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TERMS.

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EXECUTION OF A DESERTER.

By a late officer of the U. S Navy.

In civilized countries, where war is reduced to a science and a profession, the strictest discipline, enforced by penalties o the greatest severity, is required as a substitute for the ferocious passions that in savage nations are found competent to the work of war. The dire work of war cannot be accomplished, where men fight from merely professional motives, or in obedience to their rulers, without a system of the most rigorous compulsion. The weakness, the tende' sensibilities, even many of the outward vices must be subjected to this system—individua volition must be suppressed—and the whole army move like so many machines, only as the will of some controlling agency shal direct. With the dreadful severities, not to say atrocities of this system, I believe the community at large are very little acquainted. Sometimes, indeed, the severity falls on one illustrious by birth, or fortune, or character—an Andre, an Asgill, a Hayne—and then public sympathy and commiseration are excited, and the cruel severity of the laws of war is deplored. But the fate of the poor private soldier, who is more generally the victim of such severity, is rarely known beyond the circle of his family, or his fellow soldiers—spectators or actors in the melancholy tragedy. I shall relate a scene which occurred in the last war with England, of which I was an eye witness.

In 1814, I was stationed with a detachment of United States troops at Greenbush, in the State of New York. One morning, several prisoners confined in the provost guard house, were brought out to hear the sentences which a court martial had annexed to their delinquencies, read on parade. Their appearance indicated that their lot had already been sufficiently hard. Some wore the marks of long confinement, and on all, the severity of the prison house had enstamped its impression. They looked dejected at this public exposure, and anxious to learn their fate. I had never seen the face of any of them before, and only knew that a single one of them been adjudged to death. Soon after their names were called and their sentences were announced, I discerned by his agony and gestures, the miserable man on whom that sentence was to fall—a man in the bloom of youth, and the fulness of health and vigor.

Prompted by feelings of sympathy, I called [illegible] morning to see him in prison. There, chained [illegible] the leg to the beam of the guard house, he was reading the Bible, trying to prepare himself, as he said, for the fatal hour. I learned from him the circumstance of his case. He was the father of a family, having a wife and three young children, thirty miles distant from the camp. His crime was desertion, of which he had been three times guilty. His only object in leaving the camp, in the last instance, he declared, was to visit his wife and children. But whatever was his intention, he was a deserter, and as such, taken and brought into the camp—manacled and under a guard o his fellow soldiers. The time between the sentence and its execution was brief—the authority in whom alone was vested the power of retrieve or pardon, distant. Thus he had no hope; and only requested the attendance of a minister of the gospel, and permission to see his wife and children. The first part of the request was granted, but whether he was permitted or not to see his family, I do not now remember.

Dreading the hour of his execution, I resolved, if possible, to avoid being present at the scene. But the commander of the post, Col. L———, sent me an express order to attend, that, agreeably to the usages of the army, I might in my official capacity of surgeon, see the sentence fully executed.

The poor fellow was taken from the guard house, to be escorted to the fatal spot. Before him was his coffin—a box of rough pine boards—borne on the shoulders of two men The prisoner stood, with his arms pinioned, between two clergymen; a white cotton gown, or winding sheet, reached to his feet It was trimmed with black, and had attached to it, over the place of the red heart, the black image of a heart—the mark at which he executioners were to aim. On his head was a cap of white, also trimmed with black. His countenance was blanched to the hue of his winding sheet, and his frame trembled with agony. He seemed resolved, however, to suffer like a soldier. Behind him were a number of prisoners, confined for various offences—next to them was a strong guard of soldiers, with fixed bayonets and loaded muskets. My station was in the rear of the whole.

Our procession thus formed, and with much feeling and in low voices on the part of the officers, we moved forward with slow and measured steps to the tune of a dead march, (Roslin Castle,) played with muffled drums and mourning fifes. The scene was solemn beyond description; a man, in the vigor of life, *walking* to his grave—to the tune of his own dead march—clothed in his burial robes—surrounded—by friends assembled to perform the last sad office of affection, and to weep over him in the last sad hour?—no, not by these; but by soldiers with bristling bayonets and loaded muskets, urged by stern command, to do the violence of death to a fellow soldier:—as he surveys the multitude, he beholds no look of tenderness—no tear of sensibility—he hears no plaint of grief—all, all is stern as the iron rigor of the law which decrees his death. And who made that law? It is the work of hard necessity, and as such is just. But, alas! who created that necessity? The guilty passions—the pride—the vain glory—the false honor of men! The voice of that blood will soon cry from the ground—whom shall it accuse? It will complain not of the sentence of the law, but of guilty war, cherished by human will and pride? To whom shall that widow and those orphans look as the authors of their desolation? Whom shall the spirit of this poor soldier meet at the judgment, and charge with his guilt?

Amid reflections like these, we arrived at the place of execution, a large open field, in whose centre a heap of earth, freshly thrown up, marked the spot of the deserter's grave. On this field the whole force then at the cantonment, amounting to many hundred men, was drawn up in the form of a hollow square, with the side beyond the grave vacant. The executioners, eight in number, had been drawn by lot. No soldier would volunteer for such a duty. Their muskets had been charged by the officers of the day—seven of them with ball, the eighth with powder alone. Thus prepared, they are placed together, and each executioner takes his choice. Thus each may believe that he has a blank cartridge, and therefore has no hand in the death of his brother soldier—a striking indication of the nature of the service.

The coffin was placed parallel with the grave, and about two feet distant. In the intervening space the prisoner was directed to stand. He desired permission to say a word to his fellow soldiers; and thus standing between his coffin and his grave, warned them against desertion; continuing to speak until the officer on duty, with his watch in his hand, announced to him, in a low voice, "Two o'clock, your last moment is at hand—you must kneel down upon your coffin." This done, the officer drew down the white cap, so as to cover the eyes and most of the face of the prisoner—still continuing to speak in a hurried, loud and agitated voice. The kneeling was the signal for the executioners to advance. They had before, to avoid being distinguished by the prisoner, stood intermingled with the soldiers who formed the line. They now came forward, marching abreast, and took their stand a little to the left, about two rods distant from their living mark. The officer raised his sword. At this signal, the executioners took aim. He then gave a blow on the drum which was at hand; the executioners all fired, at the same instant. The miserable man, with a horrid scream, leaped from the earth, and fell between his coffin and his grave. The sergeant of the guard, a moment after, shot him through the head with a musket reserved for this purpose in case the executioners should not produce instant death. The sergeant, from motives of humanity, held the muzzle of his musket near the head—so near that the cap took fire—and there the body lay upon the face—the head emitting the mingled fumes of burning cotton and burning hair. O, war! dreadful even in thy tenderness—horrid even in thy compassion!

I was now desired to perform my part of the ceremony, and placing my hand where just before the pulse had beat full, and the life flowed warm, and finding no symptoms of either, I affirmed he is dead. The whole line then marched by the body as it lay upon the earth, the head still smoking, that every man might behold for himself the fate of a deserter.

Thus far, all had been dreadful indeed, but solemn, as it became the sending of a spirit to its account, but now the scene changes. The whole band struck up, and with uncommon animation, our national air (Yankee Doodle,) and to its lively measures we were hurried back to our parade ground Having been dismissed, the commander of the post sent an invitation to all the officers to meet at his quarters, whither we repaired and were treated to a glass of gin and water. Thus the melancholy tragedy ended in what seemed little better than a farce—a fair specimen, the former, of the dread severity—the latter, of the moral sensibilities—which prevail in the camp. Do scenes such as this ever enter the minds of those who have the chief agency in involving their respective countries in a war? Do they ever flit across the imagination of the statesman while he is talking loudly of insult to his country's honor—of the splendor of military glory—of the necessity of warlike action, to wipe off imputations upon the national courage? Do they ever cast their dismal shade over the glowing picture of chivalry, which, in the ardor of passion, rises to his vision?

Are they entertained in the conceptions of those who, without examination, reject as idle dreams, all plans for the adjustment of international difficulties without resort to war, and deride as visionary all specific action for introducing the principles of a better morality into the code of international law? Do the great mass of men, ever eager at the voice of their leaders to cause the standard of war to be upreared, know in reality *what* WAR is? No—no. The words of the poet are but too true:—

"Secure from actual warfare we have loved
To swell the warwhoop, passionate for war!
Alas! for ages ignorant of all
Its ghastlier workings.———
We———have been clamorous
For war and bloodshed; animated sports,
The which we pay for as a thing to talk of,
Spectators, and not combatants! No guess
Anticipative of a wrong unfelt,
No speculation on contingency,
However dim and vague, too vague and dim
To yield a justifying cause; and forth
(Stuffed out with preamble, holy names,
And adjurations of the God in heaven,)
We send our mandates for the certain death
Of thousands and ten thousands! Boys and girls,
And women that would groan to see a child
Pull off an insect's leg, all red with war,
The best amusement for our morning meal!
The poor wretch who has learnt his only prayers
From curses, who knows scarce words enough
To ask a blessing from his Heavenly Father,
Becomes a fluent phraseman, absolute
And technical in victories and deceit,
And all our dainty terms for fratricide;
Terms which we trundle smoothly o'er our tongues,
Like mere abstractions, empty sounds to which
We join no feeling and attach no form!
As if the soldier died without a wound;
As if the fibres of his god-like frame
Were gored without a pang; as if the wretch
Who fell in battle, doing bloody deeds,
Passed off to Heaven, translated and not killed;
As though he had no wife to pine for him—
No God to judge him! therefore, evil days
Are coming on us, O my countrymen!
And what if all-avenging Providence,
Strong and retributive, should make us know
The meaning of our words, force us to feel
The desolation and the agony
Of our fierce doings?"

EDUCATION OF THE INDIANS.

Few of our readers, says the Baltimore American, are probably aware of the nature and extent of the efforts made in this country to educate and civilize the remaining Indians. Most persons have heard of the Choctaw academy in Kentucky, where between one and two hundred children are educated at the expense of our government.—Besides these, the Commissioner of Indian Affairs, Mr. Herring, states in his Report, accompanying the President's Message, that the number of Indian children in the schools in various parts of the United States, amounts to seventeen hundred.

The Federal Government appropriates annually ten thousand dollars for the civilization of the Indians. This sum is devoted to the support of schools undertaken by the various religious sects. Thus, in the last year, two thousand dollars were paid to the Baptist General Convention, who have in their schools, establisbed among the Indians in New York, nearly three hundred pupils. Five hundred dollars were paid to the Protestant Episcopal Church for educating sixty six Menomines at Green Bay. Four hundred to the Methodist Society, who have in west Mississippi, several schools for Shawnees, Kickapoos, and others. Seventeen hundred to the American Board of Commissioners for Missions; and one thousand to the Catholics.

On the subject of Indian instruction, the Commissioner states as his opinion—and it seems to us a very sound one—that knowledge of the mechanical arts must be the principal step in the ladder that is to lead from the aboriginal to the civilized state.—He, therefore urges that instruction in them be made a material part of Indian education. The communications from teachers and Indian agents are said to be generally satisfactory. In some of these schools the higher branches, geography, philosophy and history are successfully taught. Presses in the native dialects are established and in operation among many of the tribes.

THE PENNSYLVANIA LEGISLATURE AND MASONRY.

The reader is already aware, that a Committee of the House of Representatives of the Commonwealth of Pennsylvania, appointed to make an investigation into "the evils of Masonry," has summoned a number of gentlemen to appear before it to testify against the institution; and he is also aware that these gentlemen accordingly appeared before the Committee, but refused to take the oath proposed by that tribunal, as well as to testify at all in the matter, stating their reasons for so doing, in the form of a protest. The chairman of this inquisitorial Committee subsequently made a report to the House, stating the fact of the determination of these gentlemen to "swear not at all," and recommending the adoption of a resolution that they (with the exception of ex-governor Wolf) be taken into the custody of the sergeant-at-arms, and brought before the House, to answer for *contempt*. After considerable discussion, the resolution was adopted by a vote of 47 to 43; and of course the sergeant-at arms took the offenders into "custody." So far this futile and farcical proceeding had gone on the 20th ult., the last date from Harrisburg, in our possession at the time of putting this side of our paper to press. What will be the fate of the persons thus held in durance—whether they will be Lynched or Morganized, imprisoned or reprimanded—we cannot here precisely say. At all events, the affair is not likely to result in injury to Masonry; but the House of Representatives will no doubt come off "second best":—

"The man recovered of the bite,
The dog it was that died."

The following is the protest of one of the individuals who appeared before the Committee. It exhibits with sufficient general accuracy the ground upon which all refused to "take the oath," &c.

PROTEST OF JOSIAH RANDALL, Esq.

HARRISBURG, (Capitol,) January 18, 1836.

Sir—The undersigned has, in obedience to a subpœna served on him, attended the Honorable Committee appointed by the House of Representatives, of which you are Chairman. He declines any examination before the Committee in relation to the subjects referred to them, and for this course he will briefly state his reasons.

He is a freemason; has been so for twenty years and upwards, and, in former times, has assisted in making others freemasons. In so being and doing, he has violated no law, human or divine. He knows of no infraction o the rights of conscience, or violation of the laws of the commonwealth, committed by any lodge, grand or subordinate, or by any body of masons, or any individual, acting as such.

During the time the undersigned has been a mason, he has never known a political vote given in committee, caucus, convention, at the polls, or elsewhere, that was governed by masonic considerations; nor did he ever know any selection or appointment to office, either popular, legislative, executive or judicial, which he had any reason to believe was influenced by such considerations. He has, also, during the same period, been closely and somewhat extensively connected with the administration of justice; he has been counsel in many cases, where one of the parties was a mason, and the other not a mason; sometimes he has been concerned for the mason and sometimes against him, and he solemnly affirms that he never knew a judge, arbitrator, juror, or witness, selected, preferred or avoided, because he was, or was not, a mason; nor has he ever known a judicial decision made, which he had the slightest reason to suppose was governed or influenced by masonic feelings, fellowship or connection.

For the last ten years the undersigned has not been a contributing member of any subordinate lodge, and has ceased to take an active part in the concerns of the order, yet, without intending to impugn the motives o others who may differ from him, he does most cheerfully give his attestation to the absolute and entire purity and innocence of the principles of the institution.

The undersigned feels satisfied, that, in his masonic connection, he has violated no public law, nor disregarded any public duty; if he had, he knows of no authority in the Legislature, or any committee acting under it, to compel him either to answer the charge or to punish him, if such a charge could be substantiated. He, therefore, refuses to undergo any compulsory examination before the committee upon the matters referred to them by the House of Representatives of the Commonwealth of Pennsylvania.

JOSIAH RANDALL.

To the Hon. Thaddeus Stevens, Chairman, &c.

DEBATE IN THE U. S. SENATE.

MONDAY, JANUARY 18, 1836.

The Special Message and another message from the President of the United States, concerning our relations with France, having been received and read—

Mr. CLAY moved that the message, with the accompanying documents, be referred to the Committee on Foreign Relations. Whereupon,

Mr. BUCHANAN said that he had been so much gratified with the message which had just been read, that he could not, and he thought he ought not, at this the very moment, to refrain from expressing his entire approbation of its general tone and spirit He had watched with intense anxiety the progress of our unfortunate controversy with France. He had hoped, sincerely hoped, that the explanations which had been made by Mr. Livingston, and officially approved by the President of the United States, would have proved satisfactory to the French Government. In this he had found his hopes to be vain. After this effort had failed, he felt a degree of confidence, almost amounting to moral assurance, that the last message to Congress would have been hailed by France, as it was by the American people, as the olive branch which would have restored amity and good understanding between us and our ancient ally. Even in this, he feared, he was again doomed to be disappointed. The government of France, unless they change their determination, will not consider this message as sufficient. We have the terms clearly prescribed by the Duke de Broglie, upon which, and upon which alone, the French government will consent to comply with the treaty, and to pay the five millions of dollars to our injured fellow-citizens. Speculation is now at an end. The clouds and darkness which have long hung over this question have vanished. It is now made clear as a sunbeam. The money will not be paid, says the organ of the French government, unless the government of the United States shall address its claim officially in writing to France, accompanied by what appeared to him, and he believed would appear to the whole American people, without distinction of party, to be a degrading apology. The striking peculiarity of the case, the one which he would undertake to say distinguished it from any other case which had arisen in modern times, in the intercourse between independent nations, was, that the very terms of this apology were dictated to the American government by the French Secretary for Foreign Affairs. One of these terms was, that it had never entered into the intention, *(pensee.)* the thought of this government, to call in question the good faith of the government of France.

But the French government proceed still further. Upon the refusal to make this apology, which they ought to have known would never be made—could never be made—they are not content to leave the question where it then was. They have given us notice in advance that they will consider our refusal to make this degrading apology an evidence that the misunderstanding did not proceed on our part from mere error and mistake.

In addition to all this, the last note of the Duke de Broglie to Mr. Barton declares that the government of the United States knows that henceforward the execution of the treaty must depend upon itself. They thus leave us to decide whether we shall make the apology in the prescribed terms, or abandon our claim to the fulfilment of the treaty.

He would not allow himself to express the feelings which were excited in his mind upon hearing these letters of the Duke de Broglie read. Most sincerely, most ardently did he hope that the French government, when this message reached them, if not before, might reconsider their determination, and that all our difficulties might yet pass away. But their language is now clear specific, incapable of ambiguity or doubt. It would, then, become our duty, calmly, but firmly, to take such a stand as the interests and the honor of the country would require.

Mr. B. had already said much more than he intended when he rose. He would, however, make another remark before he took his seat. He felt a proper degree of confidence, he might add a great degree of confidence, in the President of the United States. He knew him to be honest and firm, and faithful to his country; prompt to resent its injuries and avenge its wrongs. He confessed he had anticipated a message of a stronger character. He had supposed that a general non-intercourse with France would, at least, have been recommended. But the recommendation was confined to the mere refusal to admit French ships or French productions to enter our ports. It left France free to receive her supplies of cotton from the United States, without which the manufactures of that country could not exist. This was wise, it was prudent; it left to France to judge for herself if this unnatural contest must still continue, whether she would close her ports against our vessels and our productions.

In the spring of 1832, (Mr. B. did not recollect precisely the time,) Congress passed an act to carry into effect our part of the treaty. Under this treaty, the wines of France had ever since been admitted into the United States upon the favorable terms therein stipulated. Her silks were imported free of duty, in contradistinction to those which came from beyond the Cape of Good Hope. She had for years been enjoying these privileges. Nothing milder, then, could possibly be recommended than to withdraw these advantages from her, and to exclude her vessels and her productions from our ports.

Mr. CALHOUN rose as Mr. Buchanan took his seat.

I rise (said Mr. Calhoun) with feelings entirely different from those of the Senator from Pennsylvania. He said he never listened to any message with greater satisfaction than the present. That which has excited such agreeable sensations in his breast, I have heard with the most profound regret. Never did I listen to a document with more melancholy feelings, with a single exception—the war message from the same quarter, a few years since, against one of the sovereign members of this Confederacy.

I arrived here (said Mr. C.) at the beginning of the session, with a strong conviction that there was to be no war. I saw, indeed, many unfavorable and hostile indications; but I thought the cause of difference between the two nations was too trivial to terminate so disastrously. I could not believe that two great and enlightened nations, blessed with constitutional governments, and between whom so many endearing recollections existed to bind them together in mutual sympathy and kindness, would, at this advanced stage of civilization, plunge into war for a cause so frivolous. With this impression, notwithstanding all I saw and heard, I still believed peace would be preserved; but the message, and the speech of the Senator from Pennsylvania, have dispelled the delusion. I will not undertake to pronounce with certainty that war is intended, but I will say, that if the recommendations of the President be adopted, it will be almost inevitable.

I fear (said Mr. C.) that the condition in which the country is now placed has been the result of a deliberate and systematic policy. I am bound to speak my sentiments freely. It is due to my constituents and the country to act with perfect candor and truth on a question in which their interest is so deeply involved. I will not assert that the Executive has deliberately aimed at war from the commencement: but I will say that from the beginning of the controversy to the present moment, the course which the President has pursued, is precisely the one calculated to terminate in a conflict between the two nations. It has been in his power at every period, to give the controversy a direction by which the peace of the country might be preserved, without the least sacrifice of reputation or honor; but he has preferred the opposite. I feel (said Mr. C.) how painful it is to make these declarations, how unpleasant it is to occupy a position which might by any possibility be construed in opposition to our country's cause; but in my conception, the honor and interest of the country can only be maintained by pursuing the course that truth and justice may dictate. Acting under this impression, I do not hesitate to assert, after a careful examination of the documents connected with this unhappy controversy, that, if war must come, we are the authors—we are the responsible party. Standing, as I fear we do, on the eve of a conflict, it would to me be a source of pride and pleasure to make an opposite declaration; but that sacred regard to truth and justice, which, I trust, will ever be my guide under the most difficult circumstances, would not permit.

I cannot (said Mr. C.) but call back to my recollection the position I occupied twenty four years since, as a member of the other House. We were then, as I fear we are now, on the eve of a war with a great and powerful nation—My voice then was raised for war, because I then believed that justice, honor, and necessity demanded it—It is now raised for peace, because I am under the most solemn conviction that by going to war we would sacrifice justice, honor, and interest. The same motive which then impelled to war now impels to peace.

I have not (said Mr. C.) made this assertion lightly. It is the result of mature and deliberate reflection. It is not my intention to enter into a minute examination of that unhappy train of events, which has brought the country to its present situation; but I will briefly touch on a few prominent points, beginning with that most unfortunate negotiation which seems destined to terminate so disastrously for the country.

From the accession of the present King, his Ministry avowed itself favorable to the settlement of our claims—It could scarcely be otherwise. The King had just been raised to the throne, under a revolution originating in popular impulses, which could not but dispose him favourably towards us.—Lafayette, at the time, possessed much power and influence, and had greatly contributed to elevate Louis Phillippe to his present station—His feelings were known to be decidedly favorable to us. But with all these favorable inclinations the Ministry were fearful of concluding a treaty. They dreaded the Chambers; they knew how odious all