

THE INTELLIGENCER.

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WHEELING, W. VA., JANUARY 18, 1882.

A Memorable Anniversary.

One hundred years ago this 18th day of January the greatest man in many respects that this country ever produced was born in the town of Salisbury, New Hampshire. We refer to Daniel Webster—the man in his own day was not only designated by the public voice as the “Great Expounder” of the Constitution, but characterized by admiring multitudes who had seen him face to face as the “god-like” Webster. Nature had indeed put a seal on him that gave the world assurance of a man. In his remarkable physique, in his massive face and hand, in his wonderfully large and deep-set eyes, in his Olympian dome of thought, he was marked as in all the characteristics of his great mind. He towered not only like Saul among the people but like a Saul among the leaders of the people.

This being the hundredth anniversary of this great man's birth, it will be quite extensively commemorated throughout the country to-day, especially in New England, and more particularly in the place where he was born, at the college where he was educated, and in the great city where he rose to full orb of splendor. Such tributes as will be paid to-day by the very few survivors among his contemporaries who are qualified to speak of him will doubtless find their way into print and be furnished to the country. It should be and doubtless will be a labor of love to all who knew Webster to participate in these tributes to his memory. It should also be a matter of gratitude from all the American people to do honor not only this year but in all the years to come to this man, who did more to inaugurate a union-loving and a union-saving sentiment in our land than all the men who have risen to fame in our annals. Some of them have done well in this respect, but Webster excelled them all. It was his great series of speeches in the zenith of his power in the troubled times of 1830-33 that gave to the American school book literature of a later day those eloquent and lucid periods of logic and oratory that swelled the heart of the rising generation with a new born patriotism. Had it not been for Daniel Webster the secession movement would have culminated before it did, and had it not been for his speeches the country would not have been prepared for it. While men like Calhoun and Hayne were sowing the seeds of sectionalism and secession in the Southern mind fifty years ago, Webster was interpreting the nature of our Government and kindling a love for it among the masses of the people everywhere. He stood like a great rock in the United States Senate, against which the waves of secession beat in vain. He has been dead almost thirty years, but his speeches are alive to-day and were never more alive than during the late war. And they will live when all the pigmies of contemporary debate are forgotten. As expounders of the theory and scope of our Government they are judicial and immortal. The fame of Webster is secure for all the ages to come.

The prophetic genius of this great statesman touching the suicidal folly of secession can not be better illustrated to West Virginians, and to all who dwell along this Ohio River border, than by a reference to one of his last memorable speeches, made on the 4th of July, 1851, at the laying of the corner-stone of the addition to the Capitol at Washington. It was just at the close of the great era of conspiracy for the dismemberment of the Union, led by Jeff Davis and James M. Mason, in which, for the sake of peace, the North had reluctantly assented to the passage of the Fugitive Slave law, made as odious as possible by the two men. With an eye upon the home of Mason in the Valley of Virginia, and perhaps upon the conspirator himself, Webster, full of years, and on the very verge of his grave, said:

“Ye men beyond the Blue Ridge, many thousands of whom are nearer to this Capitol than to the seat of government of your own State, who you think of breaking this great association into fragments of States and of people? And ye men of Western Virginia, who occupy the great slope from the top of the Alleghenies to Ohio and Kentucky, what benefit do you propose to yourselves by division? If you ‘secede,’ what do you ‘secede’ from, and what do you ‘secede’ to? Do you look for the current of the Ohio to change, and to bring you and your countrymen to the tide-waters of Eastern rivers? What man in his senses can suppose that you would remain part and parcel of Virginia a month after Virginia should have ceased to be part and parcel of the United States?”

If this was not an inspired prophetic warning we may well doubt whether the mouth of a prophet was ever opened among men. Was there ever a prophecy in sacred or profane history that was more literally fulfilled. As West Virginians we may of all people well teach our children to read and weigh the great speeches and reverence the great name of Webster.

We regret that the brief space to which we are limited prevents us from saying very much that we would like to say as our anniversary tribute to this man to whom the American people owe so much. We would like to publish liberal extracts from his reply to Hayne—supposed by many to have been his greatest speech, and conceded by all to have been the strongest and sublimest argument ever made for the supremacy and superiority of the federal government over so-called States rights. As a specimen of logic it may well serve as a model for the American youth. Hayne had laid down three propositions, which were summarized by Webster as follows:

First—That the constitution is a compact between the States.

Second—That a compact between two, with authority reserved to one to interpret its terms, would be a surrender to that one of all power whatsoever.

Third—Therefore the general government does not possess the authority to construe its own powers.

But see how Webster swept away the ground from under the feet of Hayne:

“The Constitution, it is said, is a compact between the States, then, and the States, in turn, are parties to the compact. How comes the general Government itself a party? Upon the honorable gentleman's hypothesis, the general Government is the result of the compact, the creature of the compact, not one of the parties to it. Yet

the argument, as the gentleman now states it, makes the Government itself one of its own creators. It makes it a party to that compact to which it is itself a party. For the purpose of erecting the Constitution on the basis of a compact, the gentleman considers the States as parties to that compact; but as soon as his compact is made, then he chooses to consider the general Government, which is the offspring of that compact, not its offspring, but one of its parties; and so, being a party, without the power of judging on the terms of the compact. If the whole of the gentleman's argument were conceded to him, still the Constitution be a compact between the States, still that Constitution, or that compact, has established a Government with certain powers. The extent of its powers must be sought for in the instrument itself. The constitution declares that the laws of Congress passed in pursuance of the Constitution shall be the supreme law of the land. No construction is necessary here. It declares also, with equal plainness and precision, that no State shall enter into any compact with any other State, or with a foreign power. The United States shall extend every power arising under the laws of Congress. This needs no construction. Here is a law, which is declared to be supreme; and here is a power established which is to interpret that law.

As a specimen of Webster's grand logic on behalf of Federal supremacy, the passage quoted above is perhaps not more remarkable than other passages that might be quoted, but it has never been met by any of the advocates of secession; not even by Mr. Calhoun himself. It is so plain, too, that every school boy can understand it. Webster was great, as the greatest lawyer, in the simplicity of his reasoning and statements. Everybody could understand him.

It is said that great lawyers seldom make great statesmen. If this is true, it does not apply to Webster. He was a great lawyer, and by all odds our greatest statesman. Even as a criminal lawyer he was great. His speech for the prosecution in the case known as the murder of Captain Joseph White, stands as a monument to his fame as a criminal lawyer. But of course his special fame rests on his achievements as a constitutional lawyer. His name as a lawyer will be forever associated with the celebrated Dartmouth College case—of which college he was a graduate. He vindicated the inviolability of its colonial charter as against the power of the New Hampshire Legislature. No man before or since ever held the Supreme Court of the United States entranced and enthralled as he did by his argument and appeal in that case. It is said that tears came to the eyes of Chief Justice Marshall when Webster, at the close of his argument, and during his short appeal for justice, stopped and with choked voice said, “Your Honors, this is a small college, but there are those of us who love it!” Three years ago we saw the short and simple autograph note to his brother Ezekiel, in which Webster announced the decision of the court in favor of the college.

As a Secretary of State, Webster leads all the great names that have made that department of the government illustrious. Who has not heard of the great Hulseman letter? Many will remember how it thrilled the country when it appeared on December 21st, 1850. It was written to rebuke Austria for protesting against our government commissioning an agent to procure and forward correct information in regard to the Hungarian rebellion. Austria had alluded to our act as being tantamount to putting a spy in the field, and had intimated a threat against him as a spy. To this threat Webster said:

To give this odious name and character to a confidential agent of a neutral power bearing the commission of his country, and sent for a purpose fully warranted by the law of nations, is not only to abuse language, but also to confound all just regard such an imputation upon it by the cabinet of Austria as that it employs spies, and that in a quarrel none of its own, as distinguished by its flag, it did not presume, as it is willing to presume, that the United States in the original German was not of equivalent meaning with “spy” in the English language, or that in some other way the employment of such an approbrious term may be explained. Had the Imperial Government of Austria subjected Mr. Mann to the treatment of a spy, it would have placed itself without the pale of civilized nations; and the cabinet of Vienna may be assured that if it had carried, or attempted to carry, any such lawless purpose into effect, in the case of an authorized agent of this Government, the spirit of the people of this country would have demanded immediate retaliation to be waged by the utmost exertion of the power of the Republic, military and naval.

As may well be imagined, this forcible reply to the threat of the Austrian representative depressed the hump on his back not a little. Mr. Webster gave him a taste of the quality of the republic as a Nation competent to protect its citizens throughout the world, that was only second to our forcible extradition of Martin Kostin in the harbor of Smyrna from an Austrian man of war. Austria has respected the rights of American citizens of foreign birth ever since. Mr. Webster in writing to a friend about this letter said that one object in view in writing it was to teach Americans the power and value of their flag and awaken a spirit of loyalty to it against the mutterings of disunion. This was always his patriotic object in all the positions of his public life. He was a lover of his country, and desired all his countrymen to be proud of her and true to her. Looking at his long career and at what he did in his own day for the immediate good of the nation, and what he did for the lasting good of posterity, we cannot but say in the words of Holy Writ, “Verily, among all them that are born of women, there hath not arisen a greater” in our land than Daniel Webster.

THE NATIONAL QUESTION.

The Spoondyke Family Have a Few Words to Say Upon the Matter of Federal Testimony.

From the Brooklyn Eagle.

“My dear,” said Mrs. Spoondyke, as she wiped the corner of the baby's mouth and curled up on the top of its head, “why don't you go and be an expert?”

“Expert in what?” demanded Mr. Spoondyke, dropping his paper. “What kind of an expert?”

“Don't you know? An expert who goes to court and tells right out what he thinks of hypothetical questions and heads, and knows by the balance just when a man is crazy and when he isn't.”

“Anything particular the matter with your head this time?” roared Mr. Spoondyke. “Been reading some old cook book lately? What're you talking about? What dress pattern have you got hold of now?”

“I was reading about Mr. Guiteau,” replied Mrs. Spoondyke, “and I thought how much better it must be to be an expert than to know anything about the case. That's why I asked. If a man knows anything else, always prove that he doesn't, but if he is an expert, he just swears that the man who bothers him is crazy, and that ends it.”

“I s'pose you think I've had so much ex-

perience in idleness at home that I could make a fortune as an expert,” spattered Mr. Spoondyke. “I tell you they are all in-
telligent men. They make up their minds and swear to their opinions according to law. When the revised statutes at large provide for me as an expert, as they provide for idiots, lunatics, habitual drunkards, and married women, I'll go into the business.”

“Spoondyke, I'm a two inch mud puddle with a fence around it, and a Congressional appropriation to make it navigable? I'm a pen, I tell you, a nailed off pen in the court room where they put prisoners. Guiteau had the experts so they had to put him in the pen. Think you understand it now?”

“Of course,” assented Mrs. Spoondyke, “but why don't they put Mr. Scoville and Mr. Reed there, too? They are trying to make the case a little more interesting. They won't let the poor men alone.”

“Don't you know the difference between a lawyer and a criminal?” ripped Mr. Spoondyke, “or is that too fine a distinction for you? Reed and Scoville are de-
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“Of course,” assented Mrs. Spoondyke, “but why don't they put Mr. Scoville and Mr. Reed there, too? They are trying to make the case a little more interesting. They won't let the poor men alone.”

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A Musical Treat of Rare Merit!

By CARL HERRMANN, PIANIST.

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REV. T. DE WITT TALMAGE

Of Brooklyn, will lecture at the

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SUBJECT:

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Orders by telegraph will receive attention. JAL

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A Comedy full of Fun, Persuading Situations and Speeches.

A STORY OF LOVE AND KISSES!

Prices 75 and 50 cents. Reserved Seats \$1.00. Sale of seats commences Friday, January 20, at Wilson & Baumer's music store.

COMMISSIONER'S SALE OF SOUTH WHEELING PROPERTY.

John J. Birch and others, vs. In Chancery.

Edwin D. Birch and others.

By virtue of a decree of the Municipal Court of Wheeling entered in the above cause on the 14th day of January, 1882, the undersigned Special Commissioner will sell,

SATURDAY, FEBRUARY 18, 1882,

beginning at 10 o'clock A. M., at the front door of the Court House of Ohio county, in the city of Wheeling, West Virginia, the following described property in Sprigg & Ritchie's addition, in south Wheeling, to wit: Lot ten (10) and so much of lot eleven (11) as was not taken by Chapline, formerly Jacob street, and part of lot nine (9) fronting twenty feet on Chapline street, and one acre of property, having a front of about 130 feet on Chapline street, and about 140 feet on Thirty-third street, and have thereon erected a double two-story brick dwelling house, fronting on Chapline street, and a large frame dwelling house fronting on Thirty-third street.