

1. [American Politics]: ALL ON HOBBIES, GEE UP, GEE HO.! New York: H.R. Robinson, 1838. Oblong lithograph broadside, 11-1/2" x 18-3/4." Lightly foxed, minor blank margin wear. Else Very Good.

"The major figures in American national politics in 1838 are gently satirized, each characterized as riding a favorite issue of 'hobbyhorse'." [Reilly].

Van Buren's horse is "Sub-Treasury." He calls it his "old Hickory nag." Henry Clay and Daniel Webster share the "United States Bank" hobbyhorse. Thomas Hart Benton rides the "Specie Currency." A glaring John C. Calhoun is on his "State Rights & Nullification" horse. In full military uniform, William Henry Harrison is on "Anti-Masonic." John Quincy Adams, riding "Ebony," says, "This horse, instead of being my Topaz, is my Ebony."

"Each makes remarks on the state of affairs" [Weitenkampf].

Reilly 1838-1. Weitenkampf 53. OCLC 299944539 [2- DLC, Clements], 1136569680 [1-AAS] as of December 2022.

(38953) \$2,000.00

2. Boon, Edward .: CATALOGUE OF BIOGRAPHICAL PAMPHLETS, COMPRISING FUNERAL SERMONS, OBITUARIES, EULOGIES, MEMOIRS, NARRATIVES, SKETCHES, AND ADVENTURES, ALSO, SPEECHES, ORATIONS AND ADDRESSES OF SOME OF THE MOST PROMINENT STATESMEN, DIVINES AND LITERARY MEN OF THE UNITED STATES...FOR SALE BY EDWARD P. BOON, 86 NASSAU ST., NEW YORK. [New York: 1878?]. 56pp. Title page detached and chipped in blank inner margin. Scattered dusting. Good+.

Hundreds of pamphlets listed for sale, including many on or about Presidents Washington, Tyler, and Taylor, and Daniel Webster, Thomas Paine, William Seward, and many others.

(19368) \$75.00

3. Clark, Rufus W.: A REVIEW OF THE REV. MOSES STUART'S PAMPHLET ON SLAVERY, ENTITLED CONSCIENCE AND THE CONSTITUTION. Boston: Moody, 1850. 103, [1 blank] pp. Disbound without wrappers, else Very Good.

Clark claims that the Slave States, which clamored for the divisive Mexican War, are responsible for "the general and intense agitation of the slavery question." Clark angrily rebuts the arguments of Stuart, Daniel Webster, and other temporizers with Slavery.

LCP 2351.

(32613) \$50.00

4. [Dartmouth College Case]: OPINION OF THE SUPERIOR COURT OF THE STATE OF NEW-HAMPSHIRE, IN THE CASE OF THE TRUSTEES OF DARTMOUTH COLLEGE, VERSUS WILLIAM H. WOODWARD, ESQ. PRONOUNCED AT PLYMOUTH, IN THE COUNTY OF GRAFTON, AT THE NOVEMBER TERM, 1817.

PRESENT, HON. WILLIAM M. RICHARDSON, CHIEF-JUSTICE. HON. SAMUEL BELL, HON. LEVI WOODBURY, JUSTICES. Concord: Printed by Isaac Hill, 1818. 27, [1 blank] pp. Stitched, untrimmed. Tear to top inside corner of title page [no text loss]. Light toning and scattered focusing. Good to Good+.

This is the original lower court opinion in the famous Dartmouth College Case, brought because the anti-Federalist legislature of New Hampshire had abolished Dartmouth's Charter and turned it into a State university. Daniel Webster was not original counsel in the Superior Court, but delivered Dartmouth's summation at the close of trial. No record of his speech evidently exists, "but it was said that his emotional peroration 'left the whole courtroom in tears'" [Peterson, *The Great Triumvirate* 99].

Nevertheless, the Court found against Dartmouth; Webster took the case to the U.S. Supreme Court for a \$1000 fee. There, Webster's argument that the charter was a contract whose obligations the legislature could not constitutionally impair succeeded; the lower court had rejected that claim.

FIRST EDITION. Cohen 11611. Sabin 18623. AI 44995 [2].

(26124)

\$500.00

5. Election of 1848: ADDRESS OF THE WHIGS OF THE LEGISLATURE OF MASSACHUSETTS TO THE WHIGS OF THE UNION. Boston: Eastburn's Press, 1848. Stitched, 11pp. Scattered foxing, blank top margin of title page cut down with no text affected, upper blank forecorner chewed. Good+.

Massachusetts Whigs put forth a valiant but unsuccessful effort in behalf of Daniel Webster's candidacy for the Whig presidential nomination in He is "A man who, respecting all the 'arrangements and compromises of the Constitution,' and the rights of all under them, will yet never suffer them to be extended or increased, to the destruction of our political equality."

FIRST EDITION. 4 NUC 0070701 [2]. Not in Sabin, Eberstadt, Decker, Miles.

(17436)

\$175.00

6. Free Soiler, A: DISTRICT NO. 9. BOLTING FREE SOILERS. Taunton [MA]: Nov. 5th, 1850. Broadside, 9-1/4" x 17-1/2". Printed in three columns, each separated by a rule. Signed and dated in type at the end. A couple of blotches at the blank upper margin, else Very Good.

This rare broadside scolds Free Soil men who rejected their Convention's nomination of Orin Fowler for Congress, and hence "bolted" the Party. No justification exists to oppose Fowler, who has courageously arrayed himself against Daniel Webster's flirtations with the Slave Power.

Fowler is "fully and radically Free Soil." Purists who oppose Fowler because he was not a Free Soil man in the 1830s are foolish; opposition may "seriously injure your party."

Not in Sabin, LCP, Dumond. OCLC 48405012 [2- MA Hist. Soc., Brown], 210310696 [1-

AAS] as of September 2023.

(34723) \$650.00

7. Hallett, Benjamin Franklin: THE RIGHT OF THE PEOPLE TO ESTABLISH FORMS OF GOVERNMENT. MR. HALLETT'S ARGUMENT IN THE RHODE ISLAND CAUSES, BEFORE THE SUPREME COURT OF THE UNITED STATES, JANUARY, 1848. NO. 14. MARTIN LUTHER VS. LUTHER M. BORDEN AND OTHERS. NO. 77. RACHAEL LUTHER VS. THE SAME. Boston: Beals & Greene, 1848. Large 8vo. 71, [1 blank pp. Stitched in original printed wrappers [lightly dusted]. A clean text. Near Fine.

Rhode Island authorities, acting under a decree of martial law, arrested Martin Luther, a shoemaker, for acting as moderator of the Warren Town meeting, which was held under the People's Constitution. Luther argued that the declaration of martial law was void because it had been enacted under the charter government, which had been supplanted by the People's Constitution pursuant to a vote of the citizenry. Thus the issue for decision became the legitimacy of the government under the People's Constitution. Hallett, the Jacksonian Democrat, argued for its validity and opposed Daniel Webster in the Supreme Court. Both advocates were at their best in this searching exploration of the nature of sovereignty and the derivation of the legitimacy of government.

FIRST EDITION. VII DAB 155. I Harv. Law Cat. 854. Bartlett p.144. BEAL 12001. Sabin 29889.

(25868) \$350.00

8. [Hazard, Benjamin]: ARGUMENT IN THE CASE RHODE-ISLAND AGAINST MASSACHUSETTS. PRINTED BY ORDER OF THE GENERAL ASSEMBLY. Providence: 1838. Stitched, 60pp, Outer leaves tanned, scattered foxing and light wear, untrimmed. Manuscript at head of title page, "Clerk office CC Pleas County Washington" [tiny holes along several of the manuscript letters]. Good+.

Hazard made his argument in a case "of historic importance. In Rhode Island v. Massachusetts, the [Supreme] Court was called upon for the first time to decide whether it possessed jurisdiction under the Constitution to decide a conflict between two States of the Union, involving a disputed boundary line and the sovereignty over disputed territory" [II Warren, Supreme Court in United States History 42-43]. The Court adopted Hazard's position, which involved a sophisticated exposition of early Constitutional history, holding [over Chief Justice Taney's dissent] that it did have jurisdiction. See 37 U.S. 755 [1838].

Daniel Webster was counsel for Massachusetts. Ironically, Massachusetts presented a State Rights argument, that the Court might lack the power to execute its judgment against Massachusetts. Hazard, seizing a delicious opportunity, responded, "What! Does Massachusetts threaten? Is Massachusetts ready to become a nullifying State, and to set up her own will in defiance of the decrees of this Court and the Constitution itself?" FIRST EDITION. Cohen 11940.50 [2003 Supp.]. AI 50778 [5]. Not in Marvin, Harv.

Law Cat., Eberstadt, Decker.
(18290) \$250.00

9. [New Orleans]: SUPREME COURT OF THE U. STATES. JANUARY TERM, 1833./ MAYOR, ALDERMEN, &C. OF THE CITY OF N. ORLEANS, DEFENDANTS AND APPELLANTS, VS. THE U. STATES, COMPLAINANTS AND APPELLEES. / CASE FOR APPELLANT. [np: 1833?]. 10, [2 blank] pp. Caption title [as issued], stitched, untrimmed, partly uncut. Minor dustsoiling on untrimmed edges. Else crisp and bright. Near Fine.

This is the Brief, submitted to the United States Supreme Court, by the City of New Orleans. The City and the United States each claimed title to the same area of "vacant public land." The City sought to sell it. The United States objected on the ground that the land, "formerly belonging to the Crowns of France and Spain successively, passed by treaty to the United States." The U.S. District Court for the Eastern District of Louisiana enjoined the sale. The City appealed.

The City's Brief, an unusually detailed examination of its chain of title beginning in 1720, argues that ownership of the disputed lands did not vest in the United States under the treaty to purchase Louisiana; and that the "original plan of the City" left those lands "for the use of the inhabitants." The Supreme Court agreed. Its opinion, by Justice McLean of Ohio, is officially reported at 35 U.S. 662 [1836].

Daniel Webster and Edward Livingston-- who had spent years fending off U.S. claims to New Orleans alluvial lands-- represented the City; Attorney General Benjamin Franklin Butler was counsel for the United States.

OCLC 1297855642 records only facsimiles from an original at the Harvard Law School, as of March 2024.

(32746) \$500.00

10. [Ticknor, George]: REMARKS ON THE LIFE AND WRITINGS OF DANIEL WEBSTER, OF MASSACHUSETTS. Philadelphia: Carey & Lea, 1831. 48pp, Disbound, scattered dust and foxing, with wear to lower blank corner of first few leaves. About Good+.

An early assessment of Webster's career, based on his "Addresses, Speeches in Congress, and Forensic Arguments." Webster's work reflects the thinking of "one born and educated among our free institutions, - of one formed in their spirit, and animated and sustained by their genius and power." That is, his life, themes, and views are "entirely American."

Ticknor recounts Webster's early life in New Hampshire, and the defining influence of his New England upbringing; his education at Dartmouth and admission to the Bar; his career as a lawyer, particularly his advocacy in the Supreme Court, the Dartmouth College Case, and Ogden against Saunders; and his career in Congress, beginning in 1812 as a young congressman who always sought to determine and uphold the national interest. His positions on the War of 1812, the recharter of the Bank of the United States, and the Nullification movement in South Carolina are reviewed. The book was always

available as a campaign pamphlet in the event of a Webster boomlet for the presidency.
FIRST EDITION. AI 9420 [5]. Sabin 95806. Not in Eberstadt, Decker.
(10587) \$175.00

11. Weaver, William A.: REPLY TO A PAMPHLET BY THOMAS ALLEN, ENTITLED, AN "EXAMINATION OF THE CASE PRESENTED TO CONGRESS BY BLAIR & RIVES, IN RELATION TO THE COMPENDIUM OF THE SIXTH CENSUS, TOGETHER WITH THE TESTIMONY TAKEN BEFORE THE COMMITTEE OF CLAIMS, AND OTHER PAPERS;" WITH A FURTHER EXAMINATION OF THE SAME CASE, AND THE PRINCIPAL PART OF THE TESTIMONY TAKEN BEFORE THE SELECT COMMITTEE COMPOSED OF MESSRS. HOPKINS, DAVIS, PROFFIT, MEDILL, AND IRWIN; TOGETHER WITH OTHER OFFICIAL PAPERS AND DOCUMENTS PERTAINING TO A FORMER NAVAL COURT MARTIAL. Washington: 1842. 114, [2 blank] pp. Pages 113-114 are titled, 'Appendix'. Stitched, untrimmed, partly uncut, lightly dusted. Small institutional rubberstamp on title page and in blank margin of final page of text. Light scattered foxing. Very Good.

Weaver, superintending clerk of the sixth census, chronicles the dispute between Thomas Allen and the firm of Blair & Rives concerning Congress's letting of the printing contract for the Compendium of the Sixth Census.

This patronage fight engaged the attention of Whigs [who controlled the Committee], Democrats, Secretary of State Daniel Webster, and other luminaries. Because Webster and others sought to discredit him in this controversy, Lieutenant Weaver also discusses his "persecution" in a prior naval court martial; he includes the testimony of Commodore Charles Stewart.

AI 42-5070 [3].
(23918) \$275.00

12. Webster, Daniel: AN ADDRESS DELIVERED AT THE LAYING OF THE CORNER STONE OF THE BUNKER HILL MONUMENT. FIFTH EDITION. Boston: Cummings, Hilliard, and Company, 1825. Original printed wrappers, stitched, 40pp. Untrimmed. Inconspicuous rubberstamp in blank corner of front wrapper. Very Good.

American Imprints records five editions of this pamphlet printed in 1825.
AI 23269 [5].
(34992) \$50.00

13. Webster, Daniel: AN ADDRESS DELIVERED BEFORE THE WASHINGTON BENEVOLENT SOCIETY, AT PORTSMOUTH, JULY 4, 1812. Portsmouth, N.H.: [1812]. 27pp, with the half title. Untrimmed, disbound, scattered foxing and an ink numeral, Good+.

A fine speech blending the celebration of July 4 with recollections of Washington's achievements. "Our national anniversary, and the fame of WASHINGTON are mutual

guarantees for each other, that neither shall be forgotten."

On the establishment of the Constitution Webster says, "It was their commercial embarrassment and distresses, which first convinced the States of the indispensable necessity of a new General Government."

Warning Federalists who oppose the ongoing War of 1812 Webster says, "Resistance and Insurrection form no parts of our creed. The disciples of Washington are neither tyrants in power, nor rebels out."

FIRST EDITION. Sabin 102258. AI 27493.
(20932) \$150.00

14. Webster, Daniel: A DISCOURSE IN COMMEMORATION OF THE LIVES AND SERVICES OF JOHN ADAMS AND THOMAS JEFFERSON, DELIVERED IN FANEUIL HALL, BOSTON, AUGUST 2, 1826. Boston: Cummings, Hilliard and Company, 1826. 62 pp. Disbound, lightly foxed, inconspicuous rubberstamp. Good+.

Both Founders died on July 4, 1826, exactly fifty years after the Declaration of Independence.

AI 27583.
(34765) \$75.00

15. Webster, Daniel: FUNERAL ORATION, OCCASIONED BY THE DEATH OF EPHRAIM SIMONDS, OF TEMPLETON, MASSACHUSETTS, A MEMBER OF THE SENIOR CLASS IN DARTMOUTH COLLEGE; WHO DIED AT HANOVER, (N.H.) ON THE 18TH OF JUNE 1801, AET. 26. BY DANIEL WEBSTER, A CLASS-MATE OF THE DECEASED. Hanover: Moses Davis, 1801. 13, [1 blank] pp, with the half title as issued. Trimmed closely at top margin, shaving the top portion of '13' in the page enumeration on page 13. Light blindstamp on half title, scattered light wear and fox, else Very Good. Bound in modern green morocco, with marbled endpapers.

This, Webster's second published speech, is preceded only by his July 4, 1800 oration as a member of the Junior Class at Dartmouth. He dedicates his Oration to Mr. and Mrs. Simonds, parents of the unfortunate Ephraim. An Ode, attributed to Webster, is included at the end: "What mournful voice thus sounds afar? / 'Tis Simond's Ghost on evening air."

Webster, whose oratorical abilities had received early recognition at Dartmouth, says, "This day completes the course of our Collegiate studies, and gives us to the world." He looks forward to class reunions, "But with Simonds we meet not again!" Among Webster's several speeches during his Dartmouth days, his Simonds oration "was the most remarkable for its unaffected directness, compelling emotion, and strong religious feeling" [Remini, DANIEL WEBSTER 54].

FIRST EDITION. AI 1629 [3]. Sabin 102255.
(35176) \$2,500.00

16. [Webster, Daniel]: A MEMORIAL TO THE CONGRESS OF THE UNITED STATES, ON THE SUBJECT OF RESTRAINING THE INCREASE OF SLAVERY IN NEW STATES TO BE ADMITTED INTO THE UNION. PREPARED IN PURSUANCE OF A VOTE OF THE INHABITANTS OF BOSTON AND ITS VICINITY, ASSEMBLED AT THE STATE HOUSE, ON THE THIRD OF DECEMBER, A.D. 1819. Boston: Sewell, Phelps, Printers, 1819. 22pp. Stitched and lightly worn. Good+.

Webster's earliest printed expressions on Slavery, during the Crisis over Missouri's admission to the Union, support a Congressional ban on new Slave States. Webster headed the Committee -- which included Josiah Quincy, James Austin, George Blake, and John Gallison -- which prepared the Memorial.

"The Boston Memorial, which undoubtedly expressed Webster's opinion, held that Congress was constitutionally empowered to exclude slavery in new States" [Peterson The Great Triumvirate 62]. The later Webster, fearing dissolution of the Union, pulled back when he supported the Compromise of 1850. But his arguments in this piece became bedrock doctrine for Free Soilers and Republicans in the 1840's and 1850's.

FIRST EDITION. LCP 6623. Sabin 47707. 136 Eberstadt 475. Work 330.

(38360) \$850.00

17. Webster, Daniel: MR. WEBSTER'S VINDICATION OF THE TREATY OF WASHINGTON OF 1842; IN A SPEECH DELIVERED IN THE SENATE OF THE UNITED STATES, ON THE 6TH AND 7TH OF APRIL, 1846. Washington: Gideon, 1846. 88pp. Disbound with light spotting, Good+. With a Very Good folding map showing the disputed boundary lines.

Back in the Senate after his tour of duty as Secretary of State, Webster rejects criticism of his handling of the Northeast Boundary negotiations with England. Williamson 10426.

(32309) \$125.00

18. [Webster, Daniel]: THE PROCEEDINGS OF TWO MEETINGS, HELD IN BOSTON, ON THE 7TH AND 14TH JULY, TO PROTEST AGAINST THE NOMINATION OF GEN. SCOTT, FOR THE PRESIDENCY, AND TO RECOMMEND HON. DANIEL WEBSTER FOR THAT OFFICE. Boston: Prentiss & Sawyer, 1852. 24pp, original printed wrappers. Very Good.

Disaffected Massachusetts Whigs can't stomach Scott, a war hero with nothing to recommend him for the Presidency, or Pierce, the Democrat. Unfortunately, Webster was dead three months after these meetings, so their choice wasn't so good either.

FIRST EDITION. Sabin 6548, 78422.

(26318) \$50.00

19. [Webster, Daniel]: THE RHODE ISLAND QUESTION. MR. WEBSTER'S ARGUMENT IN THE SUPREME COURT OF THE UNITED STATES, IN THE CASE OF MARTIN LUTHER VS. LUTHER M. BORDEN AND OTHERS, JANUARY 27TH, 1848. Washington: J. and G.S. Gideon, 1848. 20pp, disbound, else Very Good.

As part of the Dorr struggle, Webster argues that a legitimate change in government can occur only through constitutionally-established procedures. A constitution and new government can not be set up extra-constitutionally. Cohen notes that Gideon issued two printings with the same title, the other with 26 pages.

Cohen 12005. Bartlett p.105.

(34683) \$125.00

20. Webster, Daniel: SPEECH OF HON. DANIEL WEBSTER, TO THE YOUNG MEN OF ALBANY. WEDNESDAY, MAY 28, 1851. [Washington: Gideon & Co., [1851]. 29, [3 blank] pp, original printed wrappers, stitched. Old light vertical crease through center of all pages. Light dustsoiling. Signature, 'William Bridgman,' on front wrap. Good+
(16935) \$35.00

21. Webster, Daniel: SPEECH OF THE HON. DANIEL WEBSTER AT THE NATIONAL REPUBLICAN CONVENTION, IN WORCESTER, OCT. 12, 1832. Boston: Stimpson & Clapp, 1832. 43pp, [1 blank] pp. Disbound, title page with two rubberstamps in blank portions. Good+.

The Constitution is in imminent peril from President Jackson: Jackson has renounced the Constitution's primary powers developed over the preceding forty years, particularly a national bank and internal improvements. At the same time, Jackson has sought unconstitutionally to arrogate power to himself by claiming to be co-equal with the Supreme Court in interpreting the Constitution. As to the latter claim, Webster says, if the President is right, "there is an end to all law and all judicial authority. Statutes are but recommendations, judgments no more than opinions."

FIRST EDITION. Sabin 102282. AI 17010.

(34763) \$50.00

22. Webster, Daniel: WEBSTER'S SPEECH. A DEFENCE OF THE CHRISTIAN RELIGION, AND OF THE RELIGIOUS INSTRUCTION OF THE YOUNG. DELIVERED IN THE SUPREME COURT OF THE UNITED STATES, FEBRUARY 10, 1844. IN THE CASE OF STEPHEN GIRARD'S WILL. SECOND EDITION. New York: 1844. 76pp, disbound and partly loosened. Tanned, light scattered foxing. Good+.

Girard's will, probated in Philadelphia, set up a school for orphans. There were two problems with this laudable charitable impulse. First, only white males were eligible for admission. Second, clergy were barred from entering the College's gates-- even as visitors. Webster's argument for invalidating the will concerns only the latter

requirement. He claims that the bequest is void because it violated the public policy of Pennsylvania to foster religious sentiment. This New York printing issued in the same year as the first edition. Sabin 27486. AI 44-6490 [5].

(24374) \$100.00

23. Wells, Daniel: ARGUMENT OF DANIEL WELLS, ESQ. ON THE TRIAL OF WILLIAM WYMAN, AT LOWELL, NOV. 1843, ON AN INDICTMENT AGAINST HIMSELF AND OTHERS FOR EMBEZZLEMENT OF THE FUNDS OF THE PHOENIX BANK, CHARLESTOWN, MASS... Greenfield, Mass.: Printed by A. Phelps, 1844. 75, [1 blank] pp. Disbound, title page dusted and a closed margin tear [no loss]. Old rubberstamp on blank verso of title page. Text otherwise clean. Good+.

Wyman was the Bank president. Daniel Webster represented him. Wells was the prosecutor.

AI 44-6526 [4]. Not in Cohen.

(34966) \$125.00

24. Whig Party: JOURNAL OF THE PROCEEDINGS OF THE NATIONAL REPUBLICAN CONVENTION, HELD AT WORCESTER, OCTOBER 11, 1832. PUBLISHED BY ORDER OF THE CONVENTION. Boston: Stimpson & Clapp, 1832. pp [1]-72, 41-43, [1 blank]. Disbound, widely scattered foxing. Ink signature, "Seth Williams" on title page. Good+.

OCLC records two different printings in 1832 from Stimpson & Clapp, of 75 pages and (40, 9-43) pages. In this copy, the text reads appropriately; evidently the printer combined sheets from the two printings to make a complete pamphlet. The Convention endorses the Clay-Sergeant ticket for the race against Andrew Jackson, and denounces "the imbecility of the existing Administration...which substitutes its own will for the law of the land." Proceedings are reported, Electors are listed. The Convention's 'Address to the People of Massachusetts' and Daniel Webster's speech to the Convention are printed.

Sabin 36741. Not in Wise & Cronin.

(19560) \$250.00