

**DANIEL WEBSTER:
THE EXPOUNDER OF
THE CONSTITUTION**

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Daniel Webster: The Expounder of the Constitution by Everett Pepperrell Wheeler

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EVERETT PEPPERRELL WHEELER

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Daniel Webster

The Expounder of the Constitution

By
Everett Pepperrell Wheeler

"We cannot think of America without him. We cannot think of the Constitution or of the Union without him. His figure naturally belongs to and mingles with all great scenes and places which belong to liberty."—GEORGE FRISBIE HOAR.

G. P. Putnam's Sons
New York and London
The Knickerbocker Press
1905

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PREFACE

I WAS brought up among men who knew Mr. Webster personally, and loved and honored him. I heard his oration before the New York Historical Society just before I went to college. In my Freshman year I went to his funeral, and saw him lie in simple state on his lawn at Marshfield. Every flag was at half-mast and every street draped in mourning. The hills were black with the countless throngs who assembled to pay the last tribute of respect to the first American of his day. The country showed how deeply it felt the loss of him who for fifty years had served it faithfully. My soul took in something of the universal emotion.

Then again, the men who influenced me in my youth were alive to the difficulties of the political situation, and their talk was of Mr. Webster, and the country, and the Union, and of the part he had played in the long struggle that attended their growth, and that finally effected their preservation. I lived through the Civil War and saw what that preservation cost when the final grapple came.

My professional studies have led me to a careful examination of the great cases that Webster argued, and the decisions that followed his arguments, and that have moulded our Constitution and made it

adequate to the needs of a great Nation. For twenty years in the brief intervals afforded a busy lawyer by the demands of his exacting profession, I have been collecting the materials for this book. It has really been an evolution, and I send it forth now, invoking for it the friendly consideration of my fellow-citizens, and believing that the Webster lesson was never more needed than it is now. One necessary result of free institutions is to develop independence. But the majority of mankind will always follow a leader. And the independence of the leader often begets subservience on the part of the follower, the result of which is injurious to the Commonwealth. In these days of industrial warfare, it is especially necessary to recur to the principles of our Constitution, and to cultivate respect for the rights of others as sedulously as we insist upon our own. This was the motif of Mr. Webster's career.

My attention was first drawn to the comparison between the Seventh of March speech and Mr. Lincoln's first inaugural by my cousin Alexander S. Wheeler, of Boston. He knew Mr. Webster well. His suggestions and personal knowledge have been of great service to me in the preparation of this book.

I have made a careful examination of the Webster manuscripts in the Congressional Library, and in the Library of the New Hampshire Historical Society at Concord, N. H. In both I have found much important unpublished material. Probably the most interesting of this is a manuscript of Mr.

Justice Story, giving an account of the argument of the Dartmouth College case, and of the case of *Gibbons v. Ogden*, that I discovered in the Library at Washington.

Most of my references to Mr. Webster's writings are to the edition of his works in six volumes, published by Little & Brown during Mr. Webster's lifetime, and of which numerous editions have since been published. This edition is referred to as *Webster's Works*. The recent more complete edition, published by Little, Brown & Company, is referred to in those cases in which it contains matter not in the original edition. This is cited as *Webster's Writings and Speeches*.

EVERETT P. WHEELER.

