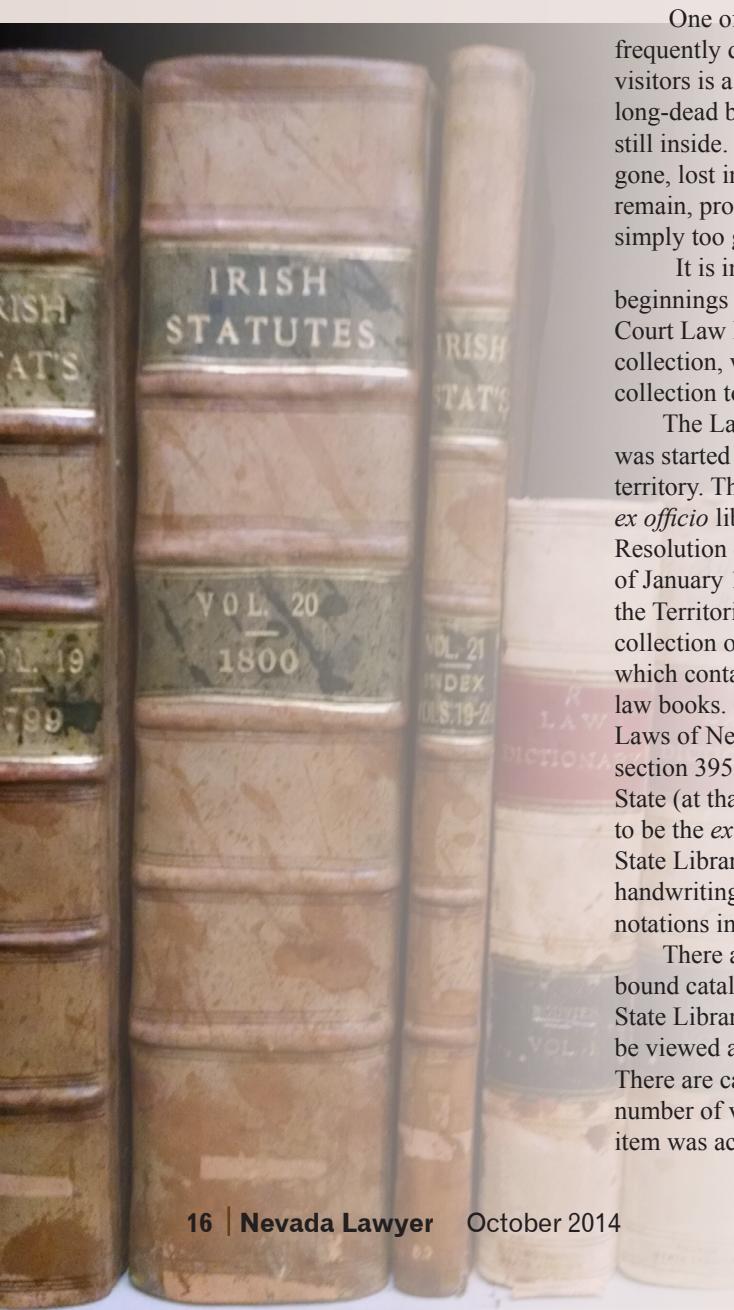


# NEVADA SUPREME COURT LAW LIBRARY: PRESERVING HISTORY BY THE BOOK

BY CHRISTINE TIMKO,  
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SUPREME COURT LAW LIBRARY

One of the little-known gems of the Nevada Supreme Court Law Library is the collection of rare books kept in a temperature-controlled room off to one corner of the Law Library. It contains treasures to delight the book lover, ranging from the impressively large Irish Statutes (14.5 inches tall and 9 inches wide) to the diminutive copy of the Magna Carta, (6 inches wide by 4 inches tall).



One of the prized possessions frequently displayed to past privileged visitors is a book that had been eaten by long-dead bookworms, with a carcass still inside. The bug-mummy is long gone, lost in a move, but the holes remain, proof that some books are simply too good not to eat.

It is interesting to trace the beginnings of the Nevada Supreme Court Law Library through this collection, which is part of the larger collection today.

The Law Library's initial collection was started when Nevada was still a territory. The territorial auditor was the *ex officio* librarian. In the Concurrent Resolution of the Nevada Legislature of January 13, 1865, the holdings of the Territorial Library were the initial collection of the Nevada State Library, which contained other books as well as law books. Consequently the Compiled Laws of Nevada, 1861 to 1873, in section 3957, shows the Secretary of State (at that time it was C.N. Noteware) to be the *ex officio* Librarian of the State Library. Noteware had elegant handwriting, and many of the books bear notations in his beautiful script.

There are handwritten, leather-bound catalogs of the holdings of the State Library. These early catalogs can be viewed at the Nevada State Archives. There are careful notations of the title, number of volumes in a set and how the item was acquired.

According to section 3959 in the Compiled Laws of Nevada, 1861 to 1873, "no person was permitted to have more than two volumes of miscellaneous works from the library at the same time." There is a beautiful handwritten entry in one of the catalogs stating, "No person whatsoever shall be allowed to take out a book without leaving a receipt therefor. No person, except the Judges of the Supreme Court and member of the Legislature when in session, who has failed to return a book within two weeks after taking it out shall be permitted to take out another book until after he has returned all books that he has had for the period of two weeks." This is followed by the signature of Thomas P. Cawley, Prest B of D. (Library Board of Directors). Reading between the lines, one can feel the librarian's frustration, even back then, with those who do not return their books on time.

Anyone who damaged or lost a book had to pay three times the value of either the individual book or of the complete set, if the lost or damaged item was part of a set. If the offending party did not want to return the item or pay the fee, he was taken before the justice of the peace or court having jurisdiction.

Every officer of the state had to pay at least \$5 for the library fund to the secretary, excluding Commissioner of Deeds, who paid \$10, and notaries public, who paid \$20, upon issuance of their commission. Counselors at law

were required to pay \$10, and attorneys had to pay \$25 before they could practice, unless they had already paid their money to the territorial library.

It is interesting to note that in the 1860s an exchange program between state libraries existed, through which the states exchanged statutes and other materials with one another. The Ohio Laws of 1844 were acquired as part of the exchange program. There is still an exchange program today, allowing the state law libraries to acquire other state materials at a reduced cost (NRS 2.460).

The U.S. Government donated a large number of books to the collection in 1865, one year after Nevada became a state. Today the Law Library receives the U.S. Statutes and other materials through the Federal Depository Program, which distributes government publications printed by the Government Publication Office (GPO), to libraries who participate in the program.

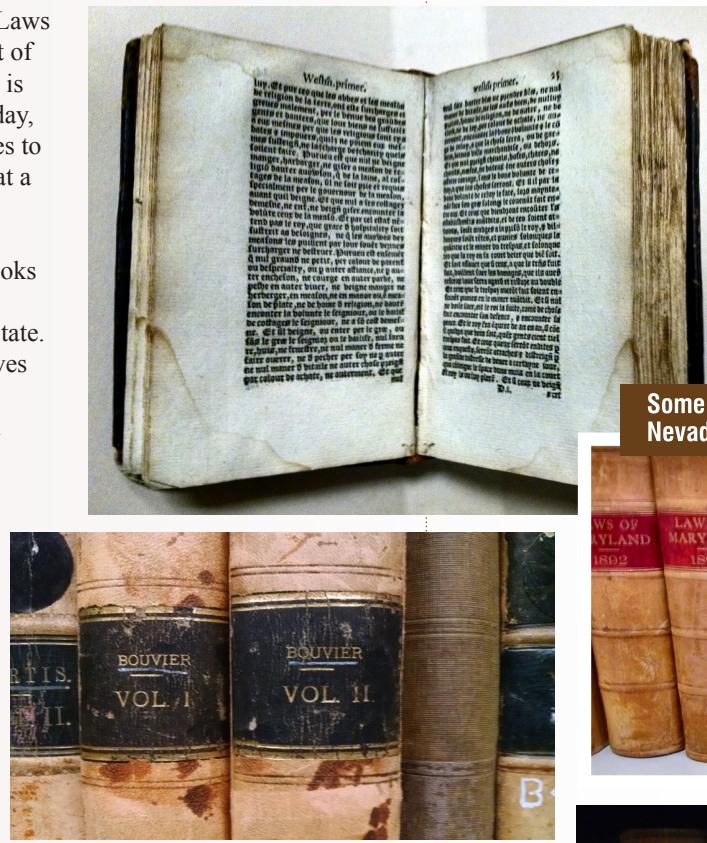
West, a major legal publisher even then, provided books for the collection through the rest of the 1865 and beyond. Judgments, a two-volume set by Black, was acquired for the large sum of \$11.50. Another two-volume set, entitled *Judgments* by Freeman, was purchased from Bancroft & Whitney, another leading law publisher, for \$10.50.

Bancroft Whitney was acquired by West, which has since been acquired by Dutch company Thomsen Reuters. Little, Brown & Co. also were the purveyors of many of the titles that were purchased for the Library. Little, Brown & Co., founded in 1837, was acquired by Time Warner in 1968, and is now owned by the Hachette Book Group, a French company.

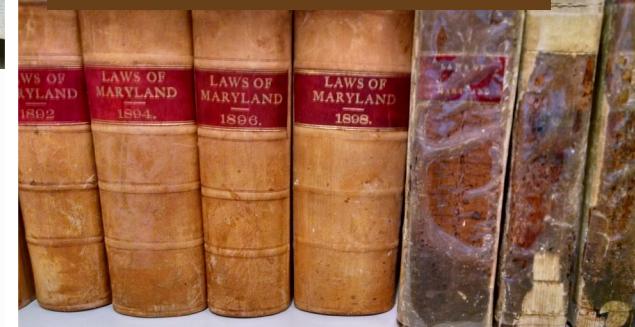
"The First Annual Report of the State Library to the Legislature" shows that a large number of titles in the collection were acquired through the purchase of H.O. Beatty's personal collection of 412 volumes on February 26, 1865. Henry O. Beatty was a Nevada Supreme Court judge, elected in 1864. The name in the catalogs is first spelled Beatty and then spelled Beattie, so it is difficult to be sure from the catalogs that this is actually Justice Beatty, but I think it is a good guess. Much of the English Common Law Reports came from this collection. Ten volumes consisting of the California Reports from P.H. McRea and 115 volumes of law books from Geo Loomis were also purchased in 1865.

The Supreme Court Law Library still has these treasures from Nevada's early beginnings as a state and, over the years, has added a volume or two. The Nevada Supreme Court Law Library actively collects Nevada legal materials, especially older materials.

The early legal dictionaries have been surprisingly useful in research, as words change meaning over time. Great care is taken in the handling of these fragile volumes, but it is worthy to note that books from the 1500s (the law library has one or two), are still useable and readable — if you can interpret the language. ■



Some of the many rare books from the Nevada Supreme Court Law Library



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*The Nevada Supreme Court Law Library is a public law library and is located in the Nevada Supreme Court Building. It is open from 8 a.m. to 5 p.m. Monday through Friday.*