THE STAR AND BANNER.

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[For the "Star and Banner.

"GOD IS LOVE."

From every breeze that blows at morn or sighs at evening's hour,
That bends the bosoms of lofty trees or shakes the gentle flower,
There comes a voice, so musical, that in sweet numbers moves,
In echoes through the hamlets and, and whispers, "God is Love."

The tempest as it rages o'er the face of mighty deeps,
Or in fantastic terror through the mountain gorges creeps,
Has more than hollow thunderings its origin to prove—
For when 'tis gone it leaves its bow to 'sure us "God is Love."

The forests, from their sombre shades, and lofty tow'ring hills,
And rallays, on whose breasts and meads dance the murmuring rills,
In soft harmonious melody, unitedly approve
What Nature breathes through every lung—that Nature's "God is Love."

Go ask the stars that deck the vault of heaven's ethereal blue;
Why in such harmony they roll their endless pathways through?
They will unloose their lyres, and through the eternal caves above
An echo palpitates, and speaks, and answers—"God is Love.

Go ask the blushing rose at morn that nods upon its stem,
Who dropped the nectar from on high that gilds its diadem?
You see it heave its velvet breast as if it would reprove
Itself for ut'ring more than that one sentence—"God is Love."

Speak to the brook that patiently pursues its winding tracts
Along the vales unceasingly in calms and cataracts;
Ask it who gave the crystal tint, and bid its waters move?
It murmurs, as it presses on, an answer—"God is Love."

List at the close of a summer's day to the strains that softly float
Upon the vesper air of eve from some lone, sighing throat;
Seek for its source, and soon you spy the lonely, gentle dove,
Tunning her nocturnal harp to the anthem, "God is Love."

Creation since the dawn of time has known no other hymn
So worthy of her great organ, to sound the praise of Him,
Who watches o'er the feeble earth, and rules the sky above,
Then that one comprehensive strain which tells us "God is Love."

Gettysburg, Sept. 2, 1850. CEDRIC.

TEXAS AND NEW MEXICO.

SPEECH OF HON. T. STEVENS,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

WEDNESDAY, *August* 14, 1850,

On the President's Message, of August 6, 1850, concerning Texas and New Mexico.

The House being in Committee of the Whole on the state of the Union, and having under consideration the Civil and Diplomatic Appropriation Bill for the fiscal year ending 30th of June, 1851—

Mr. STEVENS said:

Mr. CHAIRMAN: I fear I shall be tho't somewhat bold, when I announce my determination to defend the President from the assaults of the gentlemen from Georgia, (Mr. Stephens and Mr. Toombs,) the gentleman from Mississippi, (Mr. Brown,) and other southern gentlemen; and from the still more grievous assaults of the gentleman from Massachusetts, (Mr. Ashmun,) who has just taken his seat.

The message of the President of the United States relative to New Mexico has been bitterly assailed by gentlemen on this floor, without distinction of party; unless parties have already assumed a geographical organization, to which I fear they are fast and inevitably tending. The gentleman from Mississippi, (Mr. Brown,) of one party, concurs with the gentlemen from Georgia, (Messrs. Stephens and Toombs) of the other party, and other southern gentlemen, in denouncing the principles of the message as subversive of civil liberty. The most fearful consequences are predicted, and the most terrible vengeance threatened. Civil war, disunion, and bloody desolation, are the mildest figures with which they garnish their discourses.

To their impotent threats, and their gory predictions, I have nothing to say. They do not rise to the dignity of argument, or the efficacy of potential menace. I am at a loss to know why they are so often paraded before us, unless they have became chronic phantasies of the brain, or are cunningly expected to operate on the timidity, not to say cowardice, of the North.

May I tell southern gentlemen that I think they mistake Northern character? I admit that the North, in this and the other branch of Congress, have shown all the usual symptoms of cowardice. Notwithstanding the rude and vulgar assault made by the gentleman from Massachusetts (Mr. Ashmun) on the gentleman from Ohio, (Mr. Giddings,) for referring to the acts of Senators, I crave his mercy while I say, that I believe every northern Senator who voted for this Texas boundary bill—certainly every northern Whig Senator—believed, and most of them expressed the belief, that Texas had no shadow of title to one particle of the soil of New Mexico. The gentleman from Massachusetts, (Mr. Ashmun) this morning declared his firm belief of the same fact; yet they voted, and he avows his firm determination to vote for a bill surrendering to Texas more than fifty thousand square miles of New Mexico, and giving her ten millions of dollars! For what? To buy peace from armed rebels! This evidence would certainly, *prima facie*, warrant the conclusion that the North were cowards. But you must perceive that to be impossible, when you remember that they are the descendants of the men of Bunker's Hill, of Lexington, of Bennington, of Saratoga, and of Brandywine.

Why, sir, it is the effect of mere benevolence. True, we turn pale and tremble somewhat, and plead and supplicate and finally yield. It is not the effect of fear, but humanity—the love of rebels! So copious is the milk of human kindness in northern breasts, that it overflows, runs down upon the sinews and nerves, and moistens and relaxes them, so that the loud voice of mimic treason, and the imaginary gleamings of southern bayonets, our frames become convulsed and our knees smite together. This is not cowardice, but benevolence!—the love of peace! If any should taunt us with want of courage, as they will do, after we shall have surrendered and been marched out of camp with furled banners, we can refute it by pointing to our revolutionary fathers, as effectually as could the Lazaroni of Rome, by vaunting the courage of their Trojan ancesters, and showing the brave acts of the mighty Hector before the walls of Troy, or of their immediate progenitor, the warlike Æneas, on the plains of Latium.

It ought, perhaps, to be confessed, that there is another cause that operates upon our commercial and monied communities. The price of stocks—the *ten per cent.* are vital and sensitive parts of their nature, which it is their amiable duty to *themselves* to nourish. The pocket lies close to the heart, and often effects it with involuntary tremor. But this is not mercenary interest, but duty!

I will now briefly examine the legal and constitutional principles contained in the message, which have been so severely criticised.

The message states that the Constitution requires that the "President shall take care that the laws shall be faithfully executed." That the acts of Congress of 1795 and 1807 declare, that whenever the laws of the United States shall be opposed, or their execution obstructed, by combinations too powerful to be suppressed by the ordinary judicial tribunals, or the power vested in the marshals, the President may call forth the military and naval force of the country, as far as necessary to suppress such combinations. That New Mexico was conquered by the United States; possession taken by her army; and subsequently it was ceded by treaty to the United States, who have ever since been in possession as Mexico was before, it never having been occupied by Texas, nor her jurisdiction excercised over it for a moment. That by the treaty of cession made between the United States and Mexico, this Government expressly stipulated, that until New Mexico should be admitted into the Union as a State, the inhabitants should be protected in the enjoyment of their lives, liberty, property, and religion.—That such treaty is the supreme law of the land, and makes it the duty of the President to protect New Mexico from all invasions, and forcible possession from any quarter, until her true limits are entertained and peaceably settled. And the President expresses his determination thus to execute the law, and use, if need be, the military power of the Government for that purpose. These, I think, are all the principles to which objection has been made.

The gentleman from Georgia. (Mr. Stephens) denies the right of the executive to interpose to preserve the laws until a judicial decision has been had, and the process shall have been resisted. I shall answer this argument, endorsed by his colleague, (Mr. Toombs) as the argument of all on that side of the question.—Wide as we differ in opinion, I always listen to him with pleasure, on account of the clear, distinct, and fearless manner in which he maintains his opinion. I have much more respect for bold, sincere, manly error, than for timid, driveling, wavering truth. He says further that there are no judicial tribunals in New Mexico to issue process, and therefore no case can possibly arise within that Territory to justify the Executive interposition. He contends, that although a treaty is by the Constitution the supreme law of the land, that the President cannot execute it until Congress passes laws to enable him to do so. I think the gentleman is wrong both in his law and his facts. Many parts of treaties may be and are executed without any legislative provisions. Without an act of Congress the President is competent to take possession of ceded territory, and of course to hold it. He may, in pursuance of a treaty of peace, stop the war, recall the army and navy, withdraw our troops from and surrender captured fortresses and territory. All this was done in the case of Mexico without legislative enactment. It is true there are sometimes stipulations in treaties which require the aid of Congress to fulfill. Where money is agreed to be paid, as mentioned by the gentleman from Georgia, the aid of Congress is necessary, because the Constitution provides that "no money shall be drawn from the Treasury but in consequence of appropriations made by law." So it is with the other case cited by the gentleman, of a commercial treaty granting to a foreign power privileges with regard to duties on commerce inconsistent with existing laws. The gentleman says truly, I think, that the treaty cannot go into effect until Congress repeals those laws. The reason is obvious. The treaty-making power has no right to regulate foreign commerce—that is expressly reserved by the Constitution to Congress. In my judgment, such provisions in a treaty are a nullity until ratified, not by the Senate only, but by both Houses of Congress. I know it has been customary for the President and Senate to insert such provisions in treaties, and to call on Congress to provide for their execution. I think it is a dangerous assumption of power. If such treaties are valid *per se*, all the industrial pursuits of the country—the whole system of imports, of revenue, of tariff of duties, would be at the mercy of the President and two-thirds of the Senate. I trust such treaties will be sparingly made.

But except where, by the Constitution, the provisions of a treaty require the concurrent action of Congress, all treaties being supreme laws of the land, may be executed by the President alone. President Polk executed a large part of the treaty of Hidalgo, without legislative action. It provided for peace. He stopped the conflict of arms. He withdrew our troops from Buena Vista and Mexico, and surrendered the fortresses of Monterey, Vera Cruz, and all others in territory not permanently ceded to the United States.

It is said the President can take no means to protect the peaceable inhabitants of a territory ~~d~~ to repel invasion, until legal proceedings have been had and successfully resisted. Such, I think, is not the spirit of the Constitution, nor a fair construction of the acts of Congress. The act of 1795, on which the gentleman relies, authorizes the use of military force whenever the "laws are opposed, or their execution obstructed by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the marshals." It does not require previous judcial proceedings. The *fact* of opposition to the laws by *combinations too powerful to be suppressed* by the ordinary police, and judicial authorities, is a contingency which authorizes the action of the Executive. Such combination need not be judicially proved preliminary to action, of the whole law would be nugatory and useless. Suppose a body of pirates, such as infest the Chinese seas, or such as formerly descended from Denmark to invade and plunder England, should navigate the Rio Grande, and threaten to land by thousands in New Mexico, and burn and plunder the country, and destroy the inhabitants: must the courts summon them to appear before them on a given day and answer; and if they did not, give judgement against them by default, issue their warrant, and have its execution obstructed, before the President could repel them by force? Must the constable attempt to seize them and bind them over to keep the peace, before the troops of the United States could be placed on the shore, and meet them at the point of the bayonet?—If this be true, an actual invasion must first be allowed, for judicial process could not be served beyond the line. When the Camanche Indians invade a village of New Mexico by night, and begin to massacre the inhabitants, must the United States troops withhold resistance until the efficacy of a magistrate's warrant, or a sheriff's *posse* shall have been tried and failed?—Suppose five hundred or a thousand frontier ruffians, from other States, should assemble within the borders of Texas, with the known purpose of making an inroad upon New Mexico, of taking possession of the land, exterminating the inhabitants, and establishing themselves after the ancient manner of the northern hordes: could not the President order the army to meet them on the border and repel them by force, before any judicial proceeding had taken place? The very statement of the position of the gentleman, I think, shows its absurdity; and when a proposition is reduced to absurdity in logic, as well as in mathematics, it must be false.

But other gentlemen say, that if a sovereign State orders such invasion, it changes the character of the act, and protects the actors from the operation of those parts of the Constitution and laws on which the President relies. Why so? A treaty is the supreme law of the land. The Constitution declares that the judicial authorities shall be bound by the Constitution, and treaties made under authority of the United States, *anything in the constitution or laws of any State to the contrary notwithstanding*. A law of Texas authorizing her troops to violate a treaty is a nullity, and gives no more authority than the mandate of a bandit chief.

Texas can be in now way injured by the course of the President. If she thinks she has rights, of which she is out of possession, let her assert them by legal proceedings, and they shall be met in the same peaceful manner. If she attempt to assert them by force, let force be the answer. The argument of the gentlemen would put New Mexico in a position, which would put it out of the power of the Executive ever to protect her, no matter what lawless violence should afflict her. It said the President cannot interpose until the judiciary has first acted; and that there is no judicial organization or officers in New Mexico. Consequently, the contingency can never happen to her which would justify the action of the President. Nor can there be power anywhere to protect her from violence. If this be true, deplorable is the condition of that unhappy people! The overruling law of necessity would justify them, and the power who has undertaken to be their guardian, to act in their defence. But the gentleman is mistaken. From the time that Mexico was a vice-royalty of Spain, this province has had an organized government. It had one at the time we conquered it, which, slightly modified by General Kearney, existed at the date of the treaty of Hidalgo. By the law of nations such organization, with the existing laws, continues in force until repealed by Congress. They never have been repealed. There is at this moment a regular judiciary, from supreme judges to inferior magistrates, called alcaldes. Judicial proceedings are as regularly conducted and executed in New Mexico as in Texas. The laws are enforced by the ordinary civil officers.

But with or without a judiciary, I have, I think, shown that the President possesses the constitutional power to "see the laws executed." If there be no judiciary, the duty of active interference is more urgent.

I think, sir, that so far as the principles of the message denounced by the South are concerned, they are too clear and sound to be for a moment doubted by impartial minds.

There is one position taken in the message, which I cannot understand the force of. I think it erroneous; an error, which was prompted by the purest and most amiable motives, and admitted inadvertently in the great anxiety to preserve the harmony of the country. It urges the settlement of the Texas boundary; and as a strong inducement, states that "no government can be established for New Mexico, either State or Territorial, until it shall be first ascertained what New Mexico is, and what are her limits and boundaries." It is evidently intended to assert that there is an insuporable *legal* obstacle to giving government to a territory, or admitting a State into the Union, until her boundaries are precisely fixed and beyond dispute.—If this be so, no State could be admitted into, or exist in the Union, with disputed limits. And yet Massachusetts and Rhode Island were admitted into, and have existed in the Union for sixty years with unsettled and disputed boundaries; which have only lately been determined by the Supreme Court of the United States.

Mr. FOWLER. There is now a question of contested boundary between Massachusetts and Rhode Island.

Mr. STEVENS. Why do you not make war on each other according to the mode threatened by Texas?

Mr. FOWLER. We prefer leaving it to the legal tribunals.

Mr. STEVENS. Ohio had unsettled boundaries. Missouri and Iowa were both admitted, and remained in the Union with disputed boundaries. Missouri sent her armed force to extend her jurisdiction over part of the possessions of Iowa. Much bluster, but no blood was shed. The Supreme Court finally decided in favor of Iowa.

Texas herself came into the Union with undefined, unknown, and disputed limits, and they remain unsettled to this day, or we should not have this trouble.—That dispute was known and recognized by the very act which admitted her.

The joint resolution for annexing Texas to the United States says: "Congress doth consent that 'the *territory properly* included within, and *rightfully* belonging to the Republic of Texas may be erected into a new State in order that the same may be admitted," &c.

In the 2d section it provides: "Said State to be formed subject to the adjustment by this Government of all *questions of boundary*, that may arise with other governments." The position assumed by this message seems to be in conflict with uniform precedents. Nor do I see anything in the nature of the subjects to sustain the remark. I see nothing to prevent Congress from adopting, with regard to New Mexico, the very language of the act admitting Texas, and to provide "that New Mexico, with the territory *properly included within*, and *rightfully belonging* to New Mexico, may be erected into a State or Territory, and admitted," &c. She would then have a government, and the question of boundary would be settled as in all like cases. This is a venial error, but important to be known, as it has a material bearing upon our action in this matter.

I come now to a part of the message, the meaning of which I think has been most materially and unfortunately mistaken by the gentleman from Massachusetts, (Mr. Ashmun.) In that gross mistake he has done much to bring reproach on the Administration. From that reproach it shall be my effort, as it is the duty of every friend of the Administration, to vindicate it. He says that the President recommends a speedy settlement of the boundary question, and suggests indemnity to Texas. And that, in pursuance of such recommendation, we have the present bill before us. He announces, also, in emphatic language, the important fact, that this bill has his support! And then as a regular consequence, he denounces all those, who are rash enough to oppose it, as reckless fanatics, regardless of the public welfare, and plotters of disunion and civil war.

Sir, who gave that gentleman authority to use such language, to members of this body who choose to follow the dictates of their own judgment and conscience?—Whose deputy dictator is he?: But, above all, who gave him authority to charge the President with producing or favoring this bill? What covert malignity has urged him to fix such a stigma on this Administration? He has no such authority, nor does the administration approve of it, as I will prove from the explicit terms of the message. In fact, the bill on our table was introduced into the Senate days before the message was written. But to the message itself. The message can leave on the minds of no one any doubt of the opinion of the President as to the true limits of New Mexico, and the claim of Texas to any part of it.

The title of Texas being founded on revolution alone, could not exist an inch beyond actual possession. The President clearly shows that she never possessed any part of New Mexico; that it was occupied by Mexico exclusively until it was conquered and possessed by the United States. Indeed, if this were not so, he could have no justification in resisting the threatened occupation by Texas. The gentleman from Massachusetts (Mr. Ashmun) stated his clear conviction, that Texas has not a shadow of title to any part of that Territory. With this distinct opinion of the President and of the gentleman himself, let us examine that part of the message on which he founds his charge against the Executive. It says: "If *the claim of title on the part of Texas appears to Congress to be well founded, in whole or in part, it is in the competency of Congress to offer her an indemnity for the surrender of that claim.*" Can language be plainer? It says, virtually, "I have given my own opinion; but if Congress on the contrary, believe that New Mexico in whole, or in part, belongs to Texas, *then* it would be competent for Congress to purchase that claim for a reasonable sum." No man acquainted with language can mistake the distinct implication, that Congress believes that Texas has no just right to any part of New Mexico, it is not *competent* for Congress to vote away the people's money to purchase a claim which has no foundation. I marvel that the gentleman should venture, from such a passage, to charge this Administration with a recommendation to pay ten millions of money, and surrender to slavery fifty thousand square miles of free territory (enough for two States) to reward the audacity of a rebel State.

Thank Heaven, the message is obnoxious to no such scandal! The recommendation is patriotic and statesman like. It says, in affect, "if Texas owns this Territory, purchase it from her and devote it to freedom. As she is feeble, poor and proud, deal liberally with her. If she does not own it, it is not *competent* for Congress to offer an indemnity. You know all these facts. Go on, fix the true boundary, and establish either a State or territorial government." These are noble sentiments, and such as will commend themselves to all manly minds.

But the gentleman from Massachusetts (Mr. Ashmun) says for himself, what he cannot be allowed to say for the Administration. "I know," he says, "that Texas has not a spark of title to any part of this land; but she threatens war, and I will vote her territory larger than New York, and ten millions of the public money, to purchase a place!" The Government declares the whole to be the rightful possession of New Mexico, and they will maintain it until the claim of Texas be legally established. Texas rises in her wrath with a few southern auxiliaries and threatens to put her armies in hostile array against the Government. Does it become the honor, the policy, or the permanent peace of the nation to submit her demands; to negotiate to buy off armed rebels? Such a course is as dangerous as it is disgraceful, and would be our final ruin. The distinguished Senator from Kentucky (Mr. Clay) never uttered a nobler, or more patriotic, more humane sentiment, than when the other day he declared in the Senate—"I stand here in my place meaning to be awed by no threats, whether they come from individuals or from States. If any one State or a portion of a State, choose to place themselves in military array against the Government of the Union, I am for trying the strength of the Government of the Union. I am for ascertaining whether we have got a Government or not—practical, efficient, capable of maintaining its authority, and of upholding the power and interests which belong to the Government. * * * * Nor, sir, am I to be alarmed or disuaded by any such course as the intimation of the spilling of blood.—If blood is to be spilt, by whose fault is it to be spilt?"

I have never doubted that the concessions made to nullification in 1833 was the bitter root of all this trouble. Had the stern old hero who then occupied the Executive chair been permitted to "execute the laws," and execute the traitors, if need be, we should never again have heard a rebellious minority shouting "disunion!" "civil war!" "bloody devastation!"

Sir, if these threats are to operate on legislation, we have no Government. A factious and rebellious minority will rule us. A worse despotism could not be conceived. Terror would take the place of law. All history warns us to make no concessions. It is the same mean system which was pursued by the Scottish Lowlanders, when the Highland Cateraus descended from their hills with their marauding clans, and swept off their flocks and herds. They paid them blackmail as "indemnity" for restoring the stolen property and to purchase temporary forbearance. It is the system which for ages disgraced the Christian world, while they paid tribute to the Barbary Powers. The piratical Governments of Algiers and Tunis sent out Corsairs to plunder and to take captive Christian men and women, to sell them into slavery. The European powers, and for a while, the United States, treated with them, and paid them an annual tribute to ransom the captives and purchase a hollow peace, soon to be broken, to be again repurchased. They never received the right kind of tribute, until America sent her gallant Commodore to bombard them at sea, and the heroic Decatur to attack them by land. England followed the example, and sent them her last tribute through the cannon of Lord Exmouth. France did likewise. The Dey of Algiers and Bey of Tunis no longer disturb the world with the cry of "Ransom or blood!"

Instead of meeting them sword in hand, degenerate Rome paid vast sums of gold to the Goths and Vandals to induce them to return to their forests, and cease their devastations. Their cupidity and exactions increased with indulgence, until they crushed that degraded people, and blotted the Roman Empire from the list of nations.

Submission? Purchase our peace?—What has become of the spirit of our fathers which exclaimed, "Millions for defence but not a cent for tribute!"

Here, perhaps, I ought to stop. But the gentlemen to whom I am replying have in this connection discussed the Texan boundary; it is premature, as we shall have that subject again before us. But I will devote a few moments to it.

The title of Texas to any part of her territory is wholly revolutionary. She has no charter, grant, nor prescriptive possession. By the law of nations, the right of Revolutionary governments extends no further than they have actually conquered, taken, and *held* in *actual* possession. None of their decrees, enactments, or proclamations, are recognized as establishing any title. At the time of the annexation of Texas to this Republic, she had conquered, and was in possession of a certain extent of country, although her independence had never been acknowledged by Mexico. That possession was the extent of her rightful limits when she ceased to be a republic and became a State.—I understood the gentleman from Virginia (Mr. Seddon) to say there might be constructive possession to more. I think I must have misunderstood the learned gentleman.

Mr. SEDDON. The gentleman attributes to me what was said by the gentleman from South Carolina, (Mr. Woodward.) He spoke of constructive possession. I required actual possession.

Mr. STEVENS. The gentleman is right. It was the gentleman from South Carolina.

Well, sir, the rightful limits of Texas are now precisely what they were when she was admitted into the Union as a State. States can make no conquests; for by the constitution they can make no wars. All conquests made by the army or militia are made for the United States. What were her true limits—her actual possessions when the United States admitted her and assumed the war? She held the country between Louisiana and the river Nueces. Beyond that river she did not hold a rod of ground. Corpus Christi, at its mouth, was her furthest military post. Between the Nueces and the Rio Grande, from its mouth to its source, was inhabited by the Mexicans, acknowledging allegiance to that government and governed by her laws and civil magistrates. On the east side of the Rio Grande, between it and Texas, lie parts of the ancient Mexican department of Tamaulipas, Coahuila, Chihuahua, and New Mexico. The United States sent *her* troops and *her* officers, and conquered all of them from Mexico. Gen. Taylor conquered the two first, Con. Doniphan, Chihuahua, and General Kearny New Mexico. Texas had no army there. She could have none there, for she was a State of the Union. But it is said that the U. States conquered it for Texas. Why not for Kentucky or Mississippi? Their troops aided in the battles. The money of the whole Union paid the expenses of the war, and the fifteen millions to Mexico. The conquest was made by the nation, and for the nation. The territory below New Mexico thus conquered, lies between the Rio Grande and the Nueces; and between the gulf of Mexico and the lower line of New Mexico, being about one hundred miles wide by six hundred long, containing more than sixty thousand square miles, independent of New Mexico. Being but thinly inhabited, the United States has tacitly permitted Texas to extend her jurisdiction over it. Every foot of this ground belongs to the United States. But we have quietly surrendered it to Texas and slavery. New Mexico we never did surrender, but have held exclusive possession of it since its conquest. True, Texas, in 1836, passed an act claiming it.—But from that time until the United States conquered it, about twelve years, she does not pretend she ever took possession. Paper *ex parte* declarations give no rights, or we should own to the North pole. General Smythe conquered Canada by proclamation. Why do we not enforce the title at the point of the bayonet, or extort an "indemnity?" Disturnal's map, affixed to the treaty of Hidalgo, is relied on as tending to fix the limits of Texas. This is an entire mistake. That treaty does not profess to fix the boundary of Texas.—The map is referred to to designate the line *then* agreed on between Mexico and the United States, and for that purpose alone. It describes no line except up the Rio Grande to the lower limits of New Mexico and thence along the line of New Mexico *west* of that river towards the Pacific ocean. That was the line—not between Texas and Mexico, but between the U. States and Mexico, showing clearly that the land on one side of the line belonged to the United States Government, and on the other to Mexico. All sound men who have examined it, pronounce the claim of Texas absurd. Mr. Clay, concurring with the late President, Gen. Taylor, Messrs. Webster, Benton, Ashmun, and others, wholly repudiate it. Yet we are asked to add fifty thousand square miles of *our* Territory, now free, to Texas, and surrender it to slavery and give ten millions to pay her for taking it. Sir, if Texas were to give *us* ten millions, I would not sell it to her for such an abhorred purpose. The bill on your table is a compliance with such demand; to which I rejoice that the President's message gives no sanction, and imposes no such crushing responsibilities on his friends. I know the pressure there is upon us. I know the Texas stock, by millions, is held by mercenary speculators, who surround this Hall and press this measure. If successful, it will enrich them out of a plundered treasury. I do not pretend to insinuate *who* are interested in this gigantic swindle. Parliamentary law excludes the idea that they are in Congress or in office.—Sir, I shall regard none of this pressure. I would do full justice to Texas. I would not take a foot of land which belongs to her. Nor would I give her any to train her slaves upon. And above all I should despise myself if should pay her money to purchase peace. Pass this bill, and instead of bringing repose, it will be the cause of constant agitation and sedition.—It will become the fruitful mother of future rebellion, disunion, and civil war, and the final ruin of the Republic. Do your duty firmly—show that you are fit to be a government, and this Union will be perpetual.

The Execution of Prof. John W. Webster.

BEARING OF THE PRISONER—THE LAST ACT IN THE TERRIBLE TRAGEDY.

Boston, Aug. 30th.—This morning at 20 minutes before 10 o'clock, John White Webster, recently Professor of Chemistry in Harvard University, convicted of the murder of Dr. Geo. Parkman, suffered the extreme penalty of the law, at the jail in Leverett street, in this city. For some time past, his conduct and demeanor have been such as to disarm all suspicion, on the part of those immediately near him, that he would evade the sentence of the law, by taking his life in his own hands. Prof. Webster evidently became a sincere penitent—his habits and conversation betokened that he desired to die a christian, at peace with God and all the world.

The executioner has performed his sad task. Let the civilized world learn that no rank or station can avert the rotribution of crime.

Yesterday afternoon his amiable wife and three intelligent daughters visited him in his cell. They were with him the usual time, from two until about half past six o'clock. They appeared the same as usual. Singular as it may appear, we were assured by the officers of the prison that they parted with that husband and father, ignorant of the fact that they would see him again alive! We saw them as they passed out of the prison, and we are as fully satisfied of this as we are of anything within the compass of human judgment. Immediately after they left, a guard was placed in his cell.

Professor Webster, after his family left him last night, as he confidently alleged, in perfect unconsciousness of his coming fate, was searched and placed in a new cell, in order to prevent any attempt at suicide. Dr. Putnam left him at 9 o'clock, and from that time till 12 he passed the time in devotional exercises. At 12 he fell into a sort of doze, but did not sleep heavily, awaking at times and conversing. He spoke of his impending fate with fortitude and resignation, and seemed quite grateful that the time of his death had been kept from his family.

Mr. Sohier and Rev. Mr. Putnam were with him in the morning, and during the former part of the visit of his family.

Officer John C. Leighton, clerk of the jail, and Edward J. Jones, were selected to watch the prisoner during the night; although there was little apprehension that he would commit suicide. The precaution, however, is usual.

Mr. Jones was the officer who attended Prof. Webster through the scene, and like Leighton, was conspicuous for his kindness and attention to the unfortunate man, from the proceedings in the jail yard until his execution.

Last night Rev. Dr. Putnam remained about two hours with Prof. Webster, that ted in devotional exercises.

When the former had left, Dr. Webster continued his devotions, and at times conversed with considerable freedom with the officers in attendance, fully conscious of his doom.

He more than once remarked that he had a perfect dread and horror at the thought of being hung, but had outlived it; he had no fear, but was perfectly and fully prepared to meet his fate.

His appearance during the night seemed to confirm his statement in regard to being reconciled and resigned.

His health remained good and ill spirits he was calm. At the various noises of the dawning of a new day he seemed to be somewhat agitated, but soon regained his composure by advice.

He breakfasted upon tea and coffee with bread, inviting officers to partake with him, and furnishing them bread.

He had apparently not lost any flesh during his confinement, but if anything had gained.

The erection of the gallows was commenced at daylight and was completed at 8 o'clock.

Pursuant to a requisition made by High Sheriff Eveleth, a force of 125 men, consisting of 100 policemen and watchmen, and 25 constables, was detailed for guard duty: The latter and 25 of the police being stationed in the yard and the remaining 75 outside.

The position of the scaffold in the centre of the yard, was more open to the view of outsiders than it would have been in any other spot, giving perhaps double the view which was afforded at the execution of Washington Goode.

The change from the northwest corner to the centre of the yard shut off the view from the direction of Wall street, but it did not diminish the extensive view from the buildings on Lowel street, and added extensively to the view from Leverett street.

At 8 o'clock the witnesses, invited by the high Sheriff, and the authorities of the State, began to come in, making in all about 125.

At 10 minutes before 9 High Sheriff Eveleth called the names contained in the list of the witnesses. He then said they had assembled by his invitation as lawful witnesses of the execution of John W. Webster. He requested them to keep order during the solemn ceremonies.

The company then formed in column two by two, and visited the prisoner's cell, where Rev. Dr. Putnam offered prayer.

He made the preparations for ascending the scaffold with firmness, and about 300 persons were admitted to the jail yard, and the house tops and windows adjoining the jail were crowded with people, including many ladies. The streets near the jail were also crowded. At 9 o'clock the last religious services were commenced by Dr. Putnam consisting of a fervent prayer.—He invoked the presence of the spirit and grace of God for him, so soon to die; he prayed that the prisoner's repentance might be accepted, and that he might be prepared to meet his doom.

He prayed for the prisoner's family, that the consolation of God's presence and grace might be theirs; that when their time of death should have come they might meet the prisoner in Heaven, where there would be no severing of the ties of affection. Also for the family of the murdered man.

He prayed for the Sheriff, his assistants generally, and for the officers of the bar generally, and for the witnesses and for all persons. About twenty minutes past nine, the prisoner was brought out to die. After the prayer, the prisoner's arms were pinioned, and with a firm step he marched to the gallows by Dr. Putnam.

His face was as fleshy as when he was first arrested, though of a deathly pallor. His look was that of one who had committed deadly sin, and was about to pay for it with his life.

While the Sheriff was reading the death warrant, Webster was conversing with Putnam apparently with usual earnestness; at the conclusion, his legs were well pinioned and the rope placed about his neck which caused his face to blush.

There were evident signs of suppressed powerful feeling. The black cap was placed on his head, the Sheriff proclaimed with a loud voice that he was about to do execution on the body of John W. Webster, for the murder of Dr. G. Parkman.

This commencement of the approach of death caused a movement of the body of the prisoner, whose face was hid from view. The spring was touched, fell, with a fall of nearly eight feet, the murderer of Dr. Parkman was launched into eternity. He died apparently without a struggle.

The body, after remaining suspended for half an hour, was taken down and examined; life was found to be extinct, and it was placed in a jail coffin, for transmission to Cambridge.

Prof. Webster had requested the following disposal of his body. When cut down, the corpse is to be immediately conveyed to the cell lately occupied by him—no one but the officers of the jail to be permitted to see it. Instead of the rough pine coffin furnished usually by the authorities, he wished his body to be placed in one of mahogany, which will be procured by his friends. It is a late hour at night, it is to be conveyed to the residence of his family in Cambridge. The funeral he requested shall take place on Sunday.