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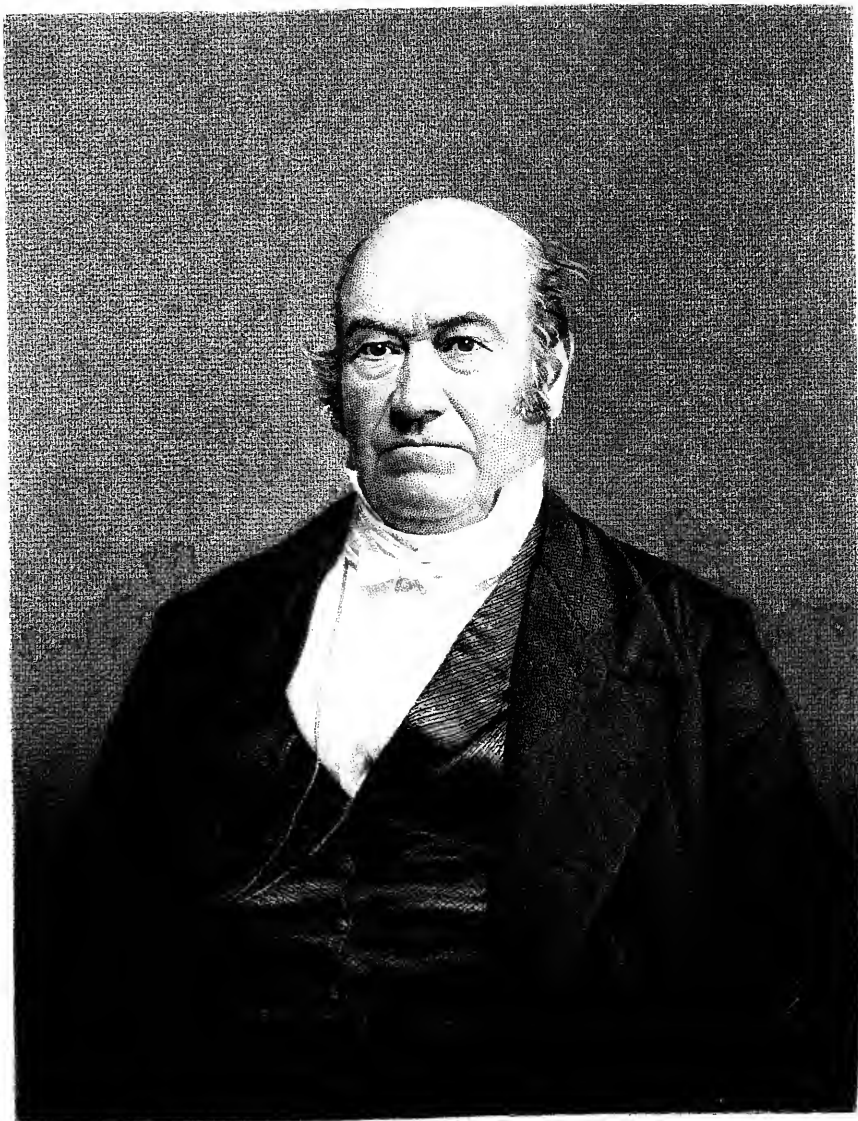

THE

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"TO STAND BY THE CONSTITUTION."

NEW SERIES, VOL. V.—WHOLE VOL. XI.

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THE

AMERICAN REVIEW,

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DEMOCRACY IN FRANCE.*

THE author of this work is a man of great philosophical ability, and of a reputation quite equal to his deserts. He possesses moreover that which gives a higher authority with the public, a practical experience in the subject he treats. In proposing to criticise a writer thus qualified in reality, and confided in by the general opinion, we feel obliged, alike by deference to this opinion and diffidence of our own, to premise a few explanations, by means of which the reader may judge in turn of the critic as well as the author.

For this very submissive procedure—so characteristic, no doubt, of literary and all other censors—we have still a more substantial motive than modesty. The preliminaries alluded to may also shed some light upon the most important political phenomenon of this or any previous age, the revolutionary eruptions of 1848 and 9; a light which appears requisite to the speculators of all parties, and especially perhaps to the gentlemen of the press. For, respecting the true nature of this social earthquake, there seems to be as yet quite as little of discriminative agreement among those who are predisposed to regard it with predilection, as there is of comprehensive intelligence in the opposite party. The latter, are however, entirely positive, precise, dogmatic, in denouncing it. M. Guizot is their enlightened advocate, or their doctrinal exponent. In submitting, therefore, our strictures upon his book to the test of principles, the real merits of the general subject—involved as they are in fact in these principles—must receive ample though indirect elucidation.

The first of our explanations will remove a certain presumption which would preclude all argument, all evidence whatever. With the acknowledged honesty as well as ability and experience of Guizot, how, it may be thought, can he well have been very widely misled in a matter of political science? Or supposing such the fact, how can this or that critic, inferior to him in some or perhaps all these qualifications, expect to be listened to with attention in pretending to convict him—and with him, three-fourths of Europe—of error? This, it will be observed, is the old argument from authority. But, though this logical opiate be now renounced by name, yet the thing itself retains, and salutarily, all its hold upon the instincts of the people, who distrust it rather for the oppressions which it has sanctioned than for the fallacies which it involves. As preliminary therefore to the evidence of fact, it will be well to show, concerning the errors in question, that neither is their occurrence a thing so improbable in M. Guizot, nor their detection at all presumptuous in persons differently circumstanced. It is thought no presumption that the peasant of the present day pretends to see the errors, for example, of witchcraft and astrology; and yet these had been for ages devoutly believed by unanimous

* *De La Democratie en France.* Par M. GUIZOT. Paris, 1849.

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Europe—including, M. Guizot. But the difference of time is too, many as great or greater intellects than only one of the elements of diversity in human judgments.

Of this habitual diversity there are two general causes. The one consists in the variety of circumstances in which the same subject is seen by different persons. The other, in the variations of condition under which the subject itself may exist at different times. To the class of influences which affect the vision belong, preëminently, education, religion, the several passions, the particular pursuits, the personal interests. Now these are all so many packets of judgments made up by other parties—whether man, or God, or nature—and imposed upon each individual who is born into society. The process by which he applies them is therefore not judgment, but mere association. At the impression of a particular fact, the opinion originally attached to it springs up spontaneously. The man-machine does but take the labeled judgment from his packet and deposit it —much like the Laputan philosophers who conversed by means of bundles of sticks. Such is, however, the judgment of most men upon most subjects from the cradle to the grave. It is necessarily the judgment of all men, and of all ages of mankind, until they have attained that intellectual manhood which fits and sets them to review the provisional teachings of their nonage, and to transform into *principles* what had been hitherto but prejudices. We mean by "prejudices," not necessarily errors; but, according to the etymology, simple *pre*-judgments, or judgments without examination.

But the transformation will evidently be more difficult, more imperfect, in proportion as the prejudices are reinforced by each other. Thus, if the religion second the passions, as in some infamous superstitions of antiquity, it will be more difficult to rectify the perversions of either than if they stood opposite or even isolated. Harder still must be the task, if not quite hopeless, when the early inculcations of religion are followed up by the routine of profession, and fortified by the instincts of interest. For if a statesman has devoted his life to the inculcation of a certain form of government, has risen to public honors through its temporary ascendancy, has invested in its triumph the sole passion of his nature, and the most obstinate of the human heart, which is pride—we need not be surprised to find him not very perspicacious into the errors of that system; especially at the hour of its downfall and his own. But this was the predicament of the standard-bearer of the *Doctrinaires* and ex-minister of the ex-royalty of France.

Yet the more fundamental error of Guizot's book does not proceed from the distortions of those prejudices precisely. It has its root rather in the second of our general causes of misjudgment—the inadvertence to, not to say ignorance of the variation of conditions. Guizot reasons as if men were composed of the same mental and moral elements to-day, as upon descending from the ark. He recognizes no normal progression in man or in government. He employs, indeed, the word; but it is only with a tone of resignation or an air of derision. "Order," as the end, "power" as the means, and the eternal *statu quo* which would be their necessary consequence—this is the hopeful triad of his govermental providence;—a psychological phenomenon truly wonderful in a French philosopher of the present day, and which requires a large combination and intensity of the above influences to confirm it; but stranger still in a man who had lectured long on the history of civilization. For the principle of civilization is quite incompatible with the theory in question, which considers man, we repeat, as fixed a quantity as a metal or a stone, of which the properties are eternally the same in all circumstances.

It is needless to state that this is not the case with any organized being. On the contrary the normal condition of this form of existence is continual change. And the change becomes more intense and indefinite in proportion as the object ascends in the scale of organization, from the vegetable to man, and from man himself to society. It is thus that during childhood, the individual and the state are governed respectively by the pedagogue and the priest. On advancing to maturity they demand different rulers. This continual progression of govermental forms, resulting from the aggregate and accumulated progressions of the governed, is the key,

as it has been the cause, of the late European revolutions; and not only these in particular, but the key to the whole history, the laws, the destinies of society. It is then against this history, these laws, that destiny, that M. Guizot has had the hardihood to erect the sandbank of his book, after their indignant flood had just submerged the barricades of his master.

In the light of these general remarks respecting the nature and occasion of the errors suggested, we now proceed to exemplify in a careful and consecutive analysis.

First, however, it seems proper to advise the reader, on the other hand, that it is not errors alone which it will be our duty to point him out. The excellencies of detail are a good deal more numerous, and of incontestible truth and importance. At present these lie lost in a great degree to all parties. By the progressives they are included in the general prejudice against the known politics of the author. To the conservatives they teach no lesson, being represented as concessions or casualties, instead of general and providential causes. To the impartial they bring no firm conviction, because of their incongruity with the spirit and purpose of the publication. Now, by exposing this incongruity; by detaching this vigorous undergrowth of practical truths from the rotten trunk of "order," upon which Guizot would engraft them; by distinguishing both in his doctrines and in the principles which he combats, the chaff to be given to the fire from the grain to be stored for use, the latter may be rendered acceptable as well as instructive to all.

But it would be particularly available to the American people—because the only people that have yet appeared upon the stage of the world in the condition to *organize deliberately* into an harmonious and enduring system, the adverse movements that are now distracting and long shall disorder the social peace and prosperity of Europe; and not only of Europe, but after it of Asia, and so outward to the most torpid extremities of humanity. This we owe as an inheritance to our own posterity, as an example to mankind, as a debt to divine Providence, who has placed the attainment peculiarly not only within our reach, but athwart our path. It is a pride to this Journal to commend it especially to the consideration of the Whig party, whose policy is already proficient in combining firmness of principle with flexibility of modification. There remains in fact little else than to substitute gradually the guidance of science for the sure, indeed, but less systematic impulses of patriotism and the effete phraseology of past politics. These things have served us tolerably hitherto. While confined to the native bays and inland seas of our political infancy, we might, as did the ancient mariners, contrive to get along by coasting in view of the promontories of precedent, marking the rocks and quicksands of party opposition, and looking aloft for our last bearings to the familiar stars of the Revolutionary Fathers. But this state of things is changed. We are fast and irresistibly drifting out into a shoreless ocean, where other principles of steerage are perilously indispensable. They must be something independent of all individuals, of all examples, of all times, because embracing them all. This new compass is the application of political or social science. And the party whose statesmen shall have first appropriated it in this country may reasonably count upon a long possession of the helm of affairs. Better and higher than this, by breaking loose from red-tape, and routine, and rascality of the present practice, they would introduce into the art of goverment a revolution no less remarkable, perhaps, than was effected by the magnet in the art of navigation.

But, in the third place, the mode proposed of examining the book of Guizot, will afford us also the pleasure of doing justice, amidst his faults, to a writer to whom, after all, both the letters and politics of the age are quite as much indebted as to any other individual thinker. A man whose soul, still loftier than his genius, does honor to the literary character—so much in need, heaven knows, of an occasional redemption. A man of that sublime, because self-centred dignity, which the petty stigmatize as pride, and which remained the same through his wide vicissitudes of fortune; the same when a nameless student he wrote for the newspapers from the purlieus of Paris, as when after he stood forth at the head of the French nation, that is to say, the official leader of modern civilization. And the same still in his fall,

when left by his lofty integrity to write for bread again. This is a heart that might have covered a thousand faults of head in even the most magnanimous ages of the world. How should it then be prized in an age like the present, of universal turmoil and trimming, when so many beggars get on horseback and fulfil the proverb,* and statesmen of rank descend into jacketed monkeys in order to ensconce themselves upon the flat back of the multitude, seldom failing to ride it in the same dark direction!

And now to the book. It is distributed into seven or eight chapters, arranged and entitled as follows: "Sources of the evil. Government in a Democracy. The Democratic form of Republic. The Socialist Republic. The Real and Essential Elements of Society in France. Political Conditions of Social Equality in France. Moral Conditions of the Same, and—Conclusion.

Our analysis will proceed step by step in this order:

Whence comes the evil? (*of the present times.*) M. Guizot answers peremptorily, it proceeds from what he terms, in his preface, the "idolatry of democracy." The expression is proper and profound. Every affection, every aspiration of the human heart has, no less than the religious, its stated period of idolatry. The medi-æval chivalry, generally, (as well as the worship of the Virgin,) was the idolatry of love, in the person of emancipated woman. The avarice of commercial ages is the idolatry of low vanity, paid to the physical object of crime, the "graven image" of dollars. Ambition is the idolatry of power, in the similarly concrete shape of public office. So, then, is there, undoubtedly, an idolatry of liberty, under the symbol of democracy. But is this an evil itself, that it should be the source of all the others? And evil or not, was it an event to be avoided? That it is both one and the other the author begins by quietly taking for granted; a procedure that reveals already his mode of argument and philosophy.

To account the insurrections in question evils because they occasion suffering and bloodshed—for this can be the only plausible ground—involves a number of consequences no less monstrous than the following: That civilization itself can be no *boon*, for it has been baptized at every successive transformation, in the blood of individuals, and even nations; that it is, moreover, an accident not contemplated in the scheme of Providence, who could have designed no evil; or if designed, why, then that the Creator has been less competent to execute his own plans, than the sect of the Doctrinarians, who could arrive, it seems, at the same goal by the stagnant policy of "Order," that civilization has attained by the turbulent career of progress.

But, again, what is, in general, to be considered evil, public or private? If every partial and temporary suffering, then the medicine that afflicts, the knife that mutilates to prevent disease or death, and the patriotism that makes war to protect right or prevent dishonor, are perpetrators of evil; while the pleasure that ends by killing, and the peace that begins by corrupting are, on the contrary, to be called good. The public profession and perpetuation of the former practices have, however, decided differently. The decision is affirmed by philosophy, which teaches that all evil is relative. Human language has named things evil or good, as they affected the percipient—not as they operate in the general system. It was this verbal fallacy that misled the stoics to hold those qualities to have no exterior existence, but are creations of the mind, and therefore controllable by the will. Viewing them as mere sentiments, the paradox would have some truth: but as causes and effects they certainly have an objective operation. To ascertain it the sole resort is, as in all things, to experience. The inductive process, in this instance, might be imaged by the arithmetical rule of subtraction. The particular facts, whether physical or social, observed habitually to cause pain, are set down in a distinct line. The correlative facts—for there must be always such, either of action or omission—the correlative facts observed to produce pleasure are ranged in a parallel order. In this condition the two series have the same neutral character; they have yet no moral denomination; they are mere facts—mere figures. It is in virtue of this community of character that they neutralize each other in the process of subtraction, to the extent

* By riding to the d—l.

of their numerical equivalence. But the overplus of either series at once acquires a denominational value. This differential value constitutes, in terms of human action, the real, the essential, the objective test of "good" or "evil."

If the computation be confined to the occurrences of individual life, the result would give not only the portion of positive happiness or misery in the general sum, but also the proportions of good and evil under each term of the series, in that particular life. But it would evidently apply to no other; for these proportions must vary with each individual in a community, with each community in an age, with every age of a civilization—in fine, with every partial civilization in the complete development of the race. The account must therefore be modified by aggregating the more particular sums, by extending the basis of average, by generalizing the moral residue from step to step of this progression. Now, at no one of these stages could the empirical rule—all formed though it might be upon the soundest experience—pretend to dictate to any other the law of evil or good. Hence the endless diversity of all times and countries, and even classes, in this respect, which led Montaigne and other sceptics to doubt a moral rule at all. Its scientific establishment will rise, at last, from the chaos, with the supreme generalization just suggested. The consummation will probably shew—as the progression does in part already—that most things previously accounted evil, were of an opposite tendency. Amongst them will be, we doubt not, the revolutionary spirit of France. This, the historical calculation just described, would suffice to settle. This process, however, we offered but for the purpose of illustration; or at most, as a short method of estimating large events. As a means of guaging the quality of actions, it may prove more or less impracticable; though it is not the less certainly the procedure of the general intellect in the instinctive inductions of moral science. But with this science we had not the smallest intention to meddle here, farther than to show that it gives no countenance, by either fact or philosophy, to the fundamental postulate of this book.

But revelation, you may say; the Bible? Perhaps the condemnation of war and revolution has been proclaimed or practised in the inspired volume, which records the administration of God himself upon earth? By no means; but directly the reverse. This divine administration had its very origin and foundation in an act not merely of rebellion against a ruler, but also of robbery from a master. For this would be the character of the Exode according, we mean, to the political philosophy of M. Guizot. And as to the subsequent government of this "chosen people," it is well-known to have been the most insubordinate and blood-stained on the pages of history. We should not have availed ourselves, however, of this sacred authority, if M. Guizot was not a professed believer in the Bible. Not merely this, but he finds some consolation for the calamity of his times and country, by inclining to deem it a special dispensation of Providence. Indeed, he approximates, in this conservative piety, to the high standard of the Bishop of London; he who recently has had the liturgical front to insult the reason—and we will venture to say, the God, of the nineteenth century—by affecting to impute to the wrath of heaven, the starvation of the Irish people; and then, to appease this pretended wrath, putting the profane prayer of a politician in the mouth of a nation who had itself brought about the atrocity thus charged to the Deity, by trampling for ages on His laws—economical, physical, moral, and divine.

Civilization, then, progression, reformation, revolution, war—these are naturally conditional of each other in this order. They cannot, therefore, be accounted evil, but, on the contrary, good, *so far as each may be really necessary* to the accomplishment of the proceeding. To disavow this concatenation, attested in fact by all history, is, we repeat, the fundamental perversity of Guizot's reasoning. And the "idolatry of democracy," which he denounces in the present chapter, is but a consequence of the same salutary civilizing principle.

Not, however, that the idolatry is salutary itself. It is pregnant, in fact, with most of the dangers which the author so well describes, and so wisely deprecates. But the way to avert these dangers would be, to explain them as to what they really are—the natural excesses, the necessary il-

lusions, incidental to a movement entirely legitimate in its tendency. Instead of this equally rational and conciliatory course, our historian of civilization denies effectually that any such movement belongs to the natural system of society; though much more manifest at the present day than the astronomical motion of the earth. And he not only denounces the notion as no better than the idolatry of a mere name, but also stigmatizes the idolaters as irretrievable anarchists, or dupes. It would be more to the purpose—alike of peace and progress—to point them out the true divinity they grope for; to interpret them His will, as laid down in the laws of society. But perhaps M. Guizot is inconsistently philosophical enough to have attempted this in the ensuing chapter.

Government in a Democracy. No; not in this, at least. It begins with examining the two radical theories of the day. The one is represented as asking but the negative condition of no restraint, and believing that human nature will go right of itself. The other contends, moreover, for a reorganization of society, which shall leave to men's propensities their natural play, and thus put an end to all occasion of evil and unhappiness. In the former will be recognized the doctrines of the ultra democracy, American as well as French. The latter is the scheme of the Socialists, especially of the Fourierite section. The first, says Guizot, do not know man; the second do not know man, and, moreover, deny God.

To support this emphatic sentence, to refute the competency of society to govern itself, he refers to each one's own consciousness of incapacity to control his conduct. But the conclusion thus suggested is, we must say, an old and bald sophism. There is no parity between the cases. The ratio between the elements of wisdom and of disorder, in the aggregate of citizens individually, does not remain the same in even the most radically representative government. On the contrary, it is rather reversed—and by the very process of representation. The common occasions of dissension being the selfish interests or passions, are in their nature individual—antagonistic; they have thus the effect of neutralizing each other in the consolidated action of the State. The elements of wisdom, being intellectual, have the contrary tendency—to combine and to cumulate their influences. So far from analogy, therefore, there is a certain opposition between the means of self-government in a society and in each of its citizens.

Nor is this all. It is not, moreover, the degree of wisdom in the citizens which, even thus collected and defecated of selfish discrepancies, determines alone the degree of wisdom in the government. The latter is not simply a sum of the former quantities. Intelligence does not increase in government, any more than elsewhere, by addition; it increases by classifications, by quality. It operates not so much by warrant, as by order. But this order, in all cases, must copy the processes of nature. Now, the intelligence, in proportion as it is augmented in amount, and until it has obtained the complete copy we call science, finds it more and more difficult to keep to the original pattern, especially in a subject, like society, of great complexity. Hence it is that a nation of savages, say twenty millions numerous (were it possible for such to act in common at all), would produce, we have no doubt, a wiser body of laws, that is to say, one more suitable to their own sentiments and condition, than could be prepared for them by all the lawgivers of history together. Nay, wiser, in the sense defined, than, perhaps, these legislators would constitute for themselves, if formed into the community of philosophers imagined by Bayle. The reason was above indicated. The community of philosophers would be a thing out of nature, and therefore destitute of her guidance. Its legislation would, besides, be prompted less by the social wants than the speculative opinions of the citizens. With the savages, on the contrary, every suffrage would be a legislative fact; every law, the strict expression of the aggregate of facts, in as far as they corroborated each other; and the body of the laws, in fine, by the multiplied conflict of the discrepancies, be kept down to the solid ridge of reality, utility, simplicity. The former, in short, would be a government by syllogism. The latter, a government by induction. But it is a rule of logic, that the broader the induction, the more multiplied and various the instances, the surer will be the basis; the sounder the scientific law. It is precisely the

same in the subject of civil legislation. The more numerous the citizens and ample the territory of a republic, the more systematic, and even scientific, will be its legislation; and also, other things being equal, the more enduring its existence. This was the reason of supposing the number of savages so large in the above hypothesis. The principle would furnish a useful hint to our citizens at the present moment, both those who talk insanely of separating the Union, and those, on the other hand, who foster the insulating spirit of "States' rights."

The present purpose, however, was to point out, that human intelligence, hitherto at least, has been less competent, and has had less part, for good or evil, in the art of government, than is commonly thought. The exclamation of the Swedish chancellor—"with how little wisdom the world is governed,"—might have point as a satire upon the prevailing pretensions, but was very superficial as a philosophical reflection. Society, on the contrary, is governed with infinite wisdom. But it is the wisdom of nature, not of man. The latter does but commit folly as soon as he deviates from the wisdom of nature, and devises with his own. And he is liable to deviate in proportion as he is able to devise, until the presumptuous illusions of his ignorance be finally dispelled by the systematized experience termed science. With this happy advent, the governmental intelligence would be the humble disciple, the obedient prophet of nature, and it matters not whether an aristocracy or a single sage were to be constituted its depository. But pending this social millenium, the best security against the divagations of its "wisdom," or against the despotism of its power, is to be found in decentralizing the one and the other, and diffusing them through the mass of the community. And of course the security against abuse will augment, and the positive results be wiser, as above explained, in proportion to the multitude of the citizens and the diversification of their interests. Of this double deduction the whole history of governments is a confirmation. Why were the several scores of republics, enumerated by Aristotle as having passed away before his time, all in general so short lived? For the very reason which shallow writers continue to assign for the possibility of their existence at all, namely: that they were so small. See Rome, on the other hand, all imperfect as had been her political organization, yet holding together for some fifteen centuries, against almost every species of disorder and despotism. The effect upon the legislation is equally attested. Few would say that the legislative or scientific intelligence of England at the present day is inferior to that of ancient Rome. Yet the jurisprudence of the latter—though comparatively a barbarian people—remains a model to civilized Europe, while the former is a standing satire upon the human intellect. Again, it can not be honestly pretended, that our own law-makers are more intelligent than the English; indeed, there are few countries where, unfortunately, less attention is paid to principles in the formation of the laws. Yet we have already licked the common law cub into tolerable shape, and the general body of our positive legislation is not destitute of soundness and even system. The solution is, that Rome was, like ourselves, a republic, and a republic composed of many and different populations, covering a territory proportionably ample and diversified. England, an aristocracy, cooped up within a narrow island, and ruling her thousand colonies by the elect and insular "wisdom of the nation." It was this that caused the difference of result, not the difference or degree of intelligence, which went for nothing in the circumstances. Rome, in extending her citizenship and laws to her subject communities, as we do to our new States, had no more design of any philosophic symmetry than the bee has a notion of geometry in the construction of its hexagonal cells. But in order to gain uniformity, the differences of circumstance were progressively discarded, and the mechanical result was an approximation in the civil code to the comprehensiveness and congruity of science. The process of England was quite the reverse. Instead of stretching and straightening her legislation to embrace the provinces; instead of propagating it by the layers of representation, she sought to graft her dependencies, however exotic, on the indigenous stock of the metropolitan system, and this system, moreover, the production of a mere oligarchy of what M. Guizot styles, in one of his axioms, *les autorites legitimes*.

It is against the principle of this axiom, the political system of its author, that this long exposition has been chiefly directed; the reader will judge with what effect. M. Guizot concludes against the Democrats, by calling their "sufficiency of Liberty" tenet, an "error of pride." From the preceding may not we in turn conclude against the Doctrinarians, that their "*sufficiency of Intellect* involves more pride and no less error.

But all in refuting its assailant, we can not side, the reader sees, with the democratic theory, at least as generally understood. Indeed, the principles that served to condemn or correct the one extravagance, will apply alike to the correction of the other, although opposite. An amplitude of explanation. which is no bad test of their truth. And as the rectification of the democratic error seems to touch our own politics, more immediately and vitally, it will be well worth a few moment's attention.

In remonstrating against the regulative arrogance of intellect it is above remarked, that the degree of wisdom or intelligence in a representative government is not an addition of the aggregate items of intelligence in the represented; it is only a classification of them, to which the numerical majority imparts the type. No one intelligence, the sentiments of no particular individual or class of individuals, is admitted entirely, and none is entirely excluded. All are represented, but in their points of common contact express or implied; the discrepancies of individuality being eliminated by the process of suffrage.

Now this is precisely the theory, too, of what we term the "sovereign will," which is the idol of American democracy, as democracy is, according to M. Guizot, the idol of hitherto monarchical France. As the individual intelligences do not tell directly or integrally in the deliberation of government, so neither can the individual wills in its determination. In the first place, the sovereign will is not the will of the majority, it is the will of the whole people, *generalized* upon the simplest criterion of number. And here we see the real guaranty of the rights of minorities, who, though out-voted, are not the less represented, to the extent of their common interests and substantial agreement, with the majority. But so far from this *general* will being made up of the wills of all or a majority of the citizens *individually*, it is only, we see, by rejection of all that is *individual* in each of the popular wills, that the "sovereign" will can have effect or even existence. This is the profound process which has been provided in the order of nature for the government of society, as well as the development of science. There is only one thing which the people can—and do in fact—will in this aggregate capacity, and this, because the enactment is *artificial*. It is, that a certain number and quality of persons (who, by hypothesis, are placed above the individuating influences of selfishness), be taken as the exponents, the representatives, not of the popular will, but of that abstract or induction of it in which the sovereign right to rule is pretended to reside. That is to say, they can adopt a constitution.

We use the word *pretended* purposely, for the thing is, even in this form, but a pretension, a fiction. The *right* of government resides no more in the will of the multitude, general or collective, than it does in the intelligence of an aristocracy, or the brute force of the despot. These have all been but the transitive substitutes and practical signs, more or less imperfect, of the right, which consisted itself, throughout, in the natural laws of the social system. The end of these laws being the aggregate happiness of the society, and the means of happiness being the gratification of wants and desires, according to the provisions of nature for that purpose, the problem of all government was to ascertain what these provisions are, and its legitimacy was proportionate to its superior competency for that task. First came the priests, who knew all about these provisions from the lips of God himself, and who conveyed in process of time, for execution, to a single despot, this their commission, ander the well known title of the "divine right" of kings. In opposition to the test of Revelation was, long after, set up the right of Reason, which assumes, however, in the hands of the doctrinarians, the character rather of dictator than of director. The principle of representation takes an intermediate course. Like the others, this, too, has had its idle pretensions, which have been just exposed. But its

real import stamps it as the first step of humanity in the inductive exploration of the science of government, of the laws of society. For as human happiness is the effect of these laws, and human feelings a constituent element of happiness, and every man the best witness to the state of his own feelings if not interests; it follows necessarily, that a universal suffrage, when sifted of its discrepancies by generalization, is the best attainable evidence of the laws of society, pending their absolute establishment into a science. Intellect, indeed, might, in the latter consummation, pretend to the prerogative of having *learned* the science of government more thoroughly than the multitude. But as long as it can only divine, or deduce, its doctrines from insufficient premises, it will be sounder and safer to have recource to the facts themselves, that is to say, to the feelings of the governed, which are so many positive elements of the problem. Nor is the representative form of government to be preferred for its provisional superiority alone, but especially for its procreative tendency to the elaboration of social science. A tendency which has now acquired an irresistible impetus in the revolutionary spirit of Europe. An elaboration which is already far advanced in our own country, and which we may have the unexampled glory of consummating, if we only learn to comprehend the peculiarity of our own advantages and situation.

These last reflections will suggest our motive for dwelling so long upon them, which is besides the principal topic of the book. The line of distinction established would, if understood upon both hands, reduce the European contest between Order and Progress to a positive and pacific formula. Prescriptive pretensions of all sorts, divine or dynastic, being put aside, and all the parties agreed that the scientific laws of society ought to govern, the question would be: "What are these laws in general? and then, what is the best practical criterion by which to determine their applicability in particular cases? Let us discuss?" And thus would the zeal of the combatants, literary and legislative, expend itself in the lofty competition of reason; instead of hounding on the multitude,—the one party by denying it all citizenship, and the other by claiming for it the sole sovereignity—into a hideous and brutally depraving scramble for bread. The explanation would also solve some knots in our own politics, past, present, and prospective. Postponing the latter two, we take a single instance from the past, where the principle may be confronted with experience. It will be the most recent and remarkable one of the famous Dorr rebellion.

The Constitution set up by Dorr, had been voted by a majority of the citizens of the State. The *fact* was not controverted, nor was the bill-principle of *right* called in question. With the premises thus both allowed, how refuse the conclusion, how reject the Constitution? In truth the thing was logically impossible. But then the conclusion was seen to involve the absurdity of admitting, that the right to govern, which existed, by investiture of the whole people, a moment before in the established authorities, was at once transformed into a wrong in them, and the right appropriated against their consent, by a numerical plurality professing quite opposite politics; and all this by means of the thimble-riggery of a mere act of volition. This was the dilemma which occasioned the long hesitations and dissenting "opinions" of the Supreme Court Judges on the appellate trials which resulted from this movement. It was also no doubt the cause of the apparent inconsistency which some of the papers pointed out at the time, in the great argument of Mr. Webster, the chief counsel opposed to Dorr. His clear and solid understanding could not fail to be shocked at the profligate consequence alluded to in the conclusion. But instead of tracing the vice to the premises, instead of exposing the misconception above explained respecting the nature of the sovereign Will and Right, he fell back (lawyer-like enough) upon a question of *form*. Conceiving that Dorr may have the majority, he denied it to be valid, as not having been taken according to certain forms prescribed in the previous constitution; but was abundant to reply: "You admit that the majority does effectually exist, and that the majority may, by willing it, change the government to what *form* and *when* they please; by what paramount authority do you pretend to regulate the *how?* It cannot be by anything in the old constitution, which, by the hypothesis, was already superseded

down to its most fundamental prescriptions. Or would you have the form to be more irreversible than the substance? The accessory not to follow the principal? The greater not to imply the incalculably less?" In fact this position of Mr. Webster was utterly untenable. The true one would have been, that there was *not* a majority such as to constitute the general will; the minority in this case not having voted at all. This would have answered the technical purposes of the cause. But there was still behind a stronger barrier to oppose to those wild pretensions. It was, that the general will itself is not a principle, but instrument; does not constitute the right to govern, but only the provisional test or title.

In fine, as this right is seen to consist neither in the superior intelligence of the doctrinarian, nor in the sovereign will of the democrats, we would probably be excused from going on to prove the like errors respecting the organization of the socialists. But as this is well disposed of hereafter by Guizot himself, we hasten to the following chapter.

The Democratic Republic.—For this form of government the author avows great respect. But will it be able in France to establish that which he conceives the supreme want of society, namely, "social peace," governmental "order?" He thinks not. And this augury is drawn in large part from the solicitude of his countrymen to baptize the new republic with the addition of "democratic:" so that to M. Guizot there is something in a name. The United States, he alleges, are the model of democracy; yet they do not dream of styling themselves "democratic republicans." M. Guizot knows that epithets are not employed by men of sense without something to designate. At the foundation of the American government, there were as yet no specific shades of republic, democratic, social, or others. To the minds of that day, the term imported the largest development of liberty; just as it did even in antiquity to the Romans and Greeks, though then including neither universal suffrage nor the representative system. The title of democratic would then have been nonsense in the American republic of '76. For the same cause it was not employed by the French in their first republic, though considerably posterior in origin. From either of the cases there is, therefore, no argument to the present condition of things in France; where political swindlers, served by philosophic pedants, have taught the people to distinguish between a republic in name, and a democracy, and even between a democracy in form and a democracy in reality. We are not to despair then, but quite the contrary, of men who learn from experience, and who are careful as they progress, to throw up the entrenchment of a term, to the end of defending or demarkating the remotest limits of their acquisition.

But this, says Guizot, is a state of strife between aristocracy and democracy, and there was nothing of the kind in the United States. It is true, there were no class divisions among the American colonists, and also true that this may account for their omission of the title "democratic." But this explanation of the author himself does completely away with his inference of condemnation drawn from the American, against the French republic. For if the cause of the democratic *animus* be absent in the one case and present in the other, it is not logical to compare them, to the reproach of the latter for exhibiting the effect, for adopting the appellation. But faulty logic is not often among the errors of M. Guizot. In this instance, accordingly, his real meaning—but which is insinuated rather than expressed—is this: That the existence of the cause, of the class strife in question, precludes the practicability of the republic; and that the success of this form of government in the United States, is but what the Russian Alexander described—a beneficent despot—merely a "fortunate accident." Another example of what we have above alleged respecting his conception of government and society.

It is not necessary, after what has been already shown of that strange wrong-headedness of this conception, to stop to discuss it in the present manifestation. Every tyro in history knows that, on the contrary, this internal contention of classes has been, all the world over, the beneficent means of progressively adapting the form of government to the civic growth of the governed; even as the exterior strife among nations has been the propagator of civiliza-

tion: for the principle,—shall we not say the providence?—has been the same in both the cases, only expanded into larger circles of operation. Even in our own country, which the author deems a model republic, the progress of civility is fast developing the every sentiments and symbols which he regards as so ominous to France. For it is, after all, not true, that the "Americans have *never* thought of calling themselves *democratic* republicans." They only had not done so officially, and at the outset, for the reason explained. But subsequently the contrary has come, our readers know, to be the truth. Of one of the two great parties, the term in question is the appropriate designation. And the other, or rather a certain section of it, was seen not long since to usurp this very catchword which M. Guizot gives us the credit of disclaiming, by surnaming themselves not merely *democratic republicans*, but the odder amalgam of "Democratic Whigs."

Socialist Republic.—The reformers of this class are introduced as pleading for their peculiar idea on the ground of its being alone untried and new. The author denies it to be either. It is as old, he says, as the world, and has been tested by the fanatics of all sorts, religious, social, philosophical, Oriental, Hellenic, Mediæval. But the comparison is grossly dishonest or superficial. At none of the epochs, in none of the forms, has fanatic, or philosopher, or christian, ever hitherto conceived the idea which is the distinctive characteristic of the Socialists, namely, the idea of social *organization upon the basis of natural laws.* What the Hussites of Germany, and the Roundheads of England, the Adamites of the middle ages, and even the early christians, all contemplated, was a mere negation of the public authorities and general modes of life, and the privilege of living, and of regulating their community after their own more or less whimsical fancies. What the Socialists *profess* to seek is quite the opposite of this ascetic frenzy. They do not fly society; they only refuse it in its present form, and to the end of reconstructing it upon a better; and above all, this reconstruction they do not pretend to fashion after the suggestions of a crazy conscience, or the indecent perversions of the Bible, but simply to conform to the experimental laws of the subject. This conformation of political institutions to the physiology of the social system is the import of their rallying-word of "organization," and certainly this is an idea both new and untried. It is in fact the true idea of a science of society.

So far indeed from being a *repetition* of the licentious ebullitions referred to by Guizot, socialism is the *result*—the aggregate because the latest result—of all the public reformers of the past. For these reforms have always proceeded in a consequential series. The evil to be remedied was ascribed to a succession of agencies progressively less obvious and more real—to adverse gods, to tyrannical rulers, to obnoxious names, to governmental forms, to civil institutions, &c.: it was only through the elimination of these partial or imaginary causes that the human mind could have reached the conception of looking at last for the remedy, the social panacea, in the most fundamental and complex term of the reformatory progression, the organic constitution of society. So necessary indeed, was this orderly development, in the midst of apparent disorder, that we take no credit to ourselves in having predicted the very result here in question, concerning the late revolution in France. Several months before that event was dreamt of, the present writer intimated in this Journal,* that the character, or at least the cry of the then ensuing republic, would infallibly be Socialist. To Guizot, however, the event is as lawless as a comet to an ancient astronomer. Another proof that he misapprehends the history of humanity, as well as the ideas of the Socialists. Indeed, it is quite ludicrous to hear him betray his own speculation upon the latter. Confounding them still with the follies above mentioned, "these ideas, he proceeds, *had hitherto* presented themselves but upon a small scale, obscurely, bashfully, and hooted almost as soon as seen. Now they *mount the public stage, and display themselves in the full latitude of their pretensions.*" So much for the recognition of the fact: hear now the speculation: "Whether this has come to pass through the *native force* of these ideas, or through the fault of the public, or from *causes in-*

* October, 1847. Art.: The *Inductive Theory of Civilization.*

herent in the *natural state of society,* IS OF LITTLE CONSEQUENCE. (!) Since the Socialist republic speaks out, it must be looked in the face and interrogated thoroughly."

Thus far it was demanded by truth that we should render justice to the Socialists, in ridding their fundamental theory of the misrepresentations of the author. But this is all, we believe, that truth will demand in their behalf. They profess, at least, to appeal to the natural laws of society; whereas their assailant appeals to nothing less arbitrary than the despotic ukases of Russia, or the traditional usages of England. But, as to their interpretation of those laws, the Socialists are, we fear, almost as perverse on the side of progress as their antagonist is himself on that of order. For instance, they do not recognize—the Communist branch at least—as amongst the natural arrangements of society, the institutions of property or of marriage; which, however, are assuredly its two fundamental elements. We must, therefore, here abandon them to the cat-o'-nine-tails of the austere ex-professor. And his dialectic castigation makes the best chapter in the book.

We pass to the next, which treats of the *Essential Elements of Society in France.* These are well enumerated, as follows: "The family; property, in all its kinds—land, capital, or wages; labor, in all its forms, individual or collective, intellectual or manual; the situations and mutual relations established among men in consequence of these institutions of family, property, and labor." This is the analysis of the civil code of all countries, as well as France. The fact, says the author, which characterizes the civil condition of the latter country, is a "perfect unity of the laws and equality of rights. All classes of men, all species of property, all departments of labor, are regulated by the same laws, and possess or confer the same civil rights. No privileges—that is to say, no laws or civil rights peculiar to this or that family; this or that form of property; this or that mode of labor. It is a new and an immense fact in the history of human societies." Here we might retort a thousand things—such as, how this great fact was brought to pass? Was it by maintaining the policy of "order?" But, we accept it as excellent in itself, and only add a single remark. It is, that our country shares this glory in an equal degree with France, in all except the two following particulars: our civil laws are sufficiently far from a "perfect unity," and they do not recognize property; they do not protect labor in the most valuable and elevated of its departments—that of intellect. These, it must be owned, are serious and shameful exceptions.

But amid this universal unity and equality before the law, there are, the author proceeds to remark, certain diversities and inequalities of condition, not to be cured by that unity. Of these there are, in fact, two obvious sources: one, in the natural differences of capacity in man; the other, in the accidental differences of opportunity into which men may be born in particular places or times. But these classes of influence may be said indeed to be accidental; and it might be argued to be the business of society to counteract and correct their malignant influences. This is, in fact, the associative spirit of the present age; which tends to make society a sort of insurance company against misery as well as misfortune. But then there is a law of subordination which, as Guizot rightly insists, the equalization can never infringe with impunity. This fundamental gradation of society he distributes, with the political economists, into,

"1. Men living by the income of their properties, landed or personal, without seeking to increase the latter by their own labor;

"2. Men who apply themselves to working, and augmenting, by their own labor, the property of all sorts in their possession;

"3. Men living by their labor, without capital or land."

That this is a correct and a complete analysis of the social situations of mankind in all the communities of the past, may be as the author contends, quite true, and is, no doubt, substantially so. But that this triple division must be a type to the indefinite future, is a proposition which we do not hesitate to deny, as a consequence; and cannot quite assent to as a probability, without an extent of explanation which our limits will not now permit us. At the same time, however, we entirely agree as to the

second series of diversity which M. Guizot well points out in the subjects themselves of property and labor, and which are undoubtedly founded in the progressive order of things.

The Political Elements of French Society. Here, too, there is a diversity in equality. These political divisions, however, are not *parties*, properly speaking. There can be tolerated but two parties—the government, and opposition—in a republic; and a republic, M. Guizot scrupulously concedes, to be the actual form of government in France. But the sects of opinion in question are not the less essential or obstructive for being rather of a social than a partizan character. The first enumerated is the Legitimist, which represents not only the ancient monarchy and dynasty, but also certain other remnants of the old feudal society; such, for instance, as the church, and the *parti pretre*. The Legitimists, in truth, are held together by sentiments and prejudices; a poor prop in these hard days of reality and ratiocination. Next comes the bourgeoise or "middle-class" party. It represents the constitutional monarchy of Louis Philippe and M. Guizot himself, who, both, no doubt think a return to it to be the final destiny and sole salvation of France. In fact the burgess body is the party of material interests; a principle somewhat more vivacious than poetic reminiscences, and which, accordingly, holds the Socialists at present at bay. As to the latter—who, according to M. Guizot, constitute the third and last of the "political elements" of France, and repose upon the multitude—he will not allow them to have any fixed tenets at all. Their principle of union is the destruction of every thing established. The appellation that befits them is, the "party of anarchy." But this is an angry, and, as already shown, an erroneous judgment. In fact, of all the parties mentioned, they alone have any doctrines, in the strict sense of the term. What many of their doctrines may be we have left M. Guizot to wreak his relentless analysis in exposing. But we must insist that the doctrines are professed, and that while the other two are, as we have described them, the parties of *prejudices* and *interests*, the Socialists ought to be designated the party of *ideas*. Be this as it may, it is only by recognizing those diversities of political sentiment that social order and permanent government can, in our author's opinion, be established in France. How is this to be done?

What are the Conditions?—M. Guizot answers, by constituting a corresponding diversity of powers in the State. The unity or one-chamber principle of the present French constitution, he thinks to be no better than a popular form of despotism. He contends, we have shown how rightly, that a people is not a simple aggregation of individuals, but an organic body, and that organization supposes gradation. He admits, on the other hand, that a State should not be a confederacy of classes, professions, opinions, claiming each a distinct and special representation in the government. The arrangement ought to be something between these opposite extremes. This something is supplied, it seems, by a process of amalgamation, and concentration which is operated quite spontaneously between the various classes, professions, &c., and which ends by reducing this multitude of particular elements to a "small number that are principal and fundamental." But why this grand internal operation of nature,—of which Guizot makes ordinarily so little account—why this progressive progress of social assimilation, should "end" with this "small number," he does not take the pains to prove, although combating a constitution that discards the doctrine utterly. He does not even name the actual number. Not that he was here at any loss, you may be sure. He only shrunk, no doubt, from the perspective of that shrug of derision so peculiar to his countrymen, were he to recommend them in terms the venerable trio of king, lords, and commons, of his constitutional monarchy. In this triple diversity of independent and ever antagonistic powers consists, he, however, ends by declaring, the practicability of government in France, and its perfection the world over, to the end of time.

It is hardly necessary to note that the author here, as throughout the book, takes a special situation of facts, or stage of social development, for a general system of principles. He extends an empirical aspect of government into its normal and natural organization. In short, he ignores, we repeat, all science as well as all prog-

ress in the subject. This he nowhere betrays more signally than in the tenet just described of the famous "balance of powers." For is not the "order," which Guizot makes the prime end of all government, precluded, in the very terms, by this co-equality and contention of powers? How, moreover, can the same strife be now so salutary among the branches of the government, which was a while ago pronounced so fatal among the classes of the citizens? But the "order" which Guizot contemplates is not the order of science which implies subordination and harmony, but the order of equipoise, which asks only brute force. Accordingly, he goes on to tell us, that the "practice of seeking guarantees against the abuse of power, by making it weak, is an enormous error. For every weak power is a power condemned to death or to usurpation. What," he asks, "has made the force and the fortune of the constitutional monarchy of England?" Aye, there the idol of Guizot is unveiled half-covertly at last! It is the empirical example of England; not the inductions of general history; not the laws of social science. Let us hear, however, from this fifteenth successor of Fortesque and Blackstone, what it is that constitutes the pretended preëminence of the British constitution, and how far it confirms the condemnation just denounced. The secret so often said and sung, is this:—"The English crown and aristocracy were *powerful from the first*, and the Commons are become powerful by conquering *successively* from the *aristocracy and the crown*, the rights which they at present enjoy. Of these three constitutional powers two continue strong and rest upon deep lying roots; the third has *become strong and taken deep* root by *degrees*. All are capable of defending themselves from the encroachments of the others, and of fulfilling each its own mission."

Now, potent upon the face of this oft-told tale, there lie many things to tempt remark. For example, was the English crown powerful in the days of King John and Magna Charta, when it succumbed to the aristocracy? Was the aristocracy powerful, in turn, under Henry VIII. and Elizabeth? Did the Commons *commence* the conquest of their present rights "from the aristocracy," and not, on the contrary, from the monarchy, by beheading one and banishing another of the Stewart dynasty? And is not the contest with the aristocracy in progress, accordingly, at the present hour, while the crown is but a cypher signifying nothing by itself? If these strictures be just, it will be seen that the powers in question, instead of presenting a "balance" or equipoise, have always, in fact, alternated in a transitive subordination. Thus much for the doctrine of this balance of the three powers as accounting for the duration of the English monarchy. But the inconsistency of the doctor is still a grosser oversight. How, it is obvious to ask, did the Commons conquer their power by "degrees," and from weak beginnings, in the face of the dogma just laid down, that "every weak power is a power doomed to annihilation or usurpation?" Again, ought not this single fact of the rise to power of the "poor Commons," (as they whiningly styled themselves) have shown him the futility in practice, as well as the falsehood in history, of this pretended balance? Ought it not to have suggested that there must be some great natural and expansive energy at will in society itself, which could thus at once supply and supersede its protection? Especially ought it to have done so, in fact, with a man, who not only recognizes the conquered aggrandizement, still incomplete, of the English Commons, but who saw the principle carried much farther by the fiercer democracy of his own country. He could not have forgotten that the *tiers etats*, who were dug, so to say, out of the earth by the pamphlet of Sieyés, in a few years swept away successively the monarchy and the aristocracy of privilege, and are battering now, with vigor unabated, the kitchen aristocracy of wealth. Or is it only the crown and the aristocracy that nature may have left in want of this political "balance" to uphold them? Very possibly.

In any other sense than this, in fine, we must conclude it no better than a chimera begot by politics upon pedantry. No such balance ever really existed in England or elsewhere. And for the conclusive reason, that the thing is as incompatible with the idea of organization in the social body, as would the severance of the nervous, the muscular, and the alimentary systems be with the continued subsistence of the indi-

vidual. This organic unity must have always and every, then existed, either virtually or institutionally. In England and wherever, there is no written constitution, it appears in the predominance of one or other of the powers for the time; a predominance which we have just exemplified in the remarks upon the last citation from the author. In our government, and the French, for example, this principle of unity is the constitution, because it is presumed a transcript, more or less imperfect, of the natural laws of the social system.

We feel a clinging necessity of justifying over and over our imputations of scientific ignorance against a man of the real ability and reputed eminence of Guizot. The fact, however, has been submitted to the reader in numerous instances, and last of all the monster one of the "balance of power," which he would have his countrymen substitute for the organic unity of their present constitution. But what is perhaps still more decisive of this singular perverseness is, that he now turns round and taunts them with having introduced in another form the very principle of distribution which they repudiate in this. For "they have been careful, says he, to separate the legislative, the judicial and the executive powers. How, he exclaims, do they not see that the necessity mounts much higher, and that the diversity of the general interests of society and of the duties of the sovereign, demands imperatively a diversity of powers *at the summit of the State*, as a division of powers in the secondary regions of the government?" Here are manifestly confounded the *synergic* principle of Organization, and the *energic* principle of Function. It is overlooked that there is a natural and necessary series in the State as in the individual, between the operations of ordaining, of interpreting, and of executing. No two of these actions can be performed by the same agent at the same time, nor in the same import at different times. Here, therefore, the severalty and separation are essential, indispensable. Of the functions, on the contrary, there is no one that does not imply, successively, the concurrence of the entire organic system, whether in an individual or government. Even the misshapen system of the British Constitution requires this co-operation of king, lords and commons, in every act of legislation, and the theory is that they are represented also in the judicial and executive functions.

Moral Conditions of social quiet in France.—But were his "political organization" of powers, all the author mistakes it for, there would still, he says, be necessary, certain other conditions of a moral nature. These are the family spirit, the political spirit, and the religious spirit. The family is undoubtedly not only the premordial unit, but the perpetual primary school of the State. It is the proper nursery of those sentiments of affection, disinterestedness, self-denial and devotedness, which, shaped by education and solidified by principle, form the virtues that support and adorn the edifice of public life. Where the former is neglected, the latter can scarce exist; at least as the vigorous growth of a lofty morality, and not the sickly exotics of an interested calculation. That there is much to mend in this particular in France, we have no doubt; but we are quite sure there is still more to mend in the same quarter elsewhere.

In the beneficial effects of the political spirit, we cannot so freely assent with the author. In the first place this spirit must prevail to some extent at the expense of the family virtues. And if the latter be, as they assuredly are, a preëminent good, the influence that should counteract them could hardly be classed in the same commendable category. Besides it is matter of every-day observation that the habits of political life tend to blunt the moral sensibilities, and even to deprave the character. Look at the more thorough-paced of the class in our own country. Who is there simple enough to expect from what is termed a "trading politician," the observance of a single article of the decalogue, where he was not influenced by the hope of office, or the fear of exposure? We speak not of the drudges only. Turn to many of those who put up for being leaders, and are persons of ordinary integrity in the relations of civil life. Yet look into that parchment, callous, cadaverous face; the indecision alike of attitude, of opinion, and of language; and above all, the vague, winking, wall-eyed expression of the gaze. There is not a man with a soul in his bosom that does not meet that reptile countenance with something of the

strange commingling of the curious and the hideous, inspired by the contemplation of a living viper, or a human corpse. The explanation probably is, that the man, or rather the "politician" is in fact a *moral* corpse. This is not a training therefore, to be greatly coveted in itself. Nor is it possible to combine it, as Guizot imagines, with the cultivation of the family spirit. On the contrary we should think that this cultivation is principally demanded and providentially destined to prepare against the demoralizing effects of the political spirit.

It is only in the region of the understanding that this spirit may possibly be beneficial. Here alone it is, accordingly, that the author, without noting this essential distinction, proceeds to a specification of its civic consequences. "The political spirit rises naturally, through wisdom, if not morality, to that which is its fundamental law and essential merit, namely, to respect for justice, the sole basis of social stability; for beyond justice there is but force, which is essentially variable and precarious. And respect for justice supposes or generates respect for the laws, the habitual fountain of justice. And respect for the laws strengthens the respect for the authorities, who make or who apply them." (p. 143.) And this little social writer proceeds, in the first concoction, he tells us, from the "habit of seeing only *what* is and *as* it is;" which constitutes his prime characteristic of the political spirit. We will only add that as M. Guizot may be "guessed" to be his own exemplar of this faculty of attending to the actual, in disregard of the future and the past, the doctrine here propounded would go far of itself to reconcile to his high but perverted intellectual powers the almost peurile tissue of error and inconsistency which we have been unwinding through his book.

As to the third and religious spirit, we can do no better, after the eloquent and even unctuous descant of our author, than to say as did his burgess colleague to the hustings speech of Burke: we say ditto to M. Guizot. And in this assent is included the following pregnant antithesis: "If Communism and Socialism were to prevail, the Christian creed would perish. If the belief in Christianity were more genuine, Communism and Socialism would be soon but obscene follies." (p. 132).

The author concludes a respectable, because sincere, however erroneous exhortation to his countrymen to forsake the idol of democracy, and combine all that remains sound of interest and opinion in the state in formation of a government after the fashion he has thus delineated. The political philosophy of his plan, which we have endeavored to present in its true light to the reader, is maintained to the last, and quite *qualis ab incepto.* "We have," says he, "tried all things, a republic, an empire, a constitutional monarchy. We *recommence* our experiments. What are we to blame for their failure? In our own days, under our eyes, in three of the greatest nations of the world, these three same governments, constitutional monarchy in England, the empire in Russia, the republic in North America, endure and prosper. Aurions-nous le privilège de toutes les impossibilitès?" p. 154. Here is first the social anachronism of counting the present French constitution a mere repetition of those of '93. But this uniform inadvertence to the social progression of civilization and its constant correlation to the form of government is still more stolidly declared in the concluding interrogatory. M. Guizot seems to have no notion why the institutions that suit England, or America, or even Russia, should not be adapted to France as well. He does not dream that freemen, or even the philosophers of Paris ought not to be content to be governed like the Cossacks of Siberia.

We had intended to close with some practical inferences from the preceding series of discussions. But want of space compels us to leave the moral to the meditation of the studious reader.

O.

M'LLE DE LA SEIGLIÈRE.

(Continued from page 609.)

CHAPTER X.

Since his interview with the abominable Des Tournelles, the Marquis could neither eat, drink, nor sleep, though up to this time, thanks to the natural heedlessness of his character and his disposition to look only on the bright side of things, he had cherished some degree of hope and entertained some illusions. For some time, indeed, previous to this interview, there had been a gradual falling off in his usual buoyancy of spirits. Those piquant sallies, and crazy projects, which afforded so much entertainment, were gradually becoming less and less frequent; still he seemed occasionally to recover his former vivacity, and would now and then return to the whimsical petulance of his natural good nature. He was a wounded butterfly, but still fluttering, when, under pretext of helping him out of difficulty, the heartless jurisconsult, delicately seizing him between his fingers, impaled him alive on the brazen rod of reality. Henceforward the martyrdom of the Marquis was altogether new in his experience. What would become of him? What should he do? If pride counselled him to retreat with a high head, selfishness was of a contrary opinion; and if pride backed up its proposition with good reasons, selfishness had an abundance at hand quite as good if not better. The Marquis was getting old; the gout was slowly but surely creeping upon him; five and twenty years of exile and privation had cured him of the heroic escapades and chivalric dreams of his youth. His somewhat familiar acquaintance with poverty had by no means increased its attractions; he felt his blood curdle in his veins at the very thought of that pale and sorrowful countenance which had sat at his table and by his fireside for twenty-five years. Moreover, although there was no one whom he loved better than himself, he adored his daughter, and he was pained at the prospect that that beautiful creature, after having become accustomed to luxury and ease, must again return to that cold and sombre atmosphere which enveloped her cradle. He hesitated. There is more than one, who, under like circumstances, would have looked twice before deciding, without the excuse of an adored daughter, and the fear of the gout. Yet what was he to do? Whichever way he turned, M. de La Seiglière saw only ruin and disgrace. Madame de Vaubert, who now uniformly responded to all his questions in the same way—We must wait and see—was far from affording him any assurance, and he secretly wished that his noble friend had given the same advice six months before, as to the very ignoble part which they had both been playing. On the other hand, the new attitude which Bernard had recently assumed, filled the Marquis with fear. Since Helen no longer lent them the charm of her presence, the days had drawn sadly and slowly, and the evenings more sadly still.

In the morning, after breakfast, when M'lle de La Seiglière had ceased to appear, Bernard, leaving the Marquis to his reflections, mounted his horse and was not seen again till evening, when he returned more taciturn, cloudy, and forbidding, than he had departed. In the evening, after dinner, Helen almost immediately retired to her chamber, leaving Bernard alone in the salon with her father and Madame de Vaubert, who, having exhausted all the resources of her mind, and utterly discouraged besides, knew not how to abridge the silent course of the hours. Bernard had, from time to time, a way of looking at them, by turns, which made them shudder from head to foot. He who had been so

patient while Helen was there to restrain or appease him with a smile, would now, at a word of the Marquis or the baroness, fly into a passion, which they dreaded as peccant children do the uplifted rod. He had substituted action for recital, and gave battles instead of narrating them. When he retired, usually pale and cold with wrath, he no longer, as he had been accustomed to do, shook the hand of the Marquis, but left without even a salutation, while they, remaining alone, regarded each other in silence. "Well! Madame la baronne?" "Oh! Monsieur le Marquis, we must wait and see," was still her reply; and the Marquis, with feet on the fender and nose over the embers, abandoned himself to mute despair, from which the baroness no longer even attempted to withdraw him. He expected, from day to day, to receive his notice to quit in due form of law. Nor was this all. M. de La Seiglière knew, beyond a reasonable doubt, that he was, for the country round about, as M. Des Tournelles had told him, a subject of derision and mockery, as well as of hatred and execration. Anonymous letters—the diversion and pastime of the province—completed the bitterness of his cup of life, already steeped in gall and wormwood. No day passed which did not bring to him some one of those venomous flowers, which grow in the shade, and abound in the departmental soil. Some of them called him an aristocrat, and threatened to "lantern him."* Others accused him of ingratitude towards his old servant, and of seeking to disinherit the son after having cheated and plundered the father. Most of these letters were enriched with pen and ink illustrations, little sketches full of grace and amenity, which advantageously supplied, or agreeably completed, the text. There was, for instance, a gallows decorated with a poor fellow pendant, doubtless intended to represent the Marquis; or, perhaps, the same personage was sketched in the act of trying the virtues of another well known instrument of death at that time. To add still further to his anguish, the Gazette, which the Marquis had read assiduously since his consultation with the Poitevin D'Aguesseau, was crowded with sinsister predictions and ill-omened prophecies. Every day the liberal party was spoken of as a bomb which was about to blow up the hardly yet restored monarchy. Thus already begun to be confirmed the threatening words of the counsellor. M. de La Seiglière was in constant terror, and thought only of earthquakes and revolutions. In the night he would start up in his bed to listen to the fancied sound of the Marseillaise, and when, at length, overcome by fatigue, he fell asleep, it was only to see the hideous visage of the old Des Tournelles from behind the half drawn curtains bawling—Marry your daughter to Bernard. Now the Marquis was not the man to remain, if he could avoid it, in a position so frightful and so repugnant to all his feelings. He had neither the patience nor the perseverance which are the cement of energetic and bold spirits. Restless, irritated, humbled, exasperated, tired of waiting and seeing nothing done, lost in a swamp from which he saw no issue, the chances were a hundred to one that the Marquis would suddenly disappear by the aid of a pistol. But no, not even Madame de Vaubert could conjecture what bomb was to burst,—no one save M. Des Tournelles, who had kindled the match.

One evening in April, Madame de Vaubert sat alone with the Marquis, silent, and gazing steadfastly at the flashing embers which were dying in the fire-place. It was easy for the observer to see that deep anxiety brooded over her heart like a stormy atmosphere. Her eye was glassy, her brow heavy with care, her fingers clenched like one in extremity, and her mouth, usually cheerful and smiling, was contracted with a feeling of selfish despair. And she had, indeed, just cause of alarm. Her prospects became day by day more desperate, and she began to ask herself if there was not danger that she would be caught in her own snare? Bernard had the advantage, very decidedly, and looked and acted very much as if he regarded the estate as undoubtedly his own; and although she had not given up all hope, although she had not thrown the handle after the hatchet, yet, foreseeing that the time would perhaps come, when M. de La Seiglière would be obliged to evacuate the premises, the baroness had already begun to prepare the

* "To lantern," was the republican phrase of the times for hanging to a lamp post.—Tr.

plan of the campaign which she would follow if matters should come to a pass as disastrous as she feared. She would not consent that her son should espouse M'lle de La Seiglière with no other dowry than her youth, beauty, and loveliness, and was already casting about for some means of disengaging, with respect to Helen and her father, the promise and the hand of Raoul. Such, for some weeks, was the unavowed subject of her secret meditations.

While Madame de Vaubert was plunged in these reflections, the Marquis, seated by the other corner of the fire-side, and silent, like the baroness, was anxiously cogitating upon the best manner of commencing the battle which he was about to offer, and how he should contrive to disengage, with respect to Raoul and his mother, the promise and hand of Helen.

"The poor Marquis!" said she to herself, casting towards him, from time to time, a furtive look, "If he is obliged to come to this, what a terrible blow it will be for him! I know it; he consoles himself with the thought, that, come what may, his daughter is to be the baroness of Vaubert. Poor man! He loves me; I know it. It is twenty years nearly since our intimacy was, in some sort, consecrated by the betrothal of our children. Dear friend! How shall I find courage to afflict so tender and devoted a heart, and to tear from him his last illusions? I expect nothing but furious strife and bitter recrimination. In his passion he will not fail to charge me with having courted his fortune, and turned my back upon him in his adversity. But I will be resolute; I will bring him to comprehend that it would be madness for two paupers to marry; inhuman to condemn his family and mine to the gnawing cares of eternal mediocrity. He will be appeased; we will sigh together over our common misfortune, and mingle our tears and our regrets. And then will come the grief of Helen, and the protestations of Bernard. Alas! the two dear children adore each other. God made them for one another. But we will make them listen to reason. In the course of six months they will recover from the shock. Raoul will marry the daughter of some wealthy upstart, who will be glad thus to ennoble his blood and furbish up his escutcheon. As to the Marquis, he is too deeply embued with family pride, too securely anchored in old prejudices, ever to consent to enrich himself or his family by an ignoble alliance. Since he clings to his parchment——well, we will try to find some country squire of the neighborhood for Helen, and I hope yet to see the good Marquis finish his days under the roof of a son-in-law."

Thus reasoned Madame de Vaubert, taking things in their worst aspect. Still she was far from having let go her prey. She knew Helen perfectly, and had studied Bernard. If she had no suspicion of what was passing in the heart of Helen—Helen had none herself—she had read the heart of the young man; she was much farther advanced in the secret of his trouble than he himself was. She thought that something might be done to forward her purpose by bringing them in contact; she felt that there was yet something, some incident, some chance, some occasion, which might avail her. But what? and how? These were the questions which she knew not how to answer, and she was almost indignant with herself that she could not.

"That poor baroness!" said the Marquis, occasionally, in his turn, throwing a stealthy and timid glance towards his silent companion; "she little thinks of the blow which I am going to strike her! She is, on the whole, an amiable and faithful heart, a sincere and loyal soul. I am convinced that in all this affair she has sought only my happiness. I would swear that, for herself, she has no other ambition than to see Raoul united to Helen. Whenever it should take place she would be eager to receive us in her humble manor, and would esteem herself happy in sharing with us her modest competence. That her son should espouse a La Seiglière would be enough for her pride and her felicity. Dear affectionate soul! It would have been much more pleasing to me to have been enabled to realize so charming a dream, and to have spent my remaining days in her society. But when she learns that this hope, which has been so long cherished, must be renounced, she will break out into furious reproaches, alas! and merited, perhaps. Nevertheless, in good conscience, would it be wise or reasonable to expose our children to the rigors of poverty, and to bind ourselves together by an iron bond which,

sooner or later, would wound us, and extort our curses? The baroness is a sensible person; the first transports appeased, she will understand how the matter stands, and resign herself to the arrangement; and as the Vauberts make merry of the democracy——well, Raoul is a fine boy, and we shall easily find for him some rich dowager in the neighborbood, who will be very willing to renew her age at the expense of her fortune."

Thus reasoned the Marquis, but the truth is, he was like a man in tight boots, and would have felt just as much at ease in a thorn bush as in his cushioned chair. He feared Madame de Vaubert as a revolution. He was conscious of his own bad faith, and at the thought of the storm which he was bringing upon him, his heart seemed to die in his breast. At length, however, with desperate resolution, grasping his courage as it were, with both hands, he commenced the action in a hap-hazard kind of a way, letting off here and there at considerable intervals, a few random shots.

"Don't you think, Madame la baronne," he suddenly broke out like a man little habituated to such skirmishes, "don't you think that Bernard is really a remarkable boy? The young man pleases me. Quick as powder, prompt as his sword, headstrong perhaps, and a little excitable, but frank and open hearted. I think he is of the pure metal. He is not exactly handsome, to be sure; but then, I like these strongly marked and masculine countenances. What an eye! and what a forehead! And then such a nose! How indicative of royalty! I should like to know where the fellow got it. Did you observe what a delicate and charming mouth he had under that brown moustache. God pardon me, it is the mouth of a Marquis. He knows enough; he carries with him undoubted evidence of his mental superiority. A little rough, perhaps, rather awkward, but he is fast wearing away these objections in our society. So gold becomes refined in the crucible. That he is a hero is unquestionable; no doubt of that. He is of that sort of timber which the Emperor used for dukes, princes, and marshals. I can see him yet mounted on Roland. What coolness! what courage! what intrepidity! Eh? Madame la baronne, there is no concealing the fact; I like the boy, and I don't feel it a particular humiliation to shake his hand."

"Of whom are you speaking?" asked the baroness with the utmost nonchalance, and without apparently interrupting the train of her meditions.

"Of our young friend," responded the Marquis complacently, "of our young chief-of-squadron."

"And you say——"

"That nature has strange freaks, and that this boy ought to have been born a gentleman."

"The little Bernard?" said Madame de Vaubert, emphasizing the second word with considerable stress.

"You might as well say, par Dieu, the great Bernard," replied the Marquis, just as emphatically thrusting his hands into his breeches pockets.

"You are getting beside yourself, Marquis," briefly rejoined the baroness, as she resumed her serious and pensive attitude.

Encouraged by this good success, like those prudent soldiers who, after having discharged their muskets, conceal themselves behind a tree for security while they are loading again, the Marquis remained coy, and there was again a long silence, disturbed only by the chirpings of a cricket concealed about the hearth, and the crackling of the wasting coals.

"Madame la baronne," suddenly resumed the Marquis, "does it not seem to you that I have been ungrateful towards the good M. Stamply? I must confess that, upon this point, my conscience is not quite at ease. It appears to me clearly that that excellent man restored me nothing, but that he gave me all outright. If it is so, is it not one of the finest instances of devotedness and generosity which history will ever have to record upon its tablets? That old Stamply, Madame, was a noble soul, and we owe something to his memory."

Too deeply buried in her own selfish preoccupations even to trouble herself with a thought as to the purpose and drift of M. de La Seiglière's discourse, the baroness shrugged her shoulders, and made no reply.

The Marquis began to despair of hitting the joint, when he very opportunely recalled to mind the lesson of M. Des Tournelles. He reached his hand towards a lackered stand, took from it a newspaper,

and while apparently running over its columns:

"Madame la baronne," asked he carelessly, "have you kept the run of the papers lately?"

"What is the use, pray?" she replied with a slight show of impatience. "How can you suppose such nonsense interests me?"

"By the sword of my father! Madame," cried the Marquis, letting fall the newspaper, "you speak very much at your ease. Nonsense, I agree it is. Nonsense you may call it, if you please; but ventre-saint-gris, I am inclined to think that this nonsense interests you and me more than you appear to be aware of."

"Why see, Marquis, how things are going," rejoined the baroness in a manner that indicated that she was tired of the conversation. "His Majesty enjoys the most perfect health; our princes hunt, and the court is gay; the people are happy, and the rabble have enough to eat. What is there in all this that need cause alarm?"

"Twenty years ago, we talked just so," said the Marquis, opening his snuff-box, and delicately thrusting in his thumb and fore-finger. "The rabble had enough to eat, our princes hunted, they danced at court, and his Majesty was marvelously well. But all this did not prevent the old throne of France one fine morning from cracking, crumbling, and drawing us with it in its fall, and burying us, dead or alive, under its ruins. Things are going on now as they were then; we are upon a volcano."

"You are mad, Marquis," said Madame de Vaubert, who, entirely occupied with her own concerns, and besides not thinking much of the fitness of a political discussion at so late an hour, did not deem it her duty to take up and refute the opinions of the old gentleman.

"I repeat it, Madame la baronne, we are upon a volcano. The revolution is not dead; it is a half extinguished fire, which yet lurks beneath the ashes, and you will see it some day break forth, and consume the remains of the monarchy. It is a vast cave, where are gathered a crowd of worthless vagabonds, who call themselves representatives of the people. It is a mine dug beneath the throne, filled with powder, and just ready to blow it to the four winds of heaven. The liberals are the legitimate descendants of the sans-culottes; liberalism will achieve what ninety-three begun. The question with us is whether we will suffer ourselves to be overwhelmed in the general catastrophe, or whether we will seek safety by embracing the very ideas which threaten to engulph us."

"Really Marquis," said the baroness, "you seem to be in earnest, as if you believed all this. An imaginary conflagration has got possession of your brain, and you see nothing all the while but your own house on fire."

"Madame la baronne," cried the Marquis, "I am not selfish, and I can say boldly that personal interest was never my controlling motive. Whether my house burns or not is of little consequence. My preservation or prosperity is not the question at issue; it is the safety of us all, of the entire noblesse. What matter, in truth, if the name of La Seigliére shall become extinct, and soon be buried in silence and obscurity? But Madame, what is of vast importance is that the noblesse of France shall not perish."

"I have a little curiosity to know how you purpose to help it," replied Madame de Vaubert, a hundred leagues from suspecting whither the Marquis was tending, and scarcely able to suppress her mirth at thus seeing so frivolous a person incontinently dealing with questions so difficult and dangerous.

"It is a grave question, Madame, which I have succeeded in raising, but which I fear I shall not be able so successfully to resolve," promptly returned M. de La Seigliére, who, feeling that he was fairly under way, now began to advance with a more confident step. "Nevertheless, if I might be permitted to advance an idea or two upon so important a subject, I should say that it is not by isolating themselves in their castles that the nobility can recover that preponderance which it once had in the affairs of the country; perhaps I should add—between you and me—that our old families have too long restricted themselves to alliances with each other, that for want of renovation, the old patrician blood has run out, and that in order to recover its force, its warmth and life, which seem almost to have left it, it must mingle itself with the younger, warmer, and more vigorous blood of the people, and the bour-

geoisie. In short, Madame la baronne, I should endeavor to show that since the age is evidently progressing, it is our duty to keep pace with it, or we must be left behind to be crushed on the way. It is melancholy to think of it; but still we must have the courage to recognize and act upon the fact. The Gauls have won the ascendancy, and the Franks have hope of safety only on the condition that they ally themselves to their new conquerors, and recruit from their ranks."

Here Madame de Vaubert, who from the commencement of this brief discourse had been gradually turning towards the speaker, leaned her elbow upon the arm of the chair in which she was sitting, and appeared to listen with curious attention.

"Would you know, Madame la baronne," continued M. de la Seiglière, rejoiced at the evidence that he was now master of his auditory, "would you know what the celebrated Des Tournelles, one of the most comprehensive and enlightened minds of the present epoch, said to me not long since? 'Monsieur le Marquis,' said that great jurist to me, 'these are serious times; we must adopt the people that they may adopt us; we must descend to them that they may ascend to us. It is at the present time with the noblesse as with the precious metals; they want solidifying; they want a grain of alloy.' A thought so profound that it at first almost bewildered me; but after a thorough consideration of the matter, I am satisfied that there is truth at the bottom,—a cruel truth I agree. But it were far better for us, at the expense of some concession, thus to make sure of a prosperous future, than to lie down and be buried in the shroud of a past which will never return. Yes! ventre-saint-gris!" cried he, suddenly rising from his seat and striding across the room, "they have for a long time represented us, to the view of the country, as an incorrigible caste, rejecting from among us all that is not part and parcel of us, infatuated with our titles, learning nothing, and forgetting nothing, filled with pride and insolence, and deadly hostile to all equality. The time has come to put an end to these base calumnies, these foolish accusations. We must mingle in the crowd; open to them our doors, and let our enemies learn to respect us in proportion as they learn to know us."

Hereupon M. de La Seiglière, frightened at his own audacity, looked timidly towards Madame de Vaubert, and very much like a man, who, after having touched the train which leads to the mine, finds his retreat cut off, and is momentarily expecting a fragment of the rock against his own head. But it happened quite the contrary. The baroness, who had so poor an opinion of her old friend as not to doubt his sincerity, was besides too much occupied with herself to suspect that, just at that time, there could exist in this lower world any other self than herself, or any other interest than her interest. Without even thinking to inquire whence came such new and incongruous notions, Madame de Vaubert saw at a glance one thing, and one only—that M. de La Seiglière had half opened a door by which Raoul might escape from his engagement if it should be thought best.

"Marquis," cried she, with a liveliness full of urbanity, "Your observations are very sensible, and although I have never doubted your excellent judgment, although I have always suspected that underneath this outward appearance of frivolity there was a serious and reflective mind, still, I must confess that I am as much surprised as charmed to find you entertaining an order of ideas so elevated and judicious. I make you my compliments."

The Marquis raised his head, and looked at the baroness with the air of a man who had just received in his face a handful of roses, instead of a charge of grape, as he had expected. Too selfish, also, on his part, to care for any thing apart from himself, far from thinking to account for this unexpected acquiescence of the baroness, he thought only to enjoy it.

"It is very much so with all of us," replied the Marquis good humoredly, stroking his chin with charming simplicity. "Because something of grace and elegance have fallen to our lot, pedants and schoolmasters console themselves for their inferiority in point of manners and appearance, by charging us with a lack of intellect. When we shall deign to mingle with them, we will prove that we are equally superior to them on other fields, and that we can handle speech and thought as once we handled the sword and the lance."

"Marquis," resumed Madame de Vaubert, who endeavored to give to the conversation the turn which it had taken at first, "to return to the subject which you were just now considering, it is indeed quite certain that there is an end of the noblesse, if, instead of forming new alliances, they continue, as you have most truly remarked, to isolate themselves in their estates, and hedge themselves about by their pride of birth. The edifice is tottering, and will soon fall, if we are not skillful enough to convert the battering rams which are shaking it, into buttresses for its support. In other words, to drop the somewhat crude figure, in order to preserve ourselves we must inoculate."

"Exactly, par Dieu! well said!" cried M. de La Seiglière, more and more pleased at not encountering the opposition which he had so much dreaded. "Madame la baronne, you are decidedly admirable! You understand yourself upon all points; nothing surprises you; nothing astonishes, nothing alarms you. You have the keen eye of the eagle; and can look the sun in the face without being dazzled. The poor baroness!" added he mentally, rubbing his hands; "She is cutting her own throat, with all her sagacity."

"The good Marquis!" thought Madame de Vaubert on her part, "I see the trouble, but he is carelessly playing into my hands. He has just set the trap in which, if I have occasion, I may by and by take him. Marquis," cried she, "I have held these opinions for a long while; but I have been afraid to avow them, lest, in so doing, I should wound your susceptibilities, and alienate from me your good wishes."

"Indeed!" returned the Marquis, "what an opinion you have of your old friend! moreover, besides that in view of our holy cause there is no trial which I cannot cheerfully undergo, I am bound to declare to you that, for my part, I should feel no repugnance to setting the example in venturing the first into the only way of safety which lies open to us. I have always set the example. I was the first to emigrate. But times change, and I am no Marquis de Carabas—not I. I mean to keep up with the age. The people have won their spurs and conquered their titles of nobility. They have their Dukes, their Counts, and their Marquises; there is Eylau, Wagram, and Moscow. These titles are quite as good as others. For the rest, Madame la baronne, I can pardon your scruples and appreciate your reluctance, and as for myself, if I have delayed to open myself to you on this point, it was out of consideration for your feelings, and a sincere desire to do nothing which should subject me to the possibility of losing the friendship of so estimable a person."

"This is very strange;" thought the baroness, who began to be a little alarmed. "Where is the Marquis coming to? Consideration for my feelings!" cried she, with amazement. "Do you take me for the baroness of Flounces? Have you ever known me to refuse to acknowledge, in the people, whatever is great, noble, or generous? Have I ever disparaged the *bourgeoisie?* And am I not well aware that the sentiments, manners, and virtues of the golden age have taken refuge amongst the new nobility?"

"Oh! ah!" muttered the Marquis to himself, to whom the drift of the baroness was a little doubtful, "this is not quite clear; there is a snake under the stone."

"As to your anxiety about losing my friendship, seriously, Marquis, did you fear it?" added Madame de Vaubert. "You must think as poorly of my heart as you do of my head. You know very well, my friend, that I am not selfish. How many times have I not been on the point of releasing you from your word, at the thought that in exchange for the wealth which your daughter would bring, my son could return only a great name—the heaviest of all burthens!"

"Aha!" thought the Marquis, "Is this crafty baroness, foreseeing my ruin, seeking to disengage the hand of her son? Can't be; it is too bold a part. Madame la baronne," cried he, turning to the baroness, "that is precisely the case with me. I have oftentimes accused myself of standing in the way of M. de Vaubert's advancement. I have frequently asked myself, with a sentiment of fear, if my daughter would not be an obstacle in the way of the progress of that noble young man."

"Aha!" thought the baroness, who now saw appear, by little and little, through the mist, the outline of the shore towards

which the Marquis was directing his bark. "Is it possible that this old fox of a Marquis is deceiving me? Overwhelmed, as he has been, with favors at my hands, it would, indeed, be too infamous! Certainly, Marquis, it would cost me much to break such delightful bonds," she replied, "still, if your interest demands it, I would sacrifice, for your sake, the sweetest dream of my whole life."

"The thing is done," thought the Marquis, "and I am beat; but it is all the same. Only, was I to expect such perfidy in a friend of thirty years? Talk no more of the disinterested affection and gratitude of women! Baroness," continued he, with a dolorous show of resignation, "if I were compelled to renounce forever the hope that these two lovely children would one day be united, I could not endure it; the very thought of it breaks my heart. Nevertheless, out of consideration for you, my noble friend, and for the sake of your dear son, there is no sacrifice to which my devotion is not equal."

Madame de Vaubert suppressed her rage. After a moment of silence, during which her fury struggled wildly for the mastery, fixing her flashing eye upon the old gentleman—

"Marquis," said she, "look me in the face."

At the time in which these words were uttered, like a hare hopping in the bushes, and which suddenly discovers the hunter, with his gun levelled not ten paces off, the Marquis started, and regarded Madame de Vaubert with a wavering look.

"Marquis, you are a cheat."

"Madame la baronne"——

"You are a traitor."

"Ventre-saint-gris, Madame!"——

"You are an ingrate."

M. de La Seigliére was frightened and dumb with amazement. After having enjoyed his fright for a few moments—

"I pity you," at length resumed Madame de Vaubert; "I am going to spare you the humiliation of an avowal which you could not make without falling in shame, at my feet. You have resolved to marry your daughter to Bernard."

"Madame"——

"You have resolved to marry your daughter to Bernard," authoritatively repeated Madame de Vaubert. "I discovered the resolution in its germ, and have watched its growth, fed, as it has been, by your selfishness. For nearly a month, unknown to you, have I been aware of the change which you were undergoing. How could you think of deceiving me with your feeble disguises? Did you not know that in such a game you would certainly be the loser? The first word which escaped you this evening betrayed you. A month ago I detected you, and saw whither you were tending, and have since closely watched you. You know that I have been to you kinder and more generous than Ariadne, who, at least, was not abandoned without some return for her kindness. Without my aid you could never have escaped from the labyrinth of difficulties which your own folly had brought upon you. Thus, Monsieur le Marquis, while I was exhausting all the resources of my mind, which you know would spurn obliquity of whatever kind, in contrivances of every sort in your behalf; while in the promotion of your interests I was sacrificing my tastes, my feelings, even the uprightness of my character, you, in utter disregard of your plighted faith, were plotting against me the blackest of perfidies; you were conspiring to deliver to your enemy the bethrothed of my son, and the place which I defended; you were seriously meditating upon striking the champion, who was contending for you, a cruel and remediless blow!"

"You go too far, Madame la baronne," replied the Marquis, with the confusion of an angler caught in his own net. "I have come to no resolution; I have decided upon nothing; though, I admit, that since I became convinced that the good Stamply's benefaction was not a restitution but a gratuity, I felt myself bowed down under the weight of gratitude, and as, night and day, I bethought myself how we could acquit ourselves toward that noble and generous old man, it is very possible that the thought may have"——

"You, Monsieur le Marquis, you, bowed down under the weight of gratitude!" interrupted Madame de Vaubert, with an explosion. "Don't make yourself ridiculous by talking such stuff. I know you too well; you are an ingrate. You care just as much for the memory of old Stamply as you cared for his person, and no more. Besides you owe nothing to him; it is to

me that you are indebted for all you have and are. But for my exertions, your old farmer would have died without troubling himself to know if you were in existence. But for me, you and your daughter would have yet been shivering by the corner of your scanty fire-side in Germany. Without my assistance, you would never have again set foot in the castle of your ancestors. You know all this very well, but you feign not to be aware of it; and it is because of your ingratitude. No; your difficulty is not gratitude, but selfishness. To marry your daughter to the son of your late farmer, is your chief purpose, and the secret of your trouble. It wears upon and harasses you. You hate the people; you execrate Bernard; you comprehend and have comprehended nothing of what was going on about you. You are prouder, haughtier, more obstinate, more inaccessible, more exclusive, and, in a word, more incorrigible than any Marquis of song, vaudeville, or comedy. And your selfishness is even greater than your pride."

"Well! ventre-saint-gris! think what you please," cried the Marquis, with the resignation of despair. "There is one thing that I do know, and that is that I am tired of the part which you have made me play. I have been a long while indignant at such low wiles and base manœuvres, and I am determined to have done with them at all hazards. By heavens! You have said it; my daughter shall marry Bernard!"

Careful! Marquis, careful!"

"Pour out the vials of your wrath and contempt; call me a cheat and an ingrate; charge me with selfishness and treachery;—do all these if you please; you have a right to do so. You are so disinterested, Madame, in all this affair! You have shown yourself so frank and open-hearted! You were so kind to poor old Stamply in his last days! You discovered towards him so much tenderness, and showed him so much attention! And so you were bound in conscience to do; for it was at your instigation that during his lifetime he deprived himself of all means of procuring the kind attentions of others."

"It was for your benefit, cruel man!"

"For my benefit! for my benefit!" reiterated the Marquis with a shake of the head, "Madame la baronne don't make yourself ridiculous by talking such stuff!"

"It ill becomes you to accuse me of ingratitude," continued Madame de Vaubert, "you, the donee, who have overwhelmed your benefactor with bitterness."

"I knew nothing of it; but you who knew all had no pity."

"It is you," cried the baroness, "who drove your benefactor from your table and fireside!"

"It is you," returned the Marquis, "who after having meanly won the confidence of a credulous and defenceless old man, spurned him from you, and left him to die with chagrin."

"You banished him to his secluded chamber!"

"You hurried him to his tomb!"

"This is war, Marquis!"

"Well, war it is, then!" shouted the Marquis, "I will fight once at least before I die."

"Think of it, Marquis! Pitiless, merciless war! War without truce!"

"War to the death! Madame la baronne," said the Marquis, with a very complaisant bow.

Hereupon Madame de Vaubert withdrew, threatening and terrible, while the Marquis was skipping for joy like a kid, alone in the room. On her return to the manor, after having paced her chamber for some time, knocking her forehead and pressing her bosom with rage, she abruptly opened the window, and like a cat watching for an opportunity to pounce upon a mouse, fell to gazing upon the opposite chateau de La Seigliére, whose windows were at this instant beaming in the clear light of the moon. In spite of the coolness of the air, she remained nearly an hour leaning over the balcony in mute contemplation. Suddenly her countenance lighted up, her eyes kindled, and like Ajax threatening the gods, throwing a gesture of defiance towards the castle, she exclaimed; "I will have it." She immediately returned to her chamber, and penned this single word to Raoul—"Return." She then retired, and fell asleep with that smile upon her lips which the genius of evil wears when resolved upon the destruction of a soul.

CHAPTER XI.

From this memorable evening forward, Madame de Vaubert did not make her appearance at the chateau, to the special comfort and advantage of its inmates. During the few days which intervene between this and the denouement of this little and too long history, the relations between the Marquis and Bernard grew by degrees more and more agreeable and intimate. No longer irritated by the presence of the baroness, against whom Bernard, in spite of his efforts to the contrary, had nourished a vague sentiment of distrust and real hatred, the young man became more familiar and more tractable. On the other hand, the Marquis for several weeks had assumed towards his guest an attitude more cordial, affectionate, and even at times approaching tenderness. Both appeared to have modified and softened out of a mutual desire for conciliation, their opinions and language. As they sat by the fireside in the evening, they would chat and discuss together, but carefully avoided disputes. Besides, since the disappearance of Madame de Vaubert, their conversations had for the most part dropped politics, and taken a more familiar and domestic character. The Marquis ran upon family enjoyments, and the felicities of marriage; and occasionally he would let drop some observation which stirred the soul of Bernard, and swept over his heart like warm gusts of happiness. It so happened that one evening the Marquis gently insisted that his daughter should spend the evening with them in the parlor, and not return to her chamber as was her usual custom. The hours of that evening were full of enchantment after the embarrassment of the first few moments was worn off. The Marquis was lively, good natured, and talkative; Bernard was happy and grave; Helen was dreamy, silent, and smiling. The next day the two younger met in the park, and the charm recommenced,—more disturbed it is true, and more mysterious, but for this reason all the more charming.

Meanwhile, how was Helen to be approached on the subject of her father's purpose? By what by-ways, under cover of what disguises could he lead her to the desired end? This was now the study and the trouble of the Marquis. For no consideration in the world would he reveal to her the humiliating position in which for the last six months they had stood to Bernard. He knew too well her proud and noble nature, and that he had to do with a spirit which could never bear the thought of having been directly or indirectly connected with the chicanery of which the chateau de La Seiglière had been the scene. It was, nevertheless, this simple and noble spirit which it was now to be attempted to render the accessory of selfishness and treachery.

One day, while the Marquis was buried in reflection as deep as was possible for him, he suddenly felt two caressing arms gently clasping his neck, and on raising his eyes he perceived the countenance of Helen hanging like a lily above his head, and regarding him with an angelic smile. He drew her tenderly to his bosom, pressed her to his heart, and held her a long time thus, with one hand upon her head, frequently imprinting a kiss upon her shining forehead. When he had relaxed his grasp and arose, she saw two tears steal into her father's eyes, and only two. "Father," she exclaimed, seizing his hands with the utmost tenderness, "you have sorrows which you do not impart to your child. I know it; I am sure of it; and to-day is not the first time I have noticed it. Dear father, what troubles you? Into whose heart, if not into mine, can you pour the sorrows of your own? When we lived in the depths of our own poor Germany, I had only to smile and you were consoled. Father, tell me, something is going on around us which is strange and inexplicable. What has become of that charming playfulness in which I so much delighted? You are sad; Madame de Vaubert seems dissatisfied, and I am agitated and troubled because you seem to suffer so much. But what is the matter? If my life can relieve you, you know it is at your disposal."

As the victim thus generously offered

herself upon the altar of sacrifice, the Marquis could no longer restrain himself. Her love was so true, and her tone so affectionate, that the old man burst into tears before the astonished Helen.

"Oh! Father! What has happened? Of all the misfortunes which can await you, is there one which my love cannot solace?" cried she, throwing herself into his arms, and in her turn bursting into tears. The Marquis was touched, but not so deeply as to be drawn from his purpose; for he thought the opportunity too favorable to be neglected, and the matter too well begun not to be pursued. For a moment he was upon the point of avowing all; but shame prevented, and the fear of offending the noble pride of Helen, who would inevitably revolt at the faint glimpse of the ignoble part which she was to be made to play in this adventure. He therefore made ready again to turn the flank of truth, since he did not dare to meet it in the face. Not that this manner of proceeding was in accordance with the nature of his character; far otherwise; but the Marquis was unhinged. Madame de Vaubert had led him into a bad way, from which he could extricate himself only by cunning and address. When once strayed from the main route there is no way of returning save by cross roads or through the fields. After having assuaged the tears of his daughter, and himself recovered from the emotion which he could not help feeling, he begun by recounting with some variations, the part which he had been made to play by the baroness; for although it is to be borne in mind that his imagination was not like that of Madame de Vaubert, fertile in expedients, nevertheless, thanks to the lessons which he had recently received, the Marquis could boast some dexterity in the art of deception. He lamented the hardships and difficulties of the times; he bewailed the misfortunes of the aristocracy which he represented—a new as well as original figure—as a ship tossed by the revolutionary wave. Profiting by the inexperience of Helen, who had lived entirely careless of public affairs, he painted in sombre colors, which he well knew how to exaggerate, the uncertainty of the present, and the threatening aspect of the future. He made use of all the words of the vocabulary then in use; he caused to defile and parade before her all the spectres and phantoms which the ultra-royalist journals were daily accustomed to marshal before their subscribers. The soil was mined; the heavens were charged with tempests; the hydra of revolution had reared again its seven heads; the cry, war to the castles! went echoing through the land; the people and the bourgeoisie, like two devouring hyenas, awaited only a given signal to rush upon the defenceless noblesse, gorge themselves with their blood, and divide among them their spoils. It was by no means certain that Robespierre was dead; the rumor went that the Corsican wolf had escaped from the island of his captivity. In short, he brought into play, and promiscuously crowded together, all the frightful artillery which would be likely to terrify her young imagination. When he had exhausted his armory—

"Is that all, father?" said Helen, with a smile full of calmness and serenity. "If the soil is mined under our feet, if the heavens are threatening, if France, as you say, execrates us and wishes our destruction, why need we stay here? Let us depart and return to our dear Germany; let us go and live there as we did before; poor, unknown, and undisturbed. If they cry, 'war to the castles!' they must also cry 'peace to the cottages!' What do we want more. Happiness does not depend on wealth, and opulence is not worth a regret."

But this was not to the purpose of the old gentleman, who, fortunately for himself, knew of a more certain route by which to arrive at her noble heart.

"My child," replied he, with a shake of the head, "these are noble sentiments; thirty years since mine were very similar. I was one of the first to give the signal of emigration; country, castle, hereditary fortune, domain of my ancestors—I abandoned all; and it cost me nothing to offer this proof of fidelity and devotion to royalty in danger. I was young then, and chivalrous. Now I am old, my daughter; the heart has outlived the body; the blood is not equal to the courage; the blade has worn out the scabbard. I am nothing but a poor old man, racked with gout and rheumatism, tortured with pains and infirmities. The fact is, my daughter, that I am good for nothing. One would believe me hale and

vigorous, active and strong, and to see me they would give me a half a century yet. But they are very much deceived. I grow weaker and weaker every day, and am evidently fast declining. Look at my shrivelled limbs, or rather drum-sticks!" added he, pointing lugubriously to his round and vigorous thigh. "And my stomach is very much out of order. It is not to be concealed, I am only a withered bough, which the first breeze may carry away."

"Oh! father, father, why do you say so?" cried Helen, throwing herself weeping upon the neck of the new Sextus Quintus.

"Ah, my child," continued he, with a melancholy look, "whatever moral force we may have been endowed with, it is a cruel thing, at my age, to resume the winter of exile and poverty, when there can be no other hope, no other ambition here than to die in peace, and to be buried in the tomb of our ancestors."

"You are not going to die yet; you will live a long while I hope," said Helen, with confidence, pressing him to her bosom. "God, to whom I pray daily for you, the just and good God, will spare you to my love; He will vouchsafe to shorten my life and prolong yours. As to the other danger which threatens, father, is it so great and pressing as you seem to imagine? perhaps you are alarmed without sufficient reason. Why should the people hate us? Your servants love you because you are kind to them. When I pass along the hedges, they stop their work to give me an affectionate salutation; as soon as their little children discover me, they come running up to me, with joy in their countenances; more than once, under their thatched roof, their mothers have taken my hand and carried it to their lips. The people do not hate you. You speak of a mined soil, of sinister rumors, of a threatening sky. Look around you, father; the earth is covered with verdure, and the heavens are blue and smiling; I do not hear any other cries than the song of the lark and the distant shouts of the shepherds and herdsmen. I see no other evidences of revolution than those of the advancing spring."

"My dear child, how happy for you, that you perceive in this wicked world only the images of nature and the harmonies of creation!" said the Marquis, kissing the brow of Helen, with sincere affection. "Helen," he added, after a moment's silence, "thirty years ago matters were very much the same. As now, the fields were decked with verdure and flowers; the shepherds shouted to their flocks upon the hills; the larks sung merrily in the meadows, and your mother—my daughter, your beautiful and noble mother—was, like you, the delight, the angel of the whole region. But we were compelled to fly. Trust to my longer experience; the future is sombre and threatening. It is almost always the case that from a serene and limpid sky breaks the thunder of revolution. But suppose danger is yet far off; suppose that I may be permitted to die under the roof of my fathers; can I hope to die in peace, in prospect of leaving you alone, without sustenance or support, in this world of tumult and storms? When I am gone, what will become of my dear daughter? Will M. de Vaubert protect her in those fearful times? Unfortunate children! The very position which you occupy, and the name which you bear, seem only to draw destruction upon you; and your marriage will only serve to increase the danger; you will only be to each other a source of mutual misfortune; each of you will have two fatalities against which to contend, instead of one, and you will thus consign yourselves to the fury of popular hatred. I was talking the other evening with the baroness of this matter, and in our mutual solicitude we both questioned whether it would be prudent and wise at present, at least, to consummate the projected union."

Helen started, and threw upon her father the look of the frightened doe.

"And I even thought I could discover," added M. de La Seiglière, "that the baroness would not very reluctantly release me from my pledge, and be absolved from hers. 'Marquis,' said she to me, with that good sense which never abandoned her, 'would not the uniting of these two children, under the circumstances, be like directing two vessels momentarily in danger of destruction, to relieve each other? If left alone they have each a chance for safety; but, united, their prospects are so much the more dismal.' Thus spoke the mother of Raoul; I must add, that it is also the opinion of the celebrated Des Tournelles, an old friend of our family, and

who, without ever having seen you, feels for you a lively interest.—'Marquis,' said that great jurist, one of the greatest intellects of the age, one day to me, 'to give your daughter to that young de Vaubert would be like taking refuge during a thunder storm under an oak in the open field; it would be inviting the lightning upon her head.'"

"Father," responded the young girl, with calm dignity, "M. des Tournelles has no concern in this affair, and I can hardly recognize that Madame de Vaubert herself has the right to absolve me from my obligation to her son. M. de Vaubert and I are engaged to each other before God. I have his word; he has mine. God, before whom the pledge was made, can alone absolve us."

"Far be it from me," replied the Marquis, with earnestness, "far be it from me to advise, or consent to treachery or perjury in any form! I only fear that you exaggerate the gravity and solemnity of the engagements into which you have entered. Raoul and you are affianced—nothing more. Now, as they say in the country, betrothal and marriage are two different things. Before the sacrament has been administered, the parties may always, by mutual agreement, withdraw from their engagement without impiety or dishonor. Before marrying your mother I was affianced nine times: the first, at the age of seven months; the ninth, at thirteen years. Still, my dear Helen, I have no intention of opposing your inclinations. I consider that you are bound to young de Vaubert. You were brought up together, in exile and poverty; it may seem pleasant to you both to return there together. At your age, my dear child, there is no prospect, however sad, over which love does not spread its enchanting, but, permit me to say, deceptive light. To suffer and to love is the bliss of youth. Nevertheless, I have remarked, that, in general, these connections, formed so near the cradle, are wanting in that mysterious something which constitutes the charm of love. I do not pretend to be an expert in the matter of sentiment; but I have come to the conclusion that love diminishes in proportion to the length of the acquaintance. Our young baron is, however, a pleasant and gentlemanly person—a little cold and stiff, perhaps—and, if you will pardon me, rather indifferent; negative in point of character; but then, he is handsome. He has not hardened his hands with toil, nor bronzed his visage in the fire and smoke of the enemy. He's handsome, and has a way of dressing his hair which has always ravished me. He's handsome—the lily with the rose."

"Monsieur de Vaubert is a sensible man, father, and a gentleman," said Helen, gravely.

"To be sure he is; no doubt of it; and a worthy young man, who has never made any talk in the world, and has never tired anybody with relations of his achievements. *Ventre-saint-gris!*" cried the Marquis, abruptly changing his tone, "I am sorry to say it, but it is true, our young gentlemen of the present day seem to take it for granted that great things are only to be expected from the humble. In my time, the young noblemen thought differently, thank heaven! As for myself, I have never been in battle, it is true; but, by the sword of my ancestors! when my services were wanted I was always ready; and I am still cited, at court, as one of the first and most faithful who were eager to go and protest to foreign nations against the enemies of the old monarchy. This, my daughter, this is what your father has done; and if I have not won laurels in the army of Condé, it is because I thought laurels bedewed with the blood of France were won at too great a price."

"But, father," said Helen, hesitatingly, "it is not the fault of M. de Vaubert, if he has lived till the present in inaction and obscurity; had he the heart of a lion he could not show his courage with no one to combat."

"Bah! bah!" cried the Marquis, "a soul that pants for glory will find ways enough to quench its thirst. Why, at the time of the emigration, I was upon the point of going to America to fight the Indians, and it was only because I recollected that I owed a duty to our glorious France that I chose Germany instead of America. Look at this young Bernard. He is not eight and twenty yet; but he wears the evidence of his bravery in his button-hole; he has paraded, as a conqueror, in some of the first capitals of Europe, and but just escaped death on the plains of Moscow. He was hardly twenty when the emperor

who, whatever may be said, was not a fool, remarked him at the battle of Wagram. I say this, my child, not to disparage Raoul. There is no particular necessity that he should do any thing to distinguish himself. He is already a baron; and, for one of his age, a very respectable young man. We must not be too exacting."

"Father," said Helen, more and more troubled, "M. de Vaubert loves me; he has my word, and for me that is enough."

"Doubtless he does love you; and I take your word for it the more readily as I have rarely seen any indications of it; concealed fires are always the most terrible. But I think that had I been in his place I should not have gone off to Paris quite so precipitately, and precisely at the time when our young hero had come to pay us a visit."

"Father!" exclaimed Helen, blushing like a rose.

"To be sure, Raoul sends you a letter once a month or so. I have read only one of them;—pretty style, perfumed paper, good spelling, correct punctuation, and all that; but, I beg you to believe, my daughter, that, in our times, this was not the way we wrote to the tender object of our flame!"

"Father!" repeated Helen, beseechingly and half smiling.

At this point, judging the place sufficiently dismantled, the insidious Marquis returned to his first batteries. He showed that in these times of trial the noblesse had no hope of safety, except by forming alliances with those in lower rank. He managed his daughter as Des Tournelles had a short time before managed him. He again pictured himself, to her imagination, poor, exiled, proscribed, begging like Belisarius, and dying far from his native land. Again the tears started in the eyes of Helen. Then, by a transition skillfully effected, he came to speak of old Stamply; he was pathetic on the subject of the old farmer's probity, and regretted exceedingly that during his life he had made him so poor a return. He was successful in awakening doubts and scruples in her young heart, without, however, awakening suspicion. From father to son was only a step. He extolled Bernard, and represented him, now as a dike against the fury of the waves, now as a shelter from the beating storm. In short, by evasion after evasion, and step by step, he arrived at the end towards which he had been tending and demanded plainly, though apparently by way of reflection, if, considering the present aspect of affairs and their future prospects, an alliance with the Stamplys did not promise the La Seigliéres more advantage and security than an alliance with the de Vauberts. The Marquis had proceeded thus far, when he suddenly stopped, perceiving that Helen was as pale and trembling as if he had struck her a mortal blow.

"Zounds!" cried the Marquis, seizing her in his arms, "I am no hangman. Do you think I am like Calchas, about to lead you to the sacrifice and immolate you upon the steps of the altar? No, no; you are no Iphigenia, and I am no Agamemnon. We are talking, reasoning together, that's all. I can see very well, how, at the first blush, a La Seigliére must naturally revolt and be indignant at the idea of such an alliance; but, my child, I repeat it:—think of your own situation, of your old father; think of the devotion of M'lle de Sombreuil. This young Bernard is not of noble blood, it is true; but, in these times, who is? Twenty years from now a title will not be worth the picking up. I wish you could hear M. Des Tournelles talk on the subject. He who serves his country well has no need of ancestors, says the sublime Voltaire. Besides, such connections have always been sought and found; they are the means by which great families live and perpetuate themselves. For instance, a king of France, Charles the Simple, married his daughter Gissel to one Rollo, a mere vagabond chieftain, proving thereby that he was not so simple as history would like to make him appear. And, quite recently, a soldier of fortune married a daughter of the Cæsars. Your marriage with Stamply will have a good effect in the country; people will see that we are not ungrateful; they will say that we have recognized a good precedent; and, for my part, when, hereafter, I shall meet, face to face, the soul of my old farmer, I declare that it will not be particularly disagreeable to me to be able to announce to that honest old man that his probity met with a reward in this world, and that our two families now constitute but one. And it would carry joy to the heart of the good man, for he adored

you, Helen. Didn't he sometimes call you his daughter? Faith! he may have been a prophet. Eh?"

The Marquis went on in this strain for a quarter of an hour, displaying, to overcome the repugnance of his daughter, all his resources of craft, diplomacy, and adroitness, which he had learned in the school of the baroness, when Helen, by a sudden movement, sprang from his arms and flew from the room like a bird, leaving her father, with a half finished sentence in his mouth, gazing after her as she rushed over the green lawns of the park and hid herself among the shrubbery.

After she had fairly escaped from his sight:—"Perhaps," ruminated the Marquis, rubbing his forehead with a thoughtful air, "perhaps,—it may be,—my daughter loves the hussar. That she will marry him, is not so clear; but that she loves him —*ventre-saint-gris!*"

To be Continued.

ANGLING.*

We have often been impressed with the truthfulness of Washington Irving's charming sketch, "The Angler," in which he depicts a party of gentlemen inoculated with a mania for the gentle craft, by the reading of old Isaak Walton, who, after whipping the stream with the most approved tackle for hours without success, had the mortification of seeing a ragged urchin, with a crooked pole, homespun line and miserable hook—one who had never dreamed of honest Isaak—take out a noble string of trout.

It is even so: all the reading and fine tackle in the world will never make an angler if angler he be not by nature—*piscator nascitur non fit*—angler must he be born, not made—or he is guilty of a sad waste of time and patience in meddling with rod and line. It were far wiser and better for him to follow the advice of Franklin, and angle in the market-house with a silver hook.

We were born an angler; the passion grew with our growth and strengthened with our strength. The fatigues, dangers, and misadventures ever incident to the sport, have never for one moment deterred us, although we have had our share of them. A drenching shower is as common to us as sunshine—in fact, we rather affect moist weather—and an upset has become of so ordinary occurrence that we are not sure but that it is rather a disappointment to us than otherwise when we are not accommodated with one. Some of these affairs are ludicrous in the extreme, and others not unattended with danger. One that happened upon one of those small lakes, or rather large ponds, so common in Connecticut, combined the two in a singular manner.

Upon the lake aforesaid we had ventured in quest of perch and pickerel; the craft which we had chartered deserved rather the title of a box than a boat—one of those rambling, wabbling, flat-bottomed, leaky concerns, that men who have never seen salt water in their lives, fasten together somehow, and then dignify with the title of skiff. However, as this skiff, or "dug-out," or whatever may be its proper orthographic representative, was the only craft that floated upon the bosom of the pond, right glad were we to charter it—it being "the end of haying," at which time all the men and boys of the country round are apt to break bounds, and devote one day to a frolic, or as they term it, "have a good fish."

Our crew consisted of ourselves—master, cockswain, and commander in general—with three youngsters, all tyros and under our instruction and guidance.

The day was fine, the fish apparently blessed with a prodigious appetite, and soon a goodly number of golden-sided perch were flapping about the bottom of the boat, wearing out their scales in useless efforts to effect an escape, making themselves particularly disagreeable, and conducting generally in a very scaly manner. While we were enjoying ourselves vastly, and filling our boat, a number of very stalwart looking worthies made their appearance, rod in hand, and commenced a series of vituperative remarks, directed to the occupants of the boat. Their language was, to say the least, decidedly ungentlemanly, and being coupled with some words about "pounding our heads" and throwing us overboard, we concluded that our wisest course was to up anchor, and put water enough between us to prevent their swimming out and performing their threats.

We crossed the pond and fished awhile, when they again made their appearance; then off we posted and improved the opportunity, until again forced to quit. This game went on until some time after noon,

* I. *Frank Forester's Fish and Fishing of the United States and British Provinces of North America.* By William Henry Herbert. New York. 1850.
II. *The American Angler's Guide, a Complete Fisher's Manual for the United States.* By John J. Brown. New York. 1850.

when two of the youngsters—either being moved thereto by compunctions of conscience or of the stomach, either affrighted or enhungered—insisted upon being landed. We again crossed the pond, and having thus put a mile and a half of bad walking between us and our insatiate adversaries, ran the boat to shore: and having discharged the tyros, began very quietly and complacently to string the fish for them to carry home, not dreaming of danger. But lo, and behold, just as this interesting occupation was about being completed, we heard a shout, and raising our head, saw that the foe was upon us. The cove in which we were laying was full of old trees, sunk in fifteen feet water, with an occasional head protruding above the surface. So, pushing the boat from the shore, we placed our oar against one of these timber-heads, and giving a violent shove, away went our craft with a velocity to which she was little accustomed.

As we dropped the oar, a noble pickerel broke water immediately before us, and, seizing the rod, we leaped from the stern to the middle seat, and thence upon the bow. Unfortunate precipitation! At the moment our feet touched the bow, the boat struck, bounded back toward the shore, and we—*we* went *in*.

No mortal man hath seen a prettier dive. Our broad brimmed hat deserted our head, and we with a tremendous impetus, with our hands before us, prepared to cleave the waves in the most approved style of modern bathing, launched into the treacherous deep. In a moment we were at the bottom, to the great discomposure of sundry quiet families of perch and roach, whose domestic precincts we thus unceremoniously invaded, and whose domestic economy we thus incontinently disturbed. An Indian diver after orient pearls, could not have done the thing better. The whole affair was so sudden that there was no time for alarm upon our part. Our only thought as we went down, and as we came up—for men think under water as well as above it—was of the supremely ridiculous mode of our submersion. And in the place of a cry for help, when our head *did* pop up above the surface, a very respectable laugh, considering the amount of water mixed with it, was the only sound to which we gave utterance. The remaining lad in the boat, was making a very vigorous but futile series of efforts to paddle after our hat, perhaps laboring under the erroneous impression that our head was somewhere in its vicinity, which, as the hat as well as its master was capsized, seemed rather improbable. We swam to the boat, and finding it impossible to get in, swam it to land; then, making a very low bow to our persevering friends upon the shore, peaceably resigned the command of the lake marine, and made the best of our way homeward, dripping like a sea-god—or rather a fresh-water nymph.

Not a whit daunted by this adventure, or by many others of similar nature were we; but, from that day until the present writing, have continued to wage a ceaseless and tireless war upon every thing that wears fins—and in all manners and styles that might prove most efficacious, without pausing to consider whether they were sportsmen-like or not. We have taken the enemy through the ice; we have tickled them to their destruction; we have turned them out upon the grass by shifting the course of brooks; we have netted them, and seined them, and speared them; and formed an acquaintance with nearly every species that inhabit our waters. Everything is fish that comes to our net—unlike the western gentleman that went a "catting;" *went* a "catting!" and upon that principle, having taken a fine trout, threw him back again into the stream.

Speaking of catfish reminds us of an adventure, or rather train of adventures, which once befel us in our efforts to capture one of those huge denizens of the western waters; and, as we might as well make a clean breast of it at once, we will now weave it into a modest tale or sketch, under the title of

OUR ADVENTURES IN SEARCH OF A CAT FISH—WITH PARTICULAR ADVICE AND DIRECTIONS HOW NOT TO COOK ONE WHEN CAUGHT.

It was in the first youth of one of the last born sisters of our Union, who, after a misalliance with a Mexican, which greatly annoyed and distressed her friends, terminated the affair by scratching his eyes out, taking forcible possession of all the property, both real and personal, upon which she could lay her hands, kicking the would

be lord and master unceremoniously and incontinently out of doors, and then, like a good child, coming home again, and getting her friends to fight out the battle for her. As we before said, it was in the younger days of our younger state, that the adventure, or series of adventures, occurred which we are about to relate.

In consequence of a certain roving disposition, "*cupidus*," as Cicero hath it, "*nervarum rerum*," we found ourselves located and domiciled in the family of one Joe H——, a regular back-woodsman, a capital hunter, and a decided character, with nothing in particular to do, except to amuse ourselves as best we might.

Had Joe been a Gothamite,—"to the manor born"—his genius and inclination would have led him to Wall-street, for he was "great" upon speculation, usually spending one third of his time in expeditions "up country" in search of a silver mine; another third, hunting bee trees, and taking possession; and the greater part of the remainder in studying how to get a living without work.

But, alas, Joe had never heard of "bulls" without horns, nor ever dreamed of meeting a "bear" unless there was mischief "*bruin.*" The labor of a few days sufficed to make his somewhat scanty crop; a few more, gathered his stock of cattle, and left him the rest of the year to follow the bent of his inclination, which, without being what may be technically described as "crooked," nevertheless had as many twists and ramifications as the horn of a veteran of the flock and fold.

The last silver mine speculation had, as usual, proved unfortunate. He had spent six months in vainly searching the banks of the Upper "Trinity," for the much coveted treasure, barely escaped starvation and scalping by the Indians, returned home not particularly burthened with clothing, with the little that remained of a decidedly multifarious and forlorn character, for his tailoring had been of the rudest, somewhat approaching the Adam and Eve style of the art. His tobacco, coffee, and ammunition, the three *sine qua nons*, were nearly expended, and so he set his brain to work to find,—or invent,—some plan for a further supply. These, to a frontier man, are, strictly speaking, the indispensables—for a small patch of cotton, and an industrious wife, provide his clothing—or, if necessary, the rifle is called into requisition for a buck skin. A small patch of corn supplies his bread, and for meat, almost all are provided with a stock of cattle, or drove of hogs, and if not, the universal rifle is again summoned into the field. A wolf skin, or the nearest palmetto brake, furnishes him with hats, and a raw hide or deer skin, with a covering for his feet. So that if this be not a life of genuine, though too often lazy, independence, we know not the correct interpretation of the term.

Within four miles of Joe's cabin, through a thicket so dense that even in that country of tangled forest it was known as the "big thicket," ran the San Jacinto, a stream where water, pure and pellucid, traverses the finest timber in the world, and, according to Joe's account, were patronized by an extensive variety of very superior fish. Now the fish part of the business was put in as a magnet to attract me, for Joe himself was the only man in the settlement who had ventured to explore the tangled maze.

Joe's brain had generated a prodigious idea, worthy, at least, of the immortal Jack Tibbets, and the sum of it was, to go to Houston and pick up a score or so of disbanded volunteers that were hanging around the town, with whom to enter into an extensive lumber operation, in the stave and shingle line. According to his calculation, a fortune was to be realized in a very short time; but having had some experience of his vagaries, we determined to reason the matter with him, and try an experiment ere we plunged blindly into a serious matter.

Reason he would not hear; he had thought the matter over to his satisfaction; but the experiment he finally agreed to try—and thus the compromise was ultimately settled. We were first to spend a month in the "timber,"—Joe as master-workman and director in general—ourselves as occasional assistant in the shingling business, and fisherman in ordinary, attached to the commissariat department.

This plan was perfectly satisfactory to us, for one month we knew was sufficient to give a quietus to any of Joe's plans which included personal exertions upon his own part; and, in truth, we had heard so much

of the fish that a desire had seized us to capture and taste of them.

Our first excursion, or rather incursion, was made simply and solely as a voyage of discovery. Our only sure guide to the spot was the fact that some two miles down the prarie ran, or perhaps more often stood, a *bayou*, which crossed it on its way to the river, and three miles above us was a "marais," or slough, which, according to our friend Joe's account, changed into a "branch;" then running through a cypress brake or two, finally assumed the form of a palmetto swamp, and in that guise joined the river. Now these two land, or rather water marks, after sundry and divers contortions and gyrations, ultimately converged and nearly met. So that all we had to do was to keep the bayou upon the right hand and the swamp on the left—a modern version of Scylla and Charybdis—and with the aid of patience, a huge hack knife, Joe's wood crop, and extreme good luck, we might, barring accidents and the overclouding of the sun, finally hope to attain the point proposed.

There was, to be sure, a kind of path, rather a mythological affair, supposed to have been originally marked out by some old party of surveyors, partly kept open by cattle, where the thicket was not very dense, and, occasionally, in other parts by such of the "varmint" as could crawl through the cane and under the briars, so that now and then a remnant was visible; but as both ends were totally blotted out of existence, and only a few marks where it had been remained, it was, if anything, rather worse than useless.

The first part of our journey was effected on horseback; but after proceeding about half a mile into the "timber," this mode of progression was suddenly brought to a period by the dense undergrowth, and we were reduced to a very natural and primitive style of locomotion.

The spot had been aptly named the "big thicket." Immense bamboo briars, like vegetable laocoons, twined and intertwined, crossed and recrossed from tree to tree and shrub to shrub, forming a natural trellis-work for the thousand and one wild and beautiful vines that abounded there. The passion vine, with its singular flower and luscious fruit; the cypress vine, with its dazzling gem-like blossoms, whose form is said to have suggested the pentagonal star of the Texan flag; the morning-glory, trebling in size and beauty the stunted, dwarfish thing found in our northern gardens, and an innumerable host of others, of minor importance clung to them. Above our heads, the gigantic, wax-like blossoms of the magnificent magnolia grandiflora shed a perfume rivalling the lotus, while, from the branches of every tree, the trumpet creeper, the parasite, par excellence, of the vegetable kingdom, waved her crimson cuniform flowers. Birds of showy plumage and joyous voices—the dandy paroquet—the log-cock, with his gaudy head dress—the dusky mocking-bird, whose imitative but inimitable song more than compensates for his Quaker attire—were flitting to and fro, hopping from twig to twig, so carelessly and unconcerned that it was very evident they were seldom troubled with a visit of the fell destroyer, man.

We had now to contend for every step we gained; knife and hatchet were in constant requisition, and for one hour we passed on in Indian file as best we might. Joe now announced the discovery of a tree, which he recognized as one that grew near the neglected trail, and toward it we made our way. On reaching it we found it truly near something that might have been a trail or might have been a rabbit-path, and which led us in a few moments into a cane brake, where the rank cane grew in wild luxuriance, thick, according to Joe, as the "*hars* on a dog." Joe said, "he allowed *this* wouldn't pay," for we had certainly stumbled into the slough, which formed our southern boundary; and so off we started in the opposite direction. Unfortunately, while following our trail, the sun became obscured; and we had been so busy cutting our way, and keeping in the path, that we had neglected to take an observation of any of the prominent trees ahead of us.

The back-woodsman's compass, the black and rough bark upon the north side of trees, failed, for so thoroughly defended were they by the deep thicket, that the bitter northers seemed to have produced no effect. Under these circumstances it was, perhaps, not in the least surprising that, after floundering about a while in the bush, we found ourselves in an immense and gloomy cypress brake.

Reader, did you ever see a cypress brake? if not, you have yet one nameless horror to experience—your first feelings upon beholding one. The brake is always upon low ground, or rather in a swale, which, during the rainy season, is filled with water; but the one into which we had stumbled was perfectly dry, excepting here and there a puddle, containing rather more mud than water, and densely populated with the most vile of reptiles, the moccasin snake, who had congregated there in great numbers.

The ground was perfectly bare, fibrous, and free from any thing like grass or vegetation, save an occasional cluster of rank and noxious vines, of a sickening, deadly green. From this drear abode arose the trunk of many a huge cypress, shooting up its straight and living shaft, far, far above our heads, seeming almost to pierce the clouds, and, at a great height, outstretching its spectral arms clad and draped with the fatal moss, which lives, and feeds, and thrives only upon the malaria and vapors of the most deadly kind. No settler builds his cabin near the spot where its sombre curtain is seen waving to and fro, but shuns it as a sure token of the presence of pestilence and death.

Around the foot of every tree a number of those singular conical-shaped shoots, termed needles, are standing, resembling so many grave stones; and slowly crawling among them, or lying stupid and sullen, with its mouth wide agape, is ever found the filthy moccasin. No token gives he of his presence, like the tocsin of the chivalrous rattlesnake, but should you approach too near you would soon feel his deadly fang, more fatal even than those of the latter. He is the most hateful of his kind, a truculent coward, and never, save in one solitary instance have we known him to offer an attack, or even resist one in any other manner than by slinking hissingly away.

To our surpise, Joe seemed quite satisfied that he had fallen in with the swamp. His reasons however, were good—for said he, "this is either a part of the slough, and if so, must be near the river, or it joins the bayou, and if this be the case, we cannot be far from it either, for the slough and the bayou do not approach each other until very near it." Out of the brake we scrambled, intending to make our way between the two obstacles, but we had not proceeded far when the sun made his appearance, shining, to my astonishment, not in our faces, but upon our backs. Joe, however, nothing daunted, merely muttered something about having taken the "back track," and then wheeling about, with the sun for his pilot, guided us directly to the river.

A more beautiful stream never gladdened our eyes; running over a bed of pebble and rock, between shelving banks of glistening sand, white as the unsullied snow flake, it resembled rather one of our northern streams than anything of the kind we had before seen in the south.

In a deep pool immediately beneath us however, a half-grown alligator floating lazily upon the surface, and the occasional flash of the fins and tail of that shark of the fresh water, the gar, assured us of the southern locality.

Strong was the temptation to cast a line into the blue depths below, but alas the means and appliances were wanting. The day was Sunday, and Joe, although far from a bigot, was a very aristocrat in his feelings, and had put a decided veto upon taking with us any tackle for fishing.

He was not, he said, "sot up about Sunday; but huntin' and fishin' on that day was clear nigger, and went agin him," so we dropped the subject.

After strolling down the stream, and selecting an eligible spot for our camp, we returned, and although we lost our way again—which by the by we never after failed of doing, either in going in or coming out of the bush—yet, at length arriving safely at the spot where our horses were tied out, mounted them and soon reached home.

During the evening we thought of nothing but the fish; our dreams that night were full of them, and we awoke next morning with a firm and fixed determination that come what might that day would we cast our line into the crystal waters of the San Jacinto.

Joe, for a wonder, had something to do, and after advising us to abandon the idea of visiting the river alone, finally submitted, saying that there was nothing like learning after all, and gave us the best advice and direction in his power.

At an early hour of a bright morning did we set forth upon our mad-cap expedition, and after some three or four hours of vigorous exertion, found ourselves heaven knows where. The thicket seemed to grow more dense at every step, until at last we reached something that resembled a new made path. The thick tall cane had been trampled and crushed so that for a time we made famous headway. As we were pressing onward, a rattling of cane caught our ears, and peering into the thicket,, we saw something that we were convinced at a glance must be either a clergyman, a chimney sweep, or a bear, and as there was not the slightest probability of either of the former gentry being in such a latitude, we conjectured, and rightly, that it must be no less a personage than his eminence Sir Bruin himself. At the identical moment when we made the discovery, our friend also had ascertained our proximity, and not knowing but that we might be fair game for him, wheeled in his track, and returned.

Totally unarmed save with a large hack knife, we stepped aside to a huge tree, and placing our back against it, awaited his coming. It was but a moment, the cane parted, and there he stood, but stood not long. We have before in our lives made some noise, yet it was surely but as silence when compared to the yell with which we greeted him—which of us was the more alarmed we know not, but the victory was with us. Bruin with a snort resembling that of a plethoric specimen of the porcine genus, in a state of excessive alarm abandoned the field.

Our joy at his departure was much increased by the discovery that the tree where we stood was upon the bank of the bayou, which we now determined to keep in sight until the end and aim of our journey was attained. In a few minutes we fell in with a path newly cut in the dense cane, and we passed onward with renewed vigor.

Presently we came to a tree which bore so striking a resemblance to the one which stood upon the scene of the bear's stampede, that we paused to look at it, but remembering that it was no phenomenon to find two similar trees in the forest, we resumed our course.

After the lapse of a short interval, we passed a third, then a fourth, and finally a fifth tree, all alike, and for the first time the many tales we had heard of lost travellers moving round and round in a circle, from which there seemed no escape, flashed upon our mind.

But no; this might not be, we had kept the banks of the bayou on our right, and must be going down stream. However, for our satisfaction, we determined to mark the tree with a "blaze"—did so, and went on. In a short time our vegetable "old man of the sea" again hove in sight, and upon examination, there was the "blaze" we had so lately cut.

It was perfectly inexplicable. Had we gone mad? Was this some illusion of the senses? We thought, and with a shudder of a certain old, withered, parchment-faced African negress, a privileged character in Joe's settlement, whose hitherto undisputed claims to the possession of magic power we had seen fit to call into question, and ridicule, only the previous evening, to the manifest alarm of the listeners.

A moment's reflection, however, banished all this, and laughing at our singular situation, we determined *coute qui coute*, to escape from this modern labyrinth. Down the precipitate banks of the bayou we dashed, and made our way now upon one side of the nearly dried up stream, now upon the other, and now in the shallow water. Once more, and for the last time, our tree was seen, we passed it, and the mystery was solved. It appears we had stumbled upon a peninsula formed by the bayou's doubling upon itself. The entrance was but a step from bank to bank, and when once in, our chance of finding our way out by the same isthmus was but small. By the time we reached the river, the sun was declining, and the threatening clouds warned us to make the best of our way homeward. Without any very serious mishap we arrived in safety, perfectly satisfied with our exploit, and willing in future to await Joe's motions.

At last behold us fairly located upon the banks of the river, where Joe had selected a fine hard shingle beach upon which to pitch our camp. The said camp was an extemporaneous affair, a kind of *al fresco* home, formed by setting up a few crotchets to sustain a rude roof of undressed shingles, there known as boards, supported upon diminutive rafters of cane.

This done, a cypress suitable for a canoe, or "dug out," was selected, and in two days shaped, hollowed out, and launched. Fairly embarked now in the business, I found but little difficulty in obtaining a supply of the green trout, and divers other kinds of river fish; but the huge "cats," where were they? We fished at early morn and dewy eve, before the light had faded out from the stars of morning, and after dame nature had donned her nocturnal mantle—all was vain.

Joe counselled patience, and remarked that the larger species never run but during a rise or fall in the river, and must then be fished for at night.

One morning heavy clouds in the north, and the sound of distant thunder, informed us that a storm was in progress near the head waters of our stream. Our rude tackle was looked after, and bait prepared in anticipation of the promised fish, which the perturbed waters of the river were to incite to motion.

Night came, and we left for a spot which we were sure the "cats" must frequent; a deep dark hole, immediately above a sedgy flat. Our patience and perseverance at length met with their reward. We felt something very carefully examining the bait, and at last tired of waiting for the bite, struck with force.

We had him, a huge fellow too; backwards and forwards he dashed, up and down, in and out; no fancy tackle had we, but plain and trustworthy—at least so we fondly imagined.

At last we had trailed the gentleman upon the sedge, and were upon the eve of wading in and securing him, when a splash in the water which threw it in every direction, announced that something new had turned up, and away went we, hook and line, into the black hole below. At this moment our tackle parted; the robber, whether alligator or gar we know not, disappeared with our scarce captured prey, and we crawled out upon the bank in a blessed humor.

Our fishing was finished for the evening; but regaining the tackle as best we might, casting the line again into the pool, and fixing the pole firmly in the knot-hole of a fallen tree, we abandoned it to fish upon its own hook.

When we arose in the morning, a chill cold norther was blowing fiercely, and the river had risen in the world during our slumber. The log to which our pole had formed a temporary attachment had taken its departure for parts unknown, and was in all human probability at that moment making an experimental voyage on account of "whom it may concern."

The keen eyes of Joe, who had been peering up and down the river, however, discovered something on the opposite side that bore a strong resemblance to the missing pole, and when the sun had fairly risen we found that there it surely was, and moreover its bowing to the water's edge, and subsequent straightening up, gave proof that a fish was fast to the line.

The northern blast blew shrill and cold: the ordinarily gentle current of the river was now a mad torrent, lashing the banks in fury, and foaming over the rocks and trees, that obstructed its increased volume.

Joe and ourselves looked despairingly at each other and shook our heads in silence and in sorrow.

Yet there was the pole waving to and fro at times when the fish would repeat his efforts to escape; it was worse than the cup of Tantalus, and bearing it as long as we could, we prepared for a plunge in the maddened stream. One plunge satisfied us; we were thrown back upon the shore, cold and dispirited.

During the entire day there stood and swung to and fro the wretched pole, now upright as an orderly sergeant, now bending down, and fairly kissing the waters at its feet.

The sight we bore until flesh and blood could no more endure. The sun had sunk to rest; the twilight was fading away, and the stars were beginning to peep out from their sheltering places enquiringly, as if to know why the night came not on, when we, stung to the soul, determined at any hazard to dare the venture.

Wringing Joe's hand, who shook his head very dubiously, up the stream bent we our course, until we reached a point some distance above, from which the current passing dashed with violence against the bank, shot directly over to the very spot where waved and wagged our wretched rod, cribbed by the waters, and cabined and confined among the logs.

We plunged in; and swift as arrow from

the bow, the water hurried us on, a companion to its mad career. The point was almost gained, when a shout from Joe called our attention to the pole: alas, the fish was gone, and the line was streaming out in the fierce wind.

That night were we avenged; a huge cat was borne home in triumph. How we took it, or where, it matters not; for having employed so much time in narrating how we did not, we have none remaining to tell how we did.

The next point was to decide as to cooking him. Joe advised a barbecue. A fine fellow he said like that, with two inches of yellow fat upon his back bone, would make a noble feast. Let not the "two inches of fat" startle the incredulous reader, for we have heard that in that country of lean swine, cat fish are used to fry bacon in.

"We cooked him that night, and we cooked him next day,
And we cooked him in vain, until both passed away."

He would *not* be cooked, and was in fact worse, and not half so honest as a worthy old gander, once purchased by a very innocent friend of ours, that was found to contain in its maw a paper embracing both his genealogy and directions with reference to the advisable mode of preparing him for the table; of which all that we remember was, that parboiling for sixteen days was warmly recommended.

Sixteen days parboiling we are convinced would but have rendered our friend the tougher. We tried him over a hot fire, and a slow one—we smoked him, singed him, in fact tried all methods in vain, and finally consigned him again to the waters.

The moral of our tale, dear reader, is simply this. Waste not your precious time in taking cats, but *if* taken, dream not of barbecuing them, but return them unsinged to the stream, and so shall a great waste of time and patience be spared. But to proceed more seriously.

There is probably no part of the world whose waters teem with the finny tribe as do those that bound or intersect the northern portion of the western continent; and yet until very lately they have been almost totally neglected by the icthyologist and naturalist. A Dr. Smith has compiled an account of the fish of his own state, Massachusetts. Dr. De Kay has given us the Fauna of the State of New York. Dewitt Clinton and Dr. Mitchell contributed much valuable and scientific information upon the subject; yet the whole ground, or anything approaching it, has never even been attempted to be covered until the issue of Mr. J. J. Brown's practical, and Mr. Herbert's scientific work.

A man may be an able ichthyologist, and yet not a successful angler, or *mutatis mutandis*, a successful angler, and yet be ignorant of the scientific names and correct classification of his prey—and a careful examination of the two works before us has induced the belief that Mr. Brown is a thorough angler, and Mr. Herbert a correct naturalist, and yet that each is the other's inferior in that other's particular forte.

To compose a perfect work, or rather one approaching perfection, an author should possess both qualifications in an eminent degree; but as perfection is never to be expected, at least not in initiatory attempts, we should receive thankfully and without undue cavilling, such knowledge as we may obtain, and point out those errors that may meet our eye, not with the severe tone of caustic criticism, but with the kindly feeling of one who has received a benefit, and knowing at what expense of time and labor, to the giver addresses a word of mild advice.

In truth here is but little ground for cavilling, as both works are deserving of commendation, and are not only instructive but amusing.

The half a life devoted to the fishing our waters from the great northern Lakes to the Gulf of Mexico, with the interstices, such as wet and wintry days, filled up with the examination and comparison of specimens, would not more than prepare an author to thoroughly discuss the subject. He must be a scholar, have not only read, but carefully studied all that has been written upon the subject, from Dame Joanna Berners, a piscatorial petticoat of the fifteenth century, to Yarrel and Agassiz; an excellent draughtsman, a practical and pleasing writer, a thorough naturalist, a man of fortune—for his reward will be fame; and one of iron constitution to enable him to bear the exposures incident to his occupation.

With all of these qualifications, and a sufficient love for science to induce him to bestow the best years of his life upon one subject, he may succeed in perfecting a work, with regard to whose merits envy herself shall be dumb.

In the meanwhile, until some such self-denying public-spirited individual can be found, let us gratefully receive such light as may be given us, until a thorough sifting of all that has been written north, south, east, and west, shall enable us to arrive at truth.

Mr. Herbert, whose work we shall first notice, thus commences his subject :

"To deal with a subject so wide as the Fish and Fishing of an extent of country, greater than the whole of Europe, stretching almost from the Arctic Circle to the tropics, from the waters of the Atlantic to those of the Pacific Ocean, may seem, and indeed is, in some respects, a bold and presumptuous undertaking. It were so altogether, did I pretend to enter into the natural history of all or even one hundredth part of the fish peculiar to this continent and its adjacent seas.

"Such however, is by no means my aim or intention. I write for the sportsman ; and it is therefore with the sporting fish only that I propose to deal ; as, in a recent work of the field sports of the same region, it was with the game animals only I had to do. In the prefatory observations of that work I endeavored to make myself understood as to what constitutes game, in my humble opinion as regards animals of fur and feather. I did not, it is true, expect or even hope to suit the views and notions of everybody, particularly when I looked to the great variety of soils, regions, and climates for the inhabitants of which I was writing; and to the extreme latitude and longitude of ideas concerning sportsmanship which prevail in this country.

"One would suppose it was sufficiently evident that a work of the magnitude of the Universal Encyclopædia, and nothing short of that, would suffice to give an elaborate essay and disquisition on every separate sort of sport which every separate individual of every separate state in the Union may think proper to practice for his own pleasure and profit.

* * * * * * *

"And before I proceed farther, I shall beg gentlemen from remote sections of the north, east, west, and south, not to wax wrathful and patriotically indignant, nor to reclaim (query, *declaim ?*) fiercely against the author of this work, because they fail to find therein described some singular specimen of the piscine race, known in their own districts, and there regarded as a sporting fish, but unknown as such to the world at large."

Having thus started upon the broad basis that he will *not* reproduce the fable of "The Old Man and his Ass," in his work, we have surely no right to find fault with such distinctions and divisions as he—an author upon new and almost unbroken ground—chooses to draw.

As "Game Fish," Mr. Herbert recognizes all those who "will take the natural bait with sufficient boldness and avidity, and which, when hooked, are endowed with sufficient vigor, courage, and rapidity of motion, to offer so much resistance, and give so much difficulty to the captor, as to render the pursuit exciting and agreeable, apart from any consideration of the intrinsic value of the fish."

A question might here arise as to whether Mr. H. may not have gone too far in this last clause, for, without producing above one case in point, we will name the "gar" as a fish that possesses all the above named qualifications, and yet is only mentioned once—as the gar-pike—and that in a very disparaging manner. According to our author, the "game fish" of this country are divided into two general classes, the fresh and the salt water fishes ; and these again subdivided: the fresh as migratory, and non-migratory ; the salt, into deep-sea and shoal water. Mr. H., however, seems rather unwilling to admit the deep-sea fishes to such honorable society, although granting that much sport is to be had in the capture of the cod, &c., especially when such capture is the prelude to a chowder party.

With regard to the cod, he perhaps may be deemed as too serious a subject to be made game of. A fish, to which almost the entire population of the eastern states owe two meals each week, is surely entitled to serious consideration. The day upon which the feasts of codfish are held are different in the different towns and states, but each town has its own particular time. In New Haven, for instance, Saturday is set apart for this interesting duty. We are not aware of the existence of any law upon the subject—at least no legislative or corporative enactment—the law of habit, however, rules supreme.

We beg the courteous reader not to dis-

credit the plain and unvarnished facts regarding this custom which we are about to relate. A very staid and worthy old gentleman resided in the aforesaid city, whom a successful mercantile career of more than thirty years had placed in independent, if not affluent circumstances, but through either custom or a desire to add to his already ample store, he still continued his business and his ante-prandial visits to the counting-room. One morning the good wife had postponed the matutinal meal in consequence of his absence, until that rare and valuable thing in a woman—her patience—was well nigh exhausted. At last, however, he made his appearance; and without any apology for his tardiness, but looking especially glum, and out of humor, he sat him down to eat. A cup of coffee, however, partially restored him, and opening his mouth he spake:

"Most extraordinary circumstance, most extraordinary!"

"Why, what do you mean, my dear?" demanded the lady.

"Mean? Here have I had to open the store with my own hands, and after sitting in the door a full hour, waiting for my boys, not one of them made his appearance, and I was forced to close the store again to come to breakfast!"

"Heavens!" exclaimed the lady, with unfeigned horror; "You have not been to the store? Why it's Sunday?"

"Sunday?" returned he, "Sunday? impossible, madam, *we did not have codfish for dinner yesterday!*"

The description and account of the family of Salmonidæ forms a large and interesting portion of the work. In the chapter devoted to the true salmon, *Salmo Salar*, we find some excellent hints upon the subject of transporting the young of the kind, and some very curious information respecting them.

Mr. Herbert has no faith in the generally received opinion that steamboats have caused the expulsion of the salmon from many of our rivers, such as the Hudson and Connecticut. He reasons, that were this the case, the Tay, Tweed, and Clyde, in Scotland, would suffer the same deprivation, and thinks it far more likely that the waters are poisoned by the sawdust—especially that of the hemlock—from the numerous mills that were once in operation upon the streams. As the timber upon many of them has been now cut, he thinks it a very easy matter to again stock them with the noble fish. With regard to the experiments we quote:

"Mr. Shaw, it seems, caused three ponds to be made, of different sizes, at about fifty yards distance from a salmon river, the Erith; the pond being supplied by a stream of spring water, well furnished with the larvæ of insects. The average temperature of the water in the rivulet was rather higher and less variable than of that in the river; otherwise the circumstances of the ova contained in the ponds, and of the young fry produced therefrom, were precisely similar to those of the spawn and fry in the river. These ponds were all two feet deep, with well-gravelled bottoms, the highest pond eighteen feet by twenty-two, the second eighteen by twenty-five, the third thirty by fifty.

"Observing two salmon, male and female, in the river, preparing to deposite their spawn, Mr. Shaw prepared in the shingle, by the stream's edge, a small trench, through which he directed a stream of water from the river, and at the lower extremity of the trench placed a large earthenware basin to receive the ova. This done, by means of a hoop net he secured the two fish which he had observed, and placing the female while alive, in the trench, forced her, by gentle pressure of her body, to deposite her ova in the trench. The male fish was then placed in the same position, and a quantity of the milt being pressed from his body passed down the stream and thoroughly impregnated the ova, which were then transferred to the basin and thence to the small stream which fed the upper pond, where they were covered up in the gravel as usual. The temperature of the stream was 40°, that of the river 36°. The skins of the salmon were preserved in order to prevent the possibility of doubt or cavilling concerning the species. The male fish, when taken, weighed sixteen, the female eight pounds.

"The result was, that the young fish were hatched, as I have stated in the scale above given. When first emerging from the membrane in which it had been enclosed, with the yolk adhering to the abdomen, the young fry is as it was shown in No. 1 of the cut referred to above. The yolk is absorbed in twenty-seven days, after which the young fish require nourishment.

"At the end of two months, the young fish has attained the length of an inch and a quarter, as represented at No. 2; and at the age of six months he has grown to the size of three inches and a quarter, and, except in dimensions, is exactly rendered in No. 3 of the above cut.

"From these facts we arrive at two conse-

quences. First, that the growth of the young salmon has been greatly overrated; and, secondly, that, at a certain period of its life, the salmon *is* a parr. The extent to which the growth of the salmon has been overrated will be perceived at once, when it is shown that Dr. Knox, in the paper from which I have already quoted, states that the fry which emerged from their capsules on the first of April were taken, on the 22d of the same month, in the same year, as smolts, with the fly, of the size of the little finger."

Although the experiments quoted by us below refer only to trout, there can be no manner of doubt but that the mode would be equally applicable to salmon.

"His plan of raising trout from the egg was a very simple one. He had a box made with a small wire grating at one end in the corner for admitting water from a fresh source, or stream, and at the other end of the side of the box there were a number of holes to allow the exit of the water; the bottom of the box was filled with pebbles and gravel of different sizes, which were kept covered with water that was always in motion. In November, or the beginning of December, when the trout were in full maturity for spawning, and collected in the river for this purpose upon the beds of gravel, he caught the males and females in a net, and by the pressure of his hands received the ova in a basin of water, and suffered the melt, seminal fluid, to pass into the basin, and after they had remained a few minutes together, he introduced them upon the gravel in the box, which was placed under a source of fresh, cool, and pure water. In a few weeks the eggs burst, and the box was filled with an immense number of young trout, which had a small bag attached to the lower part of their body, containing a part of the yolk of the egg, which was still their nourishment. In this state they were easily carried from place to place, in confined portions of fresh water, for some days, requiring apparently no food; but after about a week, the nourishment in their bag being exhausted, they began to seek their food in the water, and rapidly increased in size."

We can see no objection to Mr. Herbert's ideas that the salmon may again be introduced into those streams from which they have disappeared, now that the cause of that depopulation has probably ceased, and perfectly agree with him, that the subject is worthy of legislative attention and enactment.

With regard to the *Long Island pickerel*, we imagined that Mr Herbert had been betrayed into an error; but not being willing to array our opinions unsupported against such authority, we applied to a brother angler, whom we knew to be *au fait* in all the sports of the Island.

In extracting the following from his note, we would remark that the reason for not giving the name and locality was, that Dr. —— requested their omission, upon the ground that too great publicity might be fatal to the sport of one of his favorite resorts.

"At —— Pond in the vicinity of ——, Long Island, a friend and myself caught, last April, by trolling, fourteen pickerel, the average weight of which was four pounds."

This statement differs widely from that in the volume before us.

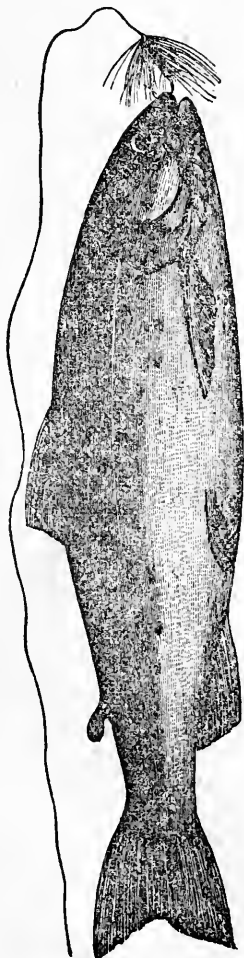
"The Long Island pickerel rarely, if ever, in these waters, exceed a pound weight, and that is greatly above the average, which is probably nearer one half that size."—*Fish and Fishing, p.* 161.

We have no space to regularly dissect this volume, but must speak of it as a whole. It is admirably got up, and reflects great credit for that, not only upon the publishers, but also upon the author, who, with unexampled industry, ingenuity, and versatility of talent, has sketched most of the illustrations, and drawn them himself upon the blocks. Of course, there are errors; the book is deficient in Southern fish, and the reason probably is, that Mr. Herbert, not being able to obtain information which he knew to be authentic, preferred to remain silent with regard to many of them. The work contains very ample directions and instructions for the fly fisher, and numerous plates of artificial flies, hooks, and other appliances of the gentle craft. Wishing the book and its author all success, we yet hope that this may be but the precursor of another and better volume, freed from some few errors that many of our brethren of the press have busied themselves in pointing out, without endeavoring to ascertain the true merits of the work.

The other volume under our consideration, is the fourth edition of an admirable, practical work, by a practical man, which began its career as a small unadorned pock-

et affair, and has at last attained to the dignity of an octavo.

The preface opens in the unpretending style which characterizes the work throughout, but little claim being made by Mr. Brown to authorship or literary attainments, the information contained having been derived from the best authorities, both English and American, and from distinguished anglers, and ichthyologists, with whom his occupation has brought him in contact. The first fifty pages of the work are devoted to a very minute account of the various kinds of tackle, hooks, flies, &c., &c., the mode of preparing them, and their use, of which numerous illustrations are given throughout the work.



THE TROUT.

To the trout our author devotes no less than forty five pages, discussing the subject in every possible manner. With regard to the weight and size of the fish, he is at issue with Mr. Herbert, and is of the opinion that it attains a much larger size than the latter gentleman will credit.

> "The *silver trout*, a common trout, is found in almost all of our swift running Northern streams, and weighs from one to fifteen pounds."—*Angler's Guide*, *p*. 66.
>
> "One fish I saw myself, on last New Year's day, which, shameful to tell, had been caught through the ice, near Newburgh. This fish weighed an ounce or two above five pounds, and was well fed, and apparently in good condition; but, as I said before, all these must be taken as exceptions, proving the rule that trout in American waters rarely exceed two or three pounds in weight, and never compare in size with the fish taken in England."—*Fish and Fishing*, *p*. 258.

Who shall decide, between the two contending authorities, both positive in their assertions? Not we. The largest fish of the kind it was ever our fortune to capture, measured nineteen inches, but was in bad condition and we did not weigh him. Of the modes of taking the trout, we extract:

> "There are three different methods pursued in the capture of the trout. Angling at the top, with a natural or artificial fly, grasshopper, or other small insect; at the middle, with a minnow, shrimp, or similar small fish; and at the bottom, with a worm, or different kind of pastes."
>
> "*Of fly fishing.*—Of all the various modes adopted and contrived by the ingenuity of man, for pulling out the cunning trout, this, at once, recommends itself as the perfection of the art, but as it is considered by the majority of our brethren more difficult than worm fishing, it has many objectors. But the difficulties are more in the imagination than the practice, and when once understood, it gives the highest pleasure of the art. Others think they will not take the fly at all in this country, and having fished with a worm all the days of their life, they cannot be persuaded that, with a simple fly made of feather, they can take as many fish and oftentimes more."

We have no doubt our author is perfectly *au fait* on this part of his subject, and yet we are very sure that we have witnessed a performance in the fly fishing, or rather fly angling line, of which he has never dreamed.

A friend and ourselves were fishing away a few days, at a very primitive place upon Long Island, boarding with a farmer, who, though a rude angler, was nevertheless a very successful one. Our friend was a skillful fly fisher, and a short time after our arrival exhibited his collection to the host, who looked very disdainfully upon them, and inquiring the price of such things, shook his head, saying, "they would not do for *his* pocket, and if he wanted to use any such new fangled notions, he could make those himself that would answer the purpose quite as well." Our friend ridiculed the idea, and placing his angling bag at his disposal dared him to the feat.

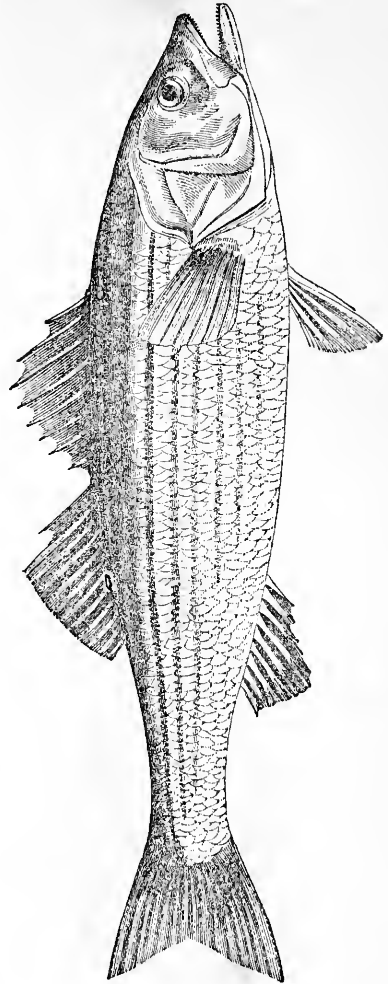
An agricultural life had stiffened mine host's fingers, and rendered them totally unfitted for such delicate work—to use a vulgar expression, his fingers were all thumbs—however, to work he went, and produced some such thing as might result from throwing a lump of tar in a bag of hen's feathers, and then running a hole through it. Loud and long were our peals of laughter, when he entered the boat with a long reed pole upon his shoulder, and at the end of its dependent line this nondescript, which he dignified with the title of artificial fly. Not in the least annoyed at our ridicule, he insisted that with it he would take such a fish as we never before had seen—and he did—for, whirling his long line like a whip lash, at the very moment he darted it forward for the cast, a swallow seized the bait, and found itself without a head, instanter. The laugh was now upon our host's side, but, alas, this triumph was his last.

Should Mr. Brown, or any other gentleman in the business, desire a pattern of his invention, we shall take pleasure in referring him to the inventor, and informing him of his local habitation, and his name.

Among the many fine fish that frequent our Atlantic coast, none can be found more truly deserving the title of "game," than the striped bass.

They are met with in the bays, estuaries, and rivers from Florida to Massachusetts Bay, but perhaps Chesapeake Bay is their favorite place of resort. According to Mr. Brown they sometimes attain the weight of one hundred pounds.

There appears to be some difference of opinion as to whether or not this fish is peculiar to our continent. In our author's opinion they are; and the celebrated Dr. Mitchell must have supposed that he gave the first account of them in a paper which is to be found among the transactions of the Literary and Philosophical Society; for he there calls them "*Mitchell's perch, striped basse, or rock fish.*"



THE STRIPED BASSE.

Dr. Smith, however, appears to have differed in opinion, if we may judge from the following extract.

"By what authority Dr. Mitchell gave his own name to the striped basse, "*Perca Mitch-*

elli," we cannot divine; he might with equal authority have tacked his name to the white shark or to the bones of the mastodon, and the last would have savored less of vanity than affixing his cognomen to a common table fish, known from time immemorial all over Europe."

We extract the following concerning the mode of capture:

"In the early season shrimp is far the best bait, especially where the water is salt, though in the Passaic anglers are very successful in the use of shad-roe as a bait. This bait is rather difficult to manage by a novice. The experienced angler makes use of tow or wool. Cutting his bait with as much of the skin as possible, and winding a few strands of tow or wool around it on the hook.

"The shad-roe has been tried repeatedly at Maccomb's Dam, and in Newtown Creek, without success; the reason is obvious to the writer. The shad run up the fresh water streams to spawn, and are never known to spawn at either of the places just mentioned. In the latter part of June, the bass prefer the soft or shedder crab, though the shrimp continues to be used with success until near the first of August, when the crab is decidedly the best of all baits that can be used. The mode of angling consequently varies at this time. While using the shrimp, the angler is generally most successful, by using the float, and suspending his hook from mid water to within a foot of the bottom, excepting where the water is quite shallow, when it should hang just so as to clear the bottom, as in water of little depth the fish look for their prey near the bottom.

"But when crab bait is new, the best mode of fishing is for the bait to lie on the bottom, a sliding sinker is then the best, always as light as the tide will allow. The largest fish are generally taken by thus fishing at the bottom without a float, and the reason of dispensing with the float is obvious, if we look at the habits of the fish. In angling with shrimp the bait should be suspended as above stated, because the shrimps, by the action of the current, are frequently swept from the edges of the channel, or driven by eels or other enemies, and the bass look for them accordingly; when feeding on crab, however, these fish search along the bottom to find the crab in his helpless and defenceless state, and swim with their bodies at an angle, with the head downward, where experience teaches them to find their prey."

With some slight notice of the sheepshead, we must now close the work.

The sheepshead is thought to be inferior for the table to none of the finny tribe, especially in the northern cities, in whose markets of late years he has become almost a rarity, and of course his value has proportionably increased.

On the southern coast however, they are found in great numbers, especially in the bays and estuaries attached to the Gulf of Mexico.

Upon the sedgy flats of Galveston and San Jacinto bays, which serve as nurseries, they are found in incredible numbers, and of all sizes, weighing from a quarter of a pound to ten and twelve pounds.

According to Mr. Brown, they are sometimes taken in the northern waters, of the weight of fifteen pounds, and it is highly probable that none but the largest and oldest of the kind ever find their way north of the capes of the Chesapeake.

The plate on page 46, like the two preceding—a fac simile of the one to be found in the "Angler's Guide"—is very nearly a perfect representation of the fish.

One fault is however evident to all sportsmen acquainted with him—those sharp projecting teeth are entirely wrong; his mouth is armed with teeth, hard as paving stones, and large as kernels of corn, resembling those of the sheep, and from this he derives his name.

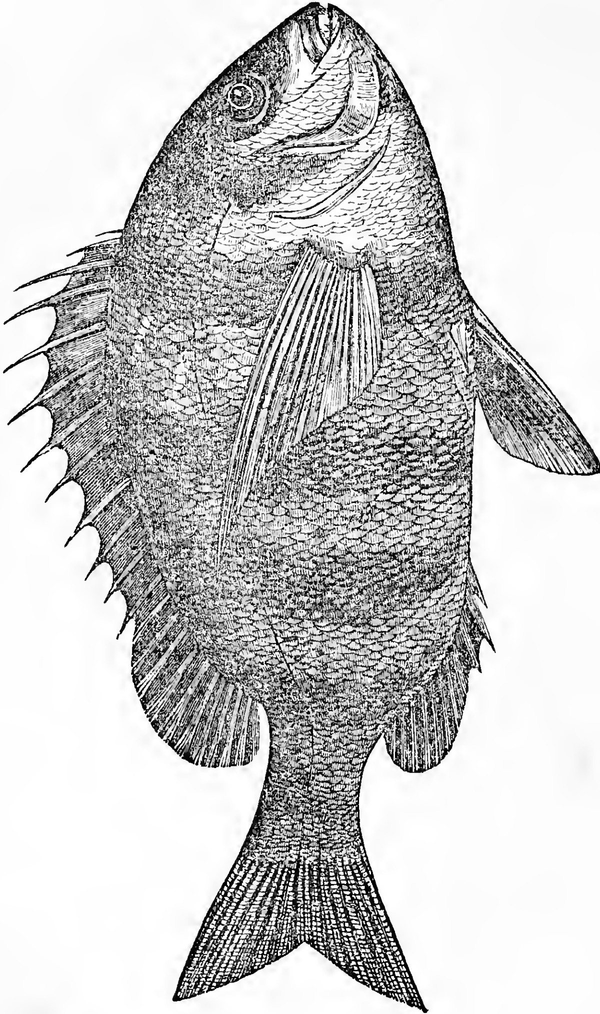
"Strong tackle is essential for taking them, as they are a very vigorous and powerful fish, and are furnished with a fine set of front teeth, resembling the teeth of the sheep—whence the name. The sheepshead will take the whole clam in his mouth when he finds it, and crack it without the aid of the fisherman, &c."

In conclusion we can but add "macte virtute," go on and prosper, Mr. Brown, we trust that your volume, which has grown from a small duodecimo to a respectable octavo, may continue to increase until leaving its state of single blessedness, it may appear in a connubial trio volume condition, both as full of instruction and amusement as this. And may all brothers of the angle, in the place of finding fault with the trivial errors, or grumbling at the omissions of our author, put their own shoulders to the wheel, and furnish with such information as it may be in their power to supply, those who are equally

anxious to obtain and disseminate any new light.

Of these two works, Mr. Herbert's is the more pretentious in appearance, better adapted to the library of the naturalist, and its engravings are far superior to those of its rival, while the book of Mr. Brown has the advantage in its typography, and is we think a preferable manual for practical sportsmen, for whose use it was alone intended.

P. P.



THE SHEEPSHEAD.

MICHEL DE MOTAIGNE.*

No writer would seem to be less in need of the labors of the biographer than the illustrious philosopher whose name stands at the head of this paper. His works present not only a complete autobiography, but the conscientious result of a most rigorous and strict self-analysis. He obeyed the golden precept almost to excess. He would seem to have entertained no other serious object in life, but to weigh, ponder, and record the most secret as well as the most obvious phenomena of his mental and physical self. If an accident befell him, his first care was to observe and note how it affected his person and his mind. If illness came upon him, he would watch its beginning and its progress, keep a record of the minutest change, and speculate as to the probable result, not like the hypochondriac overmuch sensitive to personal ailment and darkly brooding over a gloomy futurity, but like a fervent worshipper of induction, patiently gathering facts whereon to found a theory. When, after much curious revolving of that constant and inexhaustible theme of thought, he had at last ascertained the existence of some fact in his moral or bodily organization, which he deemed it worth while to communicate to others, he forthwith proceeded to hunt among his memoranda for other facts in point, or remarkable sayings of other writers, illustrative of his position. These he pounded together, or faggotted, to use his expression, into an essay. Thus it happens that nearly every chapter in his work is pointed with allusions to his own present or past history, or speculations as to his future destiny. He was his own theme, and everlasting topic; his own historiographer, and not unfrequently his own eulogizer. The result of his mode of proceeding is the most complete, detailed, and particular view of a *man* that has ever been given to the world. Montaigne did what Rousseau boasted that he would do in his confessions. Both had the same object in view; but our author had this advantage over the Genevan rhetorician, that he saw through his subject with the calm eye of reason. For, despite some vanity and over minuteness of research, Montaigne was seldom blinded by conceit, never by prejudice, whilst his imitator would even sacrifice truth to an antithesis.

With materials so numerous from so authentic a source, it would seem that the judgment of posterity ought to be unanimous as to the merits or demerits of Montaigne. Yet this is far from being the case. The task of reconciling apparent inconsistencies, is so difficult, the tendency to generalize and systematize, is so captivating, that the detractors, as well as the apologists, of Montaigne, have confined their efforts to the gathering of such isolated parts of our author's confessions as propped their preconceived opinions. Erring (as millions of "judges of human nature" have done and will do,) in this, that having to present at one view a many faced object, of which no one eye can embrace the whole at once, they strive to mould it into such a shape as will offer the largest possible surface at one glance. They flatten the diamond into a medal and conceal the inconvenient reverse.

Our author himself furnishes a passage in point. "Those," says he, "who make it their business to observe human actions, never find themselves so much puzzled in any thing as how to reconcile and set them before the world in a self-consistent light and reputation; for they are generally such

* The Works of Michel de Montaigne, Comprising his Essays, Letters, and Journey through Germany and Italy; with Notes from all the Commentators, Biographical, and Bibliographical Notices, &c., &c. By William Hazlitt. Philadelphia: J. W. Moore, 193 Chestnut street.

strange contradictions in themselves that it seems almost impossible they should proceed from one and the same person." What the shrewd Montaigne considered so difficult has proved an insuperable stumbling block to his critics, whether friendly or not. Nor can we blame them, except for having attempted what, but for their boundless fatuity, they must have known to be impossible. One of these amusing blunders of criticisms it may be worth our while to notice, because it is extremely sentimental, extremely erroneous, and because it comes from the pen of one of the most accomplished sentence-mongers of the day—Alphonse de Lamartine.

The illustrious historian of the Girondins, is pleased to say, anent Montaigne, what follows:—"This doubt, which takes a pleasure in doubting, appeared to me absolutely infernal. Man is born to believe or die. Montaigne can produce nothing but *sterility* in the mind of any one who enjoys his writings. To believe nothing is to do nothing. The coarseness, too, of Montaigne's expressions wounded and irritated the delicacy of my sensibility. Filthiness of words is a stain upon the soul. An obscene word produces the same impression on my mind as a putrid odor does on my olfactory system. I admired in Montaigne only that charming simplicity of style, which unveils the graceful form of the mind, and displays the very palpitations of the heart under the epidermis of the man. But his philosophy appeared to me pitiful. It is not the philosophy of the pig, for he" (query, pig or Montaigne?) "thinks. It is not the philosophy of man, for he comes to no conclusion. But it is the philosophy of the child, for he sports with every thing. Now this world is not a childish toy. The work of God is well worth the trouble of being viewed seriously, and human nature is noble and unfortunate enough to be treated, if not with respect, at least with pity. Pleasantry on such a subject is not only cruel but impious."

Bravo! Heraclitus! well whined, and in pretty, antithetical French. We know that you prefer (in print) tears to smiles, sorrow to cheerfulness. We have not forgotten the famous—*Je fus des la mamelle un homme de douleurs*—nor the playful stanzas in which the witty Barthelemy contrasts your Herculean form and athletic proportions with the dolorous tendency of your song—your keen relish of the substantial goods of this world with the sad vibrations of your melancholy lyre, tuned to we know not what dispirited echoes of the muse of captive Israel. We know that you love to sing in a minor key—success to you, since fashion applauds—but, nevertheless, O Heraclitus! your proposition concerning our philosopher must be, minor and major, demolished ere we have done with you.

In the first place, let us dispose of the charge of obscenity, which might prejudice some unsophisticated readers. Granted that Montaigne occasionally (though rarely for the times in which he lived) lets slip a word or two not to be mentioned to ears polite of this century. We by no means insist that Montaigne's works shall be forced upon the leisure of all classes, and all ages. But if his occasional indulgence of a freedom of expression, which shocked not even the moral sense of the most fastidious beauty of the sixteenth century, is sufficient to "wound the delicacy" of M. de Lamartine's "sensibility," why, surely, he had better close the book unread. Now watch the sequence; see if the argument does not prove too much. Not only must he deprive himself of the pleasure of reading the entertaining Montaigne, but the glorious Rabelais, the pleasing Marat, the god-like Molière, the chaste Racine himself. (Vide Plaideurs). In fact the whole literature of his country—age, and of every other country—up to a very recent period of questionable improvement, must remain forever a sealed book to his "delicate sensibility." Nay, we will go further—the whole array of the immortal classics of either language is disfigured with "stain upon the soul." The fathers of the church must not be consulted by persons so delicately framed as M. de Lamartine. The pious and eloquent Saint Augustine would shock his nerves. The holy Scriptures themselves contain passages not sufficiently gauged over for his immaculate eye. While he must be forever debarred from studying, in the originals, the merits or demerits of the reformers, for nothing can be more obscene than the vituperation of Martin Luther, except it be the vituperation of some of his adversaries.

The truth is, that our ancestors of both sexes, had a pleasant way of their own of calling things by their names. Queen Elizabeth made use of expressions in open court which no decent wench of our day would venture to whisper any where in the hearing of man (*mem.*, that famous speech about "the trifle light as air"). This freedom of words Montaigne indulged to some extent. He wrote the language which he spoke to his wife and daughters, without malice prepense—the language in which he conversed with Madame D'Estissae, and all the ladies of the court, without fear of offence, for no offence was meant. Our vigorous and plain spoken forefathers (and foremothers) were not gifted with that "delicacy of sensibility" which distinguishes some lyric bards of our day. And it is to that very absence of conventionalism that we may in a great measure attribute "that charming simplicity of style" which characterizes our author, and which has won the regard even of M. de Lamartine.

The charge concerning the skepticism of Montaigne is just about as well founded and as rational as the one we have just disposed of. But ere we reply to "the gentleman on the other side," we must dissect his speech, and arrive at his strict meaning. Flowers of rhetoric are not proofs; words are not facts; point is not logic. We declare that we do not understand what signifies, "Man is born to believe or to die." "To believe nothing is to do nothing." We have known some stubborn doubters, who staunchly wrought and wrote, and did a great deal in their way. Their bump of vitality likewise, never appeared to us to be unusually small. We have known them, in fact, to live to a good old age. Therefore we will charitably infer, that those incomprehensible sentences contain some hidden germ of mystical significance which, being too deep for us, we shall not undertake to fathom. Neither can we conceive any sane mind (Pyrrhonians are not sane) that will doubt for the sake of doubting. Montaigne took no pleasure in doubting; he took pleasure in investigating, in *philosophizing*. But then he says "to philosophize is to doubt"—of course, up to the point of rational conviction. Montaigne was so little a skeptic for the sake of skepticism, that he treats quite disrespectfully the famous saying of Pliny: *Solum certum nil esse certi;* he calls it "a bold saying," and dismisses it along with the quadrature of the circle and the philosopher's stone.—(*p.* 312.)

That he had a skeptical turn of mind, we will freely admit, and fortunate it has proved for the weal of science that some minds are gifted with that turn. For instance, he was a skeptic as to the infallibility of Aristotle, at a time when the church had almost unqualifiedly adopted and lent her sanction to his doctrines—at a time when one fanatical worshipper declared that "The touchstone and square of all solid imagination and all truth was, an absolute conformity to Aristotle's doctrine, and that all besides was nothing but inanity and chimera; for he had seen all and said all." And just about this time, at a few hundred miles from where Montaigne penned his wondrous essays, another kindred mind, gifted also with a skeptical turn, presumed likewise to doubt, and founded with his *novum organum* the edifice of modern science. Nor did Bacon die of his doubt, but gained immortality by his labors.

As another instance, he was a skeptic as to the practical use of the science of medicine; and carried his skepticism so far as to dispense with the services of physicians—making this much manifest by his example, that he was candid in his unbelief. And if there be any truth in modern medical discovery, who need wonder that one who was nearly a cotemporary of Paracelsus questioned the knowledge of the sons of Esculapius. Montaigne seems to have considered that the main resource of the remedial art lay in the patient's imagination, and himself once applied that principle in a most ludicrous yet efficient manner, although, for fear of shocking "delicate sensibilities," we scarcely dare to allude to it here.

Thus far we fail to discover any instance of self-willed unbelief. Montaigne appears merely in the light of an educated gentleman of the sixteenth century, possessed of sufficient information to perceive the vanity of the science of his day, yet lacking the energy and the erudition to unmask it entirely, and confining his efforts to the putting on record of a rational doubt. Let us now study the complexion

of his mind in matters of pure abstract faith, and see whether he advocates that inquiry should be carried beyond the limits of human ken. The sincerity of his religious professions has been questioned. His characteristic "Que sais-je ?" has been appealed to as expressing a great deal more than a candid avowal of ignorance, and some passages there are in his writings which would bear rather hard against him in an Inquisitorial Court.* Yet it seems scarcely fair to single out isolated passages of a work composed at intervals during a period of many years, any more than it would be to write out M. de Lamartine's political catechism from his earlier "Meditations." For our own part, after a careful inquiry, we have arrived at the conclusion that Montaigne was a pure minded, sincere christrian, however much he might deprecate religious war, and doubt the policy of both the contending parties. Out of hundreds of passages which we could adduce from his writings, we select the following, which serves as a fair specimen of his desultory manner, at the same time that it affords indications of his proneness to inquire and discriminate.

"Things unknown† are the principal and true field of imposture, forasmuch as, in the first place, their very strangeness lends them credit; and moreover, by not being subjected to our ordinary reason, they deprive us of the means to question and dispute them. On which account, says Plato, it is much more easy to satisfy the hearers when speaking of the nature of the gods than of the nature of men, because the ignorance of the auditory affords a fair and large career, and all manner of liberty in the handling of recondite things; and thence comes to pass that nothing is so firmly believed as what we least know; nor any people so confident as those who entertain us with fables, such as your alchymists, judicial astrologers, fortune tellers, physicians, and *id genus omne.* To whom I could willingly if I durst, join a *set of people* who take upon them to interpret and control the designs of God himself, making a business of finding out the cause of every accident, and of prying into the secrets of the divine will, there to discover the incomprehensible motives of his work. And although the variety and the continual discordance of events throw them from corner to corner, and toss them from east to west, yet do they still persist in their vain inquisition, and with the same pencil paint black and white. In a nation of the Indies, there is a commendable custom that when anything befalls them amiss in any encounter or battle, they publicly ask pardon of the Sun, who is their God, as having committed an unjust action, always imputing their good or evil fortune to the divine justice, and to that submitting their own judgment and reason. 'Tis enough for a christian to believe that all things come from God, to receive them with acknowledgement of his divine and inscrutable wisdom, and thankfully to accept and receive them with what face they may soever present themselves."

We submit that the above extract scarcely shows any disposition to doubt for doubt's sake. The purest minded christian might endorse it as it stands. Tho truth seems to be that the judicious Montaigne, whose calm reasoning could dissect the secret motives of men, whose penetrating mind saw through all the hypocrisies of the world, and estimated their real worth; the sensible Montaigne who avowed that "*Distinguo* was the universal part of his Logic," was a thorough going conservative by principle, in politics, religion, and legislation. On these subjects he deprecated abrupt reform and useless agitation. He wished to see evils corrected by a slow and gradual process. To his sovereign he professed an affection without enthusiasm, "purely legitimate and political, neither attached nor repelled by private interests." He sought no place at court, although always welcome there, and enjoying in high quarters an influence which few could boast. Though a firm Catholic, and an eye-witness of one of the fiercest wars ever waged in the name of religion, he abstained from taking any share in the struggle. Nevertheless he enjoyed the esteem of both parties to such an extent that they united in requesting him to write the chronicle of that distracted age; "I am solicited," he says, "to write the affairs of my own time by some who fancy I look upon them with an eye less blinded

* For instance the famous passage: "the dead est deaths are the best."

† In making our selections we avail ourselves of the admirable translation of Charles Cotton, as reviewed and corrected by William Hazlitt. This work, as it now stands, is the very best of the kind that we know of. It is a faithful and elegant version from one of the most difficult authors that could be selected for translation. The very style of Montaigne seems to glow through its English dress.

with prejudice or partiality than another, and have a clearer insight into them, by reason of the free access fortune has given me to the heads of both factions ; but they do not consider that to purchase the glory of Sallust, I would not give myself the trouble, sworn enemy as I am to all obligation, assiduity, and perseverance ; besides that there is nothing so contrary to my style as a continued and extended narrative, I so often interrupt and cut myself short in my writing solely for want of breath."

What can be more conservative than the following passage from our author, which we commend for perusal to some would-be modern reformers in jurisprudence. " In all things, saving only in those that are evil," a change is to be feared; even the change of seasons, winds, viands, and humors. And no laws are in their true credit, but such to which God has given so long a continuance that no one knows their beginning, or that there ever was any other.

We cannot refrain from transcribing the following passage at length ; it is in point, and truly Montaigne-like.

" A man may say, with some color of truth, that there is an abecedarian ignorance that precedes knowledge, and a doctoral ignorance that comes after it; an ignorance which knowledge creates and begets, as she despatches and destroys the first. Of simple understandings, little inquisitive, and little instructed, are made good christians, who by reverence and obedience implicitly believe, and are constant in their belief. In the moderate understandings, and the middle sort of capacities, error of opinions is begot. They follow the appearance of the first sense, and have some color of reason on their side, to impute our walking in the old beaten path to simplicity and stupidity. I mean in us who have not informed ourselves by study. The higher and nobler souls, more solid and clear-sighted, make up another sort of true believers, who by a long and religious investigation, have obtained a clearer and more penetrating light into the scriptures, and have discovered the mysterious and divine secret of our ecclesiastical polity. * * * * The simple peasants are good people, and so are the philosophers. * * * * The mongrels, who have disdained the first form of the ignorance of letters, and have not been able to attain the latter, (sitting betwixt two stools, as I and a great many more of us do,) are dangerous, foolish, and troublesome; these are they that disturb the world. And therefore it is that I, for my own part, retreat as much as I can towards my first and natural station, whence I so vainly attempted to advance."

With such feelings, and in such a spirit, Montaigne lived and died a strict Catholic, punctual in the observance of the forms of his religion, gently chiding the inconsiderate zeal which, in the name of a God of Peace, covered with blood the fair fields of France, but declining to take part in the contest, either by drawing the sword or by arguing the abstraction which arrayed Huguenot against Catholic. Many a time did the fierce tide of war sweep past the walls of the old chateau where Montaigne rehearsed for posterity, " the good lessons which our mother nature teaches us," without harming the philosopher, or disturbing the serenity of his leisure. For, as he says, there is nothing in this world he was so much afraid of as fear. His speculations on the comparative traquillity in which he was permitted to live are characteristic.

"Peradventure the facility of entering my house has been a means to preserve it from the violence of our civil wars; defence allures an enemy, and mistrust provokes him. I enervated the soldiers' design by depriving the exploit of danger and all matter of military glory, which is wont to serve them for pretence and excuse. Whatever is bravely done is honorably done, at a time when justice is dead. I render then the conquest of my house cowardly and base; it is never shut to any one that knocks. My gate has no other guard than a porter, and that of ancient custom and ceremony who does not so much serve to defend it as to offer it with more decency and the better grace. I have no other guard or sentinel than the stars. A gentleman would play the fool to make a show of defence if he be not really in a condition to defend himself. He that lies open on one side is everywhere so. Our ancestors did not think of building frontier garrisons. * * * That so many garrisoned houses have been lost, whereas this of mine remains, makes me apt to suspect that they were only lost by being guarded; this gives an enemy both an invitation and color of reason ; all defence shows a face of war. Let who will, come to me in God's name; but I shall not invite them. 'Tis retirement I have chosen for my repose from war. I endeavor to withdraw this corner from the public tempest, as I also do another corner of my soul. Our war may put on what forms it will, multiply and diversify it-

self into new parties; for my own part I shall not budge."

It must have been a singular spectacle for the contemporaries of Montaigne to see one called, by his rank, his fortune, and his mental superiority, to play an active and influential part in the deadly struggle that was distracting France, thus withdrawing himself into retirement, and by the mere force of his character pouring as it were the precious oil of his philosophy upon the troublous waters, contrive for himself a calm spot amidst "the public tempest." For, as he informs us, he was "the only man of his condition" who dared at that time thus to entrust his homestead "purely to the protection of heaven, without removing either plate, deeds, or hangings." The strange and somewhat selfish part which he enacted, was the result, in a great measure, of the very peculiar education which he had received.

Michel de Montaigne was born, as he himself informs us with his egotistical accuracy, "betwixt eleven and twelve o'clock in the forenoon, the last of February, 1533;" that is about the meridian of the reign of Francis I, the generous patron of letters. Italian art had been transplanted into the soil of France. Letters were reviving. Learning was beginning to diffuse itself, even among the nobility. It was no longer a disgrace for a gentleman to know how to write; and Rabelais had just demonstrated the power and richness of the hitherto half barbarous French language. The father of our author was a gallant Gascon nobleman, gifted with a strong though uncultivated mind, and full as eccentric in his way as the essayist himself. It would seem that he early discovered in his son Michel symptoms of a superior intellect; at all events he resolved to make him the subject of an experiment in education, which proved as judicious as it was original. A learned German tutor, with two assistants, was procured at great expense, and instructed to teach his pupil the Latin language in the same manner as it was taught Julius Cæsar or Scipio Africanus, viz., orally. No one was allowed to address the child in any other language. All the members of the family, and the servants themselves, were obliged to acquire some rudiments of Latin, or else be debarred from conversing with Michel. As a consequence of this system, the idiom of Marcus Tullius overflowed the neighborhood, and produced a sensible alteration in the dialect of the vicinity; many things changed names, and the unclassical Dordogne was startled in her progress, through that wild district of Gascony, by sounds which the echoes of the "Parent Tiber" had so long ceased to repeat. Thus instructed in Latin from the nursery, Michel made such progress that, at twelve years of age, he was able to converse in that language with the greatest scholars of the day, and George Buchanan was actually "afraid to enter into a discourse with him." Fortunately for Michel he had an elder brother, who seemed destined to inherit the paternal estate, so that no feudal prejudice interfered to compel him to adopt the profession of arms. His library was large for the times, and in his own free desultory way he very soon became intimately acquainted with the principal writers of antiquity. He was permitted to roam, at his own free will, through the rich field of ancient lore, and naturally formed predilections which he kept throughout his life. He admired Seneca and Plato, and entertained a sort of quiet contempt for Cicero, whom he seems to have considered as a mouthy rhetorician. He was passionately fond of Plutarch's style, and laughed at the credulity of old Pliny, whom he often quotes, as it were on purpose to bring him into ridicule. To the ancient moralists he soon became accustomed to look for rules of conduct, and gradually formed for himself out of their maxims a code of rather heathenish philosophy, which he deftly intertwined with the morality of Christianity, and by which he governed his actions through life. The doctrines of Epicurus formed the foundation of his system; but he was as much of an eclectic as Cicero himself, whom he affects to despise, and soon managed to engraft shoots of other schools upon his own. The easy maxims of Epicurus were well suited to the indolent genius of Montaigne, but the troublous times in which he lived, and the sorrows which assailed him, soon compelled him to call the sterner maxims of the stoics to his assistance. For there is this peculiarity about our author, that his phi-

losophy was wholly practical. And his writings being mere records of what he did and felt himself through a long career, derive from this circumstance an air of reality and business like matter of fact, which constitutes their principal charm. He does not so much speculate upon what might or ought to be done, as relate what he himself has done. If he seeks to demonstrate the usefulness of his principles, it is chiefly by adducing his own example to show how they can be carried out. Whether or not those principles were of the most exalted character, we will leave moralists to decide. After all, Montaigne's policy was founded upon a refined selfishness. This feeling, so uncongenial to real greatness, was born in him, and afterwards developed by his education and by the peculiar state of things around him. His natural disposition, he informs us, was made up of negative qualities. As a child, his sins were all of omission, never of commission. As he grew up, he shunned all active employments; he loved ease and independence more than any thing on earth. He governed his passions well, because ungoverned passions are troublesome. He kept his lively imagination under a constant check, because imagination excites overmuch the mind. He took no part in the wars of religion, partly because he considered that it would be hard "to muster a company of gendarmes" out of the sincere believers of both factions, but principally because war would have interfered with his quiet. In his style of living he was liberal, because, having lived once to hoard up, he found that his accumulated treasure was an intolerable weight upon his mind. For the same reason, he neglected to keep any account of his income and expenditure. He would not even trouble himself overmuch to study, preferring "to jog on at his own rate and ease." "I could wish," says he, "to have a more perfect knowledge of things, but I will not buy it so dear as it will cost. My design is to pass over easily, and not laboriously, the remainder of my life. There is nothing that I will break my brain about; no, not knowledge, of what price soever." Sorrows he knew he must perforce encounter in life, therefore he made it his business, by frequent meditation, to arm himself with a coat of mail of philosophic indifference. Death itself he strove not altogether in vain to disarm of its terrors, by often contemplating it in the face, by speculating upon the probable length of his own term of life, and by studying his part beforehand for the last act of life. It must have been a hard trial for our author's philosophy when, under the pressure of "extrinsic circumstances," and in obedience to "the common custom and use of life," he was obliged, at the age of thirty-three, to take to himself a wife. "Might I have my own will," says he, "I would not have married Wisdom herself, if she would have had me." This he wrote after a long and comparatively happy experience of matrimony. In selecting the magistrature for a profession, he likewise consulted expediency alone. Something he must do, and this profession being the least arduous, as he thought, he adopted it. His taste did not incline that way. On the contrary, he decries the system of jurisprudence then in vogue with its Latin forms, its purchased offices, its mercenary fees, and its "fourth estate of wrangling lawyers."

Thus we may consider that Montaigne's philosophy rested upon the narrow foundation of selfishness: nevertheless, he was a most devoted friend. He who was enthusiastic in nothing else, was so enthusiastic in his friendship, that years after the death of La Boetie, to whom he was ardently attached, he fainted at the mention of his name—a remarkable example of the inconsistency of human actions so shrewdly exposed by our author himself.

Michel de Montaigne was about forty years of age when he conceived the idea of dignifying the leisure of his retirement by writing for the public. We have already adverted to the manner in which his wonderful "Essays" grew as it were under his pen, and exposed upon his own authority, the secret of the prodigious number of anecdotes wherewith he embellished his pages. "*A defaut de memoire*," says he, "*je m'eu forge une de papier.*" He seemed but little prepared for a literary career. His information was desultory and superficial. His French was not of the purest, but was tinged with Gascon. He had never learned any language except by rote, and knew "neither ablative nor conjunctive." He was indolent to excess, and lacked that stimulus which worldly inter-

course would have supplied. For latterly he had withdrawn himself from court, and had resigned his magisterial office as soon as by his brother's death he had become the head of the family. But it chanced that every one of those apparent disqualifications invested his writings with a pecular charm. Solitude made him original. Indolence made him concise and pointed. His bad memory led him to quote most accurately with the originals under his eyes, whilst to this conscious ignorance we are indebted for that delightful style, half prattle, half eloquence, that inimitable naiveté of manner, and that vivid strength of expression which will continue to make him a favorite for many generations.

It was our intention to offer our opinions as to the degree of influence which Montaigne exerted upon his age, and upon the literature of his own and other countries. We had also proposed to ourselves the pleasing task of following the elegant essayist on his journey beyond the Alps. But our limits compel us to forbear entering upon those branches of our subject. In conclusion we will quote a passage which is prefixed to the works before us, and credited to the Edinburgh Review. We select it among many because it conveys in a few brief words a not inadequate idea of the obligations we owe to the father of modern essayists:

"Montaigne seems to have a distinct character as a philosopher. As Machiavel was the first who discussed grave questions in a vulgar tongue, and created a philosophy of history, so Montaigne was the first conspicuous writer who, in a modern language, philosophized on the common concerns of men, and the ordinary subjects of private reflection and conversation. The degree which nature claims in the diversity of talents, the efficiency of education, the value of the learned languages, the usages of society, the passions that actuate private life, the singular customs of different nations, are the subjects chiefly handled in his essays. In the period from Socrates to Plutarch, such questions had been well treated before. But Montaigne was evidently the founder of popular philosophy in modern times."

ST. PIERRE'S STORY.

During a valetudinary journey on horseback, through the central parts of New England, some years ago, I turned aside from the highway to enjoy the greenness of a country road which wound under the arches of a forest, towards the bases of steep and rugged hills. Coming upon a steep ascent I fastened the bridle of my horse to the swinging arm of an oak, and pursued the ascent by a rocky ravine, through which a stream rushed full and foaming. The branches that grew far above, interlaced a green canopy, which made the color of the rushing waters of the purest emerald. Stepping from rock to rock, I ascended. The waters came down by a succession of slender cataracts, lessening toward the summit. Here was an open and cultivated space, forming a ring of green fields, surrounding a lake, out of which these waters flowed. Deep forests rose around, on the sides of precipitous hills. A narrow footway led along the edge of the forest to a clearing beyond the lake, where a farm house of the smallest dimensions indicated a master whose poverty, or whose misanthropy led him to prefer a life of solitary, unassisted labor. The entire cultivated space lying about the lake did not exceed perhaps ten acres. It was not more than could have been rudely tilled by the hand of one man. A footway leading from the house to the lake, went out upon the water, by a pier of planks and stones, showing that the owner could content himself with the turbid and insipid waters of what must have been, most time, a standing pool. Rude implements of husbandry were laid on the bare earth before the door. A lean horse bit the herbage near by, and a dog of savage appearance saluted me with a surly, inhospitable growl.

The door opened slowly and suspiciously. A man evidently advanced in years made his appearance, of a stature tall and perfectly erect. His head was bald, but a beard of snowy whiteness flowed from his face, almost to the girdle. The rough dress of an husbandman indicated his occupation; but his invitation to enter was given with a voice that showed an early refinement and a knowledge of hospitality. His countenance, showed lines of character blended with the injuries of grief and melancholy, and somewhat impaired by the timidity of a long solitude. I entered, and accepting the sole chair, while my entertainer seated himself on the frame work of boards which served him for a bed, a conversation ensued, such as is usual between travellers and rustic entertainers. The situation of his farm, the character of the soil, the splendor of the scenery, for a while engaged us, and soon, as if forgetful of himself, and after he had set before me some temporary refreshment, he began to speak of other scenes in other lands. His accent and a certain vivacity of manners showed that he was of foreign birth. From a beam in one corner of the room, among a collection of dried gourds and bunches of maize, hung, neglected and covered with dust, a suit of regimentals, and by a gold chain the star of an order, and the cross of the Legion of Honor.

Seeing my attention attracted by these marks of former though evidently not forgotten glory, a melancholy smile overspread his features, which communicated to them an expression of regret, though not unmixed with pride.

"You have served," I said, "in the armies of the Emperor." "Yes," he answered, "from the age of sixteen till that of twenty-five. After the defeat at Waterloo I renounced the military profession, and came to America. I brought with me a moderate fortune—what you here call a competency; and what was more, I brought hope, and even enthusiasm. The fortune I have still left me." A pause followed I began to have a strong desire to know something of the history of this recluse Wishing to open an avenue to further and freer conversation, I asked how it was, that in possession of wealth, he had chosen the hard conditions of poverty.

"Merely to live," replied he carelessly, "is perhaps necessary while God pleases; but for happiness, I know of but one kind; and that is, to have a mind free from remorse, a conscience void of offence. The life I have chosen is that of a monk, of a penitent," he said bowing his head meekly; "and even in that I can find, if not happiness, at least content."

Respect forbade my pressing this dignified ascetic with questions of his life; but he said, "Your countenance is one that most men would confide in, and as it is not my fortune to meet often with such, for here I am visited only by rustics, let me confess that it would be a pleasure to me to relate what you seem desirous to hear."

I assented. We went out and took seats upon the greensward, under the shadows of a neighboring oak. After a pause of some minutes, during which he seemed to be collecting his thoughts, the stranger began as follows:

"Living solitary, I have perhaps fallen into childishness, which is one of the effects of solitude; and at intervals I feel a desire to relate my history. This desire once indulged requires a second indulgence.

"At the age of twenty-five, in the full enjoyment of youth, health, and fortune, I landed at New Orleans, with the resolution, as I touched your shores, of becoming in every sense a citizen of your country. As I had faithfully served the Emperor in war, so I wished to serve the Republic in peace. Provided with letters of introduction, and accustomed to your language, in a little time I found myself accepted in cultivated and influential circles, with a prospect before me of realizing my ambitious hopes. I shunned the company of Europeans. I mingled especially with persons politically influential. I brought with me the frank ambition of a soldier: I learned from them something of the shrewdness and too much of the scepticism and the policy of those who seek power for its own sake."

After living for a time an easy and somewhat dissipated life, into which I entered with the desire of familiarizing myself with the character and social habits of your countrymen, I began to contemplate a more serious and settled course of existence; and being taken with the manners and the beauty of a young heiress from Massachusetts, who was wintering in New Orleans, I made a formal offer of myself in marriage, and was accepted.

An unexpected happiness ensued. As my opinion of the other sex had been formed by the rude experience of a soldier, and not much improved by the intercourse of a frivolous society, the virtues of my sweet companion were a new and delightful discovery. We soon became attached by the most ardent affection. The year after our marriage was passed in the enjoyment of the most innocent and heavenly delights. So absorbing was our attachment, it became more agreeable to us to withdraw into a comparative seclusion, in order to find more leisure for the enjoyment of each other. Our felicity was the envy and the admiration of those whom we admitted to our society.

Among our most frequent visitors was a gentleman of my own age, an American, and a Northerner by birth, but educated, as I had been, in a French university. Foreign travel had improved the naturally easy and agreeable manners of my friend, (for as such I was soon obliged to regard him,) to a great refinement. His bold bearing was tempered with an acquired mildness, which only added fear to the respect with which he was regarded by his inferiors. The name of this gentleman was Eustis. He was of good extraction, and prided himself upon the antiquity and virtue of his family, and on a character uncontaminated by any meanness. His Northern blood appeared in the metaphysical and calculating habit of his mind. Enjoying the reputation and the business of a popular advocate, he could yet find leisure to engage in speculative adventures, and though his losses were often equal to his gains, he preserved the equanimity and calmness of a man whose confidence in his resources never deserts him.

With me it had been always a necessity to have a friend, and even an intimate; and until the powerful passion of love made him seem less necessary to me, Eustis had been to me all that one man can be to another, a friend, a social intimate, a skillful adviser in business, and a means of introduction to good society. There was nothing in him, one would have thought, that he would desire to conceal, and his morality surpassed the standard of my own.

It was especially by this latter advantage, which he had by his Puritan education, that Eustis acquired a great control over my sentiments. What seemed right to him, seemed right to me. Morally speaking, he was my master, though to others I appeared his superior in every external advantage.

My wife, on the contrary, who was a distant connection of his, and had been his playfellow in childhood, conceived for him a strong aversion, which, notwithstanding her devotion to my wishes, increased almost to a passion during the first year of our married life. As Eustis and I were constantly exchanging visits, I very soon discovered her sentiments in regard to him, and did all in my power to change or soften them, but with consequences the reverse of what was intended.

At a little distance from the city I had purchased a plantation, adjoining that of my friend, who was unmarried, in order to make our social intercourse more free and frequent. I learned from him the arts of agriculture and economy, as then practised, and what was more difficult, acquired, by assiduous inquiry on my own and skillful instruction on his part, a good knowledge of the history and political constitution of the country. These obligations bound me closely to my friend. We maintained a daily intercourse. We did every thing in our power to make our homes agreeable to each other, by society of the choicest, and conduct the most hospitable.

Eustis was too quick an observer, not to comprehend at once the excellence of my wife, and to think he understood the hostility with which she regarded him. "When we were children together," he would sometimes say, "Ellen and I were excellent friends; but now, she is jealous of me. She wishes to absorb you entirely. Some women are as jealous of a male as of a female rival." This explanation seemed very agreeable, and heightened my regard for both.

With this exception, I remember nothing that happened amiss during the first three years of my marriage. At the end of the first year, my wife brought me a daughter, who is still living, in enjoyment of the fortune which I have long since renounced. A vigorous constitution carried me unacclimated through two seasons of danger. In the midst of the first, I had landed. The second and third year safely passed. The fourth now approached and prostrated me. I fell violently ill with the fever of the country, and my life was despaired of.

Notwithstanding the little preparation I had made for death, I was unconscious of fear. Only one anxiety possessed me, to ensure the worldly comfort, and if possible the happiness, of my wife and child. Under the advice of Eustis, my fortune had been judiciously invested in valuable plantations. To secure it to its right owners, I had only to make my friend the guardian of my child, and the executor of my will. Believing that it was only an affectionate jealousy that excited her hostility toward him, I had no hesitation in placing her under his care and direction. In the excitement of the time, my confidence in Eustis acquired a romantic character, and it began to seem necessary (for it was my fault to mistake impulses for necessities), that in the event of my decease, my widow should become the wife of my friend. He who has so loved me, thought I, will surely love my child; at least, for my sake, he will be kind and just to it. As for my poor Ellen's hostility to him, it is the effect of jealousy, and will wear off as soon as she finds herself dependent upon his generous nature. The design once formed, I thought it impossible to die in peace until it was made sure. I caused a will to be executed in which, after disposing of the body of my property to my wife and child, I bequeathed a valuable share of it to Eustis. I then wrote a paper, containing an injunction upon him, and upon my widow, if they wished for the continued affection and approbation of the departed soul (which, from its place of rest or of torment, would continue to sympathize with their happiness and their misery), to unite themselves with each other in marriage, after the lapse of not more than two years from my decease.

After the making and witnessing of the will, I called Eustis to my bed-side, and with difficulty, so near did I seem to dissolution, laid upon him the solemn injunction that the document, urging the marriage, should not be opened, under any conditions, until two years had elapsed from my decease; and that if, at the end of that

time, it appeared that the consent of the other party could not be obtained for the marriage, the paper should be destroyed, and its contents remain a secret with himself.

Although my eyes at that moment were somewhat dimmed with the film of a threatened dissolution, I remember well the flush of astonishment and pleasure which passed over the features of my friend when he learned the contents of the papers. A dreadful misgiving smote upon my heart with such violence, my very life seemed to fail under it, and from that instant all was a blank.

On rousing from this trance, which had lasted I knew not how long, I found myself lying in the cabin of a ship, attended by a French surgeon. The change of situation, so apparently instantaneous, though I learned afterwards that a full week had elapsed, affected me like the loss of personal identity. And for some time I was speechless, and trembled with fear and astonishment. The surgeon began to speak to me in French, calling me by name, with many respectful and soothing expressions. Soon, I recognized his features and voice as those of an old friend and companion in the army. As I gradually acquired strength to bear it, he explained to me my situation.

It was supposed that I had died. After the second day, fearing putrifaction, Eustis had commanded my corpse to be sealed up in a leaden coffin. It was thought proper that my body should be sent to France, to be placed with those of my ancestors, in the family tomb at Aix, where I was a native. My obsequies were celebrated with great magnificence, and the coffin placed on ship board on the third day, the ship setting sail that very hour. The third day after, while in the gulf, they met a violent storm, which the mariners superstitiously attributed to the presence of a corpse on board. A mutiny was raised in consequence, and it was thought necessary to throw the coffin with its contents into the sea. In attempting, however, to bring it up from the cabin, the sailors were terrified by a movement within, and let their burden fall down through the companion way. It burst open with the shock, and discovered the face of a person in a trance, but evidently not dead. The surgeon being present, insisted on a farther examination, and soon discovered signs of life in the body.

The first effects of this astounding intelligence was to produce a stupefaction of my senses, changing quickly into the delirium of fever, which lasted, almost without intermission, until we had gone far out on the Atlantic. A gradual convalescence enabled me, at length, to collect my thoughts, and resolve upon a course of conduct which I afterward pursued with a strength of resolution natural to me, and wholly independent of all scruples of conscience. Indeed, such, until then, had been my way of life, that ideas of right and wrong had hardly made their appearance in my thoughts. I was a man of honor, a firm friend, a dangerous enemy, and a keeper of promises, and that seemed to be enough. My own will, and my proper fame were the gods of my adoration.

The surgeon communicated every particular of the funeral. He described the pale and almost deathful countenance of my wife, the dignified grief of Eustis, the lamentations of my faithful slaves, the sincere sorrow of the neighbors. In regard to all, I questioned him so closely and repeatedly he at length grew weary of the topic, and refused to advert to it. I became dissatisfied, and finally a suspicion made a lodgment in my brain, that the dignified sorrow of Eustis was, at best, but a sham, and that my death had been desired by him, and was rejoiced over in secret.

Ellen abhorred the man. Why did she so? Faultless herself, could she feel a groundless abhorrence? Was it an idle bias, or a well founded dislike? Perhaps, nay, probably, the latter. What a thrice sodden ass was I, then, to entrust her happiness in the keeping of one for whom she had a real cause of hatred! It was food for bitter and exquisite regret.

But why, ah, why! if that was so, did she not open to her poor, deluded husband, the reason of her dislike? Was it just? was it kind? This, then, was a fault in my reputed angel.

"But, stay. Women are frail. Weakness and wickedness are sister and brother. Perhaps my angel had another fault, grosser and more heinous;" and with that, a dark suspicion crossed me. Her aversion had been only feigned, as a cover to something

more than friendship. "Ah!" thought I, "I have it now. Would Eustis have endured, day after day, the presence of a spirited woman who hated him, and who did not conceal her hatred? *I* could not have done so, nor could he. Plainly, then, her animosity was a ruse."

Going to sleep with resolutions of a jealous revenge, I would dream that I had returned and was reconciled to Ellen. Again I pressed her to my heart, and waking, cursed the idle jealousy.

Now, I resolved only to have revenge on Eustis, whose triumphant countenance, as it appeared at the moment of my supposed decease, haunted me like a vision of hell. Torn both ways by adverse jealousies, I resembled an unhappy soul for whom two fiends are contending. One hurries him toward the fire, the other toward the ice. No merciful angel interposed to rescue me from their malicious talons. My cries went up to heaven in vain.

Haggard and despairing, I landed at Havre. A gift in money, amounting to a considerable sum, had been sent over in the care of the surgeon to my relations. The ship, having discharged a part of her cargo, moved off on a long voyage, and by the promise of a sufficient bribe to be paid them on their return, I imposed silence on the Captain and his men. They were soon after wrecked in the bay of Biscay, and all on board lost. My secret was safe. Under a feigned name I resided a year at Paris, with hardly a companion but my own direful imaginations. A hideous expression of despair appeared in my countenance, which made all men shun me. My nearest friends would not then have known me. My body became gaunt and emaciated. My hair and beard, which I now, for the first time, suffered to grow long, changed from dark brown to gray. My gait became unsteady and irregular, like that of a drunkard, for which, indeed, I was sometimes mistaken, though scarce any thing beside bread and water passed my lips.

A powerful constitution, however, after a long continuance of this morbid misery began to get the better even of despair, and as my purse was nearly exhausted, it became necessary for me to return to America.

During the homeward voyage I matured my original resolution of never again making myself known to Ellen, if the suspicion of her infidelity was confirmed. But if it proved that Eustis only was the deceiver, I would allow him to test her affection to the utmost until the two years of her probation had fully elapsed.

I had assumed at Paris the name of St. Pierre, and retained it; trusting also for an effectual disguise to the change of countenance which sickness, gray hairs, and a thick beard had given me; to which I added the black dress and grave demeanor of a clergyman—the latter, indeed, involuntary, and brought upon me by the wear and waste of sad meditation.

I arrived at New Orleans at midsummer. The pestilence was raging in the city. The streets were deserted. The wealthier population had removed into the interior, or sought the cooler atmosphere of the Northern States. At the hotel I recognized an old negro of my own, a carpenter by trade, who by his industry and economy had acquired a competency for himself and his family. I had given this man his freedom and a legacy in my will. He was the steward of the house. Trusting to his natural taciturnity and faithfulness, I sent for him to my chamber, having first darkened the room sufficiently to prevent too sudden a recognition. I began by questioning him in regard to Eustis, and learned with some difficulty from the old man, that my estates had been lately sold by him, and that he had gone to New York, taking with him my child and supposed widow, with the intention of remaining there, as the health of mistress, he said, had declined very much since the death of his former master. Struck with a sudden and poignant grief, I fell with my face upon the bed upon which I had been sitting, and wept aloud. The old man was very naturally surprised at this exhibition, and inquired whether master was in any way related to mistress. I assented, and then told him the story of my wonderful resuscitation. After listening to the whole in silence he came forward and fell at my feet. He wept and sobbed with emotion. He said that on first beholding me he did not think it was I, but that he knew me by my voice when I spoke of his mistress. Confirming the fidelity of the old man by a present of some valuable jewels, and the promise of a larger douceur on my return, I engaged

him to borrow for me a considerable sum, and having now the means of prosecuting my journey, the very next day I set sail for New York, but not before ascertaining the exact locality of Eustis and his charge in that city.

A voyage full of peril and delay brought me to my final destination, and to the scene of the greatest wretchedness and folly of my life, at the close of the eighteenth month after my supposed decease. I had recovered something of my former strength, and being an adept in several languages, I engaged myself as a teacher, and soon found employment, and made a number of acquaintances. Such however was the weakness of my spirit, I did not dare even to inquire for the names of my former wife and friend, and a full fortnight had elapsed before I gained resolution to pass by the windows of the house where they were living.

On first passing, I did not dare look up. My heart beat violently, my knees smote together; a crowd of dreadful suscipions rushed upon me, and subdued the rapture of so near an approach to the sole being for whom I lived. Two days after I ventured again, but not without fear of the too violent effects of emotion upon a system weakened as mine was by suffering and disease.

The mansion had the name of Eustis on the door. It was elegant, spacious, and in a wealthy quarter. Can it be, thought I that they are married! Then farewell life, and farewell joy. But stay, I will at least inquire. A nurse-maid leading a little girl came out upon the steps. I addressed her, shuddering like one in an ague. Does Mr. James Eustis reside here? The girl, regarding me with a look of curiosity and pity, replied that that house was not Mr. James Eustis's, but that his brother resided there. Another desperate effort enabled me to ask, though my voice seemed dead, whether a lady had come there from the South. The maid answered yes, and stooped down to comfort the little girl, who, frightened at my bearded and haggard face, stood trembling, and regarding me with eyes askance. Putting her arms about the child, she called her 'Ellen,' (a name which I wept to hear,) comforting her fear, as she led her away from me. It was my own little Ellen. I stood, I know not how long, looking after them; and then, more like one dead than alive, went away slowly, for my feet were heavy with grief.

On making inquiry of my landlady, who was a laundress, I learned that the supposed widow was residing in the house of a married brother of Eustis, and that a marriage was talked of between the young widow and a rich southern lawyer, a brother of the gentleman at whose house she was living. My landlady, a talkative busy-body, had interested herself very much in my affairs, and I dared not ask many questions of her. Each day after this, I passed by the dwelling of my beloved, and loitered at the corners of the streets hard by. Sometimes the nurse would appear, leading my daughter with her, and it gratified and soothed me to perceive she resembled her mother both in feature and figure, and was of a beautiful countenance and gentle disposition. You may imagine the desire which possessed me to catch the child in my arms as she passed by, but the fear of discovery forbade it.

One evening, passing by on the other side, I saw a bill posted on the small house opposite the Eustis mansion, signifying that it might be had furnished for a moderate rent. The opportunity was too good to be missed. Without a day's delay I took the house, and engaged as servant a German, who spoke no language but his own. The windows of my new home were furnished with blinds, through which one could see without being seen. To penetrate further into the obscurity of the dwelling opposite, I procured a telescopic glass, which revealed every thing not hidden by a shutter or a curtain. You smile,—well—it was no impertinent curiosity.

The Eustis mansion, as I have told you, was in a fashionable quarter. Daily and nightly, equipages stood before its entrance. I learned in a few days to distinguish the occupants. There were but six, and at least double the number of servants and attendants. Among the latter I observed a negro woman, who had served my wife in the capacity of a nurse, and who was a faithful and devoted friend to her. This woman, though a slave, was of a character superior to her station, but subtle and intriguing. I suspected her of being in the interest of Eustis.

One morning, while observing the oppo-

site chamber with my glass, through the half closed blinds, I saw a lady in deep mourning at the window. She looked out for an instant, and withdrew. A film came over my eyes, and prevented my distinguishing anything with certainty, but the air and figure resembled those of my wife. This was the sixth occupant of the mansion, the other five consisting of Mr. Eustis, his wife, and two daughters, very beautiful tall girls, and a lad of sixteen, his younger brother. The sixth then, I had no doubt was my heart's idol.

The nurse came out every morning when the weather permitted, with my daughter, but I avoided being seen by them, though I watched carefully to have a sight of my child each day. It was the only happiness of that time.

As a teacher of languages, without any special effort, I had acquired, under the name of St. Pierre, a fashionable reputation. A suspicion of insanity had attached itself to me, but the gravity of my foreign, indeed Asiatic, manners, a lean pale visage, hollow eyes, and a voice subdued by sorrow, made me an object of interest with the softer sex. I soon found myself acquainted with many persons of wealth and good standing, who were on terms of familiarity with the Eustises.

A thought occurred. Could I become the instructor of my daughter, what an opportunity would that be! It was first necessary however, to increase my disguise.

My former friend Eustis, had been absent from the city, and was now returned. I learned with certainty that my wife was living with his brother, but in a secluded manner, never appearing in society, and seldom leaving her chamber, which was in the rear of the mansion. But two months time was wanting to complete the two years of probation, and the marriage was already talked of as an event to be expected. It was even said that the preparations for the wedding, which was to be costly and magnificent, were in progress.

There was no time to be lost. As a more effectual concealment I adopted the long robes and turban of an Asiatic. An old scar across my forehead had re-opened when I had a fever at Paris, and healing badly, disfigured my brows, giving them an unnatural contraction. My lessons were given privately. I drove in a close carriage to all places of appointment. Instead of losing reputation by these wilful eccentricities I rather gained by it in the number and fashion of my pupils. My lessons were in German and Italian. I left off speaking French, and used commonly a very broken kind of English, which became habitual. I fancied I was secure against recognition. The modern Greek dialect I had learned in Egypt when a youth, and by affecting the society and sympathy of foreigners, I passed without suspicion for a Mediterranean nondescript. My name of St Pierre was understood to be an assumed one.

Feeling now quite secure, I sought opportunities of introduction to the Eustises. The endeavor was successful. I became the teacher of my child. Each morning I went over to her, and took her upon my knees and taught her to lisp Italian, which was the fashion of the day. Thus did I stand upon the very threshold of a new and happier life. The quiet and sweet conduct of the child soothed away the irritation and despair which gnawed at my heart.

The manners in the Eustis mansion were gay and thoughtless. None of the family, from the master downward, discovered any interest in, or curiosity about me. I was a teacher, a fashionable nuisance, and the ladies of the family learned in a few days to disregard my presence, as though I had been a dog or a dependent relative. My teaching hour was after breakfast, before visiting began. My child and I were left together in a library adjoining a parlor, immediately under the apartments of my wife.

The child became attached to her teacher. The nurse left us alone together, sometimes for more than an hour at a time. I improved the opportunity, by asking a number of questions. On one occasion, Eustis came into the room, while my daughter sat upon my knees with her small fingers twisted in my beard. He scowled upon my daughter, and turned away hastily. She trembled violently and clasped me tightly in her arms. At the same moment, I heard a lady's footstep in the hall. Eustis met the lady as she came forward, and I heard the salutation that he gave her lips.

They returned into the room where I

was sitting. The child slipped from my knees and ran forward to embrace her mother. I sat for an instant like one turned to marble, pulseless and breathless. But the firm will did not desert me, and with a grave Asiatic salutation, I rose and pushed forward a chair for the lady. Eustis stood by in silence, while Ellen questioned the teacher in her mild way, about the progress of her child. I replied in broken English and in a thick voice, avoiding her glance with my eyes. She was pale, feeble, and emaciated, but wore an assumed cheerfulness which cut me to the soul. My confidence in her was restored.

Finding the disguise quite perfect, I began to feel at ease in it, and like one who watches from a place of concealment, felt a strange pleasure in the deception.

Eustis appeared to me in a new light. He seemed harsh, selfish, and haughty. Already he entertained the bitter feelings of a step-father.

"You find it a very pleasant occupation, doubtless," said he to me, satirically, "this teaching of babes to lisp languages."

I bowed respectfully, assenting.

"It is a waste of time and money, sir, for fashion's sake," he continued. "Children forget languages as quickly as they learn them."

I answered in Italian, a language which he spoke fluently, that it was a fashion indeed, but I thought a very elegant one.

He turned to Ellen. "Dearest, I would send her into the country. The air of New York does not suit the child."

She made no reply, but took her daughter in her arms, and after giving it a long silent embrace, turned to him a look very sad and petitioning, as if to say, "It is my sole comfort, and would you take this away."

His countenance darkened to a frown. Turning away hastily, he left us, and I heard the hall door close after him.

The hour, the very moment, had arrived. I deliberated.

I was once more alone with my wife and my child. My disguise, thought I, is so perfect, I need have no fear of detection. If I declare myself now, what proof shall I have to justify my revenge on my betrayer? Nay, what proof have I that he has wronged or deceived me? I must have proofs relevant and sure. Let the opportunity show itself. It has not yet come.

As Eustis left the room, my daughter looked after him with an expression of fear, and turning to her mother, stammered out some childish expressions, and then said very distinctly, "Mamma, I've got a secret, but I'll tell it to you first," and getting up on my knees, she whispered, "I'd rather have you for my papa than him;" then running quickly to her mother, she whispered the same to her, but loud enough for me to hear.

Ellen blushed and silenced the child, and after a brief interchange of indifferent conversation, she thanked me for the kindness I had shown her daughter, but signified at the same time that as it was her guardian's wish that she should be sent into the country for her health, the lessons would be discontinued for the present.

There was no alternative. I must take my leave, or discover myself, and that, too, instantly. The former counsel prevailed. I wished my revenge to be complete. I rose and withdrew.

A month's interval remained, for it was understood that the marriage would take place on the 1st day of October. Eustis had hired and was furnishing a splendid establishment. He came and went in his own carriage, with liveried servants, paid, as my jealousy informed me, out of the proceeds of *my* estates. Each day Ellen rode out with him. They went alone together. For six days or more I observed them from my windows. They sat upon the same seat in the carriage, he often with his arm about her waist. I sharpened my revenge upon such sights. I resolved almost unconsciously upon his death.

Various rumors confirmed my suspicion that his magnificence was at my cost. Four plantations of the widow's, it was said, were sold by him in Louisiana, realizing half a million. The marriage was held to be a mercenary project. The step-child would be defrauded, perhaps killed by neglect. My own name was never mentioned. People seemed to have forgotten that the child must have had a father, and a widow a husband. But that was nothing.

The days went rapidly by. There wanted but ten to the fatal first of October. I bethought me of the negro

nurse. I will try her, thought I, with a bribe.

This woman was an Ashantee, a tribe noted for cunning and intelligence. She had attached herself to Ellen with the feeling of a foster mother, and exercised a great influence over her. Late that evening I watched for her at the corner of the street, under the lamp, and as she passed me I called her by name.

Linda, for that was the name of the slave, carried a letter in her hand. As I touched her shoulder, she started, and unconsciously let it fall. A glance upon the superscription showed the hand writing of my wife, which was large and peculiar. I stepped forward and set my foot upon the letter to hide it from Linda, and then spoke to her. A slouched hat and a heavy cloak concealed my dress and features.

"Your mistress is not well," said I, "but I have a receipt that will cure her."

"Who are you?"

"I am a magician. Your mistress is dying of an evil-eye."

The woman was silent for a moment, and seeing the impression which I had made, I threw back the cloak and showed the beard and features of the Italian teacher.

"Lor bless us, master, is it you?"

"You know me? Well, here's money. You can keep a secret, Linda. Tell no person, not even your mistress, nor Mr. Eustis, that you have seen me here, and I will give you more money."

"Lor! master is very generous—master is a great gentleman: massy! I'll go to world's end for him!"

"You were sent to Mr. Eustis with a letter."

"Yes; Lor me, where is it! I've lost it! What'll Missus say to that! Christ a' massy, I'm very miserable. O, good gentleman, find me the letter!" said she, fumbling confusedly in her dress, and looking up and down the pavement. "I'll give 'e back 'e money, and a sight more to find 'e letter."

"Meet me here to-morrow at this hour, —it is nine o'clock,—and you shall have the letter and money with it; but be silent now, and answer every question I ask you, and take care how you deceive me, for fear of the evil-eye that's on your mistress and may be set on you too."

While she stood trembling and attentive I put a number of questions relative to the approaching marriage, and gathered thus much:—That the marriage was a forced one, and was contrary to the inclination of the weaker party. That it had been urged repeatedly by Eustis, but that Ellen had put it off from month to month. That it had twice before been agreed to, and deferred by her repugnance. That Eustis disliked the little girl, and succeeded in removing her from his sight. That Ellen had fallen sick in consequence, and was thought to be very ill, but that the marriage preparations went on as if nothing was the matter.

Gaining confidence by degress, the woman communicated a variety of minute information, confirming my worst suspicions. Of any injunction laid upon her mistress by the former husband, however, she either had no knowledge, or would communicate none.

Finding that nothing further could be gathered from this source, I sent her away, and presently took up the letter which was directed to James Eustis, Esq. I took it home to my lodgings, and sat down with a palpitating heart to its perusal.

It was a sad and humble petition for the restoration of her child. It alluded to the injunction, in a spirit of acquiescence. She was ready to accomplish to the letter the will of her former husband, but asked for gentleness and forbearance from his friend and successor.

Figure to yourself, if possible, the agony of grief, passion, and remorse, that possessed me through that dreadful night. Nature struggled with will. I longed, with a feverish impatience, to go instantly and clasp her to my bosom. Duty and inclination urged it; but the desire of a more full and perfect revenge, aided by a singular feeling, in which there was a mixture of fatalism, a kind of "*biding of the time*," held me back. O, for a grain of common sense to break in upon and spoil the plots of all high tragedies!

The next day, I met the woman at the appointed place and hour, and gave her the letter sealed as I had found it, and with the same impression. My own seal ring was the counterpart of my wife's, with a slight difference in the engraving of the names, which would, I thought, escape detection. The initial letters of both our

names were engraved in cyphers on the cornelians.

Admittance to Ellen had become impossible under any pretext. She denied herself to every person. By the advice of a physician, as I learned from common rumor, her child was brought back and restored to her.

The preparations for the wedding continued. It was said, that a moderate fortune had been expended on them. The furniture and hangings of the new mansion, which I took pains to get a sight of at the maker's,—thinking, indeed, that the right owner of the property might, at least, look at it,—was of the very richest kind. These preparations, thought I, are for my proper use and convenience. When my false friend has furnished my house, and is about to marry my wife, I will step forward and take possession of both. What farther ought to be done, seemed uncertain. That Eustis deserved death, was clear, and at my hands; but whether it were wiser to let him live, whether it were not more prudent to do so, considering the character of the people about me and the strictness of their laws against homicide, gave me much doubt. Whether to live quietly and happily with Ellen, and leave God to punish her false guardian, or whether to listen to the dark suggestions of revenge, I struggled hard to know. I meditated through nights of fever, and days of gloom, and could arrive at no conclusion. During a long acquaintance with misery I had forgotten the taste of peace and happiness. The prospect of it seemed dim and uncertain. Of the sweetness of revenge, on the other hand, I had no doubt, and the question of right or wrong never once presented itself. I thought only of pleasing the paramount desire.

A fever excited by these dreadful agitations kept me in doors until the day preceding that which was announced for the wedding. The marriage was to be in church, in the morning, with every ceremony. The bride would then enter the mansion prepared for her by her new lord and master.

"Vengeance! vengeance!" I whispered constantly to myself. "Can you live shameless without it? God, who made you, commands it. He punishes the deceiver by the hand of the deceived. Nature cries out for it. Can you live happily with a wife injured first by your own folly, and then by the treachery of a false villain to whom you gave power over her, without full and ample reparation? enduring for her sake and honor the danger of the law and the anger of the people—revenging her own and your injuries as no law will or can avenge them?

Struggling with these doubts, and longing with a keen desire for their peaceful and happy solution, I wandered all night through the streets of the city. The closeness and silence of my chamber was intolerable. Toward morning I came to the house where my wife was, and sat down upon the marble steps. A kind of sleep came upon me like a trance. I fancied that Ellen leaned out at the window, and with a pale and dejected countenance besought me for her sake not to become a murderer. The watchman passing, aroused me. It was just dawn. The gloom of an October storm, darkened by a foggy haze, rather agreed with and diminished the horrors of my mind. A gleam of divine mercy shot athwart the darkness of my soul. I resolved that Eustis should not die. I would be present in church to forbid the bans, but without weapons Ellen, thought I, is feeble, and the horrors of a scene of death might destroy her. Let him live, and God be the avenger.

The hour of the ceremony was ten in the morning. The precious interval was employed by me in restoring my person as far as possible to its former appearance. I procured a suit such as I had been accustomed to wear when I first knew Ellen. My great beard shaved away, and every attention given to restore my person to its former looks; I fortified myself with food, which I had not tasted for thirty-six hours.

An hour before the expected time I stood upon the steps of the small chapel appointed for the ceremony. The doors were already open, and a throng of people of all conditions, attracted by the scandal of the match, and the fashionable notoriety of the Eustises, were assembled in the galleries and aisles to witness the marriage. After some difficulty, and with a tempest of secret agitation, I found a place suitable for concealment behind a pillar, from which I could step forward at the right moment. Having a long time to wait, I employed the dread-

ful interval in again revolving the resolution that had so long occupied me. The spirit of mercy prevailed a second time, and I resolved chiefly for her sake to let him live. That I was myself more guilty than he, conscience had not yet suggested. That was an after thought.

The strokes of the great bell, counting the tenth hour, smote one by one through my brain, and silenced the pulses of my heart. There was a murmur in the crowd as they gave way on either hand for the the bridal party. Of these I saw and remember two only, as they stood before the altar. The solemn voice of the clergyman repeating the forms of prayer and exhortation sounded idly and tediously in my ears.

Eustis stood upright, with a countenance affecting coolness and resolution. It was a look that defied congratulation. His glances went scornfully from side to side. And yet no feelings of hatred, nor any stir of revenge possessed me. Pale and trembling, and with a face of death-like sadness, Ellen stood by him, supported on either side by Eustis and one of the bridesmaids. Her eyes were heavy, and sank constantly. I stepped gradually nearer during the first part of the ceremony, until I could have caught her in my arms had she fallen, for the throng was great around us. When it was bidden by the clergyman to all present, if they knew of any obstacle why those two should not be joined together, to declare it, an involuntary voice rose to my throat, and pronounced the words, "this lady has a husband living, and I am he."

A dead silence followed. Ellen turned her head slowly, as if roused from a trance, and seeing me directly behind her, sank down silently, as it were, all of a heap. I sprang forward and caught her in my arms. She was still conscious, and murmured in a voice hardly audible, "why not sooner dearest?" After that came for her an eternal silence. Fool! I had killed her.

I remember nothing distinctly that followed. Eustis had turned to support Ellen as she fell, and I struck him at the same instant a blow upon the neck. He too, died soon after, of the injury. My life since then has been one of solitude and repentance, but now as I relate these things, a gleam of comfort crosses the night of recollection. My wife loved me to the last. I was the tempter of my friend, and if he fell under too strong a temptation, I had surrendered under a less one. The fiend Jealousy overmastered me, but now, thank God, I have what I had not then, a CONSCIENCE."

The features of the hermit, which had become pale and agitated as he approached the conclusion of his story, regained their sober tranquillity. He looked at me with an abstracted gaze, as if he had been speaking only to himself, and when I made an effort to reply, he rose and went into the house, closing the door after him as though no one had been near. The shadows were already descending the hill sides and lengthening in the vallies. I arose, and returning almost unconscious of the way, pursued my journey full of sad but salutary thoughts.

POEMS AND PROSE WRITINGS OF RICHARD H. DANA.*

Having several times, through these columns, joined in the solicitations which have been frequently made to Mr. Dana for many years past, to collect and republish his writings, we hardly need commence a notice of them by saying that we are glad to possess them at last, in this convenient and beautiful form. But we must not be suspected of having urged their republication from any other motive than the wish to read them; as for reviewing them there was no such design.

And we undertake the task now with a very lively sense of the force of the line "*non omnis fert omnia tellus.*" To analyze the characteristics, and present a fair portrait of such a writer as Dana, is a labor from which we recoil with a feeling of being too old and worn. There might have been a time, so the mind flatters itself, but not now. We can only read him and derive vigor from contact with his spirit, and prattle discursively of his excellencies and defects, without attempting to sum them or classify them. In a word, we can examine him critically only as we do a landscape in nature, under different aspects; such a cloud is fine, such a river beautiful, such a rock harsh, we say, merely as they happen to strike us, without presuming to unify or find causes for these effects. Even this much we enter upon with a kindred misgiving as to the result, though not precisely in the same spirit with Macbeth, when he abandons his castle for the plain—and our only excuse with the reader must be, that it is our vocation—"it is no sin for a man to labor in his vocation."

Dana's earliest productions were an essay called "Old Times," and several review articles, contributed to the North American Review in the years 1817–19. "The Idle Man" was published in New York in 1821–22. The first edition of his poems appeared in 1827. That year he contributed a review of Brockden Brown, to the United States Review and Literary Gazette, and in the four following years, three other reviews to other magazines. In 1833, he published the second edition of his poems, and tales from the Idle Man, and the same year furnished an essay to the American Quarterly Observer. Two years after, in 1835, he sent another essay, "Law as suited to Man," to the same publication. Since that time he has not come before the public as an author until now, in these volumes, which include all that we have enumerated, with some additions. The poems and tales had been for some years out of print, and the reviews were mostly unknown; of some of them we never saw the names until we saw them here.

These volumes may therefore be regarded as almost a new publication. They are new to most readers, and are in themselves as fresh as if written yesterday. They begin with the poems, which, though they are the best known, and have been commented on before in these pages, (three or four years ago,) we must be permitted to linger over awhile before speaking of the essays.

The first and largest of the poems, the Buccaneer, has long since taken its rank among our descriptive classics. It is a piece of remarkable originality, power and beauty—the most purely artistic, that is, impersonal, and remote from individual experience, of any of its author's writings. The conception of the story, and the world it takes us into, are as new and peculiar as they are in the Ancient Mariner. The sea views are as exact as Crabbe's, and far more beautiful; the pirates, the hero, the scenery, and more than all, the spirit steed, were uncreated before; they are all the genuine offspring of the poetic fancy, and are managed with that power

* *Poems and Prose Writings.* By Richard Henry Dana. In two volumes. New York: Baker & Scribner. 1850.

which brings them all in as congruous parts uniting in a harmonious whole. The piece is also full of beauties in detail, of the highest order; it is full of examples of painting by words, and of the power of flashing a scene upon the eye by a single phrase. It bears evidence throughout to a rare delicacy and refinement of character; there is nothing common in it, nothing that lets the reader unpleasantly down, or gives the sense of feigning which comes from pseudo-poetry.

On the contrary, the most remarkable quality to us in it, is the power with which it is carried through over a very rough and jagged roadway of style. The wonder is, that we are not thrown out. For the metre is a difficult one to manage with effect, owing to the fullness of its cadence; and the abrupt transitions, strange inversions, and tumultuous utterance of the sentences are beyond all example. It is an instance of a poem conceived in the boldness and free power of high genius, and executed in the constraint of "slow endeavoring art." If we may apply the word as it is frequently used in common parlance, it is a "nervous" poem; it is strong and fine, occasionally free, and easy sweeping, but generally over rigid. It does the thing it attempts, but does it laboriously. On the whole, it is a rare example of genius soaring with fettered wings, and ranks among descriptive poems, as Milton's Ode on the Nativity does among lyrics—a piece which, though it has many stanzas quite above admiration, was yet felt by its author to be somewhat harshly executed.

The Introduction to the Buccaneer has always been justly admired. To all who grew up through youth on the shore of the Narraganset, it, and indeed all the sea scenes in the poem, must have the power of reality; with us their impression is intermingled with views about Newport; we have always an indistinct notion that there is an island somewhere between Gayhead and Brenton's reef, to the south-west of Cuttyhunk, (romantic name!) which is *this* island—and this idea is no less vivid than the one derived from actual observation.

"The island lies nine leagues away.
Along its solitary shore,
Of craggy rock and sandy bay,
No sound but ocean's roar,
Save where the bold, wild sea-bird makes her home,
Her shrill cry coming through the sparkling foam.

But when the light winds lie at rest,
And on the glassy, heaving sea,
The black duck, with her glossy breast,
Sits swinging silently,—
How beautiful! no ripples break the reach,
And silvery waves go noiseless up the beach.

And inland rests the green, warm dell;
The brook comes tinkling down its side;
From out the trees the Sabbath bell
Rings cheerful, far and wide.
Mingling its sound with bleatings of the flocks,
That feed about the vale among the rocks.

Nor holy bell, nor pastoral bleat,
In former days within the vale;
Flapped in the bay the pirate's sheet;
Curses were on the gale;
Rich goods lay on the sand, and murdered men;
Pirate and wrecker kept their revels then.

But calm, low voices, words of grace,
Now slowly fall upon the ear;
A quiet look is in each face,
Subdued and holy fear;
Each motion gentle; all is kindly done.—
Come, listen how from crime the isle was won."

The first three stanzas of this are exquisite; in the fourth, we do not like "pastoral bleat,"—perhaps from a remote suggestion of something heard before, *e. g.* "oaten stop, or pastoral song." "Flapped in the bay," is like an unexpected blow; and the having every line a clause by itself in the sentence, seems to give it a sudden unnatural intensity. But the next resumes and concludes the melody with a beautiful half-cadence in the last line.

We have not space to follow through the piece; it has many such beautiful stanzas as the following:

"Who's sitting on that long, black ledge,
Which makes so far out in the sea,
Feeling the kelp-weed on its edge?
Poor, idle Matthew Lee!
So weak and pale? A year and little more,
And bravely did he lord it round the shore.

And on the shingle now he sits,
And rolls the pebbles 'neath his hands;
Now walks the beach; now stops by fits,
And scores the smooth, wet sands;

Then tries each cliff, and cove, and jut, that bounds
The isle; then home from many weary rounds.

He views the ships that come and go,
Looking so like to living things.
O! 't is a proud and gallant show
Of bright and broad-spread wings,
Making it light around them, as they keep
Their course right onward through the unsounded deep.

And where the far-off sand-bars lift
Their backs in long and narrow line,
The breakers shout, and leap, and shift,
And toss the sparkling brine
Into the air; then rush to mimic strife:
Glad creatures of the sea, and full of life!—

A sweet, low voice, in starry nights,
Chants to his ear a plaining song;
Its tones come winding up the heights,
Telling of woe and wrong;
And he must listen till the stars grow dim,
The song that gentle voice doth sing to him.

O, it is sad that aught so mild
Should bind the soul with bands of fear;
That strains to soothe a little child,
The man should dread to hear.
But sin hath broke the world's sweet peace,—unstrung
The harmonious chords to which the angels sung."

There are also many by which we might illustrate our notion of the roughness, the too sudden changes of thought and the general tone of the style, which requires the use of too many interrogations and exclamations.

"It scares the sea-birds from their nests;
They dart and wheel with deafening screams,
Now dark,—and now their wings and breasts
Flash back disastrous gleams.
Fair Light, thy looks strange alteration wear;—
The world's great comforter,—why now its fear?"

The fourth line intends a fine picture, but the "disastrous gleams" afflicts us, we hardly know why, unless because it bears an indistinct resemblance to the "thundering voice, and threatening mien, and screaming horror's funeral cry," of Gray; also in the Shakspearian "strange alteration," does not the accent with which we are forced by the measure to prolong the word "alteration" weaken the line? And is not the last couplet, and especially the form in which the idea of the last line is expressed, more singular than natural?

At all events, if we may judge from our own experience, this peculiarity of style and thought in the Buccaneer must always hinder the mass of intelligent readers from doing it justice, or feeling and acknowledging its beauty as a whole; it is only we who have omnivorous stomachs, and have long indulged them, who can relish food in which is mingled sweet and bitter, each of such acrid strength.

For a different reason, the Changes of Home will also never be a favorite with the multitude. It springs from a character too sincere, too intense and delicate in feeling, and shows such a command of grief—grief which the soul must have felt or be capable of conceiving, in order to perceive the power of him who can depict it—that it cannot touch directly and completely the common heart. Few could suffer what is here controlled. The general breast of humanity, at least in these days of enterprise and bustle, is insensible, fortunately perhaps, to the soothed anguish of spirit which colors this poem.

We talk a great deal about love between men and women; we understand it—on the stage. But how little are its powers and the necessities of them thought of in actual life. Go mad for love, like Jane Vere! The girl must have a weak head. Suffer for love, like Dalton! The young man's "crazy"—a phenomenon. There are no such creatures in nature. We believe that to more than half the world the genuine passion is a mere name; and that to another large proportion it is wholly conventional—something which they can conceive of, as we do of the extravagant honor in Kotzebue's heroes, or the magic of Prospero's wand—but which is never supposed to exist in, much less influence, our real life, we being put here just *to be prudent*—to invent new machines, make money and be invited to larger parties.

And as with love, so with all the tender affections. They are much talked of but little felt. The peculiar home-sickness which pervades this poem, the mellow au-

tumnal light that shines over it, who is there that can feel its warm rays? Who has suffered from long absence from early scenes, and contemplated in sadness the changes wrought by time among early companions? Not many in sufficient degree to relish the characteristic beauty of this poem.

"How like eternity doth nature seem
To life of man,—that short and fitful dream!
I look around me; nowhere can I trace
Lines of decay that mark our human race.
These are the murmuring waters, these the flowers
I mused o'er in my earlier, better hours.
Like sounds and scents of yesterday they come.—
Long years have past since this was last my home!

Yet there was one true heart: that heart was thine,
Fond Emmeline! and every beat was mine.
It stopt.—That stillness!—up it rose, and spread
Above me, awing, vast, strange, living,—dead!
No feeble grief that sobs itself to rest,—
Benumbing grief, and horrors filled my breast:
Dark death, and sorrow dark, and terror blind,—
They made my soul to quail, they shook my mind,—
Wild rushings passed me as of driving wind.

The storm went o'er me. Once again I stand
Amid God's works,—his broad and lovely land.
I cannot feel, though lovely all I see;
It is not what it was,—no, not to me;
A void is in my soul; my heart is dry:
They touch me not,—these things of earth and sky.
E'en grief hath left me now; my nerves are steel;
Dim, pangless dreams my thoughts;—Would I could feel!
O, look on me in kindness, sky and earth!
Companions were we almost from my birth.
Yet stir once more within me that pure love,
Which went with me by fountain, hill, and grove.
Delights I ask not of ye; let me weep
Over your beauties; let your spirit sweep
Across this dull, still desert of the mind;
O, let me with you one small comfort find!
The world, the world has stript me of my joy:
Bless me once more; ye blest me when a boy."

Where shall we find readers to feel this passion? There may be those, as we have observed, who can conceive it superficially; but to the greater part, yes, even among women, this must seem affectation. "No feeble grief that sobs itself to rest;" "this is pure pride, Mr. Dalton," they will exclaim to themselves. "You flatter yourself you are so much finer than other people that you think you ought to suffer more, and so you make yourself miserable. Set to work, man; leave off thinking upon it. We have our troubles too, but we took resolution, and forgot them."

Such Polonius-like overwise folks should remember that

——"it is as proper to *their* age
To cast beyond themselves in their opinions,
As it is common for the younger sort
To lack discretion."

They will not believe that there are spirits more affectionate than theirs, in which also the sentiments are more awake, and the memory more retentive. Would God they could! Would they could see the sorrow they daily cause in the affairs of life by arrogant interference! Would they could perceive how they bear down and oppress the more retiring and more deeply sensitive natures with whom they come in contact! But no, they must go on, such is the mystery of Providence, parcelling out the race, visiting their own sins upon their children, condemning their sons to resolution and their daughters to patience, till they attain the same induration which they themselves possess, and are ready to renew the never ending series.

But at long intervals, the same Providence permits the angel visits of true poets—they who can "suffer and be strong," who love what is beautiful, hate what is false, and dare to speak in free words. They seem to be sent to agitate and warm up the life-blood that would otherwise thicken and congeal around the heart. With them the words love, beauty, faith, are not mere words, but the names of realities; and they live in the open air, out of the reach of what is dark and mean. All that is lovely and tender in life grows around them; they are followed, if not by the love of those who ought most to desire home-felt joys, at least by the affection of those to whose spirits their spirit has imparted strength.

We have never felt this so strongly in the case of any other writer as with Dana. Both in his prose and poetry he comes to us like one who has thought and felt as we have thought and felt ourselves—insomuch that we might almost apply to him the words of the woman of Samaria. It was not always so; this poem, the Changes of Home, in boyhood, affected us so gloomily, that we could never read it with pleasure. Now it inspires us with a strong rapture, makes us feel less alone, and more determined, not because "misery loves company," but because here is one who soars above sorrows that encompass us, and cries for life out of the Valley of the Shadow of Death.

It is this great power which we would make the first characteristic quality of all Dana's writings. He speaks to us from "out of the deep." For those who have not, or can not, suffer, he has not written. Nor is it for all those who can, that he writes. It is mostly for those who *have*. And of these, they will understand him best who have groped their way through the peculiar gloom of New England Calvinism, who have been driven back into darkness from youth. To those bred under pleasanter influences, he must seem austere, and his thought minutely common. He is the hero who has fought through the mental diseases entailed upon the descendants of the Puritans. Old cherished prejudices come through him fanned and winnowed. "This and that," we say to ourselves, as we read in him, "is what we would have thought before, only that we dared not think it." In him it appears something which he had observed from a level quite above it.—But we are anticipating ourselves in saying what applies with most force to his prose.

Is there none of our readers who, from any cause, "the heart-ache, or any of the thousand natural shocks that flesh is heir to," have felt deeply enough to have experienced this utter waste and desolation of spirit?

"The spring was come again.—There is a grief
Finds soothing in the bud, and bird, and leaf,
A grief there is of deeper, withering power,
That feels death lurking in the springing flower,
That stands beneath the sun, yet circled round
By a strange darkness,—stands amid the sound
Of happy things, and yet in silence bound;
Moves in a fearful void amid the throng,
And deems that happy nature does it wrong;
Thinks joy unkind; feels it must walk alone,
That not on earth is one to hear its moan,
Or bring assuaging sympathies, or bind
A broken heart, or cheer a desert mind."

If not they can not with us derive a comfort, feigned, if they must so style it, from the thought of the following:—

"I know, decay nor age awaits on truth;
And he who keeps a simple heart and kind
May something there of early feelings find.
For in all innocent and tender hearts
A spirit dwells that cheerful thoughts imparts;
'Midst sorrows, sunny blessings it bestows
On those who think upon another's woes."

Nor will such be able ever to appreciate clearly, as observers, much less to feel the loftiness, of the conclusion to the Thoughts upon the Soul:—

"Creature all grandeur, son of truth and light,
Up from the dust! the last great day is bright,
Bright on the Holy Mountain, round the Throne,
Bright where in borrowed light the far stars shone.
Look down! the Depths are bright!—and hear them cry,
'Light! light!'—Look up! 'tis rushing down from high!
Regions on regions, far away they shine:
'Tis light ineffable, 'tis light divine!
'Immortal light, and life for evermore,'
Off through the deeps is heard from shore to shore
Of rolling worlds!—Man, wake thee from the sod;
Awake from death! awake, and live with God!"

The poem, Factitious Life, is a fine sermon in verse against the superficiality of the world and in defence of true feeling. It is to our *soi disant* "good society," what Burns' "Holy Fair" was to the "unco guid" of the Scottish peasantry. A beautiful elegance pervades it in its versification, which is peculiarly easy, its language, its satire, and its seriousness. It has the best qualities of Pope and Cowper, translated, as it were, into our social life. We would there were more room for quotation. There are many truths in this

poem almost as true as they were in 1827. For instance:—

"The youth enacts the sage, contemns the dead,
Lauds his own times, and cries, Go up, bald head!
Misses and little masters read at school
Abridged accounts of government and rule:
Word-wise, and knowing all things, nothing know;—
Would reap the harvest ere the ground they sow.
The world's reversed; boy politicians spout;
And age courts youth, lest youth should turn him out.

The child is grown as cautious as three-score;
Admits, on proof, that two and two are four.
He to no aimless energies gives way;
No little fairy visions round him play;
He builds no towering castles in the sky,
Longing to climb, his bosom beating high;
Is told that fancy leads but to destroy;
You have five senses; follow them, my boy!
If feeling wakes, his parents' fears are such,
They cry, Don't, dearest, you will feel too much."

Afterwards the poet speaketh concerning the young ladies:

"O, no, it was not so when I was young;
No maiden answered love in such a tongue,
Or cared for planets in conjunction brought;
With her, 'twas heart to heart, and thought to thought.
She tell what blood her veins and arteries fill!
Enough for her to feel its burning thrill.
She gaze upon the moon, as if she took
An observation! Love was in her look,
All gentle as the moon. Herself perplex
With light original, or light reflex!
Enough for her "By thy pale beam," to say,
"Alone and pensive, I delight to stray;
And watch thy shadow trembling in the stream."
O maid, thrice lovelier than thy lovely dream!

And is the race extinct? Or where is hid
She, with the blushing cheek and downcast lid,
Tremblingly delicate, and like the deer,
Gracefully shy, and beautiful in fear?
Who wept with good La Roche, heard Harley tell
His secret love, then bid to life farewell?—
Dreamed of Venoni's cottage in the vale,
And of Sir Edward senseless, bleeding, pale?

Now-a-days, since they have become learned, they dream of Ernest Maltravers, and that excellent man, Mr. Rochester—heroes of the intellectual order, at the same time very good and very wicked—such characters as afford them an opportunity to apply their metaphysics. Your plain gentlemen, such as Harriet Byron fell in love with, are gone out of fashion:

"But here a youthful pair. What think you now?
The friends agreed; say, shall they take the vow?
Connections quite respectable all round,
And ample property, and titles sound.

Most certainly an eligible match,
Estates so fit, like patch well set to patch.

'Tis strange none thought of it before!

My friend,
How fit their minds? And do their feelings blend?

Why, as to these I have not yet inquired.
What more than I have said can be desired?
They'll learn to like each other by and by.
'Tis not my business into hearts to pry
After such whims. Besides, what them contents,
Contents me too. Come, let us sum their rents.
Houses in town,—say ten——

Nay, join their hands.
Boggle at hearts! We ne'er should join their lands!
Though rough and sharp below, what then, forsooth?
Custom and art will make the surface smooth
To the world's eye, o'er this McAdam way
Of wedded life. We'll have no more delay,
But join them straight.—The pair have made a trade,—
Contract in lands and stocks 'twixt man and maid!
Partners for life, club chances,—weal or woe!
Hang out the sign! There, read!—A. B. & Co.!

And do unsightly weeds choke up the gush
Of early hearts? Are all the feelings hush
And lifeless now, that would have sent their sound
In unison, where young hearts throb and bound?
Tear up the weeds and let the soul have play;
Open its sunless fountains to the day;
Let them flow freely out; they make thy wealth.
Bathe thy whole being in these streams of health,
And feel new vigor in thy frame!—A boy!
And weigh thy pelf with love!—against a joy
That lifts the mind and speaks it noble, gives
Beauty ethereal, in which it lives

A life celestial here, on earth,—e'en here!
What canst thou give for this, and call it dear?
O, it is past all count! Pray, throw thee by
Thy tables; trust the heart; the tables lie.
Let not thy fresh soul wither in its spring.
Water its tender shoots, and they shall bring
Shelter to age. Then sit and think how blest
Have been thy days, thank God, and take thy rest.
Sell not thy heart for gold, then, not for lands;
'Tis richer far than all Pactolus' sands;
And where on earth would run the stream to lave
The curse away, and thy starved soul to save?

We have often thought that our women, whose duty it is to be the comforters and preservers of the race, ought to reverence above all other men, a true Anglo-Saxon poet; we do not mean a mere verse maker, but one who is a poet in his whole being. For such as he are the great conservators of the family; as women give shape and character to our bodies, so do the poets mould and direct our souls; if our women were to turn untrue, then in a few generations we should grow loutish, uncouth, French-like; and should finally dwindle away as other nations have done. So, if we had no poets to stand up for the old heroism, the mean souls would get the upper hand, and the result would be that we should have to fight over again with the sword, for all that has been gained through the long triumphs of the noble qualities of our blood. Through the hearts of all true souls runs this essence of the poet's being, this ineradicable love of beauty, this firm integrity and confidence in men and women; the air about them is clear, the sky blue above, and all the flowers that beguile our way through this vale of tears, spring up around them—lover's trust, household affections, the beauty of nature, friendship, mutual reliance among men in the affairs of life, respect for age, reverence for law, faith in God.

"Nay, look on Nature's face, and find
Kind, gentle graces, thoughts to raise
The tired spirit,—hope and praise.

O, kind to me, in darkest hour
She led me forth, with gentle power,
From lonely thought, from sad unrest,
To peace of mind, and to her breast
The son, who always loved her, pressed;
Called up the moon to cheer me; laid
Its silver light on bank and glade,
And bade it throw mysterious beams
O'er ice-clad hill, which steely gleams
Sent back, a knight who took his rest,
His burnished shield above his breast.
The fence of long, rough rails, that went
O'er trackless snows, a beauty lent;
Glittered each cold and icy bar
Beneath the moon, like shafts of war.
And there a lovely tracery
Of branch and twig that naked tree
Of shadows soft and dim has wove,
And spread so gently, that above
The pure white snow it seems to float
Lighter than that celestial boat,
The silver-beaked moon, on air,—
Lighter than feathery gossamer;
As if its darkening touch, through fear,
It held from thing so saintly clear.

Thus Nature threw her beauties round me;
Thus from the gloom in which she found me,
She won me by her simple graces,
She wooed me with her happy faces.

There is a delightful music in this. The "Pleasure Boat" with its "crinkling mast," and the "thresher's flail," is another still livelier strain, yet with a touch of sadness. The "Little Beach Bird" is just one of those memory-haunting things, like Bryant's "Water-fowl." The "Clump of Daisies" has the true Herrick melody. The "Early Spring Brook" is one of those sad, low chants peculiar to Dana; it is less lofty than the "Dying Raven," or the "Husband and Wife's Grave," but it is breathed from the same suffering, patient spirit. It seems a sacrilege to quote a line of it. Most of those minor pieces have been long familiarized to the popular ear through school reading books, and various Griswoldian publications.

We now come to the tales and essays from the Idle Man, Tom Thornton, Edward and Mary, Paul Felton, and The Son. Tom Thornton is full of that which Dana only could have written; the weak mother, the passionate father—all the characters are analyzed and their thoughts and motives explained while they are developed; yet as a whole this story has always seemed to us heavy—because, perhaps, it is too gloomy, too sadly life-like, and makes us think too much. Edward and Mary is an old favorite; the love scenes in it are as refined, delicate, and touching as any that ever were written; but we used to think, and still do, that the mere loss of fortune should never have occasioned the separation.

"Better is a dinner of herbs"—and young men and women ought never to marry if they are afraid to take each other "for better or worse." A husband one loves is worth the sacrifice of a piano or a shawl; and to toil for such a young lady as Mary would be pleasanter than to be waited on by Aladdin's genii—at least so some school-boys feel when they read this tale.

Paul Felton is justly considered the best of the stories, and one of the most, if not the most, remarkable production of Dana's genius. It is a kind of Puritan Hamlet, in developing a character wrought upon to insanity, by allowing us to follow his reflections: we mean, that the peculiar self-tormenting habit of the hero is like what is forced upon sensitive natures by the old New England system. When we remarked, above, that Dana seemed to have struggled through the mental diseases entailed upon New England, we had reference to this tale particularly, though we can trace the same in all his other writings. It would be easy, though hardly proper in this review, to show how it is that the old religious austerity tended directly to separate men into vain, spiritually proud, self-deceived, or hypocrites, and, on the other hand, into self-reproachers, or unbelievers, according to temperament. The doctrines of the unpardonable sin, the damnation of infants, the joy of the righteous in contemplating the fate of the impenitent, etc., etc., together with the cold family discipline, transmitted from the days of the Salem bonfires; they who ever had the experience of being thrown suddenly from those icy haunts of superstition into the common light of day; who have emerged from a youth spent under the shadow of *Hopkinsianism* (let the reader who never saw the word before, imagine anything that inspires horror to stand in place of it,) to a manhood that must be wasted in the thick of city life—they only can know what New England education in other days has transmitted to the minds of her children. It has made some morbidly reflective; some it has hardened; the weaker it has driven to vague speculation: we do not refer to the religious effect wholly, but to the general influence of the old system on the mind.

Paul Felton's disease is more common in New England than elsewhere. Had he been a clergyman he would have kept a diary, which would have resembled those Dana has a review of in the second volume. We cannot fancy that one educated in respectable society in England, or here in New York, can fully comprehend the character. They may congratulate themselves upon their inability, while we may indulge a gratitude to Dana for having thought so much for us that we can better distinguish the light from the darkness, in the recesses of consciousness.

Suspicion haunts other than guilty minds. To be thrown among the hard and minutely speculative, excites in one a terrible vigilance. From being questioned and "speered" at on account of his individuality, he begins to examine this individuality himself, and if he incline to a modest opinion of himself, the chance is that he will argue himself into a condition as wretched as poor Paul's. Woe to his peace when once the current sets that way! For the rest of his life he must either dare everything at every step, or wear himself out in attempting to discriminate. In spite of the ever-recurring first view, and in spite of repeated experience, he must boldly take for his motto, "every body likes me," and walk on with an assumed unconcern, doing his work as well as he is able, with this dread burden upon his spirits bearing him down to the gates of death. He must live in a secondary nature, his original, free nature having become so weakened by the intolerable pressure from without, that he must forever prop it up and sustain it with the energy of despair. How grateful must such spirits be to a poet like Dana, who sings with no feeble voice, as in the passage we have quoted, "Up from the dust!"—all compacted of resolution, and in faith invincible!

When we speak of the pain the minutely speculative inflict upon a frank and sensitive spirit, we have in our mind's eye a life in Boston. There they go about like the Athenians of old, inquiring for new things and new religions. It would be a curious inquiry, the annual number of novelties in faith which that city produces. There all that the rest of the world has gone over and considered settled is forever agitated. There all the first principles and causes, elsewhere taken for granted, are forever talked over and argued upon. There are

planted the roots of things, and the inhabitants are forever taking them up and resetting them, and fertilizing them in the usual modes. There also a man shall hear the points of his character told him twenty times a day, and be inquired of by his friends concerning theirs. There, every man, whether in the intercourse of business or domestic society, is trying *to seem good;* better, we should say, than his neighbor. There every one thinks that in what every other one observes, "more is meant than meets the ear." There a friend shall tell you, "You say this, because you fancy I said that, because you said the other," or, "You make this remark in order to discover whether I was not about to question if you did not imply more than you said in what you remarked previously."

Imagine such a home for a sensitive man! Happy will such a one be if he fall into no sadder "musings" than the following:

"To the man of fine feeling, and deep and delicate and creative thought, there is nothing in nature which appears only as so much substance and form, nor any connections in life which do not reach beyond their immediate and obvious purposes. Our attachments to each other are not felt by him merely as habits of the mind given to it by the custom of life; nor does he hold them to be only as the goods of this world, and the loss of them as merely turning him forth an outcast from the social state; but they are a part of his joyous being, and to have them torn from him is taking from his very nature.

"Life, indeed, with him, in all its connections and concerns, has an ideal and spiritual character which, while it loses nothing of the definiteness of reality is ever suggesting thoughts, taking new relations, and peopling and giving action to the imagination. All that the eye falls upon and all that touches the heart run off into airy distance, and the regions into which the sight stretches are alive and bright and beautiful with countless shapings and fair hues of the gladdened fancy. From kind acts and gentle words and fond looks there spring hosts many and glorious as Milton's angels; and heavenly deeds are done, and unearthly voices heard, and forms and faces, graceful and lovely as Uriel's, are seen in the noonday sun. What would only have given pleasure for the time to another, or, at most, be now and then called up in his memory, in the man of feeling and imagination lays by its particular and short-lived and irregular nature, and puts on the garments of spiritual beings, and takes the everlasting nature of the soul. The ordinary acts which spring from the good-will of social life take up their dwelling within him and mingle with his sentiment, forming a little society in his mind, going on in harmony with its generous enterprises, its friendly labors, and tasteful pursuits. They undergo a change, becoming a portion of him, making a part of his secret joy and melancholy, and wandering at large among his far-off thoughts. All that his mind falls in with, it sweeps along in its deep, and swift, and continuous flow, and bears onward with the multitude that fills its shoreless and living sea. So universal is this operation in such a man, and so instantly does it act upon whatever he is concerned about, that a double process is going on within him, and he lives, as it were, a twofold life. Is he, for instance, talking with you about a Northwest Passage, he is looking far off at the ice-islands, with their turreted castles and fairy towns, or at the penguin, at the southern pole, pecking the rotting seaweed on which she has lighted, or he is listening to her distant and lonely cry within the cold and barren tracts of ice,—yet all the while he reasons as ingeniously and wisely as you. His attachments do not grow about a changeless and tiring object; but be it filial reverence, Abraham is seen sitting at the door of his tent, and the earth is one green pasture for flocks and herds; or be it love, she who is dear to him is seen in a thousand imaginary changes of situation, and new incidents are happening, delighting his mind with all the distinctness and sincerity of truth. So that while he is in the midst of men, and doing his part in the affairs of the world, his spirit has called up a fairy vision, and he is walking in a lovely dream. It is round about him in his sorrows for a consolation; and out of the gloom of his affliction he looks forth upon an horizon touched with a gentle morning twilight, and growing brighter to his gaze. Through pain and poverty and the world's neglect, when men look cold upon him and his friends are gone, he has where to rest a tired spirit that others know not of, and healings for a wounded mind which others can never feel.

"And who is of so hard a nature that he would deny him these? If there are assuagings for his spirit which are never ministered to other men, it has tortures and griefs and a fearful melancholy which need them more. He brought into the world passions deep and strong, senses tremulous and thrilling at every touch, feelings delicate and shy, yet affectionate and warm, and an ardent and romantic mind. He has dwelt upon the refinements and virtues of our nature, till they have almost become beauties sensible to the mortal eye, and to worship them he has thought could hardly be idolatry.

"And what does he find in the world? Perhaps, in all the multitude, he meets a mind or

two which answer to his own; but through the crowd, where he looks for the free play of noble passions, he finds men eager after gain or vulgar distinctions, hardening the heart with avarice, or making it proud and reckless with ambition. . . . There is so little of nature and sincerity, of ardor and sentiment of character, such a dulness of perception, such a want of that enthusiasm for all that is great and lovely and true, (which, while it makes us forgetful of ourselves, brings with it our highest enjoyments,) such an offensive show and talk of factitious sensibility,—that the current of his feelings is checked; he turns away depressed and disappointed, and becomes shut up in himself; and he, whose mind is all emotion, and who loves with a depth of feeling that few have ever sounded, is pointed at, as he stands aloof from men, as a creature cold, selfish, and reserved."

But the world is not so utterly hard with such spirits that they have no where but within to look for consolation. (We beg pardon of both author and reader for thus garbling this exquisite essay:)

"And there are beautiful souls, too, in the world, to hold kindred with a man of a feeling and refined mind: and there are delicate and warm and simple affections, that now and then meet him on his way, and enter silently into his heart, like blessings. Here and there, on the road, go with him for a time some who call to mind the images of his soul,—a voice, or a look, is a remembrancer of past visions, and breaks out upon him like openings through the clouds; and the distant beings of his imagination seem walking by his side, and the changing and unsubstantial creatures of the brain put on body and life. In such moments his fancies are turned to realities, and over the real the lights of his mind shift and play; his imagination shines out warm upon it, and it changes, and takes the airiness of fairy life.

* * * * * * *

Religion, to such a one, has thoughts and visions and sensations tinged, as it were, with a brighter light than falls on other men. The love and reverence of the Creator make their abode in his imagination, and he gathers about them earth and air and ideal worlds. His heart is made glad with the perfectness in the works of God, when he considers that even of the multitude of things that are growing up and decaying, and of those which have come and gone, on which the eye of man has never rested, each was as fair and complete as if made to live forever for our instruction and delight.

Freedom and order, and beauty and grandeur are in accordance in his mind, and give largeness and height to his thoughts; he moves among the bright clouds; he wanders away into the measureless depths of the stars, and is touched by the fire with which God has lighted them. All that is made partakes of the eternal, and religion becomes a perpetual delight."

In this short piece, which is an *unique* in our literature, and for refinement of style and beauty of thought, unapproached by any prose composition of its length, the poet has unconsciously drawn a portrait of himself, as he appears in all his writings, "the man of fine feeling, and deep, and delicate, and creative thought." In the extracts we have given, the flow of thought is so broken that the reader will not be able, probably, to lose himself sufficiently in the style to be enough unconscious of its rhetoric to appreciate its fullness and poetic beauty; nor will he be able to judge rightly of it from a hurried reading of the whole essay; it is a piece to be read and re-read, and never forgotten.

We have now reached the second volume of Mr. Dana's book, the contents of which may be considered quite new to our public, as they consist mainly of articles which now for the first time appear collected out of the confined circulation of sundry extinct magazines. It would be pleasant to converse about them, and quote from them here and there to give them such an introduction to our readers as would induce them to extend the acquaintance; and we might do so as well to their gratification as our own, we think, but for the vulgar obstacles of time and space. As it is, we must content ourselves with little more than an enumeration of their titles; some of them are reviews, and the idea of *reviewing reviews* puzzles the reason.

The first, "Old Times," from the North American Review for 1817, is an essay in its author's earlier and more careful style, reflective and poetic, like the one from which we have quoted above. It is a beautiful, tender expression of the reverent love of the past which all of us, even in these hurry skurry-times, we hope, feel in turning our minds back to the days of youth, and which is with Dana a characteristic instinct. "The Past and Present," from the American Quarterly Observer for 1833, is an essay of a very different caste, and one which it would be well that no reader should form an opinion of, for or against, till he is sure he fully compre-

hends it. However much one may differ from the author's views and conclusions, we are sure no one can rise from a careful study of this piece without feeling that he has been in contact with a most daring and comprehensive spirit—one whose meditations reach, like Coleridge's, and, (we will venture to say it) Milton's, to the very verge of thought, the boundary which separates the dry land from the waters. The same remark will almost apply to the next essay, "Law as suited to Man," from the Biblical Repository and Quarterly Observer for 1835; we consider the republication of it a national benefit.

Leaving aside the particular doctrines set forth in these two essays, they both tend, as may be judged by the following paragraph, to nourish one trait of character which is of more consequence than is apt to be thought to the stability of our institutions under the flood of increase and acquisition—to say nothing of its moral beauty:—

"But even from the winning quiet of old age the present takes away reverence, while b aring, too, in his countenance, as the old man does, the aspect of the past. Where is that feeling for age, which Young so beautifully calls "tender reverence"? Almost died out. Yet what a delightful sensation it is to the soul; and how like is it to the kind respect a son bears a mother! Its blessed influences will abide in that heart into which it has once entered, and rest like soft lights on our spirits, even, when we, too, are old:—Young man, if you would have a heart-blessing that shall go with you all your days, reverence age!"

The reviews which follow are of Allston's Sylphs of the Seasons, a volume of poems long since out of print; Edgeworth's readings on poetry, a light, amusing, cutting up of a book, which now seems hardly worth the trouble; Hazlitt's British Poets. This has been extended into an elaborate compilation of critical notices of the poets, and is one of the most interesting pieces in the volume, full of acute suggestion, taste, and fine feeling. Dana has never borne the reputation of a wit, but he would have done so had he written only this and the preceding. There was much argument once about Pope. The criticism of him, therefore, is rather more extended and spirited than that of the others, and contains many turns of expression which must have *told* once; *e. g.*

"And the full organ-tones of Milton, and the mellifluous harmonies of Shakspeare, and Spenser, and the singers of old, must be hushed, for all the world to stand listening to the one unvarying note from the pipe of Pope."

Then follows a genial and heartily appreciative review of the Sketch Book; another of Mrs. Radcliffe; Charles Brockden Brown; Pollock's Course of Time; and the Natural History of Enthusiasm, to us the least interesting; and one of the diaries of Payson and Martyn, which must have done excellent service in their day, and are by no means strange or out of place now. Here we must close these brief remarks, in which we have said little that we would have said, little that was worthy the theme, or that satisfies ourselves.

How time flies! It seems but yesterday since we were reading the Buccaneers, and watching the summer clouds from beneath the ashen tree that stood by the old wide gateway—and now we are reviewing it!—and with a load of care and bitter memories, and self-reproaches so great that we almost wish it were possible without sin to yield the conflict, and write here

Finis coronat opus.

Dec. 17, 1849. G. W. P.

EVERSTONE.

BY THE AUTHOR OF "ANDERPORT RECORDS."

CHAPTER I.

ANDERPORT has been described as a desolate and dreary place. It could not always remain so. The evil of solitude is its own corrective. That few people are in any spot is an irresistible attraction to the myriads who are anxious that their great-grand-children shall have plenty of room. Visitors, in this our day, throng the sandy streets of hundred-gated Thebes, pry curiously into the palaces of kings who reigned when Melchisedek was priest of Salem, and talk a modern dialect in the silent cities, but of whose founders Aztec tradition can furnish no record. Why should not visitors also explore the ruins that overhang the Gavin?

Among the many skeletons at our antiquated village, is the skeleton of a hotel. Three-fourths of the buildings are roofless and uninhabitable; the remainder, however, is found sufficiently capacious to accommodate the "all travelling public." On a spring morning, ten years ago, three men walked out upon the porch. Directing their steps to the lower extremity, they contemplated the broad marsh which once had been a harbor, and the bare and gullied hills that sloped down to it from either side. To eyes fresh, like theirs, from scenes very different, the spectacle could hardly be pleasant. Whatever may have been their thoughts they did not communicate them; and though I might easily supply a thousand sentimental reflections proper to such a situation, I refrain. The travellers turned, with a common impulse, to seek a more encouraging prospect at the other end of the porch. There a sight, indeed, greeted them, which broke in with the merit of variety upon the uniform desolation that reigned around. Signs of life and activity were visible. Human muscles were at work. Wagons were there—not frail and slender vehicles, such as those which bear to market a Jerseyman's peaches, or a New Yorker's milk and potatoes, but wagons with wheels, each of which would task the strength of two men to lift, and, with bodies, ribbed like a ship's hull, iron-bound, huge and ponderous—wagons drawn by full teams of six powerful horses. There was a cracking of whips, and a shouting, and the rattle of stone and bricks falling upon wood.

"This is something like!" said the shortest of the three, rubbing his hands—"who says Anderport's never to look up! I wonder what this is but bustle and business? I tell you the country is improving fast!"

"Truly, there is something of a stir—quite a contrast to the prevailing calm," observed another of the party—a tall and slender man.

The third, who had taken keen note of the operations which had so much cheered his companions, said, "Here's a bustle sure enough, but I can't see that it promises great things for Anderport. Those people yonder are very busy tearing down, but I don't find them doing much at setting up. It's clear the village is going to lose one of its best houses; but where is it to be taken—that's what I'd like to know."

"Suppose we walk over and inquire," replied the short man.

The suggestion was agreed to, and the trio straightway descending the steps, proceeded to cross the little hollow separating the flat where the tavern stood from the gently-rising height which, in former days, had been crowned by a spacious edifice, the seat of an old and wealthy family. They followed a path which led to the place they wished to reach; but after the usual devious fashion of paths, it pursued

a round-about course; and when they found themselves on the top of the hill, they were not opposite the mansion. A brick wall, once the enclosure of a garden, was before them. The path went on along its side, but they hesitated whether to trust any further to its guidance. Not a great way in front of them, a person was perceived leaning against what seemed one of the columns of that pride of another clime—the banyan. Closer approach removed the wonder. An elm, a maple, a cherry, and a sycamore, were standing in such intimate fellowship, that, whilst a different foliage was extended to each quarter of the compass, their four trunks appeared to form the supports of a single tree. In the midst of this brotherhood of giants, and with an arm resting on one of them, was a female form.

"That woman yonder can tell us all about it," said the man of low stature—"let's go to see her."

They went, and on arriving at the cluster of trees, found that the wall which was there nearly levelled to the ground no longer obstructed the vision. The solitary female, who had not heard their footsteps, still stood in her place, gazing across the dilapidated enclosure. She was simply but tastefully attired, and in her hand was a small volume, which, though open, was not, it appeared, of sufficient interest to divert her attention from the scene before her.

"Ahem—madam!" sonorously uttered the short man, who now, as hitherto, proved the readiest speaker of the party.

The individual addressed turned, and exhibited a countenance youthful and lovely, and lighted up by a magnificent eye.

"My respects to you, Miss," continued the stranger, "I am Mr. Schrowder."

The lady bowed, and as her quick glance passed over each feature, Mr. Schrowder felt sure that there was no danger of one gifted with so piercing a gaze ever after failing to recognize him. The lady beheld a forehead such as phrenology delights to look upon, and the lower part of his face, tanned by exposure to a purplish red, expressed a sedateness and reflective gravity which would not have disgraced an ancient philosopher.

"This tall gentleman, Miss, is Mr. Newlove, who has been in the mercántile at York city."

Again the young lady bowed demurely, and observed that the person to whom she was now introduced was a thin, elderly man, with drooping shoulders; his boots were finer and better polished than those of his companions, and he was, on the whole, much the most genteel in appearance.

"And the other, Miss, is Mr. Dubosk."

"In Mr. Dubosk, she saw a broad-shouldered, full-faced man, with an expression not very intellectual, perhaps, but good-humored and sensible.

"Would it be allowable to ask," added Mr. Schrowder, "what name your acquaintances, Miss, are in the habit and practice of calling you by?"

"Sidney Everlyn."

"Are you belongin' here?"

"No, sir; I am almost as much a stranger in Anderport as any one can be—though I was born in the place. You also gentleman are, I presume, only visitors in it?"

"We've been here once before," replied Schrowder, "but we can't be said to feel exactly home-like yet. We are all Yorkers, Miss, come to improve and frunctify this country;—we are bound to work out *its* good and our good too. It's our calculation to set up stakes here and make a living."

"You must, of course, be pleased with the country," said Miss Everlyn, "since you adopt it for your home?"

"That don't altogether follow for a certainty," he rejoined. "You have heard, its likely, Miss, of those folks who go off into foreign lands to preach the good word to tribes and nations living in a miserable ignorant way, worshipping dumb idols, and eating one another? Well, them missionaries don't go, I guess, from any affection for such wild, heathen doings. Just so we come here for purposes of general improvement and edification. I couldn't enjoy life with any kind of satisfaction if everybody else was as wise as I was:—there's amazin' comfort in bein' able to instruct those about you. It is this alone that enables me to endure living here. The land itself might pass if it had the right sort of folks on it—very benighted state of things there is now, I must say. The country wants industry and learnin', and fewer of the darkies."

"There is something missing besides,"

remarked Ralph Dubosk; "the ignorance would do, the laziness would do, even the niggers would do, if the country had one thing else."

"Tell us then, by all means, sir," said Miss Everlyn, "what that is. I am deeply interested to learn what is wanting to make my native State as prosperous and happy as she deserves to be."

"Do you see that hill yonder?" asked Dubosk, "all washed into gullies?—well, what color is it like?"

"I should call it red," answered the lady.

"To be sure it is," said the other, "red enough. Now, this country has a plenty of *that* color. Look at the nest of heads in the cellar a-front of us."

He pointed to a group of negroes who were engaged in removing bricks from the foundation of what had been the main building of the mansion. They happened to be all collected at the moment in the further corner of the cellar, and their curly heads and glossy necks, unrelieved as they were beheld at the moment, by the ivory of their teeth, or the snowy whiteness of the upturned eyeball, made a picture sufficiently dingy—and so Miss Everlyn acknowledged.

"Just it! just it!" exclaimed Dubosk, with a triumphant twinkle. "Old Redland county has a plenty of that color, too. She's painted with red streaks and she's painted with black streaks; but to make her real sweet and pretty, she requires a dash of the *green.* All that this country wants, Miss, to make it as good as York—as good as any country in the world, is—*grass.*"

Sidney Everlyn returned her thanks for this solution of an important agricultural and political problem. Then the tall, quiet man, Mr. Newlove, took advantage of the pause in the conversation.

"We are curious, Miss Everlyn, to observe what is going on at that house yonder. Can you inform us whether it would be considered intrusion if we approached somewhat nearer?"

The young lady answered, smiling, "I am able to relieve you of any scruples on that account. The place, though now full of workmen, is quite uninhabitable."

Schrowder, observing that Miss Everlyn seemed about to resume the perusal of her book, addressed himself to her, saying with some hesitation and stuttering, "But, Miss, we are desirous to learn, as well as to see. Those darkies are all such simple, stupid creeturs, that there is no drawin' any information out of them. I wonder if there's any white body over there, who it would be more beneficial to interrogate?"

Sidney Everlyn, in a very accommodating manner, replied that she herself would walk with them as far as the house, and promised to give all the satisfaction she could to their curiosity.

As they were starting to cross the wall, another person joined them—a man who could hardly be classed either as young, old, or middle-aged; that is to say, he appeared to be between twenty-eight and thirty-five. He was of ordinary stature, well and firmly set, with a countenance agreeable and intelligent, though not handsome. In a word, there was nothing about him so remarkable as to deserve any longer notice than the momentary glance which Miss Everlyn thought it necessary to bestow on him whom the officious Schrowder briefly introduced to her as Mr. Somers.

"We are keeping this lady company a little way," remarked Mr. Schrowder, to him; "Won't you go along, sir?"

Mr. Somers quietly accepted the invitation, and followed in the rear of the party.

"How far are these bricks taken?" inquired Schrowder, when they had reached the scene of operations.

"About fifteen miles," answered Sidney.

"And are these *stun* moved likewise?" he added, pointing to the blocks of marble, which were inserted at intervals up the corners, and around the windows, of the remaining wing of the building.

"Yes sir, those blocks are of the famous Portland stone, and were brought from England."

"Sure now!" said Schrowder, "who'd have thought it? But aint there stun and clay nearer by than this to the place where the house is movin' to?"

"There is no lack of either, I believe," answered Sidney.

"Well, then, 'twont pay to haul the stuff so far," said Schrowder, dogmatically; "'twon't pay at all. I am going to live about that far off from here myself—but you don't catch me hauling bricks from

Anderport, nor stun neither—hauling stun? Oh no—I aint so fond of the business. I wish I could set eyes on the man that owns the concern. I could prove to him in five minutes that he's losing money by the job. May be it's some kin of yours, Miss?"

"It is my father," she replied, "who is removing the building."

"I thought as much," said Schrowder, "but now, Miss, what a pity it is I couldn't have seen him before he got into this. I know I could have manifested the folly of it so conspicuously that he'd have ben glad to quit. If it had ben some four or five miles, a body could have perceived a fraction of reason and common sense in it. But fifteen miles, and over such roads as there are about here! It's a miserable bad scald on any man's credit, to have taken up so poor a speculation. May be you can let on, though, Miss, what persuaded him into it."

"You must know, then," said Sidney, "that this has been the mansion of the family ever since the settlement of the county. About sixteen years ago, my father, finding himself in straitened circumstances, was compelled to dispose of all the land that remained to him with the exception of a few acres immediately surrounding this house, which nothing could have induced him to part from. He went to the West, and now returns, able, from the fruits of his exertions to buy a tract of land in a healthier locality than this, and to transport the old homestead to it."

"Well, that's curious—is'nt it?" observed Schrowder to his companions. "But it would have ben a sight cheaper to have put up a new house, out and out—and better, and snugger, too—though, of course, Miss, he builds it in a new-fashioned way, if he does use the old stuff?"

"No, sir; he means to have it a precise copy of that which stood here. Every door, every window, every stairway, every closet even, will be the same. This is not the first time that these bricks have journeyed. They once composed the walls of a mansion on the banks of the Severn. During the wars of the great Rebellion it was burned—that is, all that was destructible of it, was burned—by the Roundheads, and the appendant manor sequestered. At the restoration, the cold-hearted Charles would do no more for my ancestors than for the rest of his deserving followers. With difficulty, and by the sacrifice of the greater portion of his maternal inheritance, he succeeded in redeeming from the grasp of the Puritan possessor, the bare and blackened walls of his home. He placed the bricks on board ship, and came with them to Anderport. Now, his descendant, equally faithful to the trust, is determined that they shall accompany him and his fortune wherever he may go."

"Sure!" exclaimed Schrowder. "If that isn't the funniest story I've heard this long time. Your folks, Miss, are worse than the tarrapins, which take their houses with 'em on their backs, it's true, but aint so old-fashioned as not to change them for fresh ones now and agin."

Sidney colored slightly, as she said, "I forgot, gentlemen, that you are of a northern and colder blood, and can not understand the feelings which I am simple enough to be moved with. I tell you, sirs,—though you may think me mad in the declaration—that I would not exchange one of those twice-burnt bricks for the most spacious of the palaces which adorn your Hudson. As I look on those old and venerated walls, my mind is carried back into historic times—the faces of my father's fathers seem to stand out and smile upon me. Yet it is a tradition in our family, that the Everlyns can never enjoy prosperity within this mansion. Be it so; I care not. It has been the home of my ancestors—may it ever be *my* home!"

The beautiful girl, for the instant, seemed to lose sight of the uncongenial associates by whom she was surrounded. As she stood on the edge of the foundation wall, the fine, full eye, which was the glory of her countenance, ran around the circuit of the cellar, and over the untouched wing, and on whatever part it rested beamed with an expression of proud enthusiasm which it is impossible to describe.

Schrowder gave a sly wink to his friend Dubosk, and instinctively lifted his little finger to the corner of his right eye. Sidney probably did not observe this meaning bye-play, yet, on recovering from her momentary abstraction, exhibited a little confusion at having made herself a spectacle, and began to apologize.

"Pardon me," she said, "I can not be in this place without giving way to emo-

tions which, I am aware, must appear very ridiculous to a stranger."

"Ridiculous!" exclaimed Richard Somers, the individual who had last joined the company. "Think not so ill of us, Miss Everlyn. For my part, I have no long line of illustrious ancestors to look back upon. I have inherited no venerable mansion; yet, if I had, the being does not live who should surpass me either in proud memory of the one, or in lovingly cherishing the other!"

Sidney was much surprised at meeting sympathy—and warm sympathy, too—in such a quarter. In her previous hasty examination of Somers, she had seen no reason to distinguish him from his companions; but she now spoke to him with evident pleasure:—"I am not sure, sir, that I can boast of any *noted* ancestors, unless you give me the privilege, which we of Wales are so ready to claim, of running back into days anterior to the Plantagenets."

"Does your genealogical tree," said Somers, "contain the name of John Evelyn, the admirable diarist, the friend of Bishop Taylor?"

"No," replied Sidney, "our family, though its name is similar, is quite distinct both from the Evelyns of Surrey and those of Kent. It was formerly two names,—that is, Ever Lynn—but several successive generations retaining them both, they became fused into one."

"And the Mansion—has it retained the same name throughout its various wanderings?"

"Certainly, Mr. Somers. It was Everstone in Monmouthshire, it was Everstone in the outskirts of Anderport, and it will be Everstone on the Hardwater highlands."

"I sincerely trust," said Somers, "that its new site may prove a more permanent resting place than it has hitherto found. May the dark prophecy, too, which you say hangs over it, now lose its power. Surely those who cling to these ancient relics with such filial piety, deserve to find under their shelter security and happiness."

"In that wish," replied Sidney, smiling, "I do not know that I can join you. Superstition has a pleasure of its own, and I think the old mansion would be less dear to me, if it were disenchanted of the fatal spell under which it has so long lain."

"Perhaps," said Somers, "the tradition after all only implies that the owners of Everstone are not to be exempted from the common lot of humanity. In what house, indeed, on earth—be it palace or cabin—can children of Adam expect to dwell in uninterrupted peace?"

Before Miss Everlyn could answer, she was joined by her father, a robust, fine looking old gentleman.

"Ah, Sidney, I thought I should find you here—keeping watch over each dear bit of Monmouth clay. I hope you charge the boys not to be unnecessarily rude with their picks."

"You delight to laugh at me father," she replied, "yet I know that your heart is as full of mad Cambrian enthusiasm as mine. But let me introduce you to Mr. Somers."

"If I am not mistaken," observed Somers, "I have before had the pleasure of somewhere meeting Mr. Everlyn—was it not in Louisville, sir?"

"I certainly do remember you," answered Mr. Everlyn, grasping him cordially by the hand. "Excuse me for not recognizing you immediately; but you remained in the West only a short time, I think."

"A very short while, indeed," rejoined Somers, "I only went there on business, and was glad enough, as soon as that was accomplished, to return to my native state and country."

"You are not, then, from the *North*, sir?" said Sidney, with surprise.

"No, no; I was born in old Redland, and can lay no claim to Yankee blood, Yankee thrift, or Yankee taste. I have received undeserved credit, I see, from the company you found me in. But where are those worthy gentlemen? I did not notice that they had left us."

"Oh, Messrs. Schrowder and company," answered the young lady, "have little fondness for antiquities."

"They are right," said her father, "I believe the Italians use the same word to denote a brick and an arrant simpleton,—let us beware, then, Sidney, lest, in taking over anxious care of all this burnt clay, we should, perchance, lose our wits. But come, my daughter, you know that we must be at the river before the steamboat passes."

"Are you going to St. John's?" inquired Somers.

"Yes," said Mr. Everlyn, "we call that old town home, until this unwieldy tabernacle of ours is ready to receive us in its new location. It is nearly nine o'clock," he added, taking out his watch,—"the boat passes the mouth of the Run about ten, does it not?"

"Hardly so early, I think, sir," Somers answered, "It is well, however, to be in time. I am highly gratified that you are bound for St. Johns, for I propose going there myself this morning, and it will be a pleasure as great as unexpected to be favored with your company and Miss Everlyn's, on the little voyage."

The polite assurance was reciprocated by Mr. Everlyn and his daughter, and Somers left them for a few moments to make some communication of a business character to the party of New Yorkers.

The communication having been made, and properly responded to by those who received it, Somers hastened away to join the Everlyns. Schrowder looking after him, as his brisk steps carried him towards Anderport, said, "He is in a mighty hurry, that's a fact." Afterwards, he addressed his two fellow travellers:—"What's your opinion, folks—have n't we seen and heard something new to day? I guess we'll come to understand the ways of this queer people perfectly after a while. But of all curious notions, this takes my eye—to think of falling in love with a lot of bricks! and then to lug them about with a body, as if they were so many diamonds! I believe my heart the people here, down South, are all cracked. Even Somers, who a fellow would have thought to have had more sense, talked almost as light-headed as that gal."

"Consider, though," remarked Dubosk, "that as Mr. Somers is a lawyer, he's bound to court all parties, and talk all kinds of language. Indeed, it's wonderful how smart practice makes them at it. Last fall, when I was on here, it fairly made my ears stick up to hear how smooth and easy this same Somers could talk of Northern doings, such as ploughing with oxen, and building stun-fence, and so forth. He said it all so natural, too, that I could hardly persuade myself that he had been brought up any where else but in sight of old shaw'ngo."

"Well," returned Schrowder, "I suppose you are nigh right. These lawyers are willing to say Yes to any thing you want them to. But, come, folks, shall we go now and take a look at Mr. Dair's lot?"

"Whose?" said Newlove.

"Why, Dair's; don't you remember the tavern-keeper told us this evening that a man of that name had a farm of nine hundred acres or so to sell?"

"Yes," replied Newlove, "I do recollect it now; but what is the use of going there—we have all three made our purchases, have we not?"

"Certainly," rejoined Schrowder; "I don't want any more land; but there is such a thing, you know, as improving one's self by observation. Besides, Mose Hawkins asked me to be on the watch for some farm that would suit him. Wont you go with me Ralph? It will be only a little out of our way."

"Not I, Caleb," answered Dubosk, "I must travel to that precious piece of ground of mine as quick as possible. It will take all the balance of my life time, I calculate, to bring it into decent order, and I must not lose any time in getting about it, at that."

"*You'll* go, then, at any rate," said Schrowder to Mr. Newlove.

"No sir; I have my daughter in the village here, and must take her to our new house as quick as may be."

"If that's the case," said the traveller, who felt the responsibilities of his mission, "I must go by myself, for I am determined to see all that is to be seen."

Away, therefore, Schrowder went, intrepid, though alone. He received directions for his guidance, but experienced the common difficulty of recognizing the proper occasions to apply them. If he was told to follow a fence till he came to a plain road bearing off from it, he, most probably, went a mile too far in expectation of meeting a highway as broad and well worn as a turn-pike. At other times, his mind was so occupied with the routes which he was charged to avoid, that he failed to remember the one which he ought to adopt. But perhaps he was most completely bewildered by a direction obtained from a good old dame whom he found calling up her turkies on the edge of a wood, and who told him to keep on to a place in the midst of the wood where six roads met, then to

choose the most crooked of them, and after proceeding upon it half way to Jeems Sullivan's to strike off at a sharp elbow to the left till he got to Mr. Davis' lane, where he would be likely to find some one capable of giving him further information.

"But I don't know where this Mr. Sullivan's is, nor Mr. Davis' either."

"Oh, Mr. Sullivan lives in a brick house, with poplars before the door—though you won't come in sight of it. Mr. Davis is a big, portly man and married old Col. Jackson's second daughter, a hard-favored critter with a voice which, I reckon, you'll know if it ever strikes your ears."

In vain Schrowder pushed his inquiries. The old woman in answer began to recount the names of half the people in the neighborhood, giving comments upon the character or personal appearance of each; or, if recalled to the present difficulty, she would refer to roads which led to mills and meeting-houses ten miles off. Schrowder, in despair, tried to banish from his thoughts all that he had heard, and to stumble on his journey with no worse disadvantage than blindfold ignorance. He crossed deep streams, fourteen-rail fences, and every other obstacle which could vex a traveller, till, at length, he began to think that he had seen quite enough of a country where each field might pass for a prairie, and each wood-lot for a forest—where no sign-boards are found at cross-roads, and where dwellings stand further apart than churches, in a civilized community, ought to stand. Just in time, however, to save himself from the dishonor of leaving his exploration unfinished, he reached the *terra incognita* of his aim.

The house—Mr. Schrowder, as the representative of Mose Hawkins, looked at it well—was a long, one-story building, a third of which was constructed of stone, a third of frame and weather-boarding, and the remainder of logs. At the door of the middle division appeared the master of the premises, dressed in home-spun.—There was only a low fur cap on his head, yet he had to stoop a little in passing under the lintel. His lank and sallow face bristled with a beard which was, probably, of a fortnight's growth; nor was there anything else about Ripley Dair that struck the visitor very agreeably.

The Dairs in former times were one of the most influential and respected families in the county, while their broad acres covered a large proportion of its best land. They had been distinguished as an open-handed and mettlesome race. Their roof always gave a hospitable shelter to the guest: but never was a Dair seen to fly to that home as a refuge. Every friend knew where to look for staunch and liberal aid; every foe from whence he was was to expect speedy and implacable hostility. Time, however, had brought about a great social change. A large number of the old southern families kept pace with the advancing spirit of the age. The same chivalrous qualities, which characterized them two generations ago remain, and adorned, not weakened by the polish of letters, give them preëminence now. The fate of other families has unfortunately been different. Finding that in these latter days birth and landed property and hereditary daring no longer suffice to give note and importance, they have not been stimulated to the acquisition of those accomplishments which are needed to maintain them in the relative station to which they believe themselves entitled. They see that public respect and the honors of the state are not measured out according to the length of a candidate's genealogy—they see too, that those instinctive traits, courage, and magnanimity, do not now, as they once did, make good all other deficiencies. They must submit to enter the lists on equal terms with other men, to throw aside their ancient privileges, and to engage in a contest, whose prize is not cut off from the low-born, nor even from the dastardly—they must be reconciled to all this, or must shut themselves up in the solitude of the plantation. The last alternative is chosen. They fall back from the rank of their former peers. They consent to associate with vulgarity, because vulgarity acknowledges their superior dignity. No more first in the senate-house, they console themselves with being the first on the race-course and in the bar-room. The consequences of the degrading exchange are obvious; all their virtues are altered into the counterpart vices. Hospitality becomes waste; liberality, sinful profusion; frankness, profanity. The decanter which before stood upon the side-board principally for the refreshment of the wea-

ried stranger, is drawn upon as the planter's own solace. Yet debased and sodden as he is, all his former fire is not extinguished. Even in the midst of the low herd by whom he is willing to be surrounded, there are signs still visible which point out the man whom nature meant to be an honor to his kind.

To this class—a small class we are glad to believe—belonged Ripley Dair. Reckless towards man, and profane towards his maker, a drunkard, and well nigh a sot, he might seem a fit object for scorn and avoidance. If such a being had been observed lolling on the bench of a grog-shop in the heart of a city, none but a philanthropist would ever have tarried to bestow on him a glance of sympathy. But it was with a different feeling that we beheld him in the *country*, standing on his own land, on land inherited from forefathers who were found first in every noble achievement. And the man had claims in himself to a degree of respect. The steel had not quite lost its fine temper, though condemned to the vilest uses. The spirit was buried beneath a gross and earthy load, but it was there still, and like Enceladus under Ætna, occasionally heaved the whole superincumbent mass. Ripley knew that he was sadly fallen, but retained the consciousness that the mire in which he grovelled was not his proper element. It must be added that the abasement which has been described was a *moral* abasement. As far as mere external appearances are regarded, Ripley Dair might be thought to endure comparison with many of his ancestors. Not less well-informed than they, he had a respectable share of what are called the more substantial possessions. Certainly, the master of a hundred slaves could not be charged with the damning crime of poverty.

One of his most marked characteristics was an intense dislike of the northerners who were coming to settle in the county. He seemed to feel towards them an instinctive antipathy. His sentiment was not hatred, but disgust. He was anxious to get out of their way, but to do this he must sell his land, and sell it to some northern man. Thus he was compelled for the time to subject his passion to a degree of constraint. How he chafed against this necessity may be imagined. Not only had he to tolerate the presence of those whom his very eyes could hardly bear to look upon, but it was required of him to invite them into his house, to throw open his fields to their inspection, and, worse than all else to endure patiently every comment which the courted visitors thought proper to make.

He greeted Caleb Schrowder—whom he recognized at the first glance for a northerner—with sullen politeness, and walked with him over part of his estate. In the corner of one of the fields they found a plough lying where it had been used the fall previous. Schrowder pointing to it with his finger, remarked: "That's very careless doings, Mr. Dair—you'll never get along wherever you go unless you take care of your tools. Yet, to be sure," he added, lifting it up by the handles, "the concern is worth mighty little to work with. Bless me, how the people in York would open their eyes to see a team hitched to such a thing. I declare it is a funny sight —I don't believe even the Egyptians and Chinese and other savage islanders have any scratchin' tools to beat it."

"Sir!" said Dair, "such a plough as that was used by my father—one like it was used by *Washington!*"

"That may all be," replied Schrowder composedly, "it only proves that if Genеneral Washington was a smart man at some kinds of business, he had much to learn about farmin.'"

Dair suppressed the angry retort which he was on the point of uttering, and strode along moodily. They came next into a body of timber, and passed by a negro who was employed in mauling rails. "Ah," exclaimed Schrowder to the fellow, "let me show you the right way to set that wedge."

Dair interposed immediately, took the wedge from his hand, and returned it to the negro, saying, "when you have bought the timber you may have it mauled in any way that pleases you. He is making *my* rails now, and shall do it according to my directions."

Schrowder was silent till they had walked some hundred yards further. Then laying his hand familiarly on the arm of his companion, he said, "Now don't be so touchy friend."

Dair with a sensation like that experienced when a spider or lizard is felt creeping over one's naked skin, drew off suddenly to the opposite side of the path.

"Don't be so very touchy, I say, Mr. Dair; no harm in the world is meant you. We Yorkers who come here, are not proud and stingy, we are willing to communicate our knowledge. It is not likely that you southern folks can take *all* our wiseness—strong meat you know, is not for babes—but we are anxious that you should have as big a share as your feebleness permits. Far from seekin' all your land, we only want to get a part of it so as to show by the discipline and educational principle of example, how you ought to manage what is left."

"Take all—take all—take every bit!" cried Dair impetuously. "I wouldn't have a Yankee along side of me to live in Paradise!"

"I'm no Yankee," exclaimed Schrowder. "The Yankee country is in Connecticut, and off that way."

"It is all one," returned Dair, "you are bees out of the same hive."

Scrowder answered reflectively, "in a certain sense we are, that's true; we are *bees*, sure enough, and go out in swarms. Most of us have had a habit of crossing the mountains to Ohio and Illinois, and so forth, but latterly we have discovered tolerable nice locations by choosing this course. Yes we *are* bees, and we'll make this land flow with the nicest of honey."

"Bees?—honey?" repeated the other disdainfully.

"Yes, you said yourself that we are bees."

"Did I say so—then may heaven forgive me for telling such a lie! You are locusts; and bring destruction with you—army worms, to eat us out of house and home!"

The circuit of the farm completed, they returned to the dwelling, and in doing so passed through the garden. In the centre of it was a grassy square, studded with upright stones, some of which bore inscriptions. Schrowder stopped abruptly, and after gazing upon it for a while from the edge, turned to his host, saying, "there's one custom of yours that surprises me more than any other. I saw a whole lot of first rate manure lying waste near your stable, and yonder on that half-acre wood-pile, there are rotted chips enough to do a quantity of good, if they were only hauled out."

"Suppose I do not think my land wants such assistance," said Dair, "what is that to you?"

"The thing I look at," continued Schrowder imperturbably, "is this. At the very time you make such sinful waste of straw, and litter, and such sort of stuff, you are wonderfully careful to make manure of the bodies of your dead relations."

"What's that you say stranger? I don't hear you rightly."

"I refer," said the other, "to this practice of sticking your graves in the midst of orchards and cabbage-patches. Folks to the north sometimes raise *flowers* in the burying grounds, but we are not so hard pushed I'm thankful, as to have to look to them for our *eating stuff*."

"Hark ye sir," exclaimed Ripley Dair, in a tone which gave a jar even to Schrowder's sturdy nerves, "I can put up with much insolence, but there are some things which I cannot bear. What's past is past, and I will not harbor grudge for it; you have drank at my table, and been speaking on my land, but remember that if you say anywhere else what you said here just now, your relations may have occasion to pick out a burial place for your own corpse before long!"

Schrowder looked up into his face with unfeigned astonishment.

"You are not getting mad about such a thing as that surely. I didn't intend any personal reflections. Every tribe of people has its customs, and I only wanted to say that yours has some very queer ones. Just consider the matter yourself. Individuals with you can't live forever, nor can they with us; why then should there be any difference in the——"

Dair interrupted him, "Say no more. I am sick of your very voice. You have seen the plantation, and you know my price—tell me do you wish to buy it or not?"

"I didn't look at it with any thought of buying," said the New Yorker frankly.

"The mischief you did not! And I have been tramping about with you this half-a-day."

"Why you see Mr. Dair, Mose Hawkins——"

"Oh I understand all about it. Mose Hawkins is a knave, and you are a fool. Good day to you sir! I will not ask you to stay, for I know that if you are so pro-

voking sober, you would be outrageous, drunk; the liquor might get into *my* head too—and then I'd hurt you, which I don't want to do in my own house."

"You ought to break yourself of this selfish disposition, rejoined Schrowder, "I've got a lot of ground not far off from here, and as we are going to be neighbors, we ought to be friendly and sociable."

"*Sociable!*" repeated Ripley Dair with an oath, and turning upon his heel walked away to digest his anger."

"Well, he's a hard case!" muttered the visitor, who departed without another effort to establish the acquaintance. In the course of that day he had witnessed two scenes, either of which was surprising enough to furnish him with many an hour's meditation.

CHAPTER II.

It was a day in mid-summer, when Sidney Everlyn's father brought her to Everstone, which was now ready to receive them in its new position. The building was not indeed quite completed. But it afforded more than enough room for that small family. Such care had been taken in the reconstruction, that it had lost nothing of the antique air which made it appear so venerable at Anderport. The marble blocks jutted out from the walls as before, and presented to the elements the same surfaces that had become dingy under the storms of seven hundred British and American winters. Everlyn, with admirable taste, had preserved just enough of the native forest trees to supply abundant shade without gloom. As you walked around the mansion, a new vista opened at each point. No unsightly stumps appeared, to wound the eye, and though the velvet lawn—an impossible achievement for a single spring—was as yet wanting, the spacious grounds exhibited so many charming features that the deficiency passed unnoticed.

The most fastidious might have been contented with such a home, yet it was to Sidney what it could not be to any one else. The hope of returning to that family seat had been her father's ruling passion. Remote from his friends, and a widower, he had no companion but her to whom he could confide the long cherished purpose, and the circumstances which, from time to time, arose to impede or advance its accomplishment. As he each night sought his lodgings, wearied by the day's labor at an uncongenial employment, he had those bright eyes to greet him, and her sympathizing ears were ever eager to learn how much nearer Everstone was then than in the morning. The father might find his newspaper dry and unentertaining; the daughter might know moments when even her music, to which she was passionately devoted, failed to furnish its wonted solace; yet there was a theme upon which father and daughter could always converse with animation and delight.

Sidney had not grown up a recluse. She had mingled in society and been its ornament. With all her enthusiasm, she could fill her place among the most gay and mirthful. Mr. Everlyn, however, was inclined to form no associations which might disturb the memories that bound him to his native soil. He felt like one away from home temporarily, and could think but of two things:—first, the business which occupied him; and, secondly, the *rest* that he should enjoy on returning. Sidney could be happy among her youthful companions, but she was most happy with her father. His thoughts were her thoughts, and his hopes her hopes. The pair had left Anderport, a man in the prime of his vigor and a prattling child; when they came back, the man was in the autumn of life, the child had reached the stature and bloom of womanhood. The years which had passed had been able to rob the older of little of his enthusiastic zeal, while they had bestowed a double portion on the younger.

It is hard to say which felt the deepest joy in that first night's repose under the shelter of the renovated, yet unaltered Everstone. But, no; it is not after all a matter so difficult to decide What though Everlyn grasped in that instant the reward of sixteen years' toil? what though he saw himself the independent master of that homestead which he had left in poverty?

no *man* is capable of the emotion which Sidney's heart knew. On his side was reality; on hers, reality, and imagination, and passion. She was to sleep where all the Everlyns before had slept for generation after generation. The floor on which she stood once covered ground where her ancestors had battled, now with Saxon, and now with Norman, in defence of British freedom. In times long after, that window out of which she now looked in the clear moonlight over the tree-tops of a trans-atlantic forest, had been a vent for the flames kindled to punish an Everlyn's loyal service of his king. And in still later days how many scenes—of intense interest to her, though unchronicled in history—had been transacted within those walls?

The night passed,—and another,—and another. The first thrill was over. She no longer lay awake from mid-night to dawn, thinking of mail-clad knights and dashing cavaliers; every dream was not now crowded with pictures of the olden time; she felt *at home* in the mansion. Yet her attachment to the ancient structure was not diminished, because it had rational as well as romantic grounds to rest upon. Her daily walks made her realize that the building was not surrounded with the scenery that fancy represented—it did not overlook the broad Severn, nor did the blue crags of Wales frown in the background—but it became only the more endeared to her, when she recognized it in the midst of a landscape so beautiful and wild as that which the eye surveys from the heights of the Hardwater. There was scarcely an hour when she did hasten—every feature glowing with a joy whose like is never seen upon a countenance less radiant and expressive—to inform her father of some new discovery, an object remarkable for its beauty, its picturesque position, or some other equally charming quality.

A different effect was produced on Everlyn. Instead of sharing her exhilaration, he became thoughtful and depressed. Was it wonderful? Age had laid its hand upon him. His waning strength, the deepening furrows on his brow, and those numberless other silent monitors of decay, told that this loved spot must soon be to him no more than it was to the myriads who had gone to the last, common home. There had always been a tinge of melancholy in his temperament. Hitherto a strong motive existed to arouse him to exertions, which left little time for despondent musings. That stimulus was now removed; the long-desired object was gained; the journey's end was reached. It was not unnatural that his nerves should relax when there was no labor to make them rigid—that his resolute cheerfulness should depart with that which had been its support.

Not quite two weeks after their arrival, Sidney, returning from a morning's excursion, exclaimed, "Father! father! what do you think I have found? It is strange that I never noticed it before!—so near the house, too!—I must have been by it a hundred times. But, perhaps, *you* knew of it all a-long—is it so?"

"You must tell me what it is, before I can answer," replied Everlyn, smiling. I am acquainted with a good many things about here, that pretty spring for instance; and, since you have told me of it, the broad moss-covered rock, which, by the way, the mason is now anxious to appropriate as a hearth-stone for one of the quarters"——

"But you will not let him have it, I am sure," interposed the daughter eagerly.

"No, I told him that he must go to you, since the discovery gave the right to dispose."

"Ah," replied Sidney, "good Mr. Murphy knows well enough what answer he would get from me, and he has made no application. But, I came to speak of something very different—that great chestnut, with a hollow as capacious as the little octagon chamber above the door-way. The tree stands at the further end of the beautiful natural terrace which you took me to visit the very day we came here."

"I have seen the tree," said Everlyn.

"Have you indeed, father? well, I suspected that you might. No doubt there are many other fine objects known to you, which I have not yet observed. But I do not ask you to show them to me. You know that I shall have plenty of time to make researches during the many happy years that are to come."

Everlyn here drew a deep breath which sounded very like a sigh.

Sidney, without noticing the involuntary expression of pain, continued, "It is a noble tree, and, I am certain, must be an exact copy of that—it was *chestnut* too, you know, father!—within whose trunk Maurice Everlyn hid himself the night the Roundheads came and burned his dwelling. Dont you remember how the account says that he extended his head from the opening in the tree, and watched the flames from story to story? How he must have felt in gazing upon such a spectacle! Doubtless he was nearly as heartbroken as *I* should be if anything were to happen now to Everstone."

The animated girl added, immediately afterwards, "But if such an event should come, would it not be a comfort, father, to have this great chestnut to fly to? I declare there must be a degree of pleasure in going through such exciting scenes! A sad pleasure, indeed, and I hope we shall never experience it. Yet we can feel a satisfaction in reflecting that even in these peaceful and unromantic days we have something to remind us of the adventures and perils which previous generations have had to encounter. Will it not be delightful for us to pay frequent visits to the noble chestnut, and to remember, beneath its shade, how Everstone was once lost?"

"I could find no enjoyment in such a meditation," said Everlyn.

Sidney, with surprise, rejoined, "Why not, father? Though the mansion was lost and nearly destroyed, we know that it was afterwards recovered. Does it not stand this hour as sound and as firm as when Cromwell was unborn?"

"Yes, Sidney; but I am too old to go through the task a second time."

"And what occasion that you should, father? The legend, indeed, runs that the house is to suffer a perpetual recurrence of disaster, yet it has hitherto been indulged with pretty long *intervals* between the critical periods. Did not five hundred years elapse between its founder and the cavalier, Maurice? Then, I'm sure it had a good rest after it arrived at Anderport. Sixteen years of adversity passed, and it is here. It must remain secure during *our* time—so let coming ages look out for themselves."

"But, according to your own showing, Sidney, the spaces of quiet have been growing shorter—first, five hundred years; then, less than two hundred——"

"So let it be," answered the daughter. "Suppose this is a law of its existence, and that the days of rest must continually be shortened like the lives of the Patriarchs: the old building has a right, at this rate, to look forward now to nearly a century. Or if it has sunk even to the Iron Age, it may claim its repose of three-score years and ten."

"Sidney, there is too much reason to fear that the hour of trouble will come sooner than that."

At a loss for his meaning, but struck by his tone, even more than by the words, Sidney raised her eyes anxiously to his face.

Everlyn continued in the same manner, "Within the space of six months—nay, perhaps, of less time—we may have to yield up this place to the possession of strangers."

Sidney's lip uttered not a request for an explanation: she had no need; for that continued fixed gaze appealed to him with an earnestness which it was impossible to resist.

"I have purchased this estate, you are aware, Sidney, and paid for it. But it seems that the title is to be contested by an adverse claimant."

"But will not this prove a mere threat," said Sidney—"Is there any danger?"

"I fear there is."

"Did Mr. Astiville know of the defect in the title—and if so, why did he not tell you?"

"He did know of it, and he did tell me," responded Everlyn.

"And still you completed the purchase?" said Sidney. "Could you expose so much to hazard?—all your hard earnings, the land, the house?"

"It was gross and culpable imprudence, Sidney. I recognize the error now—but it is too late for remedy. To live at Anderport, with the prospect of an annual fever, was out of the question. I saw this spot—noticed its capabilities, and believed that nowhere could a more fitting site be found for our new Everstone. The undulating surface—bold but not precipitous, the wide prospect, the innumerable fountains of clear, perennial water, the salubrious air——"

"Oh, it is delightful here——" interrupted Sidney. "In such a home one could feel it happiness to exist, and even find it less a pang to die."

"And these *trees*, Sidney—they fascinated me more, I think, than anything else. Look at them! Not a park in England can furnish their compeers. And what a variety! How finely the different foliages blend! Mark the contrast in contour—see each tree throw out his branches after his own fashion. They are all grand and majestic—all equally imposing: yet the sweet gum in the vale yonder is not a copy of its neighbor, the sycamore. On the hill the chestnut and the chestnut-oak stand side by side:—emulous rivals they are, not dissimilar in foliage, equally valuable as timber; but see the different instinct which guides the flowing sap of each. The oak towers to the sky, the chestnut swells his trunk and spreads out his horizontal arms over a vast circumference. There are scores of other examples, not less striking, scattered around. And these are no puny shrubs, brought to pine out a sickly existence in unnatural fellowship. They are from Nature's nursery, and show, by the test of centuries, that both soil and climate are congenial to their hardy frames. But this talk is folly. Another winter and every tree we behold may be hacked down and dismembered. I had almost as soon see them shed my own blood with their villanous axes; but the law squares not its decisions by the rule of taste, nor—oftentimes—of justice."

Everlyn walked away abruptly. His heart was swelling with emotion, which he dared not tarry to utter, lest he should be tempted into an exhibition of weakness of which he must have been ashamed. Local attachment is far from being an American characteristic; and we cannot easily appreciate the strong grasp which it has upon some natures. Considered in the light of sober reason, it doubtless is very absurd that the human soul should bind itself to anything more earthly than its own corporeal casing. Indeed, but for those curious fibres which are extended over the body, and have the faculty of communicating sensation from the remotest organ to the seat of life, it would require no philosophical fortitude to enable us to slice away one limb after another with as much apathy as the "improved" agriculturist displays when he clears up a grove, or converts the wandering rivulet into the straight-forward ditch. Education effects wonders; and, perhaps, if Evelyn had received a proper training, he would have been as callous and insensible as the rest of us; yet, since he was not as fortunate, would it be wrong to spare him a little sympathy? We may smile in considering the *cause* of his distress; but surely it is humanity to compassionate the suffering itself.

He had foreseen that he might have to undergo a lawsuit to maintain his purchase. The knowledge, however, gave him little uneasiness so long as his mind was occupied with two prior and stronger ideas—the speedy rebuilding of his patrimonial mansion, and the apparently untarnished honor of the man from whom he bought. As the edifice approached completion, one of these pre-occupant thoughts lost ground. Confidence in his friend still remained, but had not a sufficiently controlling influence to shut out apprehension. Faith and Fear, like Castor and Pollux, held alternate possession. Between the two, the man was wretched.

Poor Sidney was even worse off than he. She was made suddenly aware of the overhanging sword without being placed in a situation to examine the texture and strength of the upholding cord. Fortunately, however, her mind had not to brood over this single theme. Since the day when she first appeared to us near Anderport, an important epoch had occurred in her history. She was still, indeed, (to quote Mr. Schrowder's phrase,) "in love with bricks;" but she had learned—as it is to be hoped all the rest of the gentle sex will some day learn—that there is another class of objects capable of inspiring a like deep affection. The individual upon whom her fancy had fastened, was not precisely the one who might have been supposed qualified to captivate the heart of the Louisville belle. Perhaps Somers owed his success, in some measure, to the accident of their meeting on the brink of the disfurnished cellar. His unassuming appearance had caused her at first to undervalue him: afterwards, a generous sense of justice may have betrayed her into making more than ample amends. But, however we choose to strike the balance between Somers' merit and his good fortune, it must be confessed that he was guilty of no remissness in following up the favorable first impression. Much was accomplished in the

steamboat passage down the river, and far more during a six weeks' stay at St Johns.

Sidney, remembering what ready sympathy he had manifested in her enthusiastic family pride, did not doubt that a still warmer interest would be excited by the present emergency. She had a hope too that his clear judgment would discern some defect in the premises from which her father's apprehensive temperament had drawn such an alarming inference. At any rate a lover, though he be able to do no good, is a real support and solace.

Somers, as soon as his engagements permitted, came. Mr. Everlyn greeted him courteously and kindly, and he had penetration enough to see that Sidney was not displeased. The host insisted upon his remaining over night, as he wished to point out to him some of the various advantages of the purchase. Somers with little show of reluctance consented. Before the sun had quite driven off the dew they rode over a portion of the yet almost untouched three thousand acres, Sidney designating the spots where her arbors and rustic seats were to be placed, while Mr. Everlyn marked the sites of future fences, barns, and cattle-yards. As they returned to the dwelling, the visitor made the most full acknowledgments of the capabilities of the tract, whether regarded in the light of taste or utility.

Mr. Everlyn went to give his workmen some directions for their morning's employment. During his absence Sidney remarked, "the prophecy holds its own, Mr. Somers."

"Ah, I recollect; Everstone it seems is destined to be a house of unrest. Are you then so soon weary of this beautiful place? What! do you pine for city gaieties in midsummer?"

She answered seriously, "I assure you the gloom is not voluntary. The sadness does not arise within, but comes from abroad. I could bow to the infliction if I could take it as the punishment of any unworthy fickleness of mine, but would that I were as clear of all sins as of that of dissatisfaction with my home."

Somers perceiving that the subject had not been started merely for the purpose of preventing an hiatus in the conversation, expressed his deep concern, and inquired into the particular grounds of her alarm.

"I am not by any means alarmed," she said in a tone which her utmost effort could not make very cheerful. "The only matter is that some three or four northern settlers confidently lay claim to the whole of this land which my father thought he had secured. As law will doubtless league with fate against an Everlyn, I suppose we must tear down these walls—luckily the mortar is yet hardly dry—and bear them to a spot, if such can be can found, where Yankee footsteps never come."

"Tell me the names of these claimants."

"Messrs. Newlove, Dubosk, and Schrowder—do you not remember them?"

Somers was much discomposed. "Is this certain," he said, "can you not be mistaken?"

"What I have told you," said Sidney," is only too real. But do you know anything of the business?"

"I fear I do."

"Are we then to lose this dear home," rejoined the fair girl with the expression and tone of one pleading for the life of a parent, "oh do not say that I have reason for these distracting fears! What interest can others have in this place compared with ours? Think how much my father has done to change it from a wilderness to what it is now! Remember that he has placed everything here—his life's whole earnings, his patrimony, his *heart*. What has he done to deserve such an overwhelming calamity? Say, would it not be an outrageous wrong?"

"I am sorry, sorry, very sorry," said Somers.

"If you have any power," continued Sidney, "Oh do prevent this! I am sure that our right must be the best. Before we came, this spot was nearly worthless; and even now, these northern people, with all that industry and enterprise which is spoken of so often, can make any other piece of land worth as much to them as this—worth *more*, for all these things which *we* value—would seem to them but incumbrances and eye-sores. We are suited to Everstone, and Everstone is suited to us, why should strangers interfere to make a ruin of both? Can you help us Mr. Somers, can you help us?"

The lover knit his brows and looked troubled.

"At least you will *try* to assist us, will you not?"

"It is a desperately bad business," said Somers vacantly.

"Is it quite hopeless? Are you not able to devise *some* way of escape."

"Escape?" echoed Somers, who was following his own train of thought at the same time that he was apparently listening with the most profound and undivided attention, "escape? yes, I must escape! I can't go through with it, and *will* not. It is impossible—quite out of the question." Then recollecting himself suddenly, he added: "how did it happen that Mr. Everlyn suffered himself to be so cheated by Astiville?"

"He does not believe that Mr. Astiville made any attempt to deceive him," replied Sidney gravely, "He esteems Mr. Astiville as a gentleman, and as his personal friend."

"Does he indeed? Well, I fear your father will find occasion ere long to alter his opinion of that person's character."

Sidney was silent for a few moments, and then said, "you have not told me yet what you think of our situation. Must we despair?"

"No; it is a duty to hope to the very last."

"But is there anything for hope to feed upon?"

"Assuredly," said Somers, assuming a more lively air, "for there is a sad dearth indeed when we cannot find nourishment enough for such an etherial lodger. According to the poets, by the way, hope is not a consumer at all, but is itself an object of food, a sort of capricious manna, abundant at times, and at times greatly in demand. I am certain I have a right to speak from experience. I know, if any one does, what it is.

'To speed to day, to be put back to-morrow,
To *feed on hope*, to pine on fear and sorrow.'

I trust the day may come when the gentle princess in whose service I am, will see how cruel it is to withhold a bounty of such easy bestowment as a single word."

"This is not the kind of answer I seek," returned Sidney. "Why will you not tell me at once whether the house which covers us this moment belongs to him who inherited it, or to those immigrants of yesterday?"

"It is an important question," said Somers, "one's mind ought to be in its most calm state to consider it fitly. And what is there so tranquillizing as music? Favor me with that tune which was promised last evening."

"You forget," answered Sidney, "that it was reserved for to-night. It is an evening strain, and would sound inharmonious without the accompaniment of twilight."

"Yet give it me now, notwithstanding. A harsh necessity will prevent me from waiting at present even till *noon*."

The piano was opened, and Sidney, who did not sanction the proposed speedy departure, exerted all her powers. The notes stirred by her delicate and impassioned touch, kept the listener spell-bound. So long as she played he could not move. She ceased for an instant. Somers, recovering the faculty of volition, rose; then, without speaking more explicitly upon the subject that had caused at least as much uneasiness to him as to the informant, said farewell in an affectionate and earnest tone, and after a few minutes was riding southwardly across the country.

Richard Somers uttered the plain truth when he declared himself to be descended from no illustrious lineage, and he had earned a right to make the avowal without shame. Born in extreme poverty, his own resolute exertions had raised him to a position of usefulness and high respectability. He was a lawyer, and if his profession had not yet brought him wealth, there were few of its members in Redland, or the adjoining counties, who ranked above him for learning and ability. When the three New Yorkers, after their joint purchase of about four thousand acres of land, were informed that their title was to be contested, they thought they could not do better than confide their case to him. This was more than a year previous, but until Miss Everlyn's declaration he had never been made aware that her father was interested in the matter. The lands about which question was raised were mostly wild and uninclosed; his opinions had been formed merely from the examination of deeds and surveys; and though he might have heard that Mr. Everlyn had bought of John Astiville, he had no reason to suppose that, out of twenty thousand acres, that part had been hit upon which alone was liable to controversy. He determined to see his

now unwelcome clients, and, if he could effect it honorably, to release himself from his engagement to them.

The house first reached was that of Caleb Schrowder.

"Why did not you tell me, sir," said the lawyer to him, "that Mr. Everlyn would be one of the parties to your expected suit?"

"I really wasn't be-knowing of it," answered the farmer, "till the day after I see you last at Anderport. Then I found out that the old John Astiville had been cute enough to sell three thousand acres that didn't belong to him. You have come from Mr. Everlyn's just now, havn't you?"

"Yes, I staid there last evening."

"That's right," said Schrowder approvingly, "I thought you'd be one to understand how to manage business. It's doing like we read of in the Good Book, where it says two of the children of Israel went to spy out the nakedness of the land, so that afterwards they might come with the blowing of the trumpets to take the strong cities. I suppose you drew out of Everlyn what particular rudiments he's going to rest on. Perhaps you got sight of some papers, or the like?"

"No," said Somers, not a little disgusted, "I went there for no such purpose, so far from it, I came this morning to request you if possible to secure another advocate in my place."

"You are in a big hurry to give up," said Schrowder, with an expression of some alarm, "do you think our chance so very bad?"

"Not at all," answered the lawyer. "My wish to withdraw arises from other considerations altogether."

"Well, then," said Schrowder, "I don't see as I had ought to take your leaving on us very much to heart—lawyers don't seem no ways scarce in this country. I rather guess there's plenty would jump to get such good customers as us. But you'll have to see Mr. Newlove about this, he ought to be chief cook, or at least his gal ought."

So, to Mr. Sylvester Newlove, Somers next proceeded. He found him comfortably lodged in a neat and well-furnished frame building. It was then that he first saw the retired merchant's only daughter. No body probably ever called Emma Newlove beautiful. Yet her features were not irregular, and her whole countenance as she looked at you wore such a glow of earnest, sympathizing interest, that it was impossible not to feel flattered and attracted. She charmed differently from most of her sex. She was one of the few who are first loved and *afterwards* admired.

Somers in brief terms informed Mr. Newlove that he had just discovered very unexpectedly that the suit which was about to be prosecuted would require him to appear in opposition to a friend whose cause he could not with any gratification see defeated. "I became acquainted with Mr. Everlyn," he added, "a number of years ago, and I have since partaken of the hospitalities of his household; consider, then, how I must now feel. Whatever cause I engage upon, I would not desire to be a lukewarm advocate; yet, under these circumstances, you must perceive that it is scarcely possible that I could be as zealous in your defence as I ought."

"I am sure," said Mr. Newlove, "I do not know what to say. Emma, speak for me."

His daughter, thus called upon, said in her soft, kindly tone:—"If I understand you, Mr. Somers, you see no reason to doubt the rightfulness of our cause."

"None," he answered. "There never was a suit which I could support with a clearer conscience. Were it to be urged against John Astiville only, I should not feel the slightest reluctance, but Mr. Everlyn, as well as yourselves, purchased his lands in good faith, and did not dream that he was infringing upon the rights of others. Thus, in an equitable sense, *his* cause is just, and *yours* is just."

"Yet," said Emma, "I am sure you will admit that one must be better than the other, and that there is a rule which ought to decide between them—which of the two stands on the most firm legal foundation?"

"Most candidly and frankly, then," replied Somers, "I assure you that, in my opinion, your title is the best."

Emma, after an instant spent in meditation, raised her eyes and said: "We are strangers, here, Mr. Somers, totally unacquainted with any whom we can look to for advice; we would not have our rights

trampled upon; in you, sir, we see a person capable of having justice done towards us, and a person, too, who, I can not doubt, possesses all that unswerving integrity which is so much needed in an advocate, and—it is said—so seldom found in any. Think us not unreasonable in desiring to retain your assistance—blame Nature, sir, who has given you the appearance of one worthy to be confided in. Thus much of character we are able to distinguish in the voice, to read on the countenance, and knowing this, we may believe on the world's assurance, that Mr. Somers is also gifted with every other quality which his clients can ask for. Judge you, then, sir, whether we ought to be willing to lose the benefit of this legal ability, and perhaps to see it arrayed against us?"

"Do not suppose for a moment," answered Somers, "that if I should not be your lawyer, I could act against you. Every sentiment of honor must forbid such a course. Understand me, I pray you, I do not hope for Mr. Everlyn's success at your expense. Whatever be the result, it must give me pain. Yet, I am disposed, without murmuring, to let the law decide. All that I ask for, is to be relieved from the necessity of being myself an agent in my friend's injury."

"I am sure, Mr. Somers," said Emma mildly, "that I speak for my father, when I say he has no disposition to insist upon your incurring the slightest embarrassment or pain. Procure us, then, sir, another person to act in your stead, to whose hands our rights may be as securely committed as to your own—do this, and we relinquish all claim to further counsel. Upon you, is now our reliance; do we ask too much, when we ask that you may not leave us to be wronged and betrayed?"

"I thank you," said the lawyer, "I thank you for the release from my engagement—and I thank you most of all for the confidence you repose on me. Be assured it is not misplaced."

Somers went to Daylsborough, the county seat, with a heart much lightened. On the way he thought over those whom he might select as counsellor for the New Yorker. As Caleb Schrowder had remarked, there was an abundance of lawyer's signs on the doors, around the Court House, but of the whole number of practitioners at the Redland bar, there were not many honest, not many capable, and very few indeed both capable and honest. He visited several whom he thought most reliable. To his surprise he found them all retained by the parties on the other side. He was not prepared to see such extensive precautions taken in a case which, however protracted it might be, involved merely a question of fact, not of law.

In Daylsborough, there was an attorney named Mallefax, one of the sharpest of a class whose acuteness is not of a kind to do them any credit. Such was his capacity for mischief that the only wonder was that he did not effect more. Fortunately for the peace of the community, however, almost every individual in the county was acquainted with him, and he must have been a fool indeed, who, knowing Mallefax, would trust him.

This individual met our friend in the street, "Oh Somers," he said, "how do you do?—in a hurry eh? I wish you would drop into my office in the course of half an hour; I want to have five minutes talk with you about that matter of Johnson's."

"Very well, I will," said Somers; and not long afterwards, he proceeded to fulfil his promise. When he entered the office, Mallefax had his hat on, and exclaimed, with a sudden glance through the window, "There goes Higgs now!—I have a judgment against the fellow, and those sweet sheriffs always take pains to keep their eyes shut when they ought to be open. Take a seat Somers, take a seat—I'll be back in one instant"

Thus saying, the attorney brushed by, but did not leave his visitor alone. In the arm-chair, beyond the table, sat a personage of more importance than might have been inferred from his shabby blue coat, and mean, pock-marked features. It was John Astiville, the wealthiest man of three counties. He treated the meeting as if accidental, but addressed the lawyer of his opponents as graciously as his habitually consequential tone allowed. They talked for some time upon various indifferent topics. Somers, however, had no inclination to court his intimacy, and the conversation began to flag. It was then that Mr. Astiville, by the sonorous clearing of his

throat, seemed to be preparing to utter something of more moment.

"I have been thinking, Mr. Somers, of buying another block of houses in St. John's—that place, by the way, is improving greatly—now, I wonder if I couldn't get you to examine into the title for me. It is not every one that I would trust. Crawford, you know, has been doing most of my business, but he has become quite advanced in years, and is failing fast."

Somers merely inclined his head, and remained silent.

Astiville continued, "The old man is careful, very, but too slow. I want some one who is not only prudent, but prompt and enterprising. To a person that suited me I could, myself, insure a very pretty practice."

Somers had the reputation of being a keen, energetic man of business. All who had dealings with him declared that they had never seen any one more cool, sagacious, and long-sighted. Astiville, who was not accustomed to associate shrewdness with a very scrupulous morality, thought the thrifty, self-made lawyer would be the last man to reject the side where the greatest pecuniary advantage lay. So, he went on confidently to ply him with persuasions.

"I hear these New Yorkers want to get you to plead for them; but I presume you are too wise to be so taken in. Their cause is sure to be very unpopular; depend upon it, no jury that can be got in Daylsborough will ever decide for the Yankees, against two of the oldest families in the county—I mean the Astivilles and the Everlyns. Indeed, it would be a plaguy shame if they did. There's Everlyn, now, who would lose I suppose nearly all he has in the world; for, of course, I gave no warranty when I sold the land, and he'll have to depend upon the law without looking to me."

"Yet it seems," said Somers, "that the New Yorkers bought of Compton's executors previous to Mr. Everlyn's purchase from you—whether he knew of the fact I cannot tell."

Astiville answered quickly, "Whether he knew it or not is nothing to the purpose. What concerns you most, I suppose, is not to be on the losing side; and I tell you, Mr. Somers, that if you undertake for Newlove, and the rest, you will find the whole voice of the county against you. Mark my words, for as certainly as clouds bring rain, they will be verified."

"Whether I become advocate for these Northerners," said Somers, "is as yet uncertain, but though I should refuse to be, I could not engage against them."

"In this suit you mean," said Astiville. "That's all very proper and correct. Of course, you couldn't think of going straight over from one side to the other. Just let me show you how it can be managed. One of the New Yorker's—that conceited, nasal-toned, prating fool, called Schrowder—has got into a war with the squatters—not by your advice, I suppose."

"Certainly not," said Somers; "this is the first I have heard of it."

"I thought as much," continued Astiville; "you see what a fine thing it is to have a client who possesses a judgment of his own. Suppose now I give the squatter, Foley, a hint to hand you a retaining fee—this is a private matter between him and Schrowder, so there can be no harm in it."

"No, sir," answered the lawyer, decidedly; "I prefer to have nothing to do with the affair."

"Well, act as you please," said Mr. Astiville, "but think of what I have been telling you."

At this he favored Somers with an equivocal sort of nod, and left the office. It was a surprising coincidence that the rich man was no sooner through with his business than Mallefox was able to disengage himself from his avocation in the street. He re-entered with a great bustle; but the communication he had to make was so unimportant that Somers could easily conjecture that in this matter, as in some others, the ostensible object was not the real one.

The following Monday was court day. Among the crowd, whom the occasion drew to Daylsborough, Somers observed the solemn physiognomy of Caleb Schrowder. The New Yorker came up, caught him by the arm, and drew him aside—"Look here, Mr. Somers, I've been planning a mess of work for you."

"Well, out with it, then," said the lawyer, not over-courteously.

"Why, you must understand," said

Schrowder, "that this chap, Foley's got a cabin on the lot of land I bought. You may depend I wasn't slow to give him notice to cut dirt. What do you think, though? He sticks up his nose and grins in my face, and tells me he wouldn't quit the land nohow. But I was determined to show him I came from a place where folks knew something about law. That corn and cabbage patch of his is a nuisance, right in the midst of my ground—yes mine, bought and paid for—wasn't it a nuisance, now?"

He looked up with inquisitiveness; but Somers only said—"Go on."

So he continued—"Sure as preachin' it is a nuisance—and I went to stressing of it."

"You mean abating, I suppose," remarked Somers, with a smile.

"I don't know what you call it down South, but in York state it's stress. At any rate I sot to work tearing down his fence; and then, since the hogs would have got at the cabbage, I thought I might as well pull up some, being as folks are in want to home, and what I took could go for part rent. This Foley, though like a wild Injin, stove right at me."

"Did he make that blue spot under your eye?"

"Is there a spot sure enough!" said Schrowder. "Well, I thought I felt a light tech, but of course I weren't a going to have a scrimmage with a low-lived beggar like him, so I walks off. Now, I want the law to talk up for me."

"The best advice," said Somers, "that I can give you is to settle this affair in the most quiet way possible."

"But shall I leave that blackguard on my lot?"

"No; pay any moderate sum he may ask, and get him off in that way."

"Pay him!" exclaimed Schrowder in a tone of amazement. "Has he any right to the land?"

"None," answered Somers.

"What has he got to sell me then?"

"Possession; and that is a thing which you will find it very difficult and very expensive to get in any other mode."

"Chop me up into mince-meat if I pay him one cent," said the New Yorker indignantly; "you'll fix it up for me in court, wont you?"

"I'll manage it without going into court; give me leave to offer him fifty or a hundred dollars."

"I wont—I wont—I *wont*,"—said Schrowder, shaking his head with marvellous rapidity.

"Look here," said Somers, seriously, "You know what hornets are I presume? Well, you would do better to make a football of a hornet's nest than to enter into a a contest with Foley, or any other squatter. In the one case, you might be very uncomfortably stung, yet you could, perhaps, get somebody to fetch you hartshorn or onions; stir up the squatters, however, and you will draw the whole neighborhood upon you. Your land itself may be lost in the squabble."

"That's my look-out," answered the New Yorker; "so just say the word, will you do this job for me, or must I hire somebody else?"

"You may ruin yourself if you choose," said Somers, "but I will not help you do it."

Schrowder turned away with dogged composure. Seeing Tom Foley in earnest conversation in front of a tavern, curiosity to learn what was the subject of his discourse, prompted him to direct his steps thither; and though he had good reason to doubt the propriety of intruding upon the squatter at his lonesome dwelling in the woods, he felt no apprehensions under the shadow of the Temple of Justice. The crowd certainly looked rather shyly at the Northerner as he approached, yet, saving bodily peril, it would be difficult to imagine anything that could daunt or disconcert his father's son. Foley, altogether engrossed with his harangue, was perhaps the only person who did not notice the new-comer. "Hang the Yankees!" he said, "what good do they do here any way?"

"I'll just inform you, my friend," said Schrowder, and then, as Foley jumped around very suddenly, and faced him, added, "that is if you will keep down the unruly passions, and listen to me, and open the doors and windows of your heart to instruction. Do you ask what we Yorkers come for? Why, it is to civilize you all, and show you the things that are right. All around here, what can you behold that's in sorts? Where's your ploughs, your rollers, your cultivators, your churns, your sassage-choppers, your hoes even? I

haven't seen one decent thing since I have been here. Stir yourselves up folks, and learn, if you can, from them that know how."

"Where were your gloves made, Parson?" and the inquiry came from a bystander.

"My gloves?—*where's* my gloves?" said Caleb Schrowder, anxiously feeling his pockets; "P'shaw, I left 'em to home. Yes, I know I did; I told wife to darn a hole in the right thumb."

"You are mistaken, they're on your hands now!" replied the man, with a laugh; "and see, there's the hole, too," he added, pointing to a wide-gaping seam in the horny skin of the Yorker's palm.

"Yes," cried Schrowder, no ways abashed, "them's hands that a body needn't be ashamed to own. They are paws to work with, not to pick shumake and handle cards. If *your* hands were as hard as they'd ought to be, this country would have fewer gullies, and pines, and bull-briers. That's the first pint: you ought to be less lazy. You see, I'm not a false prophet, that comes to flatter and delude you; but I speak the truth in all plainness—fearing nothing. In the second place, all you people wants edicating. You don't know how to do right, and therefore you couldn't do it, though you were to try ever so hard. Your rules of farming are bad—that is if you've got any rules, which I much misdoubt; your laws, may-be, were once worth some little, but they are now like a nest of eggs that a settin' hen has quit—neither good sass for puddin' nor live hopping chickens. The big-bug 'stoc-racy has turned you loose, yet you aint got into free suffrage--you stand betwixt and and between, to let the good-for-nothing constables pull your noses and card your backs. The only thing you are smart at is in making the darkies mind you, and I can prove to anybody's satisfaction very quick that you might have a much better business."

As Schrowder paused one second, to brush his sleeve across his mouth, and to take in a fresh stock of breath, a huge, good-natured-looking man, whose voice was marked with the peculiar and drawling softness of the "up-country," gave him a nudge with the elbow, and said, "Shut up, neighbor, or you may find yourself in a fix." The New Yorker, heartily despising the well-intended suggestion, opened his mouth, and was about to resume the discourse, when Tom Foley got the start of him.

"Hear *me*, gentlemen; I reckon I'm worth as much attention as that bag of wind. Do you want to understand what the Yankees have come for? It's to get our land and drive us from the country. What business have they with our laws, or farming either? Can't we lay off our own corn-rows, without having them to set the stakes for us? A few rich people may be willing enough to have new settlers come and buy from them, but I wonder if *we* are helped?"

"Get more honesty, then," interposed Schrowder, mounting a horse-block and gesticulating with less grace than energy; "Be more honest, I say, and you won't be so discontented; give up what don't belong to you, and buy land of your own if you've got the chink to do it with; if you aint, pull up sticks and and sneak off to Massissippi, or Texas, or some place else."

"Who are you calling sneak?" exclaimed Foley, grasping the lappet of his adversary's coat.

"Stop, stop!" said Schrowder, "let's argyfy the matter."

"Yes! you copper-faced Yankee, I will argue it sure enough. What do you think, neighbors, this chap's no sooner got a deed from Compton's heirs than he must take to smashing my fence, and stealing my cabbages, though I've been on the place before ever he knew, I reckon, that the world had any better country than his cold, rocky, diggins. I have a plagey sight firmer title to the land this minute than he has, for old John Astiville says I shall have a hundred acres, without a cent to pay. See what a difference there is between a true gentleman—for old John, if he *is* close, is a gentleman—and these mean pork and molasses trash!"

"Your brag, gentleman," said the other boldly, "is mighty generous with what is not his, but you may just calculate on this —there are more on us Yorkers than you think of, and there's plenty to come—we'll soon be able to brush you all away like fleas. Then, when we get the lines in our grip, if you don't act conformable, and raise your bread on your own lot, we'll

have to build up some nice stun penitentiaries to feed you in."

The vaunting prediction was rather prematurely made, as the prophet soon saw plainly enough. More than one clenched fist was shaken in his face, more than one mouth rolled forth accusations and threats. Poor Schrowder, in great trepidation, looked around from his elevated position. "Ain't there no constables about here," he said, "to save a body from being murdered?"

"Yes, I'm one," said a man, pushing through the crowd, "do you want my services?"

The New Yorker, much relieved, beckoned with his hand, and said, "that's it, come quick!"

The person invoked advanced, and stepping upon the horse-block, stood by his side. "You want my help, do you?" said he, "well of course I can only give it as I know how—you say that we are good-for-nothing constables, and are only fit to pull people's noses, so don't be astonished."

But Caleb Schrowder *was* astonished, and in leaning back to avoid the significantly adjusted fore-finger and thumb, forgot the limited dimensions of the block, and ere he could well exclaim "Bimer Zouterdout!" had measured his length on the gravel.

The ridiculousness of his appearance as he lay with sprawling arms may have saved him from more serious mishaps. The large good-natured man, who had before interposed, was too zealous a peace-maker not to avail himself of the present favorable opportunity. "Let's let him go boys, he's not worth more than to be laughed at. And you friend," he added, addressing the discomfited northerner, who had now recovered his feet, though not his courage, "make tracks as fast as you can, don't stop in Daylsborough. Remember we haven't had our dram yet; after that you might not get off so easily. Go before you get so battered and altered that your wife won't let you in—keep your tongue to yourself, and *hurry!*"

There was no need to repeat the exhortation. Though Schrowder's breast was boiling over with pungent reflections, his desire to give them vent, only supplied wings to the speed with which he removed himself and his oratory to a safer locality.

The commotion however, which his imprudence had excited, by no means terminated with the cessation of its cause. The vague prejudices previously felt against the northern settlers, were not only confirmed, but seemed about to be resolved into a determined and lasting hostility. Somers observed this state of the public mind with great concern. For Schrowder, indeed, he entertained little sympathy, but Ralph Dubosk was really a worthy man; and, as to the Newloves, they had won his hearty and unreserved interest. The more he investigated the matter, the greater apprehension he felt that they would fail to receive justice at the hands of a jury. Everlyn's efforts, he found, to secure his three thousand acres were less than those which Astiville put forth for the sake of the remaining one thousand of the contested tract. Every means that cunning could devise had been employed to bring about the defeat of the New Yorkers, and the painful conviction forced itself upon Somers that if he withdrew them, their cause would be nearly hopeless. Emma Newlove's confiding appeal was not forgotten. Ardent as was his attachment to Miss Everlyn, he felt that the sight of her success could not compensate him for the reflection that her gentle and equally innocent opponent had been a loser by his desertion. He was too much accustomed to search the consciences of others to misinterpret the dictates of his own. The way of duty was plain, and he determined to pursue it.

To be Continued.

CONGRESSIONAL SUMMARY.

As a table for ready reference, we have thought it would be useful to present the following list of the members of the two Houses of Congress, taken chiefly from the New York Tribune, which, it is believed, will pretty accurately show their political complexion:

XXXIst CONGRESS.

The Whigs are indicated by *italics*, the "Free Soil," by SMALL CAPITALS.

SENATE.

President —MILLARD FILLMORE, Vice President U. S.

Secretary.—ASBURY DICKENS.

	Term Expires.
ALABAMA.	
Jeremiah Clemens*	1853
William R. King*	1855
ARKANSAS.	
William K. Sebastian	1853
Solon Borland	1855
CONNECTICUT.	
Roger S. Baldwin	1851
Truman Smith	1855
DELAWARE.	
John Wales	1851
Presley Spruance	1853
FLORIDA.	
David L. Yulee	1851
Jackson Morton	1855
GEORGIA.	
John M. Berrien	1853
William C. Dawson	1855
INDIANA.	
Jesse D. Bright	1851
James Whitcomb	1855
ILLINOIS.	
Stephen A. Douglass	1853
James Shields	1855
IOWA.	
George W. Jones	1853
Augustus C. Dodge	1855
KENTUCKY.	
Joseph R. Underwood	1853
Henry Clay	1855
LOUISIANA.	
Solomon U. Downs	1853
Pierre Soule	1855
MAINE.	
Hannibal Hamlin	1851
James W. Bradbury	1853
MASSACHUSETTS.	
Daniel Webster	1851
John Davis	1853
MARYLAND.	
David Stewart	1851
James A. Pearce	1850
MISSISSIPPI.	
Jefferson Davis	1851
Henry S. Foote	1855
MICHIGAN.	
Lewis Cass	1851
Alpheus Felch	1853
MISSOURI.	
Thomas H. Benton	1851
David R. Atchison	1855
NEW HAMPSHIRE.	
JOHN P. HALE	1853
Moses Noris, Jr.	1855
NEW YORK.	
Daniel S. Dickinson	1851
William H. Seward	1855
NEW JERSEY.	
William L. Dayton	1851
Jacob W. Miller	1853
NORTH CAROLINA.	
Willie P. Mangum	1853
George E. Badger	1855
OHIO.	
Thomas Corwin	1851
SALMON P. CHASE	1855
PENNSYLVANIA.	
Daniel Sturgeon	1851
James Cooper	1855
RHODE ISLAND.	
Albert C. Greene	1851
John H. Clarke	1853
SOUTH CAROLINA.	
John C. Calhoun	1853
Arthur P. Butler	1855
TENNESSEE.	
Hopkins L. Turney	1851
John Bell	1853
TEXAS.	
Thomas J. Rusk	1851
Samuel Houston	1853
VERMONT.	
Samuel S. Phelps	1851
William Upham	1853
VIRGINIA.	
James M. Mason	1851
Robert M. T. Hunter	1853
WISCONSIN.	
Henry Dodge	1851
Isaac P. Walker	1855

Total—Democrats, 34; Whigs, 24; Free Soil, 2.

HOUSE OF REPRESENTATIVES.

Dist.

ARKANSAS.

1. Robert W. Johnson

ALABAMA.

1. *William J. Alston,*
2. *Henry W. Hilliard,*
3. Sampson W. Harris,
4. Samuel W. Inge,
5. David Hubbard,
6. Williamson R. W. Cobb,
7. Fran. W. Bowdon.

CONNECTICUT.

1. Loren P. Waldo,
2. WALTER BOOTH,
3. Chauncey F. Cleveland,
4. *Thomas B. Butler.*

DELAWARE.

1. *John W. Houston,*

FLORIDA.

1. *Edward C. Cabell.*

GEORGIA.

1. *Thomas Butler King,*
2. Marshall J. Welborn,
3. *Allen F. Owen,*
4. Hugh A. Haralson,
5. Thomas C. Hackett,
6. Howell Cobb,
7. *Alexander H. Stephens,*
8. *Robert Toombs.*

ILLINOIS.

1. William H. Bissell,
2. John A. McClernand,
3. Thomas R. Young,
4. John Wentworth,
5. William A. Richardson,
6. *Edward D. Baker,*
7. Thomas L. Harris.

IOWA.

1. William Thompson,
2. Shepherd Leffler.

INDIANA.

1. Nathaniel Albertson,
2. Cyrus L. Dunham,
3. John L. Robinson,
4. GEORGE W. JULIAN,
5. William J. Brown,
6. Willis A. Gorman,
7. *Edward M McGaughey,*
8. Joseph E. McDonald,
9. Graham N. Fitch,
10. Andrew J. Harlan.

KENTUCKY.

1. Linn Boyd,
2. *James L. Johnson,*
3. *Finis E. McLean,*
4. George A Caldwell,
5. *John B. Thompson,*
6. *Daniel Breck,*
7. *Humphrey Marshall,*
8. *Charles S. Morehead,*
9. John C. Mason,
10. Richard H. Stanton.

LOUISIANA.

1. Emile La Sere,
2. *Charles M. Conrad.*
3. John H. Harmanson,
4. Isaac E. Morse.

Dist.

MAINE.

1. Elbridge Gerry,
2. Nathaniel S. Littlefield,
3. *John Otis,*
4. *Rufus K. Goodenow,*
5. Cullen Sawtelle,
6. Charles Stetson,
7. Thomas J. D. Fuller.

MARYLAND.

1. *Richard I. Bowie,*
2. William T. Hamilton,
3. Edward Hammond,
4. Robert M. McLane,
5. *Alexander Evans,*
6. *John Bozman Ker.*

MASSACHUSETTS.

1. *Robert C. Winthrop,*
2. *Daniel P. King,*
3. *James H. Duncan,*
4. Vacancy,
5. CHARLES ALLEN,
6. *George Ashmun,*
7. *Julius Rockwell,*
8. *Horace Mann,*
9. *Orin Fowler,*
10. *Joseph Grinnel.*

MICHIGAN.

1. Alexander W. Buel,
2. *William Sprague,*
3. Kinsley S. Bingham.

MISSOURI.

1. James B. Bowlin,
2. William V. N. Bay,
3. James S. Green,
4. Willard P. Hall,
5. John S. Phelps.

MISSISSIPPI.

1. Jacob Thompson,
2. Win'd S. Featherston,
3. William McWillie,
4. Albert G. Brown.

NEW JERSEY.

1. *Andrew K. Hay,*
2. *William A Newell,*
3. Isaac Wildrick,
4. *John Van Dyke,*
5. *James G. King.*

RHODE ISLAND.

1. *George G. King,*
2. *Nathan F. Dixon.*

SOUTH CAROLINA.

1. Daniel Wallace,
2. James L. Orr,
3. Joseph A. Woodward,
4. James McQueen,
5. Armistead Burt,
6. Isaac E. Holmes,
7. William F. Colcock.

WISCONSIN.

1. CHARLES DURKEE,
2. *Orasmus Cole,*
3. James Duane Doty.

TEXAS.

1. David S. Kaufman,
2. Volney E. Howard.

Dist.

VIRGINIA.

1. John S. Millson,
2. Richard K. Meade,
3. Thomas H. Averett,
4. Thomas S. Bocock,
5. Paulus Powell,
6. James A. Seddon,
7. Thomas H. Bayly,
8. Alexander R. Holladay,
9. *Jeremiah Morton,*
10. Richard Parker,
11. James McDowell,
12. H. A. Edmondson,
13. Fayette M'Mullin,
14. James M. H. Beale,
15. *Thomas S. Haymond.*

NEW YORK.

1. *John A. King,*
2. *David A. Bokee,*
3. *Jonas Phillips Phœnix,*
4. *Walter Underhill,*
5. *George Briggs,*
6. *James Brooks,*
7. *William Nelson,*
8. *Ransom Halloway,*
9. *Thomas McKissock,*
10. *Herman D. Gould,*
11. *Peter H. Silvester,*
12. *Gideon O. Reynolds,*
13. *John L. Schoolcraft,*
14. *George R. Andrews,*
15. *John R. Thurman,*
16. *Hugh White,*
17. *Henry P. Alexander,*
18. PRESTON KING,
19. *Charles E. Clarke,*
20. *Orsemus B. Matteson,*
21. Hiram Walden,
22. *Henry Bennett,*
23. *William Duer,*
24. *Daniel Gott,*
25. *Harman S. Conger,*
26. *William T. Jackson,*
27. *William A. Sackett,*
28. *Ab. M. Schermerhorn,*
29. *Robert L. Rose,*
30. *David Rumsey,*
31. *Elijah Risley,*
32. *Elbridge G. Spalding,*
33. *Harvey Putnam,*
34. *Lorenzo Burrows.*

PENNSYLVANIA.

1. *Lewis C. Levin,* (Native.)
2. *Joseph R. Chandler,*
3. *Henry D. Moore,*
4. John Robins, jr.
5. *John Freedley,*
6. Thomas Ross,
7. *Jesse C. Dickey,*
8. *Thaddeus Stevens,*
9. William Strong,
10. Milo M. Dimmick,
11. *Chester Butler,*
12. DAVID WILMOT,
13. *Joseph Casey,*

Dist.

14. *Charles W. Pitman,*
15. *Henry Nes,*
16. James X. McLanahan,
17. *Samuel Calvin,*
18. *Andrew Jackson Ogle,*
19. Job Mann,
20. *Robert R. Reed,*
21. *Moses Hampton,*
22. JOHN W. HOWE,
23. James Thompson,
24. Alfred Gilmore.

OHIO.

1. David T. Disney,
2. *Lewis D. Campbell,*
3. *Robert C. Schenck,*
4. *Moses B. Corwin,*
5. Emery D. Porter,
6. Amos E. Wood,
7. Jonathan D. Morris,
8. *John L. Taylor,*
9. Edson B. Olds,
10. Charles Sweetzer,
11. John K. Miller,
12. *Samuel F. Vinton,*
13. William A. Whittlesey,
14. *Nathan Evans,*
15. *Wm. F. Hunter,*
16. Moses Hoagland
17. Joseph Cable,
18. David K. Carter,
19. *John Crowell,*
20. JOSHUA R. GIDDINGS,
21. JOSEPH M. ROOT.

TENNESSEE.

1. Andrew Johnson,
2. *Albert G. Watson,*
3. *Josiah M. Anderson.*
4. John H. Savage,
5. George W. Jones,
6. James H. Thomas,
7. *Meredith P. Gentry,*
8. Andrew Ewing,
9. Isham G. Harris,
10. Frederic P. Stanton,
11. *Christopher H. Williams,*

VERMONT.

1. *William Henry,*
2. *William Hebard,*
3. *James Meacham,*
4. Lucius B. Peck.

NEW HAMPSHIRE.

1. AMOS TUCK,
2. Charles H. Peaslee,
3. *James Wilson,*
4. Harry Hibbard.

NORTH CAROLINA.

1. *Thomas L. Clingman,*
2. *Joseph P. Caldwell,*
3. *Edmund Deberry,*
4. *Augustus H. Sheppard,*
5. Abraham W. Venable,
6. William S. Ashe,
7. John R. J. Daniel,
8. *Edward Stanly,*
9. *David Outlaw.*

DELEGATES.

Minesota—H. H. Sibley,
Oregon—S. R. Thurston,
New Mexico—Hugh N. Smith.
Deseret—Almon W. Babbitt.

RECAPITULATION.

STATES.	*Whig.*	*Loco.*	STATES.	*Whig.*	*Loco.*
Alabama	2	5	Mississippi	—	4
Arkansas	—	1	Missouri	—	5
Connecticut	1	3	New Hampshire	2	2
Delaware	1	—	New Jersey	4	1
Florida	1	—	New York	32	2
Georgia	4	4	North Carolina	6	3
Illinois	1	6	Ohio	8	11
Indiana	1	9	Pennsylvania	15	9
Iowa	—	2	Rhode Island	2	—
Kentucky	6	4	South Carolina	—	7
Louisiana	1	3	Tennessee	4	7
Maine	2	5	Texas	—	2
Maryland	3	3	Vermont	3	1
Massachusetts	8	—	Virginia	2	13
Michigan	1	2	Wisconsin	1	2
			Total	111	116

Not classed—Messrs. Allen, of Massachusetts, Giddings, and Root, of Ohio.

SENATE.

The Senate organized on Monday, the 3d of December, conformably to the Constitution of the United States. There being a quorum, it was resolved that the House of Representatives be informed that they were ready to proceed to business. On the 6th, a resolution was adopted, authorizing the Vice President, in consequence of an affection of his eyes, to employ a clerk who might assist him in his correspondence. It was stated by Mr. MANGUM, that it was the practice, during the Vice Presidency of Col. JOHNSON, to allow a Secretary to the President of the Senate. There being no organization of the House of Representatives, the Senate merely met and adjourned, from day to day, without transacting any business of an important character, until

Saturday Dec. 15. Mr. BERRIEN after a few introductory remarks offered the following resolution :—

Resolved, That a Committee to consist of three Senators, be appointed to wait on the President of the United States, to notify him that the Senate is now organized and ready to receive any communication which he may think proper to make to them, in relation to matters which are within the sphere of their separate constitutional action.

Mr. CLAY said, that in resuming the seat which he occupied in that body, it had been his desire to take the lead on no subject and of no party, but to perform in the best manner he could the duties of his position. When the same state of things existed a few years ago in the House, the Senate proceeded in the discharge of its executive duties. The only difficulty which had occurred to his mind, related to the deference and respect due to the other House. The Senate occupies two relations to the House of Representatives—both a legislative and a judicial one—it has also a relation to the executive department of the government. Although we might not be able to cooperate with the House, we could, nevertheless, perform our duties as a component part of the Executive of the country. He could perceive no reason why any member of the other House could take umbrage for proceeding with business of this nature, and he did not think any one would doubt the propriety of the course which the Senator of Georgia had seen fit to adopt.

By unanimous consent, the resolution was adopted. The Vice President appointed Messrs. BERRIEN, MASON, and FELCH to form the Committee. After an absence of thirty minutes the Committee returned and reported that it had performed its duty, and that the President had stated that he would communicate to the Senate on Monday.

Mr. DICKINSON gave notice that on Monday next he would move that the Senate proceed to the election of the Standing Committees of that body.

On Tuesday, the 18th of December, on motion of Mr. MANGUM, the Senate proceeded to fill the Standing Committees. No objection being made, the following named gentlemen were elected to fill the respective Committees, *viva voce:*

Foreign Relations.—Messrs. Foote, Webster, Benton, and Mangum.

Finance—Messrs. Hunter, Phelps, Douglass, and Pearce.

Commerce—Messrs. Soule, Davis of Mass., Dodge of Wis., and Bell.

Manufactures—Messrs. Butler, Clark, Jones and Upham.

Agriculture—Messrs. Turney, Spruance, Walker and Corwin.

Military Affairs—Borland, Green, Shields and Dawson.

Militia—Messrs. Dodge of Wis., Morton, Clement and Spruance.

Naval Affairs—Messrs. Mason, Badger, Bright and Miller.

Public Lands—Messrs. Borland, Underwood, Shields and Smith.

Private Land Claims—Messrs. Whitcomb, Davis of Mass., Clemens, and Badger of North Carolina.

Indian Affairs—Messrs. Sebastian, Bell, Rush and Wales.

Claims—Messrs. Whitcomb, Underwood, Stewart and Baldwin.

Revolutionary Claims—Messrs. Norris, Upham, Dodge of Iowa, and Cooper.

Post Office—Messrs. Upham and Soule.

Roads and Canals—Messrs. Atchison, Greene, Foote and Spruance.

Pensions---Messrs. Jones, Phelps, Stewart and Dayton.

Patents---Messrs. Norris, Wales, Whitcomb and Dawson.

Retrenchment---Messrs. Houston, Mangum, Felch and Clark.

Library---Messrs. Mason and Davis of Mississippi.

Public Buildings---Messrs. Davis of Miss., and Clarke.

Contingent Expenses---Messrs. Walker and Baldwin.

Enrolled Bills---Mr. Badger.

Engrossed Bills---Messrs. Corwin and Sebastian.

Printing---Messrs. Hamlin and Smith.

Objection being made by Messrs. HALE and CHASE to the election of the following Committees, by motion, they were filled by ballot as follows:---

Judiciary---Messrs. Downs, Berrien, Bradbury and Dayton.

District of Columbia---Messrs. Yulee, Miller, Shields and Berrien.

Territories---Messrs. Butler, Underwood, Houston and Cooper.

On motion of Mr. MANGUM, the Senate proceeded to Executive business, and subsequently adjourned.

HOUSE OF REPRESENTATIVES.

As a preliminary proceeding to the business of the session, the two great political divisions of the Members of the House of Representatives respectively met in Caucus, on Saturday evening, the 1st of December, to select persons whom each party would sustain for the Speakership. The Democrats, by a majority of votes, agreed upon HOWELL COBB, of Georgia. The Whigs, unfortunately, were disturbed by the following Resolution, which was offered by Mr. TOOMBS, of Georgia:—

Resolved, That we will discountenance and oppose all legislation by Congress on the subject of slavery in the Territories or in the District of Columbia.

The resolution was chiefly opposed by Whigs of the South, and it was finally laid over, to avoid all pretext for a rupture. Six Southern members thereupon retired, and took no further part in the proceedings. The seceders were Messrs. TOOMBS, STEPHENS, and OWEN, of Georgia; Mr. CABELL, of Florida, and Mr. HILLIARD, of Alabama. The caucus then nominated Mr. WINTHROP, of Massachusetts.

Monday Dec. 3. At 12 o'clock, *Thomas J. Campbell*, the Clerk of the last House called to order, and proceeded to read from an informal list the names of the members elect. All except seven answered.

Mr. LYNN BOYD, of Kentucky, moved that the House now elect, *viva voce*, a Speaker. The Clerk appointed Messrs. DUER, of New York, STRONG, of Penn., HILLIARD, of Alabama, and MILLER, of Ohio, as Tellers.

The Roll was then called, and each member, as named, voted for Speaker, with the following result:

For HOWELL COBB, of Georgia, (Democrat) 103; ROBERT C. WINTHROP, of Massachusetts, (Whig) 96; DAVID WILMOT, of Pennsylvania, (Free Soil) 8; M. P. GENTRY, of Tennessee, (Southern Whig) 6; and there were six scattering votes. There was no choice. A *second* vote resulted precisely as the first. On the *third* vote COBB and WILMOT each lost one vote, but the general re-

sult was the same. Mr. HOLMES, of S. C., now moved an adjournment to noon the next day, but the motion was lost. A *fourth* vote was exactly like the last. The House adjourned to the following day.

Tuesday, Dec. 4. The arrivals since the previous roll-call had reduced the number of absent to three. The voting for Speaker was resumed. The *fifth* vote gave COBB, 102; WINTHROP, 96; WILMOT, 10; GENTRY, 6; scattering, 10. There was consequently no election. The *sixth* vote gave COBB, 101; WINTHROP, 97; WILMOT, 9; GENTRY, 6; scattering 11. No election. They continued voting until they reached the *tenth* time, with scarcely any variation, except that the vote for COBB was reduced to 99. The House adjourned without having elected a Speaker.

Wednesday, Dec. 5. The elements of the House were evidently somewhat changing their relations. The *eleventh* vote gave COBB, 98; WINTHROP, 97; GENTRY, 5; RICHARDSON, of Illinois, (Democrat,) 4; POTTER, of Ohio, (Democrat,) 4; ROOT, of Ohio, (Free Soil,) 7; and several scattering. No election. On the *twelfth* vote, COBB had 97; for the others the vote remained unchanged. On the *thirteenth* vote COBB had 93 votes; WINTHROP, 98; and POTTER, of Ohio, had 9. There still being no election, ANDREW JOHNSON, of Tenn., offered the following Resolution:

Resolved, That on the next vote the individual receiving a plurality of votes shall be Speaker, and be so declared by the clerk.

Mr. HOLMES, of S. C. moved to lay the resolution on the table. It was opposed on the ground that on no account should minorities govern. Mr. ASHMUN, of Mass. proposed that if the resolution were adopted the House should vote by ballot. Mr. VENABLES, of N. C. would rather that the whole session should be spent in voting, than that the House should abandon the *viva voce* rule. Every attempt at overcoming the difficulty being ineffectual, the House proceeded to vote the *fourteenth* time, and gave to COBB, 89; WINTHROP, 99; the remaining votes varied slightly from the last vote before. There being no choice at 3 o'clock, the House adjourned.

Thursday, Dec. 6. Mr. MCCLERNAND, of Illinois, proposed, in the form of a Resolution, that LYNN BOYD, of Kentucky, be appointed the Chairman, with power to preserve order until a speaker should be elected. This was objected to, as it would virtually fill the Chair with a Democratic Speaker. The proposition was laid on the table. No arrangement could be effected, and the House renewed its attempts to elect a presiding officer. The *eighteenth* vote, which was the last this day, was as follows: WINTHROP, 100; COBB, 63; POTTER, 18; TUCK, 9; RICHARDSON, 26; GENTRY, 5; and some few scattering. There was no election, and the House at 3 o'clock again adjourned.

Friday, Dec. 7. The voting was resumed to-day with nearly the same feelings and purposes on the part of the members as had governed them the day before. The *nineteenth* vote gave to WINTHROP, 102; to COBB, 63; to RICHARDSON, 29; to POTTER, 15; to WILMOT, 8; and the remaining votes differed but little from the previous voting.

The *twentieth* vote was equally fruitless as the others. The *twenty-first* vote showed that Mr. WINTHROP'S friends, supporting him on the principles of a great party, still stood shoulder to shoulder, while the Democrats feeling it to be impracticable to elect Mr. Cobb, were disposed to desert his standard, without having determined whom they could substitute as his successor. Their voting, therefore, was very much at random, and produced no result except as it showed their want of unity. The next two votes left the question apparently as far from a solution as the first vote of the first day of the Session. The house adjourned. In the evening the democrats held a caucus meeting to deliberate upon some new plan for the settlement of this difficult affair. Mr. COBB, in a brief speech, declined being considered any longer a candidate for the Speakership, and he was, therefore formally withdrawn, but no other person was selected for the support of the party which had hitherto sustained him.

Saturday, Dec. 8. There were six additional attempts made this day to elect a Speaker, but all were unsuccessful. The twenty-eighth vote stood for Mr. WINTHROP, 101; Mr. POTTER, 76; Mr. BOYD, of Ky, 14; Mr. WILMOT, 7; Mr. COBB. 6; Mr. GENTRY, 5; Mr. RICHARDSON, 4; Mr. MILLER, of Ohio, 3; and nine scattering.

After the *thirty-first* trial to elect a Speaker, and there being no choice made, Mr. MORSE, of Louisiana, in order to terminate a contest which he alleged was becoming ridiculous, offered the following Resolution:

Resolved, That the clerk of the House be required to place the names of HOWELL COBB and Robert C. WINTHROP in a box, and the first name drawn out by one of the pages shall be the Speaker of the Thirty-first Congress.

It was well known, said Mr. M. that there are a few individuals who have obstinately been voting against either of the candidates, and would continue against either of the candidates that may be brought forward by the two great parties of this country. This would forever prevent an organization of the House, upon the present plan. It was due to the legislation of the country that one or the other of the two parties should have the control of the organization of that body.

Mr. BROWN, of Mississippi, moved to lay the resolution on the table.

Mr. Root, of Ohio, did not perceive any thing ridiculous in the position of the House, but the attitude of the two great parties might be so. He spoke of Mr. Morse's proposition as a gambling measure, a lottery, in which there were as many blanks as prizes.

Mr. Woodward, of South Carolina, repelled the idea that two parties, because they happen to be large, possess the right to dictate to individuals how they shall vote. He had his reasons for voting against the nominee of the Democratic caucus, and if he could properly give them to the House, he conceived that they would be thought by many who heard him, as satisfactory. He had no candidate of his own, but was ready to vote for any one who was unobjectionable. If a time had arrived when his vote would have decided the question, he had been prepared to give it; but he could not give a mere complimentary vote.

Mr. Morse replied. Would we sit here, he said, and allow a few gentlemen to defeat all attempts at organization, until the public press should cry shame on the representatives of the people? Gentlemen had told the House that they would remain here and vote for months before they would change their position.

Mr. Brown, of Mississippi, indulged in a little humor at the expense of the previous speakers. He trusted that the question would not be further discussed.

The resolution was then laid on the table.

Mr. Schenck, of Ohio, moved the following resolution:—

Resolved, That the House do now proceed to the election of Speaker, and that the vote be taken by ballot.

If adopted, this resolution, said Mr. S. will effect a great saving of time, inasmuch as they could vote twenty times a day by this method. He thought it desirable that the presiding officer should not know by what votes he was placed in the chair—a principle he thought in accordance with the theory of our government.

Mr. Venables said he could not consent to vote for the proposition of the gentleman of Ohio. A vote by ballot for Speaker, if it altered the vote at all, must produce the effect for one of two reasons, either the disposition of the voter to practice a deception as to his vote, or a fear of the responsibility when he returned to his constituents. He had voted many times for the nominee of the democratic caucus. He preferred a Speaker from a non-slaveholding State. He had pledged himself to his constituents to vote for no Free Soiler or Abolitionist, and he meant to adhere to his pledge, whatever might be the result. A vote by ballot may elect a Speaker, but it will be at the expense of breaking down a custom founded in wisdom and productive of the best consequences.

Mr. Thompson of Mississippi could only regard the resolution as a reflection upon some of the members of the body; and being unwilling to vote upon any proposition reflecting upon the motives or integrity of members, he moved that the resolution be laid on the table.

Mr. Schenck replied, and repelled the imputation indicated in the remarks of the last speaker. In answer to Mr. Venables, he referred to the fact that the mode of voting *viva voce*, which had been adopted some ten years ago, was an innovation upon the old, and, possibly, the more wholesome principle of voting by ballot.

The motion to lay on the table was decided by yeas and nays—yeas 162, nays 62.

Having voted the *thirty-second* time, without any decision of the question, Mr. Sweetzer rose and offered the following resolution:

Whereas, This House having balloted seven days for Speaker without an election, it is manifest that, from present indications, no organization can now be hoped for: therefore,

Resolved, That, the Senate concurring, this House stand adjourned until the first day of January 1850, at 12 o'clock.

After referring to the history of the previous voting, he concluded by saying that the democracy had done their duty, and he was unwilling to remain longer in a fruitless effort at organization, and desired to return home to his constituents and his afflicted family, and not stay there at the expense of the nation, until a reasonable time had elapsed, in order to effect a compromise that might promise an organization.

Mr. Wentworth made a few remarks and moved that the House proceed to vote for Speaker, *viva voce*. The House then adjourned to the following day

Tuesday, Dec. 11. The roll was called for the *thirty-third* time, and the vote for Mr. Winthrop was 101; for William J. Brown, of Indiana, 80; for Mr. Wilmot, 5; for Mr. Boyd, 15; for Mr. Gentry, 5; for David T. Disney, of Ohio, 8; for Mr. Cobb, 5; and five scattering.

The last vote this day was the *thirty-ninth*, which gave the following result; for Mr. Winthrop, 101; for Mr. Brown, 109; Mr. Wilmot, 6; Mr. Morehead, of Kentucky, 5; Mr. Boyd, 1; and four scattering votes.

A motion being made to adjourn, Mr. Winthrop addressed the clerk, and asked the unanimous consent of the House to say a few words before the motion was put. Leave being granted, he proceeded as follows:

"It is well known, Mr. Clerk, to many of my political friends on this floor, that I should long ago have withdrawn my name from this protracted contest if they would have permitted me to do so. I have thus far, however, been constantly advised that I was not at liberty to interfere in any way with their action,

and that I could not do so without impairing the best chances of their final success.

I know not how far this opinion may still be entertained; but an occasion seems now to have arisen when it is due to myself as well as to others that I should say publicly what I have so often said privately on this subject. I desire to assure every member of the House that nothing would give me greater pain than to have my name stand, for an instant, in the way of a satisfactory organization of this body.

The highest interests of the country demand that an organization of some sort should be effected, and the personal pretensions of no man should be allowed to prevent such a result.

I am most deeply sensible of the honor which has been done me by my friends during the past week. In the record of their devoted and unwavering support, I shall always find a subject for the proudest, as well as the most grateful, recollection.

And I have only to assure them, in conclusion, that if it shall now be found consistent with their views and feelings to change their candidate, I shall most cheerfully acquiesce and co-operate in any nomination which they may make with better prospects of success."

Mr. Winthrop having concluded his remarks---the question was taken on the motion to adjourn, and lost. After two or three other fruitless motions, the House adjourned at half past four o'clock.

Wednesday, Dec. 12. Mr. Cobb, of Alabama, made a personal explanation, in which he thought it necessary to defend himself from a charge made in the *Union* that he was a disorganizer.

Mr. Wilmot, of Pennsylvania, rose and thanked those who had so long sustained him. Both of the candidates of the two prominent parties having been withdrawn, he thought the object for which he and those who had acted with him contended, had, in a great measure, been attained, and he therefore declined being any longer considered as as a candidate. He trusted his friends would now concentrate their votes on some other gentleman, so that an organization of the House might be effected without longer delay.

After this, the House proceeded to vote for the *fortieth* time. The whole number of votes cast was 226; necessary to a choice 114. For William J. Brown, 112; Duer, 26; Morehead, 17; Stanly, 18; McGaughey, 13; Winthrop, 17; T. Stevens, 2; Rockwell, 1; Outlaw, 1; H. Mann, 5; Vinton, 2; Boyd, 3; Julian, 3, and a few scattering. The free soilers, as a distinct party, had now broken up, and some voted for Mr. Brown, while Howe, Root, and Tuck voted for Mr. Julian, who was dangerously ill at his home in Indiana.

Mr. Stanly then offered the following resolution:

Resolved, That the members of the Democratic party be requested to appoint three members, to confer with three members of the Whig party, relative to the choice of proper officers of the House of Representatives.

This resolution, said Mr. S. had not originated with himself, but with a member of the opposite party of high character and great experience. He ridiculed the idea that there was any danger of the total disorganization of the government from the present condition of the House. No person or parties could bring it about with Mr. Clay in the other wing of the Capitol, and Gen. Taylor in the White House. He desired to give the democrats the choice of a speaker, but he wished that they should choose a gentleman in all respects satisfactory, and who was known by the whole House to be thoroughly competent to a proper discharge of the duties of his position. For himself, having received a number of votes, he begged to decline the honor, both because he was too young, and because his temper was too irascible.

Mr. Bayly of Virginia, replied at considerable length. The present posture of the House he attributed to the equivocal principles of the President on the subject of slavery. It was a state of affairs that he had predicted. The gentleman, said Mr. Bayly, insinuated that something improper had taken place between the Democratic party and Free Soilers. He protested against such insinuations being lightly made. He flattered himself that the gentlemen on his side of the house would be as little likely as any others to enter into an arrangement with the party referred to. But the gentleman had enabled him to brand the rumor as it deserves. It was hardly necessary for him to say that it had no foundation in truth.

Mr. Ashmun interrupted him to inquire if a correspondence had not taken place between the member from Indiana [Mr. Brown] and some members of the Free-Soil party, in which he has pledged himself to constitute certain committees in a manner satisfactory to them. Mr. Bayly knew of no such correspondence. He inquired if the gentleman had authority for saying that such was the case. Mr. Ashmun gave common rumor as his authority. Common Rumor is a common liar, responded Mr. Bayly. He appealed to Mr. Brown, who shook his head. Mr. Bayly then continued and said he was authorized to say that no such correspondence had taken place. If gentlemen of the free-soil party chose to vote for the democratic candidate, it did not contaminate either him or the party supporting him.

Mr. Root rose to comment on Mr. Stanly's resolution. There were others in the House

besides Whigs and Democrats, with rights as members not less important and sacred than theirs; and he would claim them. He protested against any bargain or agreement by which the two great parties will secure the organization of the House to the exclusion of all or any others. Was this resolution designed to carry out the policy of the two great parties upon the free-soil question? If so, what is that policy? As far as he could perceive, it was but to dodge responsibility.

Mr. Bayly interrupted him to say that he had just had a conversation with Mr. Brown, and that he was mistaken in saying that no correspondence had taken place between him and the free-soilers. The correspondence will be produced, and will speak for itself.

Mr. Root continued the debate for some time longer in asserting the rights of the free-soilers and other small cliques, and seemed to be delighted at the dilemma in which the House was placed.

Mr. Brown rose to make a statement. He acknowledged that he had had both an interview and a correspondence with Mr. Wilmot, in which he had stated his principles in regard to slavery. The letters are the following:

"December 10, 1849.

"Dear Sir: In the conversation which I had with you this evening, you were free to say that if elected Speaker of the House of Representatives you would constitute the Committees on Territories, the Judiciary, and the District of Columbia, in a manner that should be satisfactory to myself and the friends with whom I have had the honor to act. I have communicated this to my friends; and if, in reply to this note, you can give them the same assurance, they will give you a cheerful and cordial support.

"Respectfully yours,
"D. Wilmot."

Hon. Wm. J. Brown.

"Washington City, Dec. 10, 1849.

"Dear Sir: In answer to yours of this date, I will state that, should I be elected Speaker of the House of Representatives, I will constitute the Committees on the District of Columbia, on Territories, and on the Judiciary, in such manner as shall be satisfactory to yourself and your friends. I am a representative from a free State, and have always been opposed to the extension of slavery, and believe that the federal government should be relieved from the responsibility of slavery where they have the constitutional power to abolish it. I am yours, truly,
"W. J. Brown."

Hon. David Wilmot.

Mr. Wilmot confirmed Mr. Brown's statements. He had only desired that the popular sentiments of all sections of the country should be permitted to be heard. He merely wanted able and impartial men, from the South as well as from the North, on committees charged with the consideration of slavery questions.

Mr. Stevens of Penn.—I wish to know from my colleague whether, from his conversation, he had reason to believe that the Committees would be formed of a majority of those in favor of Free Soil?

Mr. Wilmot—I had reason to believe that a majority of the Committees would have had placed on them a majority of fair Northern men. [Laughter.] Nothing more; and that was an inference I drew from the conversation.

Mr. Inge—What do you mean by fair Northern men?

Mr. Wilmot—Men who would not act in Committee from political considerations, or attachment to party, and especially to the Administration, and who would not be asked to smother the expression of the people of the North.

Mr. Inge—I understand by fair Northern men, those committed to the Wilmot Proviso.

Mr. Wilmot—Not by any means.

Mr. Stanly—What then?

Mr. Wilmot—Those who are resolved that slavery shall go no further. I believe that the people of the country are opposed to the slave traffic. Virginia will not tolerate it; Maryland will not tolerate it. Why is it carried on, in the face of the world, in the District of Columbia? I believe the people are opposed to it.

Mr. Burt said that when Mr. Brown became a prominent candidate, he felt great solicitude to ascertain exactly that gentleman's views upon the exciting topic of the day. He, as well as other Southern gentlemen, had understood that Mr. Brown was not a Provisoist—as being uncommitted either for or against the North or the South. And it was these considerations that induced him and his southern friends to vote for the gentleman.

Mr. Bayly stated that it was known that he had served with Mr. Brown in the 28th Congress; and when he began to be spoken of for Speaker, frequent inquiries were made of him as to that gentleman's opinions and votes on the slavery question. He [Mr. Bayly] answered that no one could have taken a more unexceptionable course; and he had vouched for it that he was opposed to the agitation of the exciting subjects of Abolition and the Wilmot Proviso in any form or shape. If he had known of the existence of the correspondence, nothing on earth could have induced him to vote for the gentleman from Indiana; and he was quite sure that such would have been the feeling of the great mass of the members on his side of the House. He had been quite indignant when the insinuations had been first made; but since they had led to a disclosure to which the country was entitled,

he was thankful for it; and he thanked God that the disclosure had been made in time to save the party from a load of obloquy.

Several other gentlemen of the South commented on the deception and duplicity that had been practiced, and were by no means restrained in their denunciation of Mr. BROWN.

Mr. ROBINSON, of Indiana, defended his colleague. He could see nothing to justify the fierce hunting down—nothing that was dishonorable or inconsistent with the position he occupied. It has been a common practice for candidates to answer questions. It is quite a new idea that it is dishonorable to do so. It may be *impolitic* but certainly not dishonorable.

Mr. JACOB THOMPSON said that, though feeling deeply mortified by what had occurred, he was glad that the development had been made.

Mr. DUNHAM, from Indiana, made a very good defence of his colleague, and attempted to protect him from the many harsh charges which had been showered upon him.

The whole affair, from the moment of the first explosion to the final shots of the day, was one of high excitement, and seemed to have stirred strong passions, which to that time had been only dreaming of future conflicts. The House adjourned without any further voting.

Thursday, Dec. 13. Mr. BROWN, of Mississippi, offered the following resolution:

Resolved, That HOWELL COBB, of Georgia, is hereby chosen Speaker of the House of Representatives for the Thirty-First Congress.

A lively debate sprung up on this resolution, which soon lost sight of the direct purpose, and became between Mr. MEADE, of Virginia, and Mr. DUER, of N. Y., of a personal and an offensive nature. Mr. DUER, in the course of some remarks he was making, avowed his willingness to vote for any one, whether from the north or the south, except a *disunionist.* It was questioned if any such persons were present, when he pointed to Mr. MEADE, who rejoined that the accusation was *false.* Mr. DUER is reported to have then answered Mr. MEADE that he was a *liar.* Much confusion immediately ensued, and there was danger for a moment of a resort to physical arguments. Mr. DUER afterwards begged pardon of the House for his breach of decorum, and put it to the members if he could have done less than he did under the provocation which had been given. He then said that he believed the gentleman to be a disunionist. He had read in his speech, that if a certain state of things continued which the gentleman said existed, he loathed and detested the name of the Union.

Mr. McLANE declared that the reason why no election had been effected, was the too great obstinacy shown in behalf of particular individuals.

Mr. TOOMBS thought that the reason why the House had not been organized was, that it was ruled by sectional feelings. The gentleman from New York, [Mr. DUER,] had said that he would vote for a democrat, a whig, or a free-soiler, but he would not vote for a disunionist. Now sir, said Mr. T. I am not afraid to declare in the presence of the House, in the presence of the country, and in the presence of my God, that, if the views and sentiments entertained by the gentleman in relation to slavery, be carried into effect in the House, then disunion is at hand. [Applause.] They who attempt these aggressions on the south, were bringing that very disunion upon us; and the curses of heaven would fall, with all their force, upon those who were the causes of it. In the solemn and sacred presence of my God, I declare that if these views are carried out and persisted in, then this union is dissolved. [Applause.] The southerner, said Mr. T. have been charged with every crime in the decalogue, and taunted about the sin of domestic slavery. He would ask the men of the south what they wanted with organization, if they were not permitted to carry slaves into the Territories? If this state of things continued, he would declare without hesitation that he would be in favor of disunion. Let the south alone, let the district alone. Give to the south their portion of the Territory. Until all this was done, he trusted discord would reign—forever.

Mr. BAKER, in the course of some remarks, denied that the people of the north, by advocating the principles of the Wilmot Proviso, could be justly charged with advocating principles that would lead to disunion. The threats of gentlemen are idle. The Union would not be dissolved.

Mr. WALLACE. We'll teach you.

Mr. BAKER. How are you to teach us?

Mr. WALLACE. Let slavery be abolished in this District, or the south be excluded from the Territories, and we will show you that we mean what we say.

Mr. BAKER still did not believe there was a man in the House who thought in his heart or his head, that the hand would ever be raised with power sufficient to destroy this Union.

Mr. STEPHENS, of Georgia, was sorry to say that he and the people in the section of the country that he represented, now considered that the day when the compact was to be rended was near at hand. Every word of Mr. TOOMBS met with his hearty concurrence. Do gentlemen, by uttering pœans to the Union think it can thus be preserved? If so, they are mistaken. If the day of the dissolution of this Union is at hand, it is as well now as hereafter.

Mr. COLCOCK followed in the same menacing tone. Let Congress, said he, pass a bill to

abolish slavery in the District of Columbia, or pass the Wilmot Proviso, and he pledged himself to introduce a resolution in these words: Resolved, That the Union be dissolved.

Mr. BAKER. But we will pass one that it shall not be dissolved. [Laughter.]

Mr. COLCOCK. Thus the south would show to the north that we are in earnest. South Carolina, Georgia, Alabama, and Mississippi are all ready to vote for it.

Mr. HILLIARD would tell gentlemen, calmly and deliberately, that there never was such feeling on this subject at the South as exists now. I tell gentlemen that if they pass the Wilmot Proviso the best friends of this Union must part. It was no part of his purpose to calculate the value of the Union; that could not be conceived. But once let it be dissolved, and when and how can it be bound together again? He would say to gentlemen from the North and South, that if the Wilmot Proviso be passed by both Houses of Congress, then the Union must be dissolved.

Mr. CONRAD of Louisiana, deprecated the discussion. He considered it ill-timed, premature, and could be productive of no good; but it might of much evil. He wished, with Mr. DUER, to adjourn over for a day to deliberate.

Mr. MARSHALL of Kentucky, was astonished to hear the dissolution of the Union agitated to-day. He was in favor of a gentleman for Speaker who did not represent any extreme, and he trusted that all distracting questions would be laid aside, and that the members would apply themselves to the public good.

Mr. THOMPSON, of Pennsylvania, then proposed, by resolution, that the House should proceed to vote by ballot for Speaker, and continue so to vote until 4 o'clock, unless a Speaker should be sooner elected.

Mr. CARTER offered the following resolution as an amendment to that ot Mr. BROWN:

Resolved, That any person who may be elected Speaker of this House shall be divested of the power to construct the District and Territorial Committees, and that the same shall be made by a vote of the House.

These resolutions, after undergoing considerable discussion, were dropped.

The House then proceeded to vote for the *forty-first* time. The vote for Mr. WINTHROP was 59; for Mr. COBB, of Georgia, 40; LYNN BOYD, of Kentucky, 26; EMERY D. POTTER, of Ohio, 24; EDWIN STANLY, of N. C., 21; CHARLES S. MOREHEAD, 10; THOMAS. H. BAYLY, of Va., 6; Mr. WILMOT, 4; THADDEUS STEVENS, of Pa., 4; EDWARD McGAUGHEY, of Ind., 3; Mr. McLANE, of Maryland, 2; Mr. SCHENCK, of Ohio, 2; Mr. McDOWELL, of Va., 2; WILLIS A. GORMAN, of Ia., 2; GEORGE W. JULIAN, of Ia., 2; HENRY W. HILLIARD, of Alabama, 2; JOHN McCLERNAND, of Illinois, 2; and 13 single votes for different individuals. There being no election, at half-past four o'clock the House adjourned.

Friday Dec. 14. Mr. ASHMUN proposed that the House should proceed to the election of a Speaker *viva voce*, and if, on the first call of the roll, no person should receive a majority of the votes, the roll should again be called, and the person who should receive the highest number of votes, provided it be not less than one third of the whole, shall be declared elected.

Mr. WOODWARD proposed that LYNN BOYD should be chosen Speaker *pro tempore*, and that on his assuming the chair, the House should proceed to the election of its other officers, after which it should renew its attempts to elect a Speaker. This resolution was offered, because the House was in the process of becoming a mob, and there was no one to enforce order. The door-keeper and sergeant-at-arms would never be in more demand than at present. It was indispensable to commence an organization.

Mr. WILLIAMS acknowledged the necessity of a speedy organization. If an organization was to be effected only by riding rough-shod over a certain little party, he was willing to take the responsibility. He then proposed another method of speedily putting an end to the voting.

Mr. ROOT protested against every project, and considered them as iron rules—boots and thumb-screws. They were all intended to gag those of ardent, glowing sentiment, who were determined that slavery shall not be extended farther.

Mr. JOHNSON, of Tenn., commenced an attack on Mr. WINTHROP for the partial manner in which he had appointed the Committees while Speaker. He accused him of being a *Wilmot Provisoist* in a mask, and indulged in a long speech touching a great variety of subjects. He went on to say that his heart had swelled with pride and exultation the day before, when he heard the remarks of Mr. HILLIARD, Mr. TOOMBS, and Mr. STEPHENS, and saw them lay aside all other considerations, and rush to the rescue of the South.

Mr. CLINGMAN said that North Carolina was now quiet, leaving other states to speak, but when the time for action came, no state would be more ready than that. He knew nothing in the remarks of Mr. TOOMBS to which he did not assent. He was more than gratified with the remarks of the other gentleman trom Georgia [Mr. STEPHENS]. As to the Speakership, he had voted for Mr. WINTHROP as a matter of personal preference. Several other gentlemen participated in the discussion; at length Mr. VENABLES moved to lay the whole subject on the table, and on taking the question it was thus disposed of.

A *resolution* offered by Mr. DIMMICK was

adopted, that the House proceed to the election of a Speaker and continue its efforts without debate from any member, until an election be effected.

The House then voted the *forty-second* time with the following result:—WINTHROP, 36; McLANE, 8; WILMOT, 6; HILLIARD, 3; STANLY, 30; H. COBB, 18; DUER, 5; McGAUGHEY, 3; BOYD, 51; POTTER, 24; MOREHEAD, 9; OUTLAW, 2; McDOWELL, 5; VINTON, 2; and 15 scattering. There was no choice.

Mr. McLEAN, of Ky., offered a resolution by which the election should be effected through a plurality of votes. It was laid on the table.

The *forty-fourth* vote, being the last this day, showed the following result: WINTHROP, 27; POTTER, 22; WILMOT, 6; HILLIARD, 1; STANLY, 49; BOYD, 82; STEVENS, 12; STRONG, 2; OUTLAW, 2; MOREHEAD, 6; DUER, 3, and 9 scattering.

Mr. HACKETT proposed by resolution that no member should receive any per diem allowance until a speaker was elected; and Mr. JONES, of Tenn., gave notice that he would move to amend by adding, "and that no member shall receive any mileage, unless a speaker be elected to morrow." The resolution answered its purpose—produced much laughter and was then laid on the table. The House adjourned.

CRITICAL NOTICES.

Mahomet and his Successors. By WASHINGTON IRVING. New York: George P. Putnam, 155 Broadway. 1850.

"Most of the particulars of this life of Mahomet," says the author, "were drawn from Spanish sources, and from Gagnier's translation of the Arabian history of Abulfeda, a copy of which the author found in the Jesuits library of St. Isidro, at Madrid."

It was intended for the family library of Mr. John Murray, but was thrown aside unfinished. It is now presented to the public revised, and with valuable additions from various writers. The reader will be interested in comparing the different handling of this popular and romantic biography by writers so opposed in style and sentiment as are Carlyle, Gibbon, and Irving.

The War with Mexico. By R. S. RIPLEY, Brevet Major, &c. in the U. S. Army. 2 vols. New York: Harper & Bros. 1849.

A very full political and military history of the late war, with plans of battles. The author in his preface claims to have had a personal acquaintance with the country on both of the principal routes of operation, an intimate acquaintance with many American officers, and some intercourse with those of the Mexican army. Various official reports and publications have been consulted, and every care taken to give a permanent value to the history.

Review of the Mexican War, embracing the causes of the war, the responsibility of its commencement, the purposes of the American government in its prosecution, its benefits, and its evils. By CHARLES T. PORTER. Auburn, N. Y: Alden & Parsons. 1849.

This work professes to be written without any political purpose. It contains no allusions to political parties, says the author; it is no part of its object to inquire what share belongs to each, of the glory or the shame of this war. The subject of slavery is avoided. That the extension of slavery was the object of the war is denied by the author. He conceives that the lust for territory and of empire was the true and proper cause of the war, and that the south and the north must share equally in its responsibility. He defends the independence of Texas before annexation. On the other hand, he considers that the movement of the army to the Rio Grande was a violation of the rights of Mexico, and that this advance, being an overt act of hostility, throws the blame of beginning the war upon the American people. The war was designed, he alleges, to be commenced in such a manner as to cast the odium of it on Mexico. The author is a friend of peace, and his endeavor is to set forth the rights and duties of nations among themselves.

The Miscellaneous Works of Oliver Goldsmith, including a variety of pieces now first collected. By JAMES PRIOR, author of the Life of Burke, Life of Goldsmith, &c. &c. In 4 vols. 8vo. New York: G. P. Putnam. 1850.

An excellent and complete collection of the works of Goldsmith, beautifully printed—an edition very suitable for circulating libraries.

Noel on Christian Baptism. New York: Harper & Bros. 1850.

Baptist N. Noel is at present reputed the most powerful and valuable writer in England of the evangelical school. The volume before us is a small 8vo, got up in cheap and popular style. It is simply a defence of baptism as the initiatory rite of Christian life, supported by suitable texts of Scripture.

The Twelve Stars of our Republic; Our Nation's Gift Book to her Young Citizens. New York: E. Walker. 1850.

This work is simply a collection of the biographies of the twelve Presidents of the United States, with excellent portraits, beautifully engraved on steel. It contains also several valuable historical papers, a synopsis of the constitution of each state, a summary

of the census for 1840, and a chronology of American History, &c. &c. The illustrated title page, and the frontispiece add much to the elegance of the volume. The publisher has an extraordinary knack at making handsome books.

The Four Gospels, Arranged as a Practical Family Commentary for Every Day in the Year. By the author of the "Peep of Day." Edited, with an introductory preface, by STEPHEN H. TYNG, D.D., Rector of St. George's Church, N. Y. New York: D. Appleton & Co. 1850.

The twelve steel-plate engravings which illustrate this work, are in general very excellently done, and the volume itself is a beautiful gift book for the season.

Chalmer's Posthumous Works, Vol. VIII. Institues of Theology. New York: Harper & Bros. 1850.

The Practical German Grammar, or a Natural method of learning to read, write, and speak the German language. By CHARLES EICHHORN. New York: D. Appleton & Co. 1850.

The works of J. Fenimore Cooper.—The Pilot. A tale of the sea. A new edition, revised by the author. New York: G. P. Putnam. 1850.

Heaven's Antidote to the Curse of Labor: or the Temporal Advantages of the Sabbath considered in relation to the working classes. By ADAM QUINTON. With a prefatory notice, by the Rev. S. H. Tyng, D.D.

In 1847, an English gentleman, lamenting the increasing desecration of the Sabbath, and its injurious effects upon the health and morals of the working classes, offered three prizes, of twenty-five, fifteen, and ten pounds, for the three best essays on the temporal advantages of the Sabbath to the laboring classes. In three months he received 1,045 essays. The committee of adjudication state that they were occupied in the examination of this mass of manuscript, from the close of March until the close of December, 1848. The prizes were awarded to three authors—John Quinton, (journeyman printer,) John Younger, (shoemaker,) and David Farquhar, (machinist.) The work before us by John Quinton, is evidently from the hand of an experienced writer, and a wise and judicious moralist. As far as we can judge from a cursory examination, it deserves the attention of all classes, and no Sunday school or circulating library will be complete without a copy of it.

Visions and Voices. By JAMES STAUNTON BABCOCK. With a Biographical Sketch of the Author. Hartford: Edwin Hunt: New York: Baker & Scribner. 1849.

The late James S. Babcock, whose remains are collected in this volume, graduated at Yale College in the class of Mr. Colton, former editor of this Review. Mr. Babcock was one of the most remarkable English scholars that have graduated at that College. "The qualities of his poems are peculiar. They are built somewhat upon antique models, and seem also to have been affected in a measure by the author's German studies; but their eminent simplicity and truthfulness will command attention in an age whose poetry, like its social morality, is growing to be artificial, shallow, and false in sentiment.—G. C. C."

A Copious and Critical English-Latin Lexicon. Founded on the German-Latin Dictionary of Dr. C. E. Georges. By the Rev. J. E. RIDDLE, M. A., and the Rev. THOMAS KERCHEVER ARNOLD, M. A. First American edition. By CHARLES ANTHON L.L.D. New York: Harper & Brothers. 1849.

This is a royal 8vo. Dictionary, for the use of scholars and students who are composing in the Latin Language. An index of proper names for the same purpose is appended, and the volume needs nothing that we can discover but a well digested Dictionary of Latin Synonims, idioms, and phrases, which require to be treated apart for the greater convenience of the scholar, to make it complete. As it is, it is perhaps an indispensable aid.

Somerville's Physical Geography. Philadelphia: Lea & Blanchard. 1850.

A second American edition of a very celebrated work. We have already noticed a previous edition. It is printed in the form of

a class book, and has a glossary of scientific terms.

Essays upon Authors and Books. By W. Alfred Jones. New York: Stanford & Swords. 1849.

This is a well written volume of Critical Essays upon several authors of our own country and of England. Mr. Jones is too well-known as a writer in this country to need any further notice at our hands.

The Western World; or Travels in the United States in 1846-47, *including a chapter on California.* By Alexander Mackay, Esq. Philadelphia: Lea & Blanchard. 1849.

This work is dedicated to Richard Cobden, Esq., M. P., by the author. It seems to be a fair and liberal account of manners and things in America—political, moral, and social.

Glimpses of Spain; or Notes of an unfinished Tour in 1847. By S. T. Wallis. New York: Harper and Brothers. 1849.

Opening this volume at random, we light upon a description of a bull fight at Madrid, very entertaining. As it is not fair nor just to criticise a book of travels before reading it, we will only say, after a very slight examination amounting to the reading of a few paragraphs and the table of contents, that if we were this evening to start off on a journey, we should put the volume in a side pocket to read by the way.

St. Leger; or the Threads of Life. New York: G. P. Putnam. 1850.

"At the age of twenty-three years I find myself upon the threshold of two worlds. The Past summons the thousand incidents which have operated to determine me as a responsible being, and presents them before me, with fearful vividness. The Present seems like nothing beneath my feet. And the Future, no longer a shadowy dream, throws open its endless vista, and whispers that I must soon enter upon all its untried, unknown realities. Here I am permitted to pause a moment, ere I commence upon that new existence which ends only with the Infinite.

I have finished my life upon earth. The ties which connect me with the world have parted. I have to do now only with eternity. Yet something which I may not resist, impels me to retrospection. I look back over my short pilgrimage, and feel a yearning which I cannot restrain, to put down a narrative of my brief existence, and to mark the several changes which have come over my spirit, in the hope that the young, with whom I chiefly sympathize, may profit by the recital.

But what will this avail to youthful spirits, flushed with the glow of health, secure in their fancied strength, determined on enjoyment? To them the world is every thing. Alas, they know not that the world will reward them with infamy, if they trust alone to it! Yet it is to such I make my appeal. I would arrest them, before they cease to have sympathy with every saving influence, because of their habitual opposition to it.

But I will not anticipate the moral of my life. Let this be gathered from the record of it."—Preface to the work.

Iconographic Encyclopedia of Science, Literature, and Art, systematically arranged. By G. Heck: with 500 steel engravings, by the most distinguished artists of Germany. The text translated and edited by Spencer F. Baird, A. M., M. D., Professor of Natural science in Dickinson College, Carlisle, Pa. New York: Rudolph Garrigue, Publisher, No. 2 Barclay street.

The title of this work is its own description. The engravings represent machinery, specimens of natural history, chemical apparatus, astronomical and optical apparatus, illustrations of geography, astronomy, &c., &c.—They are beautifully executed on steel, in a style never before seen in this country. How it is possible for the publisher to offer this work at the low price of one dollar the number, is a mystery. It is the most perfect series extant of encyclopedic engraving. The letter press is in the 8vo. form, to be bound up separately. We have before us three numbers of the work, which is to be issued in twenty-five monthly parts, containing twenty plates and eighty pages of letter press each. Complete indexes and tables of contents will be published with the last numbers, adapting the work to practical use. Nothing can be said of this work more than that it fulfils the promise of its title page.

Poor Richard's Almanac. J. Doggett, Jr., 64 Liberty street. 1850.

This is a reprint of the famous and popular "Poor Richard's Almanac" of Benjamin Franklin, for the years 1733-34-35. The as-

tronomical calculations are by Professor Benjamin Peirce, of Harvard University. Franklin's Life, by himself, is commenced in this first number, to be completed in the succeeding years. "The present is, doubtless, the only complete edition of the 'Poor Richard's Almanac' of Dr. Franklin now in existence. The collection is the result of nearly four years research among the libraries of public institutions and private collections in the states of New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, and Pennsylvania; and several of the numbers were only procureable at great cost, and even some were purchased with the proviso that they were to be returned, should the publisher to be successful in obtaining duplicates. A complete copy of the Almanac had been pronounced by our indefatigable historian, Jared Parks, as of doubtful existence; and the publisher is, therefore, most agreeably disappointed in being able to lay successively before the American public the entire numbers of this invaluable series, accompanied by an appropriate modern calendar."—PREFACE.

The Odd Fellows' Offering. New York: E. Walker. 1850.

We have seen but few of the annuals of the season, and this, we think, the best we have seen. We commend it not only to the large and respectable body for whom it is especially intended, and from whom its contributions chiefly come, but to others. The subjects are neither sentimental nor trivial; and this remark, strange as it may appear, applies as well to the engravings as the literature of the book. There are several fine reproductions of Martin's sublime pictures.

Wandering Sketches of People and things in South America, Polynesia, California, and other places. By Wm. Maxwell Wood, M.D. Surgeon, &c. Philadelphia: Carey & Hart.

A very entertaining book; had we space we should quote the description of a bull-bait in Lima, which strikes us as one of the best things of the kind we have read.

Popular Library of Instruction and Amusement. Illustrated by J. G. Chapman. E. Dunigan & Bro.: New York.

Such as we have seen of these beautiful little books are from the German of Christian Schmidt, and are some of the very best stories for children extant. Schmidt is famous as a writer for children over the entire continent of Europe; and no wonder; for his beautiful method of instilling religion into the minds of the young without cant or dogmatism, is worthy of all praise. Chapman's illustrations are gems.

Tales of Flemish Life. Translated from the Flemish of Hendrick Conscience. Edited by Anna C. Lynch.

This is another admirable book for children. By the same publishers.

The Crocus. A fresh flower for the Holidays. Edited by Mrs. Hale. New York: Dunigan & Brother.

This beautiful little gift book is composed of some of the above stories and a sprinkling of appropriate poetry. The illustrations of Chapman will improve any eye.

Hearts and Homes. By Mrs. Ellis. D. Appleton & Co.

This last is said to be the best production of Mrs. Ellis. She is celebrated as a writer on the morals of domestic life.

The Neighbors. By Miss Bremer. N. Y.: G. P. Putnam.

A work so well known we need not commend. Even the multitude who have read it in the shabby editions heretofore printed here, will gladly enrich their libraries with it in this beautiful form. The celebrated authoress has prefixed a preface to this edition which will be read with great interest.

Shirley; A Tale. By CURRER BELL, author of Jane Eyre. New York: Harper & Brothers.

There has probably no book appeared in modern times of this class, that produced so great a "sensation" and was so much discussed as this author's previous work, Jane Eyre. As we have not space to analyze, we can only say, that the present work is also a very remarkable one; in some respects superior to

the former. The narrative is not so interesting, but the characterization is of a higher order, or rather of greater power. The writer in this book has wisely avoided a plot involving difficult questions of moral casuistry, but she has not succeeded in making a very interesting one. There is, however, ample compensation for the narrative, in the remarkable power with which the numerous characters are drawn. So much is this faculty the forte of the author, that she draws characters, as it were, on a separate canvass, and *pastes* them on her picture ; for, surely, the "three curates" are of no more *earthly* use to the plot than they are of *heavenly* to their parishes ; and so, if not otherwise, from their not blending with the perspective of the painting, they appear as mere caricatures. "They come like spirits to depart."

American Historical Tales for Youth. New York : D. Appleton & Co.

This is a very happily designed little book, and we can highly commend the execution. It is a commendable thing to blend amusement with instruction, when it can be so legitimately done.

Alfred the Great. By Jacob Abbot. New York: Harper & Brothers. 1850.

These popular Biographies of the great historical characters, we have on several occasions spoken highly of. They are as beautiful in this form of "fitting up," as they are admirable in the literary execution.

Fairy Tales from all Nations. By Anthony R. Montalba. With twenty-four illustrations by Richard Doyle. Harper & Brothers.

We confess to laying hold of a book of this kind with almost as much interest as a child, and to have thus brought together the strange imaginings of so many nations, gives a philosophical excuse for the indulgence of our fancy that would lead us into a disquisition had we time and room.

Greenwood. A Directory to Visitors. By A. Cleveland.

We have, in this splendidly printed and illustrated volume, a worthy companion to a visit to the beautiful cemetry it illustrates and describes. The execution of the work is in every respect admirable.

Saroni's Musical Times. New York: Saroni & Co., 251 Broadway.

The thirteenth weekly number of this excellent musical journal is before us. The enterprise is conducted by the editor, Mr. Herman S. Saroni, with a becoming spirit and independence. The criticisms of concerts and new music are clear and free from pedantry, and show a thorough knowledge of the subject, and a taste equally cultivated and suited to the age and the day. Without any scientific knowledge of music, we are able to speak well of this publication, and to say what we have said of it with confidence. Although it is not always necessary to be a musician to judge whether another person is so or not, (the arts being not merely for those who cultivate them scientifically, but for those also who only enjoy their effects,) it must we think, be conceded that a public critic of music ought to have a thorough knowledge of it. Mr. Saroni's qualifications in this respect are understood to be of a high order. In other respects the Musical Times is creditably, not to say skillfully conducted. Each number, besides the editorial and critical department, which is always entertaining to persons interested in the movements of the musical world, contains a diversity of matter, tales, anecdotes, essays, and notices of pictures and picture galleries, &c., selected, not at random, but with a view always to the interests of art and artists. In addition to the letter press, itself well worth the subscription ($2 per annum), the subscribers receive a selection of the best music of the great composers, printed for the journal. These sheets bound up together at the end of the year will make a volume of choice music, a great deal of it not to be found published elsewhere.

The Musical Times has already become popular in New York and elsewhere. Its patronage is rapidly increasing. We wish every success to the enterprise.

THE

AMERICAN REVIEW,

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REPORT OF THE SECRETARY OF THE TREASURY.

The Report of the Secretary of the Treasury is a document which confirms the judgment of President Taylor in the relection of that officer. Mr. Meredith has done equal honor to himself and the Administration by the use which he has made of the power entrusted to him. The document which he has prepared is not only a statement of the financial condition of the country, but embraces also a thorough refutation of the dogmas of free-trade put forth by his predecessor, Mr. Walker. We here present our readers with a re-statement or summary of its most important facts and positions, attended by such a commentary upon each and upon the whole as may arise on the suggestion of the moment.

The receipts for the fiscal year ending July, 1849, were $59,663,097 50, which, estimating the population of the country at 21,000,000, gives somewhat less than $2 37 a head, of expenses, for the support of the most powerful, stable, and efficient government in existence.

Of this sum, nearly one-half, or more than $28,000,000, was collected by duties on foreign goods; so that each individual in the country would have been taxed about $1 33 for the use of foreign commodities, had the use of those commodities bee equally distributed.

An equal distribution of this tax over the entire property of the country, would be equivalent to a bonus of 28 millions to those persons who use foreign commodities. It is only those who insist upon using a foreign commodity, or luxury, who contribute thereby to the public treasury. Thus it comes to pass, that taxation for the general government is thrown in a great measure upon those who live expensively, who are obliged to contribute a larger proportion of taxes than those who use homespun.

The *estimated* receipts and expenditures for the fiscal year ending June 30th, 1850, are from customs $31,500,000. Adding those from various other sources, including public lands, balance in treasury, &c., and the total available means for the year, as estimated, will be rather more than $37,800,000.

The expenditure, on the other hand, is estimated at more than $43,600,000, leaving a deficit of about $5,800,000. We refrain from giving the exact numbers, as they are unimportant in a general view.

Besides the cheapness of collecting a revenue at a few points, by customs, the system has this great advantage, that it limits the patronage of the general government to a few places. The post-office patronage, employed as a political engine, by reason of its extension into every village of the continent, would prove incomparably more powerful than that of a few custom-houses in a few cities on the coast. What use, then, might not be made of a system of collectorships distributed through the interior, and made personally operative and efficient in every village. From this point of view we can easily penetrate

a part of the design of those democratic politicians who advocate the abolition of the customs and the collection of revenue by direct taxation.

The civil and foreign-intercourse list, is brought within $10,000,000 for the three last quarters of the year. That is to say, the salaries of the government functionaries, and foreign agents and embassadors, of a nation of 21,000,000, is somewhere about 5 1-4 cents per month, for each individual. A nation which pays so little for its government officers, may justly boast of the economy of its government.

It will be seen, by consulting the tables given in the report, and which are subjoined, that the estimates for the present fiscal year are less in sum, and different in character, from those for the year following. Our limits forbid the review of particulars.

A people who pay so little for the support of their government, cannot, with propriety or decency, allow it to run in debt. That a public debt should exist at all, is a slur upon our institutions. We find, however, that in its extreme solicitude to avoid the imposition of specific duties, and notwithstanding its affected preference of direct taxation, the party lately in office suffered the national liabilities to mount up to the enormous sum of $64,704,693; twice the entire annual expenditure of the government on a peace establishment.

Let us, for a moment, hold up to contemplation this system of public debts, and observe its workings. The private adventurer in trade who borrows money on interest, does so with the expectation of realizing much more than that interest. He borrows at 10 per cent., expecting to realize 20 or 30 per cent., besides sinking nothing of the original capital.

When government, on the other hand, becomes a debtor, it does so without any certainty of turning what it has borrowed to a profitable account. The money borrowed, is converted into cannon, soldiers' clothing, or ships of war, or it is consumed in the general expenses of the nation. These expenses are indeed necessary, and must be provided for; what we have now to consider is the method and economy of the provision.

The government, we will say, has borrowed $1,000, to be repaid in 20 years. The interest is 5 per cent. The tax-payers must pay each year $50 of interest, and at the end of twenty years, they must refund the money borrowed. They have then paid *two* thousand for *one* thousand. Whereas, if the necessary funds had been got directly through customs, or by any method of taxation, at the time when they were wanted, they would have had to pay only $1,000. If a war is to cost 50 millions, it will be made, by borrowing the funds, to cost 100 millions.

The money borrowed by government is not put into a manufactory, or a farm, or a canal, there to re-produce and continually multiply itself; it is cast into the sea, shot away out of the mouths of cannon, and eaten up and worn out, the very year in which it is borrowed. Had it been borrowed for some project of improvement, there would have been less objection; for in that case it continues to be a productive capital, and is not withdrawn from the business of the country. The tax-payers will freely pay double for that which has doubled in value. But it is a severe trial of patience to be obliged to pay double for a vicious expenditure of war, twenty years after it had become thoroughly odious to the world. Twenty years ago a piece of ordnance was taken from New York to Vera Cruz, and cost, in all, a thousand dollars. We have already paid the full price of the vile thing in taxes for the support of the five per cent. stocks, and now, we have the entire price to pay over again to refund the principal. We should with much greater cheerfulness, have paid the full taxes when the money was wanted, and now it is not only intrinsically a more odious imposition, but it has doubled in amount. Giving up, however, all invidious distinctions between one public enterprise and another, it is evident that the system of raising money as it is needed, is far better; and at least one-half as expensive, as the system of loans.

It will be offered, as an objection to the above, that when government borrows a sum of money, it suffers an equal sum to lie, in the shape of uncollected taxes, in the hands of the tax-payers, and that these tax-payers will readily pay the five per cent, to be allowed to retain their money: that the capitalist, in effect, loans it to the

tax-payers, through the agency of government: that if the Rothschilds, for instance, lend the goverment a million at 5 per cent. they have lent it to the tax-payers, who ought to consider it a very advantageous loan. But if the tax-payers are the borrowers, they are, by the same rule, the expenders of the money. Whether the transaction is a good one, or not, depends upon the manner in which the money is expended. If it is well employed by the government, in such enterprises as will yield a fair return to the public; it cannot be set down as a loss. The capitalists, in that case, have invested their money in a national enterprise, for which the people pay them interest, and neither party are the losers.

If the national wealth is increasing at the rate of 5 per cent. per annum, or more, by the general and distributed industry of all the tax-payers, other things being equal, they will not find it a disadvantage to borrow money at 5 per cent. If, on the contrary, the body of the nation is not increasing its substance at that rate, it will be a loser by such a bargain.

The most serious objection to a national debt is, however, that it facilitates the employment of capital, by government, in unjust and unprofitable projects. Capitalists are eager to lend. Ambitious and unjust governments are eager to borrow. The tax-payers are unthinking and ignorant. The consequences are, a dreadful waste of the substance of the nation. When governments refuse to borrow, capital is thrown into manufactures, commerce, agriculture, and other forms of industry. In these it increases rapidly, and with it increases the ability of the nation to pay such taxes as may be necessary at the time when they are needed.

It matters not what may have been the nature of the enterprise, the lender must have back his money. Had he invested it himself, he would have been responsible for his own losses; but, for public loans, the tax-payers are responsible. One party manages the enterprise, (a war, for example,) and another is responsible for the cost. The great secret of economical government will then be, *to bring the opinion of the tax-payer to bear directly upon the project itself; and by making the payment follow instantly upon the adoption of the project,* (as in the case of a war,) *to load the tax-payer* (*i. e.* voter) *himself*, *with the responsibility of the thing*, *as in a private speculation*. This policy would not only prevent all engagements in unnecessary and unjust wars, by keeping the conscience of the people in harmony with their pecuniary interests, (a sure means of making men honest and considerate,) but it would lead them to invest the public money in such projects as would reimburse the nation for its expenses. The democratic party maintain a speculative opposition to funded national debts. Were they to maintain, what they dare not do, a direct opposition, they would probably not have been able to force duty-payers into a support of the Mexican war.

Another and highly important objection to a system of public debt, even when we suppose the money to have been justly and profitably employed, and to the advantage of the nation, is that it converts the government itself into a monied corporation, employing a prodigious capital for such purposes as it may see fit. The accumulated earnings of thousands of individuals are thrown into its hands, to be employed at its discretion. The Government of England is a monied corporation, which has sunk its capital, and taxes the people to pay interest on the money it has lost, and which yields it nothing. Thus, instead of being the agent and representative of the popular will, and the national industry, it has become an irresponsible corporation, with the right of raising funds by force. This is the effect of keeping the tax-payer separated from the government by the intervention of an unlimited credit system.

A principal objection to the of late very democratic system of contracting public debts is, that the loaning of great masses of property, to government, deprives the tax-payers of a double advantage; first, that of having a capital, created out of small and scattered sums, employed for the general good; and, second, the use, to a great extent, of the concentrated means of capitalists.

A million of *poor* tax-payers pay a dollar each into the public treasury. Let us suppose that the money is justly applied for their defence, and for the assistance of their industry, by the government. A good government is almost the creator of

national industry. The dollar they have each paid in, well employed by their representative agents, will enable them all to increase their little wealth, some once, some twice, and some an hundred fold. At the same time, the capitalist, unable to make the government his debtor, is compelled to employ the million he would have lent, in industrial projects for his own and their advantage, realizing for them and for himself a much larger return, than if he had lent it; though, indeed, with greater labor. It is better, therefore, to pay a dollar to-day, than two dollars twenty years hence, inasmuch as we thereby enjoy in addition to the benefits of a good and wealthy government, devoted to the protection of industry, the employment offered by the capitalist whose money must now be directed upon private enterprises.

We do not mean, by these arguments, to impress the idea, that we have already incurred a great and immediate danger, by the increase of the national liabilities. The commerce of the nation is, doubtless, fully equal, under an equitable system of specific duties, to cancel, by degrees, all our obligations. We would not even propose a sudden and violent change of policy, in regard to the contraction of debt. We desire only the gradual payment, not by any delusive system of a sinking fund, which, like a spend-thrift's reservation, puts conscience asleep; but by a method, first, of economical administration, and, second, of direct appropriations, of which the people will see the merit, and feel the force.

On the 1st of July, 1850, by the estimate of Mr Meredith, there will be a deficit of nearly six millions, for which no provision has been made. On the 1st of July, 1851, there will be a deficit of more than ten and a half millions—the total deficit exceeding sixteen millions, which, if provided for by loans, temporary or funded, will be merely an addition to the national debt. The actual public debt already exceeds $64,700,000, the greater portion of which is redeemable before the year 1868. Under the system that has been pursued for the last three or four years, of contracting debt upon debt, and putting the day of payment as far as possible into the future, it is not unreasonable to suppose that the public debt will, within twenty years, have risen to $100,000,000. Meanwhile the expenses of the government have been greatly increased by additions to the national territory. The great increase of the business of the country, requiring an additional number of inspectors, guagers, weighers, will add considerably to the cost of collecting the revenue. The act of March 3d, 1845, limiting the number of these officers, will need to be revised for the more effectual prevention of breaches or evasions of the revenue laws. The warehousing system, introduced by Mr. Walker, has greatly increased the number of officials required by that service. The necessity of creating new collection districts in Texas and California, in addition to those already established, is also a necessity for new expense. In the jugdment of the Secretary, no reduction is practicable in these branches of service; on the contrary, the force will have to be increased.

Nor are the expenses of the army, on a peace establishment, likely to be at all diminished. The necessity of protecting the frontier of Texas and New Mexico, and of maintaining military posts in the new territories, will draw largely upon the public purse, and there is every reason to believe that public opinion will soon demand a large addition to the navy for the protection of a commerce which attracts the attention and excites the jealousy of our commercial rivals. These latter suggestions are not, however, made by the Secretary of the Treasury.

In a word, every thing points to a necessity for the adoption of the most efficient and economical means of increasing the revenue.

We have our choice among three methods, the imposition of direct taxes, or of specific duties, or the augmentation of the national debt. Concerning the first method, the imposition of direct taxes, it is unnecessary to say much at present. If democratic economists think it a popular measure, they will not fail to propose it to the people. To all the influence and popularity which can be gained by saddling the country with excises, corn taxes, land taxes, taxes on legal proceedings, on churches, school houses, live stock, and the various necessaries of life, they are welcome; we shall not grudge it them; but we confess we are ambitious of the honor, the credit, and the praise which will belong to us if we suc-

ceed in paying the expenses of the government by the direct and economical method of specific duties. While at the same time we deprecate, nay, earnestly seek to avoid, the odium which must follow, if not in the present, then in the succeeding generation, of that slack, faithless and timid policy which shall content itself with pushing forward the national liabilities into the future, and fix upon us, as a nation, the habit of paying in promises to be kept by our posterity. Not only, therefore, to meet our present necessities and provide for the increased expenses of our government, but to nip this great evil in the bud, to keep our national liabilities within manageable limits, we cannot but give a warm support to the proposition of the honorable Secretary of the Treasury.

Mr. Meredith has given us a statement of the excess of army and navy expenditure, occasioned by the war with Mexico. The excess of army expenditure for that purpose has been more than $58,800,000, and to this, added the excess of naval expenditure, makes a total exceeding $63, 600,000. The increase of debt by the use of the public credit, to meet the additional expense, was only $49,009,000; leaving $14,600,000 to be paid out of the revenue.

Land warrants to the amount of $18, 000,000 have also been issued; thereby diminishing the sales of public lands, and the revenues therefrom accruing, in the sum of, perhaps, 2,000,000. To this, however, no reasonable objection can be raised, as the issue of a land-warrant is a cheaper process than the sale of as much land at auction.

Mr. Meredith estimates that had there been no unusual expenditure, there would have been a balance in the Treasury, on the 1st of July, of more than $12,600,000.

The Secretary attributes the deficit declared for the coming years to the extraordinary expenses of the war and treaty with Mexico; and that the justly high public credit of the United States is not endangered by the fact, that a new loan will be required. He proposes, therefore, that a loan not to exceed $16,500,000, be authorized on such terms of interest and repayment as the President, in his discretion, shall, previous to their being issued, see fit to order.

Mr. Meredith adds:

"To provide for the payment out of the revenue of the instalment which will be due to Mexico in the fiscal year ending 30th June, 1852, to secure the raising of a fund for the gradual extinguishment of our heavy public debt, and to place the revenue on a sure basis of sufficiency for all the expenditures of the Government, it will be necessary to adopt measures for increasing the revenue; and the most available means to that end are to be found in raising the duty on imports. That an economy as rigid as may be found compatible with the necessities of the country will regulate the appropriations, under existing circumstances cannot be doubted."

"In proposing some alterations in the existing tariff, with a view, as well to the necessary augmentation of the revenue as the encouragement of industry, I think it right to present distinctly the views entertained on the latter subject, in the hope that a course may be adopted by the wisdom and patriotism of Congress which may tend to harmonize discordant feelings and promote the general prosperity."

Under this head, he says he entertains no doubt of the rightful power of Congress to regulate commerce and impose duties in such a manner as shall favor the industry of the country. It will no doubt, at some future time be matter of wonder that it should ever have been necessary for any government, performing its natural duties, to defend such a position. The revenue, in whatever shape, or by whatever means, or under whatever theory it is collected, has to be expended, *after*, its collection for the protection of the national industry and property. To this end forts are built, an army and navy is maintained, commerce is defended, territories are purchased from foreign nations, post-offices are established, light-houses are erected, and the rights of each and all are defended. By what species of argumentation are we then to be convinced, that these ends are to be thought solely during the expenditure, and never during the collection, of the public revenue. Light-houses are established in order that those who engage in commercial enterprises may not wreck their property on rocks and shoals. Light-houses are there for the protection of persons engaged in navigation. They could, if they chose, stay at home and live upon the products of the soil; but it is

not deemed expedient by Government that men snould be solely farmers, or that the profits of the farmer should be limited to an exchange with his immediate neighbors; it is deemed expedient that a new branch of industry should be created and fostered by that beneficent agency which wields the sovereign power of the people; and for this reason light-houses are built and navies are maintained, and as yet our democratic theorists have raised no argument against this wide stretch of sovereignty; they rather seem to glory in it. They have even been at the pains to fabricate a theory for its particular defence; the theory of Free Trade.

"I find no obligation written in the Constitution," says Mr. Meredith, "to lay taxes, duties or imposts, at the lowest rate that will yield the largest revenue." Can it be doubted for a moment that an injunction of the kind would directly contravene the intention of the constitution itself, which has provided for the regulation of all things necessary for the public good; or that the power to regulate commerce and enforce duties given by the constitution, was given for the public good? And would not that be, in spirit, an unconstitutional regulation which destroyed a branch of the national industry? Let us suppose that one third of the population were already engaged in manufacture; would not that be in spirit an unconstitutional regulation which impoverished that third in order that the remaining third might be enabled to live, for a time, more economically? And was not the tariff of forty-six opposed to the general spirit of the constitution when it broke down the national industry and threw out of employment the workers in cloth and iron in order that the cultivators of the earth might procure foreign luxuries at a little lower rate? Is it not protection with a vengeance, to make regulations for the little finger of industry which paralyze the right arm? to make regulations for commerce, tending to a lessening of the material of commerce, and to a depression of that power and intelligence through which it chiefly thrives—the power and intelligence of the artizan?

"If it were true, that a duty laid on a given article with a view to encourage our own productions is unlawful, because it may operate, by discouraging importation, as a partial prohibition, the proposition would be equally true of every duty laid with that intent, whether it were above or below the maximum revenue rate. But, as under the power to regulate commerce, it is competent for Congress to enact a direct and total prohibition of the importation of any article, it can be no objection to an act levying duties, that it may operate in partially preventing importation. Whether it be wise or just so to levy duties, is another question. What I mean to say now is, that there is no prohibition of it in the constitution. The proposition is maintained, as universally true, that the express grant of a power to Congress gives to that body the right of exercising that power in such manner as in its opinion may be most conducive to the advantage of the country.

"As instances of the exercise of the power of regulating commerce, may be mentioned the prohibition of importations, except at designated ports; the prohibition of the coasting trade to all foreign vessels, and to all American vessels, not licensed and enrolled; the prohibition of certain trade to foreign vessels under the Navigation act of 1817; the prohibition of certain trade to American vessels by the Non-intercourse act, and of all trade by the Embargo act; the drawback on the re-exportation of foreign goods; finally, the prohibition of the introduction of adulterated drugs into the country by the act of 26th June, 1848.

"Under the power to levy taxes, duties, and imposts, I refer to the discriminating tonnage duties on foreign vessels, the discriminating duties on their cargoes, the preamble to the first law imposing duties passed under the constitution, and the enactments of most of the subsequent ones.

"These enactments show that at most or all periods of our history the views which I have expressed appear to have been sustained and acted on."

Any provision of the constitution, conferring a certain power, or range of power, upon Congress, is given with the understanding that that power shall be exercised with discretion, and in no instance to the detriment of the national health, liberty, or prosperity. The maxim of Free Trade, that government shall collect its revenues with regard only to its own financial neces-

sities, taken as it is commonly understood, has not only an aspect of inhumanity, but contravenes its own intention; for it might be contended that a system of policy tending to increase the internal resources of the country, that is to say, that a policy established for the protection of agriculture and manufactures, would be of necessity advantageous to commerce. It is hardly necessary to urge, that as the commerce of the country is measured by its internal wealth, its material being the exchangeable surplus of that wealth, *regulations for the protection of agriculture and manufactures are effectually regulations for the augmentation of commerce itself.* Moreover, as the Secretary shows, the most valuable commerce, in other words, that which yields the largest return to the country which engages in it, is a commerce in manufactured articles.

"Great Britain exports chiefly what she has first brought to the form in which it is ready for ultimate consumption; it is at the stage of its highest value, and her market is almost co-extensive with the civilized world.

"All history shows that where are the workshops of the world, there must be the marts of the world, and the heart of wealth, commerce, and power. It is as vain to hope to make these marts by providing warehouses, as it would be to make a crop by building a barn."

And again: "Commerce is the machinery of exchange. It is the handmaid of agriculture and manufactures. It will not be affirmed that it is ever positively injurious—but it will be more or less useful as it co-operates more or less with the productive industry of the country. The mere carriage of commodities by sea or land is necessarily profitable only to the carrier, who is paid for it. It may be useful or not to others, according to circumstances. The farmer finds a railroad a great convenience, but he understands that it is better employed in carrying his crop, than in carrying away his seed-wheat and manure.

"The commerce which should consist in carrying cotton-seed abroad, to be there grown, would not be so useful as that which is now occupied in exporting the raw cotton grown at home. We should easily understand, also, that the commerce thus employed would be much more limited in amount and much less profitable to the carriers than what we now have. Yet our commerce is, in fact, of the same nature with that above described. The seed bears to the cotton the same relation which cotton bears to the cloth. If we now export cotton of the value of about sixty-six millions, the same cotton, when converted into cloth, would make an export of some two hundred and sixty-four millions, or some two hundred and forty-five millions after deducting the fifteen or twenty millions which would be required for our own consumption (in addition to the portion of our present manufactures, consumed at home), and our imports would be thereby in like manner increased. England, at this moment, derives a large portion of her power from spinning and weaving our cotton. When we shall spin and weave it ourselves, make our own iron, and manufacture our other staples, we shall have transferred to this country the great centres of wealth, commerce, civilization, and political, as well as moral and intellectual power."

Political economy seems to be, with most men, an affair of the imagination; in fact, a department of poetry. We hear much of the white wings of commerce whitening the shores of continents.

A ship is indeed a very beautiful object, but so also is a well-cultivated farm, diversified with grass fields, copses, and slopes of golden grain. Viewed in the purple light of morning, while the misty hollows are yet fresh with dew, it is a sight that sends the spirit upward in thankful prayer to the great Economist, the good Father under whose inspiration Man has accomplished so beautiful and so good a work.

Nor is our wonder less excited and our admiration awakened by that other evidence of the Divine skill guiding the human hand, the workshop of the artizan. Winding by some rugged pathway along the declivity of a mountain, we hear far below a subterannean thunder. The rigid leaves of the pine tremble above us. The forest quivers with the din. We descend, and here, fixed upon rocks, under the spray of a cataract, we discover the shop of the iron forger. A mighty hammer, in shape and bulk like a fragment of rock, leaps frantic at its task, moulding the glowing metal with a terrible

facility and precision. The blind forces of nature are controlled and tempered by a little cord in the hand of a child.

Here, too, there is room for the mysterions pleasure of contemplation. In all those works wherein reason appears, Divinity also is made evident; and hence our wonder and respect for human labor. But it is a weak and ill-cultivated intellect that suffers its admiration for a particular result of human skill to draw it from the true aim of statemanship, the common good. There is a sublimity in the contemplation of the public good, of the moral and physical well-being of a people, far more exalting and satisfactory to the intellect than in these contemplations of art and nature. In the recesses of his heart the sincere and liberal statesman must carry the weight of an awful responsibility, and the latent strength of the man, or if we may be allowed the expression, his nearness to God, appears then most when he is called to guide the opinion and advance the interest of a nation.

Of the moral effects of intercourse with foreign nations, much may be said; but the moral effects of intercourse are not measured by the extent of trade. The moral and intellectual power exercised by Germany over America, during the last twenty years, has been so great, it can be compared only with a revolution, and has been in fact, a revolution of ideas, manners and opinions, silent but irresistible: and yet the trade with Germany, measured by imports and exports, is so small, its loss would be hardly felt a year or two after its cessation. Were a prohibition laid upon ships from Germany, the mighty industry of America would, in twelve months, supply the void: but Germany would not cease therefore to be the intellectual master and teacher of the American people. Were our commercial intercourse with England, even, suspended for a term of years, who doubts that the capital and the energy afloat in that vast and profitable trade, would seek and find new fields of enterprise. Great as such a calamity would indeed be, it would be by no means a permanent or an irretrievable one: not as injurious as the destruction of a single branch of industry: a period of ten years would perhaps be sufficient to heal the wound laid open, to fill up the breach made, to give a new course to power and capital. Imagine, for comparison, the sudden destruction of the cotton plantations, or of the manufactories of Massachusetts. Imagine a blight of corn, devastating one-half the country,—what would be the extinc tion of an English commerce compared with that? We over-estimate the pecuniary advantages of commerce. The Hon. Secretary says that he will not admit that commerce can be ever injurious; but, with all deference, we think it may become so, when its protection becomes a mania with politicians, who, at the same time, are too perversely blind, or too ignorant to see what its true interests are; and who would convert its favor in the minds of the people into an argument for the destruction of that by which it best thrives—for the destruction of manufactures.

The industry of the carrier cannot be set up in rivalry against the industry of the producer. The horse who carries flour to market is not more valuable than the horse who carries it to mill. The carrier himself is not a more estimable man, by vocation, than the farmer or the miller.

In the whole course of this argument the friends of free trade have either neglected to observe, or have kept out of view, the fact that a commerce is more or less valuable as that which it carries has received more or less value from the industry of those who have sent it forth. A trade in gold may indeed prove a very unprofitable trade, even when it is a monopoly. A varied commerce sustained by manufactures, the ship of the exporter conveying the goods which the capital or the industry of his friend or his brother has created out of a coarse and worthless material, other things being equal, must lead to wealth.

Mr. Meredith assumes that all legislation designed to favor a particular class to the prejudice of others, or, worse still, to injure a particular class for the benefit of others, is manifestly unwise and unjust. What then more unjust and injurious than the tariff of 1846, which was enacted, first, to favor the commercial interests to the prejudice of the manufacturers, and, secondly, to injure and depress the manufacturers for the benefit of the agriculturalists and the commercial classes? for though it seem a hard judgment, it is impossible to deny that the advocates of free-trade have discovered a spirit positively and openly

inimical to the artizan. By every argument in their power they have endeavored to diminish our respect for him; they have represented him as lower in the moral scale than his brother the agriculturalist, and they have discovered no remorse for the injury which their measures have inflicted upon him. By inviting a foreign rival to compete with him, they have cut down his wages, and when he came to them with bitter complaints of the injustice, their reply has been, change your business, —seek a new employment,—learn a new trade. Nay, they have so far insulted his misfortune and his natural rights as a man, as to say to him:—you have mistaken your business; you should have been a tiller of the earth; American citizens have no business with manufactures; nature intended them for producers of raw material; it is only Englishmen and Frenchmen who shall be permitted to work it up and confer value upon it by an intelligent industry.

The fallacies of public economy are perhaps the most subtle that confuse and agitate the human mind; for this department of knowledge is not, as many have imagined, a science reducible to propositions, and capable of syllogistic forms. The deduction of its first principles is from a wide and general experience in the business and intercourse of life. It is perhaps impossible for one wholly unacquainted with affairs to understand it. To feel the value of its rules and maxims we must be, or we must have been, in a double contact with the world,—a social and an economical contact. Every step in the reasonings of public economy must be taken upon a firm ground; there must be no leaping or striding with the lifts of imagination. The wings of anticipation must be pinioned to the side, and every nerve of sense suffered to come rudely in contact with reality. What is the experience of a nation with its affairs, if not the enlarged and generalized experience of an individual with his own? and that, too, not of a one sided or partial activity, narrowed by following too intently a single line of occupation, but by a general observation and understanding of all businesses, and an appreciation of their value compared with others. A complete and accomplished farmer, banker, or negotiator might very easily be a wretched economist in public affairs; but the knowledge of banking, in reference to the general business of the community, and of the arts of agriculture and general negotiation, as they are integral parts of the national industry, may be well conceived to be indispensible to the statesman.

"As every producer," says Mr. Meredith, "in one branch of useful industry, is also a consumer of the products of others, and as his ability to consume depends upon the profits of his production, it follows, that to give prosperity to one branch of industry, is to increase the rest." A proposition, which, most evidently, proceeds from an experience, by no means limited to a single, narrow line of occupation, but either versed in, or by thorough observation well informed of the positive and relative value of many.

We find, in this report, a principle developed, which has already been alluded to, but which, from its importance, requires continual enforcement and reiteration.

"No country can attain a due strength of prosperity that does not by its own labor carry its own productions as nearly as possible to the point necessary to fit them for ultimate consumption. To export its raw material and re-import the articles manufactured from it, or to neglect its own raw materials and import the articles manufactured from that of another country, is to pretermit the means which nature has provided for its advancement.

"For instance, we exported, during the fiscal year, ending 30th June, 1848, raw cotton to the value of about sixty-six millions of dollars. If that cotton had been spun and woven at home, (supposing its value to be increased fourfold by manufacture), it would have produced a value of about one-hundred and ninety-eight millions in addition. What would have been the effect of this increased production on the prosperity of the country."

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"The manufacture of cotton cloth is begun with the planting of the cotton—is carried to a certain point by the planter, and then taken up and perfected by the spinner and weaver. The planter and manufacturer are not engaged in different branches of industry, but in the same—the one commences the process which the other completes. Cotton seed of insignificant value being by regular stages of labor deve-

loped and brought to the form of cotton cloth, has acquired a value of about two hundred and sixty-four millions.

"The planting States have added many millions to the annual production of the country by the culture of cotton. By continuing the process they could quadruple that addition.

"The planter would then have a market at his door for all his produce, and the farmer would in like manner have a home market for his. The power of consumption of not only breadstuffs, but of every article useful or necessary in the feeding, clothing, and housing of man, would be vastly increased—the consumer and producer would be brought nearer to each other—and in fact a stimulus would be applied to every branch of productive industry.

"It is gratifying to know that the manufacture of cotton has already been introduced into several of the planting States, and it ought not to be doubted will rapidly be extended."

The manufacture of iron, wool, and our other staples would lead to similar results. The effect would be a vast augmentation of our wealth and power.

Upon commerce the effects might be expected to be still more marked. It is not enough to say that no country ever diminished its commerce by increasing its productions—and that no injury would therefore result to that interest. There would probably be not only a great increase in the amount, but an improvement not less important in the nature of our commerce.

The single article of cotton is taken here for illustration merely, and not because it is more important than some others; for it is perhaps the greatest misfortune that can befal a manufacturing people to have its attention directed upon a single material of industry to the neglect of all others.

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We must refuse to admit, even for the sake of argument, that the rules of economy differ either in their economical or moral foundation, from those which ought to regulate private affairs. The people never *can* know anything of "reasons of state;"—if they are to be sovereigns, as it is claimed they are, then the government must be managed in their manner; that is to say, by the rules of common honesty, and common prudence. Let kings and subtle ministers go on refining; of their subtleties the people have no knowledge; and if they or their representatives depart from those simple rules of construction, by which the massive framework of the state is held together, the fabric must fall about their ears. The equitable working of this system commends it to our entire favor.

We observe, *first*, that were foreign goods admitted duty free, the revenue would have to be collected by direct taxation.

This taxation would have to bear equally upon every species of property. The taxes for the general government would probably be collected by the same agents who collect for the State governments, and upon the same species of property. No other system would be esteemed equitable. If extraordinary expenses were to be met, excises on liquors and other luxuries would probably be tried.

By the system of direct taxation the expenses of the general government would be severely felt by every tax-payer. Poll taxes are always inequitable, as they bear more heavily upon the poor; the revenues would consequently be collected upon real and personal property.

A sudden addition of forty millions to the general taxes would be severely felt by a population of twenty-one millions, of whom only a third or thereabouts would be the real tax-payers.

The annual importation of foreign luxuries would become cheaper, other things being equal, to the amount of taxation transferred to land, &c., *i. e.*, thirty millions cheaper.

Were the duty-payers the same with the tax-payers, it would make but little difference to them, whether they paid a land tax or paid a duty, the one would not be more burdensome than the other. It might, however, be more agreeable to pay a voluntary tax for luxuries which they were not obliged to use, than to pay a forced and inevitable one on real estate, &c., collected by a government officer.

But the tax-payers would not be the same as the duty-payers. The tax-payers would be every holder of property in

the nation, under an equitable and democratic system. The rich man who used only a few foreign luxuries would have an enormous tax to pay, and the poor man who used none would have still a tax to pay: while those who owned no land might live luxuriously, paying no taxes at all. Foreign cloths, foreign wines, foreign fruits, foreign jewelry, in short every minute article of personal luxury that eludes taxation, freed from duties, would be indulged in by those who owned no land but were, nevertheless, spenders of money.

Republics are governments for the poor, and it is agreeable to their institutions to discourage luxury. The doctrines of free trade are for the benefit of the idle and luxurious, removing the burthens of wealth to the back of poverty and industry.

We have said, that if general tax-payers were, to the same amount, under a tariff system, duty-payers, it would make but little difference to them, except as they might prefer a voluntary to an involuntary payment. This, however, is not strictly true.

The constant effort of ownership is to escape taxation. Taxed property is more troublesome than untaxed. If the entire taxation of the country rested upon land alone, the selling price of land would be depressed not only to the entire amount of the taxation, but much more than that; because of a general aversion among property holders to taxation as a system. In cities, houses would be built up many stories higher; the population would crowd together over small spaces of ground. Provisions would be dear, and farm wages low. Ground rents would be high, and the profits of the owners small. Capital would generally avoid investment in land. The number of those who live by ingenuity only, and by trade, would increase beyond the natural limit, while the number of agriculturalists would diminish, and the small farmers in general be broken up or crushed with mortgages. Can any one doubt the injuriousness of such a system?

The general theory of democracy favors the land owner, and the cultivators of the soil. It ought, therefore, to demand the removal of taxation from land and its imposition upon every other species of property. The endeavor of the opposition leaders is at present, however, the reverse of this. The people are invited to remove every restriction from trade, and to give that branch of industry a privilege of exemption, throwing the entire burden of taxation upon agriculture and manufacture.

The fact that their system of measures is identical with that which has been adopted by England, is a sufficient proof of its absurdity. Every important act of legislation in England has been with a view to sustain her manufactures against our own. If she admits the raw material of industry duty free, it is for the benefit of the manufacturing capitalists. If she admits corn at a low duty, it is that her operators may be content with low wages. Her manufactures are her wealth. She has the world for a market, and must retain it or yield her place as the wealthiest and most powerful nation.

England stood ready to admit corn and cotton almost duty free from America, and only desired America to admit her manufactures in exchange—a state of things precisely the most favorable to her and the most disadvantageous to ourselves. We had but one market for our corn and cotton; she had a thousand for her manufactures. Bread stuffs and cotton are difficult and costly of carriage; manufactures cheaply and easily transported. By abolishing the navigation act, she reduced freights to the very lowest rates, with the view, still, of enlarging the profits of the manufacturer, who could thus procure more cheaply his raw material, and transport his commodities at less cost to himself. At the same time, every argument was employed by England to urge America into a larger production of corn and cotton, that the prices of their commodities might be as far as possible reduced. A theory of free-trade constructed by closet politicians, and seized upon by the shrewder sort as a valuable tool for their purposes, was sent over and formally presented to the democracy here as a testimony of esteem from the capitalists of England. Mr. Walker and his friends received the mischievous keep-sake with transport, never observing the grin of malign satisfaction with which the gift was accompanied.

During all this great controversy, which has now agitated England and America for an entire age, has any person, either in the closet or out of it, taken the pains to inquire into the causes of the controversy it-

self? Has any person asked his neighbor why England was so busy in circulating free-trade doctrines in America and at home? Come, then, let us see whether any light will spring out upon such a question.

England was once the workshop of all nations. She had no rival. She protected her agriculture by corn laws, her commerce and manufactures by tariffs and navigation laws. All at once a rival appears, and, as usual, she picks a quarrel and begins a war. An embargo, forbidding the use of English manufactures, creates a new spirit of enterprise among the people of America, who begin instantly to manufacture for themselves the conveniences for which they had before depended upon England. The war is ended. England has gained nothing by it. On the contrary, she has only added a new element of power to the strength of her rival, who has now learned the secret of self-protection, and by keeping up her embargo in the form of tariffs, not only protects her own industry but begins to compete with England in the market of the world.

In vain the English manufacturer lowers his prices; in vain he depresses the wages of his laborers to the starving point at home. Ruin impends. A new thought seizes him. He invents, in the retirement of his closet, a theory of free-trade, a specious bait for philanthropists, a rare morsel for the discontented in America. It is the habit of the English mind to examine the facts before concocting the theory. The facts were, that a greater freedom of trade was necessary in the commercial and manufacturing pre-eminence of England; the theory followed of course. Its application to America was a happy stroke, a piece of excellent wisdom.

The tariffs of the United States have been, and are the causes of the present freec om of trade inEngland. Had England never had a rival, free-trade would have been unnecessary for her, and, therefore, unthought of. Shall we dare to say that the destruction of the protective system in America, would soon be followed by its re-establishment in England? Such is at e ast our own opinion.

The constant and sole argument of the free-trade party against tariffs for protection is, that they favor one class of the community at the expense of another. Nothing could be more absurd. Where does the tax fall? On the consumer? Let it be admitted that it does so, and exclusively too. A tariff of 40 cents a yard is laid on a particular kind of cloth. It is optional with consumers of that cloth to use it or not. A large revenue is raised thereby. So far all is right, the object of the tariff is to raise a revenue, the higher the tariff under a certain limit, the larger the revenue, and its specific imposition keeps it free from fluctuation and fraudulent valuation. The choice will be among articles of expence and luxury, chiefly cloths, cutlery, &c., of a description not absolutely necessary to life, and too costly to be made at home. So far, there is no injustice done; the democratic principle of equality and freedom has been adhered to: the object was to raise revenue, and the largest possible revenue, and it is done.

Every tariff, however great, however small, is protective. The 30 per cent. *ad valorem* on English cotton cloths is protective, and powerfully so. It protects a certain grade of mauufacturers. A higher tariff would protect still higher grades. The fact of its protective operation has not yet been cited against it.

The largest revenue will be raised by tariffs upon articles which are used but not manufactured in this country, and these at the same time will be the most protective in their operation.

Let us suppose, for example, that a certain kind of expensive broad cloth is largely used in America but not manufactured there, because of the outlay required for its manufacture. The price will be kept by the English manufacturer as high as possible, as long as he fears no competition. The American capitalist knows that the price demanded by the importer is factitious, and can be lowered in an instant. He, therefore, wisely abstains from engaging in the manufacture of the article, and the importer goes on demanding higher and higher prices; there is no limit to this species of extortion except the competition of rival houses in England, (a danger which they can obviate by a compact among themselves) or the inability of buyers in America to pay what is asked. The importer will therefore fix the price at the point of largest profit; a point very disad-

vantageous to the purchasers. Importers and foreign manufacturers operating together, with this absolute control over prices, can easily crush all attempts at a home manufacture of the article in question. And they systematically do so, acting on the natural instincts of acquisition.

Let the government now ascertain the difference between the highest and lowest values of this species of goods. Let it be 50 cents the yard. If a specific duty is then laid at perhaps 40 cents the yard, it will yield a large revenue. At the lowest values the importers will make a profit—at the highest he will injure his market by putting the goods beyond the reach of most buyers.

The imposition of the duty has the effect to raise the price permanently, so that now the range of fluctuation in its value is limited to 20 cents the yard. Still, however, the market is not injured; a fair profit is made by the importer; but he is unable to raise his prices higher than is necessary for a fair profit, since by doing so he injures his market. He has a hearty good will to keep the price at the highest, and would have done so at any rate. He is now compelled to do so for other reasons. It is, therefore, in this particular instance, not the consumer, not the public, but the manufacturer and the importer who pay the duty. It comes out of their pockets. England and her supporters were already taking the money out of the purses of American consumers, but by a judicious tariff the government transferred these exorbitant profits to the national treasury.

Could anything more just or expedient have been imagined? The deep river of wealth that was flowing toward England is turned, at the custom-house, into an American reservoir.

But here is not the end. American capitalists begin soon to discover that the article, thus taxed, can now be manufactured at home; the foreign manufacturer having it no longer in his power to lower the price beyond a certain point. Then begins protection, as a natural consequence of a system calculated for the time to raise the largest revenue. The goods begin soon to be made at home. They are at first of an inferior character, and are forced with difficulty into the market. Two years is a short term for the establishment of any manufacture. Another year will be consumed in forcing the home fabric into equal competition with the foreign. At first, every manufacture is expensive; but as machinery improves, the article improves and the price goes down. A term of five years is perhaps necessary for this effect. Meanwhile, the revenue is gradually diminished by the disuse of the foreign article. After five or six years, the tariff begins to operate as a prohibition, and the home manufacturers are continually lowering their prices, competition compelling them to cheapen every process and improve their manufacture to the utmost The specific duty has to be lowered. Again the foreign commodity comes in. The process is continued to that point where a fair and equal competition has brought the foreign and home manufacturers so near to an equality that a very moderate revenue can be realized by a tariff equal to their difference, and this solely by the adjustment of a duty calculated for the time to raise the largest revenue. The tariff in that particular article of commerce has ceased, indeed, to yield a revenue, but a vast increase of wealth to the country at large has been the consequence. Such is the operation of a truly protective tariff.

Knowing, as we do, that had prices been left to English manufacturers to regulate, they would have kept them at the highest possible level, and that a competition among foreigners themselves, with the markets of the world at their control, is not sufficient to bring prices down to their just limits, the charge that a protective tariff robs the consumer, by raising prices, is absurd. It may do so in particular instances; but when prices are high, it is a necessary consequence, that the loss by duty falls upon the foreign manufacturer.

The duty is simply a diversion iuto the public treasury of a stream of wealth that would otherwise flow into the pockets of the foreign manufacturers.

That the profits to the treasury are gradually lessened by the substitution of the home article, is not an injury to the people. In that case, the stream which was diverted from the purse of the foreigner into the national treasury, is now diverted, in stead, into the purses of the farmers and artizans who supply food and labor for the manufacture of the article; and is it not better

so, than as at first? In a word, it is impossible to conceive a more certain, safe, and just method of enriching and swelling the strength and numbers of a people, than the method of Protection.

In the instance taken for the illustration of the effects of a high tariff, diverting the profits of importation first into the national treasury and finally into the purses of the people, prices were assumed to have been raised to the highest point by the eagerness of importers and foreign manufacturers; but if the prices of foreign imported commodities have been reduced by the competition of foreigners among themselves, if a duty is affixed, the consumers will have either to pay the duty or do without the commodity: if it is one of the necessaries of life, they will purchase, notwithstanding the injury inflicted by the excessive price. A tariff, in this case, is equivalent to a direct tax laid upon the consumer by government in the exact ratio of his consumption. If the duty so far elevates the price of the commodity as to tempt home industry to try its strength with the foreigner, the duty raised for revenue merely will have a protective influence upon home industry. If it be an *ad valorem** duty, varying directly with the price of the commodity, this protection will be greatest when the price of the article is highest. Say it be thirty per cent.—then, if the price of the article be one dollar, it would be equivalent to a bonus of thirty cents for every dollar of capital expended by the home manufacturer: as soon, however, as the home manufacturer engages in producing the article, the price of the foreign commodity is lowered to under-sell him; but as the price falls, the revenue accruing is diminished. If the price fall fifty per cent., the revenue will be diminished one-half, &c. Thus we see that the natural effect of an *ad valorem* duty is at first protective, and in the second stage of its operation tends to diminish the revenue.

The commerce of the United States will not yield a sufficient revenue to the government with a system of duties generally low. Thirty per cent. on every valuable species of importation, excepting tea and coffee, barely yields a sufficient revenue. If the costs of production in England are in general a third less than in America, thirty per cent. specific or *ad valorem* is a protective duty, and has a certain protective effect. It is well understood that the removal of the present duty, small as it is, would have disastrous effects.

Let us now consider whether any injustice can be charged upon the system considered as one of protection, (as, to a certain extent, it truly is,) under the supposition that the duty is paid by the consumer, the profits of the importer remaining the same. And first, it is necessary that a revenue should be raised; it is necessary, also that it should be raised by the most economical process. A tariff is believed to be the most economical process; but under all circumstances it is a transient method, serving its purpose only for a certain number of years, because of its pro-

"*I will proceed to state the nature of the modifications which it appears expedient to make in the existing tariff, and, if required, will hereafter present a plan in detail.

"1. The rates of duty are, in my opinion, too low, especially on articles similar to our own staples. I conceive that the revenue has suffered materially from this circumstance. Indeed, I am compelled to believe that it would have been greatly diminished but for the extraordinary demand for our bread-stuffs and provisions, produced by the famine in Europe in 1847, and to a great extent continued by the short crop abroad in 1848. (See statement marked M, hereto annexed.) Even under these favorable circumstances the average revenue from woollens, cottons, hempen goods, iron, sugar, hemp manufactured, salt and coal, has fallen under the act of 1846 from $14,162,107 to $13,392,624 50, taking the average from the receipts of 1845-1846, and those of 1848-1849; being an average diminution of $769,982 60, as will be seen by table marked (N), hereto annexed; the loss of annual revenue being as follows:

On cottons, ...	$918,894 00
On hempen goods, ...	81,794 50
On sugar, ...	181,741 50
On salt, ...	348,438 50
On coal, ...	70,030 00
	$1,580,898 00

The gain as follows:

On woollens, ...	$355,592 50
On iron, ...	415,240 00
On hemp unmanufactured, . . .	40,083 00
	$810,915 50

"The very small increaseon the staples of woollens, iron, and unmanufactured hemp, compared

tective influence creating home manufactures which continually diminish the amount and value of foreign importation. The consumer learns gradually to prefer the home manufacture and to dispense with the foreign, and the character of commerce is in consequence continually changing: the raw material and luxuries of other climates being substituted by the importers for those foreign manufactured articles which, in consequence of a home competition, they find no longer profitable. While this change of imports is going on, an analogous change of exports is going on at the same rate. An exportation of manufactured articles takes the place of an exportation of raw materials. And this is the present condition of England: that country derives a considerable revenue from the importation of materials used in the arts. The same series of events is now happening in America, and the time is perhaps not far distant when a sufficient revenue can no longer be realized by duties laid chiefly upon foreign *manufactured* articles.

Has an injury been inflicted upon the country by a course of legislation which changes its commerce from an importation of manufactures and an exportation of raw materials to the reverse? Is that an injurious system of policy which causes the raw material of industry to be consumed at home and provides a supply of manufactures for exportation? which, in fine, is fast giving to America the advantages for which England is contending with the entire force of her population? "But the instance! the instance! you elude the instance!" exclaims our free-trader. "You cannot deny that a tariff working a sufficient protection of iron, for example, is an injustice to the community, who are thereby compelled to pay a higher price for it!"

By no means. It is not an injustice to the community to raise a sufficient revenue upon iron, an article of general use. On the contrary, it is a very equal mode of taxation. The tariff is laid for revenue; its direction only, and specific application is for protection. The largest revenue is raised where the largest protection is given, when an article of general use is made dutiable. Home competition does indeed very soon diminish that revenue; but with what effects? Plainly, the transfer of the profits of iron-making from English to American industry. The profits which passed over to England, now remain with the American farmer who supplies food to the iron-worker, and the American artizan who converts the ore into articles of use. And does a legislation which does all this, work an injustice to the community? "But the community must now pay a higher price for iron, and by this system they are taxed for the support of a particular manufacture." Granted that they are so, temporarily; does it follow that thereby a greater injustice is worked than must be by every system of tariffs, be they for protection or not? Every duty laid upon an imported commodity, benefits a particular

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with the vast injury occasioned to our production, and the diminution thereby of our power of consumption, cannot fail to attract attention—while on the other articles named, the revenue and production have both suffered materially. It is believed that the revenue could be greatly increased by increasing the duties on these and other articles.

"2. I propose a return of the system of specific duties on articles on which they can be conveniently laid. The effects of the present ad valorem system are two-fold, viz.: on the revenue and on our own productions. Experience has I think demonstrated, that looking exclusively to the revenue, a specific duty is more easily assessed, more favorable to commerce, more equal and less exposed to frauds, than any other system. Of course such a duty is not laid without reference to the average cost of the commodity. This system obviates the difficulties and controversies which attend an appraisement of the foreign market value of each invoice, and it imposes an equal duty on equal quantities of the same commodity. Under the ad valorem system, goods of the same kind and quality, and between which there cannot be a difference in value, in the same market at any given time, nevertheless may often pay different amounts of duty. Thus the hazards of trade are unnecessarily increased.

"To levy an ad valorem duty on a foreign valuation equably, at the different ports, is believed to be impossible. That the standard of value at any two ports is precisely the same at any given time, is wholly improbable. The facilities afforded to fraud upon the revenue are very great, and it is apprehended that such frauds have been and are habitually and extensively practised. The statements annexed, marked (O), to which I invite especial attention, exhibit in a strong light the dangers to which this system is necessarily exposed.

"As the standard of value at every port must

class of producers. This effect is inherent in the system.

The farmers who supply the workmen of the coal mines with food, are directly benefited by a tariff upon British coal. They, however, in their turn are consumers. The more they have, the more they will buy. The benefits which they reap, they also distribute. As they increase in numbers and in wealth, they buy more and better clothes, and thus they confer a direct benefit upon the cotton and wool-grower. All that the cotton-grower asks, is a liberal market. By creating a population of iron-workers and miners in the country, he provides a steadier and larger market for his cotton. He will have to pay a few shillings more for horse-shoes and plowshares, for the first five or six years; but he has created a home market for his cotton, wrought into cloth, which yields him a profit ten or a dozen, or even an hundred times beyond his increased expenses. "All men," says Mr. Meredith, "are by turns producers and consumers," and in this view we are ready to give an unequivocal denial to the dogma of free-trade, "that protection extended to any branch of industry, is an injustice to all other branches." It is not an injustice, unless it is awkwardly and injudiciously applied. There is indeed no good, that may not be converted, by misapplication, into an evil. The tariff for which we argue is a judicious and reasonable one, calculated first for the immediate raising of a sufficient revenue, and secondly, to work protection to the food-growers and artizans of the United States.

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at last depend upon the average of the invoices that are passed there, every successful attempt at under-valuation renders more easy all that follow it. The consequences are, not only that the revenue suffers, that a certain sum is in effect annually given by the public among dishonest importers, as a premium for their dishonesty, but that fair American importers may be gradually driven out of the business, and their places supplied by unknown and unscrupulous foreign adventurers. As long ago as 1801, Mr. Gallatin urged the extension of specific duties on the ground now repeated—of the prevention of under-valuation. In his report of that year he used the following language: "Without any view to an increase of revenue, but in order to guard, as far as posssible, against the value of goods being under-rated in the invoices, it would be eligible to lay specific duties on all such articles now paying duties ad valorem as may be susceptible of that alteration." At that time specific duties were already laid on spirits and wines, sugar, molasses, tea, coffee, salt, pepper, steel, nails and spikes, hemp, coal, cordage, and several other articles.

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"In England it is believed to have long been a settled point that specific or rated duties (which are ad valorem on an assumed value,) are in every respect better for revenue and trade than any other system.

"The effect of the existing system on production is also striking. See document marked ( ) annexed. It tends to aggravate the great fluctuations in price which are so injurious to trade as well as industry.

"When prices abroad are very high the duty is high also; and when they fall to a very low point the duty is low in proportion. It is a sliding scale of the worst kind. If the duty forms a part of the price, it renders the extremes of fluctuation more remote from each other by a per centage on the range equal to the rate of the duty. If the fluctuation abroad be from $50 to $20, the range is of course $30. A specific duty of $15 would leave the range still $30. But at an ad valorem of 30 per cent., the highest point would be $65, and the lowest $26, making a range of $39. On every account I strongly recommend a return to the system of specific duties on all articles to which they can be conveniently applied."—*Report of the Sec. of the Treasury.*

M'LLE DE LA SEIGLIÉRE.

(Continued from page 31.)

XII.

Why did M'lle de La Seiglière escape so suddenly from the arms of her father? Why, a few moments before, had the paleness of death passed over her countenance? Why had her blood, as it were, rushed violently back to her heart? How, while the Marquis was endeavoring to point out the necessity of an alliance with Bernard, came she to fly, trembling, agitated, almost frightened, yet sprightly, buoyant and happy. She herself could not have told. Arrived at the depths of the park, she let herself fall upon a mound, and the silent tears rolled spontaneously down her cheeks,—honied pearls, dew-drops in the embalmed petals of the lily. Thus happiness and love have tears with their first smile, as if, at their birth, they had the instinct of their fragility, and were conscious that they are born to suffer.

It was near the end of April. The park was not large enough to contain the intoxication of her soul. She rose and gained the open fields; the blue heavens were smiling above her head, and life chanted in her young bosom. She had forgotten Raoul, and scarcely thought of Bernard. She walked at hazard, absorbed by a vague thought, mysterious and charming, stopping occasionally to inhale the perfume, and referring to God the bliss which inundated the warmest recesses of her heart; for she was, as we have already said, by nature, serious as well as affectionate, and profoundly religious. It was not till she saw the sun passing below the horizon that Helen thought to return to the chateau. On her return, from the height of a hill which she had just reached, and from which she was upon the point of descending, she discovered Bernard, who was riding on horseback along the valley. A strange bnt delirious thrill went through her heart, and her eye, intensely gazing, followed him a long distance into the plain. She returned thinking upon the lot of that young man, whom she believed to be poor and disinherited, and, for the first time, M'lle de La Seiglière fell to contemplating, with a feeling of joy and pride, the chateau of her father, illuminated with the mellow light of the setting sun, and the sea of verdure which undulated in the breeze around it. At the same time, beholding upon the other bank of the river, the little castle de Vaubert, sombre, and frowning, behind a cluster of oaks, whose naked boughs had not yet felt the influence of spring, she could not help feeling an emotion of sadness and dread, as if she was conscious that thence was to come the blow which would destroy the happiness of her life. The blow was, in truth, not long in coming. Helen had already arrived at the gate of the park, and was just stepping over the sill, when she was approached by a servant of the baroness, who placed in her hand a packet in an envelope, sealed with a triple seal, and stamped with the baronial arms. She recognized, at once, in the superscription, the hand-writing of the young baron, who had arrived at home the evening before, but of whose return she did not know till now. She turned pale, broke the envelope with a trembling hand, and found, together with her own letters to Raoul, which he thus returned, a letter from the young man. Helen tore open the letter, the seal of which was yet moist, read it hastily, and stood fixed as if she had been struck with lightning.

Very like those automata which, at the touch of a spring appear and disappear at your pleasure, M. de Vaubert had returned as he had disappeared, at the word of his mother, with the same smile upon his lips and the same knot in his cravat. Though by no means remarkable in point of pene-

tration, he was, on the whole, a fair minded, honest, good natured young man. Not only had he never joined in the intrigues of his mother, but, thanks to the somewhat limited powers of perception, which heaven had vouchsafed to impart to him, it may be even affirmed that he had not suspected them. Up to the present time he had innocently thought, like Helen, that old Stamply, in divesting himself of his property, had only restored to the La Seigliéres the possessions which, of right, belonged to them, and that, in this, the good man had followed only the suggestions of his conscience. To say the truth, Raoul had never troubled himself much about the affair, and looked only at the result which, of course, could not be expected to be particularly displeasing to him. He was poor, and had always felt a desire for riches. A million, he thought, would make an appropriate frame for a pretty portrait. Still, he loved Helen less for her fortune than her beauty; he loved her after his manner, coldly, but honorably—without passion, but also without calculation. He knew, moreover, the worth of his plighted faith, and never, for a moment, had sordid interest stained the flower of his youthful honor. As he learned what had passed during his absence,—the miraculous resurrection of young Stamply, his return, his installation at the chateau, his incontestible rights, whence inevitably resulted the ruin of the Marquis and his family, M. de Vaubert, as will readily be believed, did not discover any very timely transports of joy; his countenance was visibly elongated, and its general expression indicated only a very moderate satisfaction. But when, after having entered into a detailed explanation of these strange events, his mother inquired what course he would adopt in this conjuncture, the young man raised his head, and did not hesitate for an instant. He declared simply, without effort and without feeling, that the ruin of the Marquis did not in any respect release him from his obligations to his daughter, and he was ready now as he had ever been, to fulfil his engagement.

"I expected nothing less of you," replied Madame de Vaubert, with affected pride, "you are my noble son. But, unfortunately, this is not all. The Marquis, to save his possessions, has determined to marry his daughter to Bernard."

"Well, mother," returned Raoul, without discovering any emotion, "if M'lle de La Seigliére believes that she can withdraw her hand from mine, without forfeiting her honor, she is free; but I shall not cease to believe myself engaged to her until she first indicates her pleasure to the contrary."

"You are a noble heart," exclaimed the baroness, with an expression of well feigned joy, who perceived that her desire was about to be accomplished. "Write, then, to M'lle de La Seigliére, to that effect. Be manly, but still affectionate, that they may not suspect that you have, in writing, any other purpose than to acquit your conscience. This done, whatever may be the consequence, you will have honorably fulfilled the duty of a faithful lover and a gallant knight."

Without more delay, Raoul sat down to his desk, and on a sheet of elegant paper, which he had purchased at Paris, scented with musk, and stamped with the arms of his house, wrote the following lines, to which the baroness, after inspection, gave her maternal approbation, although she would have desired to see more passion and tenderness. Thus hostilities were about to commence. In the hands of the crafty baroness, that sheet of paper, emblazoned and perfumed, with its first page covered with a beautiful hand writing, after the English style, was nothing else than a bomb, which, thrown into the fort, must, almost certainly, produce the result which she had foreseen and upon which she had long calculated:—

"Mademoiselle:

I have just arrived, and learn, at the same time, the revolution which has taken place in your circumstances and prospects, and the new dispositions which M. your father, has thought proper to make to restore to you the heritage of his ancestors, of which the unexpected return of the son of his former farmer has deprived him. Whether, to these ends, M. the Marquis, has properly taken it upon himself to absolve two hands and two hearts long since, before God, united, God shall judge; I will not venture to pronounce my opinion. It does not become poverty to be presuming, or to weigh itself with wealth. I feel bound, however, by my honor, and still more by my love, to

declare to you, Mademoiselle, that, if, in this arrangement, you do not share the sentiments of M. your father, and do not think, like him, that plighted faith is an empty word, it will give me as much happiness to share with you my modest competence, as you yourself would have found in sharing with me your luxury and opulence. After this avowal, of which I trust you will not do me the injustice to suspect the sincerity, I will not add a word; in your hands alone, for the future, rests the decision of your lot and mine. If you repulse my humble offering, receive these letters which no longer belong to me; I will suffer without complaint or murmur. But if, on the contrary, you shall consent to come and bless my life and my fireside, return to me these precious pledges; I will press them with joy and gratitude to a faithful and devoted heart, which awaits only your response to learn whether it shall live or die.

"RAOUL."

Brought back thus violently to a sense of the reality, Helen hesitated no more than Raoul had done. After recovering from the kind of stupor into which the perusal of these few lines had thrown her, she hastened to her chamber, and resolutely suppressing her dream of an hour,—a ray of happiness extinguished as soon as it broke, a flower cut down at the very moment of blossoming—took her pen to write and sign herself with her own hand, the death warrant of her future happiness; but wanting courage for this, she contented herself with putting her letters into an envelope and sending them immediately to Raoul. When she had done this, she covered her face with her hands and burst into tears, very different, alas, from those she had shed in the morning. Meanwhile, under the melancholy of a vague and ill-defined regret, she very soon began to feel in her bosom the waking of a deep and boding disquietude. In reading the billet of M. de Vaubert she had distinctly comprehended but one thing; it was, that the young man recalled her to her solemnly plighted faith. Her conscience was touched, and she neglected the rest. Once appeased by the sacrifice, by which also her mind had recovered its calmness and wonted clearness, she recalled to mind, one by one, the expressions of the letter of her betrothed upon which her thoughts had not at first rested, but which had nevertheless left an unpleasant and somewhat confused impression. Suddenly, her recollections becoming more and more distinct, she drew Raoul's letter from her belt, where she had placed it as if to defend and protect her heart, and after having re-read it attentively, after having weighed each word and sounded each phrase to discover all its meaning, M'lle de La Seiglière read it still again; then, passing imperceptibly from surprise to reflection, she ended by falling into a profound reverie.

Hers was a pure spirit, a pious heart, a spotless soul, which had never touched, even with the tips of its wings, the pollution of the world. She believed in good, naturally, spontaneously, and had no suspicion of evil. In a word, such was her ingenuous innocence that she had not even suspected the truth, good faith and disinterestedness of Madame de Vaubert herself. Nevertheless, since the installation of Bernard, she had felt that there was passing around her something equivocal and mysterious. Although, by nature, neither curious nor distrustful, she felt a strange foreboding, especially as she perceived the changed and forbidding humor of her father, who had ever been, even during his exile, cheerful, smiling, and free from anxiety. She was astonished at the sudden disappearance of Raoul and his prolonged absence, which had never been satisfactorily explained; she had not failed to remark the sudden change which, dating from the departure of Raoul and the arrival of Bernard, had been operated in the every-day habits and appearance of the Marquis and the baroness; in fine, she had sometimes asked herself, in her moments of doubt and perplexity, how it could be that the young soldier, in the vigor of life, should consent, for so long a time, to occupy a humiliating and precarious position, without an effort to ensure his independence, as would naturally be expected of a character apparently so proud and energetic. What had passed? Helen did not know, but certainly something strange had taken place which they had studied to conceal. The letter of the young baron was a ray of light in the darkness of the night. By dint of reflection, if she did not divine the whole truth in all its extent, there appeared to her a luminous point as it w ere which, though scarcely perceptible, dire cte

her in her investigations. Once upon her way, Helen recollected some unfinished sentences which escaped old Stamply during his last hours, and which she had at the time vainly endeavored to interpret; she recalled, in all its details, the warmth of the reception with which the return of Bernard had been welcomed, after the coldness with which the old age of his father had been visited. In short, she held up the letter of Raoul as a light, before which were promenaded all the incidents which had signalized the sojourn of Bernard, and upon which she had, up to the present time, exhausted all her efforts in vain, in endeavoring to lift the veil and pierce through the dark obscurity. From episode to episode she proceeded, till she finally asked herself why, for a week or more, the baroness had not visited the chateau, and why Raoul had sent her the letter instead of presenting himself in person? and finally, coming down to the conversation which she had a few hours since held with her father, her blood mounted to her cheek, she rose proudly from her seat, and with a firm step went in quest of the Marquis.

At the same time, seated by the side of a small table, our Marquis, while waiting for his dinner, was occupied with soaking some biscuit in a glass of good old Spanish wine which sat before him, and although his pride had been cruelly wounded, he nevertheless felt a good appetite, and was in that state of comfortable satisfaction which one experiences after having undergone a painful operation which has been for a long time a subject of dread. He had finished with the baroness, was nearly assured as to the disposition of his daughter, and as to the assent of Bernard, about that he did not allow himself any trouble. Although, as the Marquis himself has said, his experience in matters of sentiment was rather limited, yet he understood himself well enough to have perceived for some time that the hussar was by no means insensible to the charms of his daughter; besides, where was the son of a peasant who would not deem himself especially fortunate in being allowed to mingle his blood with that of his ancient lords. Upon this point, therefore, the Marquis was tranquil; he was only troubled to find that his daughter should yield with so little resistance. The idea that a La Seigliére could have a Stamply, afflicted him beyond measure; this was the dregs of his bitter cup. 'Let the hand join in such an alliance, but God forbid that the heart should follow!' muttered he indignantly to himself. To balance this, he derived the greatest satisfaction at the thought of the figure which Madame de Vaubert and her great booby of a son would play in their little manor. He rubbed his hands, tipped over his chair, frisked and gamboled like a cat at play, and on calling to mind the remark which the baroness had so often repeated, that Paris was worth many a mass, he seemed ready to burst with delight at the prospect that all this was about to wind up by nothing else than a mass—a marriage mass. He was in one of his transports of good humor when the door opened, and Mademoiselle de La Seigliére entered, so grave, so stately, so truly royal, that the Marquis, after rising to salute her, stood silent in her presence.

"My father," said the beautiful and noble girl, in a tone somewhat musical but calm, "like a good gentleman, answer me frankly; and whatever you may have to reveal to me, be assured in advance, that you will never find me untrue to the duties and obligations which the care of your own good name may impose upon me. Answer me without evasion, I beg of you in the name of the living God, in the name of my dear departed mother, who now beholds and hears us."

"Ventre-saint-gris!" thought the Marquis; "this is no very promising beginning."

"Father," pursued Helen, with confidence, "by what title does M. Bernard live in our midst?"

"What a question!" cried the Marquis, more and more alarmed, but still contriving to keep his countenance. "By the title of host and friend, I imagine. We owe too much to the memory of his good old father that any one should be surprised at seeing the young man at my table. By the way," added he, drawing from his pocket a gold watch, to which was suspended a chain loaded with rings, seals, and divers other trinkets, "why can't the rascal of a Jasmin ring the bell for dinner; it is past the time already. Do you see that little jewel? Look at it. It does not appear of much value, and in fact it only

cost six livres; but I would not exchange it for the crown diamonds. It has a history connected with it which I must tell you. It was in seventeen hundred and——"

"Father you have another history to relate to me," said Helen, interrupting him with a tone of authority, "a history more secret, and in which is concerned a jewel much more precious,—your honor. M. Bernard is here by the title of host you say, father; it remains now to inform me whether we are the recipients of his hospitality or he of ours."

At these words, pronounced with such emphasis, and followed by a most searching look, the Marquis turned pale, and sunk back in his chair.

"All is lost," thought he with a look of despair; "the enraged baroness has told her the whole."

"In short, father," answered the unflinching daughter, crossing her arms upon the back of the chair in which her father was about fainting, "I ask you whether we are in the house of M. Bernard or he in ours?"

Tired of deception, and convinced, besides, that his daughter had been made acquainted with the whole history of his manœuvres, the Marquis now thought only of setting forth the truth in such a manner as would give least offence to her pride and self-respect.

"Well! faith!" cried the exasperated Marquis, "if I must tell you, I don't know myself. They have profited by my absence to make a code of infamous laws; M. de Bonaparte, who always hated me, has contrived to have inserted in it a clause on purpose to get me into trouble; and he has succeeded—the vile Corsican! Some maintain that this is Bernard's property, and others affirm that it is mine; some that old Stamply gave it to me outright, others that he only restored it conditionally. It is all at loose ends, you see; all in doubt. Des Tournelles knows not what to think, and Satan himself would waste his time in trying to solve the difficulty. For the rest, it is right that you should know that it is that infernal baroness who is responsible for all this. You remember how happily we lived together in our little nook in Germany. But one day Madame de Vaubert—mark the jade—took it into her head to endeavor to restore me to my estates, knowing very well all the while that if she succeeded they would sooner or later fall to her son. She wrote me that my old farmer was tortured with remorse, that he begged of her to persuade me to return, and protested that he could not die in peace without restoring to me all my property. I believed her, and took pity on the troubled conscience of the honest old man. I could not bear the thought that I should be the cause of his ending his days in misery. I came back with all haste, and what did I discover? Why, that the worthy man had restored me nothing, but merely made me a present. At least, so said my enemies; I have enemies, for as Des Tournelles says, what superior person has not? Meanwhile, Bernard, whom every body supposed to be dead, comes down upon us like a Siberian storm. What then is to done? M. de Bonaparte has so skillfully managed matters that it is impossible to tell. Is the property Bernard's, or is it mine? I do not know, neither does he, nor even Des Tournelles himself. Such is the history, and so stands the question."

Helen had been brought up, as we have before said, in utter ignorance of out door affairs. She had never suspected that interest plays so important a part in human existence, which it almost entirely absorbs. Having received, touching these matters, no other instruction than that of her father—whose ignorance was only equalled by his complacency—the knowledge which Helen had of French laws was about equal to that which she had upon the legislation of the Japanese; but this child, so ignorant here, possessed nevertheless, a higher science, a science more certain and infallible than that of the ablest jurisconsults or the most consummate legists. In her heart and incorruptible soul she had preserved, as pure and luminous as she had received it, that sense of right and wrong which God implants as a ray of supreme intelligence in the bosom of all his creatures. She knew nothing of the laws of men; but the natural and divine law was written on her heart as upon tablets of gold, and no pestilential wind, no evil passion, had blunted its keenness, or tarnished its sacred characters. She disengaged the truth without difficulty from the clouds with which her father had sought to obscure it. She detected the

net beneath the embroidery. While the Marquis was speaking, Helen remained standing, calm, pale, and unimpassioned. When he had finished she went and leaned upon the mantlepiece, and remained for some time silent, her fingers, meanwhile, playing with the tresses of her luxuriant hair, and she herself contemplating with speechless fear the abyss into which she was about to be precipitated, as a dove mortally wounded, as she leisurely sails through the azure sky, falls bloody, and still palpitating, among the reeds of some stagnant marsh.

"So, father," said she finally, without changing her attitude or turning her eyes towards the unfortunate old man, who knowing no longer what saint to invoke, strode up and down the room like a soul in torment, "so that old man, when life ended so sadly in abandonment and solitude, had impoverished himself to enrich us! Ah! I thank God that he inspired me with love for that generous old man; for but for me our benefactor would have died with no friendly hand to close his eyes."

"Well, am I to blame for that?" cried the impatient and confused Marquis. "The baroness has shown throughout the basest ingratitude. Me, I loved him, the old man; I delighted in him; I always found him pleasant and agreeable. But the baroness could not endure him. I often remonstrated—'Madame la baronne, this old Stamply is a worthy man; he has done a great deal for us; we ought to treat him with kindness and attention.'—If I had listened to her I should have driven him from the house. I would not have consented to do such a thing, even at the request of the king himself."

"So," continued Helen, after a new silence, "when this young man presented himself armed with his rights, instead of promptly restoring him his property, and withdrawing as we ought to have done, we have persuaded him by humiliating importunities, to permit us to live under his roof! Of your daughter, who knew nothing of all this, you made an accomplice!"

"I should have gone," cried the Marquis; "Bernard himself will testify that I was about to leave. It was the baroness who prevented me; she has deceived us all; she has ruined us."

Here, Mademoiselle de La Seigliére turned proudly round, about to demand of her father an explanation of the conversation which they had held together in that same chamber a few hours before; but her words died upon her lips, her bosom heaved, her countenance was suffused with a deep blush, and falling into a chair, she burst into tears. Was it only her revolted pride which troubled her? and did not her secret but hopeless love mingle its sighs with those of her offended dignity? The most pure and virgin heart is still an abyss whose depths cannot be sounded. The despair of his daughter completely unmanned the Marquis. He fell at her feet, seized her by the hand, which he covered with kisses, and wept like a child, as he was.

"My daughter! my child!" he exclaimed, pressing her in his arms; "be calm, indulge your old father; do not let me die of grief at your feet. We will depart if you wish it. We will go and live like savages in the depths of the forest; if you prefer it, we will return to our old Germany. What difference can it make with me? What do I care for fortune if you are happy. I will sell my watch and jewels to purchase flowers for my Helen. Go wherever you please; I will be content wherever you are. I told you this morning that I had only a breath of life remaining; I told you what was not true. I am as hale and hearty as ever. See what a leg! hard and plump as at twenty-five. I have killed seven wolves this winter; Bernard can't keep up with me in a hunt; and I hope to live to attend the funeral of the baroness, who is some fifteen or twenty years younger than I—as she pretends; for I know her too well now to believe half she says. Quick then, dry up these tears; a smile, a kiss, your arm in mine, and, gay Bohemians, hurrah for poverty!"

"Ah! dear father, I have found you again!" exclaimed Helen with a thrill of joy. As you say, we will leave; we will remain here no longer; we have already been here too long."

"Leave!" cried the astonished old man, who now began to wish he could recal the imprudent word which he had just now suffered to escape him; "leave!" he repeated with amazement. "Why, my poor child, where under heaven shall we go. Don't you know that I am in open war

with the baroness? and we have not now even the poor privilege of starving at her table and shivering by her fireside."

"If Madame de Vaubert repulses us, we will go where God shall lead us," replied Helen. "We shall then at all events, feel a consciousness that we are in the path of honor."

"Yes, yes," said M. de La Seiglière, sitting down carelessly by the side of Helen, "it is very well to go where God leads us; we couldn't have a better guide. But, unfortunately, he who provides food and clothing to the birds is not so liberal towards Marquises. Let us go where God sends us,—very fine sentiment, and pleasing no doubt to young imaginations; but when one has travelled all day, and at night has to go to sleep on the ground without any supper, he begins to think the route rather a rough one. If there was no body but me to suffer I would long ago have put on the sandals of the pilgrim, and taken the staff of exile. But my dear Helen, you are the one who would suffer. Have done with these childish notions. Let us talk reasonably and calmly, as two friends ought to. Let us see if there is no way of arranging this little affair to the satisfaction of all parties. For example, the proposition which I made this morning——"

"Would be your disgrace and mine," coldly interrupted Helen. "What would the world say? It would say that you had sold your daughter. Poverty is no excuse for dishonor. What would Madame de Vaubert think? And what would he think—that young man upon whom I have delighted to bestow my attentions in the belief that he was poor and disinherited? While one would accuse me of treachery, the other would suspect me of having designs upon his fortune, and both would despise me. Marquis de La Seiglière, be resolute and cheerful; your rank and poverty demand it. What is there so fearful in the lot which has fallen to us? Are we without an asylum. I will answer for Madame de Vaubert."

"But, *ventre-saint-gris!*" cried the Marquis, "I tell you that between me and the baroness there is a deadly feud."

"The king will aid us," said Helen. "He must be good, just, and great, for he is king."

"Ah, yes, the king, to be sure," muttered the Marquis. "But he doubts whether he is under any obligations to me. The era of great ingratitude dates from the establishment of the monarchy."

"I will go and throw myself at his feet; I will say to him—Sire——"

"He will refuse to hear you."

"Well, father," returned Helen, resolutely, "your daughter will still be left to you. I am young, and do not fear; I love you, and will take care of you."

"Poor child!" said the Marquis; kissing one after the other, her delicate hands. "What can these pretty fingers do? They couldn't support a canary bird. But to return to my proposition of this morning; you say that that would involve our disgrace. I pretend to a sense of honor as delicate as any one; but I do not look upon this as you do, Helen. Let the world go; it is always carping. He is a fool who cares for that. You fear that M. de Vaubert will charge you with infidelity. Upon that point, give yourself no uneasiness. The baroness is a cunning gipsy, and will never suffer her son to be involved in our ruin, you may depend upon that; and though I do not doubt the sincerity of Raoul, between you and me, he is a great noodle who suffers his mother to lead him by the nose. As for Bernard, why should he despise you? I admit that he could not reasonably pretend to the hand of a La Seiglière; but passion abjures reason, and he loves you, my daughter!"

"Does he love me?" said Helen, with a tremulous voice.

"By heavens!" exclaimed the Marquis, "he adores you."

"How do you know that, father?" murmured Helen faintly, with a feeble effort at a smile.

"No doubt of it," thought the Marquis, suppressing a sigh of resignation, "my daughter loves the hussar."

"How do I know," cried he; "I am not so old yet as to have forgotten how these matters used to go. When he told over his battles, last winter, by the fireside, do you think the eyes of the baroness moved him to such eloquence? And from the day when you ceased to appear in the salon, he was as still as a mouse, not three words could you get from him at a time. Do you suppose that I did not then understand the cause of his silence and melan-

choly? Have not I seen his countenance light up whenever you made your appearance? And when he mounted Roland at the risk of his life, think you love was not at the bottom of his bravery? I tell you he adores you; and, moreover, were he a son of France, however high in station, he could not conceal his passion."

The Marquis paused, but kept his eye on his daughter, who had listened attentively. That mysterious impulse which she had before felt, but endeavored to suppress, again stirred in her heart, and there she stood, silent and pensive, forgetful that she had just riveted the chain which bound her forever to Raoul, and unconsciously abandoning herself to that insensible current which was bearing her towards the shore where chanted youth and love.

"The thing is done; she loves him," said the Marquis to himself, and in the excess of his delight began to rub his hands, when the door of the salon suddenly opened with a slam and Madame de Vaubert precipitated herself like a rocket, into the apartment, followed by Raoul, stiff and reserved.

"Come, my dear noble child," cried the baroness, stretching out both her arms towards Helen. "Come, let me press you to my heart. Ah! how well did I know," added she with the most melting tenderness, covering her forehead and cheeks at the same time with kisses, "how well did I know that between wealth and poverty your dear soul would never hesitate! My son, embrace your wife; my daughter, embrace your husband; you are worthy of each other."

Suiting the action to the word, she gently drew Helen towards Raoul, who respectfully kissed her hand.

"Do you see, Marquis," continued the baroness with increased tenderness; "do you see their transports? Tell me now, had you a heart of brass, had you been nursed in your infancy by a bear, could you have had a heart so unfeeling as to break such charming bonds? It is not your good name alone, which, you see, is at stake, but the happiness of these two noble creatures."

"Faith!" muttered the Marquis to himself, whose stupefaction we will not attempt to depict; "here is a pretty fix. Plague take the baroness."

"Monsieur le Marquis," said Raoul advancing, and freely tendering his hand, "revolutions have left me but a limited fortune, but the little I have is at your service."

"Monsieur de Vaubert," said Helen, "you are very generous."

"Magnanimous children!" exclaimed the baroness. "Marquis you are affected, you are about weeping; why do you try to suppress such noble affections? Your knees tremble; your heart is almost bursting. Let nature speak out. Pray do not torture yourself in this way. Your arms are voluntarily opening to receive——Raoul, embrace your father," added she, quickly turning to the young baron, and pushing him into the reluctant arms of the Marquis, while she looked with intoxication upon the awkward ceremony. "And we too, my old friend, we will be reconciled," cried she, rushing into the Marquis' arms.

"We will," said the Marquis mechanically.

"Baroness," said the Marquis, in an under tone, "I don't exactly see where you are coming to, but I fear you are getting us again into some of your infamous plans!"

"Ha! ha! ha!" laughed the baroness; "always ready with a joke."

"Bernard, Helen, and you too, my old friend," continued the baroness, who had not yet fully executed her plan of operations, "in receiving you, all of you, again into the same affectionate regard, and the same constant solicitude—if I may believe my own heart—the manor of Vaubert will become the abode of peace, happiness, and mutual affection; we shall realize there the sweetest and most enchanting dream which ever ascended from earth to heaven. We shall be poor in this world's goods, it is true; but we shall be rich in the treasure of united hearts, and the spectacle of our humble, but blissful fortune, will become the envy of luxury and opulence. What can ever harm you, Marquis? Love and affection will watch over your declining years, and make you forget your misfortunes. Loved, cherished, honored, caressed, you will not feel the loss of your property, and will be astonished that you should have ever thought of regaining it at the price of your honor."

After hazarding a few objections, which Raoul, the baroness, and Helen, all united in removing, and cast about, in vain,

for some loop-hole by which to escape, feeling himself fairly caught—

"Well! *ventre-saint-gris!* so let it be," cried the Marquis, with the gesture of a man who knows the game is lost, but means to make out a good cause. "My daughter will be a baroness, and that old rogue of a Des Tournelles, will never have the satisfaction of seeing a La Seigliére espouse the son of a clown."

It was furthermore decided at this sitting, (the baroness would not suffer any delay,) that the Marquis should immediately sign the deed of release to Bernard, and that the old gentleman and his daughter should, at once, retire to the castle de Vaubert, where the young couple were to be married without delay. Whereupon the baroness took the arm of the Marquis, Raoul offered his to Helen, and all four went to dine at the manor.

XIII.

But what has become of Bernard, while the events which we have just described were going on at the chateau? With head and heart occupied with a single image, he has been riding leisurely along the paths which border on the Clain. He is in love; and in his free and noble nature, which had not suffered in its tone, by contact with the world, love did not long remain in the form of a vague longing, a floating dream, a mysterious suffering, but it soon became a passion, ardent, energetic, vital and profound. Bernard constituted a part of that active and turbulent generation, whose youth rolled away in the camp, and had not had time to dream and love. At the age of seven-and-twenty, that yet morning hour when the young of our listless generation have foolishly wasted their energies in idleness and dissipation, he had known only the absorbing passion for glory. It may easily be conceived, therefore, that if the germ of a serious love should fall into his heart, the seed would quickly swell and unfold itself, and then would spring up a vigorous shoot in a fecund and virgin soil. He saw Helen and loved her. And how could he have done otherwise. She was endowed with grace and beauty, was intelligent though artless, was marked with every stamp of nobility, and was free from its narrow ideas and superannuated prejudices. With all the stately royalty of the lily, she exhaled its sweet and delicate perfume; to the poetry of the past, she joined the serious instincts of the present. And this noble and chaste creature, had met him with open hand and smiling lips! She had told him of his old father, that she had stood by the side of the old man's pillow, instead of his absent son; that she had received his last adieus, and closed his dying eyes. During his life-time she had been accustomed to sit by his side at the table, and by the fire-side. At the story of his own sufferings and hardships, her beautiful eyes had been moistened with tears, and he had seen them kindle at the recital of his battles. How then could he not love her? He had loved her at first, as with a passion which he did not know, restlessly but delightfully; but when she came to absent herself from his presence, as with a passion which was without hope, silently and wildly. It was at this period, that becoming conscious of the true nature of his feelings towards Helen, while at the same time he was fully aware of his duty to himself, as a man of honor and a child of the revolution, he was struck with fear. He saw that, influenced by the charms which surrounded him, he had been beguiled into the acceptance of an equivocal position, that the public might censure him, that his honor might be compromised in the estimation of his brothers-in-arms, and, that to extricate himself from his embarrassment, he must proceed to dispossess and ruin the Marquis and the daughter, whom he devoutly loved. How could he resign himself to such a course:—he, who had trembled at the thought that they might some day leave of their own accord, and who of all things the most dreaded to be left alone deserted in his castle? If he loved Helen above all things, it was not her alone that he loved. Notwithstanding the old gentleman's petulance and obstinacy, he f t h'mself secretly attracted towards the Marquis. He had also contracted a kind of affection for that happy and quiet domestic life, the ease, elegance and comfort of which he had

never before imagined. The idea of espousing Helen,—an idea which reconciled every thing, and to which the old gentleman himself did not object, Bernard had not even conceived. Beneath an unpolished exterior, an energetic character, and an ardent love, were hidden all the delicacy and reserve of a timid and confiding soul. The consciousness, which he had, of his rights rather humbled than emboldened him; he had no confidence in, and placed no reliance upon wealth merely as such. Meanwhile, within a week, every thing within as well as around him, had undergone a change. While around him the trees were clothing themselves in their richest verdure, Spring, with its flowers, was opening in his heart. Helen had re-appeared, and her re-appearance was to him what the return of Spring is to the earth. The presence of Helen recovered, the recent conversations which he had had with the Marquis, the cordial and almost excessive attention which the old gentleman had of late shown him; a few words which had escaped him on the morning of that very day, all these, with the soft breezes of Spring, the odor of the blooming hedges, and the joyous rays of the sun, filled Bernard with an inexplicable something, which troubled while it charmed.

In such a state of mind Bernard turned his horse about, and started on a gallop for the castle—for the night was already descending from the hills into the valley—when, in passing over the bridge, his eye fell upon the little caravan which was making toward the manor of Vaubert. He reined up his horse, and at once discovered Helen, through the darkening twilight, leaning upon the arm of the young baron. Bernard was not acquainted with Raoul, and knew nothing of the projected union; nevertheless his heart fell. He was sorry also to see that the intimacy between the Marquis and the baroness had been renewed. After having followed the two couple a long time with a look somewhat chagrined, he again turned his horse into the road, returned slowly to the chateau, dined alone, counted sadly the hours, and felt as though that evening of solitude—the first he had passed since his return—would never end. He walked up and down in the park for some time, then retired to his chamber, and sat looking out of the window till he saw the Marquis and his daughter, whose voice he caught in the stillness, pass like two shawdows, under the foliage, into the chateau.

The next day, at breakfast, he waited in vain for Helen and her father. Jasmin, whom he interrogated, replied that they had gone one hour since, to the manor of Vaubert, saying to the servants that they should not be back to dinner. During this day, which rolled away even more slowly than had the previous evening, Bernard observed that the servants were unusually busy, passing to and fro between the chateau and the manor, as if engaged in preparations for some new installation. He feared some frightful misfortune. For a moment he was tempted to go directly to the manor; but for its occupant he felt an invincible repugnance, almost of horror, and had always kept away. He little suspected however that there was to be forged the bolt that was soon to strike him. He had advanced half way when he discovered through the silver foliage of the willows, upon the other bank of the Clain, Helen and Raoul walking together, and the demon of jealousy began to gnaw in his bosom. He was kind and generous, but impetuous and terrible. He returned to his chamber, took down his pistols, examined them with a wild and cloudy look, snapped them, to see if they would be true, and then, as if ashamed of his folly, threw himself upon his bed, and, though of a lion heart, wept like a child. Why? Still he did not know. He suffered without knowing the cause of his suffering, just, as the day before he had not known the source of that inexplicable happiness which troubled while it charmed. The evening was less stormy. At nightfall, he took to wandering in the park, awaiting the return of the Marquis. The breeze was fresh and invigorating, and reflection had somewhat calmed his spirits. "Nothing in my life is changed," thought he; and little by little he returned to his happier dreams. He had been sitting some minutes on a stone seat, in the same place, where, so many times, with Helen, in the late autumn, he had watched the yellow leaves as they fell and whirled about above their heads, when he heard the sand crush under a light step; and the rustling of a dress along the walk, bordered with hawthorn in flower; and on raising his eyes, discovered Helen ap-

proaching him, pale, sad, and more serious even than was her wont.

"Monsieur Bernard, I was looking for you," said she, at once, in a tone full of sweetness.

In fact, Helen had escaped in the hope to meet him. Knowing that there remained but two nights more for her to pass under a roof which was not her father's, and foreseeing very clearly that all relations between her and the young soldier were about to be broken off, she had sought him, not from weakness, but rather from a proud sentiment of self-respect, that, should he, as he doubtless would, discover the craft and intrigue which had been sporting with his fortune, she might guard against the suspicion, on his part, that she had been an accomplice therein. She could not dissemble, however, that before withdrawing entirely, she had toward him certain obligations to fulfil; that she owed at least a formal adieu to a host so delicate that she had never suspected his rights—at least some reparation to the magnanimous man, whom, in her ignorance she had suffered herself to suspect of servility. She felt also, in short, that it was her duty to inform him of her contemplated departure, that he might be spared mortification if not grief.

"Monsieur Bernard," continued she, as she took a seat by his side, with an emotion which she did not seek to conceal, "in two days my father and I shall have left this park and chateau; they do not belong to us. I have felt unwilling to depart without thanking you for your generosity and kindness toward me and my father, and assuring you that they will never be forgotten, by me, to the latest hour of my life. Indeed, so great has been your kindness and generosity, that till yesterday I had never suspected that you were the owner of these estates."

"You leave, Mademoiselle, you depart?" said Bernard, half stunned with astonishment. "What have I done? Perhaps, unconsciously, I may have offended you or your father? I am only a soldier; I know nothing of the world—but leave! you shall not leave."

"It must be so," said Helen; "our honor and yours require it. If my father, on leaving, does not discover towards you the respect and affection which he ought, I beg you will pardon him. He is old, and has the weaknesses incident to age. Do not lay anything to his charge; I feel myself rich enough in gratitude to add his debt to my own, and discharge them both."

"You leave!" repeated Bernard. "But if you leave, Mademoiselle, what will become of me? I am alone in the world; I have neither parents, family, nor friends; on my return I tore myself from the only friends which I had, that I might spend my life with you. To remain here with you and your father, I have repudiated my caste, abjured my religion, deserted my standard, torn myself from my companions in arms. Not one of them would now consent to shake my hand. If it concerns your honor that you go, why did you not do it when I first returned? My head and heart were then full of hatred and indignation; I wished revenge. I was ready for it. I detested your father, and despised the whole race of the nobility. Why did you not go then? Why did you not yield me up the place then? Why was I urged to compromise and confound our rights, and form a single family? And now, that I have forgotten whether I dwell under your father's roof, or he under mine, now that I have learned to love what I then detested, and to honor what I then despised, now that I am shut out from the rank in which I was born, now that a new heart and a new soul has been created within me, you are going to leave, to fly from and abandon me!"

"And so too," resumed Bernard, in a sorrowful tone, raising his burning head, which he had held for some time between his hands; "and so, too, I shall have brought into your existence nothing but affliction. I, who would gladly give my life to spare you a single pang. I shall have fallen upon you like a stone, which darts down and destroys, who would have freely poured out my blood to add one new joy to the sum of your existence. Here you were quiet, happy, and blooming as the lily, in the midst of your ancestors' domains; and was it for me to return, as it were, for that sole purpose, from the depths of those arid plains, to initiate you into the sorrows of poverty; was it for me, who would joyfully return into the icy exile from which I came to leave you my portion of the sunshine of life?"

"Poverty does not frighten me," said Helen, "I know it well; I have lived in it."

"Still, Mademoiselle," continued Bernard, almost beside himself, "if, urged by despair, as in war by danger, I should dare say to you what I have not yet dared to say to myself; if, in my turn, I should venture to propose to compromise and confound our rights and be as one family, if encouraged by your favor and kindness, and emboldened by the almost paternal affection which your father has shown me of late, I should so far forget myself as to offer you a trembling hand, doubtless you would reject it and, indignant, not without reason, that a love so humble should seek the object of its devotion in one so noble, would overwhelm me with your contempt. But could you forget, as I would forget with you, that I have ever had any pretensions to the heritage of your family, could you continue to believe, as I could believe with you, that opulence was yours and poverty mine, and I should then say to you in an humble tone:—I am poor and without inheritance, do with me as you think fit; guard me in some retired corner, where I can only see and admire you in silence; I will never annoy or importune you; you shall never find me in your way save when you call me; at a word, a gesture, a look, I will seek my retirement;—perhaps, then, —perhaps, then," he repeated earnestly and inquiringly, "you would not reject me, but would have pity on me, and that pity I would bless and be more proud of than of the sceptre of a kingdom."

"Monsieur Bernard," said Helen, rising with dignity, "I do not know of a heart so noble that it may be compared with yours; I do not know of a hand which would not be honored by the troth of yours. Here is mine; farewell! It is the farewell of a friend who will remember you in all her prayers."

"Ah!" cried Bernard, as he dared for the first and last time to press to his lips the white hand of Helen, "my life goes with you! Tell me, noble girl, what is to become of you and your old father."

"We are provided for," replied Helen, without thinking that, in the hope of somewhat assuaging his anxiety, she was about to strike him a most cruel blow, "M. de Vaubert is generous, he will find as much happiness in sharing with me his humble fortune as I should have found in dividing with him my opulence."

"Do you love him?" demanded Bernard.

"I believe I have told you," replied Helen hesitatingly, "that we were brought up together in exile."

"Do you love him?" repeated Bernard.

"His mother almost made me forget the loss of mine, and we were betrothed in early infancy."

"Do you love him?" said Bernard still again.

"He has my faith," responded Helen.

"Farewell, then," added Bernard with the resignation of despair. And again and again he murmured, as with his eyes he followed Helen, who was wending her way towards the bridge, also with a heavy heart, "Adieu, enchanting dream!"

The next day was the one fixed upon for the signature of the deed of release. Towards noon, the Marquis, Helen, Madame de Vaubert, and a notary who had been summoned expressly from Poitiers, found themselves assembled in the great salon of the chateau, which, from its disorder, gave abundant evidence of the approaching departure. They waited only for Bernard. He entered very soon, booted and spurred, and whip in hand,—much as he was when he appeared at the castle for the first time after his return. The baroness watched him from the moment of his entrance with the utmost alarm, but no one could have divined from his calm and passionless countenance what was passing in his heart. After reading the deed, which he had himself drawn up, to those present, the Marquis took his pen, and carefully holding away his copious and nicely ironed ruffle shirt bosom, signed it without a frown, and with exquisite politeness handed to Bernard the paper duly marked by the government stamp.

"Monsieur," said he, with a polite smile, "this will restore you beyond a doubt to the *sweat* of M. your father."

Bernard took the paper with a soldier's abruptness, tore it into four pieces, thrust them into his pocket, buttoned up his coat, and retired immediately without saying a word, to the utter consternation of Madame de Vaubert.

"Eh? *ventre-saint-gris!*" said the

Marquis, rubbing his hands. "Lucky day this; only cost us a million."

"Is it possible?" thought Madame de Vaubert. "Can I be deceived? Is not this Bernard the worthless and contemptible fellow I have taken him to be?"

"My God!" said Helen to herself, "how sad he looks!" and her heart shuddered as she thought of the future.

The preparations for the departure consumed nearly the entire day. The Marquis himself was quite merry, and busied himself with taking down the family portraits, every one of which was honored with some jocose remark. But the baroness was not by any means in a merry mood. Helen occupied herself in picking up her books, embroideries, albums, battledores, and the like. Bernard had, immediately after the signature of the deed which restored him to his rights, mounted his horse and did not return till late in the evening. As he was passing through the park he discovered Helen sitting in an open window, and remained a long time contemplating her, concealed by the friendly foliage of a chestnut.

Helen passed that whole night without sleep; now leaning over the balcony and gazing by the light of the stars upon the beautiful shades which she was about to quit forever, and now wandering around her apartment and bidding adieu, in her heart, to this dear home of her youth. Overcome by fatigue, she threw herself, as the day was already beginning to dawn, on the bed. After an hour of heavy and disturbed slumber she was aroused by a frightful uproar. She sprang to the window, and, although it was not the season for the chase, she saw all the huntsmen of the chateau assembled, some on horseback blowing their horns as if they would crack, and others holding the impatient pack which shook the morning air with its yelps and cries. Helen was doubting whether all the noise was to celebrate the day of her departure from the chateau, or what was the cause of such a boisterous serenade, when Bernard came rushing into the midst of the crowd mounted on the fiery Roland, to the visible wonder of the huntsmen.

Dexterously managing the ardor of the dangerous animal, after plunging and prancing about the park, he reined him up under the windows out of which Helen was gazing, paler than death; he then threw a glance towards the young girl, and after respectfully raising his cap, let loose the reins, put spurs to his horse, and left the chateau like an arrow, followed at a distance by the whole pack, huntsmen and hounds, which vied with each other in noise.

"Oh, how unfortunate!" murmured Helen, wringing her hands in despair; "I fear some terrible mishap."

She would have ran after him, but Roland went like the wind. It had been agreed the evening before that Raoul and his mother should come the next morning and conduct the Marquis and his daughter to their new home. As Helen was passing out of the door of her chamber, she met Jasmin, who presented her, upon a silver plate, a letter in an envelope. Helen hurriedly returned, broke the seal, and read these lines, evidently written in haste.

"MADEMOISELLE:

"Do not go; remain here. What can I do with this fortune? I could only bestow it in charity, and you, in this, would dispose of it far better than I—more acceptably to the world, and more in accordance with the duties of religion. My only prayer is that in all your benefactions I may be considered as uniting; this will be my passport to heaven. Be not concerned for me, I am by no means without resources. I have yet my rank, my epaulettes, and my sword. I shall return to the service;—no longer the same flag, it is true, but it is still the flag of France. Adieu, Mademoiselle, I love and respect you; and though you would have consented to embarrass me with a million, I pardon and bless you because you loved my old father. "BERNARD."

Within the same was enclosed this autograph will:

"*I give and bequeath to Mademoiselle de La Seigliere all that I possess on earth, as her legitimate property.*

"*Done at my chateau of La Seigliere, this 25th day of April*, 1819.

"BERNARD STAMPLY."

When she came down stairs, where the baroness and her son had already arrived,

Helen was so pale that the Marquis cried out with alarm, "What is the matter?" while Raoul and his mother eagerly crowded around her. But the young girl declined their offered attentions, and remained cold and mute.

"Ah!" said the Marquis, "does your heart fail you so soon?"

Helen made no reply. The hour fixed for their departure was fast approaching. The baroness was in continual fear lest Bernard should appear and interpose some obstacle, and took no pains to dissemble her impatience. On his part, the young baron was by no means transported with enthusiasm. Silent and distracted, Helen seemed neither to see nor to hear anything of what was passing, and the Marquis did not discover his usual vivacity. "By the way, said he, abruptly, "this rogue of a Bernard has given us a specimen of his cloth this morning."

"How so, Marquis?" enquired the baroness, whose ears always caught the sound when Bernard's name was mentioned.

"Would you believe it, Madame la baroness? this son of a clown did not wait for us to go before he took possession. By sunrise this morning he started for a chase, followed by my whole pack and all my huntsmen."

Here Helen, who had stepped to the front door, uttered a shrill cry, and fell into the arms of her father, who was just in season to save her. Roland had just rushed along the main entrance like an arrow shot from the bow. The saddle was empty, and the stirrups were beating against the lacerated sides of the courser.

Two months after the death of Bernard, which was naturally attributed to the rash and reckless daring of the hussar, an incident of quite a different nature occupied the attention of all, high and low, old and young, in the city and its environs; it was the entrance as a novice of Mademoiselle de La Seigliére into a convent of the order of the daughters of Saint Vincent de Paule. It was a matter of much difference of opinion; some saw in it only the result of a fervent piety and a desire to do good; while others suspected that love to God might not be the only love which led to such a step. And these latter were nearer the truth; but no one save the Marquis knew that such was the case. This knowledge was the source of his greatest trouble; the thought that his daughter beyond a single doubt loved the hussar, poisoned the whole of his remaining existence. Nevertheless, as with the will of Bernard in hand, he dreamed of his chances to the succession, he could not but allow that the boy had acquitted himself handsomely. He contrived to live as in the past, the absence of his daughter working no change in his habits. He died of fright in the year 1830, caused by a bevy of roguish boys who, gathered under his windows one night, broke a few scattering glasses, and sung the *Marseillaise.* Our young baron married into the family of a rich tallow-chandler, and spends his time for the most part in gallanting his not very handsome wife, and some half a dozen feminine antiquities who stand to him, by marriage, in the relation of sisters. His father-in-law boasts of his titles, and twits him of the money they have cost him; his wife calls him Monsieur le baron, with not very unfrequently a qualifying adjective which is not classed among the terms of endearment. Madame de Vaubert is still living. She passes her days mostly alone at the chateau de La Seigliére, and by night dreams that she is changed into a cat, before which the castle, in the shape of a mouse, is constantly hopping, without however, her being able to seize upon it. After the death of her father, sister Helen disposed of all her property for the benefit of the poor, and we are assured that the castle itself, in accordance with the wishes of Helen, will soon be converted into a house of refuge for the indigent.

ASPECTS OF NATURE.*

ALEXANDER VON HUMBOLDT is one of the most respectable names in the annals of natural science. Respectable is the term; but respectable in the highest sense. An ardent student of nature for fifty to sixty years, with opportunities, moreover, as rare as his inclinations, he can scarce be cited as the discoverer of a single one of her leading laws. He has written, too, as well as thought upon her in every aspect; written, perhaps, all that he has thought. And all that he has written he seems to have given to the world, in every mode of publication—from the academical memoir up to the illustrated folio. Yet, the utmost a general judgment may honestly award him, is this: that he has written always intelligently, often instructively, never profoundly. It is a high eulogy, no doubt; high, especially in an age when, under the pretext of popularity, literature is vulgarized to clap-trap, and science degraded to quackery. But was it all that might be expected from an intellect at whose service the gods seem to have vied to place every external advantage. Was it all that might have been accomplished by the sixty years' labor of a man commencing his career with a competent education and a Teutonic frame; prosecuting it throughout without interruption by sickness, without distraction by family, without disturbance by passions; personally visiting nature in all her contrasts of appearance; witnessing man in all his conditions of civilization; in fine, the companion or correspondent of the mental elect of the age; the protected of kings; and, above all, the possessor from the outset of an independent private fortune?

Yet it may well be that most of these circumstances have rather contributed to propagate his fame than to fit him to deserve it better. Dr. Johnson thought a man of rank who descended to even the congenially idle exertion of writing poetry, ought to be handsomly commended. How much larger then should be the obligation when he submits to the duress of fact, to the drudgery of science? Then the absence in Humboldt of the stronger passions, as well as of the originative power of genius, naturally conduce to the same partiality of appreciation among the learned. He has, in fact, had no enemies, for the same reason that he has had no followers. He is one of those irreproachable mediocrities which, in philosophy as in society, you hear everybody praise, because they have not force enough to scorn the pretenders or to rival the truly great. They thus escape condemnation, between critics and competitors, as the bat escaped conscription in the battle of the beasts and birds. Not only this, but they ordinarily receive the ostentatious panegyrics of the former, and the patronising compliments of the other. And both go alike to inflame the sympathetic predilection of the general public for the average order of intellect. Hence we see Humboldt addressed familiarly by speculators in canals or railroads; and ship-owners presume to honor him by marking their water-wagons of trade with his name. This might be a compliment to an Astor or even a Baring; but who would think of thus complimenting the name of a Bacon, a Gallileo, or Napoleon?

Besides, and, perhaps, above all the preceding elements in the aggregated reputation of Humboldt as a philosopher, was, at least in the eyes or the echo of the multitude, his pecuniary independence. Most men, feeling unwilling to toil themselves, unless for money, are apt to reason upon the matter somewhat in this wise: Here is a man with ample wealth, political distinction, and court honors at his command, and who perseveringly foregoes all for the hardships of a wandering, often the privations of a savage life. What other could be the motive of a course so uncommon than the

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* *Aspects of Nature.* By ALEXANDER VON HUMBOLDT.

impulse of genius? True, were the same person poor, it would be obvious to see that the same genius was eccentricity, if not insanity; for if it were genuine it would have made him money. Alexander Von Humboldt is, then, the greatest philosopher of the age; much as Thomas Macauley is the greatest historian. And, in truth, though one may question this somewhat circular reasoning, we should incline, ourselves, to make a commendatory conclusion from the same premises. In fact, the real glory of this noble character consists in what he has aimed at, rather than what he has accomplished. And it may be a set-off to our critical strictures to say, in conclusion, that the life of Humboldt has contributed quite as much to the dignity of science, as science has really contributed to the fame of Humboldt.

Moreover, the circumstance of affluence was, perhaps, a drawback in reality, a preventive of deeper power. It is a magnet that attracts the negative, which is the fairer side of humanity, and disinclines when it does not disqualify to penetrate below the surface. But without knowing man thoroughly, we cannot study nature philosophically. Accordingly, the works of Humboldt are a general comment upon this truth. And the treatise we propose to consider is a system of special significance. It undertakes to depict the principal aspects of physical nature, in an isolated, cursory, and merely critical manner. It neglects all systematic attempt to co-ordinate the various views among themselves. Above all, it foregoes the opportunity of pointing out their co-relation with the history and progress of the human race. To be sure, it expressly proffers no design of this magnitude; and, subscribed with another name, might have fully satisfied expectation. Let us take it however, such as it is; it contains much to be read with pleasure, and pondered with profit.

The subject is treated, severally, under the heads—rather heterogeneous—of deserts; the physiognomy of vegetables; the cataracts of the Orinoco, and the structure and action of volcanoes in the various regions of the earth.

Deserts—which are not to be confounded with the wilderness—are of three or four species; determined in their character and aspect by the circumstances of climate, soil, and elevation above the level of the sea. Subject to these conditions they are found alike in every zone of the earth. Though peculiarly marked in each, yet travellers, and Humboldt amongst them, are accustomed to name them all indifferently, by the native appellations of each. Thus, the vast, level, and treeless plains of Missouri, of South America, of central Asia, are mentioned, indiscriminately, as prairies, plains, savannas, steppes, &c., according to the country or the caprice of the writer. But the differences are not merely essential in themselves, but reveal, moreover, a principle of great importance to note. We may venture, then, to divide these varieties of desert into, 1st. Such as have absolutely no vegetation at all; 2d. Such as vegetate slightly for a certain season of the year; 3d. Such as are covered the whole year, but only with a vegetation of the grass species; 4th. Such as present a shrub vegetation, to the exclusion of every other. The scale might evidently be extended, according to the ascending multiplication of species; and it is by doing so that the classification would prove of the high importance alluded to. For the present subject, however, these four divisions will suffice. Observing the appellation which is native to the type of each description, they should be called in the order stated, the Desert proper, the Llanos, the Steppe, and perhaps the Copse.

The principal type, and perhaps sole instance of the second, is the vast sand-ocean which covers and curses the interior of Africa to the extent of some three times the superficial area of the Mediterranean sea. Like the sea, too, the Sahara has its islands, or oases; which are not merely fountains of water, as is commonly believed, perhaps from the similes of the poets, but contain, also—though in consequence no doubt of the moisture—districts more or less considerable, of vigorous and various vegetation. All around beside is a wide and eternal waste, unrelieved by an instance of vegetable, unmarked by a vestige of animal life. The only exception to the latter, is the track, scarce discernible, though worn for a thousand generations, of the caravan and the camel; the latter of which is aptly called the "Ship of the Desert" by the Orientals, through a popular perception of the drear analogy suggested.

The origin of this complete sterility is ascribed by Humboldt to an irruption of the ocean, in this case, the Atlantic, which tore away not only the primeval vegetation, but the very soil itself, from the surface of the earth, and then, on retiring, left the desolated region overspread with a suffocating plain of sand. The barrenness thus produced, which was originally common to all the species of desert, is perpetuated in that of Africa by its position in the torrid zone. There can be no vegetation, no development of organic life, without moisture. But neither rain nor dew is permitted to light within the parched precincts of the Lybian sands. The rays of the vertical sun reflected with accumulating intensity from the bare and burning plain, have the effect of rarifying the atmosphere so as to send it upwards in perpendicular columns, that dissolve the gathering vapors, and devour the rushing clouds on their way. By this natural ascension of the rarified air in the direction of the lighter pressure, our author also explains some other curious phenomena. It had been long remarked that summer insects were frequently met with up the sides of tropical mountains beyond the region of perpetual snow. Humboldt himself observed even butterflies on the summit of Chimborazo. It was certain they would never have entered a climate so fatally uncongenial of their own will or instinct. The solution was, then, that they had been floated thither forcibly by the atmospheric current from the scorching plain below. Another singular fact was the deviation from the trade winds experienced along the Atlantic in front of the African coast, particularly between the Canary and Cape Verde Islands. It was the cool ocean air rushing landward towards the Sahara desert. And thus this wind, long so perverse to the philosopher, as well as still adverse to the mariner bound for the New World, had its mysterious cause many thousand of miles away, in a quite opposite direction. The cause was no other than the African desert in its peculiar aridity and extent, which produce, by the expansion described, an enormous and insatiable gulph in the equilibrium of the atmosphere ocean.

But why is the aridity thus peculiar to Africa? The LLANOS on the opposite continent of South America, is equally within the tropical regions, yet they are visited by both dews and rains, and present accordingly a degree of vegetation which lasts a large portion of the year. This can be owing but to a difference of climate or soil, the latter, of course, including the configuration of the country. The destructive characteristics, in these particulars, of the western desert, are enumerated by Humbolt as follows:—"The comparatively limited breadth of this continent, (South America), intersected in a thousand ways throughout the equinoctial regions to the north of the equator; its prolongation towards the icy poles; the ocean, with its unbroken surface, swept over by the trade winds; the flatness of the eastern coast; the currents of very cold water which wash the western, from the Straits of Magellan along to Peru; the numerous chains of mountains cooled all over with springs, and whose snow-covered summits soar beyond the region of the clouds; the abundance of immense rivers which, through multiplied meanderings, are observed to always seek their outlet at the remotest point of the coast; the deserts without sand, and consequently less susceptible of being impregnated with heat; the forests of impenetrable thickness, which cover the plains of the equator, watered underneath with a multitude of streams, and which, in the parts of the country more remote from the ocean and the mountains, give rise to enormous masses of water, that are either the product of their confluence or the result of the luxuriant vegetation—all these causes combine to produce, in the lower parts of the American continent, a climate contrasting singularly, in coolness and humidity, with the temperature of Africa. To these alone should we attribute also that vegetation so vigorous, so luxuriant, so sapful, and that foliage so copious, which constitute the special character of the New World."

The consequence of this state of the climate upon the South American desert is the production of an abundant crop of grass during the favorable season of the year. With the annual return of the drought, however, the Llanos assumes the condition of the Sahara in all except the sand. This dreary metamorphosis begins with the sudden burning of the tall grass into dust, the opening of the plain into

deep fissures as if cracked by an earthquake. Then, if cross winds should come into collision at the surface and the conflict result in a circular motion, the dust, says the author, is whirled aloft in moving columns, like the water-spout. The heavens, overcast, shed but a murky and livid light upon the desolate plain. The horizon, before unbounded, is suddenly curtained round, contracting the area of the desert and the heart of the spectator. The burning dust which surcharges the atmosphere intensifies, by reflecting, the stifling heat of the air. And the easterly winds do but augment instead of allaying it, by accumulating the emanations of the sweltering soil. The verdure of even the palm-tree withers, and the pools of water which it protected run gradually dry. As the animals of northern regions are found to wrap themselves in the ice, so the crocodile and boa take refuge here from the opposite affliction by burying themselves in a like torpor as deep as practicable beneath the arid earth. Blinded with clouds of dust, goaded with hunger, and parched with burning thirst, the cattle and horses are seen to wander about, the former uttering hoarse and mournful lowings, the latter, with outstretched necks, directed to windward, snuffing strongly the air to discover, by the moisture of its current, the vicinity of some water-pool not yet entirely evaporated. The mules, more sagacious, take another means of assuaging their thirst. They seek out the melo-cactus, a vegetable of a spherical shape, and containing under a prickly rind a substance of a very watery character. The mule, after removing the thorns by means of its fore feet, applies the lips with caution, and sucks the refreshing juice. But it is sometimes at the cost of a string-halt, with which these animals are frequently maimed by the prickles of the cactus. Another species of prickles pursues these creatures in general by night, and denies them the alleviation of repose. During sleep they are set upon by shoals of monstrous bats, that fasten upon their backs and suck the blood like vampires, and, moreover, leave them all scarred with putrescent sores, upon which settle in turn succeeding swarms of horse-flies, mosquitoes, and a multitude of other sting-bearing insects. Such is the wretched existence of these animals during the season of drought.

But the condition of some of them is scarce improved by the inundating rains. The face of nature indeed is freshened. The desert buds anew with the lank blades of its grasses. The aquatic vegetables throw open their flowers. The earth is seen to rise here and there into hillocks, whence issues at last with a bubble-bursting explosion, some huge water-snake or cuirassed crocodile from its temporary tomb. The birds sing, the horses and cattle bound for joy. But the delight of the latter is soon turned into a new distress. Not only is their pasture submerged by the rising waters, but, insulated upon the elevated spots to which they had gradually retired from the advancing flood, they are penned up into close company with the jaguar and the crocodile. But they have still a more fatal, because unknown, enemy in the waters. This enemy is the electric eel, against whose nervous battery the most powerful animals would defend themselves in vain. The method of catching this singular fish, which man can neither hook nor even strike with impunity, is worth citing in the lively description of our author:—"The fishery of the electric eels affords a picturesque spectacle. In a marsh or pool which is first surrounded by a close circle of Indians, a troop of mules and horses is made to run about, until the strange noise brings these spirited fishes to the attack. Then you see them float like serpents on the surface of the water, and press themselves adroitly against the bellies of the horses. Several of the latter drop lifeless by dint of the invisible blow. Others exhausted, palpitating, with mane erect, and eyes haggard, sparkling, and expressive of intense anguish, attempt to evade the suffering by quitting the place. But the Indians, armed with long bamboo canes, repulse them into the water. Gradually the impetuosity of the unequal combat declines. The eels, at last fatigued, disperse about the pool. They need long repose and abundant nutriment to repair their expenditure of galvanic energy. Their shocks more and more feeble produce commotions less effective. Scared by the splashing of the horses, they timorously approach the bank; here they are struck with harpoons, and then drawn up upon the desert-sward by means of sticks well dried and non conductive of the fluid."

Such is the singular battle of the horses and fishes. Though a veritable fact, it is, perhaps, more poetical than the fabled "battle of the frogs and mice." Humboldt adds this philosophic reflection:—That which constitutes the living and invisible weapon of these dwellers of the watery element; that which, developed by the contact of humid and heterogeneous parts, circulates through the organs of all animals and vegetables; that which kindles through the storm the firmament of heaven; that which attracts iron to iron, and determines the tranquil and retrograde veering of the magnetic needle—all this, is derived from one and the same source, like the diversified colors of a refracted sunbeam. All these forces have their fountain in the universal and eternal energy, which animates the organizations of nature and governs the motions of the stars.

The third species of desert is the STEPPE; of which the principal sample belongs to Central Asia. Here it takes the character of an immense table-land, stretching along the backs of the enormous congeries of mountains which cover a large portion of that continent. These steppes are therefore the most elevated, and they are also the most extensive in the world. They are estimated to contain 160,000 square leagues, and rise some 8 or 9,000 feet above the level of the sea. They extend from the 30th to the 50th degree of latitude north, and lie therefore mostly within the temperate zone. Accordingly, the plains are some of them clothed with the finer grasses; others are adorned with saline plants perpetually green, vigorous, and pointed. "A large number shine at a distance with muriatic efflorescences, which crystallize in the shape of lichens, and cover the clayey soil with scattered spots not unlike to new-fallen snow."

But there is another production of this Asiatic modification of the desert, of a nature which should perhaps lead humanity to wish it had been as inhospitable as the African. These steppes have been the "northern line" of the oriental world; the source whence have issued all those nomad hordes of barbarians who have extinguished or retarded civilization at successive periods of history, from the shepherds of ancient Egypt to the sultans of modern Greece. Here also the Huns, Alans, and more or less immediately, the Vandals, Goths, &c., who carried their devastations into the heart, and even to the utmost extremeties of Europe. And this long series of disasters, with which the world is perhaps not yet done, seems due to the existence in northern Asia of those immense regions of land at once incapable of agriculture, yet affording pasture to flocks enough to feed a vast population in that idle and adventurous mode of life called the shepherd state. For this is not a stage of transition alone. It may, we think, become permanent by necessity, as in this instance. A necessity perhaps imposed, not so much by the pre-occupancy of the arable countries, as by the correlation that long subsists between the moral condition of communities and the physical character of the region of earth upon which they chance to have been cast.

How otherwise account for the persistence in the shepherd state of the "Arabs of the *desert*," whose ancestry had been semi-civilized and agricultural when Europe was still a wilderness? The same principle would perhaps help to explain a circumstance noted by Humboldt, but which he does not attempt to reconcile with the prevailing theory, though citing the latter with undoubting assent. The striking fact—if it be a fact—is this, that the "shepherd state" has never existed upon the American continent. The North was still savage, the South agricultural, and the latter had no traditions of having passed through such a stage. The alleged fact is, we say, striking at first, because it is contrary to the current hypothesis upon the subject. But if it were asked to name the country of Europe, for example, which is known to have passed through this mode of life in its characteristic acceptation, one would be surprised to find perhaps that, with all the advantages of historical record, the absence or the oblivion of the matter is here no less complete than in the instances of Mexico and Peru. Was there ever, in short, a country, originally well wooded, and thus adapted to agriculture, where, after reclaiming it, the community derived its sole sustenance from milk and cheese? Is it not, on the other hand, in those regions of the earth where the vegetation, starved back to its primary stage of the coarse grasses, announces the hopelessness

of artificial production; is it not here, we submit, and here alone, that men are found to have adopted primevally, and to retain to this day, this half-natural, half-artificial, means of nourishment? Now, for this, we have seen the Llanos of South America were too precarious. The requisite animals, supposing them indigenous—which was not in truth the case—could have hardly subsisted themselves, much less supported their owners, for a large portion of the year, even as they could not have lived in the African desert for a day. This is, no doubt, the cause why the pastoral state has probably been unknown to both these continents. The remainder of South America was either covered with forest, or eminently inviting to agriculture. And as to the prairies of the North, they were surrounded but by savages who had not yet emerged from the primary or hunter state. This conjuncture of circumstances, physical and social, would serve to account for the observation of Humboldt, if it should be quite exact. We doubt, however, that the character and history of South American civilization are sufficiently explored as yet to pronounce with absolute certainty. It is a subject that requires to be investigated by historians of another stamp than the Garcilassos, and Clavigeros, and Prescotts, who have hitherto been echoing each other successively. Be this as it may, the general conclusion seems to be warranted, that the Steppe deserts of Asia, with their temperate zone and grass covered surface, have predestined, as it were, the portion of mankind who may inhabit them aboriginally, to an existence as uniform and perpetual as their own.

We have dwelt upon this less familiar of the author's subjects so long that the fourth species of desert must be dismissed without remark. This is moreover of inferior consequence, in every respect. Belonging duly to the "fourth quarter of the world," the principal sample extends from the point of Jutland to the mouth of the Scheldt, and thus lies within the frigid zone. Not only is this European desert unfit for agriculture, in common with all the others—it is moreover as unfavorable to grass vegetation as the African, though probably from an opposite cause. It is overrun with a species of brushwood or bramble, which stifles or precludes all weaker plants. This is the distinction we sought to denote by the term COPSE, taking it in a more extended than the ordinary sense. It is the transitive "aspect of nature" between the desert and the forest.

The next order of these aspects in the panorama of Humboldt, is the *cataracts of the Oronoco.* Concerning the name of this singular river—the Nile of the New World—our author does not overlook a remark which reminds one of the "first of travellers;" though he be, as usual, too little of the philosopher to probe deeply the solution. The name of Oronoco, he tells us, was given to this river by those Europeans who first discovered it; it owes, he conjectures, its origin to a confusion or corruption of language. It is utterly unknown to the natives. "In fact these people, still primitive and rude, *distinguish by particular names only such objects as are liable to be confounded with each other.* The Oronoco, the Amazon, and the Magdalene rivers, are merely called *the* river; sometimes the *great* river, the great waters: the inhabitants *of their banks are wont to designate by proper names, on the contrary, the pettiest of rivulets.*" It is not precisely, we think, that the rivulets, to those who knew them in common, were objects more apt to be confounded one with another, than any of them with the great river. The general reason was of a numerical nature: the river was (to the local population) but one; the rivulets were several. But naming is primitively a sort of numeration. It seeks to particularize the multiplicity of similar objects by means of proper names. Only after, supervenes the distinction of magnitude; an idea which begins to appear, in this instance, in the *descriptive* epithet "great." Meanwhile, the term river was, for the rest, a proper name in the idioms of these savages severally. To overlook this, is an ordinary illusion of civilized language; wherein the appellation has long passed from the individual to the class. And even here the name is common still merely with respect to the divers species of river. It is *proper* and peculiar as ever, in the general classification of waters; where alone it serves to denominate, to distinguish, to prevent confusion. This upward march of the process of naming, and double aspect of such specification,

are well exemplified, though in the germ, by the interesting observation cited. They would illustrate, in turn, many seeming anomalies of our North American idioms. For instance, the absence of general names, represented to prevail in most descriptions of objects; while there are some in which the case is supposed to be quite the reverse!

Another reflection of much import is suggested by an anecdote of the author in relation to the Oronoco. Columbus, observing at its entrance so prodigious a quantity of fresh water, inferred sagaciously that the latter must have been gathered from a vast tract of country; from a continent, therefore, not an island. But on also seeing the usual productions of the palm-climate, he concluded that the new continent *must be a continuation of the Asiatic.* In this he erred, says Humboldt, not knowing the law of resemblance between the vegetable productions of the corresponding climates in however remote quarters of the earth. Yet this very error Humboldt himself has been laboring under throughout his long life to this day. For he has been always the most respectable (though not a pertinacious) authority for the foreign, and particularly Asiatic, derivation of the primeval population of this continent. And upon what ground? Why, upon the surmise of resemblances, much fewer and more fallacious than those of Columbus! Such is human nature in even its highest philosophical culture, when it has to do with what Bacon would term an idol of the tribe! And this, if inferring identity of origin from resemblance of appearance, is one of the most inveterate. The soldiers of Alexander, on beholding the Indus with its *crocodiles*, break, of a sudden, upon their view, imagined it must have been a branch of the *Nile.* Columbus again, when approaching the odoriferous coast of South America, supposed, upon the still more fantastic analogy of poetic description, that he must be nearing the Garden of Eden. What wonder, then, that men are still inclined to jump to a like conclusion, on detecting a coincidence in the productions of art or of intellect? And also what value should be set upon their conjectures, in this matter, grounded solely upon an assumption thus disproved in the vegetable world? Is man less controlled than the plant by the proper laws of his organization? Or is he more liable to deviate from the laws of his organization than from the customs of his ancestors?

But we are awakened from this reverie by the cataracts of the Oronoco. Yet these are no great affair, after all. There is much more cry than wool. This disproportion of the noise to the fall is due to the peculiarity of construction which distinguishes these cascades, and which is thus described by the author: "The cataracts of Maypure do not present, like that of Niagara, the fall of a vast volume of water precipitated all at once; nor are they notched into narrow gullets through which the current presses its accelerated course, like the Pougo falls of the river Amazon. They consist of an innumerable multitude of little cascades, following upon each other and falling step by step adown the steep. The *raudal*—as the Spaniards name this species of cataract—receives its form from an archipelago or congregation of islets and rocks which so encumber the bed of the stream—here eight thousand feet broad—that sometimes there remains not a free space of twenty feet for the passage of boats, &c." The most considerable of these cascades was but nine feet high, and the aggregate altitude of the whole measured only twenty-eight or thirty.

Yet the collective aspect of the scene is described as marvellously imposing. On ascending a commanding height your eyes take in, of a sudden, a vast curtain of foam about a mile in extension. Huge bodies of iron-colored rock spring up through, and seem to sit upon, its bosom like towers. Every islet, every rock is decked with trees of vigorous growth, and so closely clumped as to image a brush-like termination stained with green. Surmounting still the sheet of foam, floats incessantly a cloud of spray, through whose vapory mist is seen to pierce the tufted tops of the palm-trees. When the burning rays of the evening sun come to impinge upon this humid cloud, the optical phenomena present a veritable scene of enchantment. The colored bows depart and renew themselves successively, and, though playthings of the breeze, their image main-

tains its balance above the tumult of the waters—

> "Like hope upon a death-bed: and unworn
> *Its steady dyes, while all around is torn*," &c.

as sings the philosophic poet-painter of Velino.

Respecting the tumult—which is thus swelled rather by a multitude of obstacles than the height of the falls—Humboldt adds a remark, of general and interesting application. "During the five days," says he, "that we passed in the vicinity of the cataract, we marked with surprise that the crash of the falls was three times louder by day than by night. In Europe, the same singularity is observed at all the waterfalls. What can be the cause here, in the midst of a desert where nothing breaks the silence of nature? It should probably be sought in the *ascending current of heated air which, by day*, arrests the lateral propagation of sound, and which ceases, during the night, when the surface of the earth is cooled." This explanation, it will be noted, coalesces with, and confirms, the author's previous account of the absence of rain or dew in the sandy species of desert. We will close this head by suggesting, as in the subject of deserts, the following classification of cataracts. First and principal, the *fall* cataract, such as Niagara; second, the *forked* cataract; and third, the *stair* cataract, or raudal.

The Physiognomy of Plants, we must dismiss very summarily. The following finely philosophical extract will best indicate the purpose of the author and the interest of the subject:—

"That which the painter designates by *Swiss naturalness*, by *Italian skies*, &c., has its principle in the confused sentiment of a locality of character in nature. The azure of the firmament, the light, the vapors reposing in the distance, the shape of the animals, the vigor of the vegetation, the richness of the foliage, the outline of the mountains, all these partial elements go to determine the particular impression produced by the totality of a landscape. In fact, beneath every zone, the same species of mountains are found to *form groups of rock of resembling physiognomy*. The diabisite rocks of South America and Mexico are similar to those of the Euganean mountains; even as, amongst animals, the shape of the *alco* or primitive dog of the New Continent, corresponds exactly to that of the European race. [Why not the race and habits and productions of man, then, without assuming a unity of origin?] The unorganic envelope of the globe is nearly independent of the influence of climate: whether it is that the rocky formation had taken place before the establishment of climatory diversity, or that the mass of the earth in hardening and giving out caloric, has generated its temperature of itself, instead of receiving it extraneously. Thus all the sorts of rock are common to all the countries in the world, and affect every where the same form. Every where the basaltic species towers into twin mountains, with truncated summits. Every where the trap porphyry appears in quaintly conglomerated masses, and the granite, with gently rounded outlines. So too do similar species of plants, such as the pine and the oak, crown alike the mountains of Sweden and those of the most southern meridian of Mexico; still, notwithstanding this correspondence of form and similitude of partial details, the collective aspect of their groupings presents a character entirely different.

"The knowledge of fossils does not differ more from the knowledge of the earth than the individual description of natural objects does from the general description of the physiognomy of nature. George Foster, in his voyages and various writings; Goethe, in the portraitures presented by several of his immortal works; Herder, Buffon, Bernardin de Saint-Pierre, and Chateaubriand have traced with inimitable truth the vegetable character of particular climates. Delineations of this kind are not only proper to procure the mind a fund of enjoyment of the noblest order: they do more than this; an acquaintance with the *character of nature* in the different regions of the globe *is entwined in the most intimate manner with the history of man and of civilization*. For if the commencement of this civilization be not determined solely by physical relations, at least its direction, the character of nations, and their dispositions, gay or grave, depend almost entirely on the influence of climate. How much have not the skies of Greece had to do with the temperament of its inhabitants? The populations early settled in those beautiful and blissful regions closed by the Onus, the Tigris and the Egean sea, how should they not have been the first to attain to amenity of manners and delicacy of sentiment? Did not our own ancestors return more refined from those delicious valleys, when to Europe, relapsed into barbarism, the enthusiasm of religion threw open the sacred East? The poetical compositions of the Greeks, the rude songs of the primitive populations of the north, owe their character almost entirely to the configuration of the animals and plants the poet was in the

habit of seeing, to the valleys which surrounded him, to the air which he respired. And to mention objects more familiar to us, who does not feel himself differently disposed beneath the gloomy shade of the beech, upon knolls adorned with scattered firs, or reclined upon a mossy couch where the zephyr is murmuring through the tremulous leaves of the poplar? The respective shapes of these plants of our country often inspire us with images gay, serious, or melancholy. The influence of the physical world upon the moral—that reciprocal and mysterious action of the material upon the immaterial—imparts to the study of nature, when contemplated from an elevated point of view, a peculiar attraction as yet too little known."

Perfectly true, as to the neglect of the influence. But only partially, we think, as to the quantity. Humboldt seems to repeat the exaggerations of Montesquieu, respecting climate. Greece and Asia Minor have the same climate at this day, for example; but where are the arts, or amenities, or other national characteristics of old? But the doctrine has been already repeated over and over. Still was it, we repeat, no less a shadow cast before the coming recognition of a magnificent truth, namely: the co-operation, not of climate, or scene, or soil, or of all together, but of *the diversity and adversity* of these conditions collectively, in the progressive civilization of mankind. It was but natural that their influence should at first be discerned severally, and made each to stand, as usual, for the whole and sole cause. It was also necessary that the effects should begin with being appreciated in the simpler and positive instance of national character, before embracing the more abstract considerations of society and history. That was, accordingly, the stage of Montesquieu, and remained still the point of view of Humboldt in this book. The latter would seem, indeed, by the expression italicised in the passage just cited and elsewhere, to have had some glimpses of the maturer extension. But they must have been extremely imperfect and unsteady. We had a signal proof of this in his omission, above noted, to allow at all for the influences in question, where most decisively developed; to perceive the agency of the steppe-desert, in the constitution or the continuation of the pastoral or shepherd state. There is another evidence of it in the same passage, where he recognizes the result of those influences in the resemblance not only of the vegetable productions, but even of the inorganic bodies, of corresponding climates; while he argues repeatedly, as before shown, upon the preposterous assumption that man alone is excluded from these universal laws. We have insisted upon these strictures the more, in order to satisfy, that the judgment which was intimated at the outset respecting the profundity of this otherwise estimable philosopher, had not been ventured without grounds.

Having thus represented, in its qualities and defects, his theory of climatory influences in general, it will be proper to add the ground upon which he claims a preëminence of efficacy for the particular section of plants:—"But if the characters of the different countries depend upon the aggregate of their external appearances; if the contour of the mountains; if the physiognomy of the plants and animals; if the azure of the firmament, the proportion of the clouds, and the purity of the atmosphere, have each their several influences upon the impression produced by the whole; yet it cannot be denied, that the principal cause of this impression lies in the mass of the vegetable element. The animal species are too sparse; and the mobility of the individuals too often sequesters them from our view. The vegetables, on the contrary, act upon our imagination, by their very immobility and grandeur. Their size is an index of their age, and it is the privilege of plants alone to unite with age the impression of a vigor which is rejuvenated incessantly. The gigantic dragon-tree which I have seen in the Canary Islands, has a diameter of sixteen feet, and enjoying a perpetual youth, is still in full bearing of flowers and fruit. When the French buccaneers, in the sixteenth century, made the conquest of the Fortunate Islands, the dragon-tree of Orotavaw,—as sacred to the native islanders as the olive of the citadel of Athens or the elm of Ephesus,—was of dimensions quite as colossal as at this day. In the torrid zone, a forest of Coesulpinea and Hymenia is perhaps a monument of no less than a thousand years."

The multitudinous species of plants, already estimated by de Candolle at some 56,000, may, according to Humboldt, be-

classed under sixteen principal forms, for the purposes of this physiognomical enquiry. Such a division, it will be observed, has nothing in common with the systems of the botanist. The latter is conversant with individuals, and considers these in only the most diminutive of their parts, the flower and fruit. The physiognomical botanist contemplates vegetables, like the painter, in the concrete and comprehensive grouping of a landscape. The author proceeds to characterize the sixteen types of of these groups, commencing with the palm and the banana. But his descriptions, though no doubt exact, do not appear to indicate much talent for the line of observation he is recommending.

We have space but for a word on the third head of volcanoes. This term is popularly applied to all igneous eruptions from the entrails of the earth, whether accidental as by an earthquake, or permanent. The latter class alone, however, should receive the name of volcano. The exterior form of this phenomenon is generally that of an isolated elevation, of a conical shape, such as Ætna, Vesuvius, Cotopaxi. But these formations, which are found of all altitudes from a hillock to the highest mountains, ought perhaps to be considered scientifically as but one among several orifices common to the same subterraneous action. From this point of view the volcanic mountains of the globe might be reduced into a three-fold classification. The first description would consist of clusters or extended systems of mountains, having craters and currents of lava, such as the Azores and Canary Islands. The second, of similar groups, but without permanent orifices or currents of lava, properly so called. In the third class, the mountains are arranged into lines by single or double file, and extending to the length of several hundred miles, the ranks running sometimes parallel to the axle of the mountain chain, as in Guatemala, Java, and Peru, sometimes intersecting it rectangularly, as in the country of the Aztecs. By this comparative mode of viewing the external manifestations may we alone hope to comprehend the mysterious causes of volcanoes, and through them, perhaps, the internal condition of the globe. But Humboldt adduces a number of confirmatory facts, which may be cited in preference to all argument on the subject.

That these combinations of volcanoes, by groups and longitudinal bands, evince the action, not of petty causes adjacent to the surface, but have their origin, their intercommunication deep in the interior of the earth, is abundantly proved by the following statements. All the eastern region of the American continent, poor in metals, is in its present state without a burning mountain, without masses of trachyte, probably even without basalt. All the volcanoes of America are found in the chain of the Andes, situated in the part of the continent opposite to Asia, and extending in the direction of the meridian over a length of 1800 leagues. The whole table-land of Quito, of which Rehincha, Cotopaxi, and Tunguragua form the summits, is one volcanic furnace. The subterraneous fire issues now by one, again by another, of these outlets, which are wont to be regarded as individual volcanoes. The progressive march of the fiery emanation is here, for three centuries back, from north to south. Even the very earthquakes, which cause such terrible ravages in this part of the world, offer equally remarkable proofs of the existence of subterraneous communications, not only with countries destitute of volcanoes—a fact long known already—but also between fire emitting mountains, far remote from each other. Thus in 1797 the volcano of Pasto sent forth continually, during three months, a tall column of smoke. This column disappeared at the very instant when, at a distance of sixty leagues, the great earthquake of Riobamba, and the muddy eruption of the Moya proved fatal to nearly forty thousand Indians. The sudden appearance of the island of Sabrina, in the east of the Azores group, the 30th January, 1811, was the signal of that awful earthquake which, from May 1811 to June 1812, rocked almost without interruption, first the Antilles, then the plains of Ohio and Mississippi; finally the coasts of Venezuela, situated on the opposite coast. Thirty days after the total destruction of the city of Caraccas, occurred the explosion of the volcano of St. Vincent, an island of the Lesser Antilles, at 130 leagues distance. At the same moment when this eruption took place, the 30th April, 1811, there was heard a strange subterraneous noise, which spread terror throughout the whole extent of a country of 2200 square

leagues. The inhabitants of the banks of the Apuré, at the confluence of the Rio-Nula, as well as those of the maritime coast, compared this noise to that produced by the discharge of heavy pieces of artillery. But from the junction of the Rio-Nula and the Apuré to the volcano of St. Vincent, the distance is computed at 157 leagues in a direct line. This sound, which certainly was not propagated by the air, must have had its origin very far within the recesses of the earth. Its intensity was scarce more considerable on the coast of the Antilles immediately near the volcano, in full eruption, than it was in the interior of the country. It is unnecessary to multiply these examples. But to mention a phenomenon which, to Europe, has acquired an historical importance, the list may be closed with the famous earthquake of Lisbon. It occurred the 1st November, 1755; not only the waters of the Swiss lakes and the sea along the coasts of Sweden, were violently agitated, but also those of the ocean around the eastern Antilles. At Martinique, at Antigua, at Barbadoes, where the tide does not usually rise to a height of more than eighteen inches, it rose, on this occasion, suddenly to twenty feet. All these phenomena go to prove that the subterraneous forces are manifested either dynamically by earthquakes, or chemically by volcanic eruptions. They further shew that the action of these forces does not take place superficially in the outer crust of the earth, but passes at immense depths in the interior of our planet, and is propagated through crevices and veins not filled up, which conducts to points of the surface the most remote asunder."

Another extract, and we dismiss this book of interesting topics: "The question has," says the author, "been often agitated: What is it that burns in volcanoes? What is it produces the heat by which the earth and metallic ores are fused and mingled together? Modern chemistry replies: That which burns is the earth, the metals, the very alkalies; that is to say, the metalloids of those substances. The solid crust, already oxidized, of the earth separates the atmosphere, rich in oxygen, from the inflammable principles not oxidized, which reside in the interior of our planet. Certain observations which have been made under every zone, in mines and caverns, prove that even at a small depth the heat of the earth is much higher than the mean temperature of the atmosphere at the surface. This remarkable fact is entirely consonant with what we are taught by volcanic phenomena. La Place has even attempted to determine the depth at which the earth might be regarded as a molten mass. Whatever doubt, notwithstanding, due to so great a name, may be entertained respecting the numerical certainty of such a calculation, it is not the less probable that all volcanic phenomena proceed from a single cause, which is, the communication, constant or transient, between the interior and the exterior of our planet. Elastic gases press outwards, through deep fissures, the various substances which are in a state of fusion, and in process of oxidation. Volcanoes are, so to say, the intermittent springs of these terrene substances: the fluid mixture of metals, alkalies, and earths, which are condensed into currents of lava, flow softly and tranquilly, as soon as, hoisted to the surface, they have found an issue. It was even so, according to the Phædon of Plato, that the ancients used to imagine all volcanic eruptions to be emanations from the infernal torrent of Periphlegethon."

We have thus endeavored to present the reader with a faithful summary of the most interesting questions, either solved or suggested in this book. The facts and observations will be still found of value to the philosopher, if only surveyed from the point of view attained by physical science since their original publication. For the work is some forty years old; although that conscionable fraternity, the publishers—anxious, no doubt, like other fraternities, to deceive the people for their good—seem to be passing it, in England as well as here, in connexion with the late translation, as a production fresh from the octogenarian pen of the author. Of this English version we have made no use ourselves in the passages cited, which are translated from the French one, executed soon after the German edition, and under Humboldt's own inspection. Nor can we commend it to the reader for anything better than the usual presentations of German philosophy in English style.

It was not difficult, however, to do justice to the style of Humboldt, and

it needed no more than justice to be clear and consecutive. His manner, in this respect, like his maturer education, indeed, is much less German than French. This we should have perhaps enumerated among the elements of his popularity as a writer. Humboldt is, in general philosophy, what Goethè was in poetry, Lysing in criticism, and Savigny in jurisprudence. In their several modes of style and statement, these have well been Frenchified Germans. Notwithstanding the improvement in respect of manner, it may, however, be questioned whether this alien and imitative direction is equally favorable to genuineness or profundity of thought. A defect of the latter qualities, and on ground of the cause suggested, is known to have been, in fact, a standing imputation made to most of the authors named by the mere plodding of their own countrymen. National jealousy had much to do with this criticism, no doubt. Still, it is not the less probable that Humboldt, in eschewing the metaphysical visions of his native philosophy, would swing over into the man of facts, and measures, and multifarious inquiries, that we ventured to characterize him at the commencement of these pages. The lack of profundity there imputed would thus be explained, without derogation to the natural abilities of the venerable author. For, in any case, in any country, it is only intellects of the highest order that can operate fully, freely, under a foreign system, whether of doctrine or method. But a German, in particular, is nothing, if not mystical.

THE SHIPWRECK.

A BALLAD.

PART I.

Right off the sandy Cape of May
  The breeze blows, soft and free;
Scarce in the sedge it makes a sigh,
  Or ripple on the sea,
To break the purple sheen of morn,
  That glows athwart the sea.

Three mariners tramp along the beach,—
  They tramp, and will not stay;
They've left a body in the surf,
  For the sea to wash away;—
The body of a fair young maid,
  For the sea to wash away.

One carries in his hand a scarf,
  Another a belt of gold,
And the third a silver and pearl caskét:—
  They are three mariners bold;
But they think of the body in the surf,
  And their hearts grow faint and cold.

Gay was the day when the gallant ship
  The Narrows neared so fast;
When they saw the hills of Jersey,
  They deemed their danger past;—
The danger of the faithless sea,—
  They thought 'twas surely past.

Full freighted with a precious charge,
  From England, swift, they came,
A jewelled heiress, proud and fair,
  Who bore a princely name:
And noble was the mien she bore
  To grace that princely name.

Bright, on the deck, the young maid stood;
  So rare her beauty shone,
When, shouting glad, all hailed the land

They looked on her alone:
The land it was a blessed sight,
But they looked on her alone.

Set was the sun, and night begun,
When music on the sea,
With song that cheers brave marineers,
Made mirth and jollity:
In feast and dance they sped the hours;
Then slept, while slept the sea.

At midnight stroke the sea awoke,
For the storm had waked before
And with a sudden rage came forth,
Which the deep sea uptore:
The gallant ship went all awreck
That dreadful blast before.

Upsprang the captain and the crew,
"We sink! we sink!" they cried,
They nothing heard, they nothing knew
While from the vessel's side
Three oarsmen bold the life-boat pulled;—
And they took one beside.

Black was the sky, and fierce the cry
Of tempest and of sea,
No man could hark, no man could mark
The boat and its oarsmen three,
When the fair maid they hurried away
Out over the raging sea.

Swift from the cabin they'd hurried her,
Swift to the vessel's side,
With stifling hands they silenced her,
And wicked threats beside:
The boat was lowered, and, stoutly oared,
She swept the foaming tide.

Out over the sea the mariners three
The life-boat pulled away;
And they saw the ship before them,
Sink down amid the spray;—
They saw the black ship sinking,
All in a shroud of spray.

Fast in the bottom of the boat
The prize lay bound and still:
The sea burst o'er, behind and before,—
An hour it had its will;
An hour the raging tempest blew,
Then fled, and all was still:—

All save the moaning of the deep,
  And a murmur far away,
Where heaves the brine its snowy line
  Right on the Cape of May,
Where the proud sea beats sullenly
  The sandy cape of May.

The mariners three, right lustily,
  Pulled toward the land amain:
The boat did make a snowy wake
  Athwart the briny plane;
And rising soon, a red round moon
  Shone out, along the main.

Right through a rift of inky cloud
  The moon shone on the sea,
And showed the land, and showed the boat,
  And showed the oarsmen three;---
They cursed her with a pirate's curse
  The lusty oarsmen three.

O woe! for mariners, whose hearts
  To fiends of hell are sold,
For lust of flesh, for lust of will,
  For lust of ruddy gold;
Their dreadful deeds, (which God well heeds),
  Be for a warning told!

They saw the land, which lay at hand,
  They saw the white surf line,
A cottage on the leafy shore,
  A window's cheerful shine;---
For now the purple sheen of morn
  Came gleaming o'er the brine.

Bound in the bottom of the boat,
  The lovely prize lay still;
The mariners looked, the mariners longed,
  (The devil would have his will);
Each claimed her with a dreadful oath,
  And swore to have his will.

The mariners looked, the mariners longed,
  But the land it was too near;
They saw the cottage on the shore,
  And felt a deadly fear;
They cast it in the plunging deep,
  The prize they held so dear.

Slowly the boat slid up the strand
  And the sea rolled up the prize;
And they thought the dead raised up its head,

With drowned and glassy eyes.
The fiend stepped after as they went
And cursed them with those eyes.

Swiftly they tramped along the beach,
They tramped and would not stay,
They cursed themselves, they cursed their deed,
They cursed the body that lay,
All weltering left, amid the surf,
For the sea to wash away.

PART II.

Slow by my cottage door he went,
His beard was long and white,
And as he turned, his eye-balls burned
With a strange and dreadful light,
I could not bear the horrid glare
And shunned it with my sight.

It was a hoary mariner;
I bid him welcome in:
"Against the poor to shut the door,"
Thought I, "is sure a sin.
So be he man, or be he fiend,
I'll bid him welcome in."

Still by my cottage door he stood,
And shivered with the cold,
"I may not be under roof tree,"
He said, "though I be old;
Though I be poor, no good man's door
May keep me from the cold."

"Old man," I said, "*God* keep thy head
From tempest and from scath."
"Ah! me!" cried he, "*He* keepeth me,
Against his day of wrath;
They went before; I follow, sore;
The fiend no mercy hath."

"Old man! old man! thou'rt mad," I said,
"With hunger and with cold."
"Ah! ha!" cried he. "A jovial three!
We were three mariners bold;
But when we saw it under the surf,
Our hearts grew faint and cold."

"What saw ye in the surf, old man?"
"The body! the body!" he cried,
And fixed his glassy eyes on mine,

Like one whose soul has died,
And in its stead a frightful fiend
Doth for a soul abide.

"Hal and Jack, they went before;
By their own hands they died:
I follow fast, I follow sore,
The fiend goes at my side,
He follows for the evil deed,
The deed of wicked pride.

"Black was the night, and shrill the gale,
No man could hear or see,—
And when the blessed morning came,
We drowned her in the sea.
Drowned! drowned! in the salt, salt, deep,
All weltering lies she.

"O God! It was the fairest maid!
Her smile was like the day.
The seamen's hearts beat gallantly,
When she by them would stay.
The ship, they swore, made never before
So many leagues the day.

"The Narrows neared, the land we cheered;
The day was still and bright;
High loomed the hills of Jersey, while
We lay becalmed till night;
Then Jack he muttered in our ears,
'There'll be a storm to-night.'

"'A storm!' cried Hal, 'then let it blow.
By Jove, though hell go loose,
I've got a venture in my head:
Let fools go dance and bouse;
Let fools go dance, I'll try a chance,
Go you, now, and carouse!"

"Stung by the jeer, we bent our ear.
'When comes the gale,' he said,
'You two shall lower the life-boat, while
I snatch her from her bed.
She hath a silver and pearl caskét,
And a belt of gold so red.

"'Take you the silver and pearl casket,
Take you the belt of gold,
Give me the girl, I ask no more;
For I to the devil am sold,
And cleverly he hath carried me,
Through many a deed as bold.

"'Come, cheer, my hearts! do each your parts,
The maid no worse shall be:
She loves a seaman in her soul;
And I'll carry her over the sea.
Take you the wealth, take you the gold,
But give the maid to me."

"Right free he spoke, and turned the joke,
And flouted our idle fears;
He'd been a rover on the main,
With bloody Buccaneers;
He'd been a wealthy captain long,
Of bloody Buccaneers.

"The maid, he knew—the maid he loved,
But she his suit denied;
And for a deep revenge, he swore
To have her ere he died;
To have her, said she yea or nay,
A mistress or a bride.

"From England sailed the gallant ship,
That bore the maid away,
And he went a fore-castle man,
To be by her alway.
Be it well or ill, he'd work his will,
Said she or yea or nay.

"O, woe for mariners, whose hearts
Are sold to fiends of ill,
For lust of flesh, for lust of gold,
Or lust of wicked will.
O, woe for me! it was a deed
The very soul to kill.

"Fair was the prize, and smote our eyes
With tempting loveliness,
We swore that one should not alone
So sweet a prize possess:—
It was a fell and wicked will
That did our souls oppress.

"Right off the sandy Cape of May,
The breeze blew soft and free,
The holy light came gleaming bright
Athwart the purple sea,
When, by a panic fear compelled,
We cast her in the sea.

"Smote with the scourge of keen remorse,
They two themselves did slay,
But I, a wretched, homeless man,

Must wander night and day.
Each year, I seek the dreadful shore
Of the sandy Cape of May.

" Still it lies there, with drenched hair,
Amid the white sea-foam.
Why will't not go? why stays it so,
To find me when I come?
It breeds a madness in my brain
To find it when I come?"

His glaring eyes he fixed on mine,
I could not bear the sight;
"Old man," I said, "that hoary head,
Lodge thou with me to night,
I'll read to thee from God's good Word,
I'll pray with thee, for light."

Then came he in, the man of sin;
By my bed-side we knelt,
And prayed I then, to God's dear Son,
To ease him of his guilt.
The tears rolled down his hollow cheeks,
And eased him of his guilt.

Ah! 'twas a piteous sight to see,
The hoary marineer,
When on his dying bed he lay,
And prayed with many a tear,
That God would cleanse him of his crime,
For Christ his sake so dear.

That night died he, and solemnly
Next day we buried him,
And o'er his grave, by the salt sea wave,
We sang a pious hymn,
How God is merciful to those
Who die in fear of him.

THE CABRIOLET:

FROM UNPUBLISHED MEMORANDA OF MOUNTAIN-LAND.

BY IK. MARVEL.

Notwithstanding we were on a pedestrian tour, and were as determined as old Tom Coryate, we certainly did venture to enquire about coaches in the little shabby town of St. Florentin: and this not so much because our courage misgave us, as that the country thereabouts had grown sadly monotonous.

True, St. Florentin is as strange an old city as ever I slept in, and it sits perched on a hill and has a mouldering, deserted watch-tower in the centre; but from the mouldy battlements we could see nothing eastward but great stretches of level plain, backed by a dim blue line in the horizon, which they told us was the chain of Burgundian hills.

But at St. Florentin, no coach, not even so much as a *voiture a volonte* was to be found; so we harnessed on our knapsacks and toiled along under the poplars to a little village far off in the plain, where we were smuggled into what passed for the coupé of a broken down Diligence. A man and little girl, who together occupied the third seat, regaled themselves in the voiture with a fricandeau stuffed with garlic. The day was cool; the windows were down; the air close, and the perfume delightful!

That night we reached a town where lived that prince of boys' story books about animals—Buffon. A tower rose on the hills beside the town, covered with ivy—gray, and venerable, and sober-looking; and the postillion said it was Buffon's tower, and that the town was named Buffon.

Tigers, and Cougars and Kangaroos were leaping through my head all supper time, which we passed in company with a communicative German, just from Switzerland, *en route* for Paris.

He advised us—the Doctor said (how much his blistered feet had to do with it, I don't know), to take coach as far as Dole. Up to this place, he told us, the country was comparatively uninteresting; but as for the scenery beyond, he excited our anticipations about it to the very highest; and yet he did not tell us a word—he simply laid down his knife and fork, clasped his hands together, and looked up at the ceiling.

"It must be very fine," said the Doctor.

"Aye!" said I: and the German gave us each a quiet glance—resumed his knife and fork, and speedily demolished a capitally broiled leg of chicken.

We desired to get to Dole as soon as possible, so the next morning—*voila un cabriolet!* to take us on to catch the Diligence that passed through the old town of Semur.

This French cabriolet which we took at Buffon, was very like a Scotch horse-cart with a top upon it. It had a broad leather-cushioned seat in the back, large enough for three persons. One we found already occupied by a pretty enough woman, of some four or five and twenty. The postillion was squatted on a bit of timber that formed the whipple-tree. The Doctor, with his pipe in his mouth, seated himself between the lady and myself—we bade adieu to our accommodating German companion—took off our hats to the landlady's daughter, and so went jostling out of the old French town of Buffon, which, ten to one, we shall never, either of us, see again in our lives.

Now nothing in the world was more natural than that the Doctor should ask

first, with the most amiable face that his beard would admit of, if his smoking was offensive to Mademoiselle? which, considering that he sat directly next her, might easily have happened.

It proved otherwise; "Oh no, her husband was a great smoker."

"Ah, *ma foi*, can it be that Madame, so young, is indeed married?"

"It is indeed true"—and there is a glance both of pleasure, and of sadness in the woman's eye.

The Doctor puffs quietly a moment or two; and I begin to speculate upon what that gleam of pleasure and of sadness might mean; and finally curiosity gains on speculation. "Perhaps Madame is travelling from Paris, like ourselves?"

"*Non pas*; but she has been at Paris; what a charming city! those delicious Boulevards, and the shops, and the Champs Elysées, and the theatres—oh, what a dear place Paris is!"

The Doctor assents in three or four violent consecutive puffs.

"And if Madame is not coming from Paris, perhaps she is going to Paris?"

"*Non plus;*" even now we are not right.

"She is coming from Chalons, she is going to Semur."

"Madame lives then perhaps at Semur?"

"*Pardon*, she is going for a visit."

"And her husband is left alone then, the poor man!"

"*Pardon*, (and there is a manifest sigh,) he is not alone." And Madame re-arranges the bit of lace on each side of her bonnet, and turns half around, so as to show more fairly a very pretty brunette face, and an exceeding roguish eye.

The Doctor knocks the ashes out of his pipe.

Madame thinks it is a very pretty pipe. He hands it to her; she wonders "if it came from *Londres?*" And she listens with an air of most pleased entertainment, when he tells her, that he brought it from the far away *Etats Unis d'Amerique.*

The reader must not be impatient, if he wishes to know either the whole drift of our adventure, or the naíve character of such companions as may be met with, on the cross-country roads of France.

Now the Doctor has finished his story—interlarded with an occasional *vraiment!* from the lady, and an occasional *sacre!* of the postillion; and then he very naturally, is curious to know if it is Madame's first visit to Semur?

"*Mon Dieu, non!*" and she sighs.

"Madame then has friends at Semur?"

"*Ma foi! je ne saurrais vous dire.*" She does not know!

This is very odd, thought I. "And who can Madame be going to visit?"

"Her father—if he is still living."

"But how can she doubt, if she has lived so near as Chalons?"

"*Pardon;* I have not lived at Chalons, but at Bordeaux, and Montpelier, and Pau, and along the Biscayan mountains."

"And is it long since she has seen her father?"

"Very long; ten long—long years; then they were so happy! ah, the charming country of Semur; the fine, sunny vineyards, and all so gay, and her sister, and little brother——" Madame puts her hands to her face.

I, in my turn, wriggled round in my seat to have a fuller sight of her.

The Doctor played with his pipe. "He knew it would be a glad thing to meet them all!"

"*Jamais*, Monsieur, never, I cannot; they are gone!" and she turned her head away.

This may come to something, thought I, looking at my watch, if we have only an hour left between this and Semur. The postillion said there were three leagues.

The French country women are simple-minded, earnest, and tell a story much better, and easier than any women in the world.

The Doctor said, "she was young to have wandered so far; indeed, she must have been very young to have quitted her father's house ten years gone-by."

"Very young—very foolish, Monsieur. I see," said she, turning, "that you want to know how it was, and if you will be so good as to listen, I will tell you, Monsieur."

Of course, the Doctor was very happy to listen to so charming a story-teller; and I too, though I said nothing.

"You know Messieurs, the quiet of one of our little country towns very well; Semur is one of them. My father was a small proprietaire: the house he lived in is not

upon the road, or I would show it to you by and by. It had a large court-yard, with a high stone-arched gateway—and there were two hearts cut upon the topmost stone, and the initials of my grandfather and grandmother on either side, and all were pierced by a little dart. I dare say you have seen many such as you have wandered through the country, but now-a-days they do not make them.

"Well, my mother died when I was a little girl, and my father was left with three children—my sister, little Jacques, and I. Many, and many a time we used to romp about the court-yard, and sometimes go into the fields at vineyard dressing, and pluck off the long tendrils; and I would tie them round little Jacques' head; and my sister, who was a year older than I, and whose name was Lucie, would tie them around my head. It looked very pretty to be sure, Messieurs; and I was *so* proud of little Jacques, and of myself too:—I wish they would come back, Messieurs,—those times! Do you know I think sometimes, that in Heaven, they will come back?

"I do not know which was prettiest—Lucie or I; she was taller and had lighter hair; and mine you see, is dark, (two rows of curls hung each side of her face, jet black), I know I was never envious of her.

"I should think not," said the Doctor. "I should think there was little need of it."

"You think not Monsieur; you shall see presently.

"I have told you that my father was a small *proprietaire;* there was another in the town, whose lands were greater than ours, and who boasted of having been sometime connected with noble blood, and who quite looked down upon our family. But there is little of that feeling left now in the French country—and I thank God for it, Monsieur. And Jean Frére, who was a son of this proud gentleman, had none of it when we were young.

"There was no one in the village he went to see oftener than he did Lucie and I. And we talked like girls then, about who should marry Jean, and never thought of what might really happen; and our *bonne* used to say, when we spoke of Jean, that there were others as good as Jean in the land, and capital husbands in plenty. And then we would laugh, and sometimes tie the hand of Jacques, to the hand of some pretty little girl, and so marry them, and never mind Jacques' pettish struggles, and the pouts of the little bride; and Jean himself, would laugh as loud as any at this play.

"But sometimes Jean's father would come when we were romping together, and take Jean away; and sometimes kiss little Jacques, and say he was a young rogue, but have never a word for us.

"So matters went on till Lucie was eighteen, and Jacques, a fine tall lad. Jean was not so rich as he was, for his father's vineyard had grown poor. Still he came to see us, and all the village said there would be a marriage some day; and some said it would be Lucie, and some said it would be I.

"And now it was I began to watch Lucie when Jean came; and to count the times he danced with Lucie, and then to count the times that he danced with me. But I did not dare to joke with Lucie about Jean, and when we were together alone, we scarce ever talked of Jean."

"Then I dare say, you were in love with him," said the Doctor.

"I did not say so," said Madame. "But he was handsomer than any of the young men we saw, and I so young, and foolish!

"You do not know how jealous I became. We had a room together, Lucie and I, and often in the middle of the night, I would steal to her bed and listen to find if she ever whispered anything in her dreams; and sometimes when I came in at evening, I would find her weeping.

"I remember I went up to her once, and put my arm softly around her neck, and asked her what it was that troubled her; and she only sobbed on. I asked her if I had offended her;—'you,' said she, *ma sœur*, *ma mignonne*,' and she laid her head upon my shoulder, and cried more than ever; and I cried too.

"So matters went on, and we noticed, though we did not speak to each other of it, that Jean came to see us more and more rarely, and looked sad when he parted with us, and did not play so often with little Jacques.

"At length—how it was, we women never knew—it was said that poor Jean's father, the proud gentleman had lost all his

estate, and that he was going away to Paris. We felt very sadly; and we asked Jean, the next time he came to see us, if it was all true? He said that it was true, and that the next year they were going away, and that he should never see us again. Poor Jean!—how he squeezed my hand, as he said this; but in his other hand he held Lucie's. Lucie was more sensitive than I, and when I looked at her, I could see that the tears were coming in her eyes.

'You will be sorry when I am gone?' said Jean.

"You know we shall," said I; and I felt the tears coming too.

"A half year had gone by, and the time was approaching when Jean was to leave us. He had come at intervals to pass his evenings with us; he was always a little sad, as if some trouble was preying on his thoughts; and was always most kind to Lucie, and kinder still, I thought, to me.

"At length one day, his father, a stately old gentleman, came down and asked to see my father; and he staid with him a half hour, and the thing was so new, that the whole village said there would be a marriage. And I wandered away alone with little Jacques, and sat down under an old tree—I shall try hard to find the place—and twisted a garland for little Jacques and then tore it in pieces; and twisted another and tore that in pieces, and then cried, so that Jacques said he believed I was crazy. But I kissed him and said, 'no, Jacques,—sister is not crazy!'

"When I went home, I found Lucie sad, and Papa sober and thoughtful; but he kissed me very tenderly, and told me, as he often did, how dearly he loved me.

"The next day Jean did not come, nor the next, nor the next after. I could not bear it any longer, so I asked Papa what Jean's father had said to him; and why Jean did not come?

"He kissed me, and said that Jean wanted to take his child away from him. And I asked him, though I remember I had hardly breath to do it,—what he had told him?

"I told him,' said Papa, 'that if Lucie would marry Jean, and Jean would marry Lucie, they might marry, and I would give them a father's blessing.'

"I burst into tears, and my father took me in his arms; perhaps he thought I was so sorry to lose my sister—I know not. When I had strength to go to our chamber, I threw myself into Lucie's arms and cried as if my heart would break.

"She asked me what it meant? I said —'I love you Lucie!' And she said—'I love you Lisette!'

"But soon I found that Jean had sent no message,—that he had not come,—that all I told Lucie, of what my father had said, was new to her; and she cried afresh. And we dared say nothing of Jean.

"I fancied how it was; for Jean's father was a proud gentleman, and would never make a second request of such Bourgeois as we.

"Soon we heard that he had gone away, and had taken Jean along with him. I longed to follow—to write him even; but, poor Lucie!—I was not certain but he might come back to claim her. Often and often I wandered up by his father's old country house, and I asked the steward's wife, how he was looking when he went away—'oh,' said she, '*le pauvre jeune homme;*' he was so sad to leave his home!

"And I thought to myself bitterly, did this make all his sadness?"

"A whole year passed by and we heard nothing of him. A regiment had come into the Arrondissement, and a young officer came occasionally to see us. Now, Messieurs, I am ashamed to tell you what followed. Lucie had not forgotten Jean; and, I—God knows—had not forgotton him! But Papa said that the officer would make a good husband for me, and he told me as much himself. I did not disbelieve him; but I did not love him as I had loved Jean, and I doubted if Jean would come back, and I knew not but he would come back to marry Lucie, though I felt sure that he loved me better than Lucie.

"So, Messieurs, it happened, that I married the young officer, and became a soldier's wife, and in a month went away from my own old home.

"But that was not the worst, Messieurs; before I went, there came a letter from Paris for me, in Jean's own writing."

Madame turned her head again, and the Doctor eyed me with a very sympathetic look. Even the postillion had suffered his horses to get into a dog-trot jog, that he now made up for by a terrible thwacking, and

a pestilent shower of oaths, partly I thought to deaden his own feelings.

"The letter," said Madame, going on, "told me how he had loved me, how his father had told him what my father had said; and how he had forbidden him in his pride, to make any second proposal; and how he had gone away to forget his griefs, but could not; and he spoke of a time, when he would come back and claim me, even though he should forget and leave his father.

"The whole night I cried over that letter, but never showed it to Lucie. I was glad that I was going away; but I could not love my husband.

"You do not know how sad the parting was for me; not so much to leave my father, and Lucie, and Jacques, but the old scenes where I had wandered with Jean, and where we had played together, and where he was to come back again perhaps and think as he would of me. I could not write him a letter even. I was young then, and did not know but duty to my husband would forbid it. But I left a little locket he had given me, and took out his hair, and put in place of it a lock of my own, and scratched upon the back with a needle—'Jean, I loved you; it is too late; I am married; *J'en pleurs!*' And I handed it to little Jacques, and made him promise to show it to no one, but to hand it to Jean, if he ever came again to Semur. Then I kissed my father, and my sister, and little Jacques again and again, and bid them all adieu, as well as I could for my tears; I have never been in Semur since, Messieurs!—"

She had stopped five minutes, when we asked her what ever became of Jean.

"You know," continued she, "that I could not love my husband, and I was glad we were going far away, where I hoped I might forget all that had happened at home; but God did not so arrange it.

"We were living in Montpelier; you have been in Montpelier Messieurs, and will remember the pretty houses along the Rue de Paris; in one of them we were living. Every month or two came letters from Lucie—sad, very sad at the first—and I forgot about myself through pity of her. At length came one which told me that Jean had come back; and it went on to say how well he was looking. Poor Lucie did not know how it all went to my soul, and how many tears her letters cost me.

"Afterward came letters in gayer temper, still full of the praises of Jean, and she wondered why I was not glad to hear so much of him, and wondered that my letters were growing so sad. Another letter came still gayer, and a postscript that cut me to the heart; the postscript was in Jacques' scrawling hand, and said that all the village believed that Jean was to marry sister Lucie. 'We shall be so glad' it said 'if you will come home to the wedding!'

"Oh, Messieurs, I had thought I had loved Lucie. I am afraid I did not. I wrote no answer; I could not. By and by came a thick letter with two little doves upon the seal. I went to my room, and barred the door, and cried over it without daring to open it. The truth was as I had feared—Jean had married Lucie. Oh, my feelings—my bitter feelings, Messieurs! Pray Heaven you may never have such!

"My husband grew bitter at my sadness, and I disliked him more and more. Again we changed our quarters to the mountains, where the troops had been ordered, and for a very long time no letter came to me from home. I had scarce a heart to write, and spent day after day in my chamber. We were five years along the Pyrennees; you remember the high mountains about Pau, and the snowy tops that you can see from the houses; but I enjoyed nothing of it all.

"By and by came a letter with a black seal, in the straggling hand of my poor father, saying that Jean and Lucie had gone over the sea to the Isle of Mauritius, and that little Jacques had sickened of a fever and was dead.

"I longed to go and see my old father; but my husband could not leave, and he was suspicious of me, and would not suffer me to travel across France alone.

"So I spent years more; only one letter coming to me in all that time; whether stopped by my husband's orders or not I do not know. At length he was ordered with his regiment to Chalons *sur Marne;* there were old friends of his at Chalons, with whom he is stopping now. We passed through Paris and I saw all its wonders; yet I yearned to get toward home.

At length we set off for Chalons. It

was five days before I could get my husband's leave to ride over to my own old home. I am afraid he has grown to hate me now.

"You see that old Chateau in ruins," said she, pointing out a mossy remnant of castle, on a hillock to the left—"it is only two kilometres from Semur. I have been there often with Jean and Lucie," and Madame looked earnestly, and with her whole heart in her eyes, at the tottering old ruin, which I dare say the Doctor will remember, for he asked the postillion the name and noted it in his green covered book.

"And your father knows nothing of your return?"

"I have written from Chalons," resumed Madame, "but whether he be alive to read it, I do not know."

And she began now to detect the cottages, on which surely in this old country ten years would make but little difference. The roofs were covered over with that dappled moss you see in Watelet's pictures, and the high-stone court-yards were gray with damp and age.

"*La Voila!*" at length exclaimed Madame, clapping her hands; and in the valley into which we had just turned, and were now crick-cracking along in the crazy old cabriolet, appeared the tall spire of Semur. A brown tower or two flanked it, and there was a group of gray roofs mingled with the trees.

Madame kept her hands clasped, and was silent. She was weeping.

The Doctor smooths his beard; the postillion gives his hat a jaunty air, and crosses himself, as we pass a church by the way; and the farmeries pass us one by one; then come the paved streets, and the pigs, and the turbaned women in Sabots, and boy's eyes, all intent; and thick houses, and provincial shops.

"A nice town," says the Doctor, with his eye on a pretty shop-girl that we pass.

"The same dear old town of Semur!" says our female companion. And with a crack, and a rumble, and a jolt, we are presently at the door of the inn.

The woman runs her eye hastily over the inn loungers; apparently she is dissatisfied. The Doctor clambers down, and assists her to dismount.

"Shall we make any inquiries for her?"

"*Oh Mon Dieu! J'ai trop de peur!*" She is afraid to ask; she will go see; and away she starts—turns—throws back her veil—asks pardon—"we have been so kind"—Bids God bless us,—waves her hand, and disappears around an angle of the old inn.

I never saw her again.

I would have given my knapsack to have known if her old father was yet alive, or if Lucie had come back with Jean from over the sea, or to have seen her at Jacques' grave; but all was denied me.

Just in this way, the hurry-scurry of travel will call out all one's sentiment, and nourish it a little while most daintily, only to give one in the end such shock of disappointment, as makes him ten times more sour and fretful, than if he had never felt his spirit warmed.

What boots it to know of misery we cannot alleviate, or to trace out crime that we can neither punish nor prevent? Your sense of justice and of mercy rests dissatisfied, and you regret that they did not lie undisturbed. So too, I believe, there is a dramatic quality in every man's mind which makes him yearn for the *finale* of whatever business his passions or his affections may have made him an actor in; and when poor Madame, with her pretty face, and her dark hat trimmed up with a bit of lace, disappeared around the corner of the inn, and the lumbering old Diligence, with its four horses, with tails tied up, had dragged us out of all reach of her, and her history, I felt as nervously unquiet, as if I had heard a stage-manager announce at the end of the third act of Macbeth, that the play would not go on.

But I vowed, that if ever I came again within sight of the old steeple of Semur, I would know more of her history.

"And yet," said I to the doctor, "even so little as she has told us would make a fair sort of a story."

"Capital!" said the Doctor, puffing a volume of smoke out of the little Diligence window.

"And what should we call it?" said I.

The Doctor took his pipe out of his mouth, ruminated a moment, rammed the tobacco down with the end of his fore-finger —"Call it" said he, "THE CABRIOLET."

EVERSTONE.

BY THE AUTHOR OF "ANDERPORT RECORDS."

(Continued from page 97.)

CHAPTER III.

THE struggle in the lawyer's mind was a sharp one, but the moment it was over he shook himself free from every disposition to waver or flinch. All the hesitation he could feel was with regard to undertaking the case; once assumed, he was incapable of prosecuting it otherwise than vigorously. He immediately set himself to work therefore to make every investigation which could tend to establish the title of his clients. The grounds of that title, so far at least as the knowledge of them is necessary to the intelligibility of this narrative, admit of a very simple and brief statement.

Somewhere about the middle of the seventeenth century, Roland Compton received letters patent containing the grant of a large tract of land, the boundaries of which were described. There were six corners to the tract, at each of which a stone was planted bearing the initials of the grantee, and its own number reckoned in order from the place of beginning. One of these stones, that numbered fourth, was designated as placed on the bank of Hardwater Run. A few years later, a certain Astiville obtained the grant of a body of land lying immediately north of Compton's, and divided from it for a distance of more than fifteen hundred poles by the afore-mentioned Run or creek.

Now, the Hardwater has two branches; the upper or north branch, and the lower. The question was—which was the one referred to in the original patent of Compton? If the *upper* branch, then the whole intervening tract of about four thousand acres belonged to his heirs or to those who held of them; that is, to Newlove, Dubosk and Schrowder. If the *lower* branch, the title was in John Astiville and the purchaser Everlyn. The fourth corner-stone, which might have decided the matter, could not be found.

Such was the state of the case when Somers took it in hand. He was able to show in behalf of his clients that the prevailing impression in the neighborhood had been, that the Compton tract extended to the upper branch; yet he was not able to prove the exercise by that family of any rights of ownership over it, saving the late sale made by executors in pursuance of specific directions of testament; which sale the other claimant had immediately resisted. Little could be effected by the surveyors. The old patents very rarely had regard to minute accuracy. Corners were marked and perhaps the bearings of lines given, but the chain carriers were often dispensed with. The attempts that were made to run the west line in order to search for the stone where it crossed the two branches, resulted only in additional perplexity. No allowance that could be tried for variation of compass, made the lines which were well known and quite undisputed, either conformable to the courses laid down on the plot, or consistent with each other. The only way of explaining the difficulty was, to suppose gross carelessness in the old surveyors, or—what is more probable, a defect in the instrument used. It was clear at any rate that no rule could be derived for ascertaining the *unknown* line.

Somers endeavored to discover how long it had been that the corner-stone was missing, but on this head could gain no satisfaction. Some middle-aged men said they had heard their fathers, now deceased, speak of the stone on the Hardwater as an object with which they were familiar, and as to whose po-

sition there was no ground to entertain any doubt. These persons when further questioned, declared for the most part that a strong conviction had been left upon their minds that the stone spoken of was on the upper branch, yet they could not remember having ever been expressly told so. On the other hand, some very old men whom the lawyer examined, seemed to have no knowledge of the matter whatever. The fact was, that until the present controversy arose, the parties most interested had been extremely negligent. The land in question lay at a distance from both the Compton and the Astiville residences; with the exception of the inconsiderable portion occupied by squatters, it had remained a wilderness; the families had been more than once connected by intermarriage, and would, either, probably have deemed it a very unworthy thing to disturb their friendly intimacy by too strict an investigation into the precise boundary separating their tracts of almost countless acres.

Though the Comptons were not concerned in the suit, the records of the family were cheerfully put at the service of those who held under their title. Most of the papers of any value had already been scrutinized by Somers, as recorded in the county clerk's office and at the capital of the State. There was one, however, of considerable importance which he had never before seen. It was a mere draught, not signed nor witnessed, yet it bore on its face the evidence of authenticity, and was very capable of producing an effect on a jury. In it, reference was made to some localities which required to be explained and verified.

Somers, therefore, after making a few memoranda in his pocket-book, rode up the Hardwater. He proceeded first to a spot where a fine spring gushed out of the bank, and flowing but a few feet, contributed its clear current to the *lower* branch. Then measuring off ten strides up the stream, he came to a large stump. The top of the tree lay upon the ground and its huge limbs were clothed with leaves yet unwithered; but a block some five feet long had been removed. Tom Foley, lived close by, and Somers went at once to his house. Before summoning the man to the door, our shrewd investigator made the circuit of the squatter's enclosure in order to detect if possible the object of his search. Near the fence on the east side, he found one half of a white-oak log. In length it agreed with that which had been taken from the brink of the Run, and a wedge which lay at its side seemed to show that the other moiety had not long been separated from it. Just as he was about to dismount and make a closer inspection, a villanous looking cur darted out and saluted him and his horse with such a yelping clamor as soon drew forth the master of the premises.

"How do you do, Mr. Foley?" said Somers when the dog lowered his voice to a key which did not altogether forbid conversation. "Your family are well, I hope."

"Tolerable, thanky sir; my woman's sort of complaining to be sure, but she's seldom otherwise."

"That looks like a tough bit of white-oak, Mr. Foley."

"Yes," answered the man, giving him at the same time a keen and inquisitive look.

"You got it from near the spring yonder, I see."

"Oh, I don't say where it came from—it might have been this place or it might have been that, or, for all I care, it may have come from no-where."

"I suppose you have no objection to my turning it over and looking at the other side?"

"I have though," said Foley,—"very strong objections, too. I reckon I know well enough you are lawyer for the Yankees, and I don't want to get into any scrape about cutting down their timber—not that *I* cut this stick, or that it came from the corner—I mean the tree by the branch—but then it can't do me any good to have you projecking about here, so you may as well be contented up in your saddle where you are.

"What has become of the other half, Mr. Foley—is it burnt up?"

"Oh don't trouble yourself about the other half, there's not any cause by no means. You'll see it I reckon full as soon as you want to, and in a place may be where you don't expect. It might light on top of some folks' head for what I know, and then it will be apt to make them see stars."

"That would be terrible indeed," said Somers smiling, but I am inclined to think that the man who undertook to shoulder

such a log as this would be more likely to sink down crushed by his load than to hurl it upon the head of another."

Foley was about to say something in answer but checked himself, and Somers perceiving that nothing more was to be got out of him, struck through the woods to the Upper Branch of the Hardwater. The distance was not very great, perhaps half a mile, and it was this proximity which added difficulty to the interpretation of the patents. If the streams destined to unite in the end had been as far apart here as they became lower down, the enormous difference that would have been made between the two constructions of the length of the west line of the Compton tract could hardly have allowed of the matter's being brought into doubt. A wide gravelly bed, with here and there a slimy pool connected by a small feebly-trickling rill; such was the Upper Branch as Somers found it. Taking out his memorandum, he rode down the bank. His watchful glance seemed to detect nothing that gave him satisfaction, and turning round he proceeded about an equal distance up the stream. That which he looked for still shunned his sight. Whilst thus busily though fruitlessly occupied, the figure of a man stretched at length at the foot of a Sycamore on the opposite side of the run caught his eye. He hastened thither, but on the way his horse's hoof rang against a stone and startled the solitary from his meditation or slumber. The man sprang to his feet, gazed for a moment at the horseman with an expression indicative of anxiety or vexation, and strode away into the woods.

Somers spoke, but the figure only walked on the faster. The pursuer spurred his steed and would soon have overtaken him had he not suddenly turned toward the right, and with great agility run up a hill too steep and too much encumbered with rocks to be safely ascended by a mounted man.

Somers determined not to be baffled, and fastening his horse to a sapling followed the chase on foot. The advantage of youth was on his side, and he gained ground at every instant. On the summit a little cleared spot appeared. The fugitive sprang over the fence which surrounded it, and then, though rushing at the top of his speed, inclined a few yards to one side in order to avoid trampling on a bed of flourishing tobacco plants. Somers unaffected by similar scruples, took the most direct course to the cabin in the middle of the lot. Still the other was first at the door, and entertering, closed it with violence in the face of the pursuer. His fury, however, brought its own defeat; the upper hinge was shattered by the jar, and the door fell at full length, disclosing the whole interior of the room. The single occupant could be plainly seen. His hair, long, shaggy and white, hung about a visage so thin and sharp that, aided by the lankness of his lower person, it made him appear not merely tall, as he was, but of super-human height. Yet there was much of dignity in his countenance, and it was with a manner far more composed and impressive than the lawyer expected, that after a moment's pause he was the first to speak.

"Will you tell me sir what your business may be?"

Somers' object was to gather witnesses, and he thought he had a special right to every *old* man he could find. His captive was a treasure. Living on the very line, as it were, of the two patents, and if appearances were to be trusted, an octogenarian at least in age, it seemed that if any living man were capable of giving the desired information he should be. His profession, of course, supplied the lawyer with sufficient effrontry to prevent his feeling any embarrassment at such an unceremonious intrusion, so he answered very calmly:

"You have lived a long while in this spot, I presume?"

"Long? What do you call long? Time is but the creature of the mind—I came here yesterday—yet when I came that tree (he pointed to an oak of some eight or ten inches diameter,) was an acorn."

"At least," said Somers, "you are well acquainted with the country around."

"Who knows it better?" replied this singular individual. "The hawk?—poor short-sighted thing, he strikes his prey one morning, and on the morrow passes over the place and recognizes it not. The serpent? It deposits its eggs in the sand, and knows not that the ground nourishes other adders than those which belong to its own crawling kind. There are secrets buried in the earth of which the mole or the musk-rat cannot inform you, which I

am able to tell you. Know this land? Why there is not a tree nor shrub upon it which is not familiar to my eyes. Task me, and I will show you every hill-top where fall the dew and the rain which bubble out in each spring that the rabbit drinks of."

Somers began to suspect that he had to do with a madman, but by no means despaired of gaining some useful hints if not positive information.

"I have lost my way," he said, "I am sure you can put me right—"

"Ay, that can I—by night or day I can lead you as safely as if a lantern and a finger-board were on every tree—I can lead you straighter than the bee flies, straighter than the loadstone points. Where would you go?—tell me quick—so that I may be alone."

"The place which I wish to reach is the fourth Corner-stone—the Compton corner on the Hardwater."

At this declaration, the man gave Somers a look such as he never experienced before nor after. What emotion burned in it he could not discern—it certainly was not anger, it did not appear to be terror. The only way in which he subsequently attempted to describe it, was by declaring that it seemed to imprint upon his mind the conviction that the being from whom it came did not belong to humanity; that it was the expression of passions which our nature does not feel and is incapable of conceiving.

The man without speaking a word, suddenly sat down upon a rude stool and turning his back to the visitor covered his eyes with his hands, and leaned his head upon the edge of the table. As to the time he remained in this posture, Somers had no clear idea—it appeared like the space of fifteen or twenty minutes—though it was probably not so long. Then rising up calmly, he said:

"What would you have Sir?"

"I wish to get you to conduct me to the Compton corner."

The old man's agitation was renewed, but this time it was manifested in a different fashion—clenching his hands and gesticulating violently, he exclaimed in a high piercing tone—"What mean you?—who on earth has a right to look at that spot, but I? How dare you ask to share my company thither—can you also share my *thoughts?* Get you gone!—get you gone!"

Then, for a few moments, his eyes were vacant and inexpressive; he stood motionless, not a muscle quivered—even breath was scarcely inhaled: his mind appeared totally abstracted and unconscious of the things about him.

At last, to Somers' great surprise, who felt himself quite bewildered by these sudden changes, he extended his right hand,

"Good-bye sir—I'm sorry I cannot urge you to remain, but look around and judge whether it would be hospitality to ask you to partake of such lodging. Hermitages are pleasant in the poets, but few love them in real life—yet you are waiting for your horse; stay, I will have it brought. But what am I saying? Excuse me, sir, I'm getting old and forget myself strangely. I once had stables—but now—yet why do I speak of it? I do not deserve to possess anything. By the way, sir, it sometimes appears to me as a blessing to be weaned from riches in this life, and the earlier the better: when a man is about to die, he is glad enough, I think, to empty his soul of the love of money. What is your opinion, sir?"

"Well, for my part," said Somers, "I think that our object should be to do as much good as we can. If we possess riches, let us benefit others by their use—are we poor? it is still possible to do good. If we make some sacrifice in the effort—the greater the praise it merits. There are many modes of exercising charity. A little information, sometimes, given when needed, may be better than the gifts of dollars or eagles. If, for instance, you would point out to me the spot I seek, you would be the means of bringing about a just and righteous event."

The other listened with profound attention and answered,

"Say no more, I know what you mean—but it is a thing you ought not to ask. What your business is I am ignorant, but be it what it may, the business of this world has no claim upon me—I stand midway between the past and the future. Once I was living; hereafter, I may live: now I but exist. My heart is in my bosom;—you are not he that hath the right to bid me pluck it forth and exhibit its gasping deformity."

"Will you not accompany me a short

distance," said Somers, "and put me on my way out of the woods?"

The hermit assented. As they passed through the yard he stopped and raised up some tobacco plants which Somers had trampled down, and with his hands very carefully drew earth around them. This task over he resumed his walk. Somers proceeded at his side, determined to suffer him to choose the direction. He retraced without deviation the very route by which they had raced to the cabin. Very soon the edge of the rocky descent was reached. The horse was visible standing quietly at the bottom. Here the guide stopped.

"Will you not go further?" said Somers.

"No; there's your beast—mount, and if you have lost your way, give him a loose rein and he will take you surely to a place of habitation."

So saying, he turned abruptly and sought his lonely abode.

Somers, abandoning the thought of any further search along the Upper Branch, set out in the direction of Daylsborough. After travelling some half a dozen miles he came to Murray's store. This was a small straggling village, containing a shop where all sorts of things were bought and sold at prices arguing well for the profits of the merchant, a blacksmith's shanty, a house of private entertainment and a Post Office. The proprietor of the whole was Samuel Murray, a trig, dapper little man, who delivered letters, posted items of smith-work, measured off calico, and mingled mint-juleps, with equal alacrity and skill. It was an excellently situated stand, and in consideration of the long dreary miles that radiated from it in every direction, there were few travellers who had the courage to pass without halting. Somers had no desire to be singular, and committing his horse to the groom, sat down sociably in the porch by the side of Sam Murray.

"So you are attending well to your clients, Mr. Somers, I perceive—that daughter of Newlove's, by the way, is a right down nice little lady, and they say that the man who gets her, will be blessed at the same time with a very pretty heap of coin, too. You are lucky, sir, to be first in the field, and I have no doubt will distance every thing else that puts in."

Somers laughed and replied—"oh, I don't deserve to win an heiress—be assured the course is quite open as far as concerns me, I did not even call to see the lady this time."

"Indeed!—well you must be busy with the patent-case, certain. If it's no harm to ask, Mr. Somers, how do you like the looks of things—do the New York gentlemen stand tolerably safe?"

"Yes sir, I really think they do."

"Of course it don't become me," said the landlord, "to be either glad or sorry. A body, you know, can't help standing up sort-of, for the old families—but then the Yankees are first-rate pay. They have a pert, inquisitive kind of manner, to be sure, and look sharp into everything they get, but if a body knows how to take them, they are not worse than other people to deal with. Indeed, I believe one of our natives will out-trade a Yorker all hollow. Never mind what you take to them they'll pretend to understand everything about it better than you do yourself—and you know if a man's smart, he can make a conceited person believe anything."

"I dare say you are right, Mr. Murray—no one, at any rate, ought to be a better judge of such matters. All the world knows that Sam Murray was never caught asleep."

"Don't talk so for gracious sake," said Murray, modestly. "I shall have to learn how to blush. I might have done to pass among a crowd, but that I have some drops of Yankee blood in me, which makes my Southern smartness too weak to stand inspection—my grandfather came from Connecticut. I hope, though, the breed's most acclimated by this time—I am trying to train my *boys* to talk smooth and soapy to customers, without blowing blasts through their noses fit to scare. As for their daddy, the only way he can scratch along is to try to know everybody—this saves from losing, and the man that loses nothing is mighty apt to gain a little once in a while."

"Your referring," said Somers, "to your extensive acquaintance, reminds me to ask you to tell me something about a man I met to-day—a very tall person with long white hair. He lives on the north side of the Upper Fork of the Hardwater, about five miles, I suppose, from here."

"You are most too hard for me there," answered Murray, "I understand who you mean, but that's pretty much all the satisfaction I can give you. He built himself

that cabin twenty years ago—where he came from then nobody knows. He's very shy and unsociable, and stays by himself. When he was first about, some person asked him his name; he said that was no one's business but his own, and wouldn't tell. He's apt, in fact, to be contrary and obstinate in everything."

"Is he deranged?" inquired Somers.

"Why, I think not. He's queer, but I reckon there's nothing else the matter. He comes down here sometimes when he's in want of anything out of the store, and he always seems cute enough."

"He has money then?"

"Why, no, he brings wild-turkeys, and muskrat skins, and tobacco, too, when he raises more than he wants himself. He uses no shooting fix, they say, but catches the wild things he gets with some kind of gins, and snares, and nets."

"He acknowledges no name, you inform me."

"Oh, that was only at the first—I was the one who got him to own up. I tell you how I managed it; one day he brought some plunder to the store and got a piece of shirt cotton for it; there was a little balance in his favor which he wanted to take out in a coil of rope. When I told him that the rope came to some two shillings more than his due, he answered, 'never mind, I'll take it and square off accounts next time.' 'Certainly,' says I, spreading out my book very quick, 'what name shall I charge it to, sir?' He gave me a curious kind of a look, but answered after a little, 'put down Cain.' So he's been Mr. Cain ever since."

"There used to be a family of Cains about here, did there not?" said the lawyer.

"So the old folks say," replied the other, "and it's quite likely this is one of the set, who went away from the country when he was young, and afterwards took a notion to come back. No person, though, recollected having ever seen him before."

Somers remained silent some moments, pondering over the information he had received.

Sam Murray, who loved to be all the time either talking or listening, interrupted his reflections, by saying: "I reckon you havn't found the missing corner yet—it's a very queer thing, isn't it, that that stone is hid away so close?"

"It *is* strange," answered Somers, "and what is most unaccountable about the affair, is the fact that no one appears to have seen it, while there are dozens who declare they have heard of its having been seen, perhaps no longer time ago than fifty years. A person would have supposed it the easiest matter in the world to prove the anciently understood locality of the corner—though the stone itself were lost. If the situation could be pointed out within a rod or two even, there would be a possibility of identifying some old marked trees on the line running southward from it. I have abundance of documentary evidence, but that sort of proof which ought to be obtained with least difficulty, seems to fly all search. The Compton title stands, as it is, on sufficiently secure ground; yet I know what the jury are disposed to ask for, and should be glad to content them in every respect."

"You are right, Mr. Somers," said Murray, "a jury is more apt to be taken with a plain man's say-so than with learned figurations. Now, if I was in your place, sir, I would look around some among the blacks. They have a great many wild incredible stories to tell about the Hardwater corner, but some useful hints might be obtained, which could put you in the way of getting testimony worth offering in court."

"It is an excellent suggestion," said the lawyer, "and if you would inform me of any old negroes from whom something might be derived, you would confer a great favor. I have sought out some few myself, but I confess with little profit. Your acquaintance among them is, of course, necessarily more extensive than mine."

Sam Murray replied with the manner of a man fully aware of his own importance. "As I said before, Mr. Somers, it don't become me to be officiously concerned on either side—my position as well as my inclination requires me to be neutral. I should hope, if the thing weren't contrary to nature, that both parties might be successful."

"And so should I, with all my heart," observed Somers.

"But," continued the landlord, "since that can't be, I must look on in contentment, whatever turns up. So, therefore, as my breast is filled with these sentiments, nobody can accuse me of partiality against

either Mr. Astiville or Mr. Evelyn, in talking indiscriminately and frankly to a lodger like you. By the way, you mean to stay all night, I suppose, sir?"

"Certainly," said Somers, in a tone which was far from betraying the reluctance of a forced determination. "I could not leave without having a good long chat with an old friend like you."

"You will have a chance then to see Naomi Fuller, an old Nigger wench, who I'll be bound knows as much as any of the tribe. She'll roll you out some curious yarns; how much of them is to be depended upon, you yourself must decide. She will be in at the store during the course of the afternoon and I will point her out to you."

Murray was as good as his word. Somers strolled off carelessly so as to be able to intercept the old woman and have a quiet talk with her. It was not long before he observed her trudging energetically in the direction of his ambush—stepping out, he suffered her to overtake him, and then accommodating himself to her pace, sauntered at her side. He soon got good Naomi talking very sociably. He listened sympathetically to the account of her ailments, and when she remarked in what urgent need she happened to stand of a nine-pence, he drew out his purse and after pretending a fruitless search for a coin of the denomination mentioned, handed her half a dollar. She returned a most profound courtesy, and said, "Thanky massa, thanky."

"Aunty," said Somers, when he thought he had opened the way sufficiently, "have you ever seen the Compton corner-stone on the Hardwater—the fourth corner-stone."

"Thank heaven, marster," she answered, "I has *never* seen it—bless your life, child—it would be better for my eyes to be clean out rather than they should look on that piece of rock."

"Why is that?" said Somers.

"Do yer ask why," she exclaimed, "Isn't there a sperrit what watches over it? Certain and sure nobody can see the stone without seein' the sperrit likewise; and who'd want to see *it?*"

"Yet," argued Somers, "I do not suppose spirits haunt any spot without a reason—but what reason is there in this case? Why is this corner worse than any of the others? I suppose no ghosts keep guard over them."

"But what other corner-stone besides this," said Naomi, impressively, "is the *headstone of a grave?*"

"Ha!" said Somers, "I have heard some vague report of this kind—but there is no truth in it, is there?"

"But it *is* true though," answered the hag, shaking her head, "it would be well if it weren't. All of them stones was put down regular and right—there was no grave when the fourth one was planted no more than when the rest—man's wickedness made that arterwards, and see the following of it! What other stone is missing but that?—don't you find 'em just where they was fixed at first? Why should that one only be moved?"

"Who then is buried there?" said the lawyer, "and what caused his death?"

"Don't ax me—don't ax me—" replied Naomi, with an uneasy air. "Bless you marster, I 'cuses nobody—nobody in the world; that's a wicked, awful place—that's all."

"You need not be afraid to talk to *me*, freely, aunty," said Somers, compelled to make considerable bodily exertion, so rapid was the rate at which she now proceeded, "there cannot be any harm in speaking to a person who will never breathe to any one where it was he gained the information."

"No—no," said Naomi, still walking on as fast as she could. "Old birds are scary, master. Ask white people, for there is them that knows, but don't try to coax a poor worn out servant into trouble."

"Tell me this, however, aunt Naomi, how are you sure that there is a grave at the corner, when you have never seen it?"

"Can't say nothin' 'bout it;" was her reply.

"Yet, good Naomi," continued the lawyer, perseveringly, "I know you don't want to lead me into error. It is a very important matter to ascertain whether or not this fact be as you represent. May you not be mistaken—is it an unquestionable fact—one to be relied on as a thing established, that this grave really exists where you say?"

"I'm not mistaken, marster—it's as certain as that the sun shines this blessed minute. I'm a poor weakly creatur; there aint no larnin', and mighty little sense in

my old skull, but some things I knows—and this are one of them. Wherever that stone are, there's the grave stretchin' off from it—a *long* grave too, not a hole such as babies' corpses is put in—there the sperrit wavers and flickers over it—these things is certain. I know, besides, that the stone aint ever goin' to be found. When the men came out with their compasses and spying fix, says I, 'twon't come to nothin'—and so it didn't. You might get an *English* compass and 'twould be the same—the iron aint on the yearth, or in it, that can pint to that horrid, odious place."

"I thank you," said Somers, "for what you have told me. It is of little use, however, unless I knew of somebody to look to by whom I could prove it. Now, if you can tell me of any white person who will be willing to testify that there is a grave at that spot, I will cheerfully give you this dollar."

Naomi opened her lips as if to speak; then closed them; finally the temptation proved too strong. "There's plenty of white people," she said, "who knows as well as I do—that is, most so well—what I know, I know, and it's nothin to nobody; but there's Josh Evans could tell you a sight, still he's way off some-where, he may be dead for what I can say. Yes, there's nobody else has as much 'quaintance 'bout it as Josh. But there's others as can say *somethin'*—Jeems Watson, Dick Bryan, Sol Simms—most every old body around, if you'd question tight, could speak a heap. But don't go to any man that John Astiville has lent money to."

She made this last remark in a very low tone, and taking the dollar which he offered, separated from him hurriedly, as if she apprehended that she had already said too much.

Somers was quite at a loss how to estimate the communications which had been made to him. He was well aware of the superstition of the negro mind, but there was something in the manner of the old woman while she uttered her declaration, which seemed to denote a conviction having a real and substantial foundation. Her statements, too, agreed with some dark hints received previously and from a very different quarter. The lawyer's mind also dwelt much upon the man called Cain. Whether that individual were sane or not, Somers felt quite confident that he must be aware of the true site of the corner. His agitation when the spot was mentioned was very remarkable. Naomi's story appeared to point to some crime connected with the stone—could it be that Cain was the perpetrator, and that his singular conduct was the effect of remorse? Somers worried himself in vain with trying to arrange the wild, grotesque materials that had been that day furnished him, into a shapely, consistent, and probable whole. "If, however," he thought to himself, "I could but make that white-haired man speak, I am confident I would have a witness worth more than all the rest put together."

It is not to be supposed that while the attorney of the New Yorkers displayed such activity and zeal, there was any remissness on the other side. Everlyn, who had all faith in the rightfulness and legal sufficiency of his title, was not willing to omit any honorable means of securing the great stake which was put at hazard in the event. Astiville had endeavored to rid himself of any trouble in the matter, by disposing of the remaining fourth of the tract. The northerner however, whom he got to look at it, was too wary to buy a law suit. He admitted the value of the land—indeed his eyes shone, as he spoke of it—but calculated that it would be "jest as well, and a leetle better," to wait a while. Astiville, accordingly, small as was his love of the expenses attending litigation, saw there was no escape. The case being thus, he thought that what was worth any effort at all was worth a vigorous effort, and though he did not communicate every one of his measures to Mr. Everlyn, that gentleman fortunately shared the benefit of them.

Mutual sympathy and a common interest naturally gave rise to a very warm and cordial intercourse between the families. Everlyn did not indeed find in his neighbor that liberality of sentiment, nor that open, frank, and liberal manner, by which his own character was distinguished and adorned. Yet it was pleasant to have as warmly interested and attentive a listener, whenever he desired to talk of the subject that for the time engrossed all his thoughts and desires. Astiville's shrewdness, also, and fertility, and unfaultering confidence in a favorable result, supplied a grateful support to a mind of itself somewhat too easily inclined to despondency.

Sidney Everlyn had no mother, and the

company of Mrs. Astiville, a kind-hearted, well-bred woman, was worthily appreciated. That the old lady was proud and had higher notions of family dignity, than these modern leveling times respect, could form no obstacle to an intimacy with her newly acquired friend. The Everlyns might not have been as much favored by fortune as the Astivilles, yet there certainly was no family in the State which could boast purer or more ancient blood. To this effect Mrs. Astiville frequently expressed herself, in the presence of her children. When such sanction cleared the way, it is not wonderful that the young folks became charmed with one possessing in herself so many lovely and attractive qualities. Howard, the only grown son still at home, was least of all exempt from her influence: it must be added, that the young gentleman was by no means incapable of pleasing a lady in turn. Tall, rather graceful than robust, possessing hair of the color of the Indian's, and a complexion which, though dark, suited well with a countenance slightly tinged perhaps with melancholy, yet expressive of pride, generosity, and intellect—such was Howard Astiville in appearance. His character, so far as then developed, was sufficiently similar to justify the science of Lavater. Reserved and retiring he was, because he scorned to take a lower position than he deserved, and was too sensitive and modest to press into a higher. Great things he would willingly have attempted, had he known the way, but he shrank from the only true preparation for great achievements—he would not begin by attempting the little. Pride is not self-reliance, and Howard chose rather to continue in his ambiguous and undefined station than to incur the risk of failure in cases where failure must be attended with shame. A nature of this kind is prepared to yield readily to love, for in the pursuit to which this passion impels, one may be distrustful of self, and yet lose no dignity, nay, may even contemplate final defeat with a quasi composure, since it involves no degradation.

Some days subsequent to Somers' last exploration of the Hardwater, Howard came over to Everstone at a sweeping gallop.

"News—news, Miss Everlyn!" he cried as soon as he saw the young lady, "the stone is found—do you care to learn on which Branch?"

"Your manner tells me," said Sidney, "you do not look like the bearer of bad tidings."

"No, no," said the young man, smiling joyously, "if the news had been ill, some other messenger than Howard Astiville must have been found to bring it to you. But where think you is the corner-stone found?"

"Near the oak tree by the spring?"

"Yes," said Howard, "that is the very spot—there can be no doubt at all—Everstone stands solid and secure. To think that Yankee feet should have threatened to profane this hall, or that a Yankee axe had been whetted to fell these glorious old trees, fit shade for a mansion which has rejoiced among English oaks! Ah, how delightful it is to reflect that the ruthless Barbarians are disappointed, foiled. Yet you do not exult Miss Everlyn—"

"I was thinking of the danger," answered Sidney, "not of the escape—are you sure that there is not even now room for apprehension?"

"Not the least in the world. My father said at the very first, that the sole reason he had for entertaining the smallest doubt of our success, was on account of the lawyer the others were lucky enough to get: he said that if any body could make their case strong—Richard Somers was the man. But so plain is the matter now, that even Somers himself, I judge, will be puzzled to beat up a cloud capable of obscuring it."

Sidney blushed at this undisguised tribute to the ability of her lover, but merely said, "I never could doubt that the right must triumph—"

"Nor I neither," returned Howard. "And what presumption it was in the fellows to dispute the assurance of an Astiville. Who ought to know about the boundary so well as my father? And whose honor should pass unquestioned if not his? It might have been known then at once that when he declared that his line extended to such a place, it could not have been said without adequate ground. He must speak from information, and who shall dare affirm that a hundred thousand acres could tempt him to swerve one hair's breadth from what he knew to be the truth."

"My father at least," said Sidney, "did not question his word. When Mr. Astiville assured him that he believed his title as far

as the Lower Branch to be good, he never for one moment conceived it possible that the word could be dictated by aught save honor and good faith—"

"And you see now," said Howard, with proud animation, "how well-grounded was that confidence. Thank Heaven, we have not yet sunk to the level of these mercenary Yankees—we are conscious of no necessity to deal with each other as with rogues. A southern gentleman may rely upon his friend with a faith which a Northerner can never feel in all the precautions of suspicion and all the vigilance of avarice. What a detestable training is that which teaches a human being to have no other object in life but to over-reach his neighbors. They taunt us Southerners with want of thrift—long may we be preserved from such thrift as theirs!"

"If they misapprehend our character," replied Sidney, "should it not be a lesson to us to avoid judging uncharitably of them in return? There may be honesty and virtue in Galilee as well as in Jerusalem."

"Doubtless," answered Howard—"we should not hate the strangers, but you must acknowledge that it is impossible to help laughing at them. Think of creatures not only destitute of taste, but absolutely incapable of comprehending what it is—think of their ridiculous manners, their stiff, awkward, hitching gait; even to hear them talk is a comedy."

"Yet as to that," interrupted Sidney, "we should not forget, that we ourselves have been subjects for ridicule on account of the peculiarity of our speech."

"I admit it, Miss Everlyn, but surely the language of 'whar' is somewhat better than the language of 'ben.' As it was in France, the rough northern invaders may beat us down by weight of fist, yet southern intellect and southern literature will after all be found to last the longest. The Langue d'oc will in the end triumph over the langue d'oni."

"You mean to say," said Sidney, "that the Langue d' *oxes* will vanquish the Langue d' *oxens*."

Howard laughed at the new version and replied, "Well, for my part, I am willing to take ground even on this distinction. Our plural certainly has the merit of being conformed to analogy. Noah Webster himself being judge, I think we should carry the day. Consistency is a jewel—if we give way to the Yankees in this, they will reform the whole dictionary. It was but the other morning I heard one of them say—not to me, for be assured I do not court their company, but to some body or other whom he had caught—'the *housen* down here don't hold a candle to them to the north for bein' snug and tight.' Thus among our masters, 'housen' has already supplanted houses; it will next supplant house, and then we will be favoured with the improved plural *housens*. Such is an example of the progress and amelioration of language. Well it is for our country that the genius of the north, under the stimulus of common schools, is ever advancing, for we, poor uninstructed creatures, are simple enough to talk as our fathers talked."

"Surely," answered Sidney, "you are not so bold as to contemn the system of common schools—the great invention of the age? Or, if you do really cherish such an antediluvian opinion, be careful at least not to avow it abroad. We already bear the reproach of being antiquated and old-fashioned, and patriotism—if you entertain no personal awe of the world's frown—should forbid your throwing upon our State an additional scandal."

"Oh, no," said Howard, "I am not guilty of such audacity. Common schools may be excellent things; but if these men be specimens of their fruits, the institution, like most other new pieces of machinery, will admit of considerable improvement. Redland county cannot boast of many educational advantages—to use the fashionable phrase—but I never yet have seen one of its natives, excepting negroes,—and I might almost venture to comprehend them in the category,—who would commit as many violations of grammatical propriety in a whole day's talk as you may find certain persons to astound you with in fifteen minutes."

"But, sir," said Sidney, "you have yourself acknowledged your incompetency to be a fair witness. You say you shun these new settlers. Depend upon it, then, that the best of them, like the best of any other class, are the most retiring and quiet. It is the nature of ignorance to push itself forward; it hails notice with an unalloyed gratification, for it is insensible to the ridicule by which that notice may be accompanied. I dare say now that it would require no very protracted search to find

among these new comers many who by no means resemble those who have unfortunately struck your fancy."

"Ah, since *you* plead for them," replied the young gentleman in a gallant tone, "I must needs confess my precipitancy. Henceforth I am ready to esteem them as paragons. I will not call them champions of progress, but exemplars of very perfection! There are a few, however, I suppose, who are less legitimate objects of laughter than the rest—whether their better acquaintance with Lindley Murray and the dancing master be not attended with additional powers of knavery, is a question admitting of some doubt. This fellow, Newlove, for instance, is a more decent looking man than most of them, but judge you whether it is our duty to love him very heartily."

"Do you know his daughter?" inquired Sidney.

"No, but I've seen her in church."

"She is handsome, is she not?" added the lady with true feminine curiosity.

"I should not call her so by any means," answered Howard. "She has rather a pleasant countenance, but that is all the praise which can be given it. Yet, Miss Newlove need not sigh for fairer features, since she has charms more certain of meeting general appreciation."

"Her father is wealthy, I believe," remarked Sidney.

"No, he has little or nothing, I understand. Miss Emma 'holds the lines,' to quote the characteristic expression of one of their Yankee friends. That is to say, in the langue d' *oxes*, Miss Everlyn, our contemned vernacular, 'she possesses a considerable fortune in her own right.'"

Sidney, after musing awhile, said, "Well, I am glad that it is so. If, unfortunately, our safety cannot be secured without another's loss, we should be brutal indeed not to hope that our opponent may lose without being reduced to consequent distress and poverty."

"If," answered Howard, "the accounts of her riches be not greatly exaggerated, she may well afford to throw away twenty or thirty thousand dollars in her jaunt to Redland."

"As the corner is identified, the suit will soon be brought to a decision, I presume," observed Sidney.

"At next court, probably," rejoined Howard. "No postponement will come from our side, of course; and, by the way, I must not forget to tell you, that to prevent Somers and his clients from wearing out our patience by continual delays, it is proposed to keep secret our discovery of the stone. Taken thus by surprise, the cunning lawyer will have no room for subterfuge. How amused I shall be at his confusion, and then to see the New Yorkers spread open their great eyes and to hear them in various tones ejaculate 'sure!'"

"Take good note of it by all means," said Sidney, "so as to be able afterwards to describe the scene for my edification."

"I will, most assuredly," answered Howard, "and if the account does not secure you a good laugh, it must be the fault of the reporter, for I am confident that a more mirth-exciting drama was never performed than that which is to be exhibited next Monday at Daylsborough."

"It has also a very *serious* interest," observed Miss Everlyn, thoughtfully.

"Yes, it is a tragi-comedy," said Howard, taking his hat to depart.

Court day came, and great was the gathering at the county seat. Various conflicting whispers passed through the crowd. "I thought from the very first," said one, "that the Yankees were safe when they hung on to the Compton patent." Another answered—"First thoughts are not always wise thoughts, neighbor, as I reckon you'll find." A third said nothing, but gave a significant shake of the head. Finally the vague impression began to prevail very generally that the parties opposed to the New Yorkers would "go it with a rush." The important case came up in its order. Somers showed no desire for its postponement. The counsel of Everlyn and Astiville exchanged glances, but were prudent enough to dissemble their eagerness. A jury was impannelled. The elation of the adherents of the old families was now scarcely restrained. Looks were cast around the room, and ominous remarks made, such as "It is'nt brought in yet," "Don't be scared, it's coming, though," and "Somebody will light on somebody presently like a hawk on a June-bug."

Somers seemed strangely unobservant of the signs of the times, or perhaps he foresaw the approaching tempest, yet was too proud to manifest apprehension. At all events, no spectator could detect the slightest ruffle in his calm—almost apathetic—composure.

CHAPTER IV.

Mr. Mason, Astiville's principal lawyer, was disposed to allow the other side to bring forward whatever it could, before he showed his own strength. Somers, nothing backward, told the jurymen in few words, that the simple question for them to decide was, which of the Branches, or Forks, of the Hardwater was the one intended in the patent of Roland Compton? "The precise situation of the corner-stone," said he, "is a matter, in itself, of comparatively little importance. When the true Hardwater Run is found, the controversy ends. The west line of the tract in dispute—the line, I mean—connecting the two branches, is a short one, and whether it be inclined a little this way or that, can make but a difference of a few acres, and with this difference neither Mr. Astiville nor Mr. Everlyn can have any thing to do, for the land westward belongs to others. I repeat then, that all that is required of you to-day is, to decide which of the two streams is meant in Compton's patent. Now, proof is at hand that the opinion has prevailed almost universally throughout the community, that the Upper or Northern Branch is Compton's line. Recollect, if you please, gentlemen, that this universal impression is almost the strongest evidence possible for a fact of this kind. Men may be mistaken in regard to a particular corner—such an error may even be propagated and prevail very extensively—but it is scarcely conceivable that the general belief as to the course of a line stretching for a distance of almost five miles, can be wrong."

Witnesses were introduced whose testimony fulfilled his declaration.

Mr. Mason admitted with great candor, that common belief, unopposed, is strong proof, "but," added he "there may be stronger. The patent calls for Hardwater Run; now which of the streams above the forks most deserves the name of Run? Surely the largest. Let any one go to-day and test them by this rule. He will find the Lower Branch a clear, steady, and not inconsiderable stream—the Upper Branch he will scarcely be able to find. He will see, indeed, a dry ditch which serves to drain the country after a thunder shower, but that is all. Run!—why, gentlemen, what does the word mean, if it be not a flowing, constant, brook?"

Somers here remarked—"By the leave of my learned friend, I would suggest that the size of the channel is oftentimes a surer proof of the importance of a stream, than the quantity of water there may chance at a certain season to be in it. Examine the two branches, gentlemen, as you have been advised. What is the Lower one? My friend has correctly described it. A stream which even in this season of drought refreshes the eye with its clear-flowing current. In this respect it is distinguished above many streams which bear more imposing titles. I can lead you to a *river* which cannot supply sufficient water to turn a mill-wheel. What is it that gives the Lower Branch its superiority? The fact is easily explained. It happens to be fed by several springs which are remarkably lasting. Yet the Lower Branch is but a small brook. Turn to the Upper Fork. What do you see there? A dry *ditch*, says my learned brother. I will not quarrel with him about terms, but to me it appears a *channel*, empty indeed, but capable of containing without overflow the waters of the largest canal. This is July; look at it next April—what is it then? You will find that empty ditch filled to the brim with an impetuous current which a horseman cannot ford without danger. In April look also at the Lower Branch—it bears the same character as in summer—it is still a clear, small brook. You may now be curious to learn, gentlemen, how the rival streams appeared to those who planted Compton's corner stones. That is a point upon which I am fortunately able to give you satisfaction. We know from unquestionable evidence that the survey of the tract was made, not in July, but in April. The fourth corner stone was placed on the edge of Hardwater Run, and what man is there that can behold the two streams in April and doubt which deserves to be called the Run and which the Branch?"

Mr. Mason now alluded to the *name*, which, he said, implied that the water of the Run was hard or brackish. He inquired whether such a title was not very inappropriate to a stream supplied by rain

water and summer torrents, while it may be given without obvious inconsistency to one which depends principally upon constant springs, especially when it could be shown that any of these springs really does flow with water unfit to be used in washing and for other similar household purposes, and he proffered witnesses to prove this to be the case with at least one of the springs on the Lower Branch.

Mr. Astiville's lawyer dwelt at considerable length upon this head and seemed to produce an effect upon the jury. When he had ended, Somers rose with a subdued smile and produced a very old printed journal in which mention was made of an attempt to explore the country near the mouth of a creek whose name was spelled Hedwawt. Next he showed the jury a map, like the volume, long anterior in date to Compton's letters patent, which gave some few miles of the lower portion of a stream bearing the title of Hadderwawt. Lastly, he exhibited a thin folio volume with vellum covers. This book, whose antique appearance excited much curiosity in the Court-room, proved to be a copy of one of the earliest publications relating to the colony. Somers turned to the appendix and pointed with his finger to a sentence the last clause of which read as follows—"a muddy creek or small river, called by the savages Hadderwawt or Hardwat."

"Such," said Somers, "is the origin of that name which my friend on the other side has taken such pains to deduce from the brackish nature of an insignificant little spring some twenty miles from the mouth. The Indians, you know, gentlemen, did not speak English in those days, and 'hardwat' in their language meant something very different, I'll answer for it, from that which we call hard water."

"There's one of Lawyer Mason's pegs broke, that's certain," observed a man outside the bar to his neighbor.

"Never mind," answered the individual spoken to, "Mason's got a good chunk of white oak to drive in next. See there what's coming, isn't that a back-log for you?"

There was now quite a stir in the throng. At a signal from Mason, three stout negroes advanced, whose stooping backs and rigid muscles testified to the ponderousness of that which they were bearing. The judge was surprised, the jury stared. The negroes laid down their burden which was then seen to be the quarter section of a short log taken from a tree of great diameter. About twelve or fourteen inches from the heart, there appeared three little marks which might have been the gashes made by an axe when the tree was young and grown over by the new wood deposited during the many years which had since elapsed.

"If there be any doubt in your minds," said Mason to the jury, "as to whether you see the marks of the surveyor, they will be removed by an examination of the other quarter of the log." The negroes now came forward a second time. Obeying Mason's direction, they placed this stick by the side of the first and made it evident that the two had once been united. The three marks were discernible on the edge of each.

By the permission and indeed suggestion of the judge, proper tools were brought, and one of the sections was 'hearted' as woodmen call it, that is, was cleft in the direction of the rings formed by the sap. It was now still more plain that the marks were scars of the notches made a long time previous by a hatchet or some other sharp instrument. Their number and their situation in the tree went strongly to show that they were the work of a surveyor.

Mason introduced witnesses to prove that the pieces of wood then before the court had been taken from a tree standing on the edge of the Lower Branch, which tree he proceeded to argue, denoted the situation of the disputed corner. "But gentleman," he added, in a tone of modest triumph, "a rightful cause does not depend upon this evidence alone. I have something else to show you."

As he beckoned with his hand, a white man stepped forward, bringing in his arms a stone some four inches thick and two feet long.

"Where did this come from, Mr. Johnson?"

The witness, after being properly sworn, testified, that he, in company with several others had brought it from beside the Lower Branch of the Hardwater, where it was standing, covered nearly to the top with earth.

"How far from the white oak tree, Mr. Johnson?"

"About four paces."

"I am confident," said Mason, addressing the jury, "that I have presented to you the original fourth corner-stone. At the making of the Compton survey, there were six stones planted. The five respecting which no doubt has ever existed, are all of a dark blue slate—the stone now before you is of blue slate. The others are planted so that about two feet of the stone are above the surface of the earth. This stood with only eight or ten inches of it visible; but look at the top of it, gentleman, see how ragged and uneven it is! The others are squared and levelled at the top. It is easy to conceive that the stone by the Hardwater, has been broken since it was placed there. *When* it was broken I cannot tell. That it has not lately been done is evident from the weather-beaten appearance and uniform hue of the stone. The six stones were all of them inscribed with the initials R. C., for Roland Compton; they were *numbered* too. Do you demand that the number and initials shall be visible on this? Consider, gentlemen, that the upper portion of this piece of slate has been broken off and is lost—perhaps some overflow of the stream has swept it far from the spot—it eludes the most careful search. You cannot ask for impossibilities; my clients do all that is within their power; they bring before you what remains of the stone. Without stopping to indulge in vain regrets, let us make the best of what we have. The greater portion of the inscription is gone, but perhaps some little of it may remain. Examine the stone, the smoothest side of it—do you not see nearly the whole of the R.? Now look further along where the break unfortunately runs downward; is there not something left of the C? And can you not discern even what was once the lower part of a 4? Take it, I beg you, and study it well, remembering that those marks of the chisel, however plain they once were, have had to endure the frosts and driving storms of a century and a half.

The jurymen, as they scanned the bit of slate, and followed with their fingers the faint marks upon its surface, nodded gravely to each other, as if to say, "It does look like an R. and a C. and a figure 4."

Mason inquired whether any further evidence was demanded of the identity of the stone with that which was asserted to have been found near the oak tree on the run.

Somers answering in the affirmative, Timothy Gauslin was summoned. His testimony was decided and unequivocal, and fully confirmed that of the witness who preceded.

As the man was about to withdraw, he was detained by Somers, who expressed a desire to put an additional question or two. Tim Gauslin turned and stood with great patience, but the attorney of the New Yorkers made a considerable pause before commencing the cross-examination. The attention of all was instantly fixed. Even the sheriff's severe eye, as it swept over the crowded room, could not distinguish the slightest sign of disorder. Judge, jury, and spectators preserved a profound silence. Expectation was stimulated to the utmost. Mason himself began to feel somewhat nervous and uneasy, as he watched the calm, disembarrassed, but ominous expression of the countenance of his antagonist.

When at length Somers opened his lips, it was to address not the witness, but the court. "My able and distinguished friend," he said, "has omitted to refer to one of the characteristics of the fourth stone—it marks not only a corner of the Compton tract, but the site of a grave."

Mason rose at once and was about to express astonishment, or perhaps a positive denial, but the other without giving him time to speak, added, "It is well that the contested corner should be better marked than those in regard to which there is no dispute. The other stones have their still legible inscriptions to distinguish them, the fourth has this additional mark, that it is the head-stone of a grave. The fact to which I allude is, I believe, unquestionable, and requires to be established by no array of witnesses. I suppose there is not a person here who will refuse to admit it."

The lawyer's keen glance, which at first had been confined to the members of the jury, now fell—whether by accident or through design—upon the elder Astiville. That gentleman sprang up and exclaimed, "Does Mr. Somers look at me? Am I to be the subject of slander and villanous insinuations?"

No reply being made, however, order was immediately restored in court. Somers

turning to Gauslin, inquired whether it was his opinion and belief that some one was buried near the fourth corner stone.

"It has always been understood so," answered the witness. "I know nothing more about it than the common run of folks, but I have been told it was the case and believed it."

Mason heard this reply with extreme surprise, and as he saw the statement confirmed by the significant glances exchanged among the jurymen, and by a general hum of assent pervading the throng outside the bar, felt at a loss as to the ground he should take. But ere he had opportunity for meditation, his mind was destined to be assailed by further disturbing causes.

Somers followed up his interrogatory by another. "Do you know of any investigation having been made to ascertain whether there is any grave near the spot where this stone was found?"

Tim Gauslin hesitated a little, but answered "*Yes.*"

"Be good enough, then, sir, to tell the court about it."

Gauslin after a deprecating glance towards Mr. Mason, who was frowning, terribly, said, "Well, you see, after the five of us had seen to the stone, and taken it off, it came into the heads of Peter Grimes and me to look about in a quiet way for the grave. It couldn't do any harm, and, we thought, might help to make a plain matter plainer.

The man stopped, and Mason felt somewhat encouraged.

"And what did you find?" asked Somers.

"We found a plaguy hard customer," replied Gauslin, and again paused.

The crowd excited by suspense, stood on tiptoe, looking over one another's shoulders, and striving to catch every word that should be uttered. The members of the Bar forgot for the instant their professional sang-froid, and listened as eagerly as the vulgar. The Judge himself displayed more than his usual grave attention. There was one exception to the general demeanor—John Astiville, who leaned back in his seat with folded arms and an air of dogged composure.

Gauslin resumed his story, "We dug down at one side of where the stone had stood, and came to solid rock; we dug in another place, and there we came to solid rock; we tried another side and *there* was rock—we tried all around and every where it was the same. Within two feet of the top there's one great flat rock extending to the hill on the south side, and on the north, reaching a distance of about ten feet, and sloping away, like, under the stump."

"Perhaps the stone has been quarried out and replaced again," Mason ventured to remark.

"No," said the witness, shaking his head, "we tried it with the iron bar and it sounded dull and heavy everywhere, as if it had never been disturbed."

"What kind of rock did you find it to be?" asked Somers. "Does it resemble this stone which has been brought into Court?"

"Yes, it seems about the same."

Somers allowed the man to retire, and then observed to the Jury, "the *head-stone*, it is very clear, yet remains to be found, and it is for you to decide whether we can have seen the *corner-stone.*"

"There is the tree, however," said Mason, "plainly bearing the surveyor's mark. Do not be led away, gentlemen, by vague traditions, when you have before you evidence like this, real, substantial, and that cannot be mistaken. Here you have a witness that has come from the depths of the forest to speak to you—a witness hitherto carefully concealed by the hand of nature, because its testimony was not needed till to-day in support of right and justice. This is not a short-lived man in whose declaration you are required to believe; not a weak, frail being who sees a transaction this morning in order to forget it the morrow—no; but a witness who existed in hardy vigor at a period when the oldest among you was yet unborn, and whose memory retains the impression then made upon it with a tenacity as enduring as the tough fibres which constitute its frame. That oak as it stood by the side of the Hardwater, bore no outward sign of what was within. How think you then was it found—by accident? Far otherwise. There were those who, knowing their rights, knew where to look for arguments to defend them. You may send a woodman to fell a thousand trees along that run and in not one of them will you find, as in this, the indelible imprint of the surveyor's hatchet.

My clients needed not this proof to satisfy themselves of their title, their belief had other foundation—but such proof seemed to be useful for your conviction, and to silence unscrupulous adversaries: and therefore, at the place where the corner was known to stand, they sought for *signs* of the corner, they found them, they have brought them here, you see them—and I dare to add, you *believe* them."

"That's the way to lay down the doctrine," remarked Foley the squatter, in tones by no means inaudible.

Somers now inquired how many rings could be counted in the wood outside of the marks.

"About ninety," answered Mason, "or perhaps one or two less."

"And Compton's patent dates sixty years earlier," added Somers quietly.

"Yes," said the other, "but the discrepancy admits of an easy explanation. When the corner was first established, there was no occasion for any marked tree, the stone was sufficient; but that in lapse of time becoming broken, it was proper to take other precautions to prevent the locality from being forgotten."

It is not attempted to give a regular and minute account of the rather discursive and irregular proceedings at the trial. To many arguments advanced on each side no reference is made at all. The counsel of course did their best, urging every consideration which seemed likely to impel the jury in the desired direction. Proof of various sorts was brought forward, documentary, living, direct, hearsay, as happened to come to hand. Somers, however, was much more sparing of words than his opponents, judiciously considering, that the plain jurymen, becoming confused by such a mass of incongruous evidence, would be ready, in despair, to banish the whole of it, and to yield up their minds to any argument which should be presented clearly and forcibly at the close. What to believe about the matter of the grave he knew not, but it had evidently produced an impression upon the jury, and he determined to bring up under its shelter an argument in which he did believe. The appearance of strength, the lawyer was aware, is as good as strength itself, whenever it can be confirmed and supported before its insufficiency is discovered.

Having waited patiently, therefore, till the zealous gentlemen on the other side had said what they had to say, Somers urged upon the jury the fact that no grave had been found. That such a grave existed at the real site of the corner, he treated as a matter perfectly indisputable. He wound up this division of his argument by saying, "You see, gentlemen, how impossible it is that the stone which has been brought into Court can be the one planted on the line between Compton and Astiville. Supposing then we admit that this oak log be all it is claimed to be, what follows? It has the strokes of the surveyor upon it, and hence you may *infer* that marks a line, or a corner—perhaps the corner we are in search of. Grant everything that is asked, and you get a bare *probability*. Assign to this proof what strength you may, there is opposed to it a stronger. Even though a probability should advance to the very verge of certainty, though it should want but a hair's breadth of perfection, still, it cannot establish what is impossible. If the matter stood thus, and we could not account for the tree's having been scored as it is, the cause of my clients would, notwithstanding, remain unshaken. But the matter does not so stand: I am able to show what the other side have no right to demand of me. A few words will suffice to inform you what those silent notches denote. The grandfather of the late Mr. Compton had been blessed by heaven with seven sons. The same hand that gave, subsequently bereft him of all but two, the oldest and the youngest. Those two remaining hopes of the parent were very unlike. The one son was a pale, sickly lad; Alexander, the eldest, on the contrary, was a young man in the prime of life, and blooming with health and vigor. The father became consoled for what he had lost, in beholding this firm support of his declining steps. Alexander Compton became attached to a young lady worthy of him in station, in wealth, in personal attractions. They were betrothed, and a day was appointed for the wedding. The father, in view of this event, determined to make a division of his landed estate, and to bestow a large portion upon that eldest child Alexander. With his own hand Mr. Compton made a draught on paper of the bounds of that portion, which draught it was proposed to enlarge when the wedding-day

should come, into the form of a legal conveyance. Such an instrument, however, was never executed. Alexander, while on the way to the home of his bride was obstructed by a swollen stream. He attempted to cross and was drowned. How does this sad story concern the present case? Much, gentlemen, for if that marriage had taken place you would not to-day have been assembled here. If the deed of gift which that sorely stricken father was prevented from making, had been put on record in the office of this Court, no doubt could ever have arisen as to the course of the northern line of the Compton patent. Yet, though I cannot show you the deed, I can show you the draught on which it was to have been based. Here is a dingy sheet of paper, taken from the recesses of the desk, to which it was doubtless consigned by the desolate father himself, who from that fatal morning must have loathed the sight of it. Take it, gentlemen, but handle it gently, for it is a record of sorrow."

The jury examined the paper with great interest.

Somers continued—"I have made mention of a feeble younger child. That son survived, and from him are descended all of the Comptons who now exist, and it is to defend the title of those descendants that I present this paper to you; for, the rights of the Comptons, not the mere interests of my clients, are what you are impanneled to try. Reference is made, as you perceive, in this paper, to a white oak tree, two rods upward from a certain sulphur spring near the Lower Branch. I found the sulphur spring, gentlemen, and measuring off the space given, I came to a large stump. What has become of the wood taken from that stump, I have learned—and you too have learned, this morning. The draft bears date eighty-six years ago. Let the rings on yonder log be counted." The judge himself undertook to make the reckoning, and pronounced the number to agree with that stated.

"I was confident," resumed Somers, "that it would prove so, though I never saw that piece of timber till it was brought into court this morning. Now, it will be further noticed, that the paper, after giving this tree as one of the corners of the tract to be bestowed on Alexander Compton, adds, that the line shall run thence in a northwesterly direction to the old *fourth corner-stone on Hardwater Run*. If, gentlemen, you strike a line northwestwardly from the Lower Branch, you *must* hit upon the North Branch. My argument is done; the true Hardwater is found; and no more is needed to decide the present suit."

Upon Mason's offering to contest the genuineness of the document offered in evidence, Somers showed conclusively by the testimony of the administrators and various members of the family of the late Mr. Compton, and by comparison of hand-writing, that there was no reasonable ground to doubt its being what it purported to be. Thus, whatever might be thought of the legal insufficiency of the paper in other respects, it at least showed the belief entertained in regard to the boundary of the tract, by the head of the Compton family nearly a century previous.

The trial was at length brought to a close. After a long interval of suspense, bar, suitors, and audience, were informed that the jury could not agree. Nine of the twelve, it appeared, were disposed to decide in favor of the title of the New Yorkers, but the remaining three held out stiffly for the "old families."

John Astiville, on this occasion, had no mind to curse the law's delay. As for Mr. Everlyn, he was greatly startled by the strong case presented on a side where he had expected to see nothing but shuffling evasions. He began now for the first time to apprehend that his friend and he did not enjoy so complete a monopoly of justice as had been presumed. Astiville noticed his faltering confidence, and found it necessary to administer support. The task was commenced adroitly enough.

"Is not Dick Somers a crafty dog? What other man could do so much with nothing? He can brandish a shadow in the face of the jury, and make the simple souls believe it a real argument."

"But," said Everlyn, "what is this grave that is talked about? I never heard of it before."

Astiville laughed as he answered, "You are not alone in ignorance, be assured. There are many more in the same plight."

"Then is there really nothing in it?"

"Yes, about as much as there is in half the idle gossip of a negro fireside. Somers has hunted up some old rigmarole tale—

it served his purpose, and that is all he cared for. He does well to enlist in defence of the weakest party, for his talents would be wasted on any side that possessed the innate strength of justice."

"But what are we to do now?" asked Everlyn.

"Why, we must endeavor to beat them at their own weapons."

"You do not mean, that because they are unscrupulous, it is necessary for us to be unscrupulous also. That is, according to your own definition, to throw away our strength because they know how to make a good use of weakness?"

"By no means," answered Mr. Astiville; "all that I propose now is, to delay the decision till an opportunity shall occur when the minds of men are disabused of the misconceptions which Somers has instilled into them. Neither you nor I would prosecute the matter, unless we knew that the right was in our favor. Therefore, with clear conscience, we can wish the jury to decide for us; but if such a decision can only be brought about by a little management, the course of wisdom is plain enough."

"That is," suggested Everlyn, "in case the measures you have reference to are innocent."

"Certainly. Indeed, in the present affair, I think we have little occasion for any very active conduct. Let us be patient, and time will bring things right."

Everlyn did not altogether understand what meaning was covered under these enigmatical expressions, but Mr. Astiville did, which of course was sufficient.

The conversation was continued as they rode homeward. Everlyn remarked, "I thought the discovery of the stone and tree was to be kept secret, yet Somers did not appear to be taken by surprise when they were produced."

"No, he ferreted it out in some way. Gauslin's self-willed stupidity led to it, though he assures me that he never spoke to any body about the search he had made, and was far from anticipating any questions as to its result. His companion, Grimes, must have betrayed it, or at least have dropped some hint which Somers was sagacious enough to interpret and avail himself of. Thus we rather lost than gained by our stratagem. The trap was sprung when we did not expect it, and recoiled upon our own heads. Trust me, however, we shall be even with the Yankees yet. The clients, luckily, are not as deep in craft as the advocate."

Everlyn, after musing awhile, answered, "I would not have expected such a course from Somers. His manner being so cordial and frank, I did not doubt that his friendship was as sincere as it seemed. To be threatened with ruin is sufficiently bad in itself, but to see the blow guided by a hand from which only good offices were looked for, is apt to overcome one's patience altogether."

"It is useless," replied Astiville, "to be vexed on such an account. A lawyer makes his living from mischief, and he is the best among them who sticks most closely to his trade. His client is his victim, and in truth I must say it argues a degree of tenderness of conscience in Somers, that he is reluctant to prey upon his friends so long as he has some one else to devour."

"You do not apprehend my meaning," said Everlyn. "I would not care so much about his joining against me, if he would only be a fair and open foe. Let him defend, if he will, the admirable clients he has adopted, and let him urge the law against me to its very letter; his choice may affect me with surprise, but I will not blame the man for it. But to surpass in zeal even those for whom he acts, to out-Schrowder Schrowder, to have recourse, with dauntless effrontery, to every device of misrepresentation, duplicity, and low cunning—this, I think, is a supererogation in meanness which his profession does not demand."

"My dear sir," said the other, "you take this matter too hardly. If Somers were a relative now, you would have reason to be mortified and vexed, but as it is, what can he be to you?"

Mr. Everlyn thought he had ample reason for his concern, when he considered that the individual referred to had shown a desire to become his son-in-law, but he deemed it proper to confine this reflection to himself.

"Besides," added Astiville, "Somers, whatever may be his ability, is after all of a low family, and what better could you expect from him? Plants that have sprung from the dung-hill will savor of their origin."

"I am compelled to believe it," answered Everlyn.

"For my part," said Astiville, "I think it a doctrine easy to be believed without compulsion. The whole analogy of nature is in its favor. No law is more universal than that things beget their like. Then again these self-made men, whom it is the cant of the day to eulogise, want that early training and example with which the children of good families are favored."

"I am inclined," Everlyn said, "to assign even more weight to this last consideration than to the other. Do we not sometimes see an old family servant display more of the manner of a courteous, well-bred gentleman than we find in many of those who are received in good and respectable society? If instances of this sort of servants are more rare than formerly, I fear it argues that we, their masters, have degenerated from the elevated tone and habits of our fathers."

"There is no doubt much force in what you say," rejoined Astiville, "yet I cannot but attach great importance to the *blood*. It conveys from one generation to another those sentiments of honor which, like the instincts of the lower animals, point out better than any teacher can do, what conduct is becoming our station in life."

Everlyn shook his head. "It is a comfortable creed, but I suspect that if a candid examination is made, we shall find that no small share of the villainy which has been carried on in the world is traceable to the offspring of honest and distinguished lineages. Still—and to this extent I agree with you—I do think that good blood, though it may be no preservative against wickedness, in the abstract, must restrain any one in whose veins it flows from those acts of paltry, underhand baseness which the perpetrator cannot acknowledge without shame, even in the company of his fellow miscreants. All sin is certainly to be abhorred and shunned, but if a choice had to be made, give me rather the dauntless ruffianly *crime*, than the sneaking vice which violates a trust or betrays the innocent—give me rather the high-bred villain than the low, grovelling scoundrel."

The two gentlemen had by this time come to a fork in the road where it was necessary for them to separate, Mr. Astiville crossing the Run and bearing off to the right, while his friend pursued his way up the stream.

It was a week or ten days afterward, when Somers, released for a period from his duties at Daylsborough, thought proper to turn his face towards the Hardwater. As in duty bound, he first visited his client Mr. Newlove. In the reception which he met there, and especially in the sincere and earnest thanks for his exertions uttered by Emma, he felt recompensed for the sacrifice which he made to a sense of duty.

"I did my best," he answered, "and I think I may congratulate you upon the result, for it is far more favorable than I had reason to apprehend from the complexion of the jury. If nothing untoward happens in the meanwhile, I think the next trial may be expected to establish your title completely. This, however, is quite uncertain, and the suit may be protracted to a considerable length. One thing I must enjoin upon you, and that is, to keep Mr. Schrowder quiet. If the cause is eventually lost, I think it will be owing to him."

Mr. Newlove replied gravely that Mr. Schrowder was an individual of great obstinacy and energy.

Emma smiled and said—"We cannot promise to perform impossibilities—yet I trust the case is not hopeless. At any rate every resource of persuasion shall be tasked."

"If *you* undertake the matter," returned the lawyer, gallantly, "I am sure the point is gained."

After an hour's talk, Somers' eye began to wander about the walls of the room. Then he rose and offered to take leave. Upon Mr. Newlove's urging him to remain to dinner, he excused himself, and mentioned that he had another call to make that afternoon.

Newlove replied eagerly to this, that he would find neither Dubosk nor Schrowder at home, and therefore could gain nothing by such a hasty departure.

Somers—to the great risk of his legal reputation be it spoken—was a little embarrassed, but recovering from the moment's hesitation, was able to signify that there was another family in the vicinity, not alluded to, which it was possible to visit.

Emma, with a woman's quick apprehension, caught his meaning, and was too con-

siderate as well as polite to attempt to detain him longer.

Somers, however, was high-spirited, and could not creep away in the style of a school-boy going to rob an orchard, so he added firmly—" The truth is, I must call on Mr. Everlyn. I fear he will think hardly enough of me at best, and I must not increase his displeasure by neglecting any duty of friendship which it is left in my power to perform."

Though this was uttered quite glibly, the young lady did not fail to perceive that his interest in the Everlyn family was by no means so entirely engrossed as his words seemed to denote, by its *head*. Somers was conscious that his secret was penetrated, yet he had little inclination to be angry on account of the discovery, for, somehow or other, nobody ever became acquainted with Emma Newlove without feeling that if it were necessary to have a confessor, there could not be found in the whole world a person whom one would choose for that office in preference to her.

To be Continued.

BRITISH ENCROACHMENTS AND AGGRESSIONS IN CENTRAL AMERICA.

THE MOSQUITO QUESTION.

PREFATORY NOTE.

Since the following pages were written, we have witnessed a series of startling events, which must, in a forcible manner, direct the attention of the United States to the subject of aggressions of British agents in Central America. Having as early as January, 1848, seized upon the port of San Juan de Nicaragua, the only practicable eastern terminus of the proposed grand inter-oceanic canal, the agent of the British Government, upon the paltriest pretexts, has now assumed to take possession of the magnificent Bay or Gulf of Fonseca, second only to San Francisco, and commanding the entire Pacific coast from Panama to San Diego. The subjoined account of this bay, written some months ago, will not be uninteresting in this connection:

"The Bay of Fonseca, or Conchagua, may be described as a grand harbor, in which all the navies of the whole world might ride with entire security. It much resembles that of San Francisco in position and form; the entrance from the sea is, however, broader. Its entire length, within the land, is not far from 100 miles, by from 50 to 70 in breadth. The three states of San Salvador, Honduras, and Nicaragua, have ports upon it. In respect to trade, the principal port, on the main land, is that of La Union in San Salvador. All the islands of this bay, and the adjacent coasts are of unbounded fertility, and furnish an abundant supply of timber. The sides of the volcano of San Miguel, in particular, are covered with white oak and pine, suitable for building or repairing ships. The bay embraces several large islands of great beauty, surrounded by water of such depth as to enable vessels of the largest size to approach close in shore. The most important of these, from the circumstances of its size, and the fact that it commands and is the key of the entire bay, is the Island of Tigre, belonging to Honduras. This island was the head quarters and depot of Drake, during his operations in the South Sea. It is about forty miles in circumference, level near the shore, but rising gradually in the centre, so as to form a regular cone—thus affording almost every variety of air and climate desirable. Upon this island is situated the free port of Amapala.

"The English have long had covetous eyes upon this island, particularly since the project of a canal across the isthmus of Nicaragua has been seriously entertained, and since the United States has acquired so large and important territories on the Pacific. The alleged debts due to Great Britain, or rather British subjects, will furnish pretexts for collisions, which in turn will lead to the occupation of this island by the English. This will be but another step of the same policy which led to the seizure of the island of Roatan and the port of San Juan, and which has for its ultimate object the control of the passengers across the isthmus, and the prevention of American preponderance in the Pacific. Our vessels, merchandize and citizens passing around Cape Horn, across the isthmus of Panama, or through the proposed ship canal in Nicaragua, would be completely within the power of Great Britain, and might easily be intercepted from this commanding position, should she succeed in possessing herself of it. Besides, in this event the three states of San Salvador, Honduras, and Nicaragua, with their great mineral wealth and unlimited agricultural resources, would soon be reduced to the condition of dependencies of Great Britain, and ultimately be absorbed by her."

When the above was written, it was not supposed that the designs of the agents of Great Britain were so nearly ripe for execution. Upon the 16th of October, the British war steamer "*Gorgon*," having on board H. B. M's. Charg d'Affaires in Guatemala, arrived in the bay of Fonseca, and proceeded at once to take possession of the island of Tigre, "in the name of the Queen." As the particulars of this and the subsequent occurrences have been made known through the medium of the daily press, it is unnecessary to say more, than that this act was followed by the seizure of the other

MAP OF
CENTRAL AMERICA
Showing the Pretensions of Gr. Britain on the Mosquito Coast.
GULF OF MEXICO
CARIBBEAN SEA
PACIFIC OCEAN
Gulf of Tehuantepec
Tehuantepec
S. Christobal
Sacapulas
GUATIMALA
Guatimala
Istapa
BALIZE
Balize
Gulf or B. of Honduras
HONDURAS
Comayagua
Gracias
Tegusigalpa
Truxillo
Omoa
Roatan I.
Guanaja I.
C. Honduras
Black R.
C. Camaron
C. Gracias a Dios
Grant to Rennick
Segovia R.
MOSQUITO COAST
Great River
Old Providence
San Andreas
Blewfields Pt.
Blewfields R.
SAN SALVADOR
St. Salvador
Acajutla
La Union
G. of Fonseca
NICARAGUA
Leon
Managua
Granada
Nicaragua
Segovia
Matagalpa
Danli
Nicaragua L.
Pt. San Carlos
San Juan de Nicaragua
S. Juan R.
G. of Papagayo
Line now Claimed by Costa Rica
COSTA RICA
San Jose
Boca del Toro
Chiriqui Lagoon
G. of Nicoya
NEW GRENADA
Chagres
Panama
BAY OF PANAMA
Lon. W. from Greenwich
95
90
85
80
15
10

islands of the bay, and the absolute possession of that important position by Great Britain. As the United States had previously acquired important rights and privileges in these islands, through the legitimate means of treaty, by which means, and for important objects connected with the proposed canal, a provisional cession of the island had been made to the United States,—under these circumstances, and apart from an observance of those grand principles hitherto proclaimed and acted upon by the United States, it becomes our duty to interpose efficaciously against these outrages upon the feeble Republics of Central America. This is demanded by a regard to the freedom and security of the important routes of communication already established, and about to be established, across the continent at this and neighboring points. The pretext for these seizures are paltry claims amounting to about $30,000 against Honduras, and $80,000 against San Salvador, made up of items, not one-fourth of which would be entertained, for a moment, in our courts of law: and of the validity of which England assumes to be the sole judge and executor.

BRITISH POLICY—THE CANAL OF NICARAGUA, &C.

THE "*King of the Mosquitos*" and the sovereign of the "*Tongo Islands*," who figure so conspicuously in the sea-canticles, if not considered identical, fall, in the estimation of most persons, within the same category of dog-eating potentates, with about equal regal pretensions, and holding sway over regions equally indefinite. The mention of the "King of the Mosquitos," in a mixed assemblage, rarely fails to elicit a smile or a joke, with some allusion to phlebotomy, and the bloody propensities and wide diffusion of his subjects.

The constant readers of the daily press have, in years past, seen occasional references to the "*Mosquito Coast*," and, of late years, to a personage called the "*Mosquito King*." But few, however, have known, or now know, anything of the region thus designated, or any thing of the potentate thus dignified, and fewer still care aught about either.

That a portion of the eastern shore of Central America, bordering on the Carribean Sea, bears the geographical designation of the "Mosquito Shore," is a fact not unknown to geographical students and to map-makers. But the fact that Great Britain, in virtue of some equivocal relations with the savages of that region, has set up pretensions to semi-sovereignty over the entire coast, from Cape Honduras to Panama, is a fact only known to those who, instead of poring over the history that is past, mark well the history that is passing. Those, too, who have watched the developments of the grasping policy of that power which boasts that the sound of her evening gun circles the world, and that the sun never sets on her dominions, who have observed with what greediness and utter disregard of the rights of weaker nations she grasps at every commanding position on both continents, cementing the bulwarks of her greatness with the blood of her children at home,—those who have observed the feeling, half of jealousy and half of fear, with which she regards the growing greatness of our confederacy, and how eagerly she seizes upon every opportunity to thwart its legitimate designs and retard its prosperity, —those who have observed all this, and deem it a duty incumbent upon the United States to adhere firmly to the grand "American System" marked out by the fathers of the Republic, and to watch jealously and resist earnestly the encroachments which the corrupted and unscrupulous monarchies of Europe may attempt upon this continent,—these wakeful sentinels, unfortunately few in number, know to well not only that Great Britain has seized upon this vast and valuable extent of territory, but has done so in disregard of the holiest principles of international right, and upon the flimsiest and most ambitious of pretexts. They know that this seizure has been made by force, with insult and defiance, and at the cost of innocent blood. They know, too, this has been done less for purposes of positive and immediate aggrandisement, than to prevent the United States from attaining that commercial ascendency and that preponderance in the Pacific, which would inevitably result from an easy and speedy communication with her territories upon that coast. It was for the last-named reason that a British force, upon the 17th of Feb., 1848, landed at the Port of San Juan de Nicaragua, ex-

pelled the Nicaraguan authorities, and took possession of that important point, which they have since forcibly held and have proclaimed their intention of holding.

The Port of San Juan is situated at the mouth of the river of that name, communicating with the Lake of Nicaragua, and commands the well-known, long-talked-of, and only feasible route for a ship-canal across the American continent.

Apart from all questions of right involved in the matter, does Great Britain desire to control the important Isthmus of Nicaragua for the purpose of herself constructing the proposed great canal? Far from it! She now occupies a position, in respect to the great commercial centres of the Asiatic hemisphere, in distance 2000 miles, and in point of time 15 or 20 days nearer, than her only great commercial rival the United States. If that canal were built, these advantages would be reversed; the United States would be 3000 miles, and 20 days, nearer than England; and in communicating with the vast and, as yet, undeveloped empires of Asia, the net gain to the United States would be, in round numbers, 5000 miles in distance and 40 days in time. Under all her present advantages, it is all that England can do to maintain her ascendency in this commercial field against the superior energy, enterprise, and sagacity of America. Reverse the physical advantages which she possesses, and the result is easily predicted. Cooped in a narrow island, destitute of the internal resources of the United States, which, if developed, would make her independent of the world, England relies upon her commerce for her very existence. To sustain and promote this, may be said to be her controlling policy. From the day her predominance in this respect ceases—from that day she will date her rapid decline. It is her vital point, and a blow aimed there she more dreads than the descent of a hostile army on her coasts, or a thousand hostile cannon on the Thames.

The entire Pacific coast of the American continent has hitherto been in the possession of a sluggish race,—its resources undeveloped, and contributing little to the commerce of the world. But late events indicate, with unerring certainty, that this quiescent period is passed. It requires no extraordinary degree of prescience to foresee there the speedy rise of a great and powerful State, occupied by a population unsurpassed for its industry and enterprise, and ready to seize upon every advantage which the resources of that vast coast or its commercial facilities may afford. Five years ago there was only a little cluster of Americans, a handful in a wilderness of savages, at the mouth of the Columbia river in Oregon, reached only by long and tedious voyages around Cape Horn, or by weary and perilous journeys, of months in duration, over land. Now we possess there an empire in respect to territory; the magic touch of the Anglo-American has unlocked the hidden treasures of the earth, and is followed by a flow of wealth unprecedented in the history of the world. A State, not yet twelve months old, knocks with all the sturdiness of manhood for admission into the Union. Cities spring up as by enchantment on the shores of San Francisco and the banks of the Sacramento. The sails of fleets laden with life and energy, whiten the Pacific seas; and giant steamers crush their way along the virgin shores of half a continent! It will not be long before a ring of iron shall wed the stormy Atlantic to the Pacific, affording new facilities to American enterprise, and pointing clearly to American ascendency in the Pacific. This England sees, but cannot prevent. She strove hard to acquire California, but her diplomatic arts were foiled. But she may retard that preponderance, and, as she hopes, retain her commercial ascendency in the great centres of oriental trade. She well knows that no mode of communication across the American continent can seriously affect that grand, and to her all important branch of commerce, except it be a canal sufficiently large to pass easily and speedily the largest vessels with their cargoes; and she knows equally well that the only feasible route for such an enterprise is the Isthmus and Lake of Nicaragua.

No sooner did the war with Mexico break out than she saw that it would only terminate with large accessions to the United States on the Pacific. She saw, too, that these accessions would give new and practical importance to the questions of inter-oceanic communication, and she knew American energy too well not to dread the result.

Hence the precipitate seizure of the Port of San Juan, when the probability of the speedy acquisition of California by the United States passed into a moral certainty.

Not that we would be understood as saying, that this important point would have escaped ultimate seizure had it not been for these circumstances. It has been, for many years, a primary object in British policy to relieve herself from all dependence on the United States, or any other nation, for those great staples, of which *cotton* is most valuable. Witness her exertions in the East Indies, her intrigues in Texas, and her efforts in the Antilles and South America! The fertile and comparatively salubrious coasts of Central America, adapted in a wonderful degree for the production of these staples, and occupying a position eminently favorable for purposes of communication, did not escape her attention, and the past fifteen years have witnessed a steady and silent series of encroachments, with the ultimate view of the acquisition of that territory. These encroachments have been conducted so quietly as almost entirely to escape the attention of the world; and it is only now, when she deems the success of her scheme complete, that Great Britain permits herself to speak of it above a whisper. In this stealthy policy, the British Government has been favored by a variety of circumstances. No equal portion of either continent, occupied in whole or part by a civilized population, has been so little known as Central America. Situated, for the most part, upon the Pacific slope of the Cordilleras, its people, apart from the reserve of Spanish character, have had but few opportunities of communicating with the rest of the world. The traders, in whose hands centered their commerce, were too fearful of rivalry and competition to make known the character and resources of the country. Besides, the constant distractions which commenced with the struggle of their independence and which have prevailed since that period, and since the world received that commercial impulse which, within the past twenty-five years, has worked such wonders in familiarizing us with all quarters of the globe, have had the effect to exclude travellers and to confuse the popular notion in respect to the country, as well as to divert general at ten tion from the intrigues and encroachments which Great Britain has carried on. The people, also, were so much engrossed in their disgraceful quarrels, that they neglected their frontier possessions, and failed to observe and properly repel the insidious approaches of an unscrupulous power. In fact, they allowed that power to influence and inflame their sectional and partisan animosities; and it is susceptible of proof, that to British intrigues and influence the dissolution of the confederacy (which alone could oppose a barrier to their designs), and many of the subsequent distractions, are attributable. It was British hate, and the personal enmity of British agents, which overthrew Morazan, the last pillar of the republic. It was British aid and influence which, united with the so-called "nobility" of Guatemala, who saw in the spread of liberal principles the destruction of their fictitious ascendency, that created a war of castes and raised up the monster Carrera, who has watered the soil of Guatemala with the blood of its best citizens. It was a British consul-general,—now promoted to a higher position,—who refused shelter in his house to the accomplished wife of the President of the republic when she sought the protection of his flag against a bloody and brutal soldiery! She was the wife of that President who alone had the sagacity to discover, and the energy to prevent, the nefarious schemes meditated by England. It was a British consul-general,—the one already indicated,—who gave up to the butchery of Carrera *twenty-seven* of the first officers of the republic, who, under his own implied, if not express, invitation, sought protection under his roof. His subordinate officer (a vice consul of England) sent a list of their names to the butcher, and he stood coldly by when they were shot down like dogs beneath the shadow of his portal! A word from his lips might have saved them.* But although having a direct bearing upon the subject of which we design to speak, we have not now the time

* These facts, so disgraceful to humanity, are communicated by a British subject, and fell within his personal knowledge. Indeed, he was a guest in the consul's house at the time of the refusal to shelter the wife of Morazan, and indignantly abandoned it in consequence.

to go into a detail and exposition of the intrigues, exactions, and frauds practised by British agents in Central America, upon their individual authority or under the sanction of their government. If impartially recorded, with every extenuation which charity can suggest, they would present to the world one of the most disgraceful pages in history.

As we have already said, Great Britain saw, years ago, in Central America, a vast productive country, the acquisition of which would relieve her from a dependence which she was obliged against her will and policy to endure. She saw there the prospective construction of a great work which would make miraculous changes in the commerce of the world, and reduce her to the second rank of commercial states. She determined to secure it to herself; to relieve herself if possible from her dependence, and remove the danger of that commercial revolution which she so much dreaded.

In this emergency she hesitated not to avail herself of any pretext, plausible or otherwise, which might come to hand. That which offered the best prospect of success was the illegal relationship which English pirates and the piratical governor of Jamaica once maintained with the savages on the eastern shore of Central America, but more especially on that portion bearing the indefinite geographical name of "*Mosquito Shore.*" She well knew that any occupation of this shore by force would excite the alarm of all the American States, and involve her in serious difficulties. She, therefore, adopted a secret policy, relying on intrigue to effect ultimately what she dared not to attempt openly and at once. She affected to treat one of the savage tribes upon that coast as an independent nation, and its chief as a sovereign, an ally, under her protection. As "protector," she has also assumed to maintain what she calls his "territorial rights," which rights have the property of extending wherever and as far as suits her interests or convenience. The "King of the Mosquitos" is the stalking-horse of her aggressions. This august potentate is styled, in some portions of the correspondence which has passed upon the subject, "the brother of Queen Victoria." He is a little Sambo boy, with a precocious taste for liquor, and rejoices under the aristocratic name of "*Charles Frederick Augustus*," or, in the court language of Mosquito, "*Quaggo.*"

With this preliminary exposition of British policy, and in order that the reader may fully understand the nature of British pretensions, we propose to give a succinct historical sketch of the Mosquito shore, and trace the origin and progress of its relations with England.

CHAPTER II.

DISCOVERY—CHARACTER OF THE NATIVES, AND THEIR SUBSEQUENT PIRATICAL ASSOCIATION.

Central America was discovered by Columbus on his fourth voyage, 1502. He coasted along its entire eastern shores, landed, and formally took possession of the country for the crown of Spain. It was not long before the enterprising adventurers of that day turned their attention to its exploration. The object of their ambition was gold, and of this, the savage inhabitants, of the alluvial eastern shore of Central America, had but little to attract the attention of the conquerors. The latter accordingly penetrated at once into the interior, and to the region bordering on the Pacific. Here they found nations possessing a similar semi-civilization with those of Mexico, and contrasting strongly, in their superiority, with the squalid hordes wandering among the dense, dark forests of the Atlantic coast. Here they early founded cities, and here, in time, grew up a considerable population, holding communica-

tion with the mother country by way of Panama, through the northern parts of Honduras, and by way of Lake Nicaragua and its outlet, the river San Juan. The Atlantic coast, for these reasons, was left with scarcely any population. A few small settlements were scattered along its shores, but, when not protected by considerable forces, these were either broken up by the pirates who not long after infested the Spanish Main, or were abandoned by their inhabitants.

Columbus describes the tribes which he found on the coast to have common habits, and to correspond generally with Caribs of the Islands. They had no pretensions to the degree of civilization of the interior tribes, and fell below the Indians of the United States in all that indicates progress in civilization. They were rude and barbarous, living on the natural productions of the earth, by hunting and fishing. In fact they were essentially fishers, and had their haunts along the bays and creeks of the coast. Among these tribes was one afterwards called by the pirates "*Mousticks*," and by the Spaniards "*Moscos*," which name in time passed into "*Mosquito*," and finally came to be the designation of a considerable extent of coast.

Lord Palmerston, in his resumé of British pretensions on the Mosquito shore, addressed to the Nicaraguan government, under date of July 16, 1849, observes that "the time when, and the manner in which, the connection between Great Britain and the Mosquito coast began, is not well known."

It is however *well known* that, immediately after the capture of Jamaica by the English, under the administration of Cromwell, it became notoriously the head-quarters of pirates. It was from this point the Buccaneers started on their expeditions, and it was here they returned to dispose of their plunder. The English inhabitants of the island were, with scarce an exception, pirates or the accessories or patrons of pirates; the island was supported by the Buccaneers, and it is a notorious fact that the governors appointed over that island were too often associated, more or less directly, with the Buccaneer chiefs. So scandalous became the conduct of some of them, that the government, although little disposed to disturb a system which contributed so largely to its wealth and revenues, was forced to remove them. The actual condition of things, in this respect, is very well described by *Jo. Esquemiling*, a Dutch pirate, who wrote about 1670:—

"The Kings of Spain have, on several occasions, sent their embassadors to the Kings of England and France, to complain of the molestations and troubles these pirates have caused on the coast of America, even in the calm of peace. It hath always been answered, '*That such men did not commit these acts as subjects of their Majestys, and that, therefore, his Catholic Majesty might proceed against them as he should think proper.*' The King of France added 'that he had no fortress or castle upon Hispaniola, neither did he receive a farthing of tribute from thence.' And the King of England adjoyned, 'that he never gave any commission to those of Jamaica, to commit hostilities against the subjects of his Catholic Majesty.'"

The narrator adds:—

"The King of England, to please the King of Spain, recalled some Governors of Jamaica, and placed others in their room, but this did not prevent the pirates from acting as before." —*Buccaneers in America, pp.* 36–37. *London,* 1704.

It is notorious that in Jamaica, Roche, Scott, Slonois, Davis (a native), Morgan, and nearly the entire body of piratical leaders originated, or were principally abetted in their enterprises. The *honest* pirate just quoted says, (p. 49), that, at the time of his writing, "the Spaniards finding they could gain nothing upon the pirates or diminish their numbers, resolved to lessen the number of their trading ships; but this was of no service, for the pirates finding few ships at sea, began to gather in companies and to land on the Spanish coasts, ruining cities, towns and villages, pillaging, burning, and carrying away as much as they could."

Prominent among the leaders in this land-piracy were Scott, Mansvelt and Davis. The latter landed at San Juan de Nicaragua in the night, succeeded in entering the river and penetrating into the interior. Here he attacked the city of Grenada, committing great barbarities and procuring a great amount of plunder, with which he proceeded to Jamaica, where he was elected *admiral* of the pirates. In 1848, a certain Captain Lock committed

an act of no less turpidity, under the sanction of the British government, and, to complete the parallel, went also to Jamaica to receive his promotion !

In carrying on their new system of warfare, it became necessary for the pirates to have some stations, rendezvous, or places of refuge on the main land, as well as on the islands. Such were organized, and the most important of them were at *Boca del Toro*, *Cape Gracias a Dios*, and at *Bleevelt*, all on the coast now claimed by Great Britain as belonging to the "King of Mosquito." Indeed the royal court of that ebony monarch is held in *Bleevelt*, (so called from a pirate of that name,) which has now passed into *Bluefields*. And *thus* "first commenced" the intercouse between the savages of this coast, concerning which Lord Palmerston is so much in want of information.

The nature of those relations, we propose to show by extracts from the testimony of the pirates themselves ; it will afterwards be seen that it was little different from that which exists at this day between the English and the Indians : one is but the prolongation of the other, under another name, and beneath the protection of the British government.

Of the relations between the pirates and Indians, says the Dutch pirate above quoted :—

"We directed our course towards Gracias á Dios, for thither resort many pirates who have friendly correspondence with the Indians there.

"The custom here is that, when any pirates arrive, every one has the liberty to buy himself an Indian woman at the price of a knife, an old axe, wood-bill or hatchet. By this contract, the woman is obliged to remain with the pirate all the time he stays there. She serves him, the meanwhile, with victuals of all sorts that the country affords. The pirate has also liberty to go and hunt and fish where he pleases.

"Through this frequent converse with the pirates, the Indians sometimes go to sea with them, for whole years, *so that many of them can speak English*."—*Ib. pp.* 165–168.

He continues to say that they had among them some negroes, which had been shipwrecked from a Spanish vessel; that they were generally excessively indolent, "wandering up and down without knowing or caring so much as to keep their bodies from the rain, except by a few palm-leaves," with "no other clothes than an apron tied around their middle," armed with spears "pointed with the teeth of crocodiles ; living chiefly on bananas and other fruits, with fish," etc., etc.

But we have a later account of this particular station of the Freebooters, by De Lusson, who was one of the celebrated English and French piratical expedition to the Pacific coasts, in 1784–89. Upon the return of a portion of this expedition, including De Lusson, overland, through Honduras and Nicaragua, they stopped sometime at Gracias á Dios. He says :—

"We arrived on the 9th at Cape Gracias á Dios, where we were obliged to wait for the English ship at the island of Pearls.

"The Cape has been inhabited for a long time by *mulasters* [mulattos] and negroes, both men and women, who have greatly multiplied since a Spanish ship bound from Guinea, freighted with their fathers, was lost by coming too near the shore. Those who escaped from the wreck were courteously received by the *Mousticks* [Mosquitos, as we find the insect mosquito called by the same name, in the same page.] who live hereabouts.

"These Indians assigned their new guests a place to grub up and build themselves cottages, etc.

"The *mulasters* are a very tall people, and go almost naked. Some who live more at their ease, *wear shirts and drawers, which the English bring them from Jamaica.*

"They many times do our Freebooters a kindness, and frequently go with them, receiving their portion of the booty which is got.

"The ancient *Mousticks* live ten or a dozen leagues to the windward, at a place they call *Samboy* and *Sanibey* [*Sandy* of the modern maps]. They are very slothful, and neither plant or sow but very little ; their wives performing all the labor.

"As for their clothing, it is neither larger nor more sumptuous than that of the *mulasters* at the Cape. There are but few amongst them that have a fixed abode, most of them being vagabonds, and wandering along the river side, with no other house to shelter themselves in but a *latarien-leaf*, which they manage so that when the wind drives the rain on one side, they turn their leaf against it, behind which they lie. When they are inclined to sleep, they dig a hole in the sand, in which they put themselves."

"When these Indians go a journey, though never so short, they take their wives, children and dogs with them, etc., etc."—*De Lusson's Narrative, p.* 177. *London,* 1704.

Already the English pirates had opened

an intercourse with the Indians and the negroes that had been planted there by circumstances. They took temporary wives from among them, and grafted their blood upon the Indian stock. Already some of the natives had learned English; they went with the pirates upon their expeditions; and already English manufactures had been introduced among them, from that nest of pirates, Jamaica!

This free-and-easy relationship is even now but little altered, for Macgregor, in his statement of the Mosquito question, prepared and published under order of Parliament, a year or two since, says:—

"In the Mosquito shore a plurality of mistresses is considered no disgrace. *It is no uncommon circumstance for a British subject to have one or more of these native women at different parts of the coast. They have acquired great influence through them, etc.*"

Roberts, an English trader, who published a work on the coast in 1827, says:—

"I have never known a marriage celebrated among them; these engagements are mere tacit agreements, sometimes broken by mutual consent. The children here and at Bluefields [which it will soon be seen is the royal capital,] are in general baptized by the captains of trading vessels from Jamaica, who on their annual visit to the coast perform this ceremony, with any thing but reverence, on all who have been born during their absence; and many of them are indebted to these men for more than baptism. In proof of this, I could enumerate more than a dozen acknowledged children of two of these captains! who seem to have adopted, without scruple, the Indian idea of polygamy to its fullest extent. By this licentious and immoral conduct they have, however, so identified themselves with the natives, as to obtain a sort of monopoly of the sale of goods. They have also insinuated themselves into the good graces of some of the leading men, so that their arrival is hailed with joy by all classes, as the season of festivity, revelry, christening, and licentiousness!"

These successors of the pirates hail from the same moral centre—Jamaica!

The intercourse which, as we have shown, sprung up between the Indians and the English of Jamaica, was continued in a more legitimate way, during the protracted wars that followed with Spain. It was then that the people and authorities of Jamaica had their closest intimacy with the Mosquito shore. They had the open aid of the government, in making establishments and exciting the Indians on the Spanish coast. When peace returned, and it was no longer prudent to connive at freebooting, they began to direct their attention to more respectable pursuits. They began to cut logwood on the coasts, from whence the Spaniards had been driven from fear of pirates, or where settlements had never existed. This trade soon became profitable, and as early as 1670 received the attention of the British government, which stipulated in its treaties with Spain, that its subjects should enjoy the liberty of cutting logwood on the Spanish coasts. The establishments which had been made at various points, were left to the general supervision of Jamaica,—that is to say, so far as any supervision was exercised over them. To these establishments the pirates, who had then gone out of favor with the government, reluctantly resorted, and after becoming weary of labor in the forests, made a compromise between honest industry and piracy, and turned smugglers. In fact, smuggling has always continued to be a weak point in the wood-cutter's character. This conduct renewed difficulties with Spain, and she expelled the English from her coasts; but some years subsequently they were permitted to return.

The government and people of Jamaica were far from being satisfied with the treaty stipulations which had been made in their favor. They desired that England should seize upon the entire coast, dwelling much upon its importance, in a commercial point of view, and omitting nothing which might awake the ambition and avarice of the government. But their representations were without effect.

During this time, the intercourse with the Indians on the Mosquito shore was kept up; and, as stated by Macgregor, "many individual adventurers passed from time to time from Jamaica to the coast, and traded with the natives for sarsaparilla, deer-skins, and tortoise-shells." And Lord Palmerston says that about this time (in 1687), "the Mosquito Indians made a formal cession of sovereignty of their country to the King of England, and that in consequence of this cession, the chief of the Mosquitos received his appointment as King, by a commission given him by the Governor of Jamaica in the name and on behalf of the King of England."

But Lord Palmerston forgets to state that he derives this information from the papers of Jamaica, and that the cession (if it ever was made) was made to the Duke of Albemarle, then Governor of Jamaica, and that no intelligence of the proceeding ever reached the home government. That no such proceeding was ever concurred in by the government, is clear from its subsequent acts. The alleged cession has been dragged up from the depths of the Jamaica records of intrigues, since England has undertaken a grand hunt for pretexts to justify her present aggressions. But had it been known and acknowledged by the government, it would have been invalid, for Spain had undoubted sovereignty, in conformity with all established principles, over both the coasts and the natives, as will appear in due course.

Macgregor himself states, that the "Anglo-Saxon colonists were not long in discovering profitable channels of commerce, and they soon commenced a very lucrative contraband trade with the Spanish possessions." To put a stop to this, the government of Spain organized a fleet of *guarda-costas*. These soon came in collision with English traders, and a war ensued between the two countries. Macgregor states the case as strongly as he dares in favor of his country, in the following words: "The transient commerce on the Mosquito coast, and the logwood trade carried on by the English settlers, on the western part of the bay of Honduras, *Spain thought proper so to interrupt* (!!) by capturing the ships of British subjects in that part of the world, as to cause the war of 1739."

At this time the British Government seems to have seriously meditated taking possession of the Mosquito shore,—not, however, by virtue of right derived from the natives, but by force of arms. In 1749, one year after peace had been concluded between the two countries, Captain Robert Hodgson proceeded with one hundred men from Jamaica and established a fort at Black River, on the Mosquito coast. He took, or bore the title of "Superintendent" of the English settlements. This step, in conjunction with other circumstances, greatly exasperated Spain, and seven years thereafter led to another and protracted war, which lasted until 1763. By the treaty of peace concluded in that year, England not only agreed to demolish the fortifications which she had erected on the continent, without exception, but recognized the Mosquito coast to be the territory of Spain,—thus, by her own acts, declaring all her previous pretensions void.

The 17th article of this treaty is as follows:—

"His Britannic Majesty shall cause to be demolished all the fortifications which his subjects shall have erected on the Bay of Honduras, and other places, of the territory of Spain, in that part of the world, within four months after the ratification of the present treaty; and his Catholic Majesty shall not permit his Britannic Majesty's subjects, or their workmen, to be disturbed or molested, under any pretence whatsoever, in their said places of cutting and loading logwood; and for this purpose they may build, without hindrance, and occupy, without interruption, the houses and magazines necessary for them, for their families and effects; and his Catholic Majesty assures to them the full enjoyment of these advantages and powers in the Spanish coasts and territories, as above stipulated, immediately after the ratification of the present treaty."

Accordingly the fortresses were demolished; but, subsequently, the adventurers in the neighborhood of Belize, having abused the privileges conceded to them, and engaged largely in smuggling, they were, in September, 1779, seized and transported out of the country, and their property confiscated. So flagrant had been their conduct, that, in the subsequent treaty with Spain, in 1783, England never so much as requested an indemnity for the property seized, on this occasion, although it was estimated to amount to upwards of $500,000.

The sole fortification which the English had, at the date of the above treaty, upon the Mosquito shore, (that at Black river), was evacuated early in 1664, and the garrison withdrawn to Jamaica.

"But," says Macgregor, "the English Government was soon convinced of the *impolicy* of its decision, and continued to support the settlements which had been made. From the first establishment of a superintendent on the coast," this author confesses, "the settlers perceived, from the royal instructions given to them, that although the British Government de-

clined to erect *immediately* the country into a British province, it was considered very desirable to encourage its trade and promote its commerce, and they *naturally concluded* that the sooner they were able to bring its trade into a conspicuous point of view, *they would render it expedient for His Majesty's ministers to establish a provisional government!*" This needs no comment; it is a delicate way of confessing that a fraud was intended from the start, and that the relations which are kept up with this coast, were maintained for purposes of ultimately accomplishing what it was feared openly to attempt. Some of the settlers therefore continued to remain, indulging the belief that the English Government would connive at a violation of the treaty, in event that it should ultimately be shown to be for the national interest. They accordingly, after the lapse of six or eight years, prepared a flattering exhibit of the extent, fertility, mineral wealth, and prospective value of the country, and dispatched it, in the year 1771, with one of their number, Colonel Laurie, to England. It was shown to Lord Hillsborough, then Secretary of State, and nothing was omitted which it was thought would secure his concurrence in the contemplated act of bad faith. These representations were so far successful that his Lordship secretly promised to support their project. A grand scheme was then got up, on the "city of Cairo" plan, and speculation commenced. These things came to the knowledge of the Spanish Government, and the Spanish *guarda-costas* intercepted some of the vessels, plying in furtherance of this illegal enterprise, between Jamaica and Black River, and interfered in various ways with its success. The principals became alarmed and dispirited as to the success of their plan. They accordingly requested the assistance of the British Government, and asked for a block-house, amunition, some of the cannon formerly removed, and a free company of 50 or 100 men. To this request Lord George Germain, who had succeeded to Lord Hillsborough as Secretary of State, on the 14th of June, 1777, returned an indignant answer, severely rebuking the authors of the request, and pronouncing it "*in direct contravention of the 17th article of the treaty of Paris of* 1763!"

British subjects, nevertheless, under the connivance of the Governor of Jamaica, whose disposition to shelter and encourage smugglers and pirates seems to have descended to him by virtue of his office, continued to keep up a kind of relationship with the coast, inciting the natives by all means in his power against the Spaniards, and fondly anticipating that by some turn of events his hopes would be verified. This persistence was one of the causes which led to the war of 1780. No sooner was the war declared than this Governor made an attempt upon the Spanish settlements on Lake Nicaragua, but it signally failed. The Spaniards, in return, completely dispersed the adventurers at Black River, and cleared the entire coast. After a few months it was, however, again occupied in part by British forces,—the two countries being now actively engaged in warlike operations. Upon the 3d Sept., 1783, however, a definitive treaty of peace was concluded between Spain and Great Britain, at Versailles. It was by this treaty declared that:—

"The intention of the two high contracting parties being to prevent, as much as possible, all causes of complaint and misunderstanding heretofore occasioned by the cutting of wood for dyeing, and several English settlements having been formed and extended under that pretence upon the Spanish Continent, it is expressly agreed that his Britannic Majesty's subjects shall have the right of cutting, loading, and carrying logwood in the district (now embraced in what is called Belize, and which is designated by limits in the treaty), and his Catholic Majesty assures them (the English) of all that is expressed in the present article, provided that this shall not be considered as derogating in any wise *from his rights of sovereignty*. Therefore, all the English who may be dispersed in any other parts, whether on the Spanish Continent, or in any island whatever dependent on the aforesaid Continent, and for whatever reason it might be, without exception, shall retire within the district, (Belize,) which has been above described."

Notwithstanding the treaty of 1783 (the objects of which, under any fair construction, are obviously to clear the Spanish coasts of English intrusion), Macgregor, in his statement of the British claim, says that, "after the full and deliberate discussion of the subject, Great Britain determined to retain the Mosquito shore under its protection and sovereignty." It was to

afford a pretext for this, he has the shamelessness to declare, that the English negotiators had substituted the "*Spanish*" for the "American Continent!"* This construction was not acquiesced in by Spain, who insisted that additional and more explicit articles should be agreed upon. Accordingly, after exhausting all pretexts for evasion, on the 14th July, 1786, Great Britain assented to a supplementary treaty, by the very first article of which, it was stipulated that:—

"His Britannic Majesty's subjects and the *other colonists who have enjoyed the protection of England shall evacuate the country of the Mosquitos*, as well as the continent in general, and the islands adjacent, without exception, etc."

This treaty also granted some further liberties in the territory of Belize, the limits of which are somewhat extended. But all British subjects are forbidden to cultivate the soil, to establish plantations, or erect mills; they may take away the "purely natural" productions of the soil, but none other. They may also fish on this limited section of coast, and refit vessels there, but they must conform to the Spanish regulations. "In view of this, His Britannic Majesty engages to give the most positive orders for the evacuation of the countries above named, by all of his subjects of whatsoever denomination: but, if, contrary to such declaration, there should still remain any persons so daring as to presume, by entering into the interior country, to endeavor to obstruct the evacuation agreed upon, His Britannic Majesty, so far from affording them any succor or even protection, will disavow them in the most solemn manner, as he will also do those who may hereafter attempt to settle on territory belonging to the Spanish Government." The provisions of this treaty, interrupted by the war of 1796, were renewed by the treaty of Madrid, August 28, 1814.

"It was with the most painful reluctance, and only in obedience to positive orders," says Macgregor, "that the British settlers slowly and discontentedly left their plantations. Many of the Creoles and others preferred to remain at all hazards." Those who remained subjected themselves to Spain, and Mr. Robert Hodgson, who had been the first "British Superintendent," received in 1789, the appointment of Colonel at the hands of the king of Spain —"*for*," reads his commission, "*the particular services which he has rendered the crown of Spain on the Mosquito Coast.*"

Up to this period, we hear but once of a "Mosquito King." Macgregor states that in 1775, "an embassy arrived in London, consisting of young George, his brother, Capt. Smee, and Capt. Richards, two Mosquito Chiefs." From the insight which we shall soon get into the character of Mosquito royalty, it may safely be presumed that this august embassy fell in dignity much short of the embassies (we call them by the more republican name of "delegations"), which we annually receive in Washington from our frontier Indian tribes. The objects of this mission do not seem to have been very important; the sole request having been, so far as we can learn, that the traders on the coast should be prevented, for the future, from carrying away the Indians and selling them for slaves,—a not unreasonable request, we should say, and not indicative of high standards of morality on the part of the aforesaid traders. Slave stealing is now, however, synonymous with piracy: it was then regarded as a crime of less heinous nature, and the pirates of Jamaica fell into it as they did into smuggling—without an effort.

But the transitory system of government, which, Macgregor informs us, was at the date of this "embassy" established on the Mosquito shore, must have been in direct conflict with the rights which the British Government *now* asserts have always belonged to the "Mosquito King." That government consisted, it seems, of a variety of officers, all of whom were under the control of the Governor of Jamaica, and in organizing it no reference whatever was had to the native chiefs.

* As a specimen of British argument upon this subject, we quote from Macgregor: "Now the Mosquito shore was no part of the *Spanish* Continent; but a part of the *American* Continent, possessed by the Mosquito Indians, &c. Therefore the evacuation contemplated by this article had no relation whatever to that country!" This, with a full knowledge that all America south of Mexico was universally known as the "*Spanish Continent*," and the adjoining sea on the east as the "*Spanish Main*," is unparalleled for impudence!

This is a fact of importance, as showing that the English did not, at that time, regard the natives in a light at all differing from that in which they were every where else viewed by all nations.

With the treaty of 1786, Great Britain seems to have relinquished her efforts to obtain possession of the Mosquito coast as a British province. The claims of Spain were too strong, and she was still a power too formidable to be trifled with longer. The Spanish Captain General proceeded to appoint Governors on the coast, and sought by presents and otherwise, to conciliate the natives, wean them from their piratical associations and attach them to Spain. These attempts have lately been gravely cited as evidences of the independence of the Indians, and the presents of beads and brandy have been denominated "*tribute;*"—for the English advocates of Anglo-Mosquitian rights have not hesitated to place Spain in the list of States tributary to the august sovereign of "Mosquito," "*the ally*" of Great Britain! The English, under the treaty, contrived to cut wood in the territory of Belize, in conformity with the permission granted them by the king of Spain. This permission was given, it will be remembered, with the express provision that it "*should not be considered as derogating in any wise from the rights of sovereignty possessed by the King of Spain.*" Nevertheless, upon the decline of Spanish power on the American Continent, England continued to hold possession of this territory and still continues to hold it, although falling properly within, and belonging of right to, the free States which comprehended it while provinces of Spain. An armed force is maintained there, where, from time to time, have been concocted the villanies subsequently practised on the Mosquito shore. Says Macgregor, "the right to Belize by occupation and possession is, undoubtedly, vested in the British Crown." The extent of territory thus fraudulently held is, in length, about 175 miles, in breadth 110 miles; comprising an area of 16,400 square miles—about three times the extent of the State of New Jersey.

Notwithstanding the formal abandonment by Great Britain, of all pretensions in the Mosquito coast, and her absolute disavowal of any of her subjects who "*dared*" (that is the word) to remain there, some, as we have seen, continued to remain, subjecting themselves to Spanish authority, but still cherishing the hope that Great Britain would ultimately break the treaty of 1786, as she had broken previous ones. In this hope they were encouraged by the speculators in Jamaica, especially those who had got up the famous plan sanctioned by Lord Hillsborough in 1771. Under their auspices, somewhere about 1820, a certain General Sir Gregor Macgregor, set himself up as an independent sovereign on this coast, in the vicinity of the celebrated Black River, where the English fortifications once existed. The title which he assumed was "*Cacique of Poyais,*" and we have before us a book published in 1822, entitled, "A SKETCH OF THE MOSQUITO SHORE INCLUDING THE TERRITORY OF POYAIS, *by Thos. Strangeways, K. G. C., Captain 1st Native Poyer regiment, and Aid-de-camp to His Highness, Gregor, Cacique of Poyais!*" A portrait of "His Highness," a burly Scot, embellishes this volume, and in the preface we are informed "that the chief of the very old clan of Alpine or Gregor, is directly descended from the ancient kings of Scotland, is generally known and admitted; and the author ventures to assert that, the right of His Highness Gregor, Cacique of Poyais, to the Chieftanship cannot be disproved!" Probably not; but where all this time was that august potentate, the early "*ally of Great Britain,*" His Mightiness the "*King of Mosquito?*" What right had the chief of Clan-Alpine of Scotland, to set himself up as Cacique of Clan-Poyer in America? The secret of the establishment of the Cacique may, perhaps, be discovered in the summing up of the volume just mentioned, in which it is said, that "if the Poyais establishment is sustained," the British West Indies would no longer be dependent on the United States for the necessaries of existence, "*a circumstance devoutly to be wished by every person interested in the welfare of Great Britain!*" So ho! This is as early as 1822, before the "*necessity*" of being able to procure its cotton from other parts of the world than the United States, became a controlling consideration in British policy?

Macgregor passes over the attempt of the Cacique, referring to his plans as "ill-judged," and the administrations which fol-

lowed him as "imprudent." The secret of this censure is simply because these plans were unsuccessful.

The attempts of the Cacique failed; meantime the Spanish colonies threw off the rule of the mother country, and organised independent Governments of their own. While they were involved in the distractions consequent upon the transition, Great Britain again directed her longing eyes to the coasts which she had been compelled to abandon. Circumstances now seemed favorable for a renewal of her attempts. She hesitated not to recognise the independence of the new States, for she thereby weakened the power of Spain. The young and feeble republics, she well knew, could oppose fewer obstacles to her ambitious designs. But it was necessary to proceed with caution. The Government of the United States was watchful and had proclaimed that any interference with the new republics, by foreign powers, would be an act of hostility against herself. She had declared that the American continent was no longer to be considered as subject to colonization by any European power. It was not politic, therefore, to seize forcibly upon the Mosquito shore, as had been attempted before the treaty of 1786. In this emergency, the unscrupulous government of Jamaica, that hot-bed of roguery, and the equally unscrupulous directors of the quasi colony of Belize, were at hand with expedients. The mixed and bastard brood, the strange agglomeration of negroes, whites and Indians, existing on the Mosquito shore, was to be raised to the dignity of a nation, independent and sovereign! This pretext, which was thrown aside as unnecessary, when it was safe to assert English interests by force, was now revived. The old speculators in Poyais and the Black River were "on hand." A convocation was held at Belize, and a course of action agreed upon. It was necessary to make a "*King*" for the sovereignty of Mosquito, and Colonel M'Donald, the Superintendent, and his associates at Belize, were adequate to the task. The time for the Government of Great Britain to appear openly in the farce, had not yet arrived. Accordingly, as early as June, 1815, the British traders and secret agents got together a number of chiefs, and in a drunken bout, prevailed upon them to affix their "*his* ⋈ *mark*" to a document previously drawn up, and called an "*Act of Allegiance to Prince Frederick*," a sambo, who had been fixed upon as a convenient instrument to carry out the ulterior designs of the conspirators. He was taken to Belize and "crowned" on the 18th of January, 1816. Macgregor draws no very flattering character for his ebony Majesty. He observes that "he combined the bad qualities of the European and creole, with the vicious propensities of the sambo, and the capriciousness of the Indian." He was killed in a drunken quarrel, in 1824. His half-brother, named *Robert*, succeeded him, but being in the Spanish interests, the British managers thrust him aside, and took into favor a sambo named "*George Frederick*," a descendant, says Macgregor, "from a more *ancient* branch of the family." But he too was a bad tool, and died or was dropped, very early in his reign, for "*Robert Charles Frederick*," who promised to answer every purpose

His "coronation" was effected at Belize (of course) on the 23d of April, 1825, upon which solemn occasion a number of so-called chiefs were got together, by the seductions of Jamaica rum. We are willing to allow a British subject to describe this ceremony:

"On the previous evening, cards of invitation were sent to the different merchants, requesting their attendance at the Court-house early in the morning. At this place the King, dressed in a British Major's uniform, made his appearance; and his chiefs similarly clothed, but with sailor's trousers, were ranged around the room. A more motley group can hardly be imagined. Here an epaulette decorated a herculean shoulder, tempting its dignified owner to view his less famed neighbor with triumphant glances. Then a wandering button displayed a greasy olive skin, under the uniform of a Captain of Infantry. At one side a cautious noble might be seen carefully braced up to the chin, like a modern dandy defying the most *penetrating* eye to *prove* him shirtless; while the mathematical movements of a fourth, panting under such tight habiliments, expressed the fear and trembling with which he awaited some awful accident.

"The order of procession being arranged, the cavalcade moved towards the church; his Mosquito Majesty on horseback, supported on the right and left by the two senior British officers of the settlement, and his chiefs following on foot two by two. On its arrival, his Majesty was placed on a chair, near the altar, and the

English Coronation Service was read by the Chaplain to the colony, who, on this occasion, performed the part of the Arch-bishop of Canterbury. When he arrived at this part, 'And all the people said, let the King live for ever, long live the King, God save the King,' the vessels of the port, according to a previous signal, fired a salute, and the chiefs rising, cried out, 'Long live King Robert!'

"His Majesty seemed chiefly occupied in admiring his finery, and after his anointing, expressed his gratification by repeatedly thrusting his hands through his thick bushy hair and applying his finger to his nose; in this expressive manner indicating his delight at this part of the service.

"Before, however, his chiefs could swear allegiance to their monarch, it was necessary that they should profess Christianity; and, accordingly, with shame be it recorded, they were baptized, 'in the name of the Father, Son, and Holy Ghost.' They displayed total ignorance of the meaning of this ceremony, and when asked to give their names, took the titles of Lord Rodney, Lord Nelson, or some other celebrated officer, and seemed grievously disappointed when told that they could only be baptized by simple Christian names.

"After this solemn mockery was concluded, the whole assembly adjourned to a large school room to eat the coronation dinner, when these poor creatures got all intoxicated with rum; a suitable conclusion to a farce as blasphemous and wicked as ever disgraced a Christian country."—(*Dunn's Central America*, p. 26, 27, 1828.)

The coronation baubles of the kings of England are kept in the Tower of London, and exhibited, "for a consideration," to the curious. Not so with those of the sovereigns of Mosquito. We are informed by Roberts, in his work on this country, that "the crown and other regalia are intrusted to *Jack*, an old negro, at Patook River, who keeps them carefully concealed." It would seem there is no occasion for this extreme caution on the part of old Jack, for Macgregor states that "the regalia consists of a silver gilt crown, a sword, and sceptre of moderate value, presents from the English!"

King Robert Charles Frederick does not seem to have conformed, in all respects, to the desires of his British "Warwicks." Of his sovereign will and pleasure, he proceeded to dispose of portions of his dominions, in return for divers barrels of whiskey and bales of red cottons. Macgregor says that "it appears that these grants were made *without the knowledge of the British agent, who had usually been residing* (*aha !*) *on the coast*, to keep up the connection with England." He afterwards adds that upon "their coming to the knowledge of the British government, it *very properly* determined *to disallow* them?" Queer protection, that!

These grants are important; for if the Mosquitos constitute a nation, and their chiefs are truly independent sovereigns, then neither England nor the Indians themselves have the slightest claim to more than a very small part of the Mosquito shore. If they do not constitute a nation, and their chiefs are not sovereigns, then Great Britain stultifies herself by her pretensions. She may take either horn of the dilemma she pleases: both are equally fatal to her claims.

One of the principal grants of his Majesty, Robert Charles Frederick, is as follows:—

GRANT TO JOHN SEBASTIAN RENNICK.

BE KNOWN BY THESE PRESENTS, AND BY POSTERITY, THAT WE, ROBERT CHARLES FREDERICK, KING OF THE MOSQUITO NATION, considering the services which may be made to us, and to our nation, by *John Sebastian Rennick*, of the city of London, merchant; and *in consideration* of the sum of £1,000, which said Rennick has paid to us, and the receipt of which we hereby acknowledge, with our own free will, WE GRANT and convey, by the same, under the Seal of our kingdom, in favor of said John Sebastian Rennick, his heirs and representatives forever, all the river Patook, located between 15 deg. 48 min. N. Lat., and 84 deg. 14 min. W. Long., at the distance of 40 miles from the mouth of a certain river of our kingdom, called Black River, to the E. S. E. thereof, together with the whole territory adjacent said River Patook, viz: 10 English miles measured from each bank of said river, from its mouth as far as the Spanish limits, (according to the map of Com. Owen), with all the cultivable lands, meadows, pastures, waters, woods, forests, streams, and waterfalls, fisheries, duties and rights belonging to said lands, or to any part of them whatever. *Item.* Said Rennick and his heirs, or representatives, shall hold and possess said lands and properties, and they, and the inabitants of said lands, shall have the right to make use of them, to go in or out of them, and to navigate in all the rivers or waters in, or adjacent to them, without let or hindrance on the part of our subjects, and they may introduce foreigners, and all kinds of persons to populate and colonize said district, and cultivate lands, &c., &c., &c., &c., &c., *and the said Rennick, his heirs, or successors, shall have the right to impose and receive contributions, taxes,*

Thomas Haly; and by the said Robert Charles Frederic delivered to the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs and Assigns for ever, in the presence of us.

Signed, Sealed, and delivered in the presence of us, George Vize, Thomas Lowry Robinson, Gen. Peter Slam.

This grant was further fortified by the following document. We believe the signatures are those of "His Majesty's" peers at Bluefields:

MOSQUITO SHORE, ss.

These are to certify that in consequence of the very low price of Tortoise Shell, on which we and our people mainly depend for our living, it is entirely out of our power to pay our debts, as we can barely support ourselves and our families, it therefore gives great satisfaction that our good King, Robert Charles Frederic, has, by giving a grant of land on the Mosquito Shore, from the southward of Great River to Messrs. Shepherd and Haly, freed us from all debts due to those traders; and we do certify that said grant has our decided approbation, as exclusive of the benefit of clearing us from a large amount of debts, we have the prospect, likewise, of seeing thriving Colonies established on the Mosquito shore. Given under our hand at Bluefields, this 24th day of January, 1839.

GEORGE HODGSON,
ALEXANDER HODGSON,
WILLIAM HALSTEAD INGRAM,
HENRY HODGSON,
JAMES PORTER.

Witnesses,
GEORGE C. SHEPHERD,
S. T. HALY, Junior.

We would call special attention to the names of the witnesses to these grants, as they will shortly appear in new and singular connections.

To be Continued.

CONGRESSIONAL SUMMARY.

SENATE.

As has been anticipated, all the usual political questions demanding the attention of the national Legislature, have been reduced to matters of minor importance, by the magnitude of the great sectional one of Negro Slavery. This subject has occupied a prominent position from the first day that the members assembled for their organization. The gentlemen from the South have come to Washington, evidently in a temper that threatens mischief. The alacrity with which they seize on points that will permit an attack on the Free States—the fiery manner of their assaults—their violent denunciations of every kind of legislation which can in any way restrict the extension of slavery, all show that the period has now arrived when this question must be finally settled. The Wilmot Proviso has placed the Free and the Slave States in direct hostility to each other. Both sections profess to have planted themselves on principles from which neither can recede without discredit. The Free States declare in every possible way in which they can express public opinion, that soil belonging to the United States, and which is now free from the scourge of slave labor, shall forever remain so; the Southern States, on the other hand, with just as much resolution, and with even more energy, declare that their rights are absolute to carry slavery into any Territory belonging to the United States, except that from which it is excluded by the Missouri Compromise. The people of the South maintain that this is not only a common right which they possess with all the people of the Union, but that it may also be regarded as a right derived from necessity. As the number of slaves increase, new lands must be found on which they can be profitably employed. If there be no such relief as this, the time must naturally arrive when the slave population, becoming excessive, will cease to have any value as property, and will be unable to supply themselves with food and clothing.

The first belligerent demonstration made in the Senate, was on a resolution offered by Mr. Walker, on the 19th of December, proposing that Father Mathew, the Irish advocate of Temperance, should be allowed the privilege of a seat within the bar of that body. Strong opposition was made to it by several Southern members, because, some years since he, with Daniel O'Connell, had addressed the Irish people living in America, in language stigmatizing slavery, and recommending that they should all support, politically, the advocates of abolition.

Mr. Clemens, of Alabama, in his remarks, was particularly excited; and not content with his attack on the "Apostle of Temperance," he very soon opened out the whole field of Northern Abolitionism; and, at length, all the Free States came to be included in his invectives. There are, said he to the Northern Senators, objects of charity enough, without hunting for slaves upon whom to bestow it. There are at this very moment in all your great cities, thousands of homeless wretches, destitute of food or raiment, and without a thought or an instinct that is not colored by crime. There are hordes of wretched females toiling by day and by night for a miserable pittance, which only adds to the horrors of starvation, by protracting the agonies of the sufferer. There are bands of little children to whom beggary has descended as an inheritance; and for whom a State prison is a welcome asylum. Misery in all its forms—poverty in all its rags—sickness and starvation are around you; and yet, with a miserable hypocrisy, you must travel away to the south, and waste your sympathies upon a population who are better clothed, better fed, who work less and live more happily than four-fifths of yourselves. You compel a poor factory girl to perform an amount of labor which is not exacted from healthy and robust *men* by the planters of the South—separate her from her friends and relations—allow no one to visit her without a *written pass* from an overseer, and all the while thank God that you are free from the curse of African slavery. Nay, more; you assume to be of a better and a purer race. You unblushingly assert, on all occasions, that while the pistol and the bowie knife give law to the South, you are in the constant observance of moral and religious precepts. Sir, I admit with regret that there are occasional scenes of violence among us, and that sometimes, we forget the value of human life; but our offences have always a touch of manliness in them. There are no petty larcenies—no outrages upon unprotected females—no midnight as-

sassinations *for money*. When we stoop to imitate the brute creation, we take the lion, not the hyena, for our model. But, while I make the admission that we are not altogether free from crime, let me ask how stands the case with you? The city of New York alone furnishes more State prison convicts than the whole fifteen Southern States together. You tear down churches; burn up convents, inhabited by a few helpless nuns; get up processions in honor of a brutal prize-fighter; and raise riots at the bidding of a worthless player, in which scores of lives are sacrificed, without dreaming that there is any thing in all this unbecoming the descendants of the pilgrim fathers. Look at home, I say; correct your own iniquities, relieve your own sufferers, and then, but not till then, you may prate of the crime and misery which slavery engenders.

I regret, he continued, that this debate has sprung up. I regret still more the course it has taken—not, however, from prudential considerations; not because, as the Senator from Kentucky has intimated, it is imprudent to discuss matters in relation to slavery, but because this question must soon be met in another form, and I was willing to let it slumber till then. But I may as well now say that the time for prudential action is past. The disease is a desperate one, and requires desperate remedies. For one, sir, I yield no inch of ground—no, not one hair's breadth. Whenever this anti-slavery sentiment shows itself, whatever form it may assume, I am ready to do battle against it. The time for half measures has gone by. You must let us alone, or take the consequences.

After a very long debate, much of which was in the same tone, the question was taken and decided in the affirmative by a vote of 33 to 18.

On the 3d of January, the slave question was renewed on the presentation by Mr. Atchison of resolutions passed by the general Assembly of the State of Missouri, in which the right of Congress to legislate in such manner as to affect the institution of slavery in the States, the District of Columbia, or in the Territories, is denied. They declare that the right to prohibit slavery in any Territory belongs exclusively to the people thereof; and they conclude by saying that in the event of the passage of any act conflicting with the principles that they have already expressed, Missouri will be found in hearty co-operation with the slave-holding States in such measures as may be deemed necessary for their mutual protection against the encroachments of northern fanaticism.

Mr. Benton declared that the resolutions did not represent the sentiments of the people of Missouri, who are a law-abiding and a Union-loving people, and have no idea of entering into combinations to resist or intimidate the legislation of Congress. The General Assembly of the State had mistaken the sentiment of the State, and many members who voted for the resolutions, and the Governor who signed them, have since disavowed and repudiated them.

He asserted that the pledge that they contained was a mistake, and let Congress do what it might, the people of his State would abide the decision of the ballot box and the bench. It is only this course that can save the Union from the fate of all the Confederacies which have successively appeared and disappeared in the history of nations. Anarchy among its members and not tyranny in the head, has been the rock on which all such Confederacies have split. The authors of our present form of government knew the danger of this rock, and by forming a perfect Union they provided against it. They established a federal judiciary to execute the federal laws when found to be constitutional, and popular elections to repeal them when found to be bad. Mr. B. pursued this argument considerably further, and he quoted from the papers of the Federalist to show the difference between the "league," which was abandoned and the Union that was formed when the Constitution was adopted. To render the Union as permanent as possible, the States were forbid to form compacts or agreements with each other; the Constitution and the laws made in pursuance of it were declared to be the supreme law of the land; and all authorities, state and federal, legislative, executive, and judicial, were to be sworn to support it. The resolutions which have been read contradict all this, and the General Assembly mistook their own powers as much as they mistook the sentiments of the people of Missouri, when they adopted them.

On the 4th of January, General Cass addressed the Senate on his proposition to inquire into the expediency of suspending diplomatic relations with Austria, on account of the alleged barbarities committed during the war in Hungary. Mr. Cass made a very long and able speech in support of his resolution. A general debate took place, in which Mr. Clay joined. He argued that the resolution was inexpedient in every respect. The inquiry would be useless, and if it was determined to suspend our relations with Austria, it would be worse than useless. Instead of withdrawing a mere Chargé, he had expected that the Senator would have proposed to send to that country some wise, energetic, and able man to plead the cause of Hungary, and to remonstrate in behalf of the unfortunate patriots. We do not send ministers to foreign nations on account of the respect we entertain for the

country to which they are sent, but to maintain the rights and interests of Americans. Where is this principle to end if we adopt it? We may hereafter be called on to pursue the same course on account of the religion or morals of some other nation. Why not try Russia by the same rule? Why not include Spain on account of the Inquisition? The policy of our government is not to interfere with European nations in their affairs. Mr. FOOTE replied to Mr. CLAY in an animated speech, but the question was left undecided.

HOUSE OF REPRESENTATIVES.

On *Saturday*, the 22d of December, the business of the day commenced by an announcement made by Mr. STANTON, of Tennessee, that he had a proposition to submit, which was the result of the deliberations of a Committee of Conference, appointed by the Whig and Democratic parties of the House, in the hope of affecting an organization. This was a signal for a most tumultuous scene, in which Mr. TOOMBS, of Georgia was the principal character. He insisted on his right to debate, contrary to a resolution of the members, by which all debate had been precluded. The gentleman continued to talk amidst general cries of "order," and during the time that the clerk was calling the yeas and nays on a motion.

Mr. STANTON at length having obtained an opportunity of being heard, rose and called for the reading of the proposition which he had submitted, viz:

Resolved, That the House will proceed immediately to the election of a Speaker, *viva voce*, and if, after the roll shall have been called three times no member shall have received a majority of the whole number of votes, the roll shall again be called, and the member who shall then receive the largest number of votes, provided it be a majority of a quorum, shall be declared the Speaker.

Several motions and amendments were made by which to dispose of this resolution, but all were rejected, and the resolution was adopted as it was originally proposed, by a vote of 113 to 106—Mr. WINTHROP voting for it, and Mr. COBB, of Georgia, against it.

The three votings being exhausted without effecting an election, the contingency had arrived that was contemplated in Mr. Stanton's proposition. The House, therefore, proceeded to vote for the *sixty-third* time, with the following result:]

Howell Cobb, of Georgia, 102; Robert C. Winthrop, of Mass., 100; David Wilmot, of Pa., 8; Charles Morehead, of Ky., 4; William Strong, of Pa., 3; A. H. Stephens, of Georgia, 1; William F. Colcock, of S. C. 1; Charles Durkee, of Wisconsin, 1; Emery D. Potter, of Ohio, 1; Linn Boyd, of Ky., 1; the whole number of votes being 222.

The Democrats generally voted for Mr. Cobb, and the Whigs for Mr. Winthrop. The free soilers and others who were irreconcileable to either of the two prominent condidates, gave their votes as we shall now present them:

For David Wilmot.—Messrs. Allen, Booth, Durkee, Giddings, Howe, Julian, P. King, and Root.

For A. H. Stephens.—Mr. E. C. Cabell.

For Wm. Strong.—Messrs. Cleveland, Doty, and Peck.

For Wm. F. Colcock.—Mr. Holmes.

For Charles S. Morehead.—Messrs. Morton, Owen, A. H. Stephens, and Toombs.

For Charles Durkee.—Mr. Wilmot.

For Emery D. Potter.—Mr. Wood.

For Linn Boyd.—Mr. Woodward.

Mr. COBB having been declared, by a resolution submitted by Mr. STANLEY, to be duly elected, he was conducted to the Chair by Mr. Winthrop and Mr. McDowell. After a moment's pause, he arose and addressed the House as follows:

Gentlemen of the House of Representatives:

It would be useless to disguise the fact that I feel deeply embarrassed in taking this chair under the circumstances attending my election.

I am conscious of the difficulties by which this position is surrounded at the present time.

The peculiar organization of this body, as exhibited in our proceedings since we first met—the nature and character of the various important exciting questions of public policy which will engage our attention during the present session of Congress, conspire to render the duties of the office peculiarly embarrassing, onerous, and responsible.

I may be permitted, therefore, to ask in advance your generous aid and support in the effort I shall make, firmly, faithfully, and impartially, to discharge its duties.

The country has been looking with anxiety to our efforts to effect an organization. The people will continue to regard with intense interest every step we take in our legislative course. Our duties will be laborious, our responsibilities great. Let us, then, in view of these considerations, invoke, in the discharge of these duties, a patriotism as broad as the Union, and as comprehensive as the nature and character of her various interests and institutions. Guided by this spirit, under the blessing of Heaven, our action will result in the continued prosperity of our common country.

Accept, gentlemen, my grateful acknowledgments for the honor you have conferred on me in selecting me as your presiding officer during the present Congress.

The Speaker was then sworn to support the Constitution of the United States, after which the House adjourned to Monday, the 24th, when the formalities of administering the oath to all the members were gone through with, and the 31st Congress was pronounced organized for legislative business. Up to this day no proceedings of this nature had taken place. The whole time of Congress had been chiefly occupied, with the exception of some executive matters in the Senate, in the struggle between parties and factions. Mr. BLISS, his Private Secretary, delivered at the Speaker's Chair the Annual Message of the President of the United States, accompanied with official Reports.

On *Thursday*, the 27th of December, the House assembled for the dispatch of business, and after adopting a resolution in relation to the Rules, Mr. VENABLE offered a resolution which was substantially as follows:

That the President of the United States be requested to communicate to the House whether, since the last session of Congress any person had been by him appointed either a civil or military governor of California or New Mexico, and if so, his name and compensation; and if the duty of a military and civil governor had been united in the same person. Also, whether any agent or agents had been appointed and sent to those Territories, authorized to organize the people of said Territories into a government, or to aid and advise them in such an organization, or to advise them as to the formation of a government for themselves. Also, that the President be requested to communicate to the House all the instructions given to such governor, civil or military, or to any officers of the army of the United States, or any other persons, and the proclamations and communications by them made to the people of said Territories, as well as the entire correspondence of such agents or governors with this Government. Also, whether any person or persons have been authorized to appoint and direct elections in said Territories, and determine the qualifications of voters at the same; and whether any census of the citizens of the said Territories has been made, and that the same, if made, be communicated to this House. This resolution, according to rule, was ordered to lie over one day.

It was moved by Mr. BURT, that the Speaker do now appoint the Standing Committees of the House. Mr. SACKETT proposed an amendment that would give the election of these Committees to the House.

Mr. ROOT said to his friend that he was too late, and that he should have thought of this proposition when they were deciding on the plurality vote for Speaker, who was in the Chair by the votes both of political friends and enemies. The Speaker no doubt regarded the resolution of Mr. STANLY as his best title for the position which he occupied. A Speaker thus elected might surely be trusted with the formation of the Committees. After making a Speaker by a vote nearly unanimous —there being about thirty dissenting voices— the House would present itself in a strange and ridiculous situation, if they took away from him the appointment of the Committees of the House.

Mr. GIDDINGS continued this strain, and said that the Speaker held his seat as the result of the plurality rule, which was forced upon the House by the Whig party, aided by a small portion of those of the opposite side of the House. The Whig party had had it in their power at any time to elect a provisoist from Pennsylvania. Mr. GIDDINGS next assailed Mr. WINTHROP, and charged him with favoring the interests of slavery in appointing the Committee on the District of Columbia. That Committee, during the last session of Congress, said he, appeared to have been studiously arranged to preserve the infamous commerce in human flesh carried on in that city. All the revolting scenes that the members of the Committee had witnessed in the Washington slave market—the voice of humanity—the sentiment of the North, were all insufficient to extort from that Committee a report against the slave trade, or even a word of reproof against that traffic, for pursuing which, on the eastern shores of the Atlantic, we hang men as unsuited to human association. He never could be brought to sustain the late Speaker after he had made such appointments. It was certain that the present Speaker could do no worse, and there was a chance that he might do better.

Mr. WINTHROP replied, and began by remarking that he desired to say only a few words. He did not propose to enter into an elaborate answer to the remarks of the gentleman of Ohio, but preferred rather to remind the House that a reply had already come from a gentleman on the other side, (Mr. Johnson, of Tenn.) who had held him up as having, in every respect, gone against Southern views, and used the power and patronage of the House against them. He was quite willing to let these counter-speeches go out to the country in reply the one to the other. The gentleman from Ohio had defended the vote he had given against him (Mr. WINTHROP) for Speaker two years before, by stating in the public papers that he (Mr. W.) had gone into a Whig caucus at the time the war-bill was about to be passed, and made a speech in favor of the war; and he had placed the whole course of his action against him (Mr. W.) on that ground. The statement was wholly false, and he had testimony which the House would trust, to prove it so. He had already disprov- the story; but the gentleman had repeated the

charge in a second letter, and not having withdrawn it when it had been shown to be untrue he was no longer entitled to respect. Mr. WINTHROP continued for some time longer, and made it appear that the Committee he had appointed had reported a bill to abolish the slave trade in the District, and it was admitted by gentlemen from the free States to be a very great improvement upon any bill which had previously been reported to the House. Mr. WINTHROP manifested considerable warmth during his remarks, and in concluding he said he had not intended to allow the gentleman from Ohio to ruffle his feelings, but he trusted he should very soon recover his ordinary calmness. A time might come in the course of the Session when he might feel more at liberty than he had ever before felt, or than he now felt to go into this subject, and say something in reply to the gentleman from Ohio and the gentleman from Tennessee. For the present he would leave them to answer each other.

Mr. ROCKWELL continued the dispute, and showed how little ground there was for the charge of Mr. GIDDINGS respecting the action of the Committee on Territories. The fact was that but three legislative days had passed between the appointment of the Committee and the passage of a resolution of the House instructing it to report bills for the organization of territorial governments containing the provisions of the ordinance of 1787, or as it is called, the Wilmot Proviso. There was, therefore, neither a refusal to report, nor a delay in reporting. As to the present appointment of the Committees by the Speaker, he was in favor of it, because it would cause only great confusion and delay to select them in any other manner. In whatever way Committees may be constituted, they cannot entirely control the course of business and the policy of the House. The majority, wherever that may be found, will direct its proceedings. Mr. ROCKWELL was one of those who had voted for the measure which resulted in the organization of the House. Three weeks had been spent in vainly endeavoring to elect a Speaker by a majority vote. The interests of the country demanded an organization, and there was but that one mode left to accomplish such an end. It had been in the power of Mr. GIDDINGS and his friends to have changed the result and secured the election of Mr. WINTHROP. There stands the unalterable record. For Mr. COBB, one hundred and two votes; for Mr. WINTHROP, one hundred votes.

Mr. SCHENCK expressed the reluctance with which he took part in this extraordinary debate. He went on to define his position and that of his party, and he defended Mr. WINTHROP in a very able manner from the charges which Mr. GIDDINGS had made. He showed that Mr. WINTHROP had always been a consistent advocate of the docrine of the Wilmot Proviso, and had moved to incorporate that very provision into the Oregon bill. He had opposed the annexation of Texas in the twenty-eighth Congress, from the beginning to the end. Mr. SCHENCK proceeded to show the inconsistency that the Free Soil Members had displayed in voting for Mr. BROWN, who had ever been opposed to them, and favorable to the slave interests, and in *refusing* to vote for Mr. WINTHROP whose whole political life had been adverse to the extension of the area of slavery. Mr. BROWN had been for the annexation of Texas, for stifling debate, for laying on the table and smothering resolutions inquiring into the propriety of abolishing slavery in the district of Columbia, and extending the ordinance of 1787 over all the territories of the United States. Mr. GIDDINGS knew these facts, yet he chose to vote for the gentleman from Indiana upon a pledge of that gentleman, vamped up for the occasion, contradicting the tenor of his whole previous course. Mr. S. averred that he had but little faith in these sudden conversions, and least of all had he faith in them when they seemed to have been made under the strong impulsive influence of a reward just ahead, that was to be given in case pledges were made on the other side. He denounced the system of exacting pledges, and said there were persons at each end of the Union, who made this a condition of support—in the South they would not vote for a candidate because he belonged to the North, and in the North they would not vote for a candidate because he lived in a slave State. This amounted to disunion. One section, either the North or the South, must have the majority. Disfranchise all on the other side, and the Union could not hold together a single day—it ought not to hold together a day. The Whig party and some of the Democrats believed differently in this respect from Mr. GIDDINGS. They believed that this Union resulted from a compromise between the free and the slave States. He, (Mr. SCHENCK) was in favor of the ordinance of 1787, and he had always voted with Mr. WINTHROP in favor of it, yet he did not feel that upon this account he must stand here and disfranchise every man living in the slave States because he differed from him on that local question. It was not so with his colleague, (Mr. GIDDINGS.) Like Mr. TOOMBS, of Georgia, he preferred that there should be no organization, and that "disorder should reign for ever," rather than yield upon this point. He then expressed his regret that gentlemen had been heard to declare that they would sooner dissolve the Union at once than suffer the present state of things to be enforced on the country. Mr. SHENCK quoted from a speech of Wendell Phillips, of Boston, to show that

there were parallels among the Free Soil advocates of the North for the Disunionists of the South. Here the two extremes met. The Whigs were the conservatives of the country, and coming from the north and from the south, representing every sectional interest, they acted together for the general good, for the maintenance of the rights and interests of the whole. These rights and interests he was ready to maintain here and elsewhere, wherever his hand or his voice could do it, against these impracticable gentleman.

Mr. HOLMES, of South Carolina, said that one thing at least was certain from the discussion that was going forward—there was an emulation among the Northern men to show each, for himself, the utmost hostility to the institutions of the South. In voting for the Speakership, they had shown their sanction of the Wilmot Proviso, and their opposition to slavery in the District of Columbia. He was delighted with the exhibition, because it convinced many persons of the South that the whole North were opposed to their institutions, and in time would destroy them, unless the South was aroused to maintain its rights. He had no apprehensions of disunion, because the lords of the loom, if gentlemen choose to call them so, were the natural allies of the lords of the "lash"—the interests of the North were identified with the labor of the slave. He ended by saying that the Union, dear as it was, rich in its associations, embellished with all that could make it desirable, was nothing when compared to the interests which were to them life,—without which all that they owned and which they would transmit to posterity as a heritage, would have passed away.

The discussion was kept up for some time longer by Messrs. GIDDINGS, SCHENCK, and VINTON, without presenting any thing further of general interest. The resolution of Mr. BURT was then adopted.

STANDING COMMITTEES.

Of Elections.—Messrs. Strong of Pennsylvania, Harris of Alabama, Van Dyke of New Jersey, Disney of Ohio, Thompson of Kentucky, Harris of Tennessee, McGaughey of Indiana, Ashe of North Carolina, Andrews of New York.

Of Ways and Means.—Messrs. Bayley of Virginia, Thompson of Mississippi, Vinton of Ohio, Green of Missouri, Toombs of Georgia, Hibbard of New Hampshire, Duer of New York, Jones of Tennessee, Hampton of Pennsylvania.

Of Claims.—Messrs. Daniel of North Carolina, Thomas of Tennessee, Root of Ohio, Wilmot of Pennsylvania, Nelson of New York, Hubbard of Alabama, McLean of Kentucky, Dunham of Indiana, Butler of Connecticut.

On Commerce.—Messrs. McLane of Maryland, Wentworth of Illinois, Grinnell of Massachusetts, Bingham of Michigan, Stephens of Georgia, Colcock of South Carolina, Phœnix of New York, Stetson of Maine, Conrad of Louisiana.

On Public Lands.—Messrs. Bowlin of Missouri, Harmanson of Louisiana, Sheppard of North Carolina, Albertson of Indiana, Baker of Illinois, Cobb of Alabama, Brooks of New York, Hoagland of Ohio, Henry of Vermont.

On the Post Office and Post Roads.—Messrs. Potter of Ohio, Phelps of Missouri, McKissock of New York, Featherston of Mississippi, Hebard of Vermont, Alston of Alabama, Powell of Virginia, Stanton of Tennessee, Durkee of Wisconsin.

For the District of Columbia.—Messrs. Brown of Mississippi, Inge of Alabama, Taylor of Ohio, Fuller of Maine, Morton of Virginia, Hammond of Maryland, Allen of Massachusetts, Williams of Tennessee, Underhill of New York.

On the Judiciary.—Messrs. Thompson of Pennsylvania, Miller of Ohio, Ashmun of Massachusetts, Meade of Virginia, Morehead of Kentucky, King of New York, Venable of North Carolina, Stevens of Pennsylvania, Wellborn of Georgia.

On Revolutionary Claims.—Messrs. Sawtelle of Maine, Morris of Ohio, Newell of New Jersey, Bay of Missouri, Butler of Pennsylvania, Millson of Virginia, Goodenow of Maine, McWillie of Mississippi, Kerr of Maryland.

On Public Expenditure.—Messrs. Johnson of Tennessee, Bissell of Illinois, Conger of New York, Harlan of Indiana, Bowie of Maryland, Sweetser of Ohio, Caldwell of North Carolina, Booth of Connecticut, Calvin of Pennsylvania.

On Private Land Claims.—Messrs. Morse of Louisiana, Brown of Indiana, Rumsey of New York, Gilmore of Pennsylvania, Campbell of Ohio, Harris of Illinois, Marshall of Kentucky, Whittlesey of Ohio, Anderson of Tennessee.

On Manufactures.—Messrs. Peck of Vermont, Bowdon of Alabama, Houston of Delaware, Cleveland of Connecticut, Breck of Kentucky, Ross of Pennsylvania, Rose of New York, Orr of South Carolina, Owen of Georgia.

On Agriculture.—Messrs. Littlefield of Maine, Deberry of North Carolina, Risley of New York, McMullen of Virginia, Young of Illinois, Casey of Pennsylvania, Stanton of Kentucky, Bennet of New York, Cable of Ohio.

On Indian Affairs.—Messrs. Johnson of Arkansas, Hall of Missouri, Crowell of Ohio, McLanahan of Pennsylvania, Outlaw of North Carolina, Hackett of Georgia, Bokee of New York, Howard of Texas, Sprague of Michigan.

On Military Affairs.—Messrs. Burt of South Carolina, Richardson of Illinois, Wilson of New Hampshire, Caldwell of Kentucky, Evans of Maryland, Carter of Ohio, J. A. King of New York, Ewing of Tennessee, Chandler of Pennsylvania.

On the Militia.—Messrs. Peaslee of New Hampshire, Savage of Tennessee, King of Rhode Island, Doty of Wisconsin, Moore of Pennsylvania, Briggs of New York, Robbins of Pennsylvania, Thompson of Iowa, Meacham of Vermont.

On Naval Affairs.—Messrs. Stanton of Tennessee, Bocock of Virginia, Schenck of Ohio, La Sere of Louisiana, White of New York, Gerry of Maine, Cabell of Florida, McQueen of South Carolina, Levin of Pennsylvania.

On Foreign Affairs.—Messrs. McClernand of Illinois, McDowell of Virginia, Winthrop of Massachusetts, Haralson of Georgia, Hilliard of Ala-

bama, Woodward of South Carolina, Stanly of North Carolina, Buel of Michigan, Spalding of New York.

On the Territories.—Messrs. Boyd of Kentucky, Richardson of Illinois, Rockwell of Massachusetts, Seddon of Virginia, Clingman of North Carolina, Kaufman of Texas, Gott of New York, Fitch of Indiana, Giddings of Ohio.

On Revolutionary Pensions.—Messrs. Waldo of Connecticut, Beale of Virginia, Silvester of New York, Wallace of South Carolina, Freedley of Pennsylvania, Gorman of Indiana, Evans of Ohio, Tuck of New Hampshire, Sackett of New York.

On Invalid Pensions.—Messrs. Leffler of Iowa, Olds of Ohio, Nes of Pennsylvania, Averett of Virginia, Walden of New York, Johnson of Kentucky, Matteson of New York, Hamilton of Maryland, Hay of New Jersey.

On Roads and Canals.—Messrs. Robinson of Indiana, Mann of Pennsylvania, King of New Jersey, Mason of Kentucky, Putnam of New York, Parker of Virginia, Wood of Ohio, Gould of New York, Howe of Pennsylvania.

On Rules.—Messrs. Kaufman of Texas, Jones of Tennessee, Vinton of Ohio, Strong of Pennsylvania, Stephens of Georgia, Phelps of Missouri, Ashmun of Massachusetts, Littlefield of Maine, McGaughey of Indiana.

On Patents.—Messrs. Walden of New York, Otis of Maine, Hamilton of Maryland, Watkins of Tennessee, Harlan of Indiana.

On Public Buildings and Grounds.—Messrs. Bowdon of Alabama, Edmundson of Virginia, Houston of Delaware, Young of Illinois, Reynolds of New York.

On Revisal and Unfinished Business.—Messrs. Cobb of Alabama, Ogle of Pennsylvania, Averett of Virginia, Julien of Indiana, Jackson of New York.

On Accounts.—Messrs. King of Massachusetts, Mason of Kentucky, McDonald of Indiana, Clarke of New York, Bay of Missouri.

On Mileage.—Messrs. Fitch of Indiana, Duncan of Massachusetts, Howard of Texas, Haymond of Virginia, Sweetser of Ohio.

On Engraving.—Messrs. Hammond of Maryland, Dimmick of Pennsylvania, Fowler of Massachusetts.

Joint Committee on the Library of Congress.—Messrs. Holmes of South Carolina, Mann of Massachusetts, Gilmore of Pennsylvania.

On Expenditures in the State Department.—Messrs. Bingham of Michigan, Reed of Pennsylvania, Orr of South Carolina, Alexander of New York, Gorman of Indiana.

On Expenditures in the Treasury Department.—Messrs. Caldwell of Kentucky, Schermerhorn of New York, Ashe of North Carolina, Dixon of Rhode Island, Dunham of Indiana.

On Expenditures in the War Department.—Messrs. Dimmick of Pennsylvania, Schoolcraft of New-York, Harris of Illinois, McMullen of Virginia, Hunter of Ohio.

On Expenditures in the Navy Department.—Messrs. Holliday of Virginia, Thurman of New-York, Carter of Ohio, Pitman of Pennsylvania, Harris of Tennessee.

On Expenditures in the Post Office Department.—Messrs. Thompson of Iowa, McWillie of Mississippi, Halloway of New-York, Robbins of Pennsylvania, Corwin of Ohio.

On Expenditures on the Public Buildings.—Messrs. Beale of Virginia, Cole of Wisconsin, Ross of Pennsylvania, Burrows of New York, Hoagland of Ohio,

On Enrolled Bills.—Wildrick, of New-Jersey, Dickey of Pennsylvania.

January 11*th.* After spending several days in voting, the House succeeded, this day, on the twentieth attempt, in electing THOMAS J. CAMPBELL, of Tennessee, Clerk of that body. Mr. CAMPBELL was the Clerk of the last Congress, and was the Whig candidate. He was elected by the final support of a few Southern Democratic members.

On the 15th of January, after several days' voting for Sergeant-at-arms, A. J. GLOSSBRENNER, of Pennsylvania, a Democratic candidate, was elected to that office.

DOMESTIC AND FOREIGN SUMMARY.

A letter from Detroit, published in the New York Tribune, states, on the authority of Col. M. Knight, that the *Boston and Pittsburgh Cliff Copper Mine* will yield this year at least 750 tons of ingot copper, which at

$380 per ton will amount to	$285,000
The expenses of working, at $7,000 per month,	84,000
Net profits for one year,	$201,000

In addition to the shipments from this mine, the Minesota, North West, North American, and North Western, will amount to some two hundred tons more. Next year the exports of Copper, it is expected, will not be less than 2,500 tons. Within five years our copper must go to England.

The amount of tolls received from the Public Works of Pennsylvania, at the State Treasury, from December 1, 1848, to November

30, 1849,	$1,628,860 13
Amount received preceding year,	1,550,55 03
Excess the present year,	78,305 10

This (the Harrisburg Intelligencer remarks) is the largest receipt of revenue from the public works ever received in any one year, and is an encouraging indication of their future usefulness and worth to the State.

The New York Canals, says the Albany *Evening Journal*, notwithstanding the depressed state of business during the cholera season, have done well financially. The tolls of the present year exceed those of the past year. The amount collected last year was $3,245,662. This year the amount collected is $3,259,210 30, which is an increase of $13,548 30.

Georgia, as regards manufactures, is the New England of the South. She has built with her own means, more railroads than any other State in the Union, except Massachusetts. She has already invested in them $55,000,000, and is advancing more rapidly in her cotton factories than any other southern State. Immigration is also setting into this highly flourishing State very rapidly.

Alabama, it is asserted, has more manufactories than any other State of her age. She has invested twelve millions in roads, mines, and manufactories.

Mississippi, it is said, has fifty-three cotton factories; some of them, however, are only on a very small scale; but the manufacturing spirit is up there among the planters, and a manufacturing town has been commenced, and is progressing. A very few years will see a strong manufacturing interest existing in that State.—*N. O. Pic.*

At the late Fair of the Franklin Institute in Philadelphia, the Graniteville Manufacturing Company of South Carolina, received the first premium for specimens of shirtings, sheetings, and drillings.

The Mineral Lands in Arkansas—Our readers will recollect that some time since we called attention to the mineral lands in the northwestern portion of the State. These lands were for a long time reserved from sale; but about two years since were placed in market, subject to entry at the minimum price of public lands. Strange as it may appear, even after this, these lands remained unnoticed until very recently. Within the last few days several individuals have visited that locality, and secured a large amount of these lands for themselves, and for the Arkansas Mining Company, and also for Wallace & Ward, two enterprising capitalists of Van Buren. We learn from the gentlemen who have been exploring these lands, that they abound in minerals of various kinds. On a large extent of the country, specimens of a fine galena are to be seen, cropping out of the sides of hills, and sparkling in the beds of the numerous brooks; but as many of the residents of that region considered it of no value except for bullets, it has never attracted much attention. But a very small portion of these mineral lands have, as yet, been taken up, and there are yet fortunes in reserve in that region for any persons disposed to secure them. These mineral localities are within a few miles of flatboat navigation on White river.—*Little Rock (Ark.) Democrat, Nov.* 23.

Mineral Wealth of Alabama—This State abounds in coal, iron, and marble. The coal is mostly bitumenous. The Mobile Herald says, that the amount raised this year on Warrior River, will be greater than ever before. Over two hundred flat boats have been projected, or built, to carry it to the market. A correspondent of that paper says, most of the coal beds hitherto found are too thin to work, but several of them are four feet thick and upwards. Those between three and four feet

are still more numerous. They are not merely found in numerous places, but that they are different strata, clearly defined, lying one above another. The far greater number are above the level of high water, appearing in bluffs, which overhang the channel of the stream. The river runs on coal sometimes bare, sometimes shielded by sand or rock, for above one hundred miles. The greater part of the land, in the coal region, is public property, and may be obtained at the government prices.

The dip of the coal is uniformly in the direction of the natural drainage of the country. All the Warrior beds, thick or thin, are so, and therefore require nothing but ditching to keep the mining operations free from the ingress of water. This is true of those on the North river, also, as far as has been examined. Those on the Cahawba river are at an angle of 45 deg. with the horizon. They dip obliquely across the drainage of the country, and will, it is apprehended, require great power to keep them dry.

A correspondent of the New York Tribune, who writes at 130 miles from Fort Laramie, states that on the banks of the Platte river, eighty or ninety miles west of Laramie, a coal mine had been found, with the vein cropping out of the bluff, one and a half to two feet in thickness. For forty or fifty miles that the party had travelled, after making the discovery, wherever an abrupt bank appeared, the coal stratum was perceived, embedded in soft sand stone, sometimes as much as three feet thick. It was much harder than bitumenous, broke with a shining fracture, and when put on the fire, although it kindled slowly, it burnt with a bright, clear flame. The writer conceives it to be like cannel coal. The quantity is inexhaustible.

An iron steamboat is building in this city to run on Lake Titicaca, situated on one of the peaks of the Andes, in Peru. She is wholly constructed of iron, with two small engines of ten horse-power each. It is intended that the boat shall be transported to the summit in pieces of 350 pounds weight, packed in boxes or otherwise, on the backs of mules. Mechanics will be sent from this country to put the whole together, on reaching the place of its demonstrations.

N. Longworth, Esq., of Cincinnati, is now constructing a wine cellar in that city, of great depth and dimensions, that is designed exclusively for the manufacture of *sparkling wines*. For some years this gentleman has been engaged in such pursuits, and has succeeded in demonstrating that it is possible, in the climate of America, to produce wines of a quality in no respect inferior to the foreign wines of similar descriptions.

The Chief Libraries of Europe.—If the principal libraries of the several capital cities of Europe be arranged in the order of their respective magnitudes, they will stand as follows:

		Vols.
1.	Paris, (1,) National Library,	824,000
2.	Munich, Royal Library,	600,000
3.	Petersburgh, Imperial Library,	446,000
4.	London, British Museum Library,	435,000
5.	Copenhagen, Royal Library,	412,000
6.	Berlin, Royal Library,	410,000
7.	Vienna, Imperial Library,	313,000
8.	Dresden, Royal Library,	300,000
9.	Madrid, National Library,	200,000
10.	Wolfenbuttel, Ducal Library,	200,000
11.	Stuttgard, Royal Library,	187,000
12.	Paris, (2,) Arsenal Library,	180,000
13.	Milan, Brera Library,	170,000
14.	Paris, (3,) St. Genevieve Library,	150,000
15.	Darmstadt, Grand Ducal Library,	150,000
16.	Florence, Magliabecchian Library,	150,000
17.	Naples, Royal Library,	150,000
18.	Brussels, Royal Library,	133,500
19.	Rome, (1,) Cassanate Library,	120,000
20.	Hague, Royal Library,	100,000
21.	Paris, (4,) Mazarine Library,	100,000
22.	Rome, (2,) Vatican Library,	100,000
23.	Parma, Ducal Library,	100,000

The chief University libraries may be ranked in the following order:

1.	Gottingen, University Library,	360,000
2.	Breslau, University Library,	250,000
3.	Oxford, Bodleian Library,	220,000
4.	Tubingen, University Library,	200,000
5.	Munich, University Library,	200,000
6.	Heidelberg, University Library,	200,000
7.	Cambridge, Public Library,	166,724
8.	Bologna, University Library,	150,000
9.	Prague, University Library,	130,000
10.	Vienna, University Library,	115,000
11.	Leipsic, University Library,	112,000
12.	Copenhagen, University Library,	110,000
13.	Turin, University Library,	110,000
14.	Louvain, University Library,	105,000
15.	Dublin, Trinity College Library,	104,239
16.	Upsal, University Library,	100,000
17.	Erlangen, University Library,	100,000
18.	Edinburgh, University Library,	90,854

Crime in England.—The British Government, after several years' experience, has been forced to the conclusion that imprisonment, either solitary or accompanied with labor, has no effect whatever either in deterring from crime, or in reforming criminals. Statistics, compiled with scrupulous care have also demonstrated that education has no perceptible effect in checking the increase of crime. It has been ascertained that the number of educated criminals in England is above twice, and in Scotland above three times and a half that of the uneducated. In 1848 the number of educated criminals in England and Wales was 20,176, while the uneducated was 9,691.

In Scotland, 3,985 educated to 911 uneducated. It has also been ascertained that the average cost of maintaining a prisoner in jail, throughout England, is about eighty dollars a year, and that at this rate the prison expenses of that country amount to over one million pounds sterling per annum. Under this state of facts the British Government has issued an order in council authorizing a return to the system of transportation. The last number of Blackwood's Magazine contains an interesting article on this subject from which the foregoing statements are complied.

The *Bonham Advertiser*, published in Texas, gives an account of a party numbering in all about eighty persons, who had been out on an exploring expedition to the Wachita mountains in search of precious metals. They found, on a high prairie ridge, silver ore of extraordinary richness, in quantities "apparently inhaustible." There was also found in the streams of the Wachita country, considerable quantities of gold, mingled with the sands. In consequence of the unfriendly disposition of the Wachita Indians, they were able only to succeed in ascertaining the general fact of the existence of gold and silver, and to obtain as much as would serve as specimens.

According to a late census of South Carolina, the whole of the white inhabitants now number 280,385, showing a gain in ten years of 23,269.

Commerce of New York.—The number of vessels which arrived at New York from foreign countries during the last year, was 3,227; of which 1,973 were American, and 811 British. The number which arrived the preceding year was 3,060. The number of passengers last year was 221,799; in the preceding year 191,901.

Statistics of French Literature.—It is calculated that, from January 1st, 1840, to August 1st, 1849, there were issued from the press in France, 87,000 new works, volumes and pamphlets; 3,700 reprints of ancient literature, and French classic authors; and 4,000 translations from modern languages—one-third of the latter from the English, the German and Spanish coming next in numbers, and the Portuguese and Swedish languages having furnished the smallest contributions. Nine hundred dramatic authors are named of pieces produced on the stage, and afterwards published; 60 only of comedies and dramas not acted. Among the published works are 200 on Occult Sciences, Cabalism, Chiromancy, Necromancy, &c., and 75 volumes on Heraldry and Genealogy. Social Science, Fourierism, Communism, and Socialism of all sects, count 20,000 works of all sizes; 6,000 Romances and Novels; and more than 800 works of Travel. According to a calculation, for which the authority of M. Didot's (the publisher) name is given, the paper employed in the printing of all these works would more than twice cover the surface of the 86 Departments of France.

The debts of the various countries of Europe may be classed in round millions; Great Britain, £860; France, 320; Holland, 160; Russia and Poland, 110; Spain, 83; Austria, 84; Prussia, 30; Portugal, 28; Naples, 26; Belgium, 25; Denmark, 11; Sicily, 14: Papal dominions, 13; Greece, 8; Bavaria, 3; Frankfort, 1; Bremen, £600,000; Hamburgh, £1,400,000. Total, £1,785,000 000. Debts which are not enumerated £215, 000,000. Grand total, £2,000,000,000.

Import of Provisions from America.—Mr. Gardner, the provision broker, gives the following as the import into Liverpool alone, from the United States, for the last twelve months—26,000 tierces Beef, 37,000 barrels Pork, 224,000 cwts. Bacon, 15,000 Hams, 50,000 barrels Lard, 100,000 boxes Cheese, 8,600 firkins Butter. The value of the above is £1,000,000 sterling.

The number of passengers brought from Liverpool to New York by the British mail-steamships during the past year, according to a New York paper, was 1,775; and the number arrived at Boston by the same conveyance, 1,433. The average passage from New York to Liverpool was made in thirteen days and sixteen hours, and the average passage to Boston from Liverpool in twelve days and twenty-two hours.

Thomas H. Fisher & Co. have erected, in Lansingburg, New York, a manufactory for the purpose of manufacturing linen thread. It is the only one in the country. The machinery was imported from Leeds, England, and experienced workmen have been employed.

CRITICAL NOTICES.

The Shakspeare Calendar; or Wit and Wisdom for every day in the year. Edited by William C. Richards. New York : George P. Putnam. 1850.

This graceful little offering to the well-filled shrine of the Great Bard, differs from other "Calendars" only in this that its notices of events are illustrated solely and invariably by passages from Shakspeare. Some of the passages thus forced into compulsory juxtaposition with events apparently incongruous, display wit as well as research on the part of the Editor. For instance, the fact of thirteen whales being driven ashore on the coast of England on the same day is illustrated by the passage from Henry V :—

> " Send precepts to the Leviathan
> To come ashore."

On other occasions, the Editor seizes an opportunity of indicating his opinion of noted public characters. He commemorates the death of Robert Walpole (March 18, 1745,) by quoting King Lear :—

> " Get thee glass eyes;
> And like a scurvy politician, seem
> To see the things thou dost not see."

Sometimes, too, he even contrives to crowd a volume of sound Political Economy into a single quotation, as, where after mentioning under its proper date (March 1st, 1845) the annexation of Texas, he cites the passage from Cymbeline :—

> " You lay out too much pains
> For purchasing but trouble."

Exercises on Greek Composition. Adapted to the First Book of Xenophon's Anabasis. By James R. Boise, Professor of Greek in Brown University. New York : Appleton & Company, 200 Broadway. Philadelphia : George S. Appleton, 164, Chestnut Street. 1850.

Professor Boise has prepared this elegant elementary work upon the plan of allowing the rules of Greek Composition, gradually to suggest themselves to the student's mind, instead of crowding his memory, as is too often the case with abstruse enunciations of principles which he must master before he can possibly understand them. This comparitively easy method he has elucidated in a plain yet skillful manner, selecting Xenophon that most flowing of Attic writers for his text. The execution of the work is equal to the design, and altogether will do credit to the high Institution which numbers the author of this work among its professors.

The Caravan; a collection of popular tales, translated from the German of Wilhelm Hauff. By G. P. Quackenbos, A.M. Illustrated by J. W. Orr. New York : D. Appleton & Company. 1850.

We hail this laudable effort of a popular writer to introduce among us a better taste for the better part of German Literature. Mr. Quackenbos has executed his task in a manner worthy of himself, and the illustrations are creditable to the artist by whom they are signed. The translator could not have made a more judicious selection both as regards the tales he has comprised in this collection and the author from whom he draws them.

Wilhelm Hauff is the most popular of German tale writers. He is a native of Stuttgard, where, in his earlier years, he studied Theology. Strange, that at the source of ever-living truth, he should have contracted so insatiable an appetite for fiction. His first appearance as an author was in 1826, when he published his Fairy Almanac for that year. The tales included in that series are for the most part borrowed from other sources, but the fantastic yet natural manner in which they are told by him atones for their want of originality. Emboldened by his success, he published in the following year, two different works of considerable consequence, "The man in the moon," a playful satire or rather caricature, directed against the sentimental style of novel-writing of the day, and Extracts from the memoirs of Satan which may have furnished something besides a title to the work of Frederick Soulie, called " les Memoires du Diable." Since that time he has continued an indefatigable author, and may be considered as one of the most prolific as well as popular of the modern writers.

We would express a hope that Mr. Quackenbos will soon favor the English and American public with other gems from the same mine.

Success in Life; a series of Books, six in number, each complete in itself. By Mrs. L. C. Tuthill. New York : George P. Putnam. 1850.

The series of Books of which the first number lies upon our table, will doubtless add to its author's already enviable reputation. She purposes to address her pleasing didactics in turns to the Merchant, the Lawyer, the Mechanic, the Artist, the Physician and the Farmer. She doubtless had her own reasons,

better known to herself, for beginning with the Merchant. The book now before us is the first in order in the series and purports to teach the means of success in a commercial career. The authors characteristic knowledge of American history, and her acquaintance with the leading events in the lives of the successful merchants of America, furnish her with manifold opportunities of enlivening her text with anecdote and incident.

So far the series of Mrs. Tuthill's Lectures on Success bodes well. When we become a merchant we will turn to these agreeable pages for our first lessons in the art of thrift. Yet we are somewhat curious to know how she will manage that part of her subject which refers to lawyers. Success in that profession is scarcely attainable by any of the means which Mrs. Tuthill is likely to advocate. And, even the straight-forward path which we presume she will point out, is beset with thorns and precipices of which the fair authoress can entertain but an inadequate idea. Supposing, however, that her talent will surmount those obstacles, and that her accurate knowledge of the public men of America will furnish us with sketches of such men as Hamilton, Jay and Ogden in the same pleasing manner as she has in the book before us painted Astor, Girard and Morris.—Supposing all this, our anxiety on her behalf, is but removed one step. How will she contrive to point out success in the physician's career without mentioning that the surest avenues to the desirable end are of a character which neither her sex, her reputation, nor her good sense will permit her to advocate ?

At all events we shall await the future numbers of her series with as much impatience as we have taken pleasure in perusing the first.

The other Side ; or Notes for the History of the War between Mexico and the United States, written in Mexico. Translated from the Spanish, and edited with notes, by ALBERT C. RAMSAY, Colonel of the 11th United States Infantry during the War with Mexico. New York: Jno. Wiley.

To those who know the intense bitterness of party spirit that prevails in Mexico, it must appear almost impossible that an account having any pretensions to impartiality should be given of any contemporary fact by a citizen of that country. The difficulty is obviously increased when the fact to be related involves not only the usual dissensions of faction but also the humiliation of the author's native land during a long contest, where scarcely one instance of prowess or patriotism occurs to redeem the national character from the disgrace of constant defeat. We believe that few Mexicans would have possessed the hardihood, single handed to produce a work so singularly free in pointing out the true causes of their country's misfortune as the one we are now noticing. For is it not the result of individual enterprise. It seems that it grew out of the debates of a literary society composed of men of different parties who had assembled at Queretaro for the purpose of discussing topics of general interest. Fifteen editors have appended their names to this work. As far as we are able (for causes presently to be mentioned) to judge of the style of the original it does credit to the authors as men of taste and refined acquirements. The several parts are arranged in a lucid manner, the action is rapid, the descriptions are vivid and animated, and the numerous plans, maps, and portraits, if these belong to the Mexican work and not merely to its American version, attest the care and liberal enterprize which presided over the publication. Not to speak of its value in another point of view, it will prove useful as well as curious to the general reader in this that it will point out with sad clearness the true causes of the ignominious fall of the Mexican Republic in her contest with us. We see leaders promoted through favoritism and wholly incompetent for their position. We see several generals commanding one corps and unable to agree. We behold Arista seated in his tent and insisting that the battle of Resaca de Guerrero was a mere skirmish, until he saw his disbanded soldiers seeking safety in the waves of the Rio Grande. We hear of Paredes negotiating a loan of $1,000,000 from the church to meet the pressing exigencies of the state, assembling a last army in haste, and then we find the officers of that very army, immediately after receiving an instalment of their pay out of that same fund, rush to the citadel and improvise a revolution. In the ranks, in the cities, in the legislative assemblies, we meet with nothing but want of mutual confidence and hot individual ambition that pauses at nothing for its own gratification. In regard to Colonel Ramsay's share of the work, we are compelled to say, that he ought to have prepared himself for his task by the study of the difficult art of Translation. The first part of the work especially is lamentably deficient in point of diction. Castilian idioms are given literally, and either present no sense to one who is not a Spanish scholar, or else give the narrative a ludicrous air of incongruity. We scarcely know how to account for this anomaly, for in the notes which the American Editor signs in *propria persona*, the style is remarkably pure and flowing.

The Battle Summer: being personal observations in Paris, during the year 1848. By IK. MARVEL, Author of "Fresh Gleanings." New York: Baker and Scribner. 1850.

An almost quaint and curious book, this: yet we must say, notwithstanding, that it is a most vivid portrayal of the events and characters of the last French Revolution. Nor is it alone a remarkable exhibition of skill in the painting of pictures and portraits; but it shows also a hand, presided over by a philosophical and candid intellect. Motives and characters of individuals and classes are presented with a certain clearness and force, deserving of great admiration. So well are these two qualities combined that, after reading the book, we seem to have been a witness of the astonishing drama, with a companion, whose commentary on the performers and performances, was worth listening to, piquant, and, at the same time, thoughtful. In the next place, the book is entirely free from tedious disquisition, or elaborate description; everything is condensed, and to the point. In one short chapter we have the best account of that remarkable phenomenon,—the Paris Press,—that we have anywhere seen. For the rest, the style is somewhat Carlylean, and this must be somewhat a disappointment to those acquainted with the author's previous works, which have been so remarkable for their beauty, in this respect. It is, however, more, perhaps, in the manner than the style of Carlyle; for there is none of his involution of sentences, or uncouthness of philosophy.

The author's object, in employing this manner, was, doubtless, to give boldness of graphic effect, and condensation of views; as well as to *re*-present a subject somewhat hackneyed, and we do not know that he could have accomplished these purposes in any better way. It is a book, in short, of decided raciness and pith; and we like it. A word in conclusion, we must say, for the beautiful style in which it is printed.

Representative Men: seven Lectures. By RALPH WALDO EMERSON. Boston; Philips, Sampson, & Company.

In the space of a short notice it is impossible to present any sufficient view of a new book, by Mr. Emerson. All his writings involve questions the profoundest. We must record great genius and originality, with power of expression, and beauty of illustration, enchanting as the voice of the syren; but we would have to discuss with him first principles. From his cloud-land, we would have to appeal to our mother earth. The book before us is somewhat vague in its purpose; the usual fault of the author. We have not space to define what we mean by vagueness in this case; but, we think, the generality of readers will be with us in the assertion. After, in the first lecture, discussing, vaguely enough, the uses of great men, the others are devoted to Plato the Philosopher, Swedenborg the Mystic, Montaigne the Skeptic, Shakespeare the Poet, Napoleon the Man of the World, and Goethe the Writer. These he seems to take as representatives of varieties of the human mind, displaying itself in its greatest activities. There is no writer that is more profound in analyses, or clear in critical deductions, or philosophic in generalization, than Mr. Emerson, out of his peculiar mood, and this book is full of passages of great power and beauty in these respects.

There is in this book too, a remarkable simplicity, directness, and force of language.

"Socrates and Plato are the double stars that the most powerful instruments will not entirely separate. * * Socrates, a man of humble stem, but honest enough; of the commonest history; of a personal homeliness, so remarkable as to be a cause of wit—the rather, as his broad good nature, and exquisite taste for a joke, invited the sally, which was sure to be paid. The players personated him on the stage; the potters carved his ugly face on their stone jugs. He was a cool fellow, adding to his humor a perfect temper, and a knowledge of his man, be he who he might, whom he talked with, which laid the companion open to certain defeat, in any debate; and in debate he immoderately delighted. The young men are prodigiously fond of him, and invite him to their feasts, whither he goes for conversation. He can drink too; has the strongest head in Athens; and, after leaving the whole party under the table, goes away, as if nothing had happened, to begin new dialogues with somebody that is sober. In short, he was, what our country people call *an old one.*" This, by way of specimen. The whole description of Socrates is a most perfect synopsis of the character, as given by Plato.

The Miscellaneous works of the Rev. J. T. Headley, with a biographical sketch and portrait of the Author. New-York: JAMES TAYLOR.

There are few men who, having made Literature a pursuit for several years, have not their portfolios full of essays, sketches, notes of travels, and magazine articles. These will naturally accumulate upon an author's hands, and it is but fair that he should be allowed to take advantage of the celebrity he has earned by other and more serious labors, to publish those desultory papers in a connected form. This appears to be the case with the work, whose title heads this notice. The pieces contained in the collection are on various subjects, and embrace the staple topics of works of this kind—impressions derived from voyages, essays upon the productions of other writers, an occasional historical sketch, and a metaphysical disquisition, or two. Their merit is occasional and fitful. They present Mr. Headley's habitual characteristics, a plentiful flow of words, a fondness for rhetoric, and a straining for effect, which sometimes attains eloquence, and, not unfrequently, falls as far from the mark, as Bathos differs from Pathos. But, surely, there is nothing so exalted in the merit of this medley of articles, as to warrant its being introduced by a flourish of trumpets.

And, indeed, we feel disposed upon our own responsibility to exonerate Mr. Headley from the charge of having even sanctioned so entire a breach of good taste. We feel certain that he will feel inclined to bestow but small thanks upon the person whose injudicious, though friendly criticism, compels us to notice somewhat at large a work of this character.

Until a late period, Mr. Headley was generally reputed as a writer who had drawn his inspirations from the German school, either directly or through its British imitators, and whose name had obtained a sort of *chiaro obscuro* celebrity, by some few ephemeral, but creditable papers. One day, however, whether under the inspiration of Minerva or Plutus does not appear, he conceived a marketable idea,—the idea of a literary speculation,—sans parallel in the annals of American authorship, since the famous account of Herschell's discoveries in the Moon. The idea consisted in drawing, from readily accessible materials, a series of portraits of the great warriors who flourished at the beginning of the present century. The subject was well chosen; the interest which attaches to their career, the brilliant events through which they passed, the rapidity of their progress, and the epic scale of their exploits, furnished a fitting theme for the exercise of the most fervid eloquence. And if the author, more anxious for his reputation than for the sale of his book, had taken counsel from a sober love of Fame, and had adhered to the strict truth of history, he might have added one to the many really great American works, which are fast growing, to constitute a literature for the country. But this was no part of Mr. Headley's project. The sale, not the worth of the book, was his aim. Wherefore, he dressed his heroes in theatrical tinsel and adopted, for his style, the standard of that which draws down mighty applause from the well-filled benches of the Bowery. The result was, "a hit." Napoleon and his Marshals sold well. We do not know that Mr. Headley is to blame in all this; a man has as good a right to prefer money to unsubstantial Fame, as the reverse. But we again insist that there is nothing in the fact of his having acquired a little notoriety by such means, to superinduce the necessity of a pompous eulogy being prefixed to a collection of his waste paper.

We are told, by his biographer, that "Mr. Headley is one of the most promising of the youthful (35 years old, last December) writers of this country." Of one of his earlier works we are informed that "it possesses the unfatiguing charms of perfect simplicity and truth,—it exhibits a thousand lively traits, of an ingenuous nature, which, formed in a sincere and unsophisticated society, and then brought into the midst of the old world, retains all its freshness and distinctness." Also, that "the style is natural, familiar, and idiomatic." We freely confess that we have never read the Letters from Italy; but, from what we *have* read of Mr. Headley, we had deemed it impossible that he should ever have written anything either simply, or naturally, or familiarly. We had always considered bombast (probably the same quality which the "biographer" points out as "the excess of youthful genius") to be a particular characteristic of his style. We cannot state whether or not "the society" where he formed "his nature" was "sincere and unsophisticated;" but, sure we are, that his printed works show a breadth of bigotry, and obstinacy of prejudice, as blameable as anything he blames so harshly in Italy or France. His Anglo-Saxon predilections even carry him so far as to make him abuse the French language, in a style without parallel out of the columns of Punch. Hear him, he is speaking of Guizot: "With a Saxon soul, he is forced to bend it to the wordy language of his native country. I have always thought it would appear strange to hear such men as Ney, Soult, McDonald, and Bonaparte talk French."

Why is it strange that the military leaders should talk the language of mathematics and treaties, the language of Pascal, Lavoisier and Descartes? Surely, if there be anything more blind than ignorance, it is prejudice. French may be too precise a language to admit of the imaginative flights of empty rhetoric, which Mr. Headley affects. But, sure we are, that French taste would never permit the use of sentences like the following, copied from "Persecutions of the Waldenses," one of the articles of the work under notice.

"With one wild and thrilling shout that little band precipitated itself forward. Through the devouring fire, over the rattling, groaning bridge, up to the entrenchments, and up to the points of the bayonets, they went in one resistless wave. Their deafening shouts drowned the roar of musketry, and, borne up by that lofty enthusiasm, which has made the hero in every age, they forgot the danger before them. On the solid *ranks they* fell, with such *terror* and suddenness, that *they* had not time to flee. The enraged Waldenses seized *them* by the hair, and trampled *them* under their feet; and, with *their* heavy sabres, cleaved *them* to the earth. The terrified French undertook to defend *themselves*, with their muskets, and, as *they* interposed *them* between *their* bodies and the foe, the Waldensian sabres struck fire on the barrels, *till the sparks flew in every direction.*"

Oh! most promising of the youthful writers of this country! E. L.

Dark Scenes of History. By G. P. R. James, Esq. New-York: Harper & Brothers.

Since the times of the "Great Unknown" his imitators have inundated our shelves with their productions. The Historical Novel offers such temptations, it is so easy to ransack an old chronicle, for obscure proper names, and borrow a little local color from contemporary writers, that almost every tyro in literature has chosen this style for his debut. Little, however, did they trouble themselves to imitate their great model, by deeply studying their task beforehand, by learning thoroughly the manners, modes of speech, and various peculiarities of the far-distant time to which

they referred their actors. They did not wait before commencing their work, until they had become, as it were, cotemporaries of their actors; a love intrigue for a plot, a few hints from the most accessible sources, and a little reading in some author of the period to be illustrated, are deemed sufficient preparation for launching into a historical novel. Whence it follows that the works of that school differ from each other in little else than the different proportions of truth and fiction in the mixture.

Of this system it is a melancholy consequence that many of our ingenious youth study from such productions, the little of the world's chronicle that they condescend to acquire, until it is impossible to persuade them that the clerical Avenel and his chivalrous nephew were not personages quite as seriously engaged in the affairs of their time, as Mary Stuart and Elizabeth; or that Quentin Durward was not as mighty a man as Louis XI.

Mr. James, than whom no literary sinner has more trespass, of the kind alluded to, to atone for, now offers to do some light penance for past transgressions,—or transgressions against the past,—by mixing his compound on a principle absolutely novel and un-novel like, viz.: a homæopathic dose of fiction to a large quantity of truth. In other words, he takes real events, of a striking character, and adds, of his own invention, only what is necessary to give them a dramatic effect.

It might occur to some malicious critic that the "Dark Scenes," now before us, are only a bundle of novels, in embryo; every one of which threatened the poor public with an octavo, at least, if Mr. James had had the leisure, or the inclination, to dilute them. Indeed, they do bear somewhat the appearance of sketches intended for future "filling up," cartoons of romances, or discarded materials, of past labors, hastily bound together into a book. But, whatever be the secret history of the "Dark Scenes," we, for our own part, vastly prefer them, in their present shape, and do heartily recommend them as harmless, and rather instructive reading.

The Gallery of Illustrious Americans.

The first number of a very elegant work, with this title, has been shown us by the editor, C. E. Lester. It contains a magnificent engraving of General Taylor; the best we have seen, without any exception or reservation. It is executed (lithographed!) by D'Avignon, perhaps the best living artist, in this line, who has given lithography an effect almost equal to the mezzo-tints etchings of Cozzens. The daguerreotypes for the work are by Brady. Twenty-four numbers, semi-monthly, will complete the work. A portrait of Henry Clay, and another of Daniel Webster, will succeed this one of President Taylor.

The work is of the largest size, and the letterpress the finest, perhaps, that has ever come from a New-York press.

Three centuries ago, the fame of a good printer was as wide as the civilized world; in these days of cheap reading and cheap writing, the art of printing is slighted, as something merely mechanical. And yet what an elegant piece of taste and ingenuity is an elegantly printed—how delightful to the eye—a pure, solid page, with type, architecturally proportioned, cut by a true artist, and printed smoothly, and of a raven black!

The work before us has all these excellencies. Taken altogether, it is perhaps, artistically, the best possible. Its purpose, as it has been explained to us, is to group together, into a gallery, twenty-four heads of the most eminent citizens of America, who have flourished since the death of Washington: each portrait to be accompanied with a suitable brief biography.

The numbers are sold separately for $1 each, the entire subscription being but $20, payable quarterly, in advance. The whole is on fine drawing paper, enclosed in tinted covers, and enveloped in a fine, buff-colored portfolio case, instead of a common wrapper.

On the cover of the present, or possibly the succeeding number of this journal, the reader will find a prospectus of the work. It is certainly the best thing of the kind.

Any of our friends or subscribers who wish to procure a specimen number of the work can have it forwarded to them by enclosing *five dollars*, with the order to this office, and directions for its safe transmission.

—*Publishers of the Amer. Review.*

The work is peculiarly worthy of Whig patronage, as it will embrace the portraits of the most illustrious men of that party. [Ed.]

Saroni's Musical Times.

We are given to understand that the editor of this valuable and singularly successful musical journal, has lately united himself in a joint editor and proprietorship with Eugene Lies, Esq., known by his poetical and critical labors, to the readers of the Democratic Review. Mr. Lies' excellent taste and scholarship, will, doubtless, add greatly to the value of the Musical Times. His attention will be given solely to the literary department of that paper.

Family Pictures from the Bible.. By Mrs. Ellet, author of the Women of the American Revolution. New-York: G. P. Putnam, 115 Broadway.

The plan of this gifted author, in preparing the work we are now noticing, seems to have been not so much to paraphrase the Bible, as to call her reader's attention to the beauties, artistically speaking, of the Holy Scriptures. Her groups are well chosen, and several of the papers in her collection, have been contributed by eminent divines, such as Dr. Bethune, Dr. Hutton, Rev. S. D. Burchard, and others. These papers are every way worthy of the names by which they are signed. As for the part which Mrs. Ellet has reserved for herself, we would observe that she usually displays uncommon tact, in pointing out the picturesqueness and dramatic effect of the events she illustrates. Artists in want of a subject may consult her pages, with manifest advantage, and the general reader will derive from her book entertainment and instruction at the same time.

R. Toombs

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POLICY OF THE NATION IN REGARD TO SLAVERY AND ITS EXTENSION.

PRESIDENT TAYLOR'S SPECIAL MESSAGE ON THE TERRITORIES.*

MR. CLAY'S RESOLUTIONS AND SPEECH.†

We approach the subject before us with feelings of unfeigned anxiety; it is not our intention to discuss it at large, or to weary the reader by repeating what has been already said, or demonstrating in new forms of argument what is already established. We do not feel called upon to show, that the general government must not interfere with the State sovereignties, nor directly or indirectly attempt any modification of their institutions; nor do we feel obliged to enter again upon a demonstration of the full powers of the central government over the territories of the nation. We look at these things as established, and we are willing that those who differ with us in regard to them, should continue to differ; awaiting for them, on our part, the slow but certain triumph of reason and common sense. The seed of truth has been sown; nature and time will cause it to grow and to prevail.

What we now offer to our readers is an enquiry into the relative merits of three distinct lines of policy which have been proposed to be followed by the nation in the treatment of slavery and its extension. The enquiry is at present the most important that can be entered upon; it must be impartial, and purely deliberative; from a point of view at once humane and prudent, but from which the interest of the nation as a whole shall be seen as paramount to that of any one of its members;—a point of view which needs no apology on his part who assumes it, and which, if correctly taken, with a sufficient knowledge of facts and a proper determination to abide by the great laws of nature and necessity, must lead to a conclusion, final, salutary, and that defies exception.

The first of these lines of policy is that which has been advocated, and is strongly urged, by the majority of Northern legislators, namely the suppression and prevention of slavery in all territories of the United States, by an act of the central government. We propose to discuss the *expediency* of such a measure; not its constitutionality; since we have already claimed for the national government a full and absolute sovereignty over the territories of the nation. We have used the word "expediency" as of large import, and having a moral, as well as a prudential significance and value.

*National Intelligencer, Jan. 22d, 1850.

†National Intelligencer. Also, Congressional Summary of this number. See page 320

The experience of every moral being will have taught him that there are situations in life from which the line of abstract justice, in its narrow and restricted sense, cannot be pursued. There are virtues in conduct, which, under the names of mercy, generosity, forbearance, and long suffering, are claimed to be among the highest attributes of humanity, revealing traits of divinity in man, and obtaining for him a respect which is denied to the merely just and retributive. A measure may be constitutional, but it may be ill-timed or inhumane: it may be constitutional, and yet smack of arbitrary power,—of oppression: it may, like the Wilmot Proviso, carry with it a sentiment of disrespect towards the minority; seeming to impugn the motives and discredit the intentions of great numbers — numbers forming a third part of the entire moral and intellectual force of the nation. It may be impolitic, as creating formidable dangers for the Commonwealth; enemies, plotters for disunion, conspirators, upon whom the law has no grasp, and against which the nation cannot defend itself. Such a measure, it seems to us, would be a legislative act passed in Congress by a mere majority, at the present moment, abolishing slavery, if it exists, and forbidding it if it does not exist, in every portion of the national territory. We hold to, and have steadily defended, the constitutionality of such a measure, and under other circumstances, we should advocate its immediate adoption: our *first* objection to it is its impolicy.

Measures are impolitic when they defeat the end for which they are adopted. They may be just and lawful in themselves, but fatal in their consequences.

They are impolitic, when their adoption at the present time will ensure their reversal and hopeless defeat at a future time. They are impolitic when, notwithstanding their intrinsic justice, *appearances* are against them. If, for example, appearances are such against the measure called the Wilmot Proviso, that it is regarded by those against whom it is directed, as an insult, or as a stroke for power, or a measure not calculated for itself, but for certain results not foreseen by the public generally and serving factious ends, it would be impolitic to pursue it. Even though a bare majority might establish it, or something resembling it, if its passage by such a feeble power served only to rally its adversaries to crush it with a second effort, the measure would have been impolitic: it involves too much to be trusted on a bare majority.

Those who desire, not for factious ends nor from any passion of revolution stimulated by vain theories, to witness the final extinction of slavery within the Union—to witness the extinction of an evil by the substitution of a good—the extinction of slavery by the only possible humane and equitable method, rendering justice alike to the slave and his master,—the method of *amelioration*—would do well to consider whether violent attacks upon that institution, are not more likely to prolong its existence than to effect their own truly humane purpose: Such attacks are impolitic.

It matters not whether an offensive aggression be direct or oblique; whether it be couched in courteous or opprobrious language; whether it be a measure attached to a bill, or the bill itself; whether it be a block thrown before the wheels, or a clog attached behind them: if its motive be insult and aggression, that motive will be penetrated by those against whom it is directed, and the insult will be the more bitterly felt as it is more ingeniously contrived.

Let Northern constituents, before they "instruct their Senators or advise their Representatives" to adopt the measure that is so offensive to the South, consider how that measure originated: it was adopted under the supposition that the war with Mexico originated in a secret and unavowed intention of the South to extend the area of slavery. The majority of Southern Senators and Representatives disavowed that intention: a proviso was brought forward which gave them the lie direct: which said to them, 'if you insist upon the acquisition of territory it shall not at least be slave territory.'

The South openly disavowed this intention: a proviso was brought forward, as a public act, founded upon the supposition that the majority of the South had been guilty of a falsehood. We have said, the majority. A few there were, certainly, among Southern Representatives, who intimated such intentions as those against which the Pro-

viso was directed, but they were a minority; they were few in number; individually of little weight; and we do not remember that their intentions were openly expressed in the councils of the nation. It was, then, against the unavowed intentions of the entire South that the Proviso was directed; it was an aggravation, and nothing more: had it passed, as a political measure it was worthless and ineffectual.

To understand its merit and effect as a law, we have first to observe, that it is a fact that slavery had been abolished in all the territories of the Mexican Republic long previous to the cession of any part of those territories to the United States. It is unnecessary to enter here upon any historical examination of the proceedings of the Mexican Government for the effectual abolition of slavery in its territories. We are not to enquire whether slavery, *de facto*, existed in defiance of the laws of Mexico, in any part of that Republic. If such slavery did exist, it was unlawful; a local evil, and not to be taken into the account after the cession of any portion of Mexico to the United States.

The Proviso was directed (it follows of necessity) against the possibility of the establishment, by Act of Congress, of slavery in territories where it did not exist,—in territories ceded by a Republic which had finally abolished that institution. The Proviso rested upon the supposition that it was a competent act for the general government of the Union to re-establish slavery in a region in which it had been abolished by the laws of another country; and, upon the supposition that Congress might, nay, probably would, perpetrate such a mischief. Had the Proviso become a law it would have been ineffectual. If the succeeding Congress had been determined, as the movers of the Proviso imagined they might be, upon establishing slavery in any part of the territories, it would have been as easy to rescind the Proviso as to do the thing so much feared. Would such a Congress have allowed itself to be shackled by such a Proviso? Would not the South then have argued for, as they have now against, the full sovereignty of the nation over its territory? Nay, would not they have claimed that this Proviso was an attempt to defeat the just and necessary legislation of succeeding ages? Would they not have argued that it was no law, but the effort of a feeble majority to establish a fundamental law?—the effort of the majority of two or three to establish a principle of legislation for all future times? Would it not be easy for a Congress, roused by such considerations, to rescind the Proviso?

Money was to have been appropriated for the addition of new territories to the Union, on the condition that, in the event of acquiring such territories, slavery should not be permitted or established upon them. Should not be established by whom?—by the general government? But in case the majority of the succeeding year chose to disregard the Proviso, before whom lies the appeal? The Proviso was not to be a clause in the Constitution, but an act of a mere majority, reversible by a succeeding majority; it was the mere majority of one year attempting to control the majority of the next; it was, therefore, in this sense, an impolitic measure,—as its very enactment would have weakened the cause it was intended to support, and would have drawn on the party of the South to attempt a direct legislation in favor of the establishment of slavery in the territories. It was the evident supposition of the Proviso that such an attempt would be made, and the supposition that it would be made couched in the form of law, would have ensured its being made.

It was a sullen spirit of opposition, a suspicious and a sullen spirit which dictated the form of the Proviso—a childish plucking at the skirts of one who has irresistibly moved by us. It implied, indeed, had it passed, a full confidence in the right of Congress to legislate for the territories, but its movers did not rely upon the direct exertion of that right; it expressed in them a fear that when the territory was acquired, it would not be in their *power* to prevent the extension of slavery upon it; it was a confession of weakness. If we are resolved that no part of the new territories shall be given up to the South, and deem it not only constitutional, but politic, to wrest them away—if we hold the consequences of such a measure in light estimation, let us legislate effectually. If you can obtain a majority for a Proviso attached to a bill, you can obtain a majority for an entire bill. We say, then, bury the Proviso out of sight,

with all the odium and unpopularity attached to it; never speak of it again; what you have to do, do openly, directly and manfully, and clutch no more at the tail of the lion, but sieze him by the jaws.

But it is not with the Proviso that we are at present occupied, it is with all and every species of legislation for the prevention of slavery in the territories of the Union. It is against the policy, not against the abstract justice or constitutionality of such measures that we are arguing.

Deprecating, as we do, every measure which will tend toward the establishment of slavery on the territories, and holding such extension among the greatest evils to be combatted,we are still averse to the employment of the direct constitutional power of the government for its suppression.

We now invite the reader's attention to a brief view of the lines of policy severally indicated by President Taylor in his Message of the 21st of January, and in the subsequent resolutions offered by Mr Clay, touching upon the various topics in agitation between the South and the North.

The policy of both is pacific and conciliatory. Neither the President nor Mr. Clay concede anything to the passions of either party, but rather demand of each important concessions, both to the necessities of the times and to the higher interests of the nation as a whole.

Seriously alarmed at the prospect of a long continued contest between the North and the South for the possession of California and New Mexico, the President was not slow in urging upon the people of that territory the only course which promised peace and security to the Union. The Hon. Thomas Butler King, Bearer of Despatches to California, was instructed by the President to advise the people of that territory to make an early application for admission into the Union. He "did not hesitate to express to them his desire" that each Territory should form a plan of a State Constitution, and submit the same to Congress, with a prayer for admission as a State. Under the Constitution, every State is the founder and regulater of its own municipal laws and domestic institutions. "The subjects thus left exclusively to the States were not designed or expected," says the President, "to become topics of national agitation." "Still, as, under the Constitution, Congress has power to make all needful rules and regulations respecting the Territories," "every new acquisition of Territory has led to discussions," whether slavery should not be prohibited in the new Territories. "The periods of excitement from this cause, which have heretofore occurred, have been safely passed, but during the interval, of whatever length, which may elapse before the admission of the Territories ceded by Mexico as States, it appears probable that similar excitement will prevail to an undue extent." The President thereupon earnestly recommends the admission of California, as soon as may be consistent with propriety.

The policy of the President in the treatment of the claims of Texas to the territory of New Mexico, differs not in purpose or in *principle* from that offered by Mr. Clay. He proposes that the territory shall be left *in statu quo*, defended by the general government from the invasion and inroad of its barbarous neighbors, and suffered to form itself as rapidly as possible into a State, which shall then make application for admission into the Union. After the admission of New Mexico as a State, the boundary dispute between herself and Texas can be brought before the Supreme Court of the United States and adjusted by the principles of the laws of nations.

As it is impossible to improve upon the style of this admirable Message, or to condense its statements, nothing but want of space has prevented our quoting it entire.

"Any attempt," say the President, "to deny to the people of the State the right of self-government, in a matter which peculiarly affects themselves, will infallibly be regarded by them as an invasion of their rights; and, upon the principles laid down in our own Declaration of Independence, they will certainly be sustained by the great mass of the American people. To assert that they are a conquered people, and must, as a State, submit to the will of their conquerors, in this regard, will meet with no cordial response among American freemen. Great numbers of them are native citizens of the United States, not inferior to the rest of our countrymen in intelligence and patriotism; and no language of menace to restrain them in the exercise of

an undoubted right, substantially guarantied to them by the treaty of cession itself, shall ever be uttered by me, or encouraged and sustained by persons acting under my authority. It is to be expected that, in the residue of the territory ceded to us by Mexico, the people residing there will, at the time of their incorporation into the Union as a State, settle all questions of domestic policy to suit themselves."

It is understood, that the State of Texas has no remedy against any decision that may be made against its claim to the territory of New Mexico by the general government. The question is one over which the Supreme Court has no jurisdiction; the previous decision of Congress being necessarily a law to them.

In regard to the admission of California, Mr. Clay is explicit. He holds the same opinion and offers the same line of policy with that adopted by the President.

For our own part, we confess to have been more astonished, and to have had our confidence more deeply shaken, by Southern opposition to the admission of the new sovereignty, than by any previous action of the extreme Southern party.

It is understood that in California, out of 15,000 votes or thereabouts, some 800 or 1000, only, were opposed to a State Constitution adverse to slavery. Such a vote is equivalent to unanimity; it is the voice of an entire people; it is a voice, which, if not listened to, will perhaps make itself heard in other and more formidable accents. Are the South so jealous of State sovereignty? do they hold the voice of a sovereignty in such high respect, in such a sacred regard, and do they believe that a piece of parchment, or an entry in the records of Congress is the divine source from which it sprung? Do they believe that there is no State, no people in California, until they, the majority of one, have decided that there shall be?

Would the revolt of any portion of an American Republic, and the establishment of an independent sovereignty, be a thing wholly new and unheard of on this continent? The road across the deserts is perilous for our troops; and how is it with them when they arrive in California? They fraternize with the people, and desert to the mines. We cannot carry on a successful war against California; we cannot drive her into the adoption of a Constitution of our own making. We must receive her—we, the sovereignties—as an equal, and a sister sovereignty; or, if she be of our own spirit she will turn from us in contempt. What need, then, to enact laws for the suppression or the establishment of slavery in California? for that is one of the points at issue. But, perhaps, the deserts are in danger of the slave-holder; the steep defiles and arid plains of New Mexico are in danger of cotton and sugar cane. Nature has settled all that; why legislate against nature? Legislation in such a spirit, shows not merely a want of magnanimity, but a want of prudence. If a law is not intended to effect an object, but merely to express a passion, it is, indeed, a blow struck into the air; but it is a shaking of the fist at the adversary—a passionate hectoring which will not fail to rouse him to some resentful action, or at least awaken contempt.

The general doctrine of the Resolutions offered by Mr. Clay is, that although the *power* of Congress to make laws for the territories is undeniable, it is, at the present moment, and, under existing circumstances, not only inexpedient, but unnecessary to legislate for them in regard to slavery. That institution having been already forbidden by the laws of Mexico in New Mexico and California, and by the Resolutions of Annexation in the territory lying north of 36 deg. 30 min., what need of any farther legislation upon the subject? If slavery must needs be brought upon the new territories, let the responsibility of this introduction rest upon the new sovereignties which are to be formed upon it. * * * Mr. Clay urges, that it is proper for both sides, in this great controversy, to make concessions; we conceive the line of policy which he has pointed out for us, to be at once humane and just, and worthy of the eminent position, a position of mediation, in which Mr. Clay has been placed by the universal respect of the nation; he is held to be a person of sufficient dignity to offer resolutions of mediation and concession; the nation have permitted him to do this; have applauded and encouraged him in it; and already the spirit of toleration and forbearance begins to temper and subdue the heat of party animosity in all parts of the country where the resolutions, and the argument

which defends them, have been read by the people.

Because slavery does not exist in the territories acquired from Mexico, and is not likely to be introduced there, that is the reason why it is unnecessary, and, therefore, inexpedient for us, to legislate upon the subject.

In regard to the treatment of the claims of Texas upon the United States for the territory of New Mexico, which she calls her own, wishing to include the most populous part of that territory within her own boundaries, Mr. Clay has offered a line of policy somewhat different in principle, though identical in aim with that offered by the President. Claiming for the general government an unquestionable and undivided power of deciding the controversy and fixing the line of boundary, he advises that a certain portion of the debts of Texas shall be assumed by the general government, in compensation for the resignation, by Texas, of all pretensions on her part, to the territory in question. That then, a boundary shall be given to her, adding largely to her extent, and yet not including the populous parts of New Mexico, nor impairing the integrity of that territory, so soon to become an important member of the Union.

The language of the resolution of Annexation is, that "Congress doth consent that the territory properly included within, and rightfully belonging to the Republic of Texas, may be erected into a new State;" leaving the ascertainment of the boundary for a future time, as follows: "Said State to be formed, subject to the adjustment of all questions of boundary, &c., &c."

Mr. Clay argues, that as Mexico and the United States, conjointly, might have fixed the boundaries of Texas, the power now lodges solely in the United States, which was jointly possessed and exercised by her with Mexico.

How is it with regard to the limits of new States? (we add of ourselves.) The people of a certain territory petition to be made a State, with certain boundaries; their petition is granted, with such boundaries as Congress, in its wisdom, may see fit to mark out upon the domain; and this is the mode in which the boundaries of new States have been defined.

Mr. Clay adds, that *possibly* after the boundary has been fixed by the United States, Texas may bring the question before the Supreme Court. But that "there are questions too large for any tribunal of that kind to try, — great political questions, national, territorial questions, which exceed their limits;— for such questions their powers are utterly incompetent." He will not insist that this particular question is beyond the range of the court; but he claims that the United States are now invested solely and exclusively with that power which was common to both the contracting parties, to fix, ascertain, and settle the western and northern limits of Texas. He contends for the full power of the Government, under a clear and obvious necessity, to dispose of any portion of its territory, as the public good may require, when the limits of that State are ascertained. With regard to Texas, all is open and unfixed. The territory was purchased from Mexico at the price of $15,000,000, and a costly bargain!! and Texas cannot claim, as her own, what has been purchased by the nation.

Mr. Clay proposes that as Texas had incurred a debt before her annexation, for which her revenues were pledged, the people of the United States, being in the enjoyment of those revenues, may, with propriety, pay a portion of this debt. He states, that in the resolutions of Annexation it is clearly stipulated, that, in no event, should the United States "become liable for, or charged with any portion of the debt or liabilities of Texas;" but, says Mr. Clay, there is a third party, who was no party to the annexation, that is to say, the creditor of Texas, who advanced the money on the faith of solemn pledges made by Texas to him to re-imburse the loan by the appropriation of the duties received on foreign imports.

By the letter of the law, and the terms of the resolutions of Annexation, we are not under any obligation to assume any portion of the debts of Texas. But if we should, from other considerations, see fit to do so, then there is a kind of propriety in our assuming that portion for which the revenues were pledged.

The policy of Mr. Clay differs from that of President Taylor, in the single point of the method by which the boundary between

New Mexico shall be ascertained. Both agree as to the sufficiency of the laws of Mexico, still in force there, to render any action of Congress upon her territory, in regard to slavery, unnecessary. Mr. Clay, indeed, advises the establishment of a territorial government, by which a line of boundary must, of course, be adopted. President Taylor would only protect the people of New Mexico from aggression, until they shall be strong enough to form a sovereignty of their own, and then have the question of boundary settled by the Supreme Court.

The plan of Mr. Clay is probably the one most acceptable to Texas, and, perhaps, to the South generally, were it not for the prejudice of that portion of the Union against the exercise of power necessary to the fixation of the boundary. It is also, in all probability, the one that will be received with greatest favor in New Mexico, as it promises a speedy protection and liberation. The inhabitants of that territory have sent a petition, requesting the establishment of a more efficient government to protect them against the inroads of the Indian tribes, from which they represent they are suffering dreadfully at the present time. They are also strongly opposed to Union with Texas: considerations, which will ensure the popularity of Mr. Clay's plan of legislation. That of the President, on the other hand, avoids much argument, and leaves the question of boundary to be settled by a competent tribunal, if indeed there is any evidence upon which the Court will find it possible to found a decision.

Of equal moment in this formidable controversy is the question of the abolition of slavery in the District of Columbia. Mr. Clay argues against it; not upon the ground of its unconstitutionality,—for he contends that the *power* of Congress to legislate for the district is unquestionable by the very words of the Constitution itself, but because it is necessary to have regard to the intentions of the ceding States, out of whose territory the district was originally composed. All that remains of the District at present, is that which was ceded by Maryland, the portion given by Virginia having been subsequently retroceded to that State. The power to abolish slavery in the District does not indeed lodge in Maryland, and it therefore most evidently resides in Congress itself. But it may be highly improper and inexpedient,—perhaps it may even be an act of tyranny and dishonor—to employ that power in this particular instance.

Mr. Clay urges that it never could have entered into the thoughts of the people of Maryland and Virginia, when they made the cession of their territory, that slavery would be abolished in the District before it was abolished in their States; and it would be taking an unfair advantage of them to make use of their gift in a manner contrary to their wishes. This is the argument from dishonor. It is necessary also to consult justice. If slavery is abolished in the District, the owners of the slaves must be fully compensated for their loss; and, moreover, as the wishes of the people ought, in all important cases, to be consulted, the assent of the inhabitants of the District must be obtained, if we would remove from the act the imputation of tyranny. The people of the District have no representation; and, it is, therefore, necessary to use the greatest delicacy and caution in making laws for them, and to consult their wishes in so momentous a matter. These conditions must all be fully satisfied, Mr. Clay argues, before it can be either just, honorable or expedient to abolish slavery in the District of Columbia.

In regard to the slave trade in that District, however, Mr. Clay speaks of it in terms of the severest condemnation and abhorrence, and would have it immediately abolished, by authority of the general government.

It seems, at first view, an intolerable thing that the seat of government of a free country should be contaminated by the presence of a slave. This is the enthusiastic view of the matter: we forget, in indulging it, that the District, being chiefly inhabited by officers of the government, and representatives of the entire nation, does necessarily, in itself, represent not merely the free, but the slave States. Southern Representatives residing in the District, become citizens of the District. They, of course, bring with them their domestic servants, to whom they are personally, often tenderly, attached. It is necessary to pay a regard to their feelings, in this matter at least. The District represents the entire nation, and the domestic

institutions of every State in the nation; a consideration not merely therotic, but very practical; and which, lying as it were latent, and unrecognized, in the mind of Northern legislators, has made them hitherto extremely reluctant to employ the power of Congress against slavery in the District.

In regard to the securing and restitution of runaway slaves, the action of the Northern States has been, in many instances, adverse to that provision of the Constitution which requires it. Mr. Clay hopes that the Legislatures of Northern States may be induced, by calmer considerations, to retrace their steps in this direction. We conceive that the opposition of some portions of the Northern people to the re-delivery of slaves, has arisen from the very general opinion entertained there that negroes are badly treated by their masters in the South; that they are made merchandize of, and bought and sold without remorse. This opinion has arisen chiefly from the observations of Northerners residing in the District of Columbia, where they see a traffic in slaves carried on within sight of the Capitol. The abolition of this traffic, it appears to us, would be not merely a humane, but a highly politic measure for the South, and would serve to quiet excitement and agitation.

Mr. Clay's last resolution, that Congress has no power to prohibit or obstruct the trade in slaves between the slave-holding States, seems to be almost a necessary deduction from the admission of a sovereign power in those States over the institution itself. The owner of a slave, in one State, is also the owner of him in the State adjoining; he, therefore, has an unquestionable right to move him across the boundary, unless forbidden by one or other of the two sovereignties themselves.

Laying aside, for the present, all propositions for a direct legislative prohibition of slavery in the territories, not as they are unconstitutional, but as they are ill-timed and unnecessary, we come upon the second line of policy which has been proposed—the policy of establishing a line of compromise on one side of which slavery shall be prohibited, and on the other, permitted, if not tacitly established.

The objections to this measure are obvious and insuperable.

Whatever line is adopted will be, of necessity, a shifting line; it cannot be fixed upon any equitable principles. If an equal division of territory is to be made, (and it is now necessary to exclude California, she having declared against the introduction of slavery; and New Mexico is in a fair way, also, to take a similar course with her sister territory,) between the North and the South, it will be either equivalent to a direct legislation, establishing slavery in one part of the territory, and forbidding it in another; or it will be a measure wholly useless and of no avail to the South.

By whatever means the introduction or prohibition is legalized, whether by a joint resolution of compromise, or by an act, or a proviso attached to an act, such legalization by act, by resolution, or proviso, will be an implied denial, a giving up of the great doctrine of the South,—for which it has contended so stoutly,—that Congress has no power to legislate for the territories. Adverse to that doctrine, and insisting, for our own part, on the constitutionality of a *direct* legislation for the entire territory, we are unwilling to admit the *principle* of such a compromise as has been proposed, as a basis of legislative action.

The establishment of a line of compromise, dividing one part of the territory from another, is a division of what ought not to be divided; a division of sovereignty; it is a denationalization of the public councils; we even doubt the constitutionality of the measure. The North enjoys as full and complete a sovereignty over the new territories as the South; and is it allowable for a majority in Congress tacitly to yield the power of legislation, the sovereign power which is inherent in the North as truly as it is in the South—which is inherent not in any one State or group of States, but in the entire nation? Not so, however, in case the power were expressly reserved of legislating in future for the territory South of the line as might seem expedient: but the South would not agree to any reservation; if a line is adopted the adoption is final.

Mr. Clay is opposed to the adoption of a line. Were the line established, he says, it would be illusory to the South;—that slavery will not establish itself there, being already interdicted by nature, and the fiat of the people in California and New Mexico: and it would be mere madness to at-

tempt a direct legislative action, establishing slavery where it is interdicted, both by nature and by circumstance. He says that if slavery be interdicted north of the line, the South will have gained nothing, unless it be established by the same act, south of the line; but that is an impossibility: there could not be twenty votes got in favor of it. It has been said, he continues, that non-legislation on this point, in regard to California, implies the same thing as the exclusion of slavery from that region. "That," says Mr. Clay, "we cannot help: that, Congress is not reproachable for. If nature has pronounced the doom of slavery upon those territories —if she has declared, by her immutable laws, that slavery cannot and shall not be introduced there, whom can you reproach but nature, or nature's God? Congress we cannot;—Congress abstains;—Congress is passive;—Congress is non-active in the plan which proposes to extend no line;—leaves the entire theatre of these territories untouched by legislative enactment, either to exclude or admit slavery." "I ask again," he continues, "if you will listen to the voice of calm and dispassionate reason, —I ask of any man from the South to rise and tell me, if it is not better for his section of the Union that Congress should remain passive, on both sides of any ideal line, than that it should interdict slavery on one side of the line, and be passive in regard to it on the other side of the line?"

A compromise line adopted by resolution, is an act equivalent to the establishment of a fundamental law. Though it be not an act in a strictly legal sense, it is a something more than an act; it is more effectual, because it is irreversible, irrevocable, and cannot be repealed. It is a resignation, or rather a division, of the highest function, that of sovereignty over persons, by a mere majority, between two sections of the nation. We say, therefore, it is equivalent to a fundamental law, and in so far as it has any effects whatever, must have the effects of such a law.

A line of compromise, to be an equitable line, should be a shifting line; nor should it be a parallel of latitude, as it is a division of property,—nay, more, a division of sovereignty; it must be drawn, if justly, with regard not merely to the extent but the probable *value* of the territory so divided. It must be a shifting line, because with every new addition of territory a new division must be made. Should the line be drawn through New Mexico, and a portion of that territory given up to the South, and the division regarded as an equitable one, no sooner then shall we have added Cuba, or, by cession from Mexico, the countries south of Texas, the line has ceased to be equitable and must be moved farther south. We need not speak now of Canada, though it is easy to see how the addition of the two Canadian States, with the vast territories attached to them, would rouse the jealousy of the South, who would then demand a re-adjustment of the line, were its position unsettled, or if not, then the purchase of more territory to maintain the balance on their side.

But the adoption of such a line implies an idea, false, and contrary to nature, of the causes of this great controversy. The people of the North, looking upon slavery merely as a form of government, and which might be erected upon any soil and in any climate, have placed too little confidence in nature and necessity. They have not considered that slavery cannot be carried out over the prairies of the West, or into the defiles of the Rocky Mountains. The growers of cotton, of tobacco, of rice, and of sugar, seek out such fields as are suitable to the products which they cultivate; and these are the only products to which slave labor can be profitably applied; there is a limit to this institution, beyond which if it is attempted to be forced, as it has been in some parts of the continent, it is depressed and extinguished by the slow but certain operation of natural laws. Such was the fate of slavery in Connecticut, in New York, in New Jersey, in Pennsylvania, and such, beyond all reasonable doubt, must be its fate in Delaware, in Maryland, in Virginia, in Tennessee, in Kentucky, and in Missouri. The negro laborer thrives in climates where the white laborer perishes; negro labor is not profitable excepting under circumstances peculiarly favorable; the crop must be one of four kinds, already mentioned; for though maize and other grains are largely cultivated at the South, they are not counted among the great sources of wealth: were corn to be the only export of the South, her wealth might be soon counted. The

fixing, therefore, of a line of compromise would be, in another sense of the word, a compromise of the laws of nature.

Were the line so drawn as to embrace countries in which negro labor is unprofitable, the institution of slavery would be forced out upon territories wholly unfitted to receive it—territories like New Mexico and California, where the labor of white men, artizans and tillers of the soil, is not only possible but profitable. Governments have a weighty responsibility in directing the course of the emigrant; in preparing the way for him; in showing him to what lands, to what waters he should repair,—in preserving him from the rapacity of speculators, and from the disastrous effects of his own ignorance. But it is perhaps all in vain to speak of these things in this age of "individual enterprise." Governments have now only to bury the dead, if we accept the tenets of a certain school.

Visions of colonial prosperity are dashed by the experience of a single man; if one man cannot make wheat grow in the deserts, a thousand never will; if rice and sugar abhor the climate of New Mexico, if cotton refuses to be profitable there, the South will storm and legislate to little purpose. The master may take his slaves into a new region, to contend there with new difficulties, but it were far better for him to give them a new discipline, to give a new direction to their energies at home, than to follow a dream. But when the madness of the private man is stimulated by legislation, when he is gravely sent to his ruin by Senates and Houses of Assembly, then comes calamity indeed; and the State buries her citizens in the wilderness, she buries her treasures there, something better than gold,—the spirit and the energy of young adventure.

And what is the origin of this monstrous procedure? this attempt to force out the institution of slavery upon soils unfitted to sustain it? To maintain what? The BALANCE of POWER!

There are now fifteen against fifteen. California, New Mexico, the coming States of Oregon and Minesota, and perhaps the two Canadas, will turn the scale; and then, what becomes of your Balance of Power? We have admitted Texas; we are bound, therefore, by obligations as solemn as oaths, to admit California. When the Canadas offer, we must accept them too; Minesota and Oregon will have to be received; with decency we cannot refuse them. At best, we can only defer and procrastinate; they must come in; they are knocking at the door, and if we, the door-keepers, refuse them entrance, the nation will, without much controversy, elect new door-keepers more hospitable than we.

Balance of Power!—who holds it? Who is it that wedges in this detestable delusion between the Northern and Southern sides of this body of one soul and one life? The States of Europe, existing in a condition of perpetual hatred and alarm, held together by no principle of right, no declaration of liberty, but if at all, by temporary and interested alliances, confessions of mutual weakness or wickedness; their governments, the prize of every military adventurer; the system itself a chaos, changeful as rolling smoke clouds, which assume every instant a new figure and position; to-day, a monarchy, and the affiliation of monarchies; to-morrow a revolution, a demagogue changing swiftly into a despot, and then an expansive and soon collapsing empire,—in such a chaos, what can England do for herself, but maintain a BALANCE of POWER? England holds the Balance of Power for Europe; wisely and prudently for the most part, with a clear head, and an unflinching resolution, she watches the contending powers of the continent, and, when the scale turns to her own disadvantage, hurls in her cannon and her ships to make the balance again even. England holds the Balance of Power for Europe; but who holds it here? There is no analogy. America contemns, denies and denounces this doctrine of divisions. Late in the day we have this new delusion of a Balance of Power, sprung upon us by the State of South Carolina. Is she the third party, forsooth, between the Northern and the Southern halves of this great empire, of this nation of twenty millions, absorbing a continent, and holding the destinies of arts, arms and commerce in her hopeful future?

In the closing remarks of his speech, Mr. Clay alludes, with great force, to the consequences of a dissolution of the Union, or to a ceeession from it, of any portion of the slave States. Were the Union dissolved, it would be no remedy nor redress

of grievances for the South; the territories would not thereby be converted into slave territories. In the event of this dissolution, slavery would not be restored in the District of Columbia had it already been abolished there. Were the several States independent of each other, slaves escaping into the non-slave holding States, could never, in any instance, be recovered. Where one slave escapes now, hundreds and thousands would escape if the Union were dissolved, no matter where or how the division might be made. The attempt to recover these slaves upon the borders would keep up a perpetual civil war, until slavery in the border States of the South was extinct and every negro converted into an insurrectionist. "In less than sixty days" after such an event, "war would be blazing in every part of this now happy and peaceful land."

But more forcible than any reasons from expediency, is the well established doctrine which Mr. Clay here enforces in his most eloquent and powerful manner, that the secession of a State is impossible without an entire destruction of the system. Were that system broken up, "there would be a confederacy of the North, a confederacy of the Southern Atlantic slave holding States—and a confederacy of the Valley of Mississippi. "My life upon it, the vast population which has already concentrated, and will concentrate, on the head waters of the tributaries of the Mississippi will never give their consent that the mouth of that river shall be held subject to the power of any foreign State or community whatever. Such, I believe, would be the consequences of a dissolution of the Union, immediately ensuing; but other confederacies would spring up from time to time, as dissatisfaction and discontent were disseminated throughont the country—the confederacy of the Lakes, perhaps the confederacy of New England, or of the Middle States. Ah, sir, the veil which covers those sad and disastrous events which lie beyond it, is too thick to be penetrated or lifted by any mortal eye or hand." The distinguished orator declares that he is for staying within the Union, and fighting for his rights, if necessary, within the bounds and under the safeguard of the Union. He will not be driven out of the Union by any portion of this confederacy. One or more States have no right to secede from the Union. "The Constitution was not made merely for the generation that then existed, but for posterity—unlimited, undefined, endless, perpetual posterity," and every State that has come into the Union has bound itself by indissoluble bands, "to remain within it by its posterity forever." There can be no divorce—there must be conciliation and forbearance. War and dissolution are inseparable—a war, terrible, exhansting, exterminating, until some Philip or Alexander, some Cæsar or Napoleon, should arise and cut the Gordian knot, and solve at length the problem of the capacity of man for self-government.

In the course of the preceding argument against the expediency, *first*, of a direct legislative action upon the territories, and *second* of the adoption of a line of compromise, we have sufficiently developed the principles of the *third* line of policy, which has been so ably indicated and defended in the Message of the President and the resolutions and speech of Mr. Clay. This policy neither assaults the prejudices, nor compromises the principles of either section. It is based upon the general opinion of the nation, that slavery is not a system which we should desire, for its own sake, to see extended, and which ought indeed to be restricted; but that the necessary restriction having been already made by nature, and by circumstance,—it would be unwise, to say the least, to move at the present junction, for any legislative action, either by compromise, or by direct prohibition, against the extension of slavery.

SHIRLEY, JANE EYRE AND WUTHERING HEIGHTS.

These brilliant novels are written by kindred hands, and shew a marked resemblance of mental powers in their authors, and as strong contrasts of character. The knowledge displayed of the springs of human conduct, is wonderful, as is the dramatic power, which, in a few bold touches, brings the strongest but most truthful phases of character before us. Both writers, too, are wanting in that inferior creative genius which makes mere narrative interesting. Their plots drag heavily along; and we bend over the pages, as gold-diggers over yellow sands, in search of hidden treasures. This defect injures their power of portraiture, and some scenes are failures, plainly from inability to weave incident to clothe the fair conceptions of their fancy. But this dullness of the back-ground increases the vividness with which the main figures are thrown forward. The life-like effect is indeed so great, that, with Shakspeare's characters, no one doubts their existence. Jane Eyre, and Rochester, and Shirley, as well as Hamlet and Juliet, live, and are very well known to all that have once read of them; they are choice acquaintance, and have more reality to us than nine-tenths of the men and women we shake hands with, and salute every day of our lives. But not merely in character do these novels excel; they are the best love-stories we have ever read; and first in this respect—let not our fair readers shudder—stands Wuthering Heights. This book tears off, roughly enough, the tinsel from passion. It has no interest of plot, range of character, or the chivalric attributes that love gives birth to, or rather displays; but we have the man, harsh, pitiless, wolfish, without a spark of kindness for the woman whose passion yet fills his whole life, with less than kindness for his fellow-men; a human wild beast, uncommon but not unnatural, of whom there are many around us muzzled by society, and who show their fangs only in troubled times. The woman, too, equally dead to pity, but without downright malevolence, is bright and biting as a clear day in winter. The passion of these human tigers for each other is pure love, or rather *sheer* love. Selfish—as all love is in its essence; not sensual, for it is a woman that writes—fierce and frenzied. Their passion-plaints are "beautiful exceedingly." Thoroughly selfish, for they are without those traits that re-act on love and redeem it of its selfishness. Parrhasius-like, they would have doomed each other to hideous tortures, to have drawn forth one gasp of passion. Without the shadow of remorse for the share he had in her fate, he lives through many years with his heart moaning for his love; he hears her in the wailing winds, he sees her in the midnight mists; when he dies, worn out by his heated brain, the hope that smiles on his brow is to have his place in the church-yard corner where she lies; brighter than heaven to him, to lie by the side of the dead woman.

Equally truthful, though less wrought up, are the love-scenes in Jane Eyre and Shirley; less wrought up in the portrayal of passion, they involve a greater knowledge of character, and in one respect are complete studies. So far as they go, they present a perfect analysis of love. They point out the mental and moral traits for which, and for which only, men and women love each other. Personal beauty is mental beauty shining through the form and features. A thick opaque countenance may hide the beautiful soul within; distorted features may caricature it, but the assistance that regular features give is negative; they are the *tabula rasa* on which our hearts write their stories. In the painting of this inward comeliness, the writer shows all her strength. She wastes no time on the mere appearance of her heroes, and in skilful touches pictures how the hearts of her women are won by manly qualities alone; manly *qualities*, not acts. The purposeless lives of the men in these books is objected to, and cited as a proof of the

writers being women. The conclusion is good, but the objection fallacious. The common error in literature is the representation of passive emotion by action. Feeling is quiescent.

> "As when a bell no longer swings,
> Faint the hollow murmur rings."

Character is shewn as much by the fireside as in the battle of life; and women, who are the quickest to perceive native force, see nothing of men in their struggles with the world. Our manners with them are trimmed to as unvarying a standard as our coats or our whiskers; but a single word or tone, a flash of the eye or quiver of the lip, and the strong heart is bared to these quick observers. The still life of these novels is well fitted for this delicate training; and admirably is it accomplished. The strong soul in man is beautiful to women; still more so the strong soul that is "tender and true." Force and gentleness compel their love. Shirley, who already knows that Gerard is a man among men, unmoved by danger or disaster, self-reliant, unflagging in the pursuit of his foe, is told by Caroline that he is, among those he loves, gentle and considerate. Shirley is instantly struck with his personal beauty.

"'I know somebody to whose knee the cat loves to climb; against whose knee and cheek it likes to purr. The old dog always comes out of his kennel andwags his tail, and whines affectionately when somebody passes.'

"'And what does that somebody do?'

"'He quietly strokes the cat, and lets her sit while he well can, and when he must disturb her by rising, he puts her softly down, and never flings her from him roughly; he always whistles to the dog, and gives it a caress.'

"'Does he? It is not Robert.'

"'But it is Robert.'

"'*Handsome fellow*,' said Shirley, with enthusiasm; her eyes sparkled."

The authoress has slight sympathy for kindness; hence the *action* in this picture. She is fully alive to magnanimity; hence its dramatic truth. Its deep philosophy comes from the heart of a woman, not the brain of a man.

The character of Louis More, and the scenes in which he bears a part in the latter part of the book, are, in a degree, failures. The materials were poor, and the author's constructive powers unequal to the task. The tutor, the maiden, and a choleric old uncle, together with the, perhaps, intentional poverty of the plot, were too much, even, for this writer. Bulwer would have worked up the same materials to intense interest, but he never could have given utterance to the beautiful thought that was vainly struggling in the brain of the authoress of Shirley. She wished to draw the Apollo of a heart which less than Apollo could hardly fill. What such a heart could comprehend, it could not love. Shirley saw that Gerard had worth, knowledge of men, simple dignity, and he excites her woman's admiration. She saw, too, his self-ignorance and narrowed sphere of thought, and he fails to move her love. The writer wishes to paint a man superior in every respect to this noble-hearted, noble-minded woman. Inferiority in the man, of any kind, even conventional, destroys the perfection of love. This trait she paints in two words.

"'My pupil,'

"'My Master.'"

Before he can speak of love to her, he escapes from their present social position, and reverts to their former relations of teacher and scholar.

Lamartine in Raphael forgets this point when he makes his hero sit a snubbed youth in a corner, while his mistress, as a woman, is treated with deference by the assembled savans. Our authoress wishes to paint the ideal that is in every woman's heart.

Such a man never trod the earth but once. His story is simple and old. But the manhood of that man has never been repeated. She could do no otherwise than fail.

The scene between the lovers and the testy old uncle, ends in a caricature. Such a character as the tutor's should hardly indulge in vulgar violence; at any rate, it should have been demoniac. Heathcliff, in Wuthering Heights, would have thrust the offender by the head into the burning grate.

Caroline, is a character the masculine readers of this book will delight to dwell upon. Submissive, sympathizing, truthful, seeking support for her gentle nature, she has for Gerard all that boundless devotion that Shirley could also feel, but only for superhuman perfection.

The fervor of manly love is drawn with

great effect, but with less analytic nicety; a woman herself, she cannot fully understand the feelings of men.

One defect running through these novels is, the unintended refinement even in the coarser personages. Women seldom know, unless by dire experience, the full brutality, or rather brutishness, of bad men's hearts. The submissive character of women tends, in imperfect natures, to meanness; the rugged force of men, to brutality. The feminine fault, consequently, is shewn with great accuracy in the wife of Heathcliff; the masculine error is nowhere completely described. There is a refinement of nature even in the vampire Heathcliff, amid all his hideous harshness. The very awkardness with which the writer puts an occasional clumsy oath in his mouth, is an instance of this.

The elements of character worked up in these books are *phrenological;* and the general interest they have awakened, is a strong tribute to that slumbering science. That angular family, the Yorkes, are a phrenological study. The censorious, strong-minded Mrs. Yorke, with her jealous envy of the young and fair: Yorke himself, like a dry wine, harsh to the palate, but of delicious bouquet. His democracy, however, is not in keeping. His want of veneration would have made him merely indifferent to social distinctions,—a poor man, he might have been a noisy democrat, but not an earnest one: a rich man, he would have sided with those that suited his tastes. Large veneration is required to respect ourselves or respect others, both of which feelings we must have to feel the stings of caste. We suspect, if Yorke was drawn from nature, there must have been a spice of vulgarity in the original, which, assuredly, there is not in the sketch; and he naturally contemns what he cannot attain.

The curates, in Shirley, are a fine group, and stand out in bold relief from the rest of the book; the more so, that they seem to have nothing in the world to do in it. They shew strongly the authors inability to manage the mere frame work of a novel. Her mind teems with analysis of character, but wants power of artistic development. Donne is a gem. Self-esteem in some combination, thin-skinned, and all raw nerve, when alone, and unrestrained, wears a perfect coat of mail. Scorn, ridicule, contempt, are all wasted on its brazen front; and Shirley's lively mode is absolutely the only way to deal with it. Dead to all shame, or praise, or blame, and alive only to interest and self-importance, it forms what are called impracticable characters; men utterly unwarmed by moral influence or noble personal traits, and yet hindered by no foolish sensitiveness in carrying their own points. *Any* man, at *any* time, for *any* purpose, is their golden rule. Their obtuseness they complacently call energy, and the world as complacently believes them.

These writers invariably fail in benevolent characters. Whatever is within the compass of their own varying moods, they can accurately and dramatically portray. Beyond that no one can go. Feelings wanting in our own breasts, we can no more comprehend than a man, born blind, can light. Lack of conscience thinks right and wrong conventional forms. *Un*benevolence calls pity, ostentation or weakness; and when experience forces it on us that these are really windows of the soul, which in ourselves are darkened, we still see only *acts*, not to be explained but by a moral sense unknown to ourselves. Hence, the tameness of the benevolent personages in these novels. In fact, there are none. Sometimes it is sympathy of man with man; sometime it is weakness. Caroline, the assemblage, otherwise, of all that is perfect in woman, sympthathizes fully, but sympathizes only, with the governess. Mr. Hall sympathizes with the pauper; at other times he is only a weak, simpering old gentleman. What this defect, however, loses in universality, it gains in piquancy. Every character in the books has a touch of it, and it gives most of their raciness to the Yorke family, Rochester, and Shirley.

In Wuthering Heights and Wildfell Hall, both pity and justice are unknown words. The complete absence of the latter feeling is singular. There is no intention about it; the writer is clearly unconscious of the want. There is no pruning away purposely to portray a one-sided character. The writer is of false proportions herself. This is plain in the heroine of Wildfell Hall, who tells her own story of her infamous husband, but who, as we read, we feel assured, conceals her own culpability. This character is not true. To benevolence, however, this authoress makes

no pretence, and in this respect her sketches are truthful.

She draws a phase of character not seen in Jane Eyre and Shirley. With few exceptions, her men and women all have the sullen lower of destructiveness. Her young people are tiger-whelps, that cuff each other for play. The whine of affection is followed by the growl of rage. The gloomy depths of her own heart she bares with terrible skill. She paints the wild beast in man, not gorging himself with blood, but in repose; and we shudder at his scowl and mutter, as at the death-roar. It is a perfect anatomy of ferocity. Destructiveness and combativeness in the brain lie side by side, and their mental developments are so closely combined, that to discriminate requires the nicest dissection. We see their combined action in varying shades, from the good-natured fight of the Englishman, followed by "shake hands and be friends," to the hacking and hewing of the Western gladiator with his bowie-knife. But here, there is none of the keenness of combativeness; nothing impulsive. All is sullen; the snapping and snarling of wolves, the hiss of the serpent, the yell of the panther.

From the moral-picturesque of ferocity and tenderness, she works up some scenes of wild pathos. Sweetly across this wintry sky come soft gleams of light, a ray pierces the night, and the gloom of this iron soul changes into drear beauty.

The writer is chary of these touches, and hence the repulsive nature of this book. No simple element, moral or natural, possesses beauty of itself. It is in the combination of contrasts that the heavenly flame bursts forth. The representation of any one feeling is interesting only as scientific analysis; but from the god and the fiend that sit side-by-side in man's breast are evolved the true conditions of sublimity.

In Shirley and Jane Eyre, there is not a single well-drawn female character that is not cast in the Shirleian mould. Caroline strikes us with an appearance of feebleness which by no means belongs to the gentleness and boundless devotion she is meant to personate. The authoress has little feeling of the kind herself, and she cannot distinguish between negation of force, and the traits that give sweetness and pliability to women. Caroline's mind, also, is not of the true feminine cast. Like Shirley's, it is analytic and shrewd, and not lively, imaginative and tasteful. The writer could only draw from her own masculine mind, and half-masculine soul.

Mrs. Pryor is an utter failure. Mrs. Yorke, on the other hand, one of the best characters in the book, is a matter-of-fact, heavy-minded Shirley. Jane Eyre is Shirley herself, under the depression of caste and wearying duties. This mannerism gives us a complete daguerreotype of the writer. By her works do we know her. Much of her history do we learn; more of herself. She dwells apart, but phrenology will bring this fair star within our ken. Behold her, as she passes over the field of vision.

Her brow is neither high nor wide, but projecting—Kant-like. Her temples, swelling with poesy and dramatic power, gleam white amid her curls. The central ridge of her forehead is the home of her searching thought. Back therefrom, sharp and angular, runs upward the inclined plane of her brain. We look in vain for the gentleness of woman, the pity that soothes, and not degrades. We look in vain for the venerative impulse, that gives life its earnestness and reality; its sadness, perchance, but its grandeur; that raises man to the throne of the god, and fills the heart of woman with devotion and deep truth. But high above, like watchers over the broken wall, sit conscience and resolute will. Queen-like they have quelled the rising of passion, and whispering tenderness. They have urged her patient footsteps, as she plod unfailing over her once dreary path. It is over, and now, like Shirley, "she saunters slowly along; her gait, her countenance, wearing that mixture of *wistfulness and carelessness*, which, when quiescent, is the wonted cast of her look, and character of her soul." A winning smile, not gentle, plays at times over her face. Her greeting is genial and heart-felt; a warm grasp of her little hand; a glad eye-welcome. With ordinary people she is listless and absent-minded; revery has for her greater charms than the refinements of small-talk. Neither is she a blue-stocking, that neuter gender of intellects. Her mind is simply masculine, bold, analytic and original; keen and earnest in discussion, at home in metaphysical disputation, and eager for the fray. Observing,

but only to arrive at motives; that done, a character once dissected and laid away, she dismisses it from her attention; for at any moment, from the known quantity of a word or look, she can work out the unknown quantities in the formula of human nature. Little humor has she, but much wit; not loving satire for its own sake, when aroused her blade descends with lightning flash.

Less pleasing is the picture we have of the authoress of Wuthering Heights. Dark and sad is her soul; a sullen fire is in her eye; her talk is cold and depressing. All weakness, and foibles of poor humanity she pounces on, as vultures on carrion. There is at times a cordial look, a *heartiness* about her, that surprises, and from its unexpectedness, wins. She has some friends in consequence who say she is not understood; that if she is a bitter foe, she is also a warm friend. She is sometimes a warm friend, and always a bitter foe. If she is fair, her beauty is of Pandemonium. She would make a glorious lover, but a very uncomfortable wife. The unfortunate, her husband, her love would make miserable; her hate would give him a taste of purgatory.

Both Wuthering Heights and Jane Eyre have been reviled for their immoral tendency; the first deservedly enough; the latter, for no good reason that we can see. The influence that novels exert, proceeds almost entirely from sympathy; in other words, the evolutions in our own breasts of feelings similar to those depictured, according to these feelings, is a book, a strengthener of morality, or a fire-brand in society. No feeling, as God has given it to us, is in vain. Each has its proper sphere and limits; and anything that, within these limits, develops emotions that give breadth and force to character, is useful in its degree. It is true, one hour spent in actual exertion of our finer sentiments, is worth days of fictitious life. But novels, we take it, are an amusement. They cheer old age with the joys of retrospection; they divert the mind of youth from the strife of rising passions; and give freshness and relief to middle life. They bring the gay world to the quiet fireside, and supply the place of more noxious relaxations. We have risen to them from the sports of the amphitheatre, through the tournament, the bull-fight and bear-baiting, the coffee-house and the club.

In this light, then, they are useful. If they do us no harm in our grappling with the stern duties of life, it is well; if they actually assist us, it is better. Sympathy, however, may be carried too far; sentiments may be developed so as to deprive the character of its due balance, or associations thrown around to rob them of their purity. This is the case with Wuthering Heights. A degree of ferocity necessary to primitive man, the forest-prowler, wild as the beasts that wrestle with him for his prey, would hardly suit the men of the nineteenth century. Such pictures might give vigor to weakness, iron to the feeble blood; but few men need such promptings. There is enough in the world, and more than enough, to change the kindliest nature to gall.

The frenzied love, too, so powerfully pictured in these volumes, fresh and undefiled, free alike from sensuality and sentiment, such as men might have felt when the world was young, is unhallowed; and thus leads our noblest impulses to sympathize with crime. No poetical retribution can destroy influences like these. The moral, in fact, in such books, is a sop to Cerberus, to blind to the effect of a series of prurient and exciting scenes. The soul is seared by blasts from hell, and then told to be strong and fail not.

But in Jane Eyre, every thing tends to the side of virtue. The patient plodding through long dull years of toil, so difficult of dramatic representation, is here finely brought out. As we read, our breasts are filled with the sombre dogged spirit that chained the maiden to her duties. When the mystery is cleared up that makes it crime for Jane, or the reader, to listen to words of love, she flees from its pollution; and its voice is no more heard, till punishment frees the man's hands, and purifies his soul. T. C. C.

BRITISH ENCROACHMENTS AND AGGRESSIONS

IN CENTRAL AMERICA.

THE MOSQUITO QUESTION.

(Continued from page 218.*)*

[THEN followed another grant, comprehending all the territory south of the river San Juan to the boundaries of New Grenada, including Bora del Toro and Chiriqui Lagoon. This grant was made in the same terms with the first. MSS.

Another grant, made Feb. 1st. 1839, giving, "Little Corn Island; and," says our author, "it is possible a keg of rum would have procured a similar grant of Mexico or the United States" from the same royal hands.

The assent of the Mosquito dignitaries was obtained in form, and each man made his mark. MSS.]

"These are to certify, that in consequence of the very low price of tortoise shell, on which we and our people depend for our living, it is entirely out of our power to pay our debts, &c. It, therefore, gives us great satisfaction, &c., that our good king, &c., has, by giving a grant of land, freed us from all debts due to those traders, &c., &c., &c."

Signed by the Mosquito dignitaries. [MSS.]

[There were other cessions to other individuals, covering nearly the entire "kingdom."

When the intelligence of these proceedings reached Jamaica and the Belize, it excited great alarm among the government conspirators. Col. M'Donald, the Superintendent of Belize, had "his Majesty Robert Charles Frederick," immediately brought within his jurisdiction, when every effort was made to procure a revocation of these cessions. But the royal word had been plighted, or rather his Majesty stood in too great *bodily awe* of the Jamaica traders: the attempt failed. Col. M'-Donald, however, secured from him the accompanying document, which is certainly a curiosity in regal history.

Here follows, in the English form, the "Will of his Majesty the King of the Mosquito nation," directing, that in the event of his death, the "affairs of his kingdom" should be continued in the hands of "Commissioners, appointed by me, upon the nomination of His Excellency, Col. M'Donald, Her Majesty's Superintendent," as Regents during the minority of the heir. Also, that the United Church of England and Ireland shall be the established religion of the Mosquito nation, forever."

Col. M'Donald and the Commissioners, or Regents, are also made guardians of the "royal" children.

In case of the death of Col. M'Donald, Commissioners are directed to apply to the Queen of Great Britain to fill the vacany.

Also a request that her Majesty will continue to protect the kingdom of Mosquito as heretofore.

This will was signed by the "king" and the "judges of the Supreme Court of Honduras"!!]

Under this authority, certainly no better than that on which the Shepherds and others claimed their large tracts of territory, M'Donald proceeded to act as

he thought would best promote the ultimate designs of Great Britain. And, strange to say, the British Government pretends to regard this document as legal and binding, at the same time it sets aside all others executed by the same savage !

As observed by a Spanish reviewer, the events which followed were better becoming the pen of Charivari or Punch than that of history. Perhaps villainy and fraud never assumed a more ludicrous garb, than in the subsequent transactions of M'Donald and his associates.

Of course the Jamaica traders, in their new character of sovereigns, were not slow in improving the advantages of their new position. They sub-divided their territories, converting their titles into a sort of transmissible paper, which was negotiated not only in Jamaica and Belize, but also on the 'Change of London. The credit of this paper was, of course, not very high with those who stopped to inquire into its origin; and the standing of the Mosquito monarch among the potentates of the world was not particularly calculated to inspire confidence. But nevertheless, a considerable number of British subjects became involved in the speculation, and talked much of the Isthmus of Nicaragua, with its Oriental coasts and the probability of the English Government extending its power over it, of the opening of a ship canal, and the immense value of the lands on the banks of the San Juan, &c., &c.

Indeed, so far was the delusion carried, that a large sale of the granted lands was sold to a Prussian company, which proceeded to establish a colony upon the coast, at the mouth of Bluefields river, where a shattered remnant still lingers, the miserable victims of fraud.

M'Donald was beset with difficulties. If the claims of the Jamaica traders were recognised and protected on the ground of the proprietors being British subjects, then their subsequent sales were valid, and half the grants were already sold to Prussia, including the mouth of the river of San Juan! This could not be : it would practically defeat the ultimate designs of the Government. There was but one course left, *namely, to procure the revocation of the grants !*

But the influence of the Jamaica traders was too great to be encountered at once. They were left for a second blow; and the king, although adhering to his own grants and those of his father, was willing to annul those granted by his royal ancestors previously. A Mr. Walker, better known on the coast as "Pat Walker," who was secretary to M'Donald, proceeded to Mosquito soon after, and succeeded in getting the signature of the king to the following document:

REVOCATION, NO. I.

Inasmuch as we and our late predecessor, George Frederic, have been accustomed to make grants of lands to British subjects in our dominions, for the purposes and with the view of cultivating and promoting the colonization of the rich and fertile soil of our coasts, in virtue of which cessions several British subjects and agricultural companies have taken possession and commenced the colonization of said lands ; and, inasmuch, as we have just received information of certain pretenders of distinct lands of our territories, in virtue of cessions made by our predecessors, which lands have not been cultivated nor their possession conserved by any agent, &c., and now a period of more than half a century having passed away, the holders of our cessions and those made by our immediate predecessor having made great expenses to commence the colonization of said cessions :

Therefore, be it known, for the satisfaction of the holders of our cessions and of those made by our predecessor, George Frederic, that we annul and make of no value all the anterior cessions to those made by our predecessor, in virtue of said anterior cessions having become extinct, according to the laws of England, by which we govern ourselves absolutely in all what concerns real estate, and as no possession has been taken of said cessions of lands, and they have not been reclaimed at a due time, &c. &c. Cape Gracias à Dios, May 23, 1841. (Signed)

ROBERT CHARLES FREDERIC.

Not long after, the "King" had the consideration to die. M'Donald, as "*Regent*," could now act as he pleased. With the aid of his factotum Walker, the following document was issued, in the name of the sambo boy, "*George William Clarence*," the heir of the "Mosquito Kingdom."

REVOCATION, NO. II.

Inasmuch, as it is notorious, that almost all the cessions of land made in the kingdom of Mosquito, and, probably, all of them have been improperly obtained from the late king, that no equivalent whatever for them, nor the promised services have been lent; and, inasmuch as many of the cessionaries have obtained said cessions from the late king when he was ***not in his sound judgment***, (i. e. *drunk*,*) and as said cessions despoil the successor of the late king of territorial jurisdiction in his kingdom, and of his hereditary rights; and, inasmuch as said cessionaries have obtained said cessions, not for the purposes of the colonization and improvement of the country, but merely to speculate with them in London and other places:

And, whereas, the greater part of said cession is actually in the possession of poor insolvent men and in real distress, said cessionaries never having fulfilled their duty of occupying said lands, though the most recent of said cessions bears date of July 27, 1841; and as the acknowledgement of the validity of said cessions would be subversive of the just rights of the present king, and destructive of the interests of the country, and may cause to the deceived emigrants greater sufferings even than those that hitherto they have experienced—*Therefore, it is necessary, and convenient for the security, honor, and welfare of this kingdom that said cessions be annulled and abolished.*

Be it thereupon decreed, that said concessions and titles of lands agreed and obtained previous to the 8th of October 1841, are forever annulled and abolished, &c. &c. (Signed)

GEORGE WILLIAM CLARENCE.

It was most undutiful to hint at the weakness of his father, but then the little sambo, "*George William Clarence*," knew nothing of all this. The entire procedure being designed by M'Donald to effect the objects which we have already indicated, the absolute absorption of the country by Great Britain. By this bold stroke, M'Donald got rid alike of the Prussians and the Jamaica traders. They stood in the way of the designs of the British Government, and were sacrificed. The Princess Agnes should have succeeded to the "crown," by the English law, but she had been too long with those in the Spanish interest to be trusted; and, by the decree of M'Donald, the successor was fixed in the male line! M'Donald was competent to anything!

The young "Princes" confided to M'Donald, were taken to England, with the exception of George William, who was left in the care of Mr. Walker, now promoted from the secretaryship of the Belize to be universal director, commissioner, agent, tutor and adviser of "His Mosquito Majesty," and particularly entrusted with the care of British interests. He established himself at Bluefields, where he acted precisely as he pleased, under liberal verbal if not written powers from the British Government. The plans of the British Government were not yet ripe for consummation. Meantime, Walker exerted himself in exciting the avarice of the English people. The stories of the speculators of 1771 were revived, and the flaring accounts of the ousted Jamaica traders duly sworn to. The importance of the country in a commercial point of view, its resources and capabilities, all that could excite the cupidity of the English public, were made the themes of the newspapers of Great Britain. The prospective canal across the continent was hinted at, but for obvious reasons, not dwelt upon with so much unction.

While all this was transpiring, the Central American States, to whom the territory of right belonged, were so much absorbed by their internal dissensions, carefully fomented by M'Donald's and Walker's coadjutors in Guatemala and elsewhere, that they were little able to give attention to the encroachments that were going on. Morazan, the last and best President of the Republic, saw, however, the danger, and refused to enter into any treaty arrangements with Great Britain, until she should

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* As an evidence of the high regard which the English of Jamaica had for their own creatures as well as for their high character, it may be mentioned, that the "monarch" was a great drunkard, and very brutal in his habits. He was several times confined in the public jail of Jamaica for his disorders.

His Sottish Majesty, it is said, was induced to sign his celebrated "will" by the promise of *a hogshead of rum!*

cease tampering with the Indians on the coast. We have the means of knowing that it was one of his designs, as soon as internal order could be restored, to drive out the intruders by force. This was not unknown to the British Government, which hesitated to break openly with the Republic. It was not until that Republic was dissolved, and the individual States themselves weakened by conflicts with each other, the consummation which had so long been wished for, and for which its unscrupulous agents had so long labored, that the British Government disdained a disguise no longer necessary.

In 1838, after Nicaragua had organized itself as an independent State, the Consul-General in Central America, Mr. Chatfield, the worthy co-laborer of Walker and M'Donald, transmitted a communication to the Government of Nicaragua, saying "he had received information that the Government of Nicaragua intended to dispose of certain lands belonging to the Mosquitos on the Northern (Atlantic) coast; that the Mosquitos were a nation formally recognized by H. B. M., and that she could not view with indifference any attempts which Nicaragua might make to dispose of these lands." The Government replied that it had no such intention, but that if it had, it was a matter which did not concern the British Consul-General, as the Mosquito coast belonged to the State of Central America. Some other correspondence passed but of no special importance. Nothing further was said until after the will of "Robert Charles Frederic" was procured and his grants annulled, when on the 10th of November 1841, M'Donald addressed a letter to the Nicaraguan Government, stating, "that the British Government had determined to maintain its ancient relations with its ally the King of the Mosquitos, whom it recognized as an independent sovereign," and proposing that a Commissioner should be named to settle the territorial limits between the "Kingdom of Mosquito" and the Republic of Nicaragua, and stating also, that, for this purpose, he had named Patrick Walker and Richard Hervey. The Government of Nicaragua replied that it knew no "Mosquito kingdom," that the wandering Indians living on the coast of Nicaragua were under the sovereignty of the Republic, and that it would be soon enough to enter into any communication with the gentlemen named when they should present any credentials from H. B. M., authorizing them to enter into such relations with the States of Central America, together with authentic copies of the treaties of alliance which was said to exist between Great Britain and the Mosquito tribe. To this, M'Donald made no reply. The Consul-General too, was suddenly silent.

The cause of this silence may be explained in a few words. In the flush of his new dignity, conferred by the "King of Mosquito" and with a loyal desire to vindicate "His Majesty's rights," M'Donald, in the preceding July, had placed himself on board a British vessel of war at Belize, and started on an exploring expedition along the Mosquito shore. He visited Boca del Toro and other points at the Southward, but seeing but a poor prospect of inducing the citizens of New Granada occupying the first place to quit it, he returned with much chagrin, and stopped at San Juan. Here he attempted to play the sovereign, but was resisted by the collector of the customs of that port, Colonel M'Quijano, upon which he seized that officer, carried him on board his vessel, and set sail from the port. He subsequently seems to have regarded the step as very rash, and offered to set Quijano at liberty, upon his signing certain documents. The proceeding roused great indignation throughout Central America, and each State demanded a complete disavowal of the act. In fact it was regarded as of so flagrant a nature, and roused so strong a feeling of patriotism, that a correspondence was at once opened and preliminary measures taken for a consolidation of the States. This alarmed the British Agents; the folly of M'Donald came near overturning their long cherished plans; the Republic which they had labored to overthrow might rise again with new strength. So M'Donald made a lame excuse for his act, and all reference to Mosquito rights was carefully avoided until the roused spirit of the people was again laid, and until British intrigues had again involved them in civil war.

When internal hostilities had commenced in 1844, and the capital of Nicaragua was invested by an army, the British Consul-General addressed a circular to the various

States, advising them that Her Majesty, Queen Victoria, continued to protect her ancient ally the King of Mosquito, and that in order to preserve legitimate authority, promote order, &c. &c , she had named Mr. Walker, resident Consul on that coast. On the 10th of July, in that year, this worthy arrived in a British vessel of war at Bluefields, with his *royal* charge and one James Bell, appointed to act as sheriff and commander during the minority of the regal boy! He commenced his administration, and on the 12th of August addressed a letter to the Nicaraguan Government, stating that the subjects of the Mosquito King were interrupted in their lawful business of gathering turtle-shells, by the occupation of the port of San Juan, and other points by the people of Nicaragua! and adding, that the establishments of Nicaragua and Costa Rica upon the coast, were infractions of Mosquito rights. On the 16th of the same month, Mr. Sheriff Bell sent a protest against the occupation of the Port of San Juan by Nicaragua. In May of the following year, the Consul-General, Mr. Chatfield, announced the important fact, that the young sambo, George William, had been "crowned" at Belize, and repeated again that Great Britain had determined to protect her "ancient ally."

Upon the 25th of September of the same year, Mr. Marcelota, the Chargé d'Affaires of Nicaragua, addressed an able letter to Lord Aberdeen, principal Secretary of State of Great Britain, calling his attention to the high-handed proceedings of Walker and his associates, and informing him that the port of Bluefields, where that worthy had established himself, belonged to Nicaragua. He appealed to the sense of justice of the British Government, just as though any such appeal, unless backed by a thousand cannon, could have any weight ; Justice forsooth! Was not the history of India and China before him? As might have been expected, no answer was returned to this communication. In the same year, Don Francisco Castellon was sent Minister to England, with directions to bring the infractions on Nicaraguan rights before the British Government in person, and particularly to protest against the occupation of Bluefields by Walker, backed by the name and military force of Jamaica. He was received at London, but no attention whatever was paid to his representations.

Meantime, the clouds of war between the United States and Mexico were gathering.

The English Cabinet feared the result, and directed all its efforts to secure California from Mexico, or prevent its falling into the hands of the United States. The affairs of Central America were for a time neglected, much to the tribulation of Walker and Chatfield, who, nevertheless, neglected no effort to perfect their plans

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CHAPTER III.

THE SEIZURE OF SAN JUAN—WAR ON NICARAGUA.

Such appears to have been the actual condition of things up to 1846, when affairs were ripe for the cousummation of the grand felony which had been so long contemplated. Our account of the events which followed, is compiled chiefly from the official correspondence upon the subject of the "Mosquito territory," published by order of Parliament in the autumn of 1848, and comprised in a large folio document of 150 pages. It is, of course, to be understood that such portions only of the correspondence are published as could be presented "without detriment to the public interests," in which category do not fall those more confidential passages which might disclose the real motives and intentions of the Government. But enough appears to show by what moral standards the British Government guages its actions in

questions in which its interests are supposed to be involved.

English intrigues had failed in Mexico, and it was clear that California would go to the United States. The contemplated aggressions in Central America were invested with new importance. The passes across the continent must be put under English control. Nothing could be done with Panama; New Grenada was a power too considerable to be trifled with; England feared to create another Rosas.

It was under these circumstances, that the British Government determined that the time for action had come; and that now it must appear in its proper character. Accordingly, on the 20th of June, 1847, Viscount Palmerston addressed a note to Mr. Chatfield, "Her Majesty's Consul-General" in Guatemala, requesting the most authentic information which he might be able to procure "as to the boundary claimed by the King of Mosquito," and concluding with the significant paragraph: "*You will also report what, in your opinion, is the line of boundary which Her Majesty's Government should insist upon, as absolutely essential for the security and well-being of the Mosquito shore.*"

A similar letter was at the same time addressed to Mr. Walker, "Her Majesty's Consul-General" in Mosquitia, and to Mr. O'Leary, British *Charge d'Affaires* in New Grenada.

Pending the reception of the information here requested, and impatient of delays which might interfere with its purposes, the British Government applied itself to the task of searching for additional pretexts to justify the contemplated usurpation. And upon the 30th June of the same year, Viscount Palmerston again wrote to Mr. Chatfield saying, that "Her Majesty's Government have carefully examined the various documents and historical records which exist relative to this subject, and they are of the opinion that the right of the King of Mosquito *should be maintained* as extending from Cape Honduras down to the mouth of the river of San Juan."

It will be observed that Palmerston does not yet venture to say that the rights of the pretended king really extend or have the shadow of validity over the territory indicated; he is of the decided opinion, however, that they "*should be maintained*" to that extent! This letter concludes by instructing Mr. Chatfield to inform the respective Central American Governments of the opinion arrived at by Her Majesty's Government, "and to inform them that it would not view with indifference any attempts to encroach upon the rights or territory of the King of Mosquito, who is under the protection of the British Crown." Similar instructions were sent to Mr. O'Leary, at Bogota, and to Mr. Walker, the peripatetic agent of Great Britain "all along shore."

In the mean time, Mr. Chatfield had been at work in making out a case for his government, and the results of his labors had been received at the foreign office eight days after these instructions had been dispatched. Mr. Chatfield's letter is not deficient in characteristic and impudent assumptions, but he was nevertheless compelled to say, that "nothing had reached him to enable him to state positively, what is the line of boundary claimed by the Mosquito King!" Mr. Chatfield was, no doubt, quite right, for it is exceedingly doubtful whether the august personage referred to had any idea of boundary or any thing else, beyond the instructions of the agents of Great Britain around him. The communication was chiefly taken up with a discussion of the claims of the Government of New Grenada to the whole coast from Veragua to Cape Gracias à Dios, which claims ware founded on a royal order of San Lorenzo, of Nov. 20, 1803,—separating for military purposes this section of coast, together with the island of St. Andrew, from the Captaincy General of Guatemala, and annexing it to the Vice Royalty of Sante Fe. Mr. Chatfield, however, adds, that he is unable to give a specific reply to the questions which had been propounded; but, as respects the southern boundary of Mosquitia, he finds among his notes, "An act of allegiance to the Hereditary Prince Frederic, (crowned at Belize, 18th Jan., 1816, eldest son of the former King, George, and brother to Robert Charles Frederic, crowned in Belize, 23d April, 1825, lately deceased), signed by Prince Stephen, Prince Regent, and the chiefs and people of the Mosquito coast, at Woolang, 14th Nov., 1815," which said act, according to Mr. Chatfield,

describes the southern Mosquito shore as "comprising the several townships from Wanks river to Boca del Toro." Now, as this "act" was drawn up by British agents, and was subscribed "Mr. William Boggs," *proxy* for the dignitaries named in it, it must be regarded as not strikingly conclusive, and of a kind of "historic evidence," a talent for the manufacture of which would only need a little different direction, (in countries where "conspiracies" and "fraud" are crimes,) to consign its possessor to the penitentiary! This, and a letter from Col. M'Donald, to the custom-house officer of New Grenada at Boca del Toro, dated 1841, with an extract from the narration of Roberts, an English trader on the coast, and which are wholly immaterial, constituted the "historic evidence" obtained by the British Government, through Mr. Chatfield, in support of contemplated felony. In respect to the other part of Palmerston's inquiry, Mr. Chatfield is more positive, and it is his decided "*opinion*" that "the line of boundary which Her Majesty's Government *should insist upon* as essential to the well-being of the Mosquito State, is that tract of sea-board situated between the right bank of the river Roman, *where several English mahogany works are established*, and the left bank of the river San Juan," and as the river Roman, (upon the right bank of which British adventurers had "squatted,") is a long stream, and extends far into the interior, including, with the other lines named, half of the continent at this point, as also some of the inhabited districts of Segovia, we do not wonder that Mr. Chatfield drops the name of *coast*, which conveys a circumscribed idea, and substitutes *state*, which is limitless in its acceptation. But Mr. Chatfield does not stop with a mere expression of this opinion; he adds: *Moreover, looking at the probable destinies of these countries, considerable advantages might accrue in after times*, by reserving for settlement with Central America, or Costa Rica, the rights of Mosquito BEYOND the San Juan river! *In the meanwhile*," he continues, "*considerable benefit would result to British interests from the* EARLY ASSERTION of the rights of the Mosquito King to the terminus indicated." We shall soon see that these hints were not lost upon Her Majesty's Government, who received new "historic and other evidence," as the Mormon leader did revelations from heaven, *whenever it was convenient.*

We have said that Mr. Walker was instructed to report such "historical and other evidence" as was within his reach. It would have been impossible for the British Government to have found a more convenient instrument for its purposes, than this man Walker. He was always at hand to supply the vacancies left by Mr. Chatfield, and does not appear to have been troubled with conscientious scruples. Nor did he wait for the suggestions of his superiors; his evidence was always ready. Without his invaluable aid, the Mosquito King might have lived and died in total ignorance of his "clear rights," and the British nation lost an "ally." He understood the art of manufacturing "historical and other evidence," and might, if required have made out a clear title for the King of Mosquito, to the coast of Florida. His answer is very long, and particular stress is laid upon a paper signed by "M. Quijano" who was in 1841 Nicaraguan Commandant at San Juan. This individual was seized at that port, as we have before said, carried on board a British vessel, mal-treated, and finally induced, by an offer of liberation, to sign a paper to the effect that, when he was a child, his mother, who had a plantation upon the coast of Costa Rica, annually gave a quantity of cacao to the roving Mosquito Indians, which cacao Mr. Walker calls *tribute*, and deduces therefrom sweeping pretensions of sovereignty! By a parity of reasoning, the entire United States is tributary to *Split-foot*, chief of the Pottowattamies! The Commandante was liberated upon signing this paper, which was at once filed away as invaluable "historic evidence!" The circumstance that Honduras once made some kind of a treaty with the Indians, is also quoted with a prodigious flourish as a recognition of the sovereignty of the serene "King of Mosquito!" We have made a treaty with the *Chinooks*; does the Government of Great Britain therefore regard the chief of that tribe as a sovereign? Perhaps she would like to make him her "ally," and get possession of the mouth of the Columbia? Let her try the experiment! And further, that a Guatmalean officer once carried a chief from

the Mosquito shore to that capital, who was received with great respect, is also of great moment in Mr. Walker's estimation. Whether they took his portrait and gave him a cocked hat and sword, as we are accustomed to do at Washington, when savage chiefs are brought there, we are not advised; but no doubt they gave him an abundance of "*aqua ardiente*," which judging from what we know of the tastes of the royal line of Mosquitia, male and female, must have been more acceptable! It may be thought undignified to talk in this strain, in the pages of a respectable periodical! What then must be thought of a parliamentary document containing such stuff as we have referred to, issued too by way of supporting one of the gravest measures which any Government has seen fit to adopt within this century, and one which involves the highest principles of international right?

The remaining documents presented by Mr. Walker prove two things: that there was a certain extent of the eastern shore of Central America which was called the "Mosquito shore," but which no two authorities concurred in defining, and which was used as a geographical designation, without the slightest reference to sovereignty or jurisdiction; and second, that from before 1830 downwards, the British agents in Central America, had attempted by various acts, professedly under Mosquito authority, to acquire some shadow of claim to various parts of the Atlantic coast, from Cape Honduras to Veragua. The impudence of quoting the assertions of British officers, who at the time of writing were taking the initiatives to their prospective usurpation, as "*historical evidence*," is wonderfully cool, and entirely in keeping with the spirit of the whole procedure from the start. Mr. Walker concludes his letter, not as Mr. Chatfield had done, with a modest reservation which might be "useful hereafter" in perfecting and securing the ultimate objects of the felony, but which it would hardly do to put forward at this time; Mr. Walker, we say, concludes his letter with the unqualified assertion that the rights of the King of Mosquito extend from Cape Honduras to Veragua, upon a line which he traces so as to include half of Honduras, more than half of Nicaragua, and an equal portion of Costa Rica! He observes, also, very naively, that "he believes" the Spaniards "never paid any tribute for the privilege of erecting a fort and custom-house at San Juan;" he even thinks they never obtained the leave of the Mosquito King to do so!

The document next in order, is a letter from Mr. O'Leary, British Chargé at Bogota. He thinks the New Grenada claim to the territory in question better than that of Central America, and observes "that as New Grenada has no settlement between Boca del Toro and San Juan, she would probably gladly accept that river as the north-west boundary of her territories; and looking at the map the river San Juan, would seem to afford the King of Mosquito a distinct and secure boundary on that frontier. But," he continued, in the strain of Mr. Chatfield's concluding paragraphs, "the *extent and importance* of the coast situated between the mouth of the San Juan and Chiriqui Lagoon, *cannot be overlooked;*" and adds, "that if the pretensions of the King of Mosquito to this part of the coast could be maintained, *the Chiriqui Lagoon, which affords safe anchorage*, would likewise form a secure frontier!" The circumstance of "safe anchorage" and good harbors, must have been of high importance in connection with the pretensions of the Mosquito King; regard for the Mosquito marine must certainly have been at the bottom of the suggestion! Mr. O'Leary concludes by suggesting "the expediency of setting the whole question at rest by means of a negotiation with New Grenada.

Thus much for correspondence and the travail of collecting "historical evidence." We now come to action. On the 1st of September of the same year, (1847,) Mr. Walker addressed an impudent letter upon an unimportant matter to the Commandant at San Juan, which concludes with the following paragraph:—"I think it fair to tell you, as until now you can hardly have received the information, that Mr. Chatfield, H. B. M. Consul-General in Central America, has received instructions to point out to the several States the boundary which the British Government has determined to maintain, in right of the King of Mosquito, and this boundary comprehends the San Juan river." This letter was sent by the cutter "*Sun*," commanded by Captain Watson, and bearing

the *flag* of the "Mosquito nation." The design of this display is obvious. The Commandant of the port, under date of September 6th, replied civilly to Walker's note, concluding as follows: "I appreciate as it deserves, the friendly notice which you have given me as to the particular protection which the British Crown is disposed to afford to the Mosquito nation; but without entering into the question of its legitimacy or of its territorial limits, which is the province of the Governments, I can only obey the orders of my superiors." At the same time this officer addressed a note to the commander of the cutter, saying that, "although he had already informed him that the flag which he bore was not recognized, and that he had told him to take it down or leave the port, &c., yet out of considerations of politeness he would allow him to remain in the harbor until he had executed his commission of receiving the letters of the expected steamer. He, nevertheless, informed him that the vessel could not again enter the harbor under the flag it bore, unless it had express permission from the Nicaraguan Government.

On the 24th of Nov. the Rt. Hon. E. J. Stanley, of the Foreign office, addressed a note to the Secretary of the Admiralty, stating that he was informed by Mr. Walker, "that the Commandant acting for the Nicaraguan Government, at the mouth of the San Juan river, had expressed his determination not to acknowledge the flag or territorial rights of the Mosquito Kingdom," and suggests that the commanders of any ships of war which may be in that quarter be instructed to communicate with Mr. Walker, "as to the best manner in which to resist the pretensions of the Nicaraguan Commandant," and establishing the Mosquito authorities at the mouth of the San Juan. On the 1st of September, however, Mr. Chatfield addressed his circular, in accordance with his instructions of January 30, to the Governments of Honduras and Nicaragua, and next day he wrote to Palmerston, informing him of what he had done, and adding, "I have taken the precaution of inserting the words, 'without prejudice to the rights of the Mosquito King *to any territory south of the river San Juan.*'"

We may here anticipate events a little, and notice briefly the replies of the Governments of Nicaragua and Honduras to Mr. Chatfield's circular. They are not deficient in argument or force, and the subjoined extracts will be read with interest. The Secretary of Foreign Relations of Nicaragua, Don Sebastian Salinas, acknowledges the receipt of Mr. Chatfield's circular, notes its contents, and adds:

"You know, Sir, very well, that the established practice for a society which considers itself capable of assuming the rank of a nation, to obtain its recognition as such, is, to solicit through its chief, his ministers or direct accredited agents, the recognition of established States; but this rule of international law, has in no way been complied with by the pretended king of Mosquito, who now assumes to raise questions of boundary with Nicaragua. This Government has not recognized and does not now recognize such a kingdom as 'Mosquito,' much less the territorial pretensions of which you speak. No such king has existed or now exists. It is preposterous, Sir, that a few savages wandering in the forests and wastes on the coasts of Honduras and Nicaragua, living by the chase and fishing, without houses, without a known language, without written characters, without arts, laws, or religion, without any of the elements which, according to received principles, are necessary to a national existence,—that such a horde of savages should profess to constitute a regular society, or what is more an Empire!

"We are not ignorant of the fact that certain British subjects, under favor of the adjacent settlements of the Belize and Jamaica, have attempted to fix themselves in our soil, associating with the Mosquitos, and causing the son of some favored family, to be educated to their fashion, and thus preparing an instrument to secure their designs, under the title of 'King.' This fantastic personage has not, and cannot be presented to the civilization of the nineteenth century, nor make himself acknowledged by neighboring or other nations; such an act, would be an admission of the right of the savage hordes which exist in different parts of the world, to form kingdoms under the protection of other Governments, and put themselves in comparison (*en paragon*) with civilized states; thus placing limits on civilization, and licensing universal disorders.

"Subjects and agents of Her Brittannic Majesty are the only persons who have announced and proclaimed the leader of this tribe as a Sovereign, and an ally of the English Government; but none of these agents has presented, or has been able to present to any Government of Central America, credentials of his appearing to be a real and direct agent of the suppositious King of Mosquito; neither

has Great Britain herself accredited a Chargé d'Affaires to these Governments, who might have moved these questions of sovereignty, territory, and appropriation of a Port acknowledged by the whole world as the property of the sovereign State of Nicaragua. If these new pretensions are well-founded, and the Port of San Juan does not belong to Nicaragua, how comes it that the Government of Her Britannic Majesty ordered a blockade of that port by Vice Admiral Sir Charles Adams in the year 1842, in order to enforce the payment of $14,000, claimed of this Government by British subjects ?"

The Secretary then goes on to protest against these pretensions in a strain of mingled eloquence and irony, asserting that "Nicaragua will disallow, resist and repel with the force of justice and all her strength, even to the extent of disappearing from the face of the earth, the encroachments with which she is threatened, and before obscure barbarians shall snatch away from her a property which, according to the great boundaries of nature, sanctioned by laws, international right, and immemorial possession, belongs to her alone. Thus," he concludes, "my Government solemnly protests. It will denounce the spoliations with which it is menaced before all the Governments of civilized nations; and the world will see how the ambition of a few British subjects darkens the enlightened minds of the Cabinet of Her Britannic Majesty, even to the point of placing the august Queen Victoria as an equal by the side of a despicable savage!"

The answer of Gen. Guardiola, on behalf of Honduras, is shorter but equally to the point. He says:

"It has been repeatedly demonstrated that the pretended king of Mosquito, recognized as such by the British Government alone, wants the smallest shadow of dominion over any part of the territory of Honduras; and it cannot, and ought not to be considered that the vagrant tribe, called Moscos, should be regarded as a nation.

"It is easy to see, from the hostile manner in which it is intimated, that a claim will be made on the territories of Honduras, that no reasons will be heard, and that force alone will terminate the dispute you have raised. It is remarkable that the cabinet of St. James arrogates the right of making claims, and putting forward intimations, which, if its own pretensions are to be credited, belong solely to the savage chief of the Moscos, and who has never been consulted respecting them!

"And it is equally worthy of notice, that without attending to any of the means prescribed by the law of nations, in reference to a territory, at most disputable, force should be resorted to, as if there were no reasons to be heard, rights to be examined, forms to be observed, and jealousies to be awakened. The nations of America and Europe, Sir, will not see with apathy, or indifference, this new system of acquiring territories,—unknown, and contrary to the usages between Governments.

"The Government of Honduras is weak, and that of Great Britain is powerful, nevertheless, we shall make our rights known. They will have the same importance as if they were balanced between nations of equal strength and resources. Therefore, my Government solemnly protests that it will use the means, which all the world employs, to preserve the integrity of its territory, and repel aggression; and you, and the British Government must answer before heaven and earth for the ills which the contest must produce, and which you have provoked!"

To these eloquent protests Mr. Chatfield thought proper to reply, by means of a circular, brief and pointless, and only worthy of notice from the following extraordinary passages, which, if written in earnest, imply the keenest impudence, or the profoundest stupidity. He says:

"The position assumed by your Government rests on a supposed hereditary right, derived from Spain, to whom, it is alleged, *as I understand*, that the Mosquito territory formerly belonged as part of the Spanish possessions in America, it being *assumed* that the act of expelling Spain from this continent, conferred upon the States which expelled her, all the sovereignty and rights which Spain is considered to have enjoyed in it! On an impartial consideration of this question, I am convinced that you will perceive the fallacy of such reasoning, and admit that no State can justly claim to inherit rights, or territories, from a nation, which does not recognize its political existence!" Sapient Mr. Chatfield!

To return. Before Mr. Stanley's note had been acted upon by the Secretary of the Admiralty, His Majesty's ship of war, "Alarm," commanded by Capt. Granville G. Loch, whose name will now frequently appear in this narrative, arrived off Bluefields, on the Mosquito coast, where it took on board Mr. Walker, and his *protege*, "the King." They proceeded

straightway to San Juan, where they arrived on 26th Nov., when they informed the Commandant that the King of Mosquito was on board, and that he must be saluted, or the town would be fired on. As this request was not complied with, an armed party went on shore, and as there was no efficient force to resist, run up the Mosquito flag, fired a salute, and returned on board, leaving the flag flying. This dignified proceeding over, the "Alarm," and its precious freight, set sail for Jamaica, where Mr. Walker wrote a garbled statement of what had been done, to Palmerston. It is a little singular, however, that in his account of this proceeding, he makes no mention of a subsequent one, which was not quite so successful. In the flush of their triumph, Mr. Walker, and the commander of the "Alarm," thought it would be a good thing to go through the same performance at Truxillo, the principal seaport of Honduras. Perhaps, as this is a tolerable harbor, they thought it would be good also to seize it for his Mosquito Majesty. So, in proceeding to Jamaica, they made a *detour* to this point. The "Alarm" was anchored in the harbor, the boats were duly manned with armed men, and Mr. Walker and the commander went on shore. They were met by the officer of the garrison, whom they ordered to retire, with his men, to the mouth of the river Aguan. The Commandant declined to do anything of the sort. Mr. Walker then told him that "he should be obliged to eject him by force," to which the Commandant replied that "he had better try it," falling back, and ordering his men to form, the call for the militia to be sounded in the plaza, and the guns of the castle to be brought to bear. This was more than was bargained for. Mr. Walker and his associates decamped with all despatch, contenting themselves with elevating the Mosquito flag on a desert beach, outside the harbor.

Meantime the plot thickened, and, to give some show of decency to their proceedings, a grand *imaginary* Mosquito council was held at Bluefields, the senior member of which purported to be a Mr. George Hodgson, which went through the imaginary form of addressing a letter to the Director of Nicaragua, giving him to the first of January, within which to withdraw the Nicaraguan establishment from San Juan. Besides Mr. George Hodgson, there were imagined to be present at the council: "Hon. Alexander Hodgson, Hon. H. Ingram, Hon. James Porter, Hon. John Dixon, and Hon. James Green;" the last, her British Majesty's Vice-Consul."*

The Government of Nicaragua had the bad taste and worse policy to notice the absurd document, and to reply that the Nicaraguan establishment would not be removed from San Juan, and that if forcible measures were resorted to, force would be used to repel the assault. Whereupon the august imaginary council was again convened, and the imaginary clerk (also a British subject!) directed to make a reply, which he did as follows, under date of December 8, 1847.

"The Council passes over in silence the disrespectful tone of your letter, but directs me to forward you copies of addresses which His Majesty received on his recent visit to Jamaica from the honorable the council and house of assembly of that island; and I am to remind you that the civilized world knows that, in point of rank, intelligence, independence and wealth, the public bodies of Jamaica cannot be excelled in Nicaragua!"

This rare epistle concluded by saying that the port of San Juan would be *retaken* possession of (this reminds us of *reannexation*) by British and Mosquito troops, on the first of January, *prox.* There was a strange mixture of puerility, villainy and low cunning in the proceedings of Walker and his associates, which is probably without a parallel in any similar transaction.

When the "Alarm" arrived at San Juan, as before related, the Commandant of the port made a formal protest against the proceedings of its officers. His language affords a strange contrast to the highway tone assumed by the British officials. He said "he could not help deploring the attack which had been made upon the rights of sovereignty and the integrity of the free State of Nicaragua, by the commander of Her Britannic Majesty's frigate "Alarm," and as under present circumstances the State of Nicaragua wanted other means for the defence of

* Mr. Hodgson, "the senior counsellor," afterwards testified that no such council was ever held, and that he knew nothing of the business, until informed of it, subsequently, when a prisoner in Nicaragua.

The whole was the work of Walker.

her rights than those of reason and justice, sustained by the moral force of the civilized world, he now remonstrated and protested against the proceedings of the commander, solemnly and in the presence of God and the world." The frigate, it is proper to add, entered the port under British colors, and afterwards hoisted the so-called Mosquito flag.

In the meantime, the Government of Nicaragua, in consequence of the delay and uncertainty attending the transmission of communications from Leon to Guatemala, the residence of the Consul-General, named and empowered. Messrs. Duran and Lopez, singly and jointly, to act as the commissioners of the Government in Guatemala, with a view to the adjustment of the disputes which had arisen; omitting, it will thus be seen, no means to settle affairs in a just and peaceful manner. But Mr. Chatfield refused to have any communication with these commissioners, and wrote to Palmerston, under date of December 3d, that, "independent of the unfitness of these lawyers to entertain questions of this nature, he conceived himself without authority to discuss the right of Mosquito to the mouth of the river San Juan." Mr. Chatfield had not forgotten the epistolary contests he had been from time to time involved in with the Nicaraguan "lawyers," and in which, not less from the badness of his cause, than his own incapacity, he had been uniformly worsted. He concludes by inquiring what regulations shall be made for the trade of the San Juan "after the occupation of the port by Mosquito."

The Nicaraguan Government still anxious to adjust affairs amicably, then empowered the Guatemalean Minister of Foreign Affairs to act as their Commissioner. But Mr. Chatfield answered that matters had passed the period of negotiation. Still, "out of deference" to the Minister, personally, he was willing to receive and transmit to Her Majesty's Government, any proposals or explanations which the Nicaraguan Government may desire to make on the proceedings at San Juan: Her Majesty's Government being desirous that Nicaragua should feel assured that, *in this instance*, as in all others, its acts are based on the BROADEST PRINCIPLES OF JUSTICE AND EQUITY!" Admirable complacency!

Such was the state of things when the Supreme Director of the State of Nicaragua, Don José Guerrera, issued a proclamation, from which we can only quote a few paragraphs:

"Under favor of good feeling, the public morality and the efficiency of the authorities, the agitations consequent upon our revolution, and peculiar to the political infancy of every country, have been calmed. The energies of the State are directed to the improvement of its resources, and the cultivation of peace, friendship, commerce, and credit with all the civilized nations. But now, under shadow of the colossal tower of Great Britain, professing to stand first among civilized nations, our repose is disturbed and our prospects darkened, by a scandalous attempt upon the integrity of the territory of our State. A fraction of our population, the nomad tribe of *Moscos*, at whose head has been placed an imbecile child, with the title of "King," surrounded by native ignorants and unprincipled foreign agents, who direct every thing to their own liking, has intimated to this Government its intention of taking possession of the port of San Juan through the aid of the British Government!"

The Director goes on to set forth the indisputable right of Nicaragua to the port in question, in a clear and conclusive manner, recounting in detail the agressions which have been made, and continues:

"Thus is it that civil war is stirred up by the savage against the civilized portion of Central America; thus it is attempted to wrest from Nicaragua her only and best port upon the north, possessed by her from time immemorial, without dispute, and recognized by the acts of Great Britain to be hers alone. * * *

"The loss of territory with which we are threatened, will be but the precursor of other and, if possible, more startling aggressions upon the other States of Central America. The moment has arrived for losing a country with ignominy, or sacrificing with honor the dearest treasures to preserve it. As regards myself, if the force which menaces us sets aside justice, I am resolved to be entombed in the remains of Nicaragua, rather than survive its ruin!"

We now return to the proceedings of Mr. Walker and his new coadjutors. On the 29th of December, the British war steamer, "*Vixen*," Commander Ryder, arrived at Bluefields, where it took on board 65 men, Mr. Walker and the "Mosquito Majesty" going on board the cutter in attendance, and both vessels started for San Juan, where they arrived on the 1st of January. General Munoz, the Nicaraguan commander, had previously withdrawn

most of the Nicaraguan troops to the mouth of the Serapiqui, thirty miles up the river San Juan. The force left was wholly inadequate, and offered no resistance to the landing of Walker and his followers. According to the official statement of this worthy, he "landed with Captain Ryder in his gig, the paddle box boats of the Vixen following with marines, soldiers, and militia. Having formed in column, they marched up to the flag-post, and facing round displayed into line with great precision and correctness. The Nicaraguan flag was immediately hauled down. The Mosquito flag was then run up, and a royal salute was fired while the King proceeded from the cutter on shore!" The force then proceded to oust the administrator of customs, who made a formal protest, and "Major George Hodgson, Commodore Little, and Captain Dixon, were severally installed as Governor, Captain of the Port, and Town-Major. Five men of the Bluefields Militia were selected to form a police for maintaining order in the town." On the 4th, the two vessels, with the Mosquito Majesty on board, returned to head quarters at Bluefields.

On the 10th, a party of troops from the station at Serapiqui came down the river and turned the table on the new authorities, taking the "Governor and Captain of the Port" prisoners, greatly to their bodily fear, but particularly to the terror of the "Governor" whose name, as we have seen, was appended to the impudent letter to the Director of Nicaragua, instructing him to withdraw the establishment at San Juan. It is but just to this worthy, who was but an instrument of Walker, to say, that he afterwards solemnly declared that he never saw this document, and that his name had been forged by Walker.*

It was now the turn of the other side to protest, which task was undertaken by Captain Ryder, and performed with a very bad grace. He expressed his belief that "the proceeding would be considered by the military and naval authorities *at Jamaica* as a declaration of war against the Queen of England and the King of Mosquito." So Captain Ryder set sail for Jamaica to procure counsel and reinforcements, and bearing most urgent letters from Mr. Walker. Captain Ryder made his report, and Captain Loch's ship "Alarm," with the "Vixen," bearing a considerable force, were detailed to return to the theatre of operations. They arrived at Bluefields on the 5th, and on the 8th at San Juan. The Nicaraguan force overpowered by numbers, withdrew to Serapiqui, where, in the dense untenanted forest, unprotected by dwellings of any kind, they had constructed a rude breastwork of earth and logs. The position was a very good one, and in the hands of experienced troops capable of easy defence. Here the Nicaraguans had collected about 120 men, some, former residents

* The following passages, from the records of Hodgson's examination, read over and attested by him, will afford some insight to the proceedings of Walker and his associates.

"Being asked if he had signed the note presented to him and to which the name of "Geo. Hodgson, senior, counsellor. &c." was appended, dated Bluefields, 25th October, and notifying the Director to withdraw the Nicaraguan establishment at San Juan, he answered:

"He had examined said note and that the signature of "George Hodgson" was not his, that he was not in Bluefields at that date, and consequently could not have signed it.

"Being asked in whose writing the note appeared and by whom signed, he said:—

"'The body of the note is the hand-writing of Mr. W. Scott, Secretary of Mr. Walker, and that *the signature is in Mr. Walker's hand-writing*."

To other inquiries he answered that he had never seen or heard of the notes which had been addressed to the Government of Nicaragua.

"Being asked if the occupation of San Juan had been ordered by the person called "King of Mosquito," he said:

"The King is without the mental capacity to dictate this measure or any other. That Mr. Walker has directed the whole affair; that he had gone to Jamaica in December of the preceding year, and that, upon his return, had said, that the Governor of Jamaica would send troops to take San Juan, but that Bluefields should not be disturbed, and that when he, (Walker) started for San Juan he invited him, (Hodgson) to go along, but not to be alarmed, as it was merely a walk, (*i. e.* pleasure trip) but if they (Hodgson and his companions) had known the object they would not have gone.

Mr. Hodgson also testified that he had on several occasions been compelled to sign his name to documents presented to him, the nature of which he did not understand. Also that he knew nothing of "British Protection," only so far as he had been instructed by Mr. Walker!

The whole testimony is exceedingly amusing. This Hodgson was claimed of the Nicaraguan Government as a British subject. He was, however, the grandson of Robert Hodgson, who, as we have seen, was Colonel in the Spanish service!

of San Juan, and the principal part of the remainder boatmen in the river, who had volunteered their services. There were but six regular soldiers besides one or two officers, who had before been stationed at San Juan, among the entire number. They had one or two rusty cannon, which they did not know how to manage, and a variegated assortment of old muskets and fowling pieces for arms. A large portion had their *Machetes*, a kind of long heavy knife in common use in these countries. To dislodge this force, and resent the insult which had been given to Great Britain and Mosquito (!!)" by pulling down the Mosquito flag, the English troops, consisting of 260 picked men, under command of Captain Loch, accompanied by Mr. Walker, embarked on the 11th. On the 12th they reached the point, when after an irregular contest, the English landed, putting the Nicaraguans to flight. The Nicaraguan loss was reported by Captain Loch, at 20 killed and double that number wounded; the English loss, 2 killed and 13 wounded. In the number, however, Captain Loch does not include Mr. Walker and a boon companion, who were reported to have been "accidentally drowned." Mr. Walker's body was found a week or two after, with a bullet hole in the breast, horribly mangled by alligators, and was buried on the spot where it was discovered. Thus terminated the career of one who had been most active in the unworthy scheme of fraud which we are relating; and who, if he ever possessed any sense of honor or rectitude, sacrificed it promptly at the call of men equally reckless with himself, but too cautious or too cowardly to incur the odium of their own measures, men, however, whom history will not fail to consign to the obloquy which they merit.

Having gone through the usual ceremony of demolishing the works he had captured, Captain Loch pressed forward to the ruined fort of San Carlos at the head of the river, of which he took possession, appropriating twelve out of the sixteen houses to himself and his troops, and with true British magnanimity, leaving the remaining four to the inhabitants and prisoners. Here he established himself, sending scouts along the sparsely populated coast to collect provisions. After a time he dispatched a Mr. Martin to the city of Grenada, under a flag of truce, with communications for the Nicaraguan Government. It is immaterial to notice in detail the correspondence which passed, and which had an overstrained air of civility upon both sides. The Government of Nicaragua declined to make any apology for its proceedings at San Juan, asserting that it had done only what was right and proper, but consenting to deliver the English prisoners, provided on the other hand, the Nicaraguan prisoners were released. It granted also a safe conduct to Captain Loch, to enable him to approach to some of the islands in the neighborhood of Grenada, for the purpose of effecting some pacific arrangement. This, that officer was too glad to accept, for besides the hopelessness of advancing upon the populous side of the lake, sickness had already reduced his effective force nearly one fourth, and his men were compelled to subsist on beef and plantains alone. Still like a true Briton, he assumed the air of a conqueror, and so well that he almost convinced the Nicaraguans that he had them completely in his power. The upshot of the whole matter was the nomination of S'rs Francisco Castellon, Juan Joseè Zavala, and José Ma. Estrada as Commissioners, to settle affairs with Captain Loch. They met at the island of Cuba, when Captain Loch dictated the following extraordinary articles:

1st. That the Nicaraguan Government surrender the persons of two British subjects, Messrs. Little and G. Hodgson, taken prisoners by the forces of the State of Nicaragua, on the 9th January 1848, from the port of San Juan, and that they shall be delivered over to Captain Granville Gower Loch, in this island of Cuba, within twelve hours from the ratification of this treaty.

2d. That a Mosquito flag and other effects taken on the same day and from the same port, be restored without delay, and that a satisfactory explanation be given by the Nicaraguan Government for the outrage that the commandant of Her Majesty's forces conceives to have been offered to the British flag, in hauling down that of Mosquito under her protection.

Explanation. The Nicaraguan Government were ignorant that the Mosquito flag was so connected with that of England, as that an outrage to it should involve an insult to that of Great Britain. They are

most anxious to explain that so far from desiring to excite the anger of that power, it is on the contrary their earnest wish to cultivate the most intimate relations with it.

3d. That the Government of the State of Nicaragua solemnly promise not to disturb the peaceful inhabitants of San Juan, understanding that such an act will be considered by Great Britain as an open declaration of hostilities.

4th. That the tariff established in the port of San Juan, upon the occupation of the 1st of January, 1848, shall be considered in full force, and that no Nicaraguan custom-house shall be established in proximity to the said port of San Juan, to the prejudices of its interests.

5th. That the British officer in command agrees to retire from Fort San Carlos to San Juan with all the forces, delivering up the hostages, prisoners, and effects now in his possession, immediately after the fulfillment of the various claims agreed upon in this treaty.

6th. What has been stipulated in this agreement will not hinder the Government of Nicaragua from soliciting, by means of a Commissioner to Her Britannic Majesty, a final arrangement of these affairs.

Given under our hands at the Island of Cuba, in Lake Nicaragua, this 7th day of March, in the year of our Lord 1848.

(Signed)
GRANVILLE G. LOCH.

(Signed)
JUAN JOSE ZAVALA.
FRANCISCO CASTELLON.
JOSE MA. ESTRADA.

The Nicaraguans saved their pride by refusing to acknowledge the existence of what Lord Palmerston calls "Mosquito;" but, nevertheless, put themselves in British power, so far as any attempt to resume their port at San Juan was concerned, and by agreeing that all future negotiations must be conducted in London, which is the amount of the 6th article.

Accordingly, Capt. Loch returned with his forces to San Juan, too glad to get thus easily out of the difficulties in which he had involved himself.

An emergency had arisen, in consequence of the death of Mr. Walker, but Capt. Loch was equal to it. He at once wrote to the "King of Mosquito," that as Mr. Walker was dead, he had named Dr. Green to be his "principal and only counsellor, until the pleasure of her Majesty's Government was known." He also instructed him not to employ, in any manner, Mr. Geo. Hodgson, in consequence of the "unworthy evidence he had given to the authorities of Nicaragua,"—and thus the "Senior Counsellor of Mosquito," and late "Governor of San Juan," was laid on the shelf. Capt. Loch next installed Capt. Little, as Captain of the Port of San Juan, and then set sail for Jamaica, to claim his promotion.

When the news of these proceedings arrived in England, the Right Hon. E. J. Stanley wrote to the Secretary of the Admiralty, commending what had been done, and adding:

"Her Majesty's Government are convinced that the good effects of this successful exploit will not be confined to the particular question out of which it arose; but the example thus set of what the British navy can undertake and accomplish, will materially assist in bringing to a satisfactory settlement several claims which Her Majesty's Government has been obliged to make upon some of the Governments of South America, for redress of damages done to British subjects."

In the summer of the same year Mr. W. C. Christy, at one time a Member of Parliament, a Scotchman, and who, from his suspected leaning towards the "opposition," it was thought best to "*provide for*," or "*dispose of*," was sent out as Her Majesty's Consul-General in Mosquitia; and the mantle of Mr. Walker fell gracefully upon his shoulders. As there were neither constitution nor laws, he took absolute authority upon himself, and, disdaining the ridiculous formality of appearing to consult the "Mosquito king," promulgated regulations, sold lands, and established rates, under the seal and authority of "Her Britannic Majesty." He wrote letters for the Times, and the Jamaica papers, abusive of the Central American States, and, in conformity with his instructions, proclaimed that the Mosquito territory extended up the San Juan river, as far as the Rio Serapiqui. The first excitement of power over, he started on a visit to Costa Rica, the Government of which State,—raised to power by a pronunciamento of the soldiers of the "Cuartel General,"—was entirely in the English interest, if not English pay; and where General Flores, the absconding President of Ecuador,—a notorious stipendiary of England,—was residing. He was coldly received by the people, but the Govern-

ment were in ecstacies, in consequence of his condescension; treated him to dinners; and, in a paroxysm of joy and wine, the chief, Castro, "regretted that he had not a daughter, so that, after the manner of monarchial Europe, he might firmly cement the union between the reigning houses of Mosquito and Costa Rica!"

The bacchanalian bouts in Costa Rica over, Mr. Christy set out for Nicaragua, where he supposed the majesty of his presence might work magical results. Arrived at Leon, he forthwith addressed a letter to the Government, to which the Government replied, declining to have anything to do with him, and directing their answer to "*Mr. Christy, subscribing* himself Her Britannic Majesty's Consul-General in Mosquito." To this, Mr. Christy made a long and indignant reply, and returned forthwith to San Juan. In passing through the river, he observed that the forty miles between the Rapids of Machuca, and the Serapiqui (the *then* proclaimed western limit of Mosquito) were fair and fertile, and he incontinently received new light, in respect to the "territorial *rights*" of the King of Mosquito. This was forthwith transmitted to the foreign office, and in two months thereafter, it was proclaimed that the "*Territory of Mosquito, on the west, extended up the river San Juan, to the Rapids of Machuca!*"—forty miles beyond the former limit! A line, drawn from this point, to the claimed point on the river Roman, takes in part of Lake Nicaragua, a portion of the inhabited Nicaraguan district of Chontales, besides a number of the *richest mines*, and some of the largest towns of Segovia,—not to mention a number of the ruined forts of the Spaniards on the Rio Segovia, and other streams! This boundary would, therefore, if it could be maintained, greatly promote the "well-being of the Mosquito kingdom," to say nothing of British interests!

Previous to this, the Government of Costa Rica had also received new light as to its northern limits, and intimated that its territories extended a hundred miles higher up the Pacific coast than had before been pretended, so as to take in the southern shore of Lake Nicaragua and the south bank of the river San Juan, including the Nicaraguan military station of the Castillo Viejo. This intimation was made gently; and the British Vice Consul, to whom the task of making it was confided, intimated also to the Government of Nicaragua, that if $100,000 was considered any object, he had no doubt it might be obtained by a formal relinquishment of the territory in question,—accompanying the intimation with the hint, that the British Government might soon be compelled to insist upon the payment of certain obligations, which it had been alledged the State was under to British subjects.

To understand this subordinate plot fully, it is necessary to mention, that a Mr. Molina, after due consultation with the British agents in Nicaragua and Guatemala, had been Minister from Costa Rica to England. The object of his mission is apparent: Great Britain, desirous of avoiding injuring her influence in Costa Rica, by enforcing her pretensions on behalf of Mosquito, to the eastern coasts of that State, judiciously limited her actual and forcible encroachments to the recognized territories of Nicaragua. She did this, relying upon future intrigues to extinguish the Costa Rican title, and lest Costa Rica should become alarmed, and affiliate with Nicaragua, from which State she had kept aloof in the late contest, as well as for the purpose of diverting the attention of her people from their own objects, the British agents incited the Government of Costa Rica to renew obsolete pretensions to a valuable portion of Nicaraguan territory, promising to protect them from the superior power of this State, in case of necessity. This snug arrangement could not, however, be kept entirely secret. It got out, that Costa Rica was to be placed under British protection. The idea elated Castro, the Chief of Costa Rica, to the highest, who fancied he saw, in this arrangement, an indefinite prolongation of his ill-gotten power, which now appeared to be failing fast. The information reached the United States, and, meantime, Mr. Molina, having arrived in England, Mr. Bancroft was instructed to question him upon this point, and to intimate to him, that the United States could not fail of being interested against any such proceedings on the part of any North American republic. Mr. Molina placed his hand upon his heart, and declared that the idea had never been entertained by his Government, and yet he

had already submitted a basis to the British Government for this precise object, which was then under "favorable consideration," and has since, it is understood, with some modifications, been agreed upon. Never was there a more heinous instance of that alliterative vice, "diplomatic duplicity," which seems to bear the same relation to *lying*, that "*extensive defalcation*" does to *theft*.

It is well-known that the newspapers of the States of Central America are owned and published by the respective Governments, and are nothing more than official gazettes, echoing the sentiments of the party in power. Freedom of the Press is a nominal thing; and it is only necessary to observe the tone of the Government paper, to learn the disposition of the Government. This understood, the reader will know what value to place upon the following passages from the official paper of Costa Rica, published in April following the seizure of San Juan. It will be easy to see "how the land lay" in that quarter, and to discover the possibility, if not the probability, of the truth of the accusation brought by the Government of Nicaragua, that some of the merchants and other citizens of Costa Rica, had been parties to the events at San Juan, and had contributed, in various ways, to precipitate them, under the connivance of Castro. The paper said:

"Costa Rica has not witnessed late events with indifference; but she regards them as past remedy, and knows how to accommodate herself to the new order of things. Aside from all questions of right, and waiving all national pride, (which we, Central Americans, do not know how to sustain,) the occupation of San Juan, which *we regard as a consummated and irremediable fact*, and the consequent establishment there of an opulent commercial colony, will open a new era for the commerce and industry of Costa Rica. Having been already secured the liberty of passage at that port, we shall at once be able to engage in opening the Serapiqui road, and commence the exportation of our products to the Atlantic; we shall at once proceed to the opening of a route from one sea to the other, while the Nicaragua canal is talked about; and we shall be able to aspire to rapid growth and unlimited prosperity."

It continues in this strain, congratulating the people upon being relieved of the Nicaraguan Custom House duties, refers with satisfaction to the low rates established by the British officers at San Juan, and hints at the necessity of a new "fiscal system." This last reference concerns one of the objects of Molina's visit to England, which was to establish, in connection with Castro, a kind of Government Bank, of which he should be the principal officer. The paper adds further, that it has advices from Bluefields, and that, "although the southern limits of the kingdom of Mosquito had not yet been finally decided, the navigation of the Serapiqui river would be in no way obstructed," and that the products of Costa Rica "should pass freely through San Juan."

All this is sufficiently significant, apart from all other circumstances, of the actual sentiments and designs of the Costa Rica Government;—for, in these reflections we draw a wide distinction between the government of that little State, and its people, who, from the very fact of being frugal and industrious, are more ready to put up with a bad government, than take the trouble, or risk the turbulence of a revolution. But their forbearance will have an early end, unless the Government is sustained by overwhelming influences, from outside. In this connection, it will not be improper to anticipate events a little, in order to show the duplicity of Molina, and the nature of his negotiations with the British Government. Soon after the arrival of Mr. Castellon in England, (where he arrived early in 1849, as Minister for Nicaragua, for the adjustment of the difficulties of that State with England,) a rumor reached London that Nicaragua was about attacking Costa Rica. Immediately, and in great haste, Palmerston sent for Mr. Castellon, and earnestly inquired if the rumor was well-founded,—adding, in significant diplomatic phrase, that "Great Britain could not regard such a proceeding with indifference, in consequence of its intimate relations with Costa Rica." This, it will be understood, was at about the same time that Molina assured Mr. Bancroft, that his Government never contemplated, for a moment, placing his Government under British protection.

Mr. Castellon, as we have just said, was appointed Minister Extraordinary to England, in the autumn of 1848, with a view to the arbitration and final arrangement of

affairs, between the two countries, in consonance with the closing article of the capitulation of Cuba. It had been contemplated to name some other person; but the British Vice-Consul, learning the fact, waited upon the Director, and dwelt strongly upon the circumstance, that Mr Castellon had already been in Europe, in a diplomatic capacity, and upon the necessity of having some one at the English Court, acquainted with the routine of diplomatic forms, in order to a favorable termination of his mission. There were some other considerations put forward, which would provoke a smile, if recounted; but the concluding and potential one was worthy of that shrewd "Down Easter," who appears so often on the comic stage, but no where else. The Government was destitute of funds, having exhausted all its available resources, amounting to about $100,000, in the recent brush with Great Britain. The Vice-Consul availed himself of this circumstance to offer, in case Mr. Castellon was appointed, to furnish the Government, wherefrom to defray the expenses of the mission, with a quantity of indigo, which he had on hand, at a price, but little exceeding twice its actual value, and to take therefor, certificates of indebtedness from the State, bearing interest at the *moderate rate of two per cent per month!* As the British navy had always been at hand to enforce the payment of his claims, and was still ready for any such great national service, this arrangement was not unlikely to prove a very "good speculation." The Government, without means, and flattering itself that, by a fair negotiation at London, it might regain its rights, hesitated for a while, but finally acceded to this proposition,—a way of "raising the wind,"—quite as novel as any on record. Accordingly, the Envoy Extraordinary made ready to start on his mission, while the Vice-Consul packed his indigo. The British agents did not probably believe Mr. Castellon devoted to their interests, but believed him less inveterate, in his hostility, than any others which had been named. But to guard against the possibility of deception, and fearing that Castellon might stop in the United States, the British Consul at Rialejo received sudden advices, which demanded his presence in England; and, by a singular conjunction, or, as the senior Weller would call it, a "werry hextraordinary coincidence," the Consul embarked at the same time, and in the same vessel with Mr. Castellon; and when the latter gentleman expressed his intention of stopping for a short time in the United States, the former thought it wouldn't be unpleasant to do so also! This flexibility on the part of the Consul extended to taking lodgings at the same hotel; in fact, it amounted to the closest surveillance. Mr. Castellon merely addressed a note to Washington, but, pending its reception, set sail for Liverpool.

He presented his credentials in due form, but his connections with the Goverment seems to have been very limited, and, so far as the objects of mission were concerned, of very little effect. To his letters he received tardy and unsatisfactory answers. Meantime, the new claim that the western boundary of Mosquitia extended to the rapids of Machuca was made.

Mr Castellon, finding himself unable to accomplish anything at all satisfactory, prepared to return to Nicaragua. He accordingly, in the month of July last, had an interview of leave with Palmerston, when he was informed that no further discussion could be had with Nicaragua, in reference to Mosquito and San Juan. Palmerston also said to him that "he was well aware that the United States had turned its attention to Central America, and had opened communications with the respective States; but that Nicaragua must indulge no hopes in consequence; for, although he felt disposed to regard the United States with some consideration, so far as her own relations were concerned, yet that her opinion, or her influence, was a matter of small importance, one way or the other, in the policy which Her Majesty's Government had determined on in Central America." Hereupon his Lordship jerked his head contemptuously, and Mr. Castellon was politely bowed out.

A few days thereafter, he received a long letter from the foreign office, in reply to his communications before unanswered, which as it is signed "Palmerston," and seems to be intended as a summing up of the British side of the whole Mosquito question, we subjoin it *in extenso.* This, then, is the British Exhibit, and here Great Britain rests her case before the world. It might be allowed to pass to that

august jury without one word of comment, with the fullest assurance that the verdict would be rendered against his Lordship on his own showing. But it contains too much that is false in fact, and unfounded in inference, to be allowed to pass thus easily. He who, in a case of grave national importance, involving the highest principles of international law and justice, resorts to the lowest arts of the special pleader, escapes merited justice if allowed to pass without the severest reprehension. The letter follows.

CHAPTER IV.

BRITISH EXHIBIT OF THE MOSQUITO QUESTION—LETTER OF LORD PALMERSTON.

FOREIGN OFFICE, *July* 16, 1849.

SIR:—I have the honor to acknowledge the receipt of the letter which you addressed to me on the 23d ultimo, in reply to my letter of the 27th of April, relative to the debt due by the State of Nicaragua to certain British subjects, holders of bonds of that State.

As the question whether the State of Nicaragua has a right to include amongst those branches of her revenues which are pledged for the payment of that debt, custom duties to be levied at the port of Grey Town, or in other words, the question as to the validity of the alleged right of Nicaragua to the Port of Grey Town,* forms the essential point in your letter now under consideration, as well as in your preceding letters of the 20th of January, and of the 5th and 19th of March last, I will address myself at once to that question.

In your letter of the 23d ultimo, you say, that by the arguments therein employed, you have shown. 1st. That the Port of Grey Town is now, de jurè, the property of the State of Nicaragua, and has been so ever since Central America declared itself independent of Spain; 2dly. That therefore the revenues of customs levied at that Port is justly to be included in those revenues of the State of Nicaragua, which are pledged for the redemption of the loan which was contracted for in 1826 by the Republic of Central America with the House of Barclay & Co.; and, 3dly. That the British creditors, are bound to assist the Government of Nicaragua, in establishing its claim to Grey Town; and that if they do not so, they must submit to the loss which may result from their own laches, until the Port which you say is unjustly withheld by Great Britain shall have been restored to Nicaragua.

Upon these propositions I am prepared to join issue with you, and will proceed to show that the Port of Grey Town does not belong and never has rightfully belonged to the State of Nicaragua. This point once demonstrated, the second and third propositions which you deduce from the alleged rights of Nicaragua to Grey Town, must of course and necessarily fall to the ground.

Now, in the first place, I have to remark, that since the people of Nicaragua have never occupied any part of the territory of Mosquito except Grey Town, which they forcibly took possession of only in 1836, the sole pretence upon which the State of Nicaragua can claim a right to Grey Town or to any other part of the Mosquito territory, is the allegation that the Mosquito territory belonged to Spain, and that Nicaragua has inherited the rights of Spain over that territory. But assuming for the present for the sake of argument that Spain had rights over the Mosquito territories, how can it be shown that those rights have devolved to Nicaragua? Has Spain ever conferred such rights to Nicaragua by treaty? Certainly not. Has Nicaragua obtained them by conquest? Equally not. The people of Nicaragua revolted, indeed, against the King of Spain and obtained by force of arms, and de facto, their practical independence, which, however, I believe, has not up to this day been formally and diplomatically acknowledged by Spain. But the successful revolt of the people of Nicaragua could give them no right, with reference to Spain, except the right of self-govern-

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* This is the name which the English have given to San Juan de Nicaragua, since its occupation.

ment. The very principle upon which their revolt was founded, and which the success of that revolt established, goes to forbid them from practising towards other nations that kind of oppression from which they had freed themselves. The fact of their having thrown off the yoke of Spain could give them no right to impose their yoke upon the people of Mosquito; the circumstance that they had succeeded in asserting their own freedom from foreign rule, could give them no right to impose their rule upon a people who had always been free, and it is a well known historical fact, that the Mosquito nation had from time immemorial, and up to the period of the revolt of Nicaragua been as free as they have continued to be from that period to the present day. But even supposing that this had not been so, and that the crown of Spain had possessed rights of sovereignty over the Mosquito territory, the people of Nicaragua might as well claim a derivative right from Spain to govern and to be masters of Mexico, New Grenada, or any of the neighboring States of Central America, as to govern and possess by such derivative rights the Mosquito territory, which was never possessed or occupied by the people of Nicaragua. The people of each of the revolted districts of the Spanish American provinces established their own independence and their own rights of self-government within the territory which they actually occupied, but nothing more. If these revolted provinces had imagined that they acquired by the revolt all the rights of Spain, besides determining among each other in what manner those rights were to be apportioned between them, they must also by necessity have considered themselves bound by all the obligations of Spain. But they neither acknowledged these obligations nor were called upon by other countries to adopt them. On the contrary, when their political existence as independent States was acknowledged by foreign countries, they contracted severally with those foreign countries, such new treaties as were applicable to their own respective geographical limits and political conditions, and neither they nor the foreign powers with which they treated, ever thought of considering them inheritors of any rights or obligations, rising out of the treaty engagement of the Spanish Crown. However, if Spain possessed any rights over the Mosquito territory, and if those rights have descended by inheritance to any of the Spanish Republics, it would remain to be proved that such rights have devolved upon Nicaragua rather than upon Honduras, Costa Rica, or New Grenada, and it is probable that each and all of those three States would establish just as good a claim as Nicaragua, and probably a better one to the inheritance of any such rights, if such rights had existed.

But I deny totally and entirely that Spain had any right to the Mosquito territory, and I therefore contend, that there is no inheritance whatever, in this respect, which can become the subject matter of dispute. On the contrary, the King of the Mosquitos has, from a very early period in the history of America, been an independent ruler of a separate territory, and he has invariably been acknowledged and upheld by the Government of Great Britain. It is quite true that by the convention of 1786 between Great Britain and Spain, Great Britain agreed to withdraw British subjects from the Mosquito territory. But Great Britain did not by that treaty either acknowledge that the Mosquitos were not an independent nation, or renounce her protectionship of that nation. On the contrary, the stipulation of the treaty of 1786 clearly mentions the Mosquitos as a nation distinct from the people living within the Spanish Dominions, and that treaty contains a stipulation which was an act of protectorship exercised by Great Britain in favor of the Mosquito nation.

In order to understand fully the treaty of 1786, it is necessary to revert to the treaty of 1783.

It appears from the 6th article of the treaty of 1783, that several English settlements having been made and extended upon the Spanish continent, on the pretence of cutting logwood or dyeing wood, and Great Britain and Spain being desirous of preventing as much as possible the causes of complaint and misunderstanding to which this intermixture of British and Spanish wood-cutters gave rise, it was thought expedient that the Government (Spanish) should assign to British subjects, for the purpose of wood-cutting, a separate and sufficiently extensive and convenient district on the Coast of America, and that in consideration of such an assignment, British subjects should be restricted from forming settlements on any other part of the Spanish territories in America, whether continental or insular, and that all British subjects dispersed in those Spanish possessions, should, within eighteen months after the exchange of the ratifications of the treaty, retire within the district specially assigned for their occupation and use.

It seems, however, that the treaty of 1783 did not sufficiently accomplish the purpose of preventing complaints and misunderstandings. It was found by Great Britain, on the one hand, that the district assigned on the Coast of Honduras to British subjects by the 6th article of the treaty of 1783, was too limited in extent, and the enjoyment of it much narrowed by the restrictions contained in the article. It was found by Spain, on the other hand, that British subjects still lingered in parts of the Spanish American territories, and the Spanish

Government found, moreover, that there were many British subjects settled in the Mosquito territory, to which the treaty of 1783 did not apply, as that treaty mentioned only the Spanish possessions in America, and said nothing about Mosquito, and did not require that British subjects should retire from Mosquito, and it seems that the revenues to Spain suffered from smuggling transactions carried on by British subjects so settled on the Spanish territory and in Mosquito.

To put an end to these mutual inconveniences, it was agreed by the convention of 1786 that a larger extent of territory should be assigned to British subjects on the Coast of Honduras, according to new boundaries described in that convention; and it was also agreed that the enlarged territory so granted should be occupied by British subjects with a greater latitude of enjoyments than was allowed by the restrictions of the treaty of 1783; and in return, in order to relieve the Spanish Government from loss by smuggling, the British Government again bound itself to recall British subjects from the Spanish possessions in America, and also took the new engagement of withdrawing British subjects from the Mosquito territory, as well as from the Spanish possessions; and the British Government further engaged, that British subjects so withdrawn and confined to the ceded district in Honduras, should, in their communications from thence to the Spanish territories, conform to such regulations as to custom duties, as the Spanish Government might think proper to establish among its own subjects.

The manner in which the Mosquito territory is, in the convention of 1786, contra-distinguished from the possessions of Spain, which alone had been mentioned in the treaty of 1783, clearly proves that by the understanding of both parties, the Mosquito territory and the possessions of Spain were separate and different things.

But any pretension of Spain to rights over the Mosquito territory, of which she had no possession, could only be founded upon a general claim of sovereignty over the whole of that Central portion of the American Continent. But if that claim existed, Spain could not have acknowledged that she had in that part of America any frontiers, except the two oceans; and, yet by article 14th of the treaty of 1786, the British Government engages not to allow British subjects to furnish arms or warlike stores to the Indians, in general situated upon the frontiers of the Spanish possessions; and by the immediately preceding mention of the Mosquitos, in the very same sentence, it is sufficiently clear that they were intended to be included among the number of Indians situated upon the frontiers of the Spanish possessions. But if Mosquito had belonged to Spain, the Spanish possessions in that quarter would have had no frontier, except the tide line of the ocean, and upon such frontier no Indians could dwell, to whom arms and warlike stores could be furnished. It is plain, therefore, that the treaty of 1786 proves, that the Mosquitos were considered by the contracting parties as a nation, separate and independent, and were not acknowledged by Great Britain as belonging to Spain. But that treaty also proves, that Great Britain still sheltered the Mosquitos under her protection; for while the British Government agreed, for fiscal reasons, to withdraw from Mosquito those British subjects, whose presence therein, being a visible symbol of the protectorship of Great Britain, would secure the Mosquitos from any act of hostility on the part of the Spaniards, the British Government exacted from the Government of Spain, as an equivalent security for Mosquitos, an engagement not to retaliate upon the people of Mosquito, on account of the co-operation and assistance which the Mosquitos had afforded to the British in the hostilities which had taken place between Spain and Great Britain before the peace of 1783. This stipulation was a substantial and effectual act of protectorship on the part of Great Britain, acquiesced in and subscribed to by Spain.

It is demonstrable, therefore, that the convention of 1786 did not invalidate either the independence of Mosquito, or the protectorship of Great Britain; but if it had invalidated both, as between Great Britain and Spain, what would that have been to Nicaragua? or how could a convention, which was "*res inter alios acta*," have had any bearing whatever upon the rights or pretensions of Nicaragua.

I might well content myself to close here my answer to your notes; and having proved a negative, I might abstain from going into a proof of the opposite affirmative. Having shown that Nicaragua has no claim whatever to the Mosquito territory, it would seem unnecessary for my argument with you, to show by any other evidence than the documents which you yourself have quoted, that long before Nicaragua came into existence as a State, Great Britain exercised a protectorship over the Mosquitos, as a separate nation. But, nevertheless, even at the risk of making this letter needlessly long, I will mention one or two facts which clearly demonstrate that it was so.

At what time and in what manner the connection between Great Britain and the Mosquito Nation first began, is not well known; but it is certain, and on record, that while the Duke of Albemarle was Governor of Jamaica, to which office he was appointed in 1687, the Mosquito Indians made a formal cession of the sovereignty of their country to the King of England, and that in consequence of that cession, the chief of the Mosquitos, received his

appointment as King, by a commission given to him by the Governor of Jamaica, in the name and on the behalf of the King of England.

Somewhat more than thirty years afterwards, namely, on the 25th of June 1720, as appears by the Journals of the House of Assembly of Jamaica, a convention about runaway slaves was concluded between the then Governor of Jamaica, and King Jeremy of the Mosquitos.

From that time downwards, during the reigns of George 1st, 2d, and 3d, the connection of Great Britain and the Mosquito continued uninterrupted and unimpaired, and at times during that period there were British settlers established in the Mosquito territory with a British resident officer, appointed by the Governor and Council of Jamaica, on behalf of the British Crown, to superintend those settlers; and the Council of Jamaica, in a report to Governor Dallas, on the 16th of July, 1774, adverting to the inland boundary of the Mosquito territory, mention it as running along "the distant mountains," which bound the Spanish territory, a clear proof that Mosquito was a separate State and did not belong to Spain. But colonial records of the British Government abound with correspondence about the Mosquito King and nation, proving not only the strong and constant interest taken by the British Government in their welfare, but the close and intimate connection which has uninterruptedly subsisted between Great Britain and Mosquito.

If it be established, as it clearly is, that the Mosquito territory, is, and for centuries has been, a separate State, distinct from the American possessions of Spain, there cannot be a moment's doubt that the Port of Grey Town at the mouth of the river San Juan, belongs to and forms part of the Mosquito territory. This can be shown by quotations from numerous authorities, public and private, official and literary; and so far from there being any just ground to doubt that the southern extremity of the Mosquito territory includes the Port of Grey Town, there are, on the contrary, good and substantial reasons which can be alleged to show, that the rights of the Mosquito extend southward, as far as the Boca del Toro, at which place, the King of Mosquito has, at various times, exercised rights, by levying duties.

Such being the state of the matter, it can scarcely be necessary for me to say, that Her Majesty's Government cannot allow the Government of Nicaragua to mix up its unfounded pretensions to the territory of Mosquito, with the just claims of the British creditors upon Nicaragua; and any attempt on the part of the Nicaraguan Government to do so would constitute one of those cases of denial of justice and of notorious injustice, which you yourself admit would entitle Her Majesty's Government to exercise an authoritative interference in the discussion between the British bond-holders and the Nicaraguan Government.

In saying this, however, I beg not to be misunderstood, as admitting that such an authoritative interference would be proper and legitimate only in such an extreme case, a case which my respect for the Nicaraguan Government forbids me from considering to be possible as between the British bond-holders and that Government.

But, as in a matter of this kind, it is desirable that no mistake should be allowed to exist, I beg to say, that it is quite certain and indisputable, that, according to international laws, the Government of any country is at full liberty to take up, according to its own discretion, in such manner, and at such times as it may think fit, any just claim which any of its subjects may have against the Government of any other country.

I have the honor to be, with the highest consideration, Sir,

Your most obedient humble servant,
(Signed) PALMERSTON.

CHAPTER V.

ANALYSIS AND REFUTATION OF THE BRITISH EXHIBIT.

It has been said that falsehood circles the world, while truth is putting on his boots, or something to that effect. A liar may make an assertion in one sentence, which it may require a page to *prove* to be a falsehood. Our readers must, therefore, pardon us, if our answer to this letter appears long and tedious.

In making the assertion, that Nicaragua has never occupied any portion of the territory of Mosquito, his Lordship forgets that the last claim which he himself has put

forward, as to the western boundaries of that equivocal and growing country, takes in Matagalpa, and several other considerable towns in Segovia, if not the ancient capital of that department itself. It probably, also, takes in the village of San Miguelito, and a portion of the inhabited district of Chontales. But even if his observation was so far correct, that no establishment of civilized Nicaraguans exist within the so-called limits of Mosquito, we call upon him to prove that every inhabitant of that region (except foreigners) is not, *de facto*, a Nicaraguan subject or citizen, as truly and as positively as every Seminole in Florida, or every Chippeway in Canada, is a subject of the United States, or of Great Britain? His Lordship well knows that there are other territorial rights pertaining to nations, than those resulting from actual and constant occupation, as will be shown as we proceed. He, however, admits that the Nicaraguans have occupied San Juan, of which, however, he asserts they "took forcible possession as late as 1836." This is simply not true. By order of the Captain-General of Guatemala, José Maria Gonzales Saravia, dated May 2, 1821, Don José Blanco, commander of the Fort of San Carlos, at the head of the San Juan river, for the better protection of the port of San Juan, at its mouth, was directed to build a fort there, which he accordingly did, and the ruins of which may still be seen. Upon their independence, the people of Nicaragua took possession of the fort and the harbor; but as the collection of the customs was more readily conducted at San Carlos, at the head of the river, (where, so far as then known, everything entered at San Juan must necessarily pass,) the custom officers were placed at that point, but were always recognized, and made their reports as "Collectors of the port of San Juan." All the trade of Nicaragua, on the Atlantic, was carried on through that port and river. But, in 1835, it was asserted that a communication had been opened by means of a branch of the San Juan, called the "Serapiqui," with Costa Rica, and that goods which were formerly entered, and which paid duties at the Costa Rica port of Matina, (sixty miles southward of San Juan,) were now introduced, clandestinely, by this new route. The custom-house officers, with their guards, were therefore ordered to change their position to the mouth of the river, which they accordingly did, without the slightest opposition; and *this* is what Lord Palmerston terms a forcible seizure of the Port!

But these are matters of slight importance, compared with the startling principle which his Lordship next proceeds to lay down, and which is a practical denial of the ability of a State, which declares and maintains its independence, to succeed to the territorial rights of the sovereignty which it displaces. When this new doctrine was broached by Mr. Chatfield, we regarded it as so preposterous, and so entirely in opposition to universal practice, not to say common sense, as to need no serious refutation. But coming now from an officer, charged with the foreign administration of an old and powerful State, at a time when events indicate, with certainty, that many new and republican organizations, rising from the wrecks of ancient empires and kingdoms, will claim admission into the ranks of nations, it is entitled to special notice. If this new principle, or rather this rude denial of an old and established principle, is recognized, the limits of no new State can be fixed, and every such State must constantly be exposed to disturbance from savage tribes, discontented communities, or avaricious neighbors.

"For the sake of argument" alone, his Lordship admits that Spain had territorial rights over the Mosquito coast; but he denies that Nicaragua, and, by implication, any other State, could succeed to those rights. "The successful revolt of the people of Nicaragua," he continues, "could give them no right, with reference to Spain, except that of self-government." This sweeping declaration, which denies to a revolutionized people the right even *to live* on the soil, which they have made free, his Lordship afterwards puts forward in a modified form. "The people of each of the revolted districts of the Spanish-American provinces," he says, "established their own independence, and their own rights of self-government, within the territory which they actually occupied, and nothing more." That is to say, they acquired a sort of patch-work independence; "the districts (observe his Lordship's phraseology) which the revolting people

actually occupied," alone became independent, and belonged to the new States. Wild lands, and the unsettled districts, between actually occupied districts, still remained under the anterior order of things! A city might become free, but not its dependent territories;—the settled portion of a province might become free, but not the province;—a nation might become free, but not the territory of the nation! When the thirteen colonies sustained their independence against Great Britain, did she adopt this principle, and limit her acknowledgment of their independence to the "*districts* which the colonists actually occupied?" On the contrary, the thirteen free States were understood to comprehend the *entire territory* of the thirteen colonies, including many native tribes, any one of which was immeasurably superior, in all that goes to give a national character, or which is necessary to a national existence, whether in war or peace, to the miserable savages which his Lordship has the audacity to put on a footing with civilized nations! When Spain acknowledged the independence of Mexico, and when her Cortez, on the 4th of December, 1836, by a solemn edict, recognized the independence of *all* her revolted colonies, did she make any reservations of the districts not actually occupied at the time the colonies threw off their yoke? Nothing of the sort! Neither common sense, common right, or common practice, sustains, but, on the contrary, they do wholly deny his Lordship's position.

Here we might meet this extraordinary assertion of his Lordship, so far as concerns the case before us, by the fact that the Republic of Central America, declared by the very first article of its constitution, that it comprehended *all* the territory which had belonged to the ancient kingdom of Guatemala; and that, under this declaration, it was recognized by Great Britain,—the same power, which now denies that the republic ever had a shadow of right to a section equal to one half of those territories! But that is a point which will claim more particular attention in a future page.

We are obliged to notice the statements and arguments of his Lordship in the order in which they occur, and if, therefore, our observations, in refutation of the one, and in correction of the other, lack continuity, the fault is not with us; for his Lordship rambles, as all men must do, when not pursuing the straight and even course of faithful narration and legitimate argument.

With this explanation, we beg to observe that his Lordship is sadly deficient in his knowledge of historical facts, to express, even in the indefinite form of a *belief*, that the independence of the Spanish revolted colonies was not acknowledged by Spain. Can it be possible that he is ignorant of the famous and eloquent report upon the subject, presented to the Cortez-General of Spain, on the 27th of November, 1836, and approved unanimously on the succeeding 6th of December, which, formally, and in a solemn act appended thereto, recognized the independence of *all these States*, and authorized the sovereign, who concurred fully in the action of the Cortez, to enter immediately into treaty relations with them? It is true, treaty relations were not established with all, simply from the force of circumstances; but the recognition was none the less actual in consequence. Said the Cortez: "*we recognize in this mode*," i. e. by the adoption of this report and act, "the *entire independence of the new American States, so as to restore tranquillity to those regions, and render to humanity its rights.*"

It would be trifling with the common sense of our readers, to notice the remark of his Lordship, that "even though the rights of Spain over the Mosquito territory were admitted, Nicaragua might as well claim a derivative right of sovereignty over Mexico, New-Grenada, &c." Such stuff as this would not be tolerated in a schoolboys' debating club. The fact that the Mosquito coast belonged to the kingdom of Guatemala, and that portions of this coast fell within the boundaries of the provinces of Costa Rica, Honduras, and Nicaragua, which were included within the kingdom of Guatemala, which kingdom became, by revolution, the Republic of Central America,—each of the provinces retaining, as States, their original boundaries! we say, these facts need only be recounted to place his Lordship in the light of a trifler with the plainest rules of reasoning.

But the basis of his Lordship's proposition is the assertion that "it is a well known historical fact that the Mosquito nation had, from time immemorial, and, up to the

period of the revolt of Nicaragua, been as free as they have continued to be from that period to this day." We will not say that the comparative or conditional form in which his Lordship has put this statement, is intended. If he means to say, (what elsewhere he does, in fact, say, and which is the claim that the English Government has set up, upon which to found their usurpation,) that the tribe of Indians, known as *Moscos*, or *Mosquitos*, on the Atlantic coast of Central America, are truly a free and independent nation, according to the standards of common sense, international law, and concurrent practice, then, and we now do, not only join issue with him, but engage to prove, to the satisfaction of every impartial man in Christendom, that his pretensions are unfounded,—subversive of all international right,—impudent and dangerous innovations,—and without a precedent in the history of the civilized world. We will also engage to show that Spain had jurisdiction over the Mosquito shore, by the double right of discovery and occupation, that England repeatedly and solemnly recognized that right, and that the Mosquito Indians never pretended to sovereignty, until excited to do so by British agents, for purposes as selfish as the means resorted to are base.

Says Palmerston: "I deny totally and entirely that Spain had any right to the Mosquito territory, and I therefore contend that there is no inheritance in that respect, which can become the subject matter of controversy."

To disprove this assertion we must inquire by what right any European nation held, or holds any portion of the American Continent; what acts were supposed to convey these rights, and whether Spain, by compliance with the same, acquired sovereignty over the Mosquito coast. Upon the principle here involved we have fortunately the highest authority.

Said Chief Justice Marshall, (*Johnson vs. McIntosh*, 8 *Wheaton*, 573, 574,) "*Discovery* is the original foundation of titles to lands in America, as between the different European nations, *and gave to the nation, making the discovery, the sole right of acquiring the soil of the natives*, and establishing settlements upon it. *It was a right in which no Europeans could interfere.*" It was a right they all asserted for themselves, and to the assertion of which, by others, all assented. The relations which were to exist between the discoverer and the natives, were to be regulated by themselves.

"While the different nations of Europe respected the *rights of the natives as occupants*, they asserted the *ultimate dominion to be in themselves;* and claimed and exercised the power to grant the soil while yet in the possession of the natives. These grants have been understood by all to convey a title to the grantees, subject only to the Indian right of occupancy."

The same authority says in the same:

"The lands ceded by Great Britain to the United States were, in great part, occupied by numerous, warlike, and *independent* tribes of Indians; but the exclusive right of the United States to extinguish those titles, and to grant the soil, has never been doubted; *and any attempt of others to intrude in that country, would be considered an aggression, which would justify war.*"

Again:

"The United States maintain, as all others have maintained, that discovery gave an exclusive right to extinguish the Indian title to occupancy, either by purchase or conquest, and gave also a right to such a *degree of sovereignty, as the circumstances of the people would allow them to exercise.*" (*Ib.* 587.)

Discovery, then, is the basis of all territorial right, which any European nation possesses, or has ever possessed, in America; it has given a title indisputable, any invasion of which, by other nations, is a just cause of war. By it, the discoverer was left free to institute such relations with the natives as he pleased, or as the circumstances of the people would allow, without, however, any prejudice to his sovereignty.

The question then arises, what nation first discovered the section of continent, known as Central America, or that portion called the Mosquito coast? Unquestionably, the Spaniards.

In the month of August, 1502, Christopher Columbus, then sailing on his fourth voyage, discovered an island about 50 miles north of Cape Honduras, called by the natives *Guanaja*, which name it still retains. He stopped there a few days, and proceeded upon his voyage. He next discovered a point which was cov-

ered with trees, and to which he gave the name *Punta de Casinas,* which has since been changed into Cape Honduras. Upon Sunday, the 14th August, he went ashore, with many of his men, to hear mass, and on the Wednesday following (17th of August, 1502) he landed again, *and formally took possession of the coast*, *in the name of their Catholic Majesties;* calling it, from the circumstance of many of the natives having great holes in the lobes of their ears, " through which an egg might pass," *Costa de la Oreja*,—Coast of the Ear. From this point he sailed, with great difficulty, along the coast eastward, where, on the 12th September, he discovered the Cape, which, in the language of the old historian, " runs far out into the sea, when the land turns off to the south." This point he called *Cabo de Gracias a Dios*—or Cape Thanks to God. He went ashore at this point, as he had previously done, and on the 17th of September, he anchored before an island, called *Quiribi*, in which we recognize the modern Chiriqui, which gives its name to the Lagoon, or Archipelago, included in the southern division of what is claimed to be the Mosquito shore. Here he stopped for fourteen days, and held a good deal of intercourse with the Indians. He describes the Indians along the whole coast as generally naked, and speaking several languages. They presented him with young girls, and he purchased from them the gold and silver ornaments which some of them wore. (*Herrera*, *Hist. America, vol.* i., *pp.* 258, 268; *also, vol.* iii. p. 366.)

Thus much for the right of discovery. Columbus not only discovered this coast, but formally took possession of it for the crown of Spain. But not only so, settlements were speedily established in various parts of it; at Truxillo, San Gil de Buena Vista, Gracias a Dios, San Jorge, and other points.

Before the year 1526, the town of Truxillo was established at Cape Honduras, as it is expressly referred to in the sixth letter of Cortez, of that date, and about the year 1536 the Spaniards, who had been left in various parts of the coasts of Honduras, sent an urgent request to Pedro de Alvarado, the renowned General of Cortez in Mexico, then Governor of Guatemala, for his intervention to organize the country. This he at once proceeded to do; and, says Herrera, (*vol.* v. *p.* 107,) " founded the town of Gracias a Dios, which proved a good situation, and drew an abundance of people there." He also founded another colony at Port Cavallos, now Amoa. Previously, Giles Gonzales had landed between Truxillo and Cape Camaron, where he established a colony called *San Gil de Buena Vista.*

We have thus shown that the northern part of what Lord Palmerston claims as the Mosquito coast, was not only originally discovered, but partially occupied by the Spaniards. We next propose to show that the same is true of the southern portion of the same coast.

Thomas Gage, an Englishman, in the year 1665, journeyed overland from Guatemala through San Salvador, and Nicaragua to Cartago, the capital of Costa Rica. From the latter place he crossed to the Atlantic coast, and embarked for Porto Bello, where he expected to find a vessel for Europe; but was captured by pirates, and obliged to turn back. He speaks of the coast as being inhabited by Spaniards, who had reduced the Indians, and who kept up a considerable trade through the ports of *Suere* and *Anzuelos*, which Lord Palmerston will find in the maps of this section, published by order of Parliament, designated " Swarree," and the " Port of Cartago." We quote the words of this traveller. (*Gage's West Indies*, pp. 426, 436, London, 1699): " Here (at Cartago) we learned that there was a vessel ready to set out at the mouth of the *River Suere*, and another from the *Rio Anzuelos*, but as the first was the best place to travel to by reason of more provisions by the way, more tribes of Indians, and *Estancas* of Spaniards, we resolved to go there. We found the country mountainous in some places, but here and there were valleys, where was good corn, Spaniards living in good farms, who, as also the Indians, had many hogs; but the towns of Indians we found much unlike those we had left in Nicaragua, and the people, in courtesy and civility, much differing from them, and of a rude and bold carriage; *but they are kept under by the Spaniards, as much as any of those which I have formerly spoken of*, *in Guatemala.* We came in so good time to the River *Suere*, that we stayed there but *three days*

in a Spanish farm near it, and then sailed."

"They had not," says this author, "sailed more than 20 leagues," when they were captured by pirates, who plundered them, and set them ashore. Here they were told that the vessel at *Anzuelos* had gone; but, by the charitable assistance of the *Spaniards of the country*, were enabled to return to Cartago.

At this time, we also know, that a direct trade was kept up between Grenada and the ports of Spain, through the river and port of San Juan. The author in question describes the establishments which were maintained to facilitate the navigation of that river. The ruins of the forts, then built to defend it, still frown upon the voyager as he passes. Indeed, as early as 1527, the plan of opening a canal across the Isthmus of Nicaragua, by way of Rio San Juan, and Lake Grenada, or Nicaragua, was suggested, and one of the strongest arguments used in supporting it was, according to Herrera, that thereby "His Catholic Majesty might open a way to the Spice Islands through his own dominions."

We have also the testimony of *Equemeling*, a pirate, who was here before Gage, that portions of this coast was occupied by the Spaniards. He says, (*Narrative*, *p.* 163, *London*, 1704,) that proceeding north from Boca del Toro, they arrived at the place called the *Rio de Zuere*, (*Suere*, or *Swarree*,) "where we found some houses belonging to the Spaniards, whom we resolved to visit. The inhabitants all fled, &c." From thence this party proceeded to "the Bay of *Bleevelt*, so named from a pirate, who used to resort thither, as we did." This is the Bay of *Bluefields*, now occupied by men equally unscrupulous with those who named it.

Lord Palmerston, therefore, makes the assertion that the Indians of the Mosquito coast were always a free people, and that Spain had no rights there, in total disregard of historical facts, and of the principles laid down by civilized nations, for the regulation and determination of their territorial rights in America. The Mosquito nation, so called, or that fractional tribe named *Moscos*, were distinguished by no superiority in their social, or other organizations, to exempt them from the rules, which every where else placed the aborigines under the sovereignity of the discoverer. On the contrary, they were, and the shattered remnants, which still exist, still are among the most degraded, physically, intellectually and morally, of all the savage hordes of America. The long protectorship, which Lord Palmerston asserts Great Britain has exercised over them, has had no elevating or beneficial influence. A "*Mosco*," is a term of degradation, and a Mosco Indian is superior to nothing human, except an *Anglo-Moscan*.

We might rest the cause here, having proved the Spaniards to have been the original discoverers of the eastern Atlantic coast of Central America, thus acquiring a right which no subsequent interposition, by any other power, could invalidate,—a right which was afterwards strengthened by actual occupation. If Great Britain set up any protectorship over the savage tribes of that coast, she violated a principle of international law, and committed an act of hostility against Spain. She acquired no rights thereby, nor were those tribes relieved from Spanish sovereignty. It is therefore immaterial to the real question at issue, whether the patrons of pirates in Jamaica, at any time pretended, or exercised, a protection over the Indians, amongst whom their piratical *proteges* had sought safety from the gallows and the yard-arm.

We now come to a comparatively late period, and one of peculiar difficulty to his Lordship. He asserts that Great Britain always recognized the independence of the Mosquito Indians, and never relinquished her protectorship over them. We assert, on the other hand, that Great Britain never, in any valid manner, recognized these Indians as a nation, and never exercised any real protection over them; or if she ever did, or intended to do so, that she has repeatedly, and in the most solemn manner, by her treaties, and her acts, disclaimed both.

We have elsewhere presented a historical sketch of English intercourse with the Mosquito shore. We have shown how English adventurers (*pirates*) obtained a footing there, and noticed the attempts which England made, at various times, to obtain possession of the country in absolute sovereignty, and how she formally, and by her treaties of 1671, 1736, 1763, 1783,

and 1786, renounced her pretensions, and recognized the absolute sovereignty of Spain.

The relations which existed between Spâin and the Mosquito coast, are not only to be inferred from these acts, but are thus distinctly set forth in a letter from the King of Spain to the Governor-General of Guatemala, Don José Estracheria, of the date of January 5, 1785. Says this letter:

"The Mosquito Indians, situated in the provinces of Guatemala, have been vassals of the crown of Spain, since the conquest and reduction of those dominions, and, notwithstanding that some time since they abetted certain English adventurers in making transitory establishments among them, they have since repeatedly solicited to return to the Spanish dominion, and, finally, the reconciliation which they asked for, has been benignantly conceded. Amongst the causes of their rebellion, was the uprising of many negro slaves belonging to the King, and to particular proprietors of Guatemala, who escaped to the fastnesses of the mountains, and after effecting a union with these Indians, induced them to make common cause, and, under the support of the intruding English, to attempt the freedom to which they aspired. There are indisputable facts, supported by evidence, that the Mosquito Indians and Sambos aggregated with them, are subjects of Spain, and that this monarchy has over them the eminent right of sovereignty, since by their rebellion they acquired no independence, expressed or implied; *on the contrary, they have implored pardon for the crimes which they have committed against their legitimate Government, offering, in extenuation, to drive from the territories the English and other foreigners, who have intruded themselves in the country. These offers were formally made in writing, and still exist.*"

The document here referred to may, no doubt, be found amongst the archives of Spain.

The claims here asserted by the King of Spain were distinctly put forth in the treaty of '86, and fully recognized by England. Nothing could be more explicit than that treaty. While England agrees to withdraw her protection from any of her own subjects who might continue to reside in the Mosquito coast, can it be supposed that she intended to continue it (if it ever existed, of which there is no valid proof) over the Indians of that coast? If that coast was not part of the Spanish dominions, what right had England to treat with Spain concerning it? We have no example in history where she has agreed to withdraw her citizens from the territories of a *second*, and to disavow them if they "dared" to remain, for the benefit or satisfaction of a *third power!*

But Lord Palmerston claims that by this treaty the British Government did not terminate the protectorship, which, he affirms, it had always maintained over the Mosquito Indians. He says that the thirteenth article of that treaty is, *de facto*, an act of protectorship. But that article explains the sole reason of its introduction. It reads—"*prompted solely by duties of humanity*, his Catholic Majesty promises that he will exercise no acts of sovereignty against the Mosquitos inhabiting in part the countries to be evacuated by virtue of this convention, on account of the connection which may have subsisted between the said Indians and the English. And His Britannic Majesty, on his part, will strictly prohibit his subjects from furnishing arms or warlike stores to the Indians in general situated upon the frontiers of the Spanish possessions." This is only the stipulation of a powerful confederate in a crime, in favor of his weaker associate; and so far from being an act of protectorship, recognizes the right of Spain, *without* some such provision, to punish her rebellious Indian subjects, who had exposed themselves to her just anger by aiding foreign enemies in an attack upon her sovereignty. His Lordship's conclusion is a palpable *non sequiter*. If such an interposition as this is an act or evidence of protectorship, then are all the Indians of Canada under the protection of the United States; for by the treaty of Ghent, of the 24th of Dec., 1814, "His Britannic Majesty agrees to put an end to all hostilities in which he may be engaged with the Indian tribes, and to restore to them respectively all the possessions, rights and privileges which they were entitled to in the year 1811." Of a piece with this last argument, but if possible still weaker, is the claim that, as "the British Government engages not to allow British subjects to furnish arms to the Indians in general situated upon the *frontiers* of the Spanish possessions, and by the immediately preceding mention of Mosquitos, in the same sentence, it is suf-

ficiently clear that they are intended to be included among the number of Indians situated upon the frontiers of the Spanish possessions, which possessions, if they included the Mosquito coast, could have had *no frontier* except the ocean,"—therefore his Lordship avers, "it is plain that the treaty of 1786 proves that the Mosquitos were considered by the contracting parties, as a nation separate and independent!" If ever so weighty a conclusion was suspended on so slender a thread, history has failed to record it. The whole argument, if it can be dignified as such, is simply a petty quibble on the word *frontier!* a verbal quibble too shallow to deceive any one. When his Lordship hears of Indian outbreaks on the "*frontiers* of Canada," does he sip his coffee and conclude that the trouble is in the United States, or in the Russian possessions? If he reads of similar outbreaks on the frontiers of the United States, does he send for the Minister of War and inquire whether the trouble is in Canada or Mexico? If he reads of a French army that has been ordered to the eastern frontiers of the Republic, does he hurry on to learn whether it has entered Germany, is sweeping over the cantons of Switzerland, or descending the Alps into Italy?

The frontiers of a country are the portions lying immediately within its boundaries, as Lord Palmerston well knows, whether the boundaries are a chain of mountains, a river, the sea, or an imaginary line.

Nothing is more common than to hear the Indians of the western parts of Canada and the United States referred to, as upon the western frontiers of these countries, but according to Palmerston's new vocabulary, these countries have neither eastern or western frontiers.

We have already shown in what light Spain regarded the Mosquito coast subsequently to the treaty of 1783, by an extract from a royal letter dated 1785. His lordship says, "it is *clear* that by the treaty of 1786 the Mosquitos *were recognized as independent by both contracting parties.*" The basis of this conclusion, as we have shown, is at the best a forced and unnatural construction. But fortunately, we have documental evidence which makes it very "clear" that no such recognition was intended by Spain, whatever may have been the "*mental reservations*" of England. Some time after the conclusion of this treaty, Don Juan de Ayssa, Lieutenant Governor of Nicaragua, took the liberty of making some kind of a treaty with the Mosquitos. Upon this coming to the knowledge of Estacheria, Governor-General of Guatemala, he wrote to Ayssa under date "March 7, 1789," saying, "intelligence has reached me of a treaty *(pacto)* which you have concluded with the Mosquito chief, Carlos Antonio de Castilla Bretot, which has given rise to difficulties, as appearing to invalidate the sovereignty and jurisdiction which Spain has always had over the Mosquitos and Sambos. [He then quotes the declaration of the King of Spain already presented, and concludes,] In consequence, therefore, of the positive sovereignty which the King of Spain has always maintained over the Mosquitos and Sambos, I order you instantly *(luego luego)* to recover and send to me the original of said pact or treaty, with all the copies of the same, and the documents pertaining thereto, inasmuch as they are all in opposition to the royal will." Ayssa replied, transmitting a *copy* only of his "pact," whereupon the Governor-General wrote a still more urgent letter dated "April 4, 1789."

"Having received the duplicate copy of the agreement with the Mosco Chief, Carlos Antonio de Castilla, which you sent with your letter of the 23d March ult., I notify you that I am waiting for the original copies, extracts, or transcriptions which were made by Lieutenant Colonel Antonio Samper, and which you were to recover; and as I am convinced that the said Chief Carlos should not be allowed to possess any copy or extract from them, I order you to inform me *definitely*, whether he has any such documents or not, and in case he has, I order you to advise the Governor (of Nicaragua) not to leave this matter unattended to when he goes to Tubapi, and that he may take them (the documents) away from him (the Chief Carlos) making use of the best means and pretexts, for it would be most absurd, if in the present friendly relation with this caste, he should be permitted to hold a document implying that it has at any time been independent of Spain; and when, notwithstanding the enmities and hostilities which have transpired, His Majesty has de-

clared that the crown 'has never recognized tacitly or explicitly their independence."

God preserve you many years.

Jose Estacheria.

To the Senior Counsellor of the Government and Intendency of Leon, (Nicaragua.)"

But his Lordship is not to be deceived by his own arguments. He is painfully conscious that they are untenable; and retreats upon his first position, which, as it involves no questions of fact, and is simply a bold assertion, seems to offer him better shelter than any other. He says, "but if these acts [the treaties referred to,] did invalidate both the independence of Mosquito and the protectorship of Great Britain, as between England and Spain, what would that have been to Nicaragua?" This reminds us of the plea of the country lawyer about the kettle: "In the first place, the kettle was cracked when we got it; in the second place, it was whole when we returned it; and in the third place, we never had the kettle!" What is that to Nicaragua? In good sooth, my Lord, it is in itself sufficient to establish her claims, apart from any other considerations.

After the kingdom of Guatemala had effected its independence, a convention was called to organize a general constitution, which was done on the 22d of November, 1824, and acceded to by all the provinces now raised to the dignity of States. By tit. 1, sec. 2, art. 5, of this instrument, it is declared:—

"The territory of the Republic is the same which was comprehended in the ancient kingdom of Guatemala, with the exception for the present of the province of Chiapas."

In the Law 6, tit. 16, lib. 2, of the "*Recopilation of the Indies*," the boundaries of the Kingdom of Guatemala, are thus set forth:—

"In the city of Santiago de los Caballeros, in the province of Guatemala, is our Court and Royal Chancery, (Audiencia y Chancelleria Real,) with a President, Governor, and Captain-General, five Judges, with also Criminal Alcaldes, a Treasurer, an Alguacil Major, a Vice Chancellor, and the other necessary Ministers and Officials; and they have for their jurisdiction the said province of Guatemala, and those of Nicaragua, Cheipas, Higueras, Honduras, Vera Paz, and Saconnsco, with the islands of the coast. The parts to the northward terminate with the Andience of the main land, (Mexico); on the westward, with that of New Gallicia, and it (the jurisdiction) extends from the North to the South Seas."

From the provinces of the ancient kingdom were formed five States: Costa Rica, Nicaragua, Honduras, San Salvador, and Guatemala. The constitution defined their limits, sec. 1, art. 15, chap. 2. Costa Rica is defined as follows:

"The territory of this State extends, for the present, from east to west, from the river Salto, which divides it from Nicaragua, to the river of Cheriqui, which separates it from the Republic of Colombia; and from the North to the South Seas." "Upon the north," it also states, "its territories extend from the mouth of the river San Juan to the Escuda of Nicaragua; and on the south coast, from the mouth of the Alvarado to that of the Cheriqui."

The territories of Nicaragua are defined as comprehending:

"The departments of Nicaragua, Grenada, Masaya, Manugua, Matagalpa, Segovia, Leon, Subtiaba, and Realesjo: its limits are on the east, the sea of the Antilles, on the north the State of Honduras, on the west, the Gulf of Conchagua and the Pacific ocean, and on the south-east, the free State of Costa Rica."

After the dismemberment of the Republic, Nicaragua transcribed those limits in the fundamental law.

The Republic of Central America, proclaiming these limits, was recognised by Great Britain, who, as early as 1826, opened diplomatic relations with its Government, and in 1838, was also formally recognized by Spain, as we have already seen; who, by that act, relinquished whatever rights she may have possessed, over all parts of the territory of the Republic as proclaimed in her constitution.

Upon the dissolution of the Republic, and the organization of Nicaragua as a sovereign State, Great Britain opened diplomatic relations with her, which have been continued to this time; thus recognizing her independent existence. In 1839, the British Government went so far as to promise its mediation in favor of Nicaragua, in the war then existing between that State and Morazan. It has since received

Ministers from Nicaragua, and in the most positive manner recognized her national existence. So much generally. Now we stand ready to prove that the particular port of San Juan, which after all, from its controlling position, is the principal object of his Lordship's ambition, and which has given rise to the troubles already recounted,—that this port has not always been in the possession of the Spaniards, and their legitimate successors, but has been effectively acknowledged by Great Britain to belong to the State of Nicaragua.

From the establishment of settlements, and the founding of the city of Grenada, on the Lake of Nicaragua, the commerce of that town has been carried on through the river and port of San Juan. To protect this route, works of the most massive and costly character were established upon its banks. The ancient castle of San Juan, is one of the most remarkable defensive structures on the continent, and even now, although in ruins, excites the wonder and admiration of the traveller. If settlements were not founded on its shores, or if a large town did not grow up at the port, it was because the magnificent interior offered, in climate and other respects, greater advantages to the colonist. But the occupation of the river was not less actual in consequence of the paucity of inhabitants on its banks. We have the testimony of Gage and others, that as early as 1665, establishments provided with mules, were kept up to facilitate the transportation of goods, and the ascent and descent of vessels. The fort of San Juan, as appears by an inscription on its walls, was *rebuilt* in 1747, at which time not less than twelve military stations were established at intervals from the head of the river to its mouth. Among these was the castle of San Carlos, on the hill at the junction of the river of that name with the San Juan, which is now claimed to fall within the territory of Mosquito! The traces of these stations still exist, and have been seen by the writer of this article. This was the most effective kind of occupation. But this is not all. By a royal order, issued by the King of Spain, and dated February, 26, 1796; "in order that the people of Nicaragua might trade direct with Spain," the port of San Juan de Nicaragua was made a port of entry, and acquired thereby the privileges attached to such ports. By a royal order of 27th March following, regulations were made for promoting the settlement of the country in the neighborhood of that port, among which was one authorising the introduction into the ports of Spain, of dye or other woods cut there, as also coffee, grown there, *free of duty*. In the report of the committee of Fortifications of the Indies, of the date of September 30th, 1803, it is stated, that the inhabitants of the island of St. Andrews, off the coast of Mosquito, and evacuated by the English at the same time, had the year previously raised 4000 quintals of cotton. For his energy in promoting industry, it is proposed in this report, to raise the salary of the Governor of this island, and also to place the Mosquito coast under his general direction. This report speaks in high terms of this island as a *point d'appui* to "protect and attend to the useful establishments in the desert coast of Mosquito, and to encourage, in due time, those which the committee propose to establish *anew* in Cape Gracias a Dios and the Bay of Bluefields, as set forth in the memorial presented to your Majesty on the 5th of August last." On the 25th of September, the King of Spain issued a royal order in reference to the Mosquito coast, in which it is said, "that the defence of the kingdom of Guatemala *is inseparable* from the obligations respecting this coast." On the 21st of October, the committee reported to the King, that in garrisoning the settlements on this coast, there were then employed, "19 officers and 150 men of the permanent regiment of Guatemala, and 16 officers and 50 men of the militia, which were relieved every four months." In fact, the whole paper, which is very long, is devoted to suggesting the best means to defend and encourage the settlements on the Mosquito coast, and promote the establishments of new ones. Among the measures for this purpose, they suggest that presents be made to the Indians, and treaties made with them," &c., &c.

At this time there was maintained at San Juan a small military force, which was augmented, as we have seen, by an order of the Captain-General of Guatemala, in May 2, 1821, and new defences erected. It was duly taken possession of, after the independence of Central America, and

being within the province of Nicaragua, it remained in its possession afterward as a federal State and as an independent Republic.

That it was recognized by Great Britain as a port of Nicaragua, appears from the fact that it was blockaded, by order of the British Government, in 1842, and in the year 1844. These blockades were carried into effect by Vice Admiral Adam Knight, "Commander-in-chief of the British forces in North America, the West Indies and adjacent seas." The last, instituted Jan. 24, 1844, was declared in order to recover the sum of $14,000, alledged to be due to British subjects. It declares "blockaded the port of San Juan de Nicaraugua, and that all commerce with that port shall cease, until all the claims of Her Britannic Majesty's subjects are satisfied, and to that effect a sufficient force will be placed before said port."

What Lord Palmerston calls affirmative evidence, is all disproved by the facts adduced at the outset of this memoir. It may be admitted to be true, that the Governor of Jamaica, with, perhaps, at times, the connivance of the British Government, kept up some kind of communication with the Mosquito Shore, and intrigued against the legitimate sovereignty of the country. Yet all such acts were illegal, and in violation of the principles adopted by European nations relating to territorial rights in America, and practically and repeatedly disapproved by England. Their recapitulation proves nothing; it is only a declared detail of protracted aggressions and flagrant attacks on the sovereignty of Spain, the recital of which weakens instead of supporting the pretences which Great Britain has lately thought proper, for obvious reasons, to set up.

We now claim to have proved, beyond reach of successful contradiction,—

1st. That the Spaniards discovered the entire Mosquito coast, and occupied portions of it, before a subject of any other country ever placed his foot upon the soil of Central America.

2d. That it is a well-established principle of international law, that *Discovery* invests the discoverer with an exclusive right to sovereignty, and that, therefore, this coast belonged to Spain, as truly as the coasts of Mexico or Peru.

3d. That the original rights of Spain were never invalidated by any lawful act, and, were in full existence, until the independence of her colonies, which acquired her rights, in virtue of natural and international law, and by the formal relinquishment of them by Spain.

4th. That Great Britain repeatedly, by her acts and treaties, recognized the exclusive sovereignty of Spain over that coast.

5th. That the coast was included, and of right, in the territory of the Republic of Central America, which Republic, as thus constituted, was recognized by Great Britain.

6th. That the coast was comprehended within the territorial limits of the several States of the Central American Republic; that the parts falling within the State of Nicaragua pertained to her, and, of right, when she became an independent Republic, as she did, upon the dissolution of the confederacy; and that so constituted, she was recognized by Great Britain, which power also recognized, specifically, the proper jurisdiction of Nicaragua over the part of San Juan, by official acts of a conclusive nature.

These premises established, how stands the pretensions of Great Britain? We leave the answer to a British writer of ability, who investigated the subject fully, and who thus sums up the results of his inquiries in the "*British Quarterly Review*," Vol. XXVIII., 1822–23, p. 159:

"Nothing can more clearly establish the sole right of Spain to these territories, than the treaties and evacuations above mentioned. We never had any right there. If treaties are to be considered as at all binding, it is clear that we have not the right, nor even the permission of residence on the Mosquito shore; and that we cut logwood and mahogany on the shores of Honduras, only by sufferance."

This conclusion will be concurred in by every impartial mind.

The practical question now is, shall Great Britain be allowed to perpetrate these aggressions with impunity? Can the United States and the commercial world permit her to obstruct or control that great canal across the Isthmus of Nicaragua, the construction and freedom of which is so essential to the interests of mankind? Can the flagrant violations of principle which these aggressions involve, be allowed to

pass into a precedent? And can the United States, and the other Republics of America, permit the extension of monarchical institutions over countries in fact and of right free and independent Republics? So far as the United States is concerned, we feel sure that the response to all these questions will be, an emphatic and indignant negative.

President Monroe, as early as 1823, promulgated a principle which lies at the foundation of American policy, and is unanimously sanctioned by American sentiment. Speaking of the monarchical powers of Europe, he said :—" We owe it in candor to the amicable relations existing between them and the United States, to declare, that we shall consider any attempt upon their part to extend their system to any portion of the American continent, as dangerous to our peace and safety." He also added, that the " United States cannot fail to view any interference, on the part of any European power, for the purpose of oppressing them, or in any manner controlling the destinies of the Spanish American Republics, as the manifestation of an unfriendly disposition towards herself."

These positions are right, and must be sustained.

[The following are documents partly omitted between pages 202 and 203.]

GRANT TO JOHN SEBASTIAN RENNICK.

BE KNOWN BY THESE PRESENTS, AND BY POSTERITY, THAT WE, ROBERT CHARLES FREDERIC, KING OF THE MOSQUITO NATION, considering the services which may be made to us, and to our nation, by *John Sebastian Rennick*, of the city of London, merchant; and *in consideration* of the sum of £1,000, which said Rennick has paid to us, and the receipt of which we hereby acknowledge, with our own free will, WE GRANT and convey, by the same, under the Seal of our kingdom, in favor of said John Sebastian Rennick, his heirs and representatives forever, all the river Patook, located between 15 deg. 48 min. N. lat., and 84 deg. 14 min. W. long., at the distance of 49 miles from the mouth of a certain river of our kingdom, called Black River, to the E. S. E. thereof, together with the whole territory adjacent said River Patook, viz: 10 English miles measured from each bank of said river, from its mouth as far as the Spanish limits, (according to the map of Com. Owen), with all the cultivable lands, meadows, pastures, waters, woods, forests, streams, and waterfalls, fisheries, duties and rights belonging to said lands, or to any part of them whatever. *Item.*—Said Rennick and his heirs, or representatives, shall hold and possess said lands and properties, and they, and the inhabitants of said lands, shall have the right to make use of them, to go in or out of them, and to navigate in all the rivers or waters in, or adjacent to them, without let or hindrance on the part of our subjects, and they may introduce foreigners, and all kinds of persons to populate and colonize said district, and cultivate lands, &c., &c., &c., &c., *and the said Rennick, his heirs, or successors, shall have the right to impose and receive contributions, taxes, and duties, such as they shall deem proper, upon and from the inhabitants of said district, and upon goods which may be imported or exported, according to the use and customs of European nations. And, lastly, we renounce, for all future time, the right to impose duties or taxes of every kind upon the inhabitants of said district, their persons or property, and upon all goods which may be imported or exported, &c., &c.* And WE, and all our subjects, bind ourselves to make good and true this our will.

Done and Sealed with the Seal of our kingdom, the 20th of Sept., 1838.

ROBERT CHARLES FREDERIC.

Signed and Sealed before the witnesses, who equally have signed.

JAMES BOWDEN,
GEO. R. BROWN,
GEO. PEDDIE,
EDWARD DAVIES.

This grant, it will be seen, is an absolute renunciation of sovereignty over the limits described, and which are indicated in the accompanying map.

On the 28th of January following, the same " independent sovereign," " by and with the consent of his chiefs," conveyed to Samuel Shepherd, Peter Shepherd, and S. T. Haly, British subjects, and inhabitants of Jamaica, another large portion of his pretended dominions:

CESSION TO SHEPHERD AND OTHERS.

KNOW ALL MEN PRESENT AND TO COME, THAT WE, ROBERT CHARLES FREDERIC,

King of the Mosquito Nation, *by and with the consent of our Chiefs*, and in consideration of the true and laudable services to us rendered, and hereafter to be rendered by Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, late of the Island of Jamaica, of our special grace and of our certain knowledge, and our free motion, Have given and granted and by these presents sealed with our seal, Do give and grant unto the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs and Assigns: All that tract or district of land, situate, lying and being between the South side of Great River, and the Northern Bank of Bluefields Main River, butting and bounding Westward on the Spanish lines, and Eastward on the Sea coast, together with all that tract or district of land situate, lying, and being between the South side of Bluefields Main River and the Northern Bank of Saint John's River of Nicaragua, butting and bounding Westward on the Spanish lines, and Eastward on the Sea coast, together with all arable lands, meadows, pastures, waters, trees, woods, underwoods, and the ground and soil thereof, mines, minerals, quarries, ways, waters, water-courses, forests, chases, parks, warrens, fishings, fisheries, and all and singular the liberties and profits of the said lands or any part thereof deemed or known as part or member, with their and every of their appurtenances, to have and to hold the same unto the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs and Assigns, forever as tenants in common and not as joint tenants: And we do hereby declare, that it shall be lawful for the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs, and Assigns, on the said tract or district to erect houses and other buildings, and to introduce foreigners to settle upon and colonize the said tract or district and to cultivate the land thereof; and further, that it shall and may be lawful for the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs and Assigns, and the inhabitants of the said tract or district, freely to pass and repass to and from the said tract or district, and to navigate all rivers and waters running through the said tract or district or communicating therewith or with any parts thereof, and to cut the timber and underwoods on the said tract or district of land, and to hold and carry away, and to mine for and get the said mines, minerals and quarries, and to hold and carry away the same, and to hunt and fish, and the produce of such huntings and fishings to hold and carry away as their own proper goods and chattels without the let, suit, or hindrance of us or our subjects. And we do hereby declare that we will not at any time hereafter impose any taxes, dues or customs upon the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs or Assigns, or upon the inhabitants of the said tract or district, or their lands, goods or chattels, without the consent of the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs or Assigns, and that we and our subjects will not trouble or molest the same, but will at all times do all things which may tend to their succor and protection.

Given under our hand and Seal, the twenty-fourth day of January, one thousand eight hundred and thirty-nine, and in the fourteenth year of our reign, and then executed on paper in the presence of these witnesses, to wit, J. M. Daly, G. C. Shepherd, G. Vize, F. Bouchet, Robert Haly, and S. T. Haly, jr, and now re-executed on parchment, as a duplicate, this 28th day of November, in the year of our Lord, and in the year of our reign as aforesaid.

ROBERT CHARLES FREDERIC.

Be it remembered that on the Twenty-fourth day of January, one thousand eight hundred and thirty-nine, peaceable and quiet possession of the lands and other hereditaments within mentioned to be granted and enfeoffed, was taken and had by the within named Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly; and by the said Robert Charles Frederic delivered to the said Samuel Shepherd, Peter Shepherd, and Stanislaus Thomas Haly, their Heirs and Assigns forever, in the presence of us.

Signed, sealed and delivered in the presence of us, George Vize, Thomas Lowry Robinson, General Peter Slam.

EVERSTONE.

BY THE AUTHOR OF "ANDERPORT RECORDS."

(Continued from page 187.*)*

CHAPTER V.

Few lawyers, I hope, deserve to be likened to satan. Yet Somers, as he entered the Everstone grounds, felt almost as much compunction as if he had been, in very truth, Milton's hero gliding stealthily through the gate of Paradise. He saw around him a scene of beauty and happiness, and could not but be conscious that he was laboring with all his might to introduce desolation and sorrow. Yet his motives were unselfish. This reflection gave his mind support, though it failed to give it perfect peace.

What would be thought of him coming there at that season? Would he seem a churl, insolent, hard-hearted, devoid of all sense of propriety?

This query found no very satisfactory answer in the manner of his reception. Everlyn could not be otherwise than courteous; but what is there worse to bear than cold and distant civility? The difference in Sidney was still more striking; for as she was by nature frank and undissembling, any degree of reserve sat ill upon her. Somers tried to place himself on the familiar footing which he had formerly occupied in that house, but it was impossible. He was treated as a stranger, to whom hospitality is due, and nothing more. His situation was indeed far less comfortable than that of a stranger; for what visiter, thrown, for the first time, into a Southern household, and previously unknown, it may be, to each of its inmates, does not find himself immediately at ease? If Somers attempted to begin explanations, Everlyn carefully changed the conversation to some indifferent matter, his demeanor seeming to express that he was quite unaware of the existence of any circumstance needing elucidation or amendment.

The guest had not made up his mind to take a hasty leave, which movement he thought might imply a tacit acknowledgment of the suitableness of the newly assumed basis of social intercourse, when he heard the noise of carriage wheels without. Heartily glad he was of the diversion, for his patience and conversational resources were alike near exhaustion. Presently, who should enter but Mr. Astiville and lady?

"Worse and worse!" murmured Somers.

The cordiality manifested towards these *welcome* guests, afforded a marked contrast to the greeting which had been bestowed on him. After the interchange of salutations and hearty grasp of hands, it was remembered that there was a third party in the circle. Mr. Astiville nodded his head slightly—it was never his custom to bow—and stared with dilated eye-balls, as if to convince himself that he did not mistake the person whom he saw there. To Mr. Astiville, Somers was formally introduced. As all took their seats, his chair happened to be some distance from the group in which the others were collected. It is awkward to be a listener to observations not addressed to you. Somers finding it so, was on the watch for an opportunity to alter the posture of affairs. Pretty soon Everlyn and Astiville got engaged in discourse across Sidney, who was sitting

between them. In a rocking-chair, apart from the trio, meditated Mrs. Astiville.

"That's a clever-looking old lady—I'll try her." Accordingly the resolute attorney moved his seat to her side.

"Are you just from home, madam?"

"The clever old lady," now, for the first time, turning partially towards him, and after a deliberate examination of his features and person, answered:

"I *have* just come from Greywood."

"You had a pleasant drive, doubtless; at least, I know that the portion of the road this side of the run has been so skillfully conducted by Mr. Everlyn as to furnish a delightful variety of prospects."

"I have not crossed the Hardwater, sir," said Mrs. Astiville, dryly.

"Ah, indeed! I understood you to say, madam, that you had come directly from your residence."

"I did say so, sir; but, perhaps you are not familiar with our neighborhood. The Hardwater flows south of this, while Greywood lies to the north. The only stream of any consequence which I have had to cross is what has sometimes been called the Upper Branch."

Somers, not choosing to waste on the good lady arguments that ought to be reserved for a more impartial tribunal, bowed in submissive acknowledgment of her more accurate information. Common topics, however, were scarce; he could not afford to abandon that with which he had started. The best that could be done was to confine one's self to safe generalities.

"This is a fine country," he remarked, "to be enjoyed by the traveller on horseback, but the roads, I think, except in the immediate vicinity of a gentleman's residence, cannot be perfectly safe for any vehicle less substantially constructed than a four-horse wagon."

Mrs. Astiville returned a simple assent.

"There is an especial negligence," continued Somers, "in providing convenient modes of access to the various places of worship. I was much affected the other day at seeing a venerable Episcopal church, built, I understand, before the Revolution, almost in utter ruin; and on making inquiry, was informed that some of the families that had been in the habit of attending it, had moved away, and that others at a distance were deterred from assembling there by the almost impassable condition of the roads."

This touched a sympathetic cord in the old lady's breast, and she responded with a degree of animation:

"You refer, no doubt, to the church of St. Michael. I am greatly grieved at the state it is in, for many were the times in my youth that I heard the service read from its desk. Of late years, I have attended the church near Reveltown. It is farther, but the road there is far better."

"Yes," said Somers, "that is a road which might be called good in any country. I believe we are indebted for its admirable condition to the Northern settlers."

Mrs. Astiville, upon this home-thrust at prejudice, hastened to withdraw within her shell.

"It is possible," she said.

Her husband came to her rescue. "I do not know," he observed, "that we ought to attribute the improvements in the vicinity of the new settlement to the character of the population so much as to its *density*. The Yankee animals are of a gregarious kind and nestle together, so that they can without difficulty make a considerable show within the narrow limits to which they confine themselves."

"Well," returned the lawyer, indifferently, "I am disposed to be thankful to them for the road, without troubling myself to investigate the cause of their ability or inclination to make it."

"I agree with that sentiment so heartily," remarked Mr. Everlyn, "that I could be content never to have an opportunity of observing them more closely. But, unfortunately, they do not adhere to their rule of always clustering together, and occasionally send off stragglers who pitch their tents nearer by than some of us have reason to desire."

Somers, perceiving that the turn which the talk was taking was not calculated to make him feel a whit more at his ease, rose up. But at that instant a peal of thunder shook the house. Everlyn lowered the sashes of the windows, and said:

"You must not think of going yet, sir; we are about to have a heavy gust."

Somers saw the necessity of tarrying. While he waited, tea was served. Then the luckless guest found his escape quite

cut off, for the thunder shower had become a settled rain. If he had been a physician he might have pleaded the danger of some patient, but no other pretence would have been held to justify offering such an indignity to his entertainer as a departure at night, and in a storm, must have involved. There was no alternative, therefore, but to stay; yet, on that evening, "the worst inn's worst room" would have pleased Somers better than the parlor of Everstone, adorned though it were by the presence of its mistress. Indeed, as far as his benefit was concerned, the young lady might as well have been a picture on the wall, for no opportunity would she allow him to talk with her. Again he had to fall back upon Mrs. Astiville. Knowing her interest in the clergy, he discussed the respective advantages of written and unwritten sermons, made critical observations upon the style of delivery of various neighboring preachers, and analyzed most thoroughly the knotty question as to the propriety and expediency of a system of free-pews. The way thus smoothed, he ventured to inquire whether she did not think it a good sign for the Northerners that they showed a disposition to build churches.

She admitted it, though rather reluctantly.

"Then," said he, "there are at least two good things about them; they build churches and make roads. Are they not also industrious and frugal?"

"Perhaps so," replied Mrs. Astiville, observing his drift, and preparing to relapse into coldness.

Somers continued perseveringly, "Is it not impossible that persons like these, orderly, industrious, and religiously inclined, can fail to make good citizens?"

"Tastes differ," said Mrs. Astiville, "for my part, I prefer the manners and character of the old race."

"I agree with you in that opinion," rejoined Somers, frankly," but let us consider that there are not enough of us Southerners to fill up the country. It does seem to me, therefore, a most fortunate cicumstance that our deficiency of numbers can be supplied by immigrants liable to so little objection as are these gentlemen from the North."

"Ah, but," said the old lady, folding up her spectacles and speaking with energy, "it would not be so bad if they would live and let live, but I fear they are going to push away the ancient families as well as the *ancient land-marks.* Their improvements, which you speak of, commence with devastation. I can bear to see the ruin which time makes. A tree that I played under in childhood may decay and lose one branch after another; the spectacle may sadden, but it does not pain—it only shows that the material universe and I, exist under the same law. If a family be smitten by Providence, and the homestead be left to crumble, unguarded and without repair, beneath the summer's rain and winter's frost, that is an object to make one sigh and weep, but it does not stir one's anger like a sight which I saw no longer ago than yesterday. Doubtless you know where the old Seymour mansion is situated?"

"You mean that near Anderport—built, I have heard, by Wriothesly Ander."

"Yes, the same. Well, sir, my grandmother was a Seymour; and yesterday, being in the neighborhood, I thought to gratify myself by one other visit to the old place. I knew it had fallen into the hands of strangers—they may have come from Massachusetts, or New York, or Pennsylvania, I never inquired their origin—but certain I am, that our kindly southern sun did not shine upon the place of their birth. They have bought house and land; from the one, it is said, they raise large crops; the other makes them an indifferent barn—Yes, sir, a *barn.* The oaks which stood around the building and which had been the pride and wonder of seven generations, stand there no more. Long piles of fire-wood and huge prostrate trunks appear in their stead to deface the lawn and give it the air of a lumber-merchant's yard. In the great hall of the mansion we found a corn-sheller at work, whilst the adjacent rooms contained heaps of different sorts of grain. The plastering in many places had fallen and disclosed the bricks. We were permitted to enter the apartment which civilization had used as a parlor. Our way was obstructed by rough upright studs, placed there to support the joists above, which, solid as they are, were not calculated for such novel burdens as are now imposed. In adjusting the tops of these studs, the beautifully moulded ceiling had been stripped away without remorse. Unable to remain longer a spectator of the havoc which had been

committed within, I walked out to the rear, where a piazza stretches the whole length of the main building. Northern architectural skill it seems had detected here a superabundance, as in another place a deficiency of strenth. The second floor of the piazza, laid upon beams imbedded deep in the wall, was deemed to require no additional support. The lower *columns*, therefore, of polished cedar, were found quite superfluous, and in the progress of reform, had been removed, probably to serve as support for gates, through which Northern-bred oxen may pass with as little inconvenience as possible to the labor-saving boors who drive them. But what need to recount the things I saw—such spectacles will soon become familiar and common under the operation of the modern system."

"I grieve as much as any one," replied Somers, "to witness the decline of an old and honored family, but do not let us mistake consequences for causes. Are these settlers to be blamed for the errors or misfortunes of those who preceded them? Are they accountable for the waste and abandonment which invite them hither?"

"No," answered Mrs Astiville, promptly, "nor does the bird of carrion slay the carcass!"

Somers, without regarding the old lady's interjectional remark, proceeded, "Different orders of beings have their different instincts and habits of action. It is so amongst the lower animals, and it is so with the various races of mankind. The Indian thinks an edifice like this in which we are now sitting an unseemly excrescence upon the face of nature; the clearing which, Mr. Everlyn has made with such happy judgment, the savage would call wanton destruction. The practical New Yorker differs from both. Shall we blame him; and for what?"

"His want of taste," said Mrs. Astiville.

"But, madam, may not the planter in his turn meet the same accusation from the Indian. What is taste?"

The lady hesitated awhile, then turning to Miss Everlyn, who, she perceived, was an attentive listener to the dialogue, she said, "supply me with a definition, Sidney."

"Taste, it seems to me," responded Miss Everlyn, "is the sense of fitness in the arrangement of objects."

"Yes, that is it precisely," Mrs. Astiville said, directing her eyes again towards the gentleman.

"I, too," said Somers, "am quite content with the definition. Let us apply it. Is the Indian destitute of taste, because he prefers the natural rugged grandeur of the forest, to the changes introduced by civilization?"

"By no means," returned the elder lady, "He does not violate the law of propriety, for was not the forest made for man?"

"But how is it," resumed the lawyer, "with the Southern colonists who succeeded the savage, and who built mansions, levelled spacious lawns, and conducted serpentine carriage-ways through groves and verdant meadows? They have disturbed that adjustment of nature for adhering to which the Indian receives your approval."

Mrs. Astiville saw the conclusion to which her opponent wished to drive her, and warily attempted an escape.

"Necessity compels us to deviate in some degree from the unsophisticated simplicity of nature, but we obey taste, and go no further than our wants require. We cannot live, like the savage, by hunting; to raise grain some trees must be cleared away, but we leave as many standing as this stern necessity allows. The world, as it came from the hand of the Creator, is better than any we can make; we prove our taste, therefore, by defacing it as little as possible."

Somers smiled, "I yield to you, madam, as to the trees. In truth, I never could myself see one felled without a degree of pain. I can understand the pathos of that expression of Holy Writ—'His hope is removed *like a tree*.' But how does the case stand with regard to habitations? You acknowledge the wigwam to be a tasteful structure, yet nothing can be more unlike a wigwam than a dwelling such as this, or the rough-cast mansion at Anderport. There is no burden of necessity here, for surely it is as easy to eat *bread* under a roof of skins as it is to eat *venison*."

"The Indian's dwelling," replied Mrs. Astiville, "agrees with his way of life; so does ours with our own."

"And the Yankee's with his," added Somers. "Why then reproach him?"

"Because," said the old lady, "his way of life is not so good as ours."

"Is ours as good as the Indian's."

"Yes."

"Why?"

"Simply for this reason," answered Mrs. Astiville, "if all the world lived like the Indians, we should starve."

"Let us then judge the Northerner by the same standard. He cuts down the park and ploughs up the lawn, and thus raises a greater amount of food than was raised by his predecessor. Every additional bushel of grain which is produced, increases the general supply in the world, does it not?"

"I suppose so."

"And further, there are many human beings in the world, who suffer annually for want of adequate sustenance."

"It is a sad truth," said Mrs Astiville.

"Then are not those who increase the supply of food in any country and, aided by the distributing power of commerce, make food more abundant throughout the earth, universal benefactors? The Northerner does this. Ought we to visit him with undistinguishing blame?"

Both ladies were silent.

Somers continued, "If the Northerner, besides raising larger crops, endeavors also to preserve them as far as possible from subsequent loss and injury, do you believe him unjustifiable? Perhaps he finds on the estate he has purchased, a building larger than is required by the domestic wants of his family; may he not appropriate it to other purposes? If you are disinclined to make this admission, you must at least, I think, allow that his conduct is not inconsistent with good taste."

"Good taste?" echoed Mr. Astiville.

"Yes, with taste, as you have defined it."

"I rather suspect," said Sidney to her elderly companion, "that we committed a mistake at the outset, and gave the definition, not of taste, but of utility. Taste is a very different thing—a sentiment—an instinct—at all events, something too spiritual and intangible to be cramped within the bounds of verbal expression. The Northern people, I dare say, act very properly and usefully, yet—"

"What's all this going on here?" exclaimed Mr. Astiville, "Look to it, Everlyn, I fear this gentleman is making a traitor of your daughter. My wife too, I see, is reduced to silence. How?—the Yankees are acting properly? Fie, Miss Sidney, you are worse than the jury. They hung, and for doing that deserve to be hanged; but you, it seems, go the full length, and decide for the adversary. I do not wonder at Mr. Somers, he is paid for defending the Yankees, and is doubtless bound to laud them on every occasion. Gilt spectacles are excellent things to improve the vision. Many admirable traits in the Northern character which escape our notice, must be quite perceptible to him."

This banter, by whomsoever uttered, could not have been very agreeable to the attorney, and coming from Astiville, a man whom he almost loathed, it was exceedingly offensive. He answered with quickness, "If prepossessions could lead me to disregard duty, no one would long more eagerly for the defeat of the three New Yorkers. The interest I feel in Mr. Everlyn's success is a stronger retainer than the largest pecuniary fee ever paid to barrister; yet, if my client, be he the veriest wretch that walks God's earth, have right on his side in the particular case in question, I will not desert him, cost me what it may!"

"We are to understand, then," said Mr. Astiville, "that a legal gentleman's conscience charges him to be as zealous against his friends as for them."

"As for my part," replied Somers, "I endeavor to act without regarding persons, but human nature is weak; I doubt not I should proceed with more zeal and energy if Mr. Everlyn were not one of the parties against whom I am placed in opposition."

Astiville, noticing that the lawyer was careful to avoid all terms which might imply any reluctance to act against him as well as Everlyn, conceived he had a right to be angry.

"You would be very well satisfied, then, Mr. Somers, to support these scurvy Yankees against me alone?"

"If the thing were possible," answered Somers, "I could wish that a suit should have no losing party."

"Yet you make a distinction in my friend's favor, why not in mine?"

This was said by Astiville for the purpose of compelling the other either to a rudeness or to a polite fib. Somers, in such

a dilemma, preferred the rudeness. Yet, to his credit be it mentioned, that he did his best to disguise the uncivil sincerity.

"I profess," he said, "to entertain a special friendship for Mr. Everlyn, and it will not do for me to declare in his very presence, that I am ready to bestow an equal share of esteem on any other person."

"Oh, I think, sir," replied Astiville, "that you are quite too cautious; my friend's conviction of the depth and fullness of your regard, cannot, I know, be shaken by a harmless little compliment paid to another, who, possibly, may not be altogether undeserving of courtesy. If he were capable of doubting your assurances of devoted friendship, he could not resist the signal proof which is afforded in your laborious exertions to strip him of land and home. Never was attachment more remarkable. You know that he is a man of exquisite taste, and wish to gratify him by the spectacle of the embellishments which Messrs. Schrowder and Newlove will add to his now delightful home. Too refined to dream of investing him with gross material advantages, you seek to supply the wants of his inner nature; to satisfy those deep-seated sentiments, which, according as they are indulged or shocked, give happiness or misery. I commend the excellent tact which you display, sir."

The blood rushed to Somers' cheek, but restraining his passion, he answered in deliberate and measured tones, "If I have fallen under Mr. Everlyn's displeasure for obeying the imperative call of honor and duty, it is my misfortune, and affects me with deep grief. Yet, I do not acknowledge myself accountable for my conduct to any man whatsoever—not even to him—and least of all to an individual who—"

As he paused to select his terms, Everlyn hastened to interpose—"Believe me, Somers, I impute to you no blame—not the smallest degree. I may say, without impropriety, I hope, that I had rather you were for me than opposed to me, but it would be unwarrantable, indeed, to entertain any feeling beyond this. Upon you, I am well aware, I cannot have the shadow of a claim. So much being said to remove all doubt or misapprehension, I trust the harmony of the evening will not be disturbed by the further discussion of a subject so likely to provoke unpleasant feeling."

Somers bowed in silence.

Everlyn added, "If these New-York gentlemen are successful, I must, of course, submit. I shall try to submit without a murmur,—provided the result be brought about fairly, and honorably, and justly."

"Allow, me also, an observation," said Astiville, "for, whatever Mr. Somers may say, I am more deeply interested in this matter than even you are. Your *estate*, indeed, may be threatened, but your veracity and faith, as a gentleman, are not impugned. Like you, I would find no fault with the success of our adversaries, if it could possibly be effected without fraud. With regard to this suit, I am situated differently from all others. In my mind there can be no room for doubt, nor nice balancings of evidence. I *know* the grounds and extent of my title. A jury may be bewildered by an artful combination of circumstances,—and no one is more laborious in research, more adroit in exhibition, than Mr. Somers:—they may be impelled to a verdict by skillful appeals to their passions, their prejudices, their narrow conceits—and Mr. Somers is an able rhetorician. If the jury decide erroneously, the community at large may also be deceived—yet it is impossible that *I* can be. There are two persons, who, I presume, have a better acquaintance with the merits of this case than is possessed by any body besides. I am one."

"And who is the other?" said Somers, fixing his eye upon him.

Astiville answered, without apparent emotion: "Are you ready to subpœna the person, as a witness, when I reveal his name? Promise me that, and I will tell you—no, I will tell you without a promise. The other person is yourself."

Somers compressed his lips tightly, and frowned. Then he spoke with an open and ingenuous look: "Whether summoned or not, I am willing to bear testimony. To the best of my knowledge and belief, the Compton title extends to the line which is claimed for it. On my honor, I affirm that if I were not satisfied of this, I would abandon the cause I have undertaken—abandon it immediately, and gladly."

"Now, let *me* be heard," said Astiville, "but first give me your admission of my competency. Do you not believe that I

am aware, in my inmost breast, of the true situation of the Corner?"

"I have reason to think it probable that you are," answered Somers, cautiously.

"Then, sir, I declare to you that I am not acquainted with any Corner on the *Upper Branch* of the Hardwater. You gentlemen of the Bar are trained to habits of distrust, yet you cannot suspect me, I think, of the incredible baseness of proffering a voluntary and useless falsehood. My assurance is given solemnly, and if you establish a corner, where you have been seeking it, you will act in direct contradiction to testimony, which, however inadmissible in a Court of Justice, cannot be denied a hearing, and an influence in the forum of Conscience."

Somers was in truth surprised, if not staggered, by this declaration. It could not overthrow his previous strong and maturely formed opinion; but it gave him perplexity, and he determined to probe the matter a little deeper. Too upright, however, to attempt to entrap an individual into a hurtful confession, he gave fair warning of his purpose, addressing himself as well to Everlyn, as to the other:

"Please to take notice, that it is not I who introduce this subject. If there is any unwillingness to continue to converse upon it, I am content to dismiss it once: if otherwise, I should like to put a simple question to Mr. Astiville. I wish to gain no advantage from the freedom of social intercourse:—to endeavor to do so would be not only indelicate in the highest degree, but unjust."

"What is it you desire to ask me?" said Astiville.

"I will put the query, since you demand it," replied Somers, "but remember that I am far from advising you to answer. Indeed, I think you would act most properly to refuse an answer."

"Mr. Somers, do tell us what it is you want to know, without further hesitation or excuses! If I possess the information, I will give it. Do not be afraid to talk with me. I am no child, be assured, to be inveigled into a snare, even if you should choose to lay one."

"And what is better," remarked Everlyn, "we pursue an open and honest course, and have no secrets which we fear to disclose."

Thus invited, the lawyer proceeded. "You have affirmed, Mr. Astiville, that you know of no Corner on the Upper Branch—I would inquire whether you know of any on the *Lower* Branch?"

"I am saved the trouble of responding to that interrogatory, sir, for it has already been answered in Court."

"The question asked in Court," said Somers, "was, where is the *headstone?*—and to that, I imagine, no satisfactory reply has yet been given."

Astiville showed signs of anger. "This is what I complain of in you, Mr. Somers. You rake up an old fable, unsupported by a shadow of real evidence, and by means of it, operate upon a jury. This is an artifice which would do credit to a pettifogger, but can hardly add to your reputation."

"I am not conscious of having practised any artifice," said Somers, coldly.

"And no tampering with witnesses, neither, I presume?" answered Mr. Astiville.

"No, sir," added the lawyer in the same tone. "For that was impossible, when the names of witnesses, and the facts they were to prove, were alike made a mystery. I leave it to Candor to decide which party is most liable to the charge of trickery, in relation to the suppositious stone attempted to be forced upon jury and counsel, under the cover of surprise?"

"It seems, then, Mr. Somers, that you defend your introduction of deceit into the case, solely on the ground of a prior effort to mislead, made by us. You suspected us of a device, useless and unnecessary, perhaps, but which yet cannot be pronounced very culpable, and hence inferred a right to persuade the jury to decide the matter by a test, which, if you had been in the panel, you would yourself have refused to acknowledge. This is carrying the *sex talionis* to an extreme."

"I made no assertion," replied Somers, "which I did not myself believe."

"Everlyn here exclaimed, "What! Is it your opinion that there is really a grave at the Corner?"

"Assuredly it is."

"And may I ask the grounds of that opinion? For none, I think, were advanced in Court. How came the grave there?"

"For satisfaction, on this point," said Somers, "I must refer you to Mr. Astiville, and Mr. Astiville's conscience."

Astiville, at this, suddenly rose from his chair, saying, "This is not the first time that offensive insinuations have been thrown out by you. In the Court-room, I remember, you backed some of your most objectionable remarks by equivocal glances towards the place where I was sitting. Come, sir, deal your blows in the open light, so that I may know what to expect, and how to guard myself."

"I offer no attack upon you, sir, whether in darkness, or in light."

"Somers!" said Astiville, "This evasion can pass no longer. I demand, and will have, more explicitness. Do you presume to alledge any connection between me and the supposed concealment of the Corner-stone?"

"Since you inquire with so much vehemence," replied the lawyer, "I will acknowledge, I suppose such a connection exists."

"This is beyond endurance!" cried the other, now in a towering passion. "To cast so black an accusation upon me, before my very face! and this, too, in the teeth of my positive and direct assurance, that if there is a Corner on the Upper Branch, I know not where it is! In the progress of impertinence and folly, it is next to be asserted, perhaps, that I am responsible for the existence of the grave?"

Somers quietly answered: "As you are so deeply interested, sir, in the stone, in its capacity of corner-mark, I will not deny that you may be concerned in it as headstone also."

Somers expected to see Astiville become furious at this, but that gentleman only curled his lip, and said,—

"Heaven preserve the man's wits!"

It is wonderful to see how a person, who can restrain himself so long as an adversary is boiling over, feels his passion foam out the moment the cauldron of the other's wrath commences to subside. Some philosopher—possibly, Abraham Tucker—explains the phenomenon in this wise,—Men, it is said, are benevolent warming-pans—their business is to keep each other supplied with the "essential caloric:" when one, through excess of liberality, bestows more than it can spare of its stock of coals upon its fellow, the grateful recipient instinctively repays the loan, and with usury. Others refer to the laws of electricity. But whatever hypothesis we adopt, it is certain that the barrister lost his self-possession at the precise time he most needed it. He answered:—"Spare my health, whether of body, or mind, sir, the infliction of your good wishes. There are beings whose curses are less noxious than their blessings!"

Still Mr. Astiville's sneering composure continued unbroken.

Somers added, with more vehemence of manner: "Though your own conscience be a slight encumbrance, are you not somewhat troubled at the thought of *another*, who cannot regard the Hardwater Corner-stone with the same apathy?"

Now Astiville started like one stung.

Somers eagerly followed up the stroke. "Does not that less guilty tool endure the penalty of remorse, which should be yours? —Beware, beware, villainy will out; the Corner will be discovered; the grave will be opened; and the atrocity that gave it its occupant will be known. Tremble, for you have good cause. Since the day when the earth saw the first deed of slaughter committed, it has never ceased to denounce crime in a voice which may not be stifled!"

Astiville's countenance wore a peculiar expression, which seemed a compound of uneasy expectation, of anger, and of disdain, but he uttered no word.

The other went on. "Well may you have recourse to such strenuous exertions, in order to gain your cause. Delude Mr. Everlyn, if you can, into the belief that care for the security of his purchase, or the establishment of your own claims to the remainder of the tract, prompts these efforts to fix the line on the Lower Branch—*I know* you have a deeper stake at hazard. Lightly might you abandon all else, if you could but hide for ever that grave, and the deed that filled it!"

A strange smile flitted across Astiville's features, and he had opened his lips to speak, when his wife rose up, and walked across the floor, till she stood between him and Somers. Addressing the latter, the old lady, in a manner of much dignity said:—"Sir, I cannot tell whether you are extraordinarily ignorant, or extraordinarily wicked. I understand this whole matter

of the grave, as well as Mr. Astiville. The subject is one which cannot be dwelt upon without pain by him, or any member of his family, and a most ungentlemanly advantage have you taken of that shrinking of nature. Ungentlemanly?—I ought to say brutal. You are a young man, and his advanced years alone should have been sufficient to protect him. The position, too, that he occupies in society, one would have thought, might have lifted him out of the reach of imputations which the lowest pauper could not have suffered, without feeling himself aggrieved beyond atonement. Has the world come to this, that a suspicion, hastily assumed, and, in reality, without the faintest color of truth; yet a suspicion involving the darkest stain that human being can bear, may be recklessly cast upon one, whose reputation has hitherto appeared spotless in the eyes of the whole community; upon a gentleman, the inheritor of an estate sufficiently ample to remove him from all temptation to practice the vulgar arts of acquisition, and, more than all, the head of an honorable and ancient family? Blush for shame, sir, and at least have the decency hereafter to forbear whispering a slander so outrageous."

Mrs. Astiville, when she had finished this address, turned away with the same erect, grave, and impressive carriage which had marked her throughout, and resumed her seat.

Before Somers had determined what he ought to say, Mr. Astiville spoke, "Yes, sir, I could give a plain recital that would cause your cheek to tingle by the reflections which it must excite. You would perceive how utterly groundless is the calumny to which your spite has given vent. That I do not think proper to make the explanation, you may attribute either to compassion or to the desire that your punishment may prove the more keen from delay. I will now content myself with advising Mr. Everlyn to have as little intercourse as possible with one whose recklessness and indelicacy are aggravated by an unscrupulous cunning, that renders qualities, otherwise contemptible, dangerous."

"And I," retorted Somers, justly incensed, "most earnestly advise Mr. Everlyn to be on his guard against one who has already over-reached and defrauded him, and who now hopes to lead him into measures, which, if successful, must be followed by bitter regrets. Mr. Everlyn, I beseech you to listen to me patiently. I have examined this question of title as thoroughly as my faculties give me power. This investigation convinces me that the claim of Newlove and his companions cannot be overthrown. Your confidence has been grossly abused, and, I think, illegally too. I undertake to say, that there is at least a probability that Mr. Astiville can be compelled to make restitution of the money which you have paid him. I will venture to affirm, also, though without consultation with my three clients, that they will be content to convey this tract to you for the bare sum which it has cost them."

"This caps the climax of audacity!" exclaimed Astiville.

But the lawyer cut short his observations at the outset, with a look and tone which compelled him to silence. "I wish to hear *Mr. Everlyn's* answer, sir, not yours." Then turning to the other gentleman, he added, "consider well, I beg you, all that I have declared and suggested. I speak from both heart and head. I think the one has not deceived me, and I know that the other breathes only the most sincere desires for your security and welfare. I have declared how slender is the title by which this fine old mansion is now held; and I have pointed out the way to make your right as firm and immoveable as the granite hill upon which it is built. Decide between Everstone lost and Everstone gained, between the counsels of a false friend and those of a true one, between Mr. Astiville and me."

"I have decided," said Mr. Everlyn, coldly, "I would not receive this estate nor tenfold its value upon terms which implied any distrust of Mr. Astiville. He informed me most honorably, before I made the purchase, that a controversy might arise, merely adding, that it was his clear belief, that the title he conveyed would prove good and sufficient. On this I was content to rely, and, if the foundation should in the issue fail under me, it will be my fault, not his. He even insisted, greatly to my reluctance, upon making a deduction in the actual payment, on account of the risk I assumed, from the amount fixed in the deed of conveyance."

"That fact it was not worth while to

mention," observed the self-denying feoffor, "indeed you promised—"

"I know it, " answered the other, "but my desire to see you vindicated would not allow me to remain silent."

"It was quite prudent in Mr. Astiville," said Somers, "to desire the concealment of that incident of the sale, as it might tend to support an action for the recovery of consideration given in an illegal contract."

Everlyn, with a look expressive of hearty scorn for the insinuation, resumed the interrupted thread of his remarks.

"Yes, Mr. Somers, I place the most undoubting confidence in Mr. Astiville, and I cannot be tempted to separate my interests from his. Already, sir, I have disclaimed any pretensions to your services or special regard, but it does seem to me, that I might have been spared witnessing, in my own house, so violent an assault upon the reputation of that valued friend, as has been made this evening. An affront to him, especially when offered whilst he is under the shelter of this roof, I cannot but regard as an affront to myself. I thank you, however, for the kind sentiments you have expressed towards me personally, and only request, that by accompanying them with such unmerited and, I must add, inexcusable reflections upon Mr. Astiville, you reduce me to the necessity of appearing less grateful than I desire to be thought."

Somers' only reply was a measured inclination of the head. After a brief interval he observed, "If it be convenient, Mr. Everlyn, I should like to retire."

Everlyn immediately rang the bell for a servant, who soon appeared at the door.

Then Somers, rising, walked deliberately to the side of the room, where Mrs. Astiville was sitting. He said to her:—

"Madam, I entreat you to pardon the degree of rudeness into which I have been this evening betrayed. Possibly I ought not to have made the offensive observations at all; certainly it was my duty not to have suffered them to escape my lips in your presence. The ears of a wife ought never to be wounded by reproaches against her husband. Perhaps you will deem it some extenuation of my fault, that I did not provoke the discussion which led to it. This apology, madam, I feel to be a debt not only to you, but to my own self-respect. Madam, I wish you good night."

Next he took leave of Sidney, afterwards of Mr. Everlyn, and just before turning to leave the room, bowed distantly to Mr. Astiville.

In the morning, Somers rose early. Descending from his chamber as soon as he heard the servants stirring below, he walked out to the stable. He placed a piece of silver in the hand of the black man whom he found there, and requested him to saddle his horse, as he wished to ride immediately. The rain had all passed, and the fog which the morning's heat had drawn from the moist earth, shrank away as the sun gained strength, and settled in low, dense masses along the rivulets which threaded the narrow seams between the hills.

Somers returned to the house. The first member of the family whom he met was Sidney. She walked with him to the porch, and on the way listened, in silence, as he mentioned that he would not be able to remain more than a few moments longer. After the incidents of the preceding evening, she felt that she could not urge him to change this purpose. Through the latticed window at the end of the porch, Somers saw the ostler just issuing from the stable with his horse. Then, by a strong effort, overcoming his repugnance to speak of an unpleasant subject, he availed himself of the brief opportunity afforded him, to inquire of the young lady whether he had incurred her disapprobation, as well as her father's.

"You do not answer," he added. "Must I infer that you can never pardon me for becoming the advocate of the opponents of your father's title? You cannot imagine what pain my position of apparent hostility gives me. If you could but witness the struggle which is every hour going on in my breast,—if you could but see how my will, in stubborn reluctance to become the instrument of harm to the inhabitants of Everstone, makes strenuous though unavailing battle with an imperious sense of duty,—if all this were but known to you, and you could perceive how the outside calm of professional routine covers keen heart-burnings and regrets, you would not throw upon me the additional burden of your displeasure."

"I could wish it otherwise," was her reply, "but I do not blame you for this——"

"You do, then, blame me for some-

thing in my conduct;—is it because, in a moment of great provocation, I have spoken harshly to Mr. Astiville? Do you join with him against me?"

"My father's opinions, Mr. Somers, must be my opinions; his friends, my friends. Yet the door is not closed, only acknowledge,—what, I know, you have the magnanimity enough to do,—the injustice of your hasty reflections upon Mr. Astiville, and it will be easy to effect a general good understanding."

"Never!"—replied the lawyer, "all that it was possible for me to say, in the way of apology, was said last night. I can strive earnestly, and, throughout the early part of that conversation, did strive earnestly, to conceal my sentiments of dislike; but I will not be guilty of the meanness of retracting a real opinion, once uttered, nor of the hypocrisy of pretending a friendship which I do not feel. Miss Everlyn—Sidney, trust me, the day will come when both you and your father will repent of this confidence in Astiville. I know that man sufficiently well, to be satisfied that he is capable of committing any villainy."

"Indeed, sir," said Sidney, "I must not listen to language such as this."

Before the lover had time to reply, Mr. Everlyn appeared upon the porch. Somers advanced towards him immediately, signified his purpose of riding, and, resisting the polite solicitation to remain to breakfast, took leave of both father and daughter.

The lawyer, as we have seen, entered Everstone uneasy and apprehensive; he withdrew in thorough vexation. Then, it was over-scrupulousness that inflicted pain; now, he had legitimate cause for self-reproach. Connecting the vague rumors he had heard, with the wild declarations, and still wilder manner of the man Cain, and with Astiville's own occasional demeanor, he had been led to believe in the perpetration of some foul deed near the Corner. Many incidents of the preceding evening, especially Mrs. Astiville's solemn rebuke, went to shake this opinion.

Whether it were true or not that John Astiville was implicated in any dark and criminal transaction, Somers might well feel dissatisfied. If his suspicions were ill-founded, he stood in the mortifying position of an abashed and silenced accuser. If Astiville were really guilty, he was now put on his guard.

As Somers rode along—his mind leaping alternately from one to the other horn of this agreeable dilemma—he espied before him an angular negro figure, which seemed to make itself recognized as one that was not then beheld for the first time. A little nearer approach, and *Naomi* was plainly manifest. She was stopping by the roadside to pluck a few scattered twigs of sumach, the gleanings of a harvest reaped by others.

The low-spirited lawyer was enlivened, for he saw a possibility of extracting from her a resolution of his perplexity. After the age-stricken, but agile dame had been properly saluted, he began his assault.

"Aunt Naomi, you must really give me more satisfaction than you did before. Who is buried in that grave? Is any human being at all buried there?—Perhaps you have been trifling with me, and it is only the grave of a dog, or something of that sort."

"He was *treated* like a dog," said Naomi, bitterly. "But he was a man for all that.

"What was his name?"

The negress shook her head, and refused to answer.

"He met a violent death, it seems?"

"You may say that, marster, without fear of contradiction."

"Who killed him?"

"I won't talk no more about it," said Naomi. "I don't suppose you want to bring me into trouble, sir,——"

Somers interrupted her, with earnest protestations that she might rely, confidently, on his honor and discretion.

"I believe you, marster, as if you were talkin' in the pulpit. But bein' that you are sot on larnin' everything, just look for Josh Evans."

"You have mentioned this name before, but the man's not to be found."

"It's a great pity, then, for I'm sure you'd put great store by Josh, if you could only lay hands on him, and persuade him to open his mouth lively. A big heap it is that Josh knows—that's certain."

"He is acquainted with everything, is he?"

"He should be," replied the woman, "for, wasn't he ten years overseer at

Greywood. Look here, marster Somers—don't tell anybody I put you up to this:—but if you are so keen to get sight of that stone, may be Josh Evans can show it to you. For my part, I never seed it, and don't want to."

"Then, is there no hope, but in discovering this man?"

"There aint no other that I sees, sir; all your 'pendence must be on Josh. These children about here don't know nothin'. They are willin' enough to talk—Heaven bless 'em—but you might as well stick out your ear to the wind, and expect to ketch wiseness——"

"I will be on the look out for this Evans."

"You'll do right, marster—but, stop—there's another thing."

Naomi, having first cast her eyes around her uneasily, continued—"I reckon you had better find Josh as quick as you can. He's right old, and though he's tough as leather, might die off before you'd think. And then—and then—I judge he'll be apt to talk more free if John Astiville don't get a chance to set him his lesson."

"I comprehend," said Somers. "And, by the way, aunty, could not you manage in a quiet manner, to find out from somebody the precise place where he is now staying?—Could not you remember the *name*, and tell me so that I may commence my search in the right quarter?"

She promised, and they thereupon separated. The moment after, however, Naomi called him back:—

"Hark'ye, marster Somers, don't, for gracious sake let on about my having sent you. It's likely I'm a fool as it is, to poke my old fingers nigh the fire. Besides, its mighty oncorrect, in a gineral way, to take sides agin a family I once belonged to:—but I don't care the turning of a Johnny-cake for them Astivilles. They always was a hateful gineration, from the fust!—I don't want 'em to find out, though, what I've been a-doin'. I'm old, and 'flicted, and did hope to live the rest of my days in peace and quietness. But there's somebody comin'—ride on, sir."

CHAPTER VI.

A PRETTY girl was tripping up the steps that led to Mr. Munny's dry-good store, when she chanced to drop a small package. It contained no golden ear-rings, nor priceless gems—nothing, in truth, of higher value than a pair of kid slippers. Two or three men, who were lounging at the door of the neighboring bar-room, observing the fall of the bundle, sprang forth to recover and restore it. Another person, a young man, with a round, ruddy countenance, also noticed the accident, and, uttering an indescribable whoop, leaped in between the two foremost competitors, and just as they were stooping to grasp the treasure, thrust them both aside. Seizing the bundle himself, he placed it in the hands of the young lady.

As he returned, one of those who had been so unceremoniously supplanted, came up to him fiercely, and said, "Look here, stranger! suppose we take that tussle over again?"

"By no means—I am very well satisfied as it is," answered the other, with deliberate Northern intonation.

"The dickens you are? But I am not. Come, boy, there's no backing out from the scrape now!"

"I've got a cousin to hum," said the defendant, "who, I know, could thrash you, like all Boston. It is Sam Striker I mean,—the fellow that can hold a two-year old bull by the horns."

"Pshaw! what do I care for that?" exclaimed the native, "Your cousin is not *you*, I reckon, so off with your coat, and take it!"

The individual thus urged felt a strong inclination to cry to Mr. Munny to interpose; but, casting his eye around, he per-

ceived the mistress of the bundle standing on the threshold of the shop-door, in a position to observe all that was transacting without. The consciousness that beauty is looking on, is excellent cordial for a fainting heart. So the young man, without further hesitation, knocked down his assailant. Several more at once started to advance, but others restrained them, with the shout, "Fair play! one at a time!"

As the unsuccessful combatant rose, his antagonist said, in a sympathizing manner, —"I hope you are not hurt. It was all done in good nature. So, shake hands, and I'll treat the company.

The man was surly at first, but could not resist that frank offer to treat. The Northerner, for his part, escaped from the bar-room as quickly as possible, very judiciously considering that a second scuffle might have a worse termination. When he was again in the open air, his joyful glance recognized, descending from the steps of the store, that fairest of maidens, the queen, whose smiles had both provoked and rewarded the recent tourney. By her side was a person who may have been her father, though, in the New-Yorker's estimation, he might better have passed for a handful of wilted weeds, so wrinkled and dried-up a creature was he.

But who was the New-Yorker himself? Absalom Handsucker by name:—by office, manager to Mr. Newlove. On the present occasion, remembering some unperformed duty, he forced himself to withdraw from the scene, though his ample bosom was heaving, and every vein tingled with a new-born passion.

"Let us now spare a word to his employer, and his employer's household. Sylvester Newlove had been thirty years a merchant. During that period he had failed six times. Many were puzzled to discern the reason of this want of success, for no one, who knew him, could suspect that he, in any case, resorted to the fashionable device of voluntary and fraudulent bankruptcy. He was an excellent accountant, an economist, methodical, not prone to indulge in daring ventures, and, withal, diligent and devoted to his business. Yet there must have been some important quality lacking.

Emma, his only child, on coming into possession of a considerable fortune, bequeathed to her by a maternal relative, discharged her father's debts, and, when afterwards he manifested a desire to change his occupation, advanced funds for the purchase of the tract of land which had met his fancy. Newlove engaged in agriculture with all the ardor of enthusiasm. Yet a rural domain, wherever situated, is usually found more than amply stocked with thorns. The first trouble was to procure laborers. Some white men, hired in the vicinity, left very soon, in high dudgeon at certain precepts (relating principally to the management of oxen) which the overseer undertook to enjoin. As the last one turned his back—a slim, narrow-shouldered youth, with a strong propensity to tobacco, and an equally strong aversion to muscular effort;—Absalom Handsucker is said to have cried out in a pitiful voice,—

"*You* off, too!—*But what's to become of the ploughing?*"

"Can't say," was the reply. "All I care to know at present is, that there are more hoe-cakes baked in the county than come out of Newlove's meal-tub."

The overseer turned the oxen into the pasture, and went himself to the house to report progress. Newlove was distressed: then his countenance brightened, and he inquired whether it was not possible to procure a steam-plough, and so dispense altogether with animal labor. But the overseer's scornful negative crushed this project at once. After divers consultations, it was concluded to resort to black help. It not being the usual season for hiring negroes, extensive search procured one man, and one only, yet Absalom, now able to style himself overseer, *de facto*, as well as *de jure*, was no less proud of a single subject, than the farmer of Juan Fernandez. That Priam, the new hand, was quite advanced in years, could be no great annoyance to Absalom, since the foreman would never be expected to work harder than the subordinate. Comfort, therefore, and a due regard for the dignity of station, coincided very happily.

Priam, whose age took less from his strength and endurance, than it added to his shrewdness, was perfectly content with the basis on which matters were arranged, and, possibly, it was a sense of gratitude that prompted him to be prodigal of advice, in proportion that he was spared from less

easy duty. If a multitude of counsellors ensures success in husbandry, that farm was a model. In truth, little doubt can be entertained that if Aristotle or Locke had witnessed its internal economy, they would have derived valuable hints for the organization of the government of a State. Mr. Newlove, of course, suggested his ideas in the first place; the manager came next, to ratify, or reject; and after the measure had passed this ordeal, it had further to endure the jealous censorship of old Priam. This constitution had, what will appear to unphilosophic minds, a deficiency of active vigor;—still some fallow-land was, that autumn, prepared for wheat. The morning came for putting in the seed. Priam was in readiness with his harrow and team; the bags of grain were disposed at proper intervals, and young Absalom, with his apron around his neck, stalked majestically forth.

Just as the seedsman had made his preliminary cast, Mr. Newlove bustled into the field. He brought in his hand a small linen bag. Absalom, as he received and opened it, said, with surprise: "What's this, sir?—some kind of grass seed?"

Newlove explained, that having visited the harvest-field of a neighbor that summer, where the wheat-straw was short and difficult to bind, he had noticed that the rakers occasionally used mullein-stalks for bands. Generalizing from this fact, he had concluded that it would be proper not to depend upon chance for a supply of a material capable of being put to such an important use.

Absalom and Priam were alike astounded. The overseer, as soon as he recovered speech, asserted that never before, "in his *born* days," (a Pythagorean expression,) had he heard of a resort to so wild an expedient.

"If the experiment," pleaded Newlove, "has never been tried, we ought not, therefore, to condemn it. The great charm of a country life is that it emancipates one from the iron rule of custom. What vast consequences may result from this humble experiment! How cheap the fabric which we would convert to use! Becoming truly productive laborers, we will create out of nothing, as it were, a substantial addition to the wealth of the country. Think, Mr. Handsucker, how glorious it will be to have our names handed down to remote posterity as the originators of a new practice in Agriculture. To share the fame of a Columella, a Tull, and a Coke. What a reward, this, for one short step in the advance of our age!"

"Well, I must say," returned Absalom, "that if this field's going to bring such trifling wheat that we must have mulleins to tie the sheaves with, we may as well save the seed, while we have it, in bags. What precious nice fun it will be, to cradle mullein-stalks all day!"

The venerable negro had stood silent, leaning on the staff of his whip. Newlove, loath to abandon his scheme, instituted an appeal from the white critic to the sable one.

"Do you think, Priam, that these mulleins will really *interfere* with the cradling, next harvest?"

"No, marster;—they won't."

"How?" exclaimed Absalom, "not interfere?—How do you make that out?"

Sylvester Newlove, with a countenance expressing the most pleasurable anticipation, also awaited the old man's reply.

"It isn't the natur' of mulleins," said Priam, "to shoot up to stalk the first summer—especially where the land ain't rich. So, if this seed is sown, we'll have to wait patiently till year arter next—*then*, if the season's good, I 'spose a crap may be looked for, such as aint often seen."

The negro, too decorous to laugh, vented his mirth in a subdued chuckle. There was no room for more discussion. Newlove took up his bag of mullien seed in a disconsolate manner, and was about going to the house, when he saw a horseman approaching. The stranger was soon within speaking distance.

"How do you do, sir?" he said to Newlove, "Just at seeding I perceive. Excellent time!—and grounds in fine order. You sow by *stakes* it seems—for my part, I prefer laying off the ground in beds. Perhaps, too, it would be advisable to substitute the basket for the apron. Still, these are small matters; you go on the right general system, I dare say. It gives me great pleasure, indeed, to find gentlemen settling here who are disposed to lay out capital on the land. It is astonishing how blind many of our old inhabitants are. You mean to sow clover, doubtless, and plaster of Paris."

"Yes, sir," answered Newlove, invol-

untarily glancing at the bag of mullein-seed, "I design adopting the latest improvements in agriculture. I am convinced that to insure success, science and practice must go hand in hand."

"A fine—a noble observation—" rejoined the gentleman on horseback. "Allow me to shake hands with you, sir. It is Mr. Newlove, I believe, whom I address. My own name is Safety—Alonzo Safety, of this county."

"Accompany me to the dwelling, Mr. Safety."

"I thank you—not this morning. Nothing gives me so much gratification as to see an enlightened agriculturist in the scene of his active operations. Many here are rather jealous of you Northern gentlemen, but as for me, I avow myself a hearty sympathizer."

No stenographer could have reported Mr. Safety's rapid utterance. He explained in the course of fifteen minutes full half-a-dozen different routines of cropping, and gave a discriminating estimate of each. At the close, looking towards Absalom, he observed "Is that hearty-looking young man your *son*, Mr. Newlove?"

"No, sir;—but my manager. Let me make you acquainted with him. Mr. Absalom Handsucker, Mr. Safety."

"How are you, Mr. Handsucker? But why do I ask, when I see you with your harness on, engaged in the glorious work? Oh, 'tis delightful to behold youth active, industrious, indefatigable; not ashamed of that physical exertion that does honor to man!"

Mr. Alonzo Safety took leave, with an invitation to both proprietor and overseer to visit him at his house.

"That man," remarked Newlove, "is a splendid farmer, I'll answer for it!"

"At any rate, he talks as if he *knew how* to be," said Absalom.

Priam, however, dropped a hint to the effect that the farm of the retiring horseman was by no means distinguished either for neatness and good management, or for the abundance of its products. "Some people has the gift of talk, and some of doing;—and *some*" he added, *sotto voce*, "of neither one nor t'other."

Absalom was in ecstacies at the recollection of the late call. The reason may be easily given. Alonzo Safety was the very little, lean old man who was escorting the lady of the lost bundle. He was now invited to visit him, and to visit her. After a few days of solicitous preparation, he determined to make the first move and, as he hoped, the decisive one. He would go in style. A buggy would have been his choice as a conveyance, but the neighborhood contained not such a vehicle. There was no better resource than to go on horseback. He was indeed neither a very skillful, nor elegant rider, but he conceived that a pair of spurs would make up for all deficiencies. Proceeding to the store some time previous (on business for Mr. Newlove, of course) he had procured a brilliant brass-mounted pair whose long rowels seemed capable of communicating mettle to the dullest steed. In compliment to those whom he proposed visiting, he thought proper to put on leggings, that well-known portion of Southern apparel. He had no cloth, but a couple of yards of gay check bought as a present for the black house-maid, would answer the purpose well enough, and, since the season was dry, the calico could not receive such injury as to prevent it from being afterwards applied to its original destination.

About an hour before sunset, the chores being disposed of, and Jack, the youngest of the pair of horses, saddled and bridled, Absalom started forth. The road went by Munny's store, and as the cavalier pranced through the village, his steed manifested a slight disposition to be restive. Absalom forgetting spurs and everything else in his anxiety not to fall in so public a place, clapped his heels close to Jack's flanks. The bound which the horse then made surpassed all the marvels on the programme of a circus or in the Duke of Newcastle's diary. Every hoof drawn under him, he shot up into the air like a balloon or a rocket. On his descent he crouched till his belly almost touched the earth; next, he whirled around and around with the velocity of grimalkin in a fit. Absalom, conscious that although clinging to Jack with every limb, he sat none too securely, dared not to withdraw his heels from their hold. What would have been the issue if the two had been left to themselves, it is difficult to conjecture. The horse could not run, for the severe bit and the heavy hand on the rein effectually curbed him; the rider could not well be thrown so long as his legs

encompassed the animal like a hoop; the spurs themselves, whose rowels stuck fast between Jack's ribs, contributed to make a centaur of the tenaciously united couple.

Sam Munny's stout negro blacksmith, observing a horse which he had supposed perfectly tractable, cutting such frantic capers, issued from the forge and seized the left branch of the bridle.

"That's it, my good chap!" cried Absalom, "that's it;—hold him tight till I get down."

The instant his feet touched solid earth, he stooped, unbuckled the spurs, and handed them to the blacksmith—"Hang the things—here, Job, keep them till I can find somebody else fool enough to wear 'em."

Again he was mounted, and without other mishap arrived at Mr. Safety's. The dwelling was a double log-cabin with no very tidy surroundings, yet there were such indications of comfort as an orchard, a cider-press, and a spacious wood-pile. He was introduced to Miss Arabella. Ere he could persuade his halting tongue to address her in the impassioned strain which his heart dictated, the mother entered. Mrs. Safety was a fat, comely matron, with a double chin and a lisp, which did not prevent her from engrossing by far the larger portion of the conversation. She informed Mr. Handsucker that she came of an excellent family indeed, and was a cousin—only four or five degrees removed—of the Astivilles. A great many wealthy, and, according to common estimation, highly eligible suitors, had made application for her hand, but she had preferred Mr. Safety to them all, on account of his distinguished name and birth. To be sure, he was much older than she, there being a difference of some twenty years in their ages, but what was such a consideration to purity of blood? and the Safetys, though not a large family, were known to be one of the most ancient in the State.

Absalom, as he listened, understood the reason of Mr. Safety's talkativeness when abroad—his wife allowed him no opportunity to use his tongue at home. That hardly treated gentleman was cunning enough to drag the guest out of doors, and as it was not yet dusk, to walk about the farm with him while supper was preparing. Then, within the house, a dialogue, and an anaysis of character, took place.

"Really a very pretty young man," observed Mrs. Safety. "He looked at you a good deal, Arabella, and seems quite fascinated. He certainly is not your equal, but it would be far better to take up with a Yankee than with a low-born Southerner. The Yankees, in the matter of birth, are all alike, so that a girl who means to get a husband from among them, may as well take one as another."

"But you know ma, pa says it is all nonsense to think so much of family."

"A *Safety* can afford to speak so," returned the mother complacently, "but there are few others who may presume to disparage these distinctions."

"Mr. Handsucker is a working sort of a person, is he not, ma?"

"Oh, the Yankees all work, child. It comes as natural to them as talking does to a Southerner."

"But how odd he looks with those check handkerchiefs on his legs, instead of wrappers—in this dry weather, too!"

Mrs. Safety was at no loss for an answer. It was uttered, by the way, in a pretty sharp key. How do you know that is not the fashion? We are behind the world here, and I shouldn't be at all surprised if at this very moment the leaders of the *ton* in New York, are riding down Broadway with just such stylish leggings on as Mr. Handsucker wears."

"Still, he seems to be a person who has to work for his living—he can't be well off.

"Hush, Arabella, you know nothing about it. I tell you that *all* the Yankees are *rich*."

The walkers returned; after a plentiful meal which would have given Absalom unqualified satisfaction, if the table had only contained a somewhat larger proportion of those sweet arguments on which a Northern palate is accustomed to luxuriate, several hours were occupied in pleasant chat. About ten o'clock Mr. Safety showed symptoms of drowsiness. He nodded, and, finally, notwithstanding his wife's faithful nudgings, snored outright.

"Come, Alonzo," said Mrs. Safety, "The exertions of the day have proved too great for your constitution. Perhaps it would be as well to retire. Mr. Handsucker will excuse you."

"Certainly," said Absalom very promptly, "don't let my being here keep you up,

nor Mrs. Safety either. I am sure Miss Arabella is company plenty for anybody."

Mr. Safety withdrew from the apartment, and as the door closed behind him, his lady remarked affectionately :—"Poor, dear Alonzo exhausts himself in this way frequently. He is fond of rural cares, and thinks that nobody can manage the plantation so successfully as himself; but there he is mistaken. Much as he loves the pursuit, he is far from having the qualifications to conduct it properly. For one thing, he lacks the requisite powers of physical endurance, as you may see from his fatigue this evening."

"If that's the case," said Absalom, "he will hardly find Texas to suit him, I'm thinking. Yet he says he means to get there in the Spring."

"Oh, rejoined the helpmate, "Mr. Safety is not going to Texas; he wants the energy for any move like that. He has been talking of going to the West for years, —yes, Mr. Handsucker, he has been projecking this way ever since we've been married, and will continue to projeck as long as he lives. I frequently tell Arabella she must profit by my sad experience, and choose herself a husband who has some enterprize and decision."

"Then she ought to look 'mongst us Northerners," remarked Absalom. "It would astonish you to go up to York, and see how all the folks, big and little, do rush a-head!"

"I assure you, sir," said Mrs. Safety, "that I am a great admirer of that feature of the Yankee character—"

"But we are not Yankees," interrupted Absalom. "They are the blue-nosed chaps who scramble among the rocks in Massachusetts and Connecticut. We are Yorkers of the Holland Dutch breed, which is much the best stock."

"I dare say" resumed the lady, "but as I was going to observe, I think it highly probable that our Southern race, fine as it is, might be greatly improved by having some of the best Northern qualities engrafted on it."

"Just as your old-field cattle here would be bettered by a cross with our Durhams or Devons."

"I am not much acquainted with cows and calves, and other cattle," said Mrs. Safety, affectedly. "Alonzo, indeed, attends to such things. His taste, in many respects, is very singular, and he takes delight, sometimes, to torment me, by contrasting it with mine. For instance :—Mr. Safety, as everybody knows, has good blood in his veins ['not much of it, however,' thought Absalom,] as the country can furnish; yet every family has its unfortunate connections—so it is in Mr. Safety's case. The Evanses here are quite a low set, and most of them very poor, besides. Well, Mr. Safety's aunt married an Evans,—*Joshua Evans*,—who was once overseer for the present Mr. Astiville's father. This man has been off at the West this many a day—some thirty years, I think. It is evident the whole affair might sink into oblivion, yet so singularly queer is Mr. Safety, that he will vex me, by calling these poor starving Evanses,—who are no earthly kin to him, as his aunt died without leaving children,—his cousins. Just think of it, Mr. Handsucker, an Evans a cousin of a Safety!"

"We are not so particular off our way," replied Absalom, "*I* have a cousin named Evans—pretty fine sort of a man too—has lots of apple orchards—rides about among the quality, I can tell you."

"Very probable," said Mrs. Safety. "Society is constituted very differently with you. All Northerners are equally worthy and respectable; the whole community constitutes, as it were, a body of nobility. Here it is otherwise: we have, &c. &c."

But it would exhaust any quantity of patience to follow Mrs. Safety, as she continued to pour forth her profound remarks with unabated fluency. Absalom endured the flood indeed; but he had an object. He was waiting till the "old woman" should go to bed, and leave him alone with Arabella, when they two would have the fun of keeping awake all night long, by the Dutch method of looking each other straight in the eye! Eleven o'clock had passed, and Absalom, who sat resolutely upright in his chair, began to suspect that the fat woman before him never felt somnolence or fatigue. She, on her part, could not conjecture what possessed the visiter that he stayed so late. Not anticipating that he would choose to remain through the night, she had had no chamber prepared, so she found herself under a kind of housewifely necessity to

await his departure, before offering to close doors and windows. At last midnight arrived. Hope kept Absalom alert; but poor Arabella's eyelids, which had no such stimulus, grew heavy, and the mother, though she spoke on, could not help marking the close of every sentence with an emphatic nod.

"I never heard tell of an old madam so provoking," thought the lover.

"Why don't the man go," sighed the mistress of the house.

"Will you stay all night, sir?" said Mrs. Safety, compelled, in desperation, to incur the risk of his acceptance. "I will have a room put in readiness for you very shortly."

"Don't be at any such trouble, ma'am —I must be off after a little. Yet I hope you will not stay up on my account, Mrs. Safety. Arabella's all I want; so make your mind easy, and leave us to ourselves."

Mrs. Safety stared.

Absalom, observing her perplexity, explained: "It's the fashion to the North, when a young man's visiting a young woman, for the rest of the family to go to bed early, and leave them to talk without interruption, as long as they have a mind."

"Is it indeed?—that's very curious. But it is not the fashion here, Mr. Handsucker."

"Yet you admit, ma'am, that some of our customs are the best, and I leave it to Arabella if this isn't one of them."

"She has nothing to say about it," replied Mrs. Safety, quickly. "And it is time, too, for her to retire. Arabella, you may bid Mr. Handsucker good evening."

When the obedient daughter had left the room, which she darkened, by depriving it not only of her presence, but of one of the candles, Mrs. Safety was silent for a few seconds, and then renewed the expression of her hope that the gentleman would be content to accept lodging until morning.

"Thank you," returned Absalom, with undisguised chagrin, "I can *sleep* comfortable enough to hum:—I came here to see a handsome girl."

As he stumbled across the threshold in his departure, muttering keen observations about "some folks being so scary on account of their daughters," the matron holding up the candle the while to enable him to find his horse, a shout was heard, sounding from the direction of the gate —or, to speak more accurately, "set of bars."

"Hark!—what's that?" exclaimed Mrs. Safety.

"Halloo!—Halloo! Does Alonzo Safety live here?"

"Yes," answered Absalom. "You've hit the right nail this time, carpenter, though it be in the dark. What's wanting?"

There was no immediate response; but presently a man walked up to the door. By the aid of Mrs. Safety's candle, it could be distinguished that he was a short, compact person, grey-headed, and with a nervous, deep-lined countenance.

"How do you do, mum?" said he, entering the house without ceremony. "This is Mrs. Safety, I take it. Alonzo wrote word he had got a young wife since I left Redland. You have heard of me, I am sure. I am *Joshua Evans.*"

"Gracious!" ejaculated Mrs. Safety, with a side-glance to Absalom, that seemed to say: "You never talk of Satan, but he's at your elbow."

"Where's Alonzo?" inquired the stranger, impatiently. "This young fellow has no likeness to him, I'm sure."

Mr. Safety's slumbers were broken, a supper was prepared for his aunt's widower, and a reluctant house-maid, under her mistress' not very good-humored supervision, bustled about to find clean sheets and pillow-cases for the spare bed.

The unfortunate Absalom, having lost the better portion of a night's rest, mounted Jack, and took his homeward, solitary way.

To be Continued.

READ'S POEMS, OR A CAUTION TO THE CRITICS.

Mr. Editor:—I address you, with some hesitation, on a topic in which all the young poets of the country are deeply interested. They are too proud and sensitive a tribe, Mr. Editor, to undertake their own defence. That defence would be their shame. It would be as though the master of the puppet-show, excited by the jeers of the crowd, should put his head out from behind the curtain, and engage in an angry defence of his puppets. The crowd would receive him with a shout of merry derision, and bestow some pleasant phrase upon him, such as "go it, Read," "go it, Dana," "hang the critics." With such, and other more solid testimonials, the merry world would pelt the luckless rhymster who should undertake his own defence.

There appeared, not long ago, in your journal, a very caustic criticism of the poems of Thomas Buchanan Read. The review had points of wit in it, and was what is vulgarly called a "readable review." I dare say you thought it very readable yourself, for though I am quite sure you never read a line of Mr. Read's poems, you were certainly amused with this very Jesuitical and severe review of them. I, myself, read that review, and conceived from it a very poor opinion of Mr. Read's powers as a poet. A friend of Mr. Read, however, sent me a copy of his rhymes, and, on opening the volume, I was surprised, not to say shocked, to find that a serious injury had been done to that very excellent poet by his ill-natured reviewer. Please you now, send to the publishers for a copy of the work, and sit down, quietly, on a Saturday evening, and read the poems aloud to your family, and when you have done so, peruse what I have here written.

*Lays and Ballads. By Thomas Buchanan Read Philadelphia: George S. Appleton. New York: D. Appleton & Co.

There is no higher literary art than criticism, and none more liable to abuse. It may be so used as to enlighten and delight; it may be so abused as to mislead and offend.

A reviewer, free from prejudice and possessing the power of literary appreciation, confers, by his just severity or his judicious praise, a blessing on the age—on its authors and its readers. On the other hand, a supercilious, rancorous, overbearing spirit, however brilliant—a fulsome adulation, however elegantly expressed—are but false beacons to the student, rocks and quicksands to the hapless aspirant. We are disgusted when personal animosity, or a reckless selfishness and vanity, disguise themselves under an assumed zeal for good taste, sacrificing justice for the display of a flashing wit. But when, with a deep moral indignation, a reviewer rises up to scourge pretence and ignorance from the desecrated temples, he has a mission that cannot be gainsayed; only he must eschew all extravagant expression. Accurately and dispassionately to estimate his author, he must divest himself of preconceptions regarding any particular school, age, or position, and guard especially against an ill-bred *disrespect*.

As writers multiply, criticism becomes more and more necessary; and it appears more difficult to discriminate as the need of discrimination is greater.

That the copse luxuriate not into a wilderness, many a bough must be lopped away, many a young tree uprooted, but with a judgment as clear to spare as to condemn.

Satire is apt to grow by what it feeds on, and too often the critical censor, beginning in truth and sincerity, becomes excited by success, and, heated in the chase, forgets all but the mad desire to be in at the death.

The critic assumes a nice and intricate responsibility. There is the duty to the

reader, and the duty to the author. The first requires the annihilation of all that is worthless; the second, that no blight touch the merest sapling giving promise of a noble aftergrowth. He must be humble, withal. If, on opening a book, his eyes chance to meet some frivolous idea, some weak or ridiculous epithet, dull passage or ignorant blunder, he may not, like the mere reader for amusement, throw aside the volume and seek one more attractive; his duty is to look farther, to explore page after page, seeking, if yet beneath the rubbish, some gem of price may not be found.

To the sensitive spirit of the poet a peculiar tenderness is due. It is in poetry as in morals. We frequently set up a standard on the ground of individual experiences and conceptions, and whosoever reaches not that, or is not excellent after a particular pattern of our own, holds a low rank in our estimation. We have known persons of an impulsive and ardent temperament absolutely incapable of seeing any thing good in those of a cool, prudential, or unsocial character, and *vice versa.* Each man thinks his own position most important, and is surprised, or compassionates, if it be not so acknowledged by another. Like the poor French dancing master, who exclaimed to the wealthy burgher, boasting of his happier estate, "Ah, my God, sir! but you do not DANCE!"

A finely sensitive taste for metrical harmonies, shrinks from the harsh, rough line, though it convey truth and beauty; while the idealist or the sentimentalist seizes the thought and makes it his own, regardless of the measure that conveyed it. We must consider that if one fact is great on this ground, another takes precedence on that. One is mirthful, another is sad. One imaginative, another philosophical. If one delight us with the harmonies of a flowing versification, another utters "thoughts that breathe, and words that burn."

Pope could never have conceived that noble hymeneal song *The Epithalamion* of Spencer; so neither could Spencer have elaborated the elegant frivolity, the pompous drollery of that delicious little epic, *The Rape of the Lock.* If Dryden, over a "field of glory," drove his "coursers of etherial race," the contemplative spirit of Cowper delighted in

> "Rural walks
> Through lanes of grassy growth."

We are equally in the region of poetry with Wordsworth in his crescent shaped "Boat," "soaring away among the stars," or with Goldsmith taking our

> "solitary rounds
> Amidst the tangling walks and ruined grounds"

of AUBURN;—with Byron, in the storm upon Lake Leman; or with Burns, turning up the daisy with his plough.

Whether the soul be roused by the trumpet, or lulled by the shepherd's pipe, it matters not, so it be poetry; and these things only are necessary; to appreciate the spirit of the time, and administer to its necessities, holding in the heart the law of love; and being mainly true to one's own nobler impulses. Art may guide, but Nature must impel; and as the flight of a bird depends not wholly on its pinions, but is sustained by an inwardly pervading force, so the poet, soaring on the wings of fancy and imagination, must be sustained by truth and passion from within.

Mr. Read's muse is unpractised; his verses are not equally finished. We cannot apply to him the remark of Keats, concerning Miss ——'s music, that "she played without one sensation but the fact of the ivory at her fingers," but rather, that the soul of music is at his finger's ends, only the keys will not always respond. He is always in earnest, and filled with his subject. He appears not to have made versification a study, nor does a natural acuteness of sense preserve him uniformly from the sin of inharmonious and labored verse: This is particularly the case in his contemplative and moralizing vein: the refinements of sentiment seem to hamper his utterance; but in the expression of quick, warm emotion, the verse becomes melodious as it is passionate: at one time flowing with elegance of diction and delicacy of rythm, at another reminding us of the sweet airs of Mozart, played on a false key, or an untuned instrument.

The non-conformity of the ballads to the old-established ballad measurement,

does not particularly offend us. The nine-line stanza of the "Maid of Linden Lane," is not indeed that of

> "Those venerable ancient song inditers,
> Who soared a pitch beyond our modern writers;"

nor has it been generally used by the modern ballad writers, Shenstone, Goldsmith, Mallet, and the rest; who, though they chose to polish, adhered mostly to the old metres; and if Mr. Read's deviation be a fault, it is equally ascribable to the *Spanish Ballads* of Lockhart, and to Poe's popular ballad of *The Raven*.

To explain many of our author's peculiarities of expression, would be to wipe the down from the peach, or shake the dew from the rose;—they are a part of that "shadow, to be felt, not grasped," which is your reviewer's definition of Poetry. We can no more, in "The Maid of Linden Lane," analyze the exact meaning of

> "the chaff
> From the *melancholy* grain,"

than, in "The Rhyme of the Ancient Marriner," we can explain the meaning of

> "The *silly* buckets on the deck."

In following the fate of the two lovers, we feel assured that the relater of the story, tottering with her staff beneath the weight of years, must have witnessed what she so feelingly describes; yet we meet a pleasant and satisfactory surprise in the concluding lines:

> "For remember, love, that I
> Was the maid of Linden Lane."

The bustle and activity preceding the battle, the bray of the trumpet, the waving of banners, the neighing of chargers, the belted knights with waving plumes, the thunders of artillery, and the "fiery fray," are all effective, and have much of Campbell's spirit; it is only to be regretted that a gross error in syntax should mar one of the finest stanzas.

> "Belted for the fiercest fight,
> And with swimming plume of white,
> Passed the lover out of sight
> With the hurrying hosts amain.
> Then the thunders of the gun
> On the shuddering breezes *run*."

This ballad, however, affords, by no means, the best specimens of our author's power.

One song (we give it entire, for it is short, and there is not a line that we can spare,) soars up "like a cloud of fire." It is delicate and euphonious, yet rich, passionate, and luxurious. The old anacreontic spirit pervades it. Standing alone, it indicates the genius of the poet—the true poet—forgetful of the reader, and wrapt in his intense consciousness of the beautiful, uttering like a prophet the emotions of a full soul.

> "Bring me the juice of the honey fruit,
> The large translucent, amber-hued,
> Rare grapes of southern isles, to suit
> The luxury that fills my mood.
>
> And bring me only such as grew
> Where rarest maidens tend the bowers,
> And only fed by rain and dew
> Which first had bathed a bank of flowers.
>
> They must have hung on spicy trees
> In airs of far enchanted vales,
> And all night heard the ecstacies
> Of noble-throated nightingales:
>
> So that the virtues which belong
> To flowers may therein tasted be,
> And that which hath been thrilled with song
> May give a thrill of song to me.
>
> For I would wake that string for thee
> Which hath too long in silence hung,
> And sweeter than all else should be
> The song which in thy praise is sung."

Into such a song as this "the mazy, running soul" of the nightingale's melody might seem indeed to have been poured.

Of a different, but still of a pleasing quality, is "The Butterfly in the City;" the sentiment refined, but the measure imperfect.

"The Beggar of Naples" we like least of all—the prettiest thing about it is the likening of a smile to

> "The earliest primrose of the spring
> Which at the brook-side, suddenly in sight
> Gleams like a water sprite."

Of a purely meditative character, and not unlike some of the fine moral touches of Longfellow, is "The Deserted Road," a fair specimen of our author's general manner.

> "Ancient road, that wind'st deserted
> Through the level of the vale,
> Sweeping toward the crowded market
> Like a stream without a sail;

Standing by thee, I look backward,
And, as in the light of dreams,
See the years descend and vanish,
Like thy whitely tented teams.

Here I stroll along the village,
As in youth's departed morn;
But I miss the crowded coaches,
And the driver's bugle-horn—

Miss the crowd of jovial teamsters
Filling buckets at the wells,
With their wains from Conestoga,
And their orchestras of bells.

To the mossy way-side tavern
Comes the noisy throng no more,
And the faded sign, complaining,
Swings, unnoticed, at the door;

While the old, decrepid tollman,
Waiting for the few who pass,
Reads the melancholy story
In the thickly springing grass.

Ancient highway, thou art vanquished;
The usurper of the vale
Rolls in fiery, iron rattle,
Exultations on the gale.

Thou art vanquished and neglected;
But the good which thou hast done,
Though by man it be forgotten,
Shall be deathless as the sun.

Though neglected, gray and grassy,
Still I pray that my decline
May be through as vernal valleys,
And as blest a calm as thine."

The following has a mysterious, dreamy romance about it:—

"MIDNIGHT.

The moon looks down on a world of snow,
And the midnight lamp is burning low,
And the fading embers mildly glow
In their bed of ashes soft and deep;
All, all is still as the hour of death;
I only hear what the old clock saith,
And the mother and infant's easy breath,
That flows from the holy land of Sleep.

Or the watchman who solemnly wakes the dark,
With a voice like a prophet's when few will hark,
And the answering hounds that bay and bark
To the red cock's clarion horn—
The world goes on—the restless world,
With its freight of sleep through the darkness hurled,
Like a mighty ship, when her sails are furled,
On a rapid but noiseless river borne.

Say on, old clock—I love you well,
For your silver chime, and the truths you tell,
Your very stroke is but the knell
Of hope, or sorrow buried deep;
Say on, but only let me hear
The sound most sweet to my listening ear,
The child and the mother breathing clear
Within the harvest fields of Sleep."

There are two more stanzas, but there should not have been; the poem naturally and more effectively ends here.

"The Song for the Sabbath Morning," the last two stanzas of the "Night Thought," and the two stanzas describing a runnel and a cascade in "The Light of our Home," are eminently beautiful.

Of the "Alchemist's Daughter," we would say that the dramatic is not Mr. Read's forte.

Of those remarkable inequalities which denote at once his genius and his lack of cultivation or attention, and which expose him on so many sides to the shafts of criticism, we offer some examples. What unpardonable carelessness, what a complete falling asleep of the muse in the following:

"Conquered at last, the flying tribe descries
Its ancient wigwams burn, *and light its native skies.*"

One would scarcely credit that the same author produced what succeeds it.

"The pioneers their gleaming axes swing,
The sapling falls, and dies the forest's sire—
The foliage fades—but sudden flames upspring,
And all the grove is leafed again with fire.
While gleams the pine tree like a gilded spire,
The homeless birds sail, circling wild and high;
At night the wolves gaze out their fierce desire;
For weeks the smoke spreads, blotting all the sky,
While, *twice its size, the sun rolls dull and redly by.*"

The expression "twice its size," betrays the want of study; while the close of the line is highly poetic.

Among much that is characterized only by heaviness and mediocrity, we light occasionally upon such lines as the following:

"And heard low music breathe above, around,
As if the air within itself made sound;
As if the soul of Melody were pent
Within some unseen instrument,
Hung in a viewless tower of air,
And with enchanted pipes beguiled its own despair."

* * * * * * *

"I walked the woods of March, and through the boughs
The earliest bird was calling to his spouse;
And in the sheltered nooks
Lay spots of snow,

Or with a noiseless flow
Stole down the brooks;

And where the spring-time sun had longest shone,
The violet looked up and found itself alone."

* * * * * * *

"Through underwood of laurel, and across
A little lawn, shoe-deep with sweetest moss,
I passed, and found a lake, which like a shield
Some giant long had ceased to wield,
Lay with its edges sunk in sand and stone
With ancient roots and grasses overgrown."

* * * * *

"And swinging roses, like sweet censers, went
The village children making merriment."

* * * * *

"Hark, how the light winds flow and ebb
Along the open halls forlorn;
See how the spider's dusty web
Floats at the casement, tenantless and torn!

The old, old sea, as one in tears,
Comes murmuring with its foamy lips,
And knocking at the vacant piers,
Calls for its long lost multitude of ships.

Against the stone-ribbed wharf, one hull
Throbs to its ruin, like a breaking heart:
Oh, come, my breast and brain are full
Of sad response—grim silence keep the mart!"

We should trespass upon our limits to indulge in more copious extracts. Our object has been to give fair play, and show that if our author have faults, he has also some of the highest characteristics of the true poet.

Experience is called the great Teacher, yet how often does experience fail. We seem to learn no lesson from the mistakes made in all times of depreciating each new aspirant, simply because he *is* new, and awarding to genius, too late, the meed that might have cheered, encouraged, and perfected it. We think little of the sunlight that falls along our daily walk, but we strain the admiring gaze to mark, through a telescope, the path of a distant planet.

If we have not mistaken our author, he will not "be killed by one critique." There is a vitality in the creations of genius:—mowed down by the pitiless sickle, it soon renews its latent growth, and springs afresh in its own glorious atmosphere.

SPAIN;*

HER WAYS, HER WOMEN, AND HER WINES.

No country is more generally known than Spain; few countries, perhaps, are less *well* known. Distracted for the last two centuries by the unparalleled impudence of foreign interference, that unfortunate but beautiful peninsula has thrilled the world with the romance of her misery. Her history enjoys the melancholy privilege of being dramatic, and with its stirring incidents the world is well acquainted. But we are strangely ignorant of the habits, manners, and feelings of the Spanish population of the present day. Most of us derive our information in this respect from the pages of Cervantes and Le Sage. The French humorist, in particular, evinces so thorough an acquaintance with the interior life of the Spaniards, that the latter, envious of a foreigner's glory, reaped from their own soil, have taken advantage of that very circumstance to argue, with some show of probability, that no one but a native of their country could be the author of Gil Blas. Strange misfortune of an author, whose genius was so great that they refused to believe it was his own!

The life-like air of reality impressed upon those miraculous pages, takes such a deep hold on the imagination that it would be difficult to persuade the reader that Gil Blas is not a trustworthy guide-book even to this day, and that the personages in that wonderful picture are not immortal types of the Spanish character. This idea has been furthermore kept alive by a host of other writers, great and small, who have drawn on that inexhaustible source of incident and picturesqueness to supply the weakness of their own invention. With most readers a kind of Cimmerian darkness envelopes Spain. They will entertain any fiction, however wild, any range of imaginative ornament, however fantastic, and any improbabilities of incident or character, so that the "venue" be laid there. Therefore, the stage and the novel have filled their pages and scenes with traditional hidalgos in rags, exacting corregidors, venal alguazils, and revengeful prime-ministers, plausible and nature-like enough in Spain, though impossible elsewhere.

The brigands, too, and the contrabandistas—what elements of adventure they offer to the young writer! what a relief to a dull tale lies in a surprise by a party of guerilleros! True, all these tit-bits of romance belong to the past in Spain, as elsewhere; but while the reading public are tolerably well aware of the true state of things in England, France, or even Russia, they still obstinately cling to the belief that Spain, in the midst of the world's progress, has remained in a stationary state of lethargy for centuries, and that Rip Van Winkle, had he fallen asleep in Castile, under the reign of the English Mary's husband, would have no great cause for wonder upon awaking now.

Strange though it may appear, this prevailing misconception of the world in regard to Spain seems destined to be dispelled by American writers. The names of Prescott and Irving are inseparably connected with her antiquities and her chronicles, and some of our most intelligent travellers have brought to the task of estimating her condition, in modern times, that candid and unprejudiced spirit of inquiry, which alone is

* Glimpses of Spain, or Notes of an Unfinished Tour in 1847, by S. T. Wallis. New York, Harper & Brothers.

equal to the enterprise, and which European explorers could scarcely be expected to exercise in the case of the Peninsula. For if it be true that they who have done the wrong can never forgive, Spain can expect neither mercy nor justice from the rest of the continent to which she belongs. These remarks occurred to us when we were perusing the pleasing relation of Mr. Wallis' travels. How much more appropriate are they now, that Mr. Ticknor's work,* a prodigy of labor and learning, has displayed to the world the hidden wealth of Spanish literature. We can hardly be brought to believe in the eclipse which has fallen upon the glory of Castile, when we look at the wonderful works of art she has produced in spite of Inquisition and tyranny; when we remember the tremendous energies she has put forth under the most discouraging adversity; when we consider that even now, under the pressure of governmental mismanagement and injudicious, or even unrighteous laws, her manufactures are struggling hopefully for success; when we reflect that, in her utmost hour of need, she has always given birth to some worthy son providentially commissioned to save her. We can hardly have faith in the decline of the land of the Campeador and Zumala Carreguy. Yet there is no denying that she presents, at this moment, a lamentable picture of degeneracy and political insignificance. Perhaps ethnology might solve the problem, and reconcile the apparent contradiction by pointing out, side by side with the decay of the Visigothic population, (which, like all mongrels, must speedily pass away), the resurrection of the ancient Iberian spirit, the inextinguishable vitality that marks all aboriginal stocks, and the future redemption of classical Hispania by the descendants of those who so long resisted the Carthaginian and the Roman armies.

But considerations of such a nature would carry us too far, and we must be content to view the Spaniards as they now appear to us, without distinction of race or breed—precisely as one who studies their literature need spend no time in distinguishing what portions of their language are derived from the Basque, and what from the Latin. Nor is this the only consideration that applies equally to the habits and the written works of a people. In all countries, national character and literature are found to keep pace together, the latter as the exponent of the former, and both impressed with kindred features. In Spain it is preëminently so, and the peculiarities both of their school of art of their temperament, present a family resemblance that shows them, at one glance, derived alike from the same circumstances.

From the age of Count Julian to that of the Cid, during which all of the Visigothic race that yet retained any of the manhood of their barbarous progenitors had sought a refuge among the mountains of the interior, where they acquired fresh energy in a more laborious mode of life, and perhaps fresh vitality from admixture with the aboriginal race,—what a rude training for the language and the character of the Spaniards. The pure Latin which they spoke, now tainted with Moorish and Basque, sank into a confused chaos, from which the sonorous Castilian afterwards arose. For in idioms, as elsewhere, decay and corruption contain within themselves the germs of life.

Nor could the exiles of Valencia and Toledo forget, in the rugged fastnesses of Biscay and the Asturias, the fair inheritance which the victorious Crescent had wrested from the Cross. As soon as they had recovered from their first consternation, they commenced that unrelenting warfare to the knife, which they pursued with indomitable energy until the blood of Tolosa had washed out the disgrace of Roderick. It was during this desperate hand-to-hand conflict, which lasted five or six centuries, that the Spanish language and the Spanish national character were formed. What wonder if both present some rugged features; what wonder if the idiom is less soft than the Tuscan, and the temper of the people full of enthusiastic exaggerations. A nation, born, as it were, on the field of battle, might well be expected to possess some of the less amiable attributes of the warlike character, and after spending her adolescence in a fierce religious contest, might be forgiven if religious intolerance sometimes mingled with her religious feeling. These circumstances affected Spanish art; for the hereditary ene-

* History of Spanish Literature, by George Ticknor—in three volumes. New York, Harper & Brothers.

my of the Moor scorned to believe by halves, and embraced, with the same fervor of exalted faith, the Athanasian creed and the traditionary legends, the divine mission and the story of the portrait which Christ sent to King Abgarus, the mysterious atonement on the Cross, and the genuineness of the letter of Proconsul Lentulus to the Roman Senate, containing a description of the personal appearance of the Saviour.

Hence, the fine arts in Spain took a tone of intense fervor and severe simplicity, carried, as every thing else in that land of ultraism, to extreme exaggeration. Certain types obtained, by universal consent, the authority of law, and woe to the rebel whom the Inquisition caught departing from precedent. The canonized lived again on canvas or in marble, in their own true repulsiveness of penitential sanctity, with profuse and heavy drapery, with features emaciated by privations and composed in the rigid callousness of devotional contemplation. But never was the heaven-born inspiration of beauty admitted to gild the dreams of the Spanish artist, or to animate his creations. Never did the chisel or the brush, in that land of formal decorousness, disrobe the human form, that embodiment of the divine essence, to show the admirable symmetry of its proportions. Seldom was the fair face of nature found sitting for her portrait to a genuine son of Castile; so that Spanish art, with all its warmth of feeling and its ardent temperament, became confined to the narrowest channel, and preying upon itself, fell, as it were, into a monomania. Portraits of solemn friars, grim warriors, and stiff, haughty courtiers, legends of impossible miracles, formed, together with the more impressive episodes of the history of Christianity, the entire staple of painting and sculpture in the Peninsula. It was not uncommon for the Church,—the most liberal patron of arts at one time,—in her contracts with artists, to impose upon them, as on one occasion was the case with Navarette, the condition "that they should adhere strictly to Spanish orthodoxy and avoid the introduction of any Italian accessories or theological improprieties."

Since Marshal Soult robbed Spain of her master-pieces, the world has learned to appreciate and admire the works of *Murillo*, *Domenico el Greco*, and *Herrera*, and many others almost unknown before. The due amount of technical cant has been expended to illustrate their merits. And for a straight-forward, scholar-like account of some of the chief monuments of Spanish art, we unhesitatingly refer the reader to the work whose title stands at the head of this paper.

But it is in the literature, and even in the very essence of the language of Spain, that the influence of the circumstances attending their growth can more obviously and curiously be traced. An undertone of heroic pomp may be distinctly felt in both, and though less consonant with the present condition of the country than it was with the splendors of Charles V., it harmonizes gracefully enough with "that all-respecting self-respect which it is a miracle not to find in the bearing of a Spaniard, be he high or low,"—to quote a judicious remark of Mr. Wallis.

The name of that elegant writer reminds us that we have been digressing over much from the consideration of his work. Driven to travel by the delicate state of his health, he resolved to visit Spain. A short stay in Barcelona furnished him with materials for several very interesting chapters. From one of these we will make free to offer a few extracts, partly because we feel a presentiment that from Catalonia will rise the spirit which is destined to regenerate Spain, but chiefly because we think that, while but little is known in regard to the rest of the Peninsula, nothing at all is known concerning this particular section of it. "The Catalans, as all the world knows, have been famous, from their earliest history, for industry, intelligence, energy, obstinacy and combativeness; fond alike of freedom and money, they have seldom lost an opportunity of asserting the one, or scraping up the other. They were always among the foremost to bully or rebel against an unruly king, in the times when such performances were more perilous than at present; and in these days of pronunciamientos, they will get you up a civil war, or regale themselves with a bombardment, upon as short notice as the gamins of Paris require to break down an old dynasty or blow up a new one. Their physiognomy and general bearing show you, unequivocally and at once, that they are a sturdy, manly, independent people. They are quiet and grave, upon

the promenades and in the public places, but they have an air of doggedness about them which strikes you at first, as peculiar to individuals, but which you soon find to be almost universal. The common people, in their provincial dress, look sullen and fierce. Their sandals and girded loins give them a pilgrim air, as of men from far countries, and their harsh, grating dialect seems no improper vehicle for the expression of their habitual turbulence. Nevertheless, you see few beggars and no idlers among them. They are doing something always, and doing it in good earnest, as if they took pleasure as well as profit, to consist, chiefly, in occupation. The Infante Don Gabriel (one of the few among the later Bourbons, who have had capacity enough to say or do anything sensible) was the author of some clever verses, descriptive of the several provincial characteristics of his countrymen. Of the Catalans, he says, among other things, that they are able—"hacer, de las piedras, panes," to convert stones into bread; and, indeed, when we look into the rugged soil which they have subdued into fertility, and the constancy and patient industry with which they give themselves to the severest labor upon land and sea, we must concede that, even if they be, as their countrymen alledge, the most querulous and exacting of the provincial family, it is from no reluctance to put their own shoulders to the wheel, that they call so often upon Hercules. Some travellers say that they are uncivil to strangers, my experience was entirely to the contrary. Their courtesy, though not exuberant, I found both ready and cordial. True, as I have said, their manners are, in general, reserved, and their speech is laconic, but the ice is soon broken, and their intelligence and general cleverness repay the trouble amply.

"The Catalan is no favorite with his brethren of the other provinces. They have sundry hard names for him, which are more expressive than delicate, "*Cerrado como pie de mula*" (contracted, close, like a mule's hoof), is the proverbial phrase into which they have compressed their idea of his character. John Bull, too, has his say in the premises. The Catalans, according to his notion, are selfish, greedy of gain and monopoly, fierce foes to that glorious system of free-trade, of which England is now the apostle to the custom-house gentiles, and which, sooner or later, is to be rounded with some sort of a millenium. John Bull, therefore, denounces them, in all the terms, measured and unmeasured, which such heterodoxy on their part deserves, and when his wrath is especially kindled, as some pet Spanish scheme of his falls through, he wreaks himself upon expression and calls them the "Yankees of Spain." In all his endeavors to negotiate commercial treaties, and break down the restrictive system which the Catalans particularly affect, he is influenced, he gives you his honor, by none but the most benevolent and unselfish considerations. France may have some motive of her own in pulling down Espartero and putting up Narvaez, but England looks only to the happiness of Spain in keeping Narvaez down, or keeping up Espartero. What matter can such things be to England? If she cannot import through the custom-house, she can smuggle in spite of it, and therefore it is all the same to her in point of fact, whether she has treaties or not. It is a mere question of morality," (Blackwood, vol. xxv., p. 723); but then John Bull is a famous stickler for that, as every body knows.

"The Catalans, upon their side, say that the world is too old, for people with beards on their chins to believe, that nations send embassadors about the globe on crusades of disinterested benevolence. *Bailan al son que tocan*, is an old Castilian proverb. 'If people dance, it is because there is some music.' Mr. Cobden had passed through Spain but a short time before my visit, and the free-trade enthusiasm was in full blast in consequence. The Propagador, a newspaper in Cadiz, was especially devoted to the dissemination of the anti-custom-house faith. Mr. Bulwer's paper, the Espanol, of Madrid, was full of most demonstrative articles, in which it was satisfactorily proven, by facts and figures, that free-trade would bring back, permanently, to the Peninsula, days as golden as when her western mines were fresh. The Catalans, and the protective politicians generally, used to shrug their shoulders, and wonder if the case would be made out half so clearly, if the Ingleses had not an interest in the market, as well as the logic. Free-trade, they said, was

a good text to preach from, after a nation had so perfected her manufactures, as to find her surest monopoly in freedom. They thought it odd that Great Britain should never have proclaimed free-trade in the produce of her soil, till her own people were starving, or have encouraged it in her manufactures, till she was able to starve other people." (P. 36–8).

With all his keen perception of the selfish and interested policy of Great Britain in seeking to propagate (late converts are ever zealous) her doctrines of free-trade abroad, Mr. Wallis is not blind to the evils the protective system entails when carried to an excess. "It is impossible," he says, "for any intelligent and disinterested man to doubt, that the present Spanish system of tariffs on imports is absurd, in both its impositions and restrictions. Bad as it is, it is not half carried out, so that it does little else but thwart and nullify itself, which is pretty fair proof of folly. I went into a shop on the Rambla at Barcelona, and asked the price of some French wares, the high charge for which astonished me so much that I remonstrated. The good woman told me that what I said was very true. '*Mas que quiere vmd?* What will your worship have us do? It is impossible to get prohibited goods into the city, without paying at least seventy per cent. on their value to the smuggler."

"'But is it possible,' I asked, 'that all these goods are prohibited? Your window is full of them, and the officers of the customs pass here at all hours.'

"'*No hay duda, Senor*—there's no doubt of that. Under the old system, they would perhaps have given me some trouble, but now that we have a constitution, the house of the citizen is inviolable. Once get your goods into the house, and there is an end of the business. There is scarcely a shop on the Rambla that is not full of prohibited goods.'"

When will law-makers learn that in legislation, extreme measures defeat their own ends? A question to be addressed to other legislators as well as those of Spain. In that country, however, the blind policy of the government in this respect has developed to greater perfection than elsewhere, a profession well suited to the adventurous and daring but desultory enterprise of its population. The rivers and harbors are full of swift misticos and felucas—the mountain-passes are full of hardy parties of muleteers, whose sole occupation is to defraud the revenue.

Departing from Barcelona, our entertaining traveller takes us southward, chatting agreeably and describing picturesquely whatever occurs of sufficient note; yet, we regret to say, dispelling the pre-conceived romance of some of the most prevailing notions concerning Spain. For instance, he is so unfortunate as not to meet a single pretty woman in Valencia, although Gauthier and Ford both certify that there are multitudes of beauties in that city; "and what a Frenchman and an Englishman agree on, must be as demonstrable as any thing in Euclid." At Alicante he scarcely meets with better luck, and although he is willing to endorse its reputation for female loveliness, he is denied the best opportunity, perhaps, for judging, *i. e.* a walk through its famous cigar factory, where three or four thousand women are said to be employed—"a world of labor, sure, to end in smoke." At Cartagena and Almeria, he leaves us provokingly in suspense on that interesting topic, and at Malaga he becomes decidedly ungallant, and gives the sanction of his authority to a verse current in the country,

Malaga tiene la fama
De las mujeres bonitas;
Mas no es tan fiero el leon
Como las jentes lo pintan!

which uncourteous stanza may be rendered (freely) as follows:—

Here Fame invests each girl and dame
With every charm and grace—
Who paints the Devil black? Why, Fame
That never saw his face.

Mr. Wallis' description of the luscious plenty that prevails in this part of Spain, would make Lord Guloseton's mouth fairly water—and, report to the contrary notwithstanding, would leave us to infer that the bountiful presents of nature are nowise rendered nugatory by unscholar-like cookery, garlic having lately grown as unpopular in Spain as robbers and highwaymen are scarce. For scarce they really are, and our author deplores, with much feeling, that uninteresting safety of the highways, which deprived him of his share of hair-breadth escapes.

Unable, unfortunately, to treat his readers to glowing descriptions of the Spanish banditti, who seem to have almost vanished from their classical home, Mr. Wallis, in sheer despair, discusses another class who sometimes take life in the pursuit of their avocations. We will quote some of his concluding remarks concerning the medical profession in Malaga.

"As a matter of justice to the faculty of Malaga (though perhaps they have nothing to do with it) I ought to mention, that in looking over the daily bills of mortality, as published in the newspapers, I was constantly struck with the frequent instances of longevity. Deaths of persons, over ninety years of age, occured very often during my first visit. I remember that of one who had gone considerably over an hundred, and the proportion of those who died at sixty, seventy, and eighty, was quite large. Captain Widdington notices this fact in his sketches, and it is entitled to some consideration, on account of the particularity with which the parish records are kept, and the consequent improbability of mistake. I cannot account for the anomaly, in view of the medical habits alluded to, unless it be, that the parties who had lived so long had been too poor to employ physicians, or that constitutions which could survive the *Consultas* of twenty years, were good for a century at least, in the absence of earthquakes and *pronunciamentos*.

"Whether the Spanish physicians are responsible for some very droll notions upon medical subjects, which prevail among the people, I am not prepared to say; but, if they be, it is clear that their art needs mending. Pulmonary consumption, for example, is popularly deemed contagious, and patients suffering from it are treated and shunned accordingly. When death ensues, the sick-chamber goes through a perfect quarantine of disinfection; and beds, clothing and furniture are consigned to the flames. In Cadiz, it occurred to me to exchange my travelling bag for one of a more convenient size. The tradesman expressed his regret that he could not find any use for mine: "It is an excellent one" he said, "but it has been slightly used and nobody will buy it. My customers will think that it has belonged to some consumptive person, (algun ético) and although your worship does not look like one, it will be of no avail for me to say so."

"In the use of leeches to reduce inflammation of the brain, it is customary to apply them, at the lower extremity of the spine; the theory being, that the farther you draw the blood from the diseased part the better! Why, upon that principle, they stop short of the soles of the feet, or do not send the blood a league into the country afterward, seems rather difficult to understand.

"An English gentleman told me, that in conversation with one of the most eminent of the faculty in Grenada, he alluded to the recent discoveries in regard to sulphuric ether. "You mistake," said Esculapius. "It is not ether; it is carbonic acid gas, and I tell you it is very dangerous. It asphyxiates the patient immediately!"

We dare say that these playful flings at "the profession" in Spain must be merited. For we find our author but little addicted to satire, except when he is dealing with some French or English traveller in whose track he follows. Alexander Dumas, Theophile Gautier, Ford, and many others are treated by him with unmerciful rigor. But to every thing Spanish, he is as gentle as if his journey had been a pilgrimage of love.

The character which he claims for Spanish women stands in bold relief by the side of the flippant descriptions which other travellers have given us. Since Byron took upon himself the ungenerous task of defaming the fair sex of the Peninsula, it has become the fashion to follow his example. Not a French *commis-voyageur*, not a British graduate, who does not claim to have been very generally an object of particular solicitude and tender affection among the beauties of Seville and Cadiz. To hear these self-sufficient travel-writers, chastity does not exist in Spain. We are tempted to think that they ignorantly judged of the whole society of that country from the very limited and not very exalted part of it that admitted their visits. We will never forget the experience of the author of Miriam Coffin in that respect. He was once walking in a Spanish city with a Caledonian friend. A beautiful female passed them in the street, and, turning back, smiled somewhat significantly towards them. Mr. Hart expressed his astonishment. "Oh dom!"

answered his matter-of-fact friend, "she is nothing but a dom'd ——"

We will not finish the sentence, since the author himself does not. Mr. Hart quotes this as the only instance of immodest conduct on the part of a Spanish female that ever came under his observation. And we should not wonder if the only difference, in that respect, between him and some more cynical travellers, consisted in this: that the latter, in their excursions did not always chance to have a matter-of-fact Scotchman by their side.

We have lingered too long, we find, in that part of Spain to which properly applies the "*dura tellus Iberiæ.*" Were we to follow Mr. Wallis, we must visit in turn Seville, Cordova, Grenada, and what, with his pleasing narrative, the thousand recollections which these names awaken and the time we must employ in worship to the genius of Irving that consecrates the Moorish capital, this paper would stretch beyond its allotted limits. Not only the poetry of Spain but even its utilitarian matter-of-fact statistics must we leave unnoticed in our haste. Surely we would greatly astonish some of our readers if we were to copy from Mr. Wallis his account of some of the manufactures of Spain. But we may not pause. Embark we, therefore, with him on board the first steamer; let us force the *ne plus ultra* of Hercules, and bestowing a passing glance upon Gibraltar, rejoice that we are once more upon our own Atlantic. Nor dare we tarry with him at Cadiz, although an English traveller says that "it may be seen in one day." Here we might be forcibly detained by attractions far superior to those of Moorish remains, galleries of paintings or vasty gothic cathedrals, haunted with feudal reminiscences. The "Girl of Cadiz," as sung by Byron, remains in the imagination as a choice type of female lovliness; and strange to say, not a dissenting voice has been raised against her claim. Mr. Hart, in his Romance of Yachting,"* has enthusiastically endorsed the world-wide reputation of the ladies of Cadiz for beauty, and even our fastidious travaller, Mr. Wallis, is content to join, in his quiet way, his own homage to that of all former tourists.

From Cadiz, however, we may be permitted to accompany our author on a flying trip to Xeres, and then, with the nectar of its vintage still upon our lips, (at least in imagination) close the agreeable volume to which we have dedicated these remarks.

A flying trip to Xeres did we say? No, Xeres is deserted. We will only take the ferry-boat at Cadiz, and flying across the bay on the wings of steam, land at Port Saint Mary, where Duff Gordon's famous cellars are, where all the wine-merchants of Xeres keep their pleasant country-houses and their still pleasanter vaults. At the mouth of the Lethe—oh land of Hesperia, what a host of classical recollections arise at the mention of that name, corrupted though it be into the modern "Guadalete," which Arabic scholars teach us is compounded of the ancient word with the Moorish prefix signifying water. These abstemious Moslems, unacquainted with the sweet forgetfulness of sack, how could they couple the idea of water with that of Lethe? The true Lethe sleeps on the banks of that stream within the cool capacious cellars of Duff Gordon, where twelve tuns of immense size baptized (sans water) with the names of the apostles, contain oblivion enough to have drowned all the sorrows of that last Gothic army which poor Roderick arrayed against the Paynim on this very spot. In praise of genuine Sherry (Xeres) we need not speak. We will appeal to the recollection of our readers, and invoke the genius of Falstaff to our aid.

"A good Sherris sack hath a twofold operation in it. It ascends me into the brain, dries me there all the foolish and dull and crudy vapors which environ it; makes it apprehensive, quick, forgetive, full of nimble, fiery, and delectable shapes; which delivered o'er to the voice which is the birth, becometh excellent wit. The second property of your excellent Sherris is, the warming of the blood; which, before cold and settled, left the liver white and pale, which is the badge of pusillanimity and cowardice; but the Sherris warms it, and makes it course from the inwards to the parts extreme."

Most fully will we endorse the commendation of the critical Sir John, provided that it be applied exclusively to pure Xeres

* The Romance of Yachting. *Voyage the First.* By Joseph C. Hart, Author of Miriam Coffin. New York, Harper & Brothers.

wine unadulterated with any strengthening or coloring matter. It is really unaccountable that a thing in itself so excellent as good wine must needs be drugged by meddling improvers upon the handiwork of nature. Pure wine is seldom exported from Spain or Portugal. A late writer has created almost a panic among the wine drinkers of England by his exposition of sundry secrets attending the manufacture of Port. We forget his statistics, nor have we the pamphlet at hand. But it would appear that the Port wine we drink in this country is invariably an article whose fermentation has been stopped *(coupe* the French wine-growers call it) by an admixture of brandy in a frightful proportion. The theory is, that all wines if allowed to ferment to the full extent are somewhat sharp to the taste while new, and that this peculiar flavor which would betray the date of the vintage can be disguised by interrupting the process of fermentation. The imperfect, stunted liquor obtained in this artificial manner, though pleasing to the palate, requires some further "doctoring" to disguise other characteristics attendant upon wine insufficiently fermented. So that to cover up the fraud with another fraud, more brandy, together with coloring matter, is added. It seems that the evil, as regards port wine, originates in the fact that the vintage of 1824 was remarkably successful. The wine raised that year had all the properties of excellent wine in its utmost perfection. The inferior produce of subsequent seasons found the fastidious customer wholly intractable, and the exporters were obliged to resort to fraud in order to gratify the public *(English)* taste. Such is the explanation of the author of the pamphlet in question. But we think that the practice he refers to has been for a very long time in use in most wine growing countries.

Sherry has probably suffered less than most wines from this kind of adulteration. It is generally allowed to ferment sufficiently, and then the properties of "age" are communicated by mixture with older wines. The "brown sherry" is made by mixing the paler kind with coloring matter. Abundance of brandy is added for the English market, the Spanish merchants honestly believing in their hearts that they cannot better please their British customers than by drugging that delicate wine with spirits. As a warning to the consumer of Falstaff's favorite Sack, we will in conclusion of this paper copy a paragraph from the volume before us, although Mr. Wallis pleads guilty to limited information in the premises:—"No Sherry exported, not even the best, is a simple, unprepared production of nature. It is, all of it, the result of time, mixture, and much doctoring. The finest is the growth of the district immediately about Xeres, and its natural purity is only violated by the admixture of something better of the same sort. The oldest, richest, and most generous wines, are kept and used especially to give body, strength, and flavor to the new ones that need them. The inferior qualities come from the districts along the coast. These last, good enough in themselves and when left to themselves, become any thing but nectar by the time they have been manufactured into sherry. Some of them, to be sure, enriched by the judicious admixture of the *vino jeneroso*, become sound and respectable wines, and there is no knowing how much of homely San Lucar, and even dry Malaga, passes into the cellars and down the throats of the Anglo-Saxons yearly, with the name and at the cost of the ripest *Jerezano.* But this is not the worst. Immense quantities prepared especially for exportation, and at cheap rates, have their principal virtues given to them by the liberal use of bad brandy; and it is with them chiefly that the sherry-drinking world is drugged. * * * A wine of fine quality, eight or ten years old, will cost at Xeres, at least four dollars the gallon. Those who know what our tariffs are and have been, and who can calculate the cost of transportation, may judge from the range of prices with us." * * * *

From these hasty remarks it is easy to perceive, that the American wine-drinker pays, not only from his purse, but with his health, for the poor privilege of being accounted the possessor of a fashionable brand. We could name from actual experience, at least twenty places in the Mediterranean where excellent pure wine is raised, of a flavor nearly equal to that of Burgundy, Constance and Sherry, and in our opinion vastly superior to that of all the Rhenish in the universe; and yet no enterprising importer is found to enlighten

the wine-loving community as to the existence of these cheap luxuries. The subject is one of vast importance, and we may recur to it hereafter.

We are happy to learn that Mr. Wallis has received a mission to visit Spain in a diplomatic capacity. We hail the precedent as a hopeful one for the literary profession in our country, whose members, though they have had to struggle against unparaleled difficulties, are rapidly acquiring a standing worthy of the cause they represent and of the great nation to which they belong. E. L.

"JUDGE NOT LEST YE BE JUDGED."

We know not, and we ne'er may know
Another's joy, another's woe.
What yearning love, by pride concealed,
In deathless flame burns unrevealed;
What seeming vice unjustly blamed,
By sternest virtue might be claimed.
We know not what temptation lures,
What strength resists,—what faith endures:
How *far* in error's path misled;
Or tears, how oft repentant shed.

The dreariest desert hath its spray;
The rudest coast its peaceful bay;
The roughest ridge some flower between;
The wildest heath its patch of green,
Where dews may fall and sun-beams play,
And airs of heaven are free to stray.
'Mid frailty, thus, and sin, and woe,
Do buds of gentler promise grow;
And thus, at times, an angel's wing,
May wake them to the genial spring.

Too often crushed, where man has trod,
The flower lies spoiled upon the sod;
Too often torn by blame and scorn,
The soul-flower dies as soon as born.
Frail human heart! And who that lives,
But owes far more than he forgives?
Forbear thou, then, in virtue strong,
To frown on those a frown may wrong.
Alone shall God a just decree
Award to them,—to them, and *thee.*

THE WORKS OF EDGAR A. POE.*

MACAULAY, in the opening paragraphs of his essay on Lord Bacon, observes that the moral character of men eminent in letters or the fine arts is treated with tenderness by the world, because the world is disposed to be charitable to the faults of those who minister to its pleasure; and he proceeds to instance in his brilliant manner, "Falstaff and Tom Jones have survived the game-keepers whom Shakspeare cudgelled, and the land-ladies whom Fielding bilked," &c. But if it be true that the world is most charitable to the characters of those who contribute most to its enjoyment, then the world is certainly not very delicate in its charity; for could it be ascertained, for example, that some other damsel than Anne Hathaway occupied the place that should have been hers during this very Shakspeare's long absence from her, even the telegraph lines, that give us the twilights of the foreign news before the sunrise of the newspapers, would be put in requisition to spread the scandal; and could a secret correspondence, arising out of some such relation, be dug out of the British Museum, how quickly should we have it in cloth, in boards, in pamphlets for two shillings, and in the columns of extras for six-pence! So if we consider who those are who do really contribute most to the world's enjoyment, we shall easily conclude that they are the very ones to whom it is least kind, either while they are alive or after they are dead. It was not kind to Burns; it is not kind to any of those who are the life of the world, "the salt of the earth," who season and intensify it, each by some individual vitality; an eye, an ear, or an inward questioning, that *must* drink in beauty and *must* wrestle with itself, or not live; or else a strong fortitude that stands like a wall against woe and wrong, all-comprehending, all-feeling, and all-suffering, but unmoved in the faith of better things hereafter. The inferior organizations which make up the sum of being, do not so much honor these nobler spirits as they beat against them, like the rain, and the floods, and the wind, against the house that was founded upon a rock.

So far, therefore, from admitting the universality of Macaulay's law, we look upon it as only one of the natural superficialities of an acute Scotchman. We are too deeply steeped, to relish speculation which goes no deeper than this, in the metaphysics of VON DENCKEN, that most indefatigable of Dutch philosophers, from whom we will translate a paragraph for the benefit of readers who may not have had access to him.

"As in the material world, so the chemist tells us, nothing is ever lost, though the forms of things change; the tree grows and decays; the fire separates the coal into its various products; metals oxydize, and the water that ascends in vapor descends in rain; so it seems to be in the immaterial world: of that breath of life which was breathed into Man at the creation, and whereby he became a 'living soul,' not an atom has left him, though it is ever manifesting its presence in such an infinity of shapes. For since there is the same amount of matter now in the world as there was at the end of the creation, why should not ana-

*THE WORKS OF EDGAR A. POE: With Notices of his Life and Genius. BY N. P. WILLIS, J. R. LOWELL, and R. W. GRISWOLD. In two volumes. New York: J. S. Redfield, 1850.

logy teach us that there is likewise the same amount of life? The world may be more populous now than it was in the centuries immediately succeeding Adam, though the names of the patriarchs are supposed to stand for tribes, but even if they are for individuals, what a developement of strength must there have been in the antediluvian ages, when the vigor of a single human being outlasted a period as long as might be occupied by one who should have been born before the first crusade and have a century yet to live! And in proof that their lives were as comprehensive as ours, we have the mountain-like ruins of their cities; and their maxims, their poetry, and their religion, have come down to us. They were as wise in their generation as we are in ours.

"But in those old, pastoral days, the changes in the combinations of spirit and matter, in humanity, did not take place so rapidly as they do now when the earth is so much more subdued to man's uses. There is now a more violent ebullition, and the streams of bubbles chase each other upward, and change and shift more rapidly. Our bodies are frailer, and we pass through our little cycles subject to infinitely more numerous pertrubing influences. At least, this is true just in these few civilized families, and especially in the new continent of America, to which the nations are crowding.

"Yet, even there, the process goes on, similar to growth and decay in vegetable life, by which nothing of the divine breath is lost, but it only enters into new combinations, to re-appear in other forms. No man can live and die in any contact with his species, without all that was peculiar in him having its effect upon, or, so to speak, combining with, his contemporaries and successors; and especially in those callings which bring individuals to be known of great numbers of their fellows, may this be observed.

"Let us," proceeds Von Dencken, "consider the case of authors. Whoever writes a book and publishes it, if he has ability enough to attract readers, will be sure, in the end, to have all that which was *real truth* in it, with regard to himself, found out and duly weighed. However different his organization may have been from the common one; if even all that was easy to others was to him difficult; however much his temper may have been exacerbated by cares that others could not feel, and views they could neither see nor understand—in the end, all that was singular in the composition of his spirit will be again received into the ocean of existence through the rain-drop tears of joy or grief, or the silent absorption of the soil of kindred minds. The balance of vitality will be maintained.

"And this not through any particular lenience of the world to 'the faults of genius,' for no such lenience exists. But the inquiring soul of man will not rest, where it sees aught peculiar, until it has ascertained the whole. And when it sees, for instance, in a single case, that 'here was a delicate and beautiful crystal of a being, which *could* not have grown into any other shape but this, *could* not have transmitted to us any but this sombre light,' it will look into itself and observe its own tendencies towards a similar destiny, and will spontaneously endeavor to master them. Thus, what wrought unto death in the original, is in the next taken as a healthful assimilant. All that the original suffered in overcoming, is saved to the next combination, so far as that particular element is concerned. What a centralization of soul-vigor took place in Homer, who could master so well the beauties of thought, speech, and music, as to inform the mind of so many nations, through so many centuries! The fire is immortal, and will never be extinguished by diffusion. So, too, those great English poets, whom I delight to study, Shakspeare and Milton; they were so individual, and so capable to endure so much, both of the good and evil of life, that they have imparted strength to their whole nation, who are never weary of inquiring and thinking of them, and of how the world must have appeared to them. The real part of them, the true vitality of their souls, not the mere bodily power, but that by which they could endure and overcome, knowing, and looking down upon it from an assumed region of *thought*—this was so much more comprehensive and powerful than the same quality in any other writers, that they have exalted the level of life in their whole nation. All intelligent English spirits have some affinity with them.

"Yet, a daily life," continues the philosopher, "even with gentle Will, as they termed him, might not have been so pleasant as would at first be thought; and, surely, one might have selected a more agreeable domestic companion than the author of Paradise Lost. But, whatever mere infirmities of temper these men may have had, they had them in common with thousands who could not have suffered half so keenly as they, nor have lifted a finger to conquer. Hence it is that the world is sometimes thought to pardon too easily the faults of such men; when in reality it does not so much esteem them *faults* as the necessary consequences of certain organizations. Milton could not but have been passionate; but he teaches us to control passion. Shakspeare may have been too worldly and unsympathetic; the danger is that he makes us too thoughtful and generous to rise in the world. The vigor they had, lives and is immortal; their weakness has passed away along with the weakness of ten thousand other men. They have carried many souls upward

to elevations which those souls, by their own powers, could never have reached, nor maintained—carried them there, it may be, in thousands of cases, while they, by reason of innate weakness, were ever falling into vices and crimes which would have otherwise absorbed their whole being. Thus the growth of spirit goes on in the universe, somewhat like the Aurora Borealis, when its spires shoot up fitfully in a long line across the arctic sky; now and then comes one more brilliant than its fellows, but the general sum of light is always the same; if we imagine an interdependence among the rays, so that each shall operate upon all near it in the ratio of the strength of each, we shall have a perfect exemplification of the manner in which the spirits of men operate upon one another, and by which a constantly disturbed, yet never changing equilibrium of 'the breath of life' is maintained throughout the race of mankind."

Thus for Von Dencken. We have not quoted this illustrious philosopher here to introduce our notice of Poe with an apology for his faults, but to indicate the point of view from which we design to contemplate him. We intend to consider him, not as a phenomenon, as *an organic human being;* to judge from what we read of his writings, and are informed of his life, what was his peculiar cast of soul; and thence to inquire how far he, a very feeble individual in body, certainly, and subjected to singular accidents, played a man's part on the stage of existence. This we shall endeavor to do through an estimate of his characteristics as a writer—since it is only as a writer, born with a peculiar spirit, and bred and living under peculiar circumstances, that the world has any concern with him. The mortal of him has returned to the dust; his imperfections, which remain in the memories of those who knew him, were better forgotten; since it aids none of us to remedy our own short-comings, to remember those of others after they are gone. According to the Von Denckenian theory, it is only with his *peculium*—the vital part of that combination of spirit and matter which erewhile walked these streets under the style of Poe—that we have aught to do; for the reason that it is this part only, this individual vitality, to use the philosopher's nomenclature, which can combine with new affinities and re-enter the general soul of the universe—the man himself having departed, (upward, we trust, since he held his face upward while here, through much oppression and depression) but his spiritual vigor being left to diffuse itself among his countrymen.

In the first place, then, Poe, in all his writings included here, appears as a pure-minded gentleman—of a strange fancy, it is true, but never low or mean. He always addresses his readers in a scholarly attitude. He interests them through the better nature; he holds the mind's eye with singular pictures, or draws the understanding into curious speculations, but in the wildest of his extravagancies he does not forget his native dignity. Considering how difficult, not to say how impossible, it would have been for him to have done this amidst all the excitements of his feverish life, had it not been real and natural to him, we cannot but believe him to have been actually and in his very heart, what he appears in his pages.

Secondly, he seems to us to have been originally one of the most sensitive of men, and subject to peculiar nervous depressions; at the same time so constituted that his normal and healthful condition was one which required a great elevation of the spirits. If we imagine an extremely sensitive boy, full of fun and harmless mischief, suddenly chilled into a metaphysician, but with his early state still clinging to him, we think we have Poe precisely. No human being can be more ill-fitted for the struggle of life than such an one. The realities of existence overwhelm him; what excites others to press onward crushes him; their joy is his grief; their hope his despair; all his emotions become so intense and intolerable that he cannot endure them, and wildly endeavors to stifle feeling. Charles Lamb was constituted very much after this manner: he cried at weddings and laughed at funerals; but he had habits of study, the influence of strong intellects, duty to his sister, and, perhaps, the fear of insanity, to restrain him.

Besides, Lamb's mind, though clear, was anything but mathematical in its tendencies; while with Poe's, this was a marked trait. Originally gifted with peculiar perceptions of the beauty of form, and of a disposition apt to perceive symmetrical relations both in things and ideas, Poe, when the blight came, found refuge in following out chains of thought in harmony with the

gloom that enshrouded him. Instead of avoiding the shadow he would boldly walk into it and analyze it. Hence comes his peculiar power. No writer ever understood better how to work upon the nervous system. He must have been able, one would think, to master the horror of the most awful night-mare that ever visited a dyspeptic couch, to have faced his own conceptions, and yet we can see often in his tales, glimpses of the native boyish glee that must have once been his life, and which still lurks behind his haunted imagination. And not only in his fancy, but apparently in his whole nature did the actual press upon him so heavily that his original youth was borne down, and he appeared to the world as through an inverting lens. The necessities from without, arising in part from his inward constitution,

> " Shook so his single state of man, that function
> Was smothered in surmise ; and nothing was,
> But what was not."

He himself, in reasoning upon it, seems to have reproached himself for it as a crime, when it was no more a crime than the despondency of Cowper. Several passages in his tales, though they touch the individual experience of every reader, seem to come from him like confessions. For example :

" And then came, as if to my final and irrevocable overthrow, the spirit of Perverseness. Of this spirit philosophy takes no account. Yet I am not more sure that my soul lives, than I am that perverseness is one of the primitive impulses of the human heart—one of the indivisible primary faculties, or sentiments, which give direction to the character of Man. Who has not, a hundred times, found himself committing a vile or a silly action, for no other reason than because he knows he should *not ?* Have we not a perpetual inclination, in the teeth of our best judgment, to violate that which is *Law*, merely because we understand it to be such ?"

And again, in the tale, " The Imp of the Perverse," we have the following characteristic passage :

" We have a task before us which must be speedily performed. We know that it will be ruinous to make delay. The most important crisis of our life calls, trumpet-tongued, for immediate energy and action. We glow, we are consumed with eagerness to commence the work, with the anticipation of whose glorious resul. ur whole souls are on fire. It must, it shall be undertaken to-day, and yet we put it off until to-morrow ; and why ? There is no answer, except that we feel *perverse*, using the word with no comprehension of the principle. To-morrow arrives, and with it a more impatient anxiety to do our duty, but with this very increase of anxiety arrives, also, a nameless, a positively fearful, because unfathomable craving for delay. This craving gathers strength as the moments fly. The last hour for action is at hand. We tremble with the violence of the conflict within us,—of the definite with the indefinite—of the substance with the shadow. But, if the contest have proceeded thus far, it is the shadow which prevails,—we struggle in vain. The clock strikes, and is the knell of our welfare. At the same time, it is the chanticleer-note to the ghost that has so long overawed us. It flies—it disappears—we are free. The old energy returns. We will labor *now*. Alas, it is *too late !*

" We stand upon the brink of a precipice. We peer into the abyss—we grow sick and dizzy. Our first impulse is to shrink from the danger. Unaccountably we remain. By slow degrees our sickness, and dizziness, and horror, become merged in a cloud of unnameable feeling. By gradations, still more imperceptible, the cloud assumes shape, as did the vapor from the bottle out of which arose the genius in the Arabian Nights. But out of this *our* cloud upon the precipice's edge, there grows into palpability, a shape, far more terrible than any genius, or any demon of a tale, and yet it is but a thought, although a fearful one, and one which chills the very marrow of our bones with the fierceness of the delight of its horror. It is merely the idea of what would be our sensations during the sweeping precipitancy of a fall from such a height. And this fall—this rushing annihilation—for the very reason that it involves that one most ghastly and loathsome of all the most ghastly and loathsome images of death and suffering which have ever presented themselves to our imagination—for this very cause do we now the most vividly desire it. And because our reason violently deters us from the brink, *therefore*, do we the more impetuously approach it. There is no passion in nature so demoniacally impatient, as that of him, who shuddering upon the edge of a precipice, thus meditates a plunge. To indulge for a moment, in any attempt at *thought*, is to be inevitably lost; for reflection but urges us to forbear, and *therefore* it is, I say, that we *cannot*. If there be no friendly arm to check us, or if we fail in a sudden effort to prostrate ourselves backward from the abyss, we plunge, and are destroyed."

There can be no doubt that this infirmity was experienced by Poe, almost as intensely as he has here represented it.

With the superficial there is only one name for any mental affliction which prevents a man from laboring when he has apparently every motive to labor, and every necessary ability. They call it "idleness," and they fancy that he who is thus afflicted is enjoying the luxury of repose, at the very moment when he is powerless under the torture of anxiety.

There was a true philosophy in the reply of the lusty beggar to the farmer, who asked him why he did not go to work—"Oh," said he, "if you only knew *how lazy I am!*" He was above conventional notions, in the region of ultimate truth. The curse that was laid on the ground for Adam's sake bore so heavily on him that he could not find sufficient resolution to strive against it. Nevertheless, he was certainly a free and original thinker, and the story goes, that the farmer appreciated the sublimity of his answer.

But Poe, with all this depression or over-excitement, call it what we please, bearing upon him, inverting his original nature and rendering him incapable of self-control, was anything but an idle man. These tales and poems are not the offspring of an indolent brain. They are wrung from a soul that suffered and strove; from a fancy that was driven out from the sunny palaces of youth and hope, to wander in

> "A wild weird clime that lieth, sublime,
> Out of space—out of Time."

Even the bulk of what he has written is considerable, as here collected, and these are only the cream of a great mass of writing.

Estimated by its quality, however, and compared with the productions of any of our writers of the same age, we think that Poe did his work as well as the best of them. The material he wrote in was finer. The class of readers whom he will find most favor with, are those of delicate fancies and who are subject to gloomy forebodings—a more numerous class than is often supposed, and of far more consequence—for though the politicians, the hard, noisy, impudent, and ambitious, do the work of governing the earth, it is the meek and patient who inherit it.

With Poe, as with all men of genius, there was an ever-abiding consciousness of the presence of Death. He delighted to look the destroyer in the face and to trick him out in theatrical horrors. With some there is a constant gnawing fear of the monster, and they avert their eyes from him, or now and then steal shuddering glances askance; with others there seems to be an utter inability to realize that they are immortal—that after a few years at most, of inevitably decreasing capacity for enjoyment, their souls will be in heaven or hell, and their bodies in the grave—the sun shining above and the throng of the living pressing on as before. For either of these kinds of readers, Poe's stories must be healthy diet; for the first, because he goes beyond their utmost agonies of apprehension, and stales and tames them; for the second, because he frightens their consciences—makes them wake and shudder, and form good resolutions, in the still watches of the night.

In several passages in his tales Poe has, unintentionally personated himself:

> "My fancy grew charnal. I talked 'of worms, of tombs and epitaphs."

And again, in the same sketch, he takes us into the very gates of death:

> "It might be asserted without hesitation, that *no* event is so terribly well adapted to inspire the supremeness of bodily and of mental distress, as is burial before death. The unendurable oppression of the lungs—the stifling fumes of the damp earth—the clinging to the death garments—the rigid embrace of the narrow house—the blackness of the absolute Night—the silence like a sea that overwhelms—the unseen but palpable presence of the Conqueror Worm—these things, with thoughts of the air and grass above, with memory of dear friends who would fly to save us if but informed of our fate, and with consciousness that of this fate they can never be informed—that our hopeless portion is that of the really dead—these considerations, I say, carry into the heart which still palpitates, a degree of appalling and intolerable horror from which the most daring imagination must recoil."

Even where he does not deal directly with Death, he delights to take up and draw elaborately some one of those gloomy clouds that roll upward from the dark abyss. This is so well known to be his *forte* that we need give only one or two examples, and those such as will also illustrate presently a remark on his manner and style. The opening of "The Fall of the House of

Usher," is wilder and profounder than the introduction to Der Freyschutz :

"During the whole of a dull, dark, and soundless day in the autumn of the year, when the clouds hung oppressively low in the heavens, I had been passing along on horseback, through a singularly dreary tract of country; and at length found myself as the shades of the evening drew on, within view of the melancholy House of Usher. I know not how it was---but, with the first glimpse of the building, a sense of insufferable gloom pervaded my spirit. I say, insufferable; for the feeling was unrelieved by any of that half-pleasureable, because poetic, sentiment, with which the mind usually receives even the sternest natural images of the desolate or terrible. I looked upon the scene before me—upon the mere house, and the simple landscape features of the domain; upon the bleak walls; upon the vacant eye-like windows; upon a few rank sedges; and upon a few white trunks of decayed trees; with an utter depression of soul which I can compare to no earthly sensation more properly than to the after-dream of the reveller upon opium; the bitter lapse into every-day life; the hideous dropping off the veil. There was an iciness, a sinking, a sickening of the heart; an unredeemed dreariness of thought which no goading of the imagination could torture into aught of the sublime. What was it; I paused to think; what was it that so unnerved me in the contemplation of the House of Usher? It was a mystery all insoluble; nor could I grapple with the shadowy fancies that crowded upon me as I pondered. I was forced to fall back upon the unsatisfactory conclusion, that while, beyond doubt, there *are* combinations of very simple natural objects which have the power of thus affecting us, still the analysis of this power lies among considerations beyond our depth. It was possble, I reflected, that a mere different arrangement of the particulars of the scene, of the details of the picture, would be sufficient to modify, or perhaps to annihilate its capacity for sorrowful impression; and acting upon this idea I reined my horse to the precipitous brink of a black and lurid tarn that lay in unruffled lustre by the dwelling, and gazed down--but with a shudder even more thrilling than before---upon the remodelled and inverted images of the gray sedge, and the ghastly tree-stems, and the vacant and eye-like windows."

What a Salvator Rosa-like landscape is that which occurs in the course of "The Gold Bug :"

"We crossed the creek at the head of the island by means of a skiff, and, ascending the high grounds on the shore of the main land, proceeded in a northwesterly direction, through a tract of country excessively wild and desolate, where no trace of a human footstep was to be seen. Legrand led the way with decision; pausing only for an instant, here and there to consult what appeared to be certain landmarks of his own contrivance upon a former occasion.

In this manner we journeyed for about two hours, and the sun was just setting when we entered a region infinitely more dreary than any yet seen. It was a species of table land, near the summit of an almost inaccessible hill, densely wooded from base to pinnacle, and interspersed with huge crags that appeared to lie loosely upon the soil, and in many cases were prevented from precipitating themselves into the valleys below, merely by the support of the trees against which they reclined. Deep ravines in various directions, gave an air of still sterner solemnity to the scene."

And in the "M.S. found in a bottle," we have a sea view from an ocean that had not been visited before, since the voyage of the Ancient Mariner :

"Our course for the first four days was, with trifling variations, S. E. and by S.; and we must have run down the coast of New Holland. On the fifth day the cold became extreme, although the wind had hauled round a point more to the northward. The sun arose with a sickly yellow lustre, and clambered a very few degrees above the horizon, emitting no decisive light. There were no clouds apparent, yet the wind was upon the increase, and blew with a fitful and unsteady fury. About noon, as nearly as we could guess, our attention was again arrested by the appearance of the sun. It gave out no light, properly so called, but a dull and sullen glow without reflection, as if all its rays were polarized. Just before sinking within the turgid sea, its central fires suddenly went out, as if hurriedly extinguished by some unaccountable power. It was a dim, silver like rim alone, as it rushed down the unfathomable ocean."

It is good to remain as child-like in our perceptions and affections as we can. Childdren are the most catholic of readers : only interest them and nothing comes amiss. One who can, like them, pass from the lively dialogue of Dumas, to these pictures of concentrated mysterious apprehension, and find amusement in both, will be likely never to die of *ennui*.

Many of these tales, if not all, were hastily written, and, they are therefore often fragmentary and imperfect. Sometimes the plot is too obvious and the secret is out too soon; in others, the particular horror is

too horrible to be contemplated, however artistically it might be veiled. But in all, wherever Poe gives his dreaming fancy any play, it never fails to paint vividly. Take its pictures altogether, and they belong to a new school of grotesque *diablerie.* They are original in their gloom, their occasional humor, their peculiar picturesqueness, their style, and their construction and machinery. Of their gloom we have just spoken.

The balloon of Hans Pfaall, seen by the citizens of Rotterdam, and made of dirty newspapers, is a touch of Poe's original playfulness. So also the negro in the "Gold Bug;" the "Balloon Hoax," is the work of a born quiz; "Some words with a Mummy," "Hop Frog," "Bon Bon," "The Devil in the Belfrey," "Lionizing," and many more, show how full he naturally was of boyish feeling. They are mere trifles to please children; but then he was a child who wrote them—he never got over being a child.

The fate of Mr. Toby Dammit, in the sketch "Never bet the Devil your Head," is an awful warning—one which even now it is impossible to contemplate without emotion. He bet the Devil his head that he could leap over a certain stile; it happened that above the stile was a thin flat bar of iron, which he did not perceive, and which shaved his head clean off. Our author gives the conclusion:

"He did not long survive his terrible loss. The homœopathists did not give him little enough physic, and what little they did give him he hesitated to take. So in the end he grew worse, and at length died, a lesson to all riotous livers. I bedewed his grave with my tears, worked a *bar* sinister on his family escutcheon, and for the general expenses of his funeral, sent in my very moderate bill to the transcendentalists. The scoundrels refused to pay it, so I had Mr. Dammit dug up at once, and sold him for dog's meat."

What a bold comparison we have in "The Duc de L'Omelette," where the hero is taken by Baal-Zebub into the enchanted chamber.

"It was not its length nor its breadth, but its height; oh, that was appalling! There was no ceiling, certainly none; but a dense whirling mass of fiery colored clouds. His Grace's brain reeled as he glanced upwards. From above hung a chain of an unknown blood-red metal, its upper end lost, like the city of Boston, *parmi les nues.*"

In the "Rationale of Verse," a not very clear essay, but one abounding in acute suggestion, we have plenty of examples of a like pleasant sarcasm. Indeed, throughout these writings there is enough to show that their author, as is generally true of such spirits, was no less sensitive to the laughable than to the horrible. Indeed, had life gone happily with him, it is possible he might have been only known as one of the gay spirits of fashionable society.

With respect to Poe's style, the extracts above given from "The Gold Bug," "the M.S. found in a bottle," &c., exhibit his affluence of musical variety in expression, and command of words.

One more extract we must give, not only for its eloquence, but in illustration of our theory, that Poe was one originally so sensitive, the first breath of the world withered him; so that he was benumbed, and fancied he had outlived his heart:

"She whom I loved in youth, and of whom I now pen calmly and distinctly these remembrances, was the sole daughter of the only sister of my mother long departed. Eleonora was the name of my cousin. We had always dwelled together, beneath a tropical sun, in the Valley of the Many-Colored Grass. No unguided footstep ever came upon that vale: for it lay far away up among a range of giant hills that hung beetling around about it, shutting out the sunlight from its sweetest recesses. No path was trodden in its vicinity; and to reach our happy home, there was need of putting back with force, the foliage of many thousands of forest trees, and of crushing to death the glories of many millions of fragrant flowers. Thus it was that we lived all alone, knowing nothing of the world without the valley,—I, and my cousin, and her mother.

"From the dim regions beyond the mountains at the upper end of our encircled domain, there crept out a narrow and deep river, brighter than all save the eyes of Eleonora; and winding stealthily about in mazy courses, it passed away at length, through a shadowy gorge, among hills still dimmer than those whence it had issued. We called it the "River of Silence; for there seemed to be a hushing influence in its flow. No murmur arose from its bed, and so gently it wandered along, that the pearly pebbles upon which we loved to gaze, far down within its bosom, stirred not at all, but lay in a motionless content, each in its own old station, shining on gloriously forever.

"The margin of the river, and of the many dazzling rivulets that glided through devious ways into its channel, as well as the spaces that extended from the margins away down into the depths of the streams, until they reached the bed of pebbles at the bottom,—these spots, not less than the whole surface of the valley, from the river to the mountains that girdled it in, were carpeted all by a soft green grass, thick, short, perfectly even, and vanilla-perfumed, but so besprinkled throughout with the yellow buttercup, the white daisy, the purple violet, and the ruby-red asphodel, that its exceeding beauty spoke to our hearts in loud tones, of the love and of the glory of God."

Poor Poe! It was a sad day for him when he was forced from dreams like these into the real world, where there are so many "far wiser" than he. No wonder he sometimes lost heart and temper, and soon died!

We have observed that Poe is original, not only in his gloom, his humor, and so forth, but also in the construction of his tales. Indeed, it is for this he has been most found fault with. It is said he wrote his things "on a plan." It is not denied that he contrives to get up an interest; but it is objected that he does it systematically, foreseeing the end from the beginning, laying out his work, and deliberately going through it.

But is not this really an argument in his favor? The painter composes "on a plan;" he touches not his canvas till his whole design is sketched, or laid out perfectly, in his mind; he *must* do so. Still more is this true (though we are aware it is not generally thought so) with the musical composer; everything is so calculated beforehand, the composition may be said to exist in his mind, exactly in reverse order; in the freest style, the climax is the first thing conceived, and to which the rest is adjusted. And in writing plays, must not the plot be first established, and then elaborated? Does any one suppose that Shakspeare did not foreknow the action of Hamlet, when he sat himself to write it? or that he *improvised* Macbeth? or that he could elaborate that singular texture of plots, the Midsummer Night's Dream, by the Dumas process of accretion? Surely those who think so cannot understand any, the simplest work of art, in its entirety. For a work of art is not a heap of things built up, and to which more may be joined; it is, like the French Republic, "one and indivisible." If you take away aught from it, it is incomplete; if you add, you put on what does not belong to it. Even so simple a work of art as a house, must be built "on a plan," or it will be only a conglomeration of rooms; and whenever it is completed, whatever is added is very properly styled an "addition." The pen in our hand, we could not have made it without definite design. Why should we not have tales constructed on such plots as it will best excite a continued interest to unravel?

Why—because the present day seems to abound in little writers, who make much noise, but whose minds have no strength, no connection of ideas; no dependence of thought upon thought; nothing that enchains the reader, and goes on developing, from sentence to sentence, paragraph to paragraph, and page to page. We have many among us of this stamp, whom it is impossible to read without confusion. Of course all such are the natural foes of order, prolonged interest, and grand emotion. They wish to go from thing to thing; to feel only themselves; to smatter, and dogmatize, and talk—talk—talk. O, how weary, stale, flat, and unprofitable is all they have to utter!

Again; it has been objected to Poe's stories and poems, that they are abstract, unlike anything in real life, out of all experience, and touching no human sympathy. As to the abstractness and remoteness from experience, if these be faults, God help the wicked! for the author of Paradise Lost is surely damnèd; but as to their coldness and incapacity to touch human sympathy, that we utterly deny. We are unable to perceive, from these harmless little sketches and verses, a reason for all that has been said of Poe's coldheartedness, "cynicism," want of moral sense, and so on. It must be admitted, however, that if the friendship manifested in these biographical prefixes was the warmest he could inspire, he was certainly one of the most unfortunate men that ever lived. But to judge him purely as he appears in his own writing, we do not see but that he had as much "heart" as other men—as much, at least, as other literary men who have resided as long as he did in this

"commercial metropolis." To be sure, his disposing of the remains of his friend Mr. Toby Dammit in the manner he did, after the transcendentalists refused to bear the expenses of that gentleman's funeral, was out of the common way; but who ever heard Dr. Southwood Smith accused of inhumanity for dissecting his friend Jeremy Bentham?

All these objections and accusations appear to us to have arisen from two sources; first, his success in gaining, at once, what so many would give their eyes for, viz.: a reputation; and, secondly, his frankness, or want of self-respect. This leads us to speak of his poetry, and of what he has related respecting his mode of writing it.

Coleridge, speaking of some of his own poems, observes: "In this idea originated the plan of the 'Lyrical ballads;' in which it was agreed that my endeavors should be directed to persons and characters supernatural, or, at least, romantic; yet so as to transfer from our inward nature a human interest, and a semblance of truth, sufficient to procure for these shadows of imagination that willing suspension of disbelief for the moment, which constitutes poetic faith."——"With this view I wrote the 'Ancient Mariner,' and was preparing, among other poems, the 'Dark Ladie,' and the 'Christobel,' in which I should have more nearly realized my ideal, than I had done in my first attempt."

From this extract we learn that even that most fanciful of modern poems, the "Ancient Mariner," was written in conformity with a specific purpose, if not "on a plan." Doubtless, also, had it served its author's purpose to enlighten us concerning the manner of his composition, he could have done so; for, the existence of a design argues forethought in execution. How certain words, rhymes, and similes came into his mind, he could not have told; but why he chose that peculiar metre, or, at least, *that* he chose a metre, he could have told, and also many other incidents of the poem's composition.

Poe has done this with regard to "The Raven;" a much shorter piece, and one admitting a more regular ingenuity of construction—but still a poem full of singular beauty. His opening remarks in this analysis show the perfect frankness, or indifference with which he sets to work to dispel his own conjurations:

"I have often thought how interesting a magazine paper might be written by any author who would---that is to say, who could---detail, step by step, the processes by which any one of his compositions attained its ultimate point of completion. Why such a paper has never been given to the world, I am much at a loss to say---but, perhaps, the autorial vanity has had more to do with the omission than any one other cause. Most writers---poets in especial ---prefer having it understood that they compose by a species of fine frenzy---an ecstatic intuition---and would positively shudder at letting the public take a peep behind the scenes, at the elaborate and vacillating crudities of thought---at the true purposes seized only at the last moment---at the innumerable glimpses of idea that arrived not at the maturity of full view---at the fully matured fancies discarded in despair as unmanageable---at the cautious selections and rejections---at the painful erasures and interpolations---in a word, at the wheels and pinions---the tackle for scene-shifting---the step-ladders and demon-traps---the cock's feathers, the red paint and the black patches, which, in ninety-nine cases out of the hundred, constitute the properties of the literary *histrio*."

In what follows, wherein he goes minutely into his process of composition, though, in general, true, he was probably misled by the character of his mind, his love of speculation, his impatience of littleness, the "perverseness" we have claimed for him, and a secret delight in mystifying the foolish—to make it appear that he wrote the whole poem, as he would have demonstrated a problem, and without experiencing any state or phase of elevated feeling. The poem itself is so sufficient an evidence to the contrary, and Poe, in his explanation, in its mode of construction, "The Philosophy of Composition," has carried his analysis to such an absurd minuteness, that it is a little suprising there should be any verdant enough not to perceive he was "chaffing." He was enough a boy in his feelings to take delight in quizzing. What are most of his stories, but harmless hoaxes? Horrible faces grin at us in them out of the darkness; but at the end comes the author, shews them to be nothing but pumpkin lanterns, and cries "sold!" in our faces.

Probably there is not, in all poetry or prose, an instance where language is made

to present a more vivid *picture* to the fancy than in this poem. The mysterious introduction, the "tapping," the appearance of the Raven, and all his doings and sayings, are so perfectly *in character*, (we were once, many years ago, the "unhappy master" of one of these birds, who, it was evident, were in league with the devil,) that we seem actually to see him :

"Open here I flung the shutter, when, with many a flirt and flutter,
In there stepped a stately Raven of the saintly days of yore,
Not the least obeisance made he ; not a minute stopped or stayed he ;
But, with mien of lord or lady, perched above my chamber door—
Perched upon a bust of Pallas just above my chamber door—
Perched, and sat, and nothing more.

"Then this ebony bird beguiling my sad fancy into smiling,
By the grave and stern decorum of the countenance it wore,
'Though thy crest be shorn and shaven, thou,' I said, 'art sure no craven,
Ghastly grim and ancient Raven wandering from the Nightly shore—
Tell me what thy lordly name is on the Night's Plutonian shore!'
Quoth the Raven, 'Nevermore.'"

Perhaps Poe would tell us that, in writing these stanzas, having determined, upon good reasons, to introduce the Raven in some fantastic manner, he then considered what motions a bird of that species would be likely to make, and finally concluded to choose the most natural, as being the most fantastic ; and thus, at length, after looking his dictionary, pitched upon the word "flirt," which Johnson defines to mean "a quick, elastic motion," as most suited to his purpose ; then, finally, connected with it "flutter," not so much to add to the meaning, as for the convenience of the rhyme with "shutter." And for such harmless "philosophy of composition" as this, he must be set down for a man of no heart !

To our apprehension, it is quite impossible that most of the words and phrases in these two stanzas could have been chosen in any other than an elevated state of feeling—a condition when

"The poet's eye in a fine frenzy rolling,
Doth glance from heaven to earth, from earth to heaven,
And, as imagination bodies forth
The forms of things unknown, the poet's pen
Turns them to shapes, and gives to airy nothing
A local habitation and a name."

The "*stately* Raven," coming in with "many a flirt and flutter ;" the "saintly days of yore"—what days ? where ? when ?; the "obeisance," "mein of lord or lady," how picturesque ! And in the second stanza every line is the offspring of the highest power of poetic vision ; "grave and stern decorum," and

"Ghastly grim and ancient Raven *wandering from the Nightly shore,*
Tell me what thy lordly name is ON THE NIGHT'S PLUTONIAN SHORE !"

—where is this "Nightly shore," which we recognize as familiar, like the scenery of a dream that we never saw before ? We seem to have heard of it and to know of it, and yet it is a perfectly new region. There is an indescribable power in the sound of these words, as also in the march of the lines which precede it. As the product of a pure vividness of fancy, and a sustained intense feeling, they are as remarkable as any similar passages in our poetic literature.

The natural expression of intense or elevated feeling is music. Hence in all poetry which has this characteristic, (and all poetry has it in greater or less degree,) language is used with a power independent of its meaning to the understanding. The musical expression strives to predominate ; and it is so ardent that it can even color with its fiery glow the cold and unmelodious sounds of articulate speech ; under its influence the syllables of words fall into rythmic forms, and the mere confined range of the vowel sounds and the ordinary inflections of sentences, become a chant.

In Shakspeare, the understanding was so alert that it rarely yields to the feeling, without evidence of a mighty conflict ; generally the result is rather a thought-exciting struggle than a triumphant victory. Perhaps there is no instance in his blank verse, where the musical expression so entirely overpowers the other, that words have a sense entirely independent of their meaning. But then how beautifully both effects are sometimes blended :—

"The murmuring surge,
That on the unnumbered idle pebbles chafes,
Cannot be heard so high."

Or,

> "let the brow overwhelm it,
> As fearfully as doth a galled rock,
> O'erhand and jutty his confounded base,
> Swilled with the wild and wasteful ocean."

Or, perhaps the finest instance is from the chorus before King Henry's speech :

> "Suppose that you have seen
> The well-appointed King at Hampton Pier
> Embark his royalty ; and his brave fleet
> With silken streamers the young Phœbus fanning.
> Play with your fancies ; and in them behold,
> Upon the hempen tackle, ship-boys climbing:
> Hear the shrill whistle which doth order give
> To sounds confused : behold the threaden sails,
> Borne with the invisible and creeping wind,
> Draw the huge bottoms through the furrowed sea,
> Breasting the lofty surge. O do but think,
> You stand upon the rivage, and behold
> A city ON THE INCONSTANT BILLOWS DANCING !"

It is only in his ballads, however, where he abandons himself more entirely to the emotion, that the musical element so predominates as to render its effect the primary one. Perhaps the dirge in Cymbeline,

> "Fear no more the heat o' the sun, &c."

the serenade in the same play ;

> "Hark ! hark ! the lark at heaven's gate sings,"

and the ballad in "Love's Labor Lost,"

> "When daisies pied and violets blue,"

are the readiest examples.

But even here, though the primary effect of the words is a musical one, that is, one arising from their sound, in that we read them and feel their expression, while our idea of their meaning is indistinct ; yet when we come to examine them, we find that they have more than an indistinct meaning—a perfectly plain one—so plain that we wonder it does not strike us at first, (though, familiar as they are, it never does).

But in Milton, and sometimes in others, we have examples where not only the primary, but the *sole* effect of the words is musical, the meaning being indistinct. *He* had a meaning, but *we* enjoy the effect, so far as it is purely poetic, without understanding what is said, and entirely through the sound of of the words. Thus his mere catalogues of names, of which we understand nothing definite, affect us poetically. For example, the passage in Lycidas :—

> "Or whether thou to our moist vows deny'd,
> Sleeps't by the fable of Bellerus old,
> Where the great vision of the guarded mount,
> Looks towards Namancos and Bayona's hold ;"

How few who have felt the sense of grandeur, vastness, and antiquity here expressed, understand "the fable of Bellerus," or have a place for Namancos and "Bayona's hold," in their geography ? And again :—

> "As when far off at sea a fleet descry'd,
> Hangs in the clouds, by equinoctial winds,
> Close sailing from Bengala, or the isles
> Of Ternate and Tidore, whence merchants bring
> Their spicy drugs."

We have a distinct recollection what a thrill of pleasure it gave to learn long ago at school, where those islands really were ; before that it had been sufficient for their poetic effect to know that they were islands ; now, of course, we enjoy in addition to the poetry, the pride of knowledge. But passages in illustration of the musical effect are in Milton without number. Indeed, the whole poem, it is possible to conceive, might be enjoyed by that order of minds, which have only elevated feelings, without clear ideas.

When the gryphon pursues the Arimaspian, few stop to inquire what a gryphon is, who is an Arimaspian, and what pursuit is alluded to ; so far as the *idea* is concerned, it might as well read for "gryphon," *tomson*, and for "Arimaspian," *Poliopkian*.

> "And all who since, baptized or infidel,
> Jousted in Aspramont or Montalban,
> Damasco, or Morocco, or Trebisond,
> Or whom Biserta sent from Afric's shore,
> When Charlemain, with all his peerage, fell
> By Fontarabia."

So not only in these sublime cadences, but in the common expression of the whole poem, the musical so overpowers the logical, that it is possible to feel and relish the qualities of the poetry, with only an indistinct notion of the meaning. Thus, in the comparison of the swarm of locusts "*warping* on the wind," the word has so lost its old significance that the meaning is not plain, yet the sound and rythm of the lines do all but create. So in descriptions of architecture, "golden architrave," and

> "Cornice or frieze, with bossy sculptures graven,"

few boys, of the many who (it is to be hoped,) early learn to love Milton, are so well up in their architecture as to know

the meaning of these technical words—the sole effect to them is through an indistinct idea of the meaning, just enough to hold the mind interested, joined with a rich flow of language whose words and cadences had their birth in the musical element—that very heaven of the fancy, the region of pure RAPTURE, which lies above the plain of *things*, and which MUSIC alone can reach.

We might multiply instances out of the poets, from Chaucer and Spenser, who abound in them, down to the best of our own time and country. Marvell, perchance, caught the lyric power from him whom he called friend; Collins was a sweet singer; Gray called the Eolian lyre to awake, and under his hand it did awake. Nearer us we have Campbell, Wordsworth, and one of the greatest natural masters of musical effect, if Scotchmen tell us truly, Burns; the power of his broad Scotch cannot be properly estimated by any but his countrymen; but there is one little change of a word in Tam O'Shanter which shows the genius:—

> "Or, like the rainbow's lovely form,
> EVANISHING amid the storm."

Who could have taught him to use that almost obsolete word with such power? For it really sets the whole line quivering like a flash of lightning.

Coleridge's Kubla Khan is the first instance, that we are aware of, in which an attempt is made by an *assumed*, yet not unnatural, indistinctness of meaning, to portray a phase of feeling too subtle and evanescent to be touched with definites. About his time, the same thing was done by Beethoven in music; among his trifles, "bagatelles," as they are rightly named, for the piano, are some which begin sanely and run off into actual wildness; in his last symphony, and in some of his posthumous works, he is thought to have ventured too far unintentionally. In painting, too, the notion of aiming at only a single effect has arisen, and is a favorite one with a numerous class of artists. And in literature, we have, at last, Poe, who writes poems that move us deeply, but in which the meaning is only hinted at, and even that sometimes so obscurely that it is impossible to find out an unbroken connection; but there is always an evident design and an extremely artistic construction. And to counterbalance him, we have, as before observed, writers, and their name is legion, whose minds appear to have lost the power of sequent thought, whose writing is bald, unjointed, without form, and void.

Between all such as these (a portion of whom even declined, as we have seen, to reimburse him for the funeral expenses of his friend Mr. D.,) and Poe, there was, necessarily, a wide gulf. Poe's mind, though it would have to do with only the fragilest ideas, and though ever grasping, and never comprehensive, yet worked beautifully within its range, while it remained unbroken. When he chose, there is no writer who ever had a more perfect command of his native style, or could pursue a flight of subtle thoughts more closely and rapidly. The minuteness of his description never wearies. His taste, also, was like the tunica conjunctiva of the eye, sensitive to the least motes; we never know, in the "Gold Bug," whether the *scarabeus* is a supernatural insect or only a mechanical contrivance; we never know who sent the Raven from "the Night's Plutonian Shore!" it would have been less mysterious in either case if we had been told. In some of his later things we see where his physical strength was failing him, and his mental power getting enfeebled through "too much conceiving;" we see it, as we can see it, in a greater or less degree, in the working of all minds which are or have been overwrought. But even in these things—even in Eureka—to read is like wandering through the ruins of a fair city that has been pillaged by barbarians; there are sacred things wantonly mutilated, beautiful images broken and scattered, and yet still enough left to show the original structure.

What rank Poe is to take in the catalogue of our poets, Time will assign him, in the face of all that might be urged by the most sagacious reviewer. But as Time never tells his secrets till they are found out, we may be excused for offering an opinion.

That Poe will long be considered, as he is now, a poet of singular genius, there can be no question. What he attempted, had never been attempted before; and he succeeded in it. He wrote poems addressed to the feelings, wherein the meaning is designedly vague and subordinate. As

long as our language retains its present shape and inflection, we think the musical effects of these poems will be felt and acknowledged. But when the next change comes over it—and that might be very soon, by the sudden uprising of a great poet, with a new song in his mouth,—they will be forgotten. For they have no power to stay change. Their indistinctness does not arise, like the indistinctness of Milton and Shakspeare, from the reader's ignorance, and hence there is nothing in them to keep them forever in the world's eye; no learning, nor any powerful burden of true philosophy to overawe the majority who have no perception of poetic beauty. Hence, also, though Poe succeeded, marvellously succeeded, yet we cannot find it in our heart to wish what he accomplished ever to be undertaken again. We would prefer to keep the old lines distinct; to have neither poetry or music, the brother or the sister, infringe upon each other's domain. The mind is never permanently satisfied with single effects; when the first glow has passed, we look deeper, and if there is no fuel the fire goes down. Hence, also, again, though we now feel the excellence of Poe so strongly, it is with a sort of misgiving that we may outgrow or become indifferent to him hereafter.

We will quote one or two of his pieces, which may be new to our readers, to illustrate an observation upon some of his peculiarities of construction. The following has much of the form and effect of a wild rondo in music:—

"DREAM-LAND.

By a route obscure and lonely,
Haunted by ill angels only,
Where an Eidolon, named NIGHT,
On a black throne reigns upright,
I have reached these lands but newly
From an ultimate dim Thule—
From a wild weird clime that lieth, sublime,
Out of SPACE—out of TIME.

Bottomless vales and boundless floods,
And chasms, and caves, and Titan woods,
With forms that no man can discover
For the dews that drip all over;
Mountains toppling evermore
Into seas without a shore;
Seas that restlessly aspire,
Surging, unto skies of fire;
Lakes that endlessly outspread
Their lone waters—lone and dead,—
Their still waters—still and chilly
With the snows of the lolling lily.

By the lakes that thus outspread
Their lone waters, lone and dead,—
Their sad waters, sad and chilly
With the snows of the lolling lily,—
By the mountains—near the river
Murmuring lowly, murmuring ever,—
By the grey woods,—by the swamp
Where the toad and the newt encamp,—
By the dismal tarns and pools
Where dwell the Ghouls,—
By each spot the most unholy—
In each nook most melancholy,—
There the traveller meets aghast
Sheeted Memoirs of the Past—
Shrouded forms that start and sigh
As they pass the wanderer by—
White-robed forms of friends long given,
In agony, to the Earth—and Heaven.

For the heart whose woes are legion
'Tis a peaceful, soothing region—
For the spirit that walks in shadow
'Tis—oh 'tis an Eldorado!
But the traveller, travelling through it,
May not—dare not openly view it;
Never its mysteries are exposed
To the weak human eye unclosed;
So wills its King, who hath forbid
The uplifting of the fringed lid;
And thus the sad Soul that here passes
Beholds it but through darkened glasses.

By a route obscure and lonely,
Haunted by ill angels only,
Where an Eidolon, named NIGHT,
On a black throne reigns upright,
I have wandered home but newly
From this ultimate dim Thule."

The repetition with which the third stanza, or strophe, commences, "By the lakes that thus outspread," &c., is one of Poe's obvious peculiarities. It occurs in every stanza of the Raven, &c.

"Eagerly I wished the morrow;—vainly I had sought to borrow
From my books surcease of sorrow—sorrow for the lost Lenore—
For the rare and radiant maiden whom the angels name Lenore."

The same repetition makes "Ululume" nearly twice as long as it would be without it:—

"The skies they were ashen and sober;
The leaves they were crisped and sere:
The leaves they were withering and sere."

We observe it also in "The Bells," "Annabel Lee," "Eulalie," and other pieces—indeed, indications of a tendency to a similar form may be traced in his prose.

This form was natural to Mr. Poe because it is the natural expression of intense

feeling. A fine example of it is suggested by Wordsworth from the song of Deborah, "*At her feet he bowed, he fell, he lay down; at her feet he bowed, he fell; where he bowed, there he fell down dead.*"

There is some reason for supposing that this form is peculiarly suited to the melody of our language. For it is so uniform a peculiarity of all ancient English tunes to commence the second strain with a repetition of the last phrase of the first, that they may be as readily distinguished by it as Scottish or Irish tunes by their characteristics. The tune of Chevy Chase (always sung, or rather murdered, by the grave-digger in Hamlet) has this form; another, the words of which begin, "When I was bound apprentice in famous Linconshire," &c., is perhaps a more familiar instance.* The third stanza of Dream-Land is but an imitation in language of a new strain in melody.

Where this repetition is at shorter intervals, and with variations, as in Ululume *passim*, it bears a curious analogy to the structure of the phrases in very many of Beethoven's melodies. One little point is taken up, repeated, augmented, varied, and so beaten upon the brain with the force of the most intense passion. We think of no instance likely to be known to the general reader; the opening to the andante of the first symphony may be remembered by some.

But, indeed, this repetition, growing out of "imitation," runs through all music, and is at once the symmetry of its movement and the life of its expression. Poe has a singular paragraph upon music which is worth quoting in this connection:—

"The perception of pleasure in the equality of *sounds* is the principle of *Music*. Unpractised ears can appreciate only simple equalities, such as are found in ballad airs. While comparing one simple sound with another they are too much occupied to be capable of comparing the equality subsisting between these two simple sounds, taken conjointly, and two other similar simple sounds taken conjointly. Practised ears, on the other hand, appreciate both equalities at the same instant—although it is absurd to suppose that both are *heard* at the same instant. One is heard and appreciated from itself: the other is heard by the memory; and the instant glides into and is confounded with the secondary appreciation. Highly cultivated musical taste in this manner enjoys not only these double equalities, all appreciated at once, but takes pleasurable cognizance, through memory, of equalities the members of which occur at intervals so great that the uncultivated taste loses them altogether."

It would appear from this, that Poe had very acute perceptions of the relations in sound arising from consecution, but not of those growing out of consentaneousness; he could analyze the drawing, but not the color.

This is the secret of his peculiarities of style and construction. But beyond and above all this there was a soul of poetry in him. As we glance over these volumes to satisfy ourself that we have said all we intended, (for even this article, gentle reader, is constructed "on a plan,") there are two short things which it would be unjust not to quote. The first is less peculiar in structure than most of his pieces, but it is full of exquisite fancy:—

"THE HAUNTED PALACE.

In the greenest of our valleys
  By good angels tenanted,
Once a fair and stately palace—
  Radiant palace—reared its head.
In the monarch Thought's dominion—
  It stood here!
Never seraph spread a pinion
  Over fabric half so fair!

Banners yellow, glorious, golden,
  On its roof did float and flow,
(This—all this—was in the olden
  Time long ago),
And every gentle air that dallied,
  In that sweet day,
Along the ramparts plumed and pallid,
  A winged odor went away.

Wanderers in that happy valley,
  Through two luminous windows, saw
Spirits moving musically,
  To a lute's well-tuned law,
Round about a throne where, sitting
  (Porphyrogene!)
In state his glory well befitting,
  The ruler of the realm was seen.

And all with pearl and ruby glowing
  Was the fair palace door,
Thro' which came flowing, flowing, flowing,
  And sparkling evermore,
A troop of echoes, whose sweet duty
  Was but to sing,
In voices of surpassing beauty,
  The wit and wisdom of their king.

But evil things in robes of sorrow,
  Assailed the monarch's high estate,
(Ah, let us mourn!—for never morrow
  Shall dawn upon him desolate!)

* In this the second strain only reverses the phrases of the first; thus: 1, 2,—2, 1.

And round about his home the glory
  That blushed and bloomed,
Is but a dim remembered story
  Of the old time entombed.

And travellers, now, within that valley,
  Through the red-litten windows see
Vast forms, that move fantastically
  To a discordant melody,
While, like a ghastly rapid river,
  Through the pale door,
A hideous throng rush out forever
  And laugh—but smile no more."

As we write these lines a review of Poe lies before us, which we were pained to see, and in which the writer says he has been led to believe Poe "mainly destitute of moral and religious principle," and "certain it is that the most careful student of his works will search in them vainly for elevated and generous sentiment." We cannot see any reason in these volumes for so harsh an opinion; and we feel very sure the world will not, either. As to sentiment, it was not Poe's province to deal in sentiment; but surely he could give expression to elevated emotion. As to his morality, we see not but that he writes like a gentleman; (always excepting what he relates of his conduct to the remains of his friend Mr. D.;) he did not undertake to write sermons. His poetry and prose are full of pure beauties; he could paint "rare and radiant maidens," and express those affections for such which only gentle hearts can feel. Nay, one need not be of the Roman faith to feel a loftier aspiration in the following

"HYMN.

At morn—at noon—at twilight dim—
Maria! thou hast heard my hymn!
In joy and woe—in good and ill—
Mother of God, be with me still!
When the hours flew lightly by,
And not a cloud obscured the sky,
My soul, lest it should truant be,
Thy grace did guide to thine and thee;
Now, when storms of Fate o'ercast
Darkly my Present and my Past,
Let my Future radiant shine
With sweet hopes of thee and thine!"

Feb. 11, 1850. G. W. P.

CONGRESSIONAL SUMMARY.

The interests of the State are becoming daily more involved in the great subject of Slavery. Prominent political questions that have served hitherto to distinguish parties, seem to have lost all their vitality, and are either not heard of at all, or are merely introduced as affairs of form, and are then postponed to some future season of leisure and tranquillity. In truth, the old party lines, that were marked out by economical principles, have, to a great extent, been erased, and a new line, one of the most dangerous that could possibly be formed, is taking their place. The country has been accustomed to see men divided on points of general legislation; now they are separating on geographical boundaries. The Slave States are organizing a firm, united, compact opposition to the Free. It is a great Southern interest no less than a political principle, opposed to a moral principle asserted where slavery does not exist. On the one hand, human bondage is denounced as the most intolerable of all evils, inconsistent with the political axioms of our government, with the doctrines of the people, with the common rights of humanity, with the opinions of the enlightened world, and with Christian morality and religion, and, therefore, while it must be permitted where it already is established, its exclusion from territories that are yet free from it is believed to be demanded by every benevolent consideration, and to be sanctioned by the law and by precedent. The South replies to such reasons by reasons of a more practical kind. She is willing to admit, that taking a merely moral view of the question, bondage is a wrong to the slave, but that in effect it is not half so bad as it is commonly represented. She alleges that if it were abolished, the actual condition of the negro would be rendered far worse than it is at present, while the whites would inevitably be ruined. The Wilmot Proviso, or any similar measure, although it does not pretend to meddle with slavery in States already established, would do a great injustice to the South, both by denying to her equal constitutional privileges, and by the fatal moral effects that such legislation would produce among the slave population as well as among the free. She declares that slavery was one of the essential conditions of the country when the Union was organized, that its political rights were at that time acknowledged, and that, under the constitution, every territorial acquisition that the nation may make, belongs as fully to the people owning slaves as to those who are horror-struck at such an enormity. She adds, with them rest all the evils—on their heads be the guilt. They are willing to take all the responsibility—all they desire, and which they are resolved to contend for to the last extremity, are equal legal privileges to go where they choose with their possessions.

We shall endeavor to furnish in a condensed form, such a view of this subject as can be obtained from the Congressional manifestations within the last month.

In answer to a call made by the House of Representatives for information respecting the new territories, the President transmitted to that body, on the 21st of January, a special Message, which he begins by saying, that in coming into office and finding the military commandant of the department of California exercising the functions of a civil governor, he had thought it best not to disturb the arrangement that had been made by his predecessor, until Congress should take some action on the subject. With a view to the faithful execution of the treaty, so far as lay in the power of the Executive, and to enable Congress to act at the present session, with as full knowledge and as little difficulty as possible, on all matters of interest in those territories, he sent the Honorable Thomas Butler King, as bearer of despatches to California, and certain officers to California and New Mexico. He proceeds to say:

"I did not hesitate to express to the people of those Territories my desire that each Territory should, if prepared to comply with the requisitions of the constitution of the United States, form a plan of a State constitution, and submit the same to Congress, with a prayer for admission into the Union as a State; but I did not anticipate, suggest, or authorize the establishment of any such government without the assent of Congress, nor did I authorize any government agent or officer to interfere with or exercise any influence or control over the election of delegates, or over any convention, in making or modifying their domestic institutions, or any of the provisions of their proposed consti-

tution. On the contrary, the instructions given by my orders were that all measures of domestic policy adopted by the people of California must originate solely with themselves; that while the Executive of the United States was desirous to protect them in the formation of any government republican in its character, to be at the proper time submitted to Congress, yet it was to be distinctly understood that the plan of such a government must at the same time be the result of their own deliberate choice, and originate with themselves, without the interference of the Executive.

" In advising an early application by the people of these Territories for admission as States, I was actuated principally by an earnest desire to afford to the wisdom and patriotism of Congress the opportunity of avoiding occasions of bitter and angry dissensions among the people of the United States.

" Under the constitution, every State has the right of establishing, and from time to time altering, its municipal laws and domestic institutions, independently of every other State and of the general government, subject only to the prohibitions and guaranties expressly set forth in the constitution of the United States. The subjects thus left exclusively to the respective States were not designed or expected to become topics of national agitation. Still, as under the constitution, Congress has power to make all needful rules and regulations respecting the Territories of the United States, every new acquisition of territory has led to discussions on the question whether the system of involuntary servitude which prevails in many of the States should or should not be prohibited in that Territory. The periods of excitement from this cause which have heretofore occurred have been safely passed; but during the interval, of whatever length, which may elapse before the admission of the Territories ceded by Mexico as States, it appears probable that similar excitement will prevail to an undue extent.

" Under these circumstances, I thought, and still think, that it was my duty to endeavor to put it in the power of Congress, by the admission of California and New Mexico as States, to remove all occasion for the unnecessary agitation of the public mind.

" It is understood that the people of the western part of California have formed a plan of a State constitution, and will soon submit the same to the judgment of Congress and apply for admission as a State. This course on their part, though in accordance with, was not adopted exclusively in consequence of any expression of my wishes, inasmuch as measures tending to this end had been promoted by the officers sent there by my predecessor, and were already in active progress of execution before any communication from me reached California. If the proposed constitution shall, when submitted to Congress, be found to be in compliance with the requisitions of the constitution of the United States, I earnestly recommend that it may receive the sanction of Congress.

" The part of California not included in the proposed State of that name is believed to be uninhabited, except in a settlement of our countrymen in the vicinity of Salt Lake.

" A claim has been advanced by the State of Texas to a very large portion of the most populous district of the Territory, commonly designated by the name of New Mexico. If the people of New Mexico had formed a plan of a State government for that Territory, as ceded by the treaty of Guadalupe Hidalgo, and had been admitted by Congress as a State, our constitution would have afforded the means of obtaining an adjustment of the question of boundary with Texas by a judicial decision. At present, however, no judicial tribunal has the power of deciding that question, and it remains for Congress to devise some mode for its adjustment. Meanwhile I submit to Congress the question, whether it would be expedient before such adjustment to establish a territorial government, which, by including the district so claimed, would practically decide the question adversely to the State of Texas, or, by excluding it, would decide it in her favor. In my opinion, such a course would not be expedient, especially as the people of this Territory still enjoy the benefit and protection of their municipal laws, originally derived from Mexico, and have a military force stationed there to protect them against the Indians. It is undoubtedly true that the property, lives, liberties, and religion of the people of New Mexico, are better protected than they ever were before the treaty of cession.

" Should Congress, when California shall present herself for incorporation into the Union, annex a condition to her admission as a State affecting her domestic institutions contrary to the wishes of her people, and even compel her temporarily to comply with it, yet the State could change her constitution at any time after admission, when to her it should seem expedient. Any attempt to deny to the people of the State the right of self-government in a matter which peculiarly affects themselves will infallibly be regarded by them as an invasion of their rights; and, upon the principles laid down in our own Declaration of Independence, they will certainly be sustained by the great mass of American people. To assert that they are a conquered people, and must, as a State, submit to the will of their conquerors, in this regard, will meet with no cordial response among American freemen. Great numbers of them are native citizens of the United States, and not inferior to the rest of our countrymen in intelligence and patriotism; and no language of menace to restrain them in the exercise of an undoubted right, substantially guarantied to them by the treaty of cession itself, shall ever be uttered by me, or encouraged and sustained by persons acting under my authority. It is to be expected that, in the residue of the territory ceded to us by Mexico, the people residing there will, at the time of their incorporation into the Union as a State, settle all questions of domestic policy to suit themselves.

" No material inconvenience will result from the want, for a short period, of a government established by Congress over that part of the territory which lies eastward of the new State of California; and the reasons for my opinion that New Mexico will, at no very distant period, ask for admission into the Union are founded on unofficial information, which, I suppose, is common to all who have cared to make inquiries on that subject.

"Seeing, then, that the question which now excites such painful sensations in the country, will, in the end, certainly be settled by the silent effect of causes independent of the action of Congress, I again submit to your wisdom the policy recommended in my annual message of awaiting the salutary operation of those causes, believing that we shall thus avoid the creation of geographic parties, and secure the harmony of feeling so necessary to the beneficial action of our political system. Connected as the Union is, with the remembrance of past happiness, the sense of present blessings, and the hope of future peace and prosperity, every dictate of wisdom, every feeling of duty, and every emotion of patriotism, tend to inspire fidelity and devotion to it, and admonish us cautiously to avoid any unnecessary controversy which can either endanger it or impair its strength, the chief element of which is to be found in the regard and affection of the people for each other.

"Z. TAYLOR.

"*Washington, January* 21, 1850."

SENATE.

On the 16th of January, Mr. Foote, a Senator from Mississippi, who has made himself conspicuous by his ultra Southern doctrines, his apparent anxiety to settle the slave question before any other business shall engage the attention of Congress, and by degrading the Senate Chamber into a theatre for a kind of charlatan oratory, introduced a Bill to "provide for the organization of a Territorial Government in California, Deseret, and New Mexico, and to enable the people of Jacinto, with the assent of the State of Texas, to provide a Constitution and State Government, and for the admission of such State into the Union, upon an equal footing with the original States, in all respects whatever."

On the 22d, the same subject came up as the order of the day, when Mr. Cass delivered a very long and elaborate speech, which occupied the greater part of the time for two days. There are two principal questions, he said, in the controversy respecting the Wilmot Proviso, as indeed there are in all the legislation of Congress: first, whether the measure is constitutional; and next, if constitutional, whether it is expedient. He proposed chiefly to argue the constitutional question, though, before closing, he should offer a few remarks on the expediency of exercising the power, provided the power exists.

In the discussions which have taken place on the subject, formerly and recently, all those who have contended for the power of Congress to pass this Wilmot Proviso, have contended for a general and unlimited power of legislation over the Territories. The right to institute governments, and the right to legislate over their internal concerns, are used as convertible terms. This is true, both in Congress, and on the judicial bench. He quotes from Sargent, Story, Rawle, and others, who entertain this opinion. It was precisely this claim of unlimited legislation which led to our separation from England. He had listened, he said, with amazement to the long and subtle metaphysical inquiries into the rights of sovereignty, and the powers it brings with it, as if the rights of sovereignty were everything, and the rights of man nothing.

A great principle is involved in this controversy—the inseparable connection between legislation and representation. And what paramount necessity calls for its violation? Are not the people of the territories competent to manage their own affairs? Are they not of us, and with us? The same people, with the same views, habits, and intelligence—all, indeed, which constitutes national identity? Cannot such a people administer their own government safely and wisely? Experience says they can. It is clear there is no necessity for Congress to legislate for the Territories. They have never legislated exclusively, and the very few instances of the exercise of such a power upon the statute-book, were not only unconstitutional, but were acts of supererogation.

He considered that it was no objection to the application of this argument to the new Territories, to say, that they contained a very large foreign population, who were ignorant of our political institutions; for, he thought, in all of them there would be a majority of the active population, who are American citizens, emigrants from the older States, that would exercise a preponderating influence on all public affairs. He then referred to the late proceedings in California for organizing a Government, as an evidence of their ability to manage their own concerns, and of their devotion to republican principles.

There is no clause in the Constitution, giving Congress express power to pass any law respecting slavery in the Territories. Every construction which would give to Congress such a power, would equally give it jurisdiction over every department of life, social and political; over the relations of husband and wife, of parent and child, as well as over the relations of master and servant; it would embrace the whole circle of human rights—life, liberty, and property—in all their various modes of enjoyment. If Congress possesses the power to abolish or exclude slavery, it has the power to institute it. If, as many speakers contend, said Mr. C., this right of Congress is derived from that clause of the constitution, which provides "that Congress shall have power to dispose of and make all needful rules and regulations respecting the Territory and other property belonging to the United States," then is the phraseology employed but little creditable to

the person who prepared it, or to the body who adopted it. Those who assume that this phrase, so limited, confers a power so unlimited, are bound to explain why similar language was not used to grant similar power, in other parts of the same instrument. No man has done this—no man has attempted to do it; and it is an obstacle, *in limine*, which, till removed, is insuperable. He then enumerates a dozen other provisions of the Constitution, under which different persons have sought to justify the exercise of this power. Among these are the war and treaty-making powers; the right to admit new States; the right to sell the public lands; the right of ownership; the right or duty of settlement; the right of sovereignty; the nature of government; nationality; the principles of agency and trust, &c.

Much of the confusion, he said, which accompanies this subject, has arisen from the use we now make of the word "*territory*" by applying it to those political communities which are organized under the name of Territorial Governments, and considering it as so applied in the Constitution. He argued that the term originally designated the public domain, or *land*, and had merely a geographical meaning, and not a political one; and he refers to Acts of Congress of 1785 and 1787, in which it was repeatedly so considered and used. In the ordinance providing for the Government of the Western territory, it was in many places denominated a "*district*." Had those local communities, which we now call territories, preserved the term district, as descriptive of their political organization, we should probably never have heard of the extended construction now given to this power of *making needful rules for territory or land, and other property*. The use of the term territory was unknown in its present sense, at the time of the adoption of the constitution. He maintained tha. *territory*, as it is employed in the constitution, means property, and that the clause already quoted, gives no right of legislation for the inhabitants. He arrayed many eminent authorities who have taken the opposite ground, and endeavored to show the fallacy of their reasonings. He combated every right to legislate for the territories supposed to be supported by constitutional authority, in an argument of great length—evincing much research and ingenuity. The whole constitutional part of the speech may be summed up in the statement, that the constitution confers on Congress no power of any kind to give laws to the people inhabiting a territory; that it does not even confer the right to organize a government or do any other act of sovereignty; and, that if Congress may exercise such a right at any time or under any circumstances, it is not derived from the organic laws, but from the *necessity* of circumstances. The power to interfere, in any manner, is not one that can be justified by the plain provisions of the constitution, but only by moral reasons that render some form of government essential to the happiness and well-being of the people who are living without law or order. If Congress ventures to take even this step, it does it at its own peril, and must throw itself upon the people to obtain indemnification for thus exceeding its legitimate authority.

He then proceeded to examine the expediency of passing the Wilmot Proviso. There are at least, said he, fourteen States in the Union which see in this measure a direct attack upon their rights, and disregard of their feelings and interests. No man can shut his eyes to the excitement which prevails there,—manifested in legislative proceedings, popular assemblies, and in every way that can express public opinion—or be insensible to the evil day that is upon us. He believed that the Union would survive all the dangers with which it might be menaced, and that it is not destined to perish until long after it shall have fulfilled the great mission confided to it, that of example and encouragement to the nations of the earth who are struggling with the despotism of centuries, and groping their way in a darkness once impenetrable, but where the light of knowledge and freedom is beginning to disperse the gloom. Sad will be the day when the first drop of blood is shed in the preservation of this Union. That day need never come, and never will come, if the same spirit of compromise and concession by each to the feelings of all, which animated our fathers, continues to animate us and our children. As a mere practical question, is the legislative adoption of this Proviso worth the hazard at which alone it can be secured? There should be great advantages, inestimable indeed, to be gained, before such a measure is forced upon the country. No good, under the most favorable circumstances, could result from this Congressional interference with the rights of the people of the Territories. Can slavery go there if left without this prohibition? There are very few persons anywhere who think it can. Considerations of profit would control the question. The contest is not worth the cost. The Proviso is urged on the ground of its expediency. It is opposed upon the ground of its unconstitutionality. Those who urge it may well abandon it when circumstances show that the measure is dangerous in itself, or profitless in its result. Mr. Cass concluded by saying, that he was precluded from voting in conformity with his opinions. He had been instructed by the Legislature of Michigan to vote in favor of the measure, and he was a believer in the doctrine of instructions, when fairly exercised and under proper circumstan-

ces. When the time comes that he should be required to vote upon the question, as a practical one, in a bill providing for a Territorial Government, he should know how to reconcile his duty to the Legislature and duty to himself, by surrendering a trust that he could no longer fulfil.

On the 29th of January, Mr. CLAY presented himself before the Senate in the same character in which he appeared thirty years ago —the pacificator between the slave and the free States—and introduced the following Resolutions, accompanying each one with proper explanatory remarks:

1st. *Resolved*, That California, with suitable boundaries, ought upon her application to be ad mitted as one of the States of this Union, without the imposition by Congress of any restriction in respect to the exclusion or introduction of slavery within those boundaries.

2d. *Resolved*, That as slavery does not exist by law, and is not likely to be introduced into any of the territory acquired by the United States from the Republic of Mexico, it is inexpedient for Congress to provide by law either for its introduction into or exclusion from any part of the said territory; and that appropriate Territorial Governments ought to be established by Congress in all of the said territory, not assigned as the boundaries of the proposed State of California, without the adoption of any restriction or condition on the subject of slavery.

3d. *Resolved*, That the western boundary of the State of Texas ought to be fixed on the Rio del Norte, commencing one marine league from its mouth, and running up that river to the southern line of New Mexico; thence with that line eastwardly, and so continuing in the same direction to the line as established between the United States and Spain, excluding any portion of New Mexico, whether lying on the east or west of that river.

4th. *Resolved*, That it be proposed to the State of Texas that the United States will provide for the payment of all that portion of the legitimate and *bona fide* public debt of that State contracted prior to its annexation to the United States, and for which the duties on foreign imports were pledged by the said State to its creditors, not exceeding the sum of $———, in consideration of the said duties so pledged having been no longer applicable to that object after the said annexation, but having thenceforward become payable to the United States; and upon the condition also that the said State of Texas shall, by some solemn and authentic act of her Legislature, or of a convention, relinguish to the United States any claim which it has to any part of New Mexico.

5th. *Resolved*, That it is inexpedient to abolish slavery in the District of Columbia, whilst that institution continues to exist in the State of Maryland, without the consent of that State, without the consent of the people of the District, and without just compensation to the owners of slaves within the District.

6th. *But resolved*, That it is expedient to prohibit within the District the slave-trade, in slaves brought into it from States or places beyond the limits of the District, either to be sold therein as merchandise, or to be transported to other markets without the District of Columbia.

7th. *Resolved*, That more effectual provision ought to be made by law, according to the requirement of the constitution, for the restitution and delivery of persons bound to service or labor in any State, who may escape into any other State or Territory in the Union.

And 8th. *Resolved*, That Congress has no power to prohibit or obstruct the trade in slaves between the slave-holding-States, but that the admission or exclusion of slaves brought from one into another of them, depends exclusively upon their own particular laws.

Although Mr. C. desired, on submitting these Resolutions, to avoid bringing on a general debate, and proposed that they should be made the order of the day, some days ahead, when he intended to enter into a more elaborate argument than he designed on that occasion, there was, nevertheless, a pretty sharp onset made upon them by several members from the South, and some undue warmth of language was indulged in.

Mr. FOOTE and Mr. DAVIS, the two Senators from Mississippi, were particularly vehement in their onset, and most eager to engage in the conflict. Mr. MASON, Mr. RUSK, MR. KING, MR. DOWNS, MR. BERRIEN, and Mr. BUTLER, all from the slave States, thought it necessary, lest their silence might be construed into an assent, to interpose their objections without any delay. Passing by the first speech, we shall offer a sketch of the second, —the more elaborate one,—that was delivered on the 5th of February, when the Resolutions came up in order.

Mr. CLAY began by saying that never, on any former occasion, had he risen under feelings of such painful solicitude. He had witnessed many periods of great anxiety, of peril, and of danger in this country, but never before had he risen to address any assemblage so oppressed, so appalled, and so anxious. He had, again and again in his chamber, implored Him, who holds the destinies of nations, as of individuals, in his hands, to bestow upon our country his blessing, to calm the violence and rage of party, to still passion, and to allow reason once more to resume its empire; and he hoped it would not be out of place to make the same supplication there. He attributed all the present dangers and difficulties to party-spirit, that was busy in the North, the South, in Congress, and in State Legislatures. The House of Representatives had felt its influence so strongly, that it had spent a whole week this very session, in the vain endeavor to elect a door-keeper, and the only question was, whether he entertained

opinions upon certain great national measures, coincident with this or that side of the House. Nearly eight years since he had taken his final leave, as he had supposed, of the Senate. He had not conceived the possibility of his ever returning to it, and if his private wishes and inclinations, his desire, during the short remnant of his days, to remain in repose and quiet, could have prevailed, he would not be seen occupying the seat which he now occupies on that floor. But the Legislature of the State to which he belonged, unsolicited, had re-elected him: and he had come there in obedience to a sense of stern duty, with no personal objects, no private views, now or hereafter, to gratify. He begged to assure all who might hear him, or any persons out of the Capitol, who hope in the race for honors and elevation, for higher honors and higher elevation, that he, at least, would never interfere with them in their pursuits; and if his wishes could prevail, his name should never be used in competition. When his service was terminated in that body, his mission, so far as respects the public affairs of this world, and upon this earth, would be closed, he hoped, forever. It is impossible not to perceive that party-spirit affects all our affairs. At the moment when the White House is itself in danger from conflagration, instead of all hands uniting to extinguish the flames, we are contending about who shall be its next occupant. It is passion—passion, party, party, and intemperance, that he dreaded in the adjustment of the questions, which unhappily divide our distracted country. At this moment, besides the legislative bodies of the Capitol, there are twenty-odd furnaces in full blast, emitting heat, and passion, and intemperance. Two months ago all was calm, in comparison with the present. Now, all is uproar, confusion, and menace to the existence of the Union, and to the happiness of this people. He conjured senators, by all their hopes now and hereafter, to repress the ardor of these passions, to listen to the voice of reason. He had cut himself off, he said, from all the usual enjoyments of society during this whole session, and had confined himself, almost entirely, to his own chamber, anxiously meditating on some plan of accommodation, which would restore the blessings of concord, harmony, and peace to this great country.

The first Resolution relates to California. There is no concession by either party. If slavery is interdicted within the limits of California, it is done by California herself, and not by Congress; and has it not been the doctrine of all parties, that when a State is about to be admitted into the Union, it has a right to decide for itself, whether it will or not tolerate slavery within its boundaries. He then referred to the introduction of Missouri into the Union. The great argument used by those contending for its admission was, that she had all the rights of any pre-existing State, and was legally as competent to decide whether she should have slavery or not as New York, or any other of the old thirteen were. No one doubts now that those Northwestern States to which the ordinance of 1787 applied, have just as much right to introduce slavery within their borders, as Virginia has to maintain the existence of it within hers. If, then, in the struggle for empire between the two classes of States, a decision in California has taken place, adverse to the wishes of the South, it is a decision respecting which they can utter no complaint towards the General Government, for it is made by California, who unquestionably had the constitutional right to make it.

Respecting the second resolution, he said he knew that every one of the free States in this Union, without exception, had by its legislative body, passed resolutions instructing their Senators and requesting their Representatives to have the restriction of the Wilmot Proviso incorporated in any Territorial Government which might be established under the auspices of Congress. He knew how much they had set their hearts upon the adoption of this measure. In the second resolution he asked them, for the sake of peace, and in the spirit of mutual forbearance to the other members of the Union, to give it up. As a compensation for doing so, he felt bound to offer something in return, though it was not by any means an equivalent. What he offered was what he considered two indisputable truths; the first is, that slavery no longer exists, by law, in any part of the acquisitions made by us from Mexico; and the second is, that according to all the probabilities of the case, slavery never will be introduced into any portion of the territories so acquired from Mexico. It is said that these two are tantamount to the Wilmot Proviso. But he did not think so, as the one was a positive enactment prohibiting it, while the other was the simple expression of an opinion. He then adverted to the condition of the territory while it was still Mexican. At that time, slavery had been formally abolished, whether regularly done or not was no question for this Government to settle. The last act of Mexico, when arranging for a surrender of jurisdiction, showed the abhorrence with which she would regard the introduction of slavery into any portion of the territory that she should cede away. This was sufficient, he thought, to prove that slavery does not exist there by law, unless slavery was carried there the moment the treaty was ratified by the two parties, under the operation of the Constitution of the United States. This idea he declared was irreconcilable with any comprehension of rea-

son that he might possess. How can it be argued that the fifteen slave States, by the operation of the Constitution, carried into the ceded territory their institution of slavery, any more than it can be argued, on the other side, that by the operation of the same Constitution, the fifteen free States carried into the ceded territory their principles of freedom. Suppose, said he, that we had obtained the new territory with slavery existing in it, in fact and in law, would gentlemen from the slave States patiently listen to any argument which undertook to show that, notwithstanding this fact, the Constitution of the United States abolished it the moment it took effect over that country? The argument was just as good for one side as the other. Amid the conflict of interests, principles, and legislation, which prevails in the two parts of the Union, can you come to any other conclusion than that which I understand to be the conclusion of the public law of the world, of reason, and justice, that the *status* of law, as it existed at the moment of the conquest or the acquisition, remains until it is altered by the sovereign authority of the conquering or acquiring power? This is the established public law of the world. The laws of Mexico, as they prevailed at the time of the cession, remained the same until and unless they were altered by that power which had newly obtained sovereign rights over it.

Mr. Clay then noticed the general power which appertains to the Government on the subject of slavery. Congress has no power, under the Constitution, to touch slavery *within* the States, except in the three specified particulars in that instrument, viz: to adjust the subject of representation, to impose taxes when a system of direct taxation is made, and to perform the duty of surrendering fugitive slaves that may escape from service which they owe in slave States, and take refuge in free States. If, said he, Congress were to attack, within the States, the institution of slavery for the purpose of its extinction, then would his voice be for war, for then would there be a case which would justify, in the sight of God, and in the presence of the nations of the earth, resistance to such an unconstitutional and usurped attempt. Then should the slave States be acting in defence of their rights, property, safety, lives; and then, if unfortunately civil war should break out, and there should be presented to the nations of the earth the spectacle of one portion of this Union endeavoring to subvert an institution in violation of the Constitution and the most sacred obligations that can bind men, the slave States would have the sympathies of all men who love justice and truth. Far different would be our case if the same fearful condition should arise from an attempt to carry slavery into the new territories acquired from Mexico.

We have all read of the efforts made by France to propagate on the continent of Europe not slavery but the rights of man. If a civil war should break out in this country in the strife to establish slavery on the one hand, and to prevent it on the other, in the territories where it does not exist, what a scene would be exhibited to the contemplation of mankind? It would be a war in which we, of the slave States should have no sympathy, no good wishes, and in which all the world would be against us, for, from the commencement of the revolution down to the present time, we have constantly reproached our British ancestors for introducing slavery into this country; and it is one of the best defences which can be made for the institution that it was forced on this country against the wishes of the inhabitants.

He declared his belief that Congress has power over slavery in the territories, and referred to the argument of Mr. Cass in opposition to this view. When a point is settled, said he, by all the elementary writers of our country, by all the departments of our Government, legislative, executive, and judicial, when it has been so settled for a period of fifty years, and never was seriously disturbed till recently, then if we are to regard anything as fixed and settled, should this question be, which has been always decided in a particular way. The power of Congress over this subject he derived both from the right to regulate the territories and other property of the United States, and the right to make treaties. When our Constitution was written, the whole country northwest of the Ohio river was unpeopled. Is it possible that Congress had no right whatever, after it had become national property, to declare what description of settlers should occupy the public lands? If they had supposed that the introduction of slavery would enhance their value, would they not have had the right to say, in regulating the territory, that any one who chooses, may bring slaves to clear and cultivate the soil, &c.? Or, suppose that Congress might think that a greater amount of revenue would be derived from the waste lands beyond the Ohio river by the interdiction of slavery, would they not have a right to interdict it? The exercise of the power to make Governments for territories is temporary, and it ceases whenever there is a sufficient population for self-government. Sixty thousand is the number fixed by the ordinance of 1787. The first settlement of Ohio was about Marietta, and contained two or three hundred people from New England. Cincinnati was the next point, and was settled by a few persons from, perhaps, New Jersey. Did those few persons, the moment they arrived there, acquire sovereign rights, and had they power to dispose of these territories? Had they even

power—a handful of men established at Marietta or Cincinnati—to govern themselves? The Constitution no doubt contemplates that, inasmuch as the power is temporary, the Government who owns the soil may, through Congress, regulate the settlement of the soil, and govern the settlers, until they acquire numbers and capacity to govern themselves.

The power of Congress to introduce or to exclude slavery in the ceded territory he finds in the acquiring, or treaty-making provision of the Constitution. Such a power exists somewhere. It existed—no one will deny it—in Mexico prior to the cession of these territories, and when Mexico made the transfer of territory to the United States, she also transferred her sovereignty. What Mexico alienated, the United States received. This Government then possesses all the power now that formerly was possessed by Mexico over the ceded country, and can do, within the limits of the Constitution, what Mexico could have done. On this subject there is no limitation which prescribes the extent to which the powers shall be exercised. Although, in the Constitution, there is no grant of power to Congress, in specific terms, over the subject of slavery, yet the same is true over a great variety of matters over which Congress may unquestionably operate. The general grant of power comprehends all the elements of which that power consists. If there be a power to acquire, there must be a power to govern. From the two sources of power to which he had referred, and especially the last, did Congress obtain the right to act in the territories in question, and he considered the right sufficient either to permit or prohibit in them the introduction of slavery.

As respects what he calls the second truth, what are the facts, said Mr. C., that have occurred within the last three months? California,—where, if any where, slavery would most probably have been introduced in the new territories—California, herself, has declared, by the unanimous vote of her Convention, against the importation of slavery within her limits, and that Convention was composed of persons from the slave-holding as well as from the free States. California has thus responded to the opinion contained in the resolution. The mountain-region of New Mexico,—the nature of its soil—its unproductive character, every thing relating to it—every thing that we hear about it—must necessarily lead to the conclusion that slavery is not likely to be introduced there. If these are truths, said Mr. Clay, why hesitate to promulgate them? Senators coming from the free States, said he, when this Wilmot Proviso was disseminated through your States, and your people and yourselves became seriously attached to it, you apprehended the introduction of slavery into California. You did not know much,—very few of us heard much of these territories, and owing to this want of information, the whole North blazed up in behalf of a prohibition. You left your constituents under this apprehension. When you left your residences, you did not know that a Constitution had been adopted by the people of California excluding slavery from that country. If what we all know now, had been known in the free States two years ago—if all the present excitement and danger, as well as the probability that slavery will never be conveyed to those territories had then been known, do you believe that the agitation on the Proviso would ever have reached the height that it has attained? Do any of you believe it? And if, before leaving your homes, you had had an opportunity of conferring with your constituents upon this most leading and important fact—of the adoption of a Constitution excluding slavery in California—do you not believe, Senators and Representatives coming from the free States, that if you had had the advantage of that fact told in serious, calm, fire-side conversation with your constituents, they would not have told you to come here and settle all these disturbing questions without danger to the Union?

What do you want?—what do you want?—you who reside in the free States. Do you want that there shall be no Slavery introduced into the territories acquired by the war with Mexico? Have you not your desire in California? And in all human probability you will have it in New Mexico also. What more do you want? You have got what is worth more than a thousand Wilmot Provisos. You have nature itself on your side—fact itself on your side—and this truth staring you in the face, that there is no slavery in those territories. If you are not mad, if you can elevate yourselves from the struggles of party to the height of patriots in every sense, what will you do? Look at the fact as it exists You will see that this fact was unknown to the great majority of the people; you will see that they acted upon one set of facts, while we have another set of facts before us; and we will act as patriots—as responsible men, and as lovers of liberty, and lovers, above all, of this Union. We will act upon this set of facts that were unknown to our constituents, and appeal to their justice and magnanimity to concur with us in this action for peace, concord, and harmony.

Mr. Clay then passed to the resolutions relating to Texas. He considered this question as the most difficult with which Congress had to deal, because it was one of boundary. The North would probably be anxious to contract Texas within the narrowest possible limits, in order to diminish the theatre of slavery, while

the South would entertain an opposite wish for an opposite reason. By the resolution of annexation, slavery was interdicted in all the country north of 36 deg. 30 min. There is, therefore, boundary and slave territory mixed together in the settlement of this perplexity. The state of things now existing in New Mexico renders it necessary that we decide this matter the present session. There is a feeling approximating to abhorrence on the part of the people of New Mexico, at the idea of any union with Texas. If these questions are not settled, I think they will give rise to future confusion there, and agitation here. The Wilmot Proviso will still be insisted on in the North, and we shall absolutely have done nothing, if we fail to provide against the recurrence of these dangers. He read an extract from the instructions to their Delegate to Congress, adopted by the Convention of the Territory of New Mexico, held at the city of Santa Fé, in September, 1849. The extract sets forth the deplorable condition of the country, from want of an efficient government, which government they represented as undefined and doubtful in its character, and they looked to the Congress of the United States for effectual protection against all the ills they complain of. After dwelling at some length on the necessity of furnishing the people of New Mexico with a government, and taking them under Congressional protection, he directed his argument entirely to the boundary of Texas. He alleged that the western and northern borders were unsettled at the period of annexation, and quoted the resolution of annexation in proof, which says: "said State to be formed, subject to the adjustment of all questions of boundary that may arise with other Governments, and the Constitution thereof," &c. That is to say, she was annexed with her rightful boundaries, without a specification of them; but inasmuch as the boundaries at the west and north were unsettled, the Government of the United States retained to itself the power of deciding with any foreign nation what the boundary should be. Suppose, said he, that at the conclusion of the war, the negotiations between Mexico and the United States had been confined to fixing the northern and western boundaries of Texas, could not the two countries have done it conjointly? Whatever may have been the boundary decided on, if it had been the Neuces, or even the Colorado, on the west, by the very terms of the annexing resolutions, Texas would have been bound by the decision. He then argued that if the two nations could have thus adjusted the limits, the United States is competent now to do it alone, for she has acquired, by the treaty, all the rights which Mexico possessed in that territory, which must form its western and northern borders. Mr. Clay insisted, at some length, that the United States has *full power* to settle the undecided boundaries. He admitted that it was a delicate power, and it ought to be exercised in a spirit of justice, liberality, and generosity towards the youngest member of the great American family. He thought that if Congress should fix a boundary, which, in the opinion of Texas, was adverse to her rights, it was possible the question might be carried into the Supreme Court, for a new adjudication—he, however, conceived there were certain matters too momentous for any tribunal of that kind to try. He alluded to the fifteen millions paid for territory. Texas cannot fairly come into the Union, and claim all that she has asserted a right to, without paying some portion of the sum which constituted the consideration of the grant by the ceding nation. She talks about the Government of the United States being her agent, but she was no more her agent, than she was the agent of the twenty-nine other States. Mr. Clay then urged that what he proposed as the boundary, was liberal, and gave Texas a vast country to which she could not establish any undisputed title—a country, almost equal in extent to what she *actually* possessed before, and large enough to form two or three additional States. In addition, he proposed to pay off not less than three millions of the debt of Texas, that accrued before she came into the Union. Indeed, he thought the United States should, in justice, pay the debt for which Texas had pledged her custom's revenues, when she was authorized so to do by virtue of her sovereignty; and the Government of the United States, having appropriated those revenues to itself, as a just power, was bound to pay the debt for which those duties were assigned. He concluded this part of his argument by expressing a conviction that all the motives he presented to Texas were so liberal, that he should be greatly disappointed if the people of that State themselves, when they come to deliberate, hesitated a moment to accept the offers.

Mr. Clay contended that Congress possessed the constitutional right to abolish slavery in the District of Columbia, and he quoted that part of the constitution which gives to Congress "exclusive legislation" over it. The power exists somewhere. "Suppose," said he, "that slavery was abolished in Maryland, or in all the States of the Union, is there then no power to abolish slavery here, or is it planted here to all eternity, without the possibility of the exercise of any legislative power for its abolition? It cannot be vested in Maryland, because the power with which Congress is invested is exclusive. Maryland, therefore, cannot do it, and so all the other States of the Union, individually, cannot do it. The power is here or it is nowhere." He reviewed the course he took in 1838, and showed that the

ground he took then was consistent with his present position. But when Virginia and Maryland ceded the District to the General Government, there was an implied understanding that the subject would not be interfered with without their consent. Congress, therefore, cannot, without the forfeiture of all those obligations of honor which men of honor and nations of honor respect, disturb the institution of slavery in the District of Columbia. By the retrocession, however, of so much of the ten miles square as belonged to Virginia, Maryland is the only State now that we are bound to consult. If Maryland should give her consent, the consent of the people residing in the District should also be obtained, and this being given, then the owners of slaves have the right to look for compensation. These are the three conditions of the resolution. There is a clause in one of the amendments of the Constitution, which declares that no private property shall be taken for public use without just compensation being made to the owner. Literally, he said, it may be that the property would not be taken for the *public use,* but it would be taken in consideration of a policy and purpose adopted by the public, and, by a liberal interpretation of the clause, it ought to be so far regarded as taken for the public as to demand compensation. If it is denied that this clause is a restriction on Congress, then is there no restriction of any kind, except the great one of the obligation of justice. The North have the Constitution in their favor—the South have expediency and honor in theirs. The resolution asks of both parties to forbear urging their respective opinions—the one to the exclusion of the other, but it concedes to the South all that the South ought to demand, insomuch as it requires such a condition as amounts to an absolute security for property in slaves in the District, and which will probably make the existence of slavery in the District co-eval with its existence in any of the States out of and beyond it. He then insisted that the slave trade ought to be abolished. The introduction of slaves in Kentucky, Mississippi, and in many other of the States, is prohibited. It is a right belonging to each State. It also belongs, in an equal degree, to the United States in the District, and there had been, he said, no time in his public life when he was not willing to concur in the abolition of the slave trade in the District. Why should slave-traders, who buy their slaves in Maryland or Virginia come here with them in order to transport them further South? Why are the feelings of citizens here outraged by the scenes exhibited, and the corteges which pass along our avenues of manacled human beings brought from the distant parts of neighboring States? Who is there having a heart that does not contemplate a spectacle of that kind with horror and indignation? This is an object in which both the free and the slave States should unite, and which one side as well as the other should rejoice in effecting, as it would lessen one of the causes of inquietude which is connected with this District.

He then took up the next resolution, and declared that he would go as far as him who went the farthest for this clause of the Constitution. He held that the Constitution required every man to assist in recovering fugitive slaves; and the obligation was especially binding, as in cases of fugitives from justice—upon all officers of the several States, who had taken an oath to support the Constitution of the United States. The Constitution applies precisely the same language to both classes of fugitives. He then alluded to a recent decision of the Supreme Court, and said he thought that that decision had been misapprehended. The true meaning was that any State laws which acted as an impediment to the recovery of fugitive slaves were contrary to the Constitution. It is, however, only fulfilling the duties imposed by the Constitution, for States to enact laws which may afford facilities for the more perfect observance of the obligations imposed by the Federal fundamental law. He thought that the whole class of legislation, beginning in the Northern States, and extending to some of the Western, by which obstructions have been placed in the way of recovering fugitive slaves, is unconstitutional. He then referred to the difficulties and losses of Kentucky in consequence of living contiguous to Ohio. He believed that the slave States had just cause of complaint on this score. It is no mark of good neighborhood, of kindness, or of courtesy, that a man living in a slave State cannot now, with any sort of safety, travel in the free States with his servants. On this subject, the legislation of the free States, within the last twenty years, has altered greatly for the worse. There used to be laws guarantying to the sojourner the possession of his property during his temporary abode or passage in a State, when there was no intention of residing permanently in the Commonwealth. He complained strongly of this unkindness, and alluded to circumstances that had occurred in his own family. The existing law for the recovery of fugitive slaves being found inadequate, he thought it was incumbent on Congress to do something to remove this subject of complaint by making the law more effective.

But, said he, I do not think that the States, as States, ought to be responsible for all the misconduct of individuals, and the doctrines they propagate, unless the State itself adopts the doctrines. He then referred to the circumstances under which Massachusetts repealed

her laws for the restitution of slaves, and he considered it was an act of retaliation, because an agent of the State, Mr. Hoar, had been driven from Charleston, whither he had gone to protect the rights of negroes from Massachusetts, whom she regarded as citizens.

After making a remark or two on the last resolution, Mr. Clay sketched a history of the Missouri compromise, and of the agency he had had in effecting that important measure. Then, as now, the Union seemed to be in danger, and now, as then, all difficulties may be settled, if men will only allow cool reason and judgment to rule. He then drew a glowing picture of the growth and grandeur of the country—of its wonderful increase in population and in all the elements of power, and of its successful wars. "Sir," he said, "our prosperity is unbounded; nay, I sometimes fear that it is in the wantonness of that prosperity that many of the threatening ills of the moment have arisen; there is a restlessness existing among us which I fear will require the chastisement of Heaven to bring us back to a sense of the immeasurable benefits and blessings which have been bestowed upon us by Providence. At this moment—with the exception of here and there a particular department in the manufacturing business of our country—all is prosperity and peace, and the nation is rich and powerful, and if it does not awe, it commands the respect of the powers of the earth, with whom we come in contact." He then pointed to the history of the great public measures of the country, and showed that Southern influence had generally prevailed in the councils of the nation; and the three great acquisitions of territory, those of Louisiana, of Florida, and of Texas, have almost wholly redounded to the benefit of the South. The South have no reason to complain, as they have constantly been the gainers, and now, after all this, "I put it," said he, "to the hearts of my countrymen of the South, if it is right to press matters to the disastrous consequences—extending to a dissolution of the Union—which have been indicated, on this very morning, on the presentation of certain resolutions?" If the Union is dissolved, for any existing cause, it will be because slavery is not allowed in the ceded territories, or because it is threatened to be abolished in the district of Columbia, or because fugitive slaves are not restored to their masters. If the Union is dissolved, can you of the South carry slavery into California and New Mexico? You cannot dream of such an occurrence. Are you in any way benefitted by the separation? Where one slave escapes now, hundreds and thousands would escape, if the Union were dissevered. War and dissolution are identical and inevitable. If the Union were dissolved by mutual consent, still war would follow in less than sixty days, (in consequence of the border difficulties respecting fugitive slaves,) in every part of this now happy and peaceable land. It was his opinion that, in the event of a separation, we should begin with at least three distinct Confederacies,—one of the North, one of the Southern Atlantic slave-holding States, and a Confederacy of the Valley of the Mississippi; and, subsequently, there would be many more growing out of these. He concluded his speech in the following patriotic and thrilling strain:

"Sir, I have said that I thought there was no right on the part of one or more States to secede from the Union. I think so. The constitution of the United States was made not merely for the generation that then existed, but for posterity—unlimited, undefined, endless, perpetual posterity. And every State that then came into the Union, and every State that has since come into the Union, came into it binding itself by indissoluble bands to remain within the Union itself, and to remain within it by its posterity forever. * * *

"Mr. President: I have said, what I solemnly believe, that dissolution of the Union and war are identical and inevitable; that they are convertible terms; and such a war as it would be following a dissolution of the Union! * * *

"Look at all history—consult her pages, ancient or modern—look at human nature; look at the character of the contest in which you would be engaged in the supposition of war following upon the dissolution of the Union, such as I have suggested; and I ask you if it is possible for you to doubt that the final disposition of the whole would be some despot treading down the liberties of the people—the final result would be the extinction of this last and glorious light which is leading all mankind, who are gazing upon it, in the hope and anxious expectation that the liberty which prevails here will sooner or later be diffused thoughout the whole civilized world. Sir, can you lightly contemplate these consequences? Can you yield yourself to the tyranny of passion, amidst dangers which I have depicted in colors far too tame, of what the result would be if that direful event to which I have referred should ever occur? Sir, I implore gentlemen, I adjure them, whether from the South or the North, by all that they hold dear in this world—by all their love of liberty—by all their veneration for their ancestors—by all their regard for posterity—by all their gratitude to Him who has bestowed on them such unnumbered and countless blessings—by all the duties which they owe to mankind—and by all the duties which they owe to themselves, to pause, solemnly to pause at the edge of the precipice, before the fearful and dangerous leap is taken into the yawning abyss below, from which none who ever take it shall return in safety.

"Finally, Mr. President, and in conclusion, I implore, as the best blessing which Heaven can bestow upon me upon earth, that if the direful and sad event of the dissolution of this Union is to happen, that I shall not survive to behold the sad and heart-rending spectacle."

CRITICAL NOTICES.

Memoirs of the Life of William Wirt: By John P. Kennedy. Philadelphia: Lee & Blanchard.

The fact of a second edition of these instructive volumes being called for, sufficiently indicates the standing which they deserve so well, and have so rapidly taken in the estimation of the public. It is surprising that so few memoirs of the distinguished American contemporaries of William Wirt have been published. This kind of literature, so successful in France, would be eminently so in this country, where so many great names, endeared to the people, still await the labors of the biographer, and where writers are to be found, like the present editor, so fully competent to the task. The career of William Wirt is that of a highly successful lawyer. It does not abound in incident. But the high station he filled, his popularity at the bar, the important causes in which his eloquence was displayed, and his correspondence with the greatest men of the nation, would make his life interesting, even from a pen much less qualified than that of John P. Kennedy. For the sake of giving an idea of this writer's style, we will extract a short passage on the birth of the democratic party—so called of late years—a party, which now offers a fair field for the labors of the historian, since its rise, its progress, and its fall, belong to a not very distant past, and furnish those requisites of a full and complete action, which are deemed necessary for the effect of a narrative:

"The election terminated in favor of General Jackson. He was inaugurated President of the United States, on the 4th of March, 1829. On this day, the democratic party, which had been predominant in the administration of the affairs of the general government for twenty-eight years, surrendered its power into the hands of that new party, which had been brought together by the popularity of the hero of New Orleans. The new party was a miscellaneous one. It embraced all that portion of the federalists who were anxious to come into power,—by no means a small host. It absorbed a large number of the young politicians, who had grown up to manhood during the period of General Jackson's military career. It attracted and embodied such portions of the masses of the people, as conceived the chief magistracy to be an appropriate reward for distinguished military exploits—always a large number in every government. The leaders in this combination were eager and practised politicians, bred in the schools of some of the parties, which had heretofore divided the country. Their political creed, therefore, was various, according to the school in which each had been educated; but it was accomodating, and sufficiently held in the back-ground to enable it to await events. The opinions of the chief himself were so far indefinite as to give each section of his party hopes of finding it an easy matter to comply with his taste, in respect to measures. Old democrats and federalists were united in his cabinet, without any visible contrariety of position. It was an era of surrender and compromise of old antipathies, with an implied promise of silence, for the future, on old topics. By-gones were to be by-gones. The destination of the party was to be settled hereafter. Its principles and measures were to be left to the chapter of accidents. For the present, all differences were submerged beneath the General's unbounded popularity. This was the condition of that new party, which had just overthrown a political domination of twenty-eight years, and which was fated itself to be overthrown in twenty years more."

Roland Cashel. By Charles Lever. With Illustrations by Phiz. New York: Harper & Brothers.

The author of Charles O'Malley is the last person from whose pen we should have expected a work like Roland Cashel. Heretofore he has generally been content to let his fancy run riot among those scenes peculiar to Ireland, which he is so well competent to describe. The slightest thread of fiction was, in his hands, a sufficient canvas for the rich embroidery of anecdote and fun which his well stored memory and his epigrammatic genius readily supplied. In the novel now before us he has taken a somewhat loftier aim. He has adopted the artifice of an intricate plot, whose developments, apart from details, are sufficient to interest and excite the reader. Besides, he has kept in view a moral truth, whose illustration forms the graver object of the work. His conception is to show a young man, every way qualified to be an ornament of society, suddenly acquiring enormous wealth, and becoming a member of the proprietary aristocracy of Ireland —a young man, thus qualified and situated, and who, nevertheless, and in spite of the best intentions in the world, turns the blessing into a curse for others, as well as himself, and wholly neglects the high trust reposed in him, and this through sheer ignorance of the real duties and responsibilities attendant upon wealth. In making his selection for a hero, the author was somewhat embarrassed. No youth, born and educated in Great Britain, could be supposed to possess the ignorance which the subject required, without also being tainted with qualities peculiar to the lower classes in that country, and which would disqualify him for the spirited part of the hero of a British drama in high life. The hero, therefore, must be a youth, educated abroad; and the greater the contrast between the habits of his former life, and

those of the class into which he would be thrown, by his sudden acquisition of landed property in Ireland, the better for the purpose of the author. Long must the author have pondered ere he solved his problem. We wonder that he did not feign his hero brought up in the United States. Surely, no contrast could have been greater than that between the principles of equality and political justice, received here in early life, and the narrow prejudices of the privileged classes of Great Britain. Perhaps, however, this solution of the difficulty would have carried Mr. Lever too far. Perhaps, in the contest between two such different modes of viewing life, the young stranger's ideas must have appeared too sensible and just; those of his new friends, too bigoted and *arriere*. The author brings his hero to Ireland, from the semi-piratical naval service of the late Colombian Republic. Possessor of enormous wealth, suddenly acquired, gifted with all the attributes of novel-heroism, and desirous withal to administer his high stewardship for the good of his fellow-beings, but, inexperienced in the ways of the old world, Roland becomes the dupe of designing adventurers, and soon learns, through sad experience, that the art of doing good, is most difficult to acquire. The manner in which the hero illustrates the truth he intended to establish, is beyond all praise.

There is one character, whose presence in this novel we regret. It is that of Tom Linton. He is a thorough villain in high life, cold, perfidious, unprincipled, and heartless. He has not one single redeeming trait. For the high intellectual faculties wherewith he is endowed, only aggravate his enormous guilt. Not even the pride of station, or the pride of ambition, seems to lend one good impulse to his callous heart. He evinces no affection for any human being. His love for the Lady Kilgoff of the novel, is, it would seem, purposely shown in a light which gives no relief to his detestable nature. It seems to have been the author's predetermined aim to depict a monstrous embodiment of all that is evil. Now, we believe that the portraiture of such a character is not only a libel against human nature, but, also, a blunder in art.

A System of Ancient and Mediæval Geography. For the use of Schools and Colleges: By Charles Anthon, L. L. D., &c. New York: Harper & Brothers.

Professor Anthon bids fair to leave behind him the fame of the most indefatigable compiler of modern times. There is scarcely any walk of classical literature which his laborious erudition has not invaded. He could not have applied his industrious research to a subject that stood more in need of comprehensive illustration, than ancient and mediæval geography. The reader is not to understand, from this double title, that the work now before us proposes, systematically, to expound the obscure and ever changing political geography of the middle ages. The knowledge of the ancients concerning the continents of Europe, Asia, and Africa, is traced from its earliest ascertained origin, down to the period when the subversion of the Roman Empire effaced old boundaries from the map of the world. Mediæval details are sparingly added, in particular cases, where the importance of the subject requires them.

Mr. Anthon has adopted a commendable method in the disposition of his task. He treats of the great territorial divisions first, in a comprehensive manner, which leaves a clear, general impression upon the reader's mind, and afterwards, with such details as may appear necessary, gathering together, in the shape of notes, such explanatory observations as he deems necessary to illustrate the text, or to account for his preference in cases where authorities conflict. These "observations" generally contain lucid summaries of such historical and ethnological questions as the text suggests.

Considering the vast range of the work, the darkness of the subject, and the immense number of authorities consulted, it is to be presumed that oversights must have occurred in this first edition, which the author, at a future period, will correct. Cursory as our own perusal has been, several instances have attracted our notice, where, without attempting to decide between Mr. Anthon and our own former teachers, we saw that either they or he must be wrong. Not a few passages also might be cited where our author is in glaring contradiction with himself. For example, when we read (p. 4) that the Basque was a branch of the Celtic, we fancied that Mr. Anthon must have discovered some new facts in philology, which overturned what we had been led to consider a well established theory, and which also set at nought some very agreeable hypotheses of our own thereanent. But we found consolation at page 158, where the author, entrenching himself behind the formidable authority of W. Von Humboldt, bids us rest assured that the Basque is not of Celtic, but of Iberian, and, therefore, remotely, of Flemish origin. A conclusion, perfectly in accordance with facts ascertained from widely different sources, and all tending to prove that the interesting people who inhabit that section of France and Spain, where the beautiful Basque language is still spoken, (a language which Montaigne almost regrets is not his own,) are the sole surviving representatives of the oldest and purest stock in Europe —perhaps in the world.

No maps or plans accompany the work; our author refers us, in his preface, to Findley's Classical Atlas, as being "the best collection of classical maps for its size that has hitherto appeared." We cannot help thinking that the general reader, who requires Professor Anthon's work chiefly as a book of reference, would have been better pleased with a few maps, representing, on a small scale, so much of the world as Ptolemy knew of.

History of William the Conqueror: By Jacob Abbott, with engravings. New York: Harper & Brothers.

Mr. Abbott has, it seems, determined to become the Plutarch of young readers. His series of biographical sketches is one of the most useful productions of the age. We would recommend it not only as furnishing instruction in a pleasing and intelligible shape for the young, but also as a text book for many who have passed the age of sys-

tematic tuition, and desire to gain information, without overtasking minds harassed with the daily cares of life. Nay, more: we feel certain that scholars, even of unusual attainments, could nowhere refresh their historical recollections so usefully and agreeably as in the pages of Mr. Abbott. The publishers, too, have neglected nothing to make these little books acceptable in outward form. They are uniformly bound in a neat and appropriate dress. The title-pages are bright with gold, and many colored arabesques, and the cuts with which they abound, are worthy of artists of much higher pretensions. Those in the History of William the Conqueror, signed " W. Roberts," are beautiful specimens of art.

Iconographic Encyclopedia of Science, Literature, and Art. Rudolph Garrigue, No. 2 Barclay street, New York.

We have lying before us Part 5th of this admirable Encyclopedia. The illustrations of this portion are chiefly of Natural History; inconographs of fish, serpents, lizards and birds, exquisitely engraved. This work is, in its way, beyond praise. In a previous number we have given a full account of it, with terms of subscription. It must have been gotten up at a vast expense. Every thing of interest in the entire range of art and science will be represented and described in this truly Encyclopedic work. The price of each number is one dollar; and contains twenty quarto plates, covered with elaborate engravings.

The Life and Correspondence of Robert Southey. Edited by his son, the Rev. CHARLES CUTHBERT SOUTHEY, M. A., Curate of Plumbland, Cumberland. New York: Harper & Brothers.

Robert Southey had passed the meridian of life, and was in the full enjoyment of great literary renown, when he undertook, in a series of letters to his friend, John May, to retrace the eventful story of his life. The opening chapters of this autobiography, which the work now before us contains, may be considered as models of this style of writing, and are distinguished for an easy garrulousness, and a digressive fondness of detail, which no one would have expected at the hands of " Bob Southey, raving." Some of the characters, which his masterly hand has sketched in these rambling recollections of early life, though strongly marked with the stamp of truth, are so original, or, at least, so unusual, that they would furnish matter for any quantity of novels. The portrait of his uncle, William Tyler, would be accounted a piece of rare good fortune by some writers of fiction. The early indications of Southey's genius do not lose any of their value for being told by himself. Many dramatic writers would do well to take warning from the words of little Bob Southey, when he was about eight or nine years old: " It is the easiest thing in the world to write a play; for, you know you have only to think what you would say, if you were in the place of the characters, and to make them say it." Only the precocious child was not aware that this faculty of being able to place oneself in the stead of an imaginary character, is one of the loftiest attributes of genius.

It is to be deeply regretted that the author of Kehama did not continue these recollections down to a late period of his life. His son, who takes up the unfinished theme, suggests that the sensitive bard shrank from the further prosecution of a task, which, at the particular period where the " Recollections" end, was attended by circumstances of a painful nature. The vast number of Southey's own letters which the Curate of Plumbland intervenes in his narrative, gives it almost the air of an autobiography.

Dictionary of Mechanics, Engine Work, and Engineering. OLIVER BYRNE, Editor. D. Appleton & Co.: New York. 1850.

The Messrs. Appletons have been for some time employing the ability of very learned translators and compilers upon this truly elegant and valuable publication. We understand that they have invested a very large sum of money in the undertaking, and from the specimens before us we have formed the highest opinion of the value and success of their enterprise. Every thing in mechanics is here fully explained, and illustrated with extremely elegant illustrations, with lettered explanations, as accurate as modern attention can make them, and almost rendering the letter press unnecessary. The most complicated machinery of cloth weaving, even, of steam engines, the internal construction of boilers and furnaces, are minutely described. The number before us, which is the second of the series, contains a minute and expanded description of the Croton aqueduct. Every portion of that extraordinary work being described and represented with the minutest care. This work is a desideratum, the most elegant thing of its kind, and if carried out in the spirit of its commencement, the most valuable. Its form is large octavo, exquisitely printed on fine paper. The separate numbers are sold for 25 cents each.

Elements of Natural Philosophy. A Text Book for Academies and Colleges. By ALONZO GRAY, A. M., Professor of Natural Philosophy, &c., in the Brooklyn Female Academy,—Author of Elements of Chemistry, &c. Illustrated by 360 wood cuts. New York: Harper & Brothers. 1850.

We have not had leisure to examine this compilation or to estimate its particular merits as compared with others of its kind. The principles of Natural Philosophy are set forth and illustrated by the author very clearly and concisely. It has evidently been prepared by an experienced teacher; and condenses into a small space a vast amount of information.

Fire-Side Stories. By Mrs. ELLIS, Author of Hearts and Homes, Women of England, &c. New York: D. Appleton & Co. 1850.

This work contains four stories or novelettes: " The Minister's Family," " First Impressions," " Somerville Hall," and " The Rising Tide." The celebrity of the very talented authoress will ensure them a reading.

The Modern Housewife or Menagere. Comprising nearly 1000 receipts. By ALEXIS SOYER, author of the "Gastronomic Regenerator." Edited by an American Housekeeper. New York: D. Appleton & Co. 1850.

It would require a year's acquaintance with such a book as this, and a much more extensive knowledge of cookery than is expected in an editor, to pronounce upon its merits. The name of Soyer, a celebrated cook, attached to it, will ensure its popularity. It contains an immense number of economic and judicious receipts for the preparation of every meal of the day, with those of the nursery and sick room; together with minute directions for family management in all its branches; and if it goes near to fulfil the promise of its title page, must be a perfect treasure for house-keepers.

Philo. An Evangeliad. By the author of "Margaret," a Tale of the Real and Ideal. Boston: Phillips, Sampson & Co. 1850.

A good neighbor who plants an offence upon his door-step, need not expect visitors; and a poet who occupies the first ten pages of his poem with the most flat, insufferable common-place, need hardly expect readers. With feelings, we confess it, of hope and expectation, we commenced the reading of this poem, and with all sincerity and gravity delivered the first few pages of it aloud; but as the effect was directly the reverse of that intended by the author, we found it impossible to proceed. Here we have an angel coming down by appointment to meet a real Yankee, who enters into a very common-place conversation with him, and acts as a kind of cicerone to the heavenly visitant,—showing him a church, and saying "that is a church,"—showing him pews and a pulpit, and assuring him that those are pews, and that that is a pulpit. The angel understood English, and either there are pews in heaven, which we seriously doubt—at least, not straight backed ones—or the angel had a vague notion of the meaning of the words pew and pulpit out of his dictionary, else there were little profit in telling him that this was a pew and that was a pulpit. But the absurdity of the thing is too broad for comment, and the author who could perpetrate such nonsense, is either hoaxing us, or he is a solemn trifler. This entire Evangeliad, we take it, is a mistake. The author has a theory that the ideal is to be sought in the real, but he entirely overlooks the distinction between the real and the common-place; a mortal sin in poetry.

New York; Past, Present, and Future: By E. PORTER BELDEN, Projector of the "Model of New York." New York: George P. Putnam. 1850.

In this work Mr. Belden has furnished the traveller in New York with a full statistical account of everything noticeable in the great metropolis It is a complete and satisfactory stranger's guide. One half of the volume is occupied by advertisements, directing the stranger to the best stores and wholesale business establishments. The work is illustrated by excellent steel engravings of the principal buildings, and has an excellent map of the city. Mr. Belden's opportunities for the preparation of such a work have been, to our certain knowledge, at least equal to those of any one of our citizens. It is a small volume, very neatly printed.

The Fountain of Living Waters. In a series of sketches. By a Layman. New York: George P. Putnam. 1850.

This work is a series of religious meditations, illustrated by a very excellent wood cut of a scene on the North River.

Memoirs of the Life and Writings of the Rev. Thomas Chalmers: By his son-in-law, the Rev. WILLIAM HANNA, L. L. D. In 3 volumes. Vol 1. New York: Harper & Brothers, Publishers. 1850.

The publishers have sent us the first volume of this work. It will be received with interest by the Evangelical churches of America. It is unnecessary here to attempt any criticism, or to make any remark upon it.

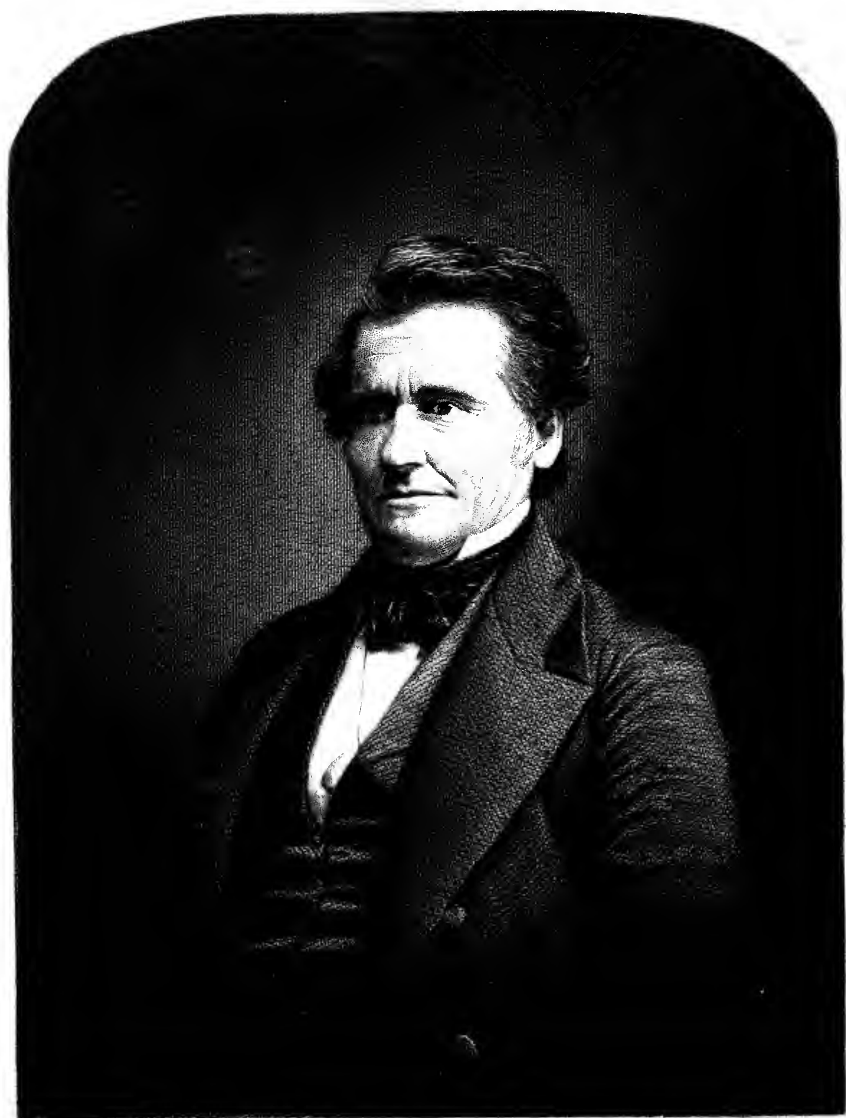
A Romance of the Sea Serpent; or, the Icthyosaurus. Also, a collection of the Ancient and Modern Authorities, with Letters from Distinguished Merchants, and Men of Science. Cambridge: John Bartlett. 1849.

This is a very droll book: one-third story, one-third poetry, and the rest notes. We presume that every person who has ever seen the sea serpent, off Manhattan, or elsewhere, will desire to have a look at this book about him.

The Mirror of the Patent Office, and National Cyclopedia of Improvements of the City of Washington: William Greer & Co., No. 177 Broadway, New York. 1849.

This, as its name purports, is a quarto publication, coming out in numbers, and containing illustrated descriptions of new and important inventions.

[*We are compelled, for want of room, to omit noticing a number of valuable books, sent us by the publishers, but which we reserve for our succeeding number.*]



Jos R Chandler

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SOUTHERN VIEWS OF EMANCIPATION AND OF THE SLAVE TRADE.

INTRODUCTORY REMARKS.

If the conduct of the Northern and Southern extremes of the two factions in Congress is to be taken as an index of the state of feeling on the subject of slavery in the country at large, our hopes of a settlement of this pernicious and destructive controversy should be faint indeed. As it has arisen not so much from contrariety of interest as from opposition of sentiment,—the interests of the nation, strictly considered, being bound up in the welfare of the South,—the remedy to be applied should be sought in the sources of the disease. The disease is a controversy arising from speculative opinion and ambition; the remedy is in a modification of opinion by a suitable array of facts and arguments. These facts and these arguments must be furnished by moderate and discreet minded persons on *both* sides. We here present our readers with two articles; both of them by gentlemen practically familiar with the institution of slavery; and indeed, educated in the society under which that institution is tolerated. We have no apology to offer, if any were demanded by our Northern readers, for the introduction of these articles. For the peace and security of the country it is just, it is *necessary* that slaveholders should speak for themselves, and should, moreover, be heard, and their arguments deliberately weighed. It is not the custom in free States to condemn unheard, either a man or an institution.

Our own opinions, in regard to the powers of Congress in legislating for the territory are well known, and have been sufficiently explained. In the first of the two articles which we submit to our readers it is argued, as it seems to ourselves, conclusively, that the State sovereignties not only have a perfect right, but ought to make stringent laws against the importation of slaves into their territories; and that the slave trade in the District of Columbia may, and ought to be, suppressed by the authority of the General Government. The author of that article is a large slaveholder in the State of Mississippi, and is by birth and education a Southern man. We have the best reason to believe that he speaks the sentiment of the majority in his own State. We are constrained, however, to differ from him, in the distinction which he makes between the propriety of the exercise of the power of Congress for the prevention of slavery in the territories. It seems to our own view an *unnecessary* distinction. Since slavery does not exist in New Mexico, California, and the Great Basin of Deseret, the *de facto* governments of those regions, whether lodged in Congress, or in the people of the territories, or in territorial organization, have, as it seems to us, an unquestionable right, as *a regulation of police*, just as the State sovereignties have that right for States, and

the general government for its District, to prohibit the introduction of slaves within their limits.

The objection of our author to the employment of legislative authority for the emancipation of slaves, is answered by the fact that precedent is already in favor of such employment; that State legislatures in the North have abolished slavery in their States, and their acts are held to be salid. Whether the Government in any State has or has not the power to establish or abolish, is a question to be settled by the spirit of that government, and by the common understanding.

California is now denied admission to the Union because she has incorporated a prohibition of slavery in her Constitution. Texas was admitted with a clause establishing slavery, so incorporated, and with a provision for the creation of two or more slave States out of her territory. The faction have chosen to forget this; their struggle is for power. The extreme Southern party, under the lead of Mr. Calhoun, have made the somewhat singular announcement, that unless the main political power of the country is lodged in their hands, they cannot remain in the Union. This announcement has, at least, the virtue of directness and simplicity; unless they have an equality or a majority in the Senate, they cannot stay in the Union; they must be able, at any moment, to block the wheels of legislation, to cut off the supplies, to create war or peace, to elect a President to their mind, to purchase and possess, and divide, new territories, to hold the patronage of the central government—in a word, 400,000 citizens in the Southern States, or rather, to speak correctly, the minority of that 400,000, have declared that they must either govern or rebel; there is no alternative. It is an announcement unparalleled in modern history. Such, if we rightly understand it, is the position of the extreme Southern party. It is an aristocratic position; it does not commend itself to the favor or to the respect of the country.

This making the admission of California the test question, has betrayed the entire system and method of the opposition. Theirs is simply a struggle for political predominance; that they will govern the Union or they will destroy it. Meantime, if we ever for a moment doubted its stability, we *now* hold the Union to be secure. We have ceased to apprehend its dissolution. The declaration of the ultimatum of the faction has destroyed at once its respectability and its power. A republican people who cannot submit themselves to the ordinary chances and contingencies—to the common movements of events in a Republic, have a dreary history before them. They are no longer fit for self-government who cannot abide by its necessities and its laws. It is, indeed, fortunate for them that they are not the sole citizens and masters of an empire, since, among themselves, and in their own divisions, the minority would have no alternative but war. With such a desperate resolution to rule or perish, how brief and how terrible a page would be theirs in the history of the decline and fall of great Republics.

SLAVERY AND THE SLAVE TRADE IN THE DISTRICT OF COLUMBIA.

BY A MISSISSIPPIAN.

Digression and irrelevancy in the discussion of political issues are characteristic of American writers and speakers. In Congress, especially, debate is rarely confined to the question under consideration. Collateral points even, which, in an assembly collected of wisdom, true taste would warn us to leave to inference mainly, fail to afford scope sufficiently ample. Matters totally disconnected with those at issue, are tortuously introduced to make up *the speech*. Hence, on a memorable occasion in the Senate, Mr. Webster found it necessary, in order to be properly

understood, to commence his celebrated speech on Foot's Resolution, in reply to Mr. Haynes, by requesting the Secretary to read the resolution under discussion. Everybody recollects the beautiful and appropriate figure of the mariner tossed about for days in the open seas without chart or compass, by which he illustrated the digression. This happened more than twenty years ago, when, it may be supposed, demagoguic influences were less common than at this day. And, indeed, if a speaker were to rise in his seat, now-a-days, and deliver a speech of twenty or thirty minutes length, confined solely to the topic of debate, without once calling to his aid irrelevant party issues, he would be stigmatized by reporters and lobby members as empty-headed and stupid. Discursive and inappropriate discussion has grown so common, that it may now be regarded as a settled precedent in Congressional economy.

No more cogent illustration of the truth and justice of the above general remarks may be cited, than the history of the debates in Congress on the Wilmot Proviso. A discussion of the power of Congress to prohibit or regulate slavery in the Territories of the United States has opened, in the course of the debate, the entire question of slavery, in all its points, and placed it in every conceivable attitude. Prominent among these irrelevant issues is one of very startling moment, not because of its complexity or obscurity, but because of the petty and contemptible jealousy which pervades both sections of the Union concerning its permanent adjustment. It will, of course, be inferred that we allude to that of the powers of Congress over slaves and the subject of slavery within the District of Columbia. On this point, all candid and discriminating minds must admit that, in discussing the question, the South has claimed more than is just and constitutional, and that the North has chosen an ill time and showed an improper and intolerant spirit in asserting and claiming what is doubtless just and constitutional. We cannot think that true patriotism or devotion to right and justice, have had any influence with the majority in the introduction or discussion of this subject. The governing influences, in both cases, we fear, have been of a different and far less meritorious character. On the side of the North it seems to be an ill-timed and unworthy attempt to wreak its prejudices upon an institution which, to say the least, is recognized, if not by name, at least *de facto*, and protected from invasion by the federal constitution. On the part of the South it has been an unwary and hazardous attempt to make political capital at home of a question that embodies elements of the most dangerous nature, as regards the welfare of the Union, and to feed a flame, of which the calmest and most moderate politician may stand in dread. But it has been our pride and pleasure to observe that, in both sections of the Union, the conservative national whig party, as a body, has asserted and maintained a course of conduct unquestionably conservative and national. By moderation and dignity, by wisdom and true patriotism, the party has well sustained its ancient and honorable character.

In a like spirit, it is trusted, and with a mind beset on eliciting and expressing the truth, we now proceed to present, in a condensed and summary shape, our views and opinions. The true opinion, as we conceive, may be best arrived at, by first propounding, and then endeavoring to answer two leading questions ; which, it is believed embrace the entire matter of debate :

1*st*. *Has Congress the right, under the Constitution of the United States and deeds of cession from the States of Maryland and Virginia, to abolish slavery in the District of Columbia ?*

2*d*. *Has Congress the right or power, under the same instruments, to pass laws of a Municipal or Police character concerning slaves, and to regulate or prohibit the slave traffic in said District ?*

The first of these questions we do not at all hesitate to answer in the negative, and shall state briefly the reason and grounds on which that answer may be founded.

The abolition of slavery in any State, District, or Territory, within the limits of the United States, cannot be a matter of legislation, because it involves rights of persons and of property which existed previously to the establishment of the government, and which not only constitute a principal element in the government of all, but are beyond the reach of legislative majorities. The legislature of a State ought not to decree the abolition of slavery. It

is a body of limited powers, limited and defined, too, by an instrument which is formed by the Sovereign power in convention. This Sovereign power is the people. The legislature would have no more right or authority, unwarranted or unempowered by any previous form of assent from the people, to pass a law modifying the entire social system, than it would have to pass a law establishing or abolishing the Christian or Jewish form of worship, or the tenures of land, or the right of self-defence, or the right to bequeath or to inherit. These are all inherent properties and elements of government, and belong, under our system, to that class of powers and natural rights which are of none the less force and effect because partly unwritten and undefined in the original compact, and which are removed beyond the reach of Assemblies whose powers are limited and differently intended. Slavery, as it exists in the separate States, is equally entitled to be thus classed. The power, therefore, abruptly to abolish such an institution, cannot belong to a state or national legislature. It is essentially a prerogative of the sovereignty of the people themselves. It is in the province of a convention of that power from which emanates the constitutions both of federal and state governments. A contrary action or decision, vesting such power either in Congress as regards the District of Columbia, or in any of our State legislatures, would be to create a ruinous instability in property in both instances. It would be committing the most cherished and sacred of all rights, namely, that of modifying the fundamental relationship of man to man, to a bare majority in Assemblies notoriously impulsive, and fluctuating in opinion, and always affected by local prejudices, and educational predilections. It would be placing individuals and entire communities at the mercy of partizans and fanatics, of opposite opinions, looking neither to justice or reason or to anything beyond their own ambitious aims and violent purposes.

The second question must be regarded by all candid and dispassionate persons in a widely different sense, inasmuch that it involves matters and issues of a very different character, and which are totally irrelevant to the first.

We hold that the powers of Congress as concerns the subject of regulating slavery in the District of Columbia, are not at all analagous to the powers of the same body as applied to the Territories of the United States. Conceding the power in the one case does not and cannot necessarily embrace the other. In the first, the power is explicitly given and is clearly derivable from all the sources where it ever belonged in law. In the last it is not to be found in any bond, compact, or conveyance of any description, and must be left to vague inference, and ever remain an obscure and vexed question.

The power to regulate the slave traffic in any or in all its branches, (save one perhaps,) is a matter entirely of police, and belongs properly to legislative bodies in their capacity of police conservators. Even in our State legislatures a wide discretion is claimed and often exercised on this subject. But no one who takes the trouble to examine the Constitution of the United States, defining the special powers of Congress, or the deeds of cession from the States of Maryland and Virginia, can justly or successfully question the unlimited discretion of Congress concerning all police regulations of slavery within the District of Columbia. The ten miles square is ceded not to the United States, as are the territories, but to the "Congress *and* Government of the United States." Where territories have been relinquished by any of the States, or acquired by purchase, the conveyance has ever been to the United States and for their "benefit," and, in the first instance, a parenthesis has always been made "including" the State which thus cedes. Territories acquired by conquest are conveyed by treaty to the Government of the United States, and thus become the property alike of all the communities which form that government. In none of these cessions is Congress a specified party. But, on the other hand, "the Congress" is a joint and specified party with the "Government of the United States" in the ownership of the District of Columbia. Now, as all must very well understand, the Government of the United States is made up of three coordinate branches or departments, each separately defined, and charged with separate and distinct functions. Of these, Congress is only the legislative power—subject in its

action, within certain limits, to the check of both the Executive and Judicial departments. Yet "the Congress" is placed independent of, and as a joint and equal partner with the "Government of the United States" in the ownership of the District, and its majority is thus the "full and absolute" arbiter and conservator in all legislative functions, excepting only in so far as restrained by the provisos and stipulations of the original cession.

This proposition may impress some persons as being rather outré and metaphysical, if not erroneous. But we venture to conceive, that when measured by the sense and words of the deed of cession from Maryland and by the same in the Constitution of the United States, the fair and legitimate inference will be in favor of its entire correctness. To this end we deem it advisable to transcribe the said deed of cession in full, as well as the language of the Constitution, concerning the powers of Congress in the District of Columbia.

> "Be it enacted by the General Assembly of the State of Maryland: That all that part of the said territory called Columbia, (as described in the previous section) which lies within the limits of this State, shall be, and the same is hereby acknowledged to be forever ceded and relinquished to the *Congress* and Government of the United States in *full and exclusive right* and *exclusive jurisdiction*, as well of soil as of persons residing or to reside thereon, pursuant to the tenor and effect of the eighth section of the first article of the Constitution of the United States: Provided that nothing herein contained shall be so construed as to vest in the United States any right of property in the soil, as to effect the rights of individuals therein, otherwise than the same shall be transferred by such individuals to the United States."

The italics in the above are our own; and now, we say, let that grant be considered as it may, the close and candid reasoner will be forced to infer that *Congress* is a separate and distinct party in the transaction, independent of its co-ordinate connexion with the Government of the United States. The laws of Congressional majorities as has been already intimated, are subject both to be vetoed and over-ruled by the other two departments, but these last are motionless until Congress shall first have acted. Being, therefore, an independent partner, as well as a partner by virtue of its co-ordinate connexion with the Government of the United States, and being also the active and motive branch of the Government, we safely conclude that Congress, thus doubly interested, is on rather more than an equality with the Government of the United States in the ownership of and jurisdiction over the District of Columbia, and is, in fact, the main arbiter and conservator of its destiny, civil and political. The difference between the two propositions thus submitted, is simply this, viz: that slavery being in existence as a domestic institution within the ten miles square when Congress *accepted* the deed of cession, the relation between master and slave was distinctly recognized; Congress is, therefore, fairly estopped from *abolishing* the institution without previously expressed assent from the people, or from passing any law to destroy the right of the owner in the property of his slave, as acknowledged by the acceptance. But, in the second place, the power so to regulate those relations as to abridge or prohibit the general and indiscriminate traffic in slaves, within the limits of the District, being essentially a matter of police and legislation, and being clothed with "full and absolute" power in *legislating* for said District, Congress has the undoubted right to interfere so as to modify or abolish such traffic, and that too without any appeal to the will or wishes of the State Governments.

But, continuing our argument on the second proposition, the powers of Congress within the limits of the federal district are yet more explicitly defined than in the deed of cession above recited. The eighth section of the first article of the Constitution of the United States declares: "That Congress shall have power to exercise *exclusive* jurisdiction, in *all* cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and by the *acceptance* of Congress, become the seat of Government of the United States.

It must be admitted, we think, that this, literally, is a sweeping clause. It could not well have been framed so as to convey larger powers. It is not even qualified. It can be limited only by bringing the powers thus sweepingly conferred to the test of established precedent, and natural or pre-existing rights. In the first in-

stance, the deed is "full and absolute;" in the second, the *acceptance* carries along with it, under the supreme law of the land, "exclusive jurisdiction in all cases whatsoever." It is, indeed, a clause in which the most biassed and fastidious stickler will find little to restrict the discretion of Congress in any matter of legislation; and that the slave traffic is a matter of legislation no intelligent reader will venture to deny. It has been claimed as such, certainly, by every government in which slavery has existed, ancient and modern. That of Rome, which gave to the master the power even of life and limb over his slave, always claimed and exercised exclusive control over the slave traffic. But it could not destroy, by simple legislative majority, the relation between master and slave, nor deprive the first of the labor and value of the last. Greece, as a Government, was anxious to rid the country of the slavery of the Helots, long before the body of the people were either prepared for, or willing to favor such riddance. The Government, therefore, claimed and exercised the undeniable right of all governments to abridge and prohibit the indiscriminate and unnatural traffic in the unfortunate beings whom she had enslaved, but it dared not, even in that early age, to infringe the right of property by destroying the relation itself. Russia, although a sombre and quiet despotism, where all legislative power is lodged with the Czar, would not venture, perhaps, by a peremptory ukase, to abolish serfdom within its limits; yet the slave traffic is entirely and most effectually prohibited, and the serfs go along with the land on which they were born, and all their local and family attachments are sacredly preserved. The rash and unjust exercise of the first power, even by the Autocrat of Russia, would kindle a flame of resentment that would spread quickly from the Don to the Vistula, and an insulted people would bring down vengeance on even that august head, which, they believe, wears its crown by divine right and will. In the exercise of the last power, however, which is conformable both to justice and custom, no opposition was encountered, and a general acquiescence evidenced its popularity.

Under our Government of sovereign States and defined powers, Congress is entirely restricted from the exercise of this power, as concerns the States, but its power over the subject is "full and absolute," when applied to its "exclusive jurisdiction" over the District of Columbia. Neither Congress, nor State Legislatures, have the power to abolish slavery within their respective jurisdictions; but neither would be transcending their legitimate powers, as we humbly conceive, to pass such laws as could tend to prohibit indiscriminate traffic in slaves, without regard to number or social relations.

It must be borne in mind that slaves, both under the Federal and State Constitutions, as well as by the laws of each, are considered as being something more than mere property. That they *are* (*de facto*) property, no one will venture to gainsay; but they are a peculiar species of property. They are not at all regarded as irrational animals, or perishable live stock, as horses, or swine, or cattle. Some have been weak enough to urge and advocate this fallacious point, assuming, with singular hardihood and pertinacity, that which no person of ordinary information will sanction.

Slaves are regarded, both under the Constitution and the laws, as *persons* also, and, in some sense, as members of organized society, though certainly and properly excluded from the dignity of citizenship, and from civil privileges. They are regularly apportioned, in accordance with the Federal Constitution, (in the true spirit of that great American system of protection and encouragement, which reaches and covers every species of labor, a system long upheld, and ardently cherished by the conservative Whig party of the Union,) for full representation in the Congress of the United States. They are entitled to protection, under the law, in life and limb, and are, individually, amenable for any infractions of the criminal code. They are shielded, by the law, from all cruel and unusual punishments at the hands of bad masters. In all these is exhibited very clearly the wide distinctions between negroes transferable, by sale, from one master to another, and all other kinds of property. This view of the subject is very ably and elaborately expounded by Mr. Madison in No. 54 of the "Federalist."

He there expresses himself thus: "But we must deny the fact that slaves are considered merely as property, and in no respect whatever as persons. The true state of the case is, that they partake of both of these characters. . . . It is the character bestowed on them by the laws under which they live; and it will not be denied that these are the proper criterion. The slave is regarded by the law as a member of society, not as a part of the irrational creation; as a moral person, not as a mere article of property. The Federal Constitution, therefore, decides with great propriety on the case, when it views them in the mixed character of persons and of property."

This leaves a clear inference that an indiscriminate traffic in slaves is not to be regarded as beyond the reach of legal interference and restriction, or as the same with that of horses and cattle. Congress may not posses the power to abolish slave dealing in all its branches, but it does not follow from this that the right to regulate and restrict the trade is prohibited. On the other hand, it is clearly within the legitimate province of Congress to do so, provided no legislative steps are taken to infringe the rights of resident owners in the property of their slaves. Congress, however, under the deeds of cession, is restricted, on this subject, only as regards resident owners. In the case of transient persons and traders, an arbitrary and perverse stretch of power might easily give a different aspect to these relations.

We feel assured that no one will deny the power of Congress to prohibit a banking company from New York or Delaware from establishing a bank within the limits of the District, either by positive enactment to that effect, or by refusing them a corporate existence. How, then, can it be denied that the same body has the same sort of power to interdict a slave dealer from Maryland or Virginia from carrying on his odious traffic within the same limits? Or how, under the Constitution and law, can Congress be denied the authority and right to interfere even so far as to regulate or restrict the trade as between resident owners themselves? It must be remembered, that, unlike any other legislative assembly in the Union, Congress possesses here "full and absolute" power, and that its "jurisdiction" within the District limits is not only independent and unqualified, but "exclusive in all cases whatsoever." There is nothing in the Federal Constitution to prohibit the abolition of the *institution* by Congress, beyond the right of all citizens to claim protection for his property. Still less is there to be found any clause or enactment denying the right to abridge and restrict the traffic. Neither are such prohibitory or restrictive clauses to be found in the deeds of cession, for in these, except only as relates to owners of "soil," the power of Congress is totally unlimited. It is even a question, in view of the broad and unqualified powers thus conferred on the Congress within the District limits both by the Constitution and the deeds, whether the right to prohibit the trade in *all* its features can be successfully confuted or denied? But thus far we do not pretend to go in this article.

But there are other views in which this subject may be argued. The ten miles square must be considered as belonging exclusively to the "Congress and Government of the United States," and not, as do the Territories, to the United States, over which Congress can only exercise trust powers. Against any improper or unequal, or discriminating, legislation by Congress as concerns the last, the States would have a right to protest. But as concerns legislation by Congress within the District, they are estopped. Resolutions, introduced before Congress, and intended to do away with the slave trade in the said District, are nothing to us of the South, in the capacity of States. We are unwilling to admit that our right of self-regulation can be thus endangered. We should as soon think of fearing the effects of the recent emancipation in the French West Indies: and we have about as much right to protest in the last case as in the first. On the contrary, we incline to believe that the interference by Congress with the slave trade in the District would result beneficially to the negro slave in the States. If the traffic was prohibited there, and those loathsome and disgusting depots of degraded and distressed humanity were effectually broken up within the District limits, it would force the Southern slaveholding States to protect themselves by adopting similar laws, or else their soil would be

flooded with an inundation of traders with their long, thick gangs of wretched creatures, hurried to market to avoid total losses. There is no telling what would be the consequences, if, in the event of such law passed by Congress, the slaveholding States should fail to adopt similar laws. The wanton cruelties and revolting barbarities of the British West Indies would speedily be re-enacted in a region where quiet, and content, and jolly cheerfulness prevail among white and black. The land would swarm with hordes of sullen and desperate creatures, torn suddenly from home and from family, and ready for any act of massacre, or for any kind of death. The whites, driven to fury by the fall of property, and by this repulsive innovation of their domestic arrangements, would soon grow discontented; the better and more polished portion would endeavor to leave the State; and anarchy more appalling than ever before exampled, would then become the order of the day. But would the Southern States fail, in such event, to pass such laws? We hazard little in saying that they would not. They value their homes, their property, and their domestic association far too highly, thus unwarily to jeopardize the peace and security of all. In Mississippi, especially, opinion is even now rife for the passage of such laws; and had the emancipation question, lately submitted to the people of Kentucky, prevailed, a foreign negro (by which we mean those of other States and portions of the confederacy) had never set foot on our soil. It is a settled and cherished hope and desire with many in this State, that the slave traffic shall speedily terminate within its limits. Already has it been declared, by resolution of the Legislature, a public nuisance for traders to expose their gangs of chained human creatures within view of the capitol of a sovereign State. The negroes now owned in Mississippi are, in general, thoroughly domesticated and happy as a race, attached to home and their masters, and they are the most cheerful and light-hearted of human beings. There is no State of the South where they are so comfortably provided for, so well treated, and so amply protected by law. It is thought, moreover, that the natural increase of those now here, will be more than sufficient to cultivate all our soil in a few years. Thus situated, we have little cause to invite or allure an influx of strangers and traders with their living herds. We have everything to lose, and nothing to gain, by such a course of conduct. If, then, such action by Congress, within a jurisdiction exclusively its own, should induce a like action on our part; should influence a movement which would lead to consequences thus beneficial to our interests and prepossessions, and which would have the effect of strengthening slavery as a strictly domestic institution in the States, and relieve it, at the same time, of its most repulsive and unwelcome feature, we would have little cause for complaint. On the contrary, we might very consistently contribute toward bringing about so agreeable a state of things.

To recur now to our original propositions, we must reiterate the opinion, that while the right to emancipate lies with the people in their collective body in convention,—a right they inherit from sources of power older than the Constitution or the laws, and consequently of unassailable and impregnable integrity as well as of superior magnitude,—slaves, like all other kinds of property, are subject, nevertheless, to legislation for regulation. It would be surely and strangely anomalous if they were not, especially in that feature which we have been more particularly employed in treating of.

Indeed, it may be further contended, that Congress has far more power, under the Constitution and deeds of cession, over the subject of slavery in the District of Columbia, than the Legislatures have in the various States. The States are sovereign, independent powers. The District of Columbia, on the other hand, is *not* sovereign or independent. Its inhabitants are isolated as regards their relations with the different States or sovereign communities which form the United States. They have no voice either in the election of the President, or of the Congress which govern them. They are passive subjects.

The people of a sovereign State possess privileges, and claim immunities which the people of the District do not enjoy. The State Legislatures are not arbitrary, irresponsible bodies. As regards the ten miles square, Congress is entirely an arbitrary, irresponsible body. Here, then, is a wide

and vital difference, the grounds of which can neither be controverted or denied.

But, more than all, the District of Columbia is the neutral ground betwixt the jarring and conflicting sections of the confederacy. As applied within its limits, the nature of the government undergoes a change, and presents a new face. Sovereign power, unchecked and undefined, is lodged elsewhere than in the *people.* An assembly composed of representatives from all other portions of the country, is its sole owner and supreme arbiter. Taxation and representation are here emphatically disallied. One can be imposed without the recognition or voice of the other; and the great principle which gave birth to American independence, and which has built up one of the most powerful empires under the sun, is thus signally repudiated and disregarded in a neutral territory, set apart for the residence of the supreme powers.

But, independently of this paradoxical fact, and being the neutral ground between North and South, every reason is afforded why all grounds of exception or offence to the opinions and prejudices of both sections should be peacefully removed. Congress can never abolish slavery in the District without abruptly transcending its legitimate powers. This should be satisfaction enough to us of the South.

The indiscriminate traffic in slaves, exposing them for sale in droves, without regard to family or attachments, and under the very eye of men unaccustomed to such sights, is odious in the extreme. It is a custom not only foreign to the tastes and prejudices of the Northern men, but is revolting as the most disgusting nuisance. It is a repulsive and unwelcome sight to all. It is generally regarded as an unseemly and objectionable spectacle on the neutral ground of a free republic, one half of which in the capacity of sovereign States, has abolished and repudiated all connexion with the institution, excepting only in so far as they are constitutionally bound to protect the rights, in this respect, of the slaveholding States. It is a custom barely tolerated even in the States where slavery exists as a domestic institution. In many of these,—Mississippi prominent among them—the introduction of slaves to vend in large droves is prohibited by statute, and made a penal offence. Why then should we claim and contend for more in the District, which belongs to Congress, than is generally practised in our State Governments? Or why perversely deny a right to Congress so to regulate a traffic carried on within its "exclusive jurisdiction," as to make the same less objectionable and odious to one half of its body? It is a right belonging unquestionably to the "Congress and Government of the United States," and when they shall decide to act under that right, where will *we* find authority to prevent or successfully oppose them? We cannot call on the States, for they would be stopped at the outset, for want of formal and proper authority to interfere in a matter which both the Constitution and the law have removed beyond the reach of their control. No right of any sovereign State, no clause or portion of the great federal compact would be infringed by such action on the part of Congress, within a territory owing allegiance to it alone. The States, then, would be left without the shadow of complaint or aggrievance. We could not appeal to the General Government, for, besides being the offending party itself—if it be offence—it can only move in such case by the terms of the law, and that law will afford us no pretext for the call. The army and navy will not be at our disposal, for we could not make out a constitutional case of aggrievance, or frame a proper exhibit to claim them at the hands of the Executive. If we should attempt to bully or to threaten, Congress might silence us at once by producing the Constitution and deeds of cession, and by challenging us to show any cause for questioning the supremacy of the General Government within its proper sphere and within its "exclusive jurisdiction." They might also plead our favorite doctrine of "hands off," or the rapidly obtaining principle of "non-intervention." They would tell us to let them alone in their "absolute and exclusive jurisdiction," and then they in turn will forbear to interfere with ours. It will be time enough, we think, to resort to all these extreme remedies, and to others more extreme still, when Congress shall seek to disturb the institution in the States. Even then we are inclined to believe that remedies less harsh, less extreme, and less repulsive than force of arms, may be found to allay the tumult,

and afford redress. But in a case where we can establish no right, found no protest, and exhibit no authority to interfere; where, at the best, we would be so entirely excuseless and helpless, reason and mature reflection will tell us to pause and inquire before we take the final, fatal step. Otherwise we might chance to be placed in the perplexing situation of the American army before the broken gates of fallen Mexico, or in the more ridiculous attitude of the French army before those of Rome. We might be found eager to inquire into the cause of the tumult after all the mischief had been done; or, what is worse still, we might be unable, when questioned by the opposing party, to state the grounds or the nature of our offence. J. B. C.

Longwood, Miss., Jan. 1850.

LETTER ON SLAVERY AS A DOMESTIC INSTITUTION.

BY A VIRGINIAN.

To the Editor of the American Review:

You are too old a politician and critic, Mr. Editor, not to have recognized how much of the uproar that daily distracts our ears is the expression of passions venting themselves on mistaken objects. Men set up their image, their Guy Fawkes or Old Noll, daub his features into a sufficiently close resemblance to some ideal horror of hideousness, and then with honest rage scatter the parted members of the scarecrow—straw, rags, and paint—to the four winds of heaven. And you have seen the multitude, after such an exploit, return complacently to their homes, not doubting that a labor worthy of Hercules had been achieved

But this human propensity cannot appear to you, as it appears to some, a subject for laughter. Experience and philosophy tell you that there is no other class of questions half so likely to give occasion for dangerous feud as those which arise from defective vision. In proportion that a quarrel is causeless, is it bitter. It follows that whoever does anything to remove a misapprehension, is engaged in the discharge of duty. Pardon me, then, if on this occasion I somewhat exceed the limits of a familiar epistle. What I say, may have no novelty. To you, indeed, some of the facts I propose to mention may be so well known as scarcely to appear deserving of a formal statement; but, sir, remember that there are men less fortunate, whose position does not lift them beyond the reach of sectional prejudice. You will not misunderstand me. I boast no remarkable extent of observation. What I have seen, it is possible for any others to see, who go near the object and view it with open eyes. Let me add—for I would scorn to make my testimony pass for more than it is worth—that I have looked upon slavery as a Southern man, yet I do believe (let who pleases cry "credat Judæus") that I have looked upon it without partiality.

Gentlemen at the North are in the habit of expressing surprise at the state of Southern sentiment. The charitable allude to the fact with sorrow—those of a harsh and polemic turn triumph thereupon.

But what if I deny that the South favors Slavery?

Immediately a torrent of questions is poured forth. Whence this opposition to the Proviso—to the abolishment of slavery at the seat of Government? Whence, in brief, this general sensitiveness which shrinks from the lightest touch, and vehemently repels any discussion trenching upon the obnoxious topic.

Let us first consider the fact—afterwards it will perhaps not be difficult to account for the need of a search to ascertain it. Those who are worst informed must be aware that at the time of the adoption of the Constitution no part of the country exhibited a warmer dislike of all avoidable restraint upon human liberty than that part lying south of Mason and Dixon's line. Virginia, before the revolution, had struggled to the utmost of her ability against the importation of the African bondman; she had pro-

tested to the British throne that "the introduction of slaves—a trade of great inhumanity—will, under its present encouragement, endanger the very existence of your Majesty's American dominions," and she had been excited by this cause as much as by any other, to throw off the yoke which rendered her attempts "to check so pernicious a commerce" unavailing. We have no reason to suppose that Virginia altered her opinions, or lost her interest in the matter upon becoming a free-agent. This point rests upon such a mass of historical evidence as to render reference and quotation quite superfluous.

It may be assumed, then, that fifty years ago the South was opposed to slavery? What could have brought about a retrogressive movement? Has this last half-century been one of silence and medieval darkness? Has nothing been said, nothing written, nothing thought upon the great questions of Ethics and Politics? If we suppose that Virginia and her neighboring sisters have been sunk in stupefaction, surely the steam-driven presses of the *North* have been at work day and night. Is it hinted that many of these books—the offspring of indiscreet zeal—may rather have disgusted than convinced? In candor I must acknowledge that they are not ill fitted to produce such an effect. A patient may be sickened by even a savory morsel, when it is obtruded in the dirty hands of an officious nurse.

Let us not stop here, however, in the enumeration of influences. Where have our Southern youth, who have been growing to manhood these fifty years, received their early discipline. In great proportion—until recently, I presume, almost universally—at Northern institutions. It is unreasonable to infer that at such schools they could learn bigotry and barbarism. Has Gamaliel become a teacher of heresy?

But the condition of the servant himself may afford a clue to the opinions of the master. We know that in the time of those revolutionary fathers, who preached so manfully and so eloquently for human rights, the body of the negro race were subjected to an austere government such as is not now experienced by one negro in a hundred. At this day, it is thought a duty to exercise a degree of care over their bodies and their souls. They are well-fed and well-clad. Opportunities are afforded them to share the benefit of religious teaching. Attempts are made to impart to them the elementary branches of modern education I, also, will venture to utter my belief, that if these attempts were successful* the course of instruction would not *end* with the elementary branches. When a slave is hired out, he is allowed (there are exceptions, but I am speaking of the prevalent practice) to select his master for the year. At the end of that term, and earlier if he be harshly treated, he may choose another. If for any cause he dislike his *owner* and is willing to take his chance of meeting a better one, he mentions his desire, and not unfrequently is indulged. Suppose, however, the master do not choose to part with him. The negro still has a resource. He runs away, not for the purpose of gaining freedom, for he often voluntarily limits his wanderings to a compass of half-a-dozen miles radius. He is discovered, nor does he look for any other issue. His master is compelled to seek a purchaser, and the fellow exults in the attainment of his aim.

During sickness, he is tenderly and oftentimes affectionately nursed. When well, he is not urged to exertions surpassing his strength. He has the Sabbath, and more holidays beside, than his master, probably, can afford to take. Ample leisure is allotted him for eating his meals and for repose. That with respect to all these particulars, there was a difference for the worse in ancient times, may be established to the satisfaction of any doubter by the report of those old negroes who have lived under both systems.

My Northern friend, perhaps, assents willingly to all this, and replies in a significant tone that it is easy to understand how the slaveholder can be humane and unex-

* It has been asserted that the secure maintenance of slavery renders necessary the ignorance of the slave. There seems little prospect of the question's ever being tested in this country. Those who have no disposition or no capacity to learn cannot well be taught. Our helots are not Messenians. Whatever wonder or grief may be felt at the existence of a race with such characteristics, I think the slaveholder may find a source of thankfulness in reflecting that he is not obliged to debar the human beings entrusted to his guardianship from the opportunity of mental improvement.

acting, since this is the means of increasing his disposable stock. "The husbandman," continues such a penetrating censor, "has discovered that warm shelter and an abundance of nourishing food bring his cattle into profitable condition, and you Southerners proceed upon the same principle!—you are sedulously breeding *your* cattle for the market." Allow me to assure the individual who speaks or thinks thus, that he is altogether in error. I can imagine the look of incredulity and scorn which this observation is likely to provoke. But, good Mr. Abhorrer, I do not require you to believe me implicitly, and *nolens volens!*—all I ask is, that you should suppose, merely for a moment, that I am telling the truth. Knowing, as you do, that this charge against the South has been reiterated times without number, join to your knowledge the realization of the groundlessness of the charge. Viewed in this light what opinion must be entertained of it? "Ah," says the Northern gentleman, "I *cannot* realize that it is unfounded." No—you cannot—but the slave-holding Southerner can and does. He hears a reproach uttered, which, if true, would overwhelm him with confusion; he knows, and can appeal to his conscience for confirmation that it is false. Forced to observe his most earnest protestations pass unheeded, or answered with sneers, is it wonderful that he should become angry and sullen? His only refuge seems to be to retire within his castle and then to shut and double-bar the door.

I do not mean to adopt this natural and tempting, but, as I think, injudicious reserve. My testimony may be lightly esteemed, but such as it is, I will not withhold it. Born and bred in a slaveholding community, I affirm, that a slave-market, in the sense in which the term is taken in New England, does not, to my knowledge, exist at the South. I have disavowed any claim to an *universal* observation, but on this particular point at least, I may be received as a competent witness, since my information happens to be derived principally from that division of the Southern country which is supposed to be most obnoxious to the accusation of rearing slaves for the profit to result from a subsequent sale. There is indeed a continual sable stream flowing from the upper and longer settled portion of the South to newer regions in a lower latitude; but usually the master and his family accompany the party of slaves. Landed possessions are sacrificed and the instinct of home-attachment stifled, in order that this tie, the strongest of all, may not be severed. It is not a mercenary spirit that so adjusts the balance, for the owner would realize a pecuniary gain by selling his slaves, for whom he could get a large price, and retaining his land, intrinsically more valuable, but for which in its present state, he receives only a very small price.

Masters, however, do sometimes dispose of their negroes: it is under the pressure of necessity. One servant may so misconduct himself that his example is injurious to others. Again, a reverse of fortune may occur (what region is unvisited by such reverses?) to compel a measure that inflicts a sore pang upon the head of the family as well as upon all the rest of its members.

But the corporal punishment which is resorted to, is said to be inconsistent with this alleged tenderness of feeling. Do those who make this objection, maintain that crime should be followed by no penalty? Ought the negro more than other men to be allowed to lie, and steal, and mal-treat his fellows with impunity? Or is fault found only with the *kind* of punishment. Most persons, probably, would agree in rejoicing if a sufficient and preferable substitute could be found, but in instances where many are to be controlled by a few, it seems impracticable to dispense with it altogether. "A sad business, then, is this of owning slaves." I admit it; truly, slave holding is a *misfortune.*

It would occupy too much space to enumerate all the grounds there are for inferring that the white population of the South is, in general, desirous of the safe abolishment of slavery. Perhaps, if the attempt were made, I should not receive a very patient hearing. But, in truth, nothing of the sort is incumbent on me.

I assert that some two-score years ago, such a sentiment prevailed. This, I think, none can be found bold enough to deny.

Public opinion does not change without cause, and, until an adequate cause is exhibited in this case, we have a right to hold that the alteration has not followed. Can it be proved either that the institution is no longer the same, or that the people

themselves have become less intelligent, less free, less humane?

But, if the old spirit exist, it is not so *manifest* as it once was. *It is not.* Here at last we find common ground to stand upon. Let us now consider the problem calmly, and its solution will not prove very difficult. To my mind, it appears susceptible of demonstration. What we want is simply to have the case given as it exists, and then to be permitted to apply to it acknowledged principles of human nature. If we could forget that we are considering a contemporaneous question, it would be all the better. Let us look at it as if it were a statement in Herodotus or an hypothetic fable propounded by Socrates on the rocks of Sunium.

No species of authority is submitted to readily, and as a matter of course. To support it there must be either an exertion of irresistible power, or a controlling moral influence. The latter is the more effective, and is usually called in aid even when the presence of the other seems to render it superfluous. Those who wear crowns and wield sceptres, endeavor also to throw around their persons a semi-sacred halo. England herself, who boasts a constitution as firm "as the proud Keep of Windsor and its coeval towers," does not scruple to acknowledge, in the maxim that her King can do no wrong, one of the best guarantees of her stability.

The more unnatural the relation between the governor and the governed, the greater the need of a strong force of some sort to preserve it. Once it was held that a father should have absolute power over the life and limb of his son, in order to keep him in subjection. Subsequently the world found that an authority less despotic would suffice. Since the connection between parent and child is the simplest and most natural of all, it stands in least want of extrinsic support. The State, which is a more artificial institution, has been compelled to assume the power which is not needed at the domestic hearth. Magistrates bear the sword, and have frequent occasion to show that they bear it not in vain.

But there is no relation more unnatural than that of master and slave. If the king, the parent, and the Commonwealth, require the aid of what, for want of a more strictly appropriate term, is called a moral sanction, how much more certainly does the master require it. And the power of this moral influence is almost incredible. A Mississippian plantation is by no means an extreme example. Let one meditate on the social condition of ancient Attica. There, the serf was not inferior in physical development, nor strikingly so in intellectual capacity—there was there no broad, impassible separation of color.

The influence to which reference is made can do wonders where full scope is given. Yet is it a sensitive thing, and will not bear to be tampered with. Destroy it, and only a single alternative is left—that is severity—relentless severity. In the early period of American Slavery, authority was supported by the iron hand. The master has, by degrees, stripped himself of the stern coercive power with which he was invested. Once it was law in Virginia, that if a master or other person appointed by him, should, in the act of punishment, chance to kill his slave, he should be "acquit of molestation." This statute, as well as others like it, has been repealed. The law is now nearly as regardful of the security of the black man as of the white, and public sentiment goes further than the law. A runaway slave who killed a white man attempting to arrest him, has received as charitable a construction from the community as the most dispassionate philanthopist could ask. It was held that the man not designing to commit the homicide was guiltless. This was favor which the common law would not have shown.

The slave looks up to his owner, frequently with affection, always with reverence. He acknowledges the authority because he sees nothing which shocks or contravenes it. The same principle renders the servant dutiful, and allows the master to be lenient. Let this subtile, impalpable influence be disturbed, and what follows? The startled master is like one awakened from a state of Arabian enchantment. Surrounding objects suddenly put on a strange and frightful hue. He has long ago cast away that stern material armor which was once his safe-guard. Yet is not his situation desperate, though it imposes on him a responsibility from which his nature shrinks. The sharp old weapons are not familiar to his hand, but they are still within reach. He must resume the temper

with which men used to greet Hawkins as he unloaded his cargoes on the strand of Hispaniola.

This crisis has not come—the harsher alternative is not yet in requisition. The possibility of the approach of that dark day is, however, forseen. Convinced that a danger threatens, the Southern people esteem it their duty to be watchful. Hence that conduct apparently inconsistent with their former declared and still heart-felt sentiments. Truth they know is the same every where, but circumstances may exist potent enough to qualify the utterance of truth. We can speak words at Washington which would be treason at Westminster. Britons are not therefore serfs or feudal bondsmen, though we are in a happier position than they. That all men are born with the same absolute rights is as clear an abstract verity in Virginia as in Massachusetts. Yet the safety of the community forbids this article of political faith to be proclaimed at the one latitude in tones quite as loud as it may be at the other. If the soil of Massachusetts be esteemed the more fortunate on that account, this consideration, it is evident, is far from proving that the distinction does not exist. Comparisons of this kind, whether intentionally invidious, or advanced only by way of argument, are equally out of place. When of the former character, they are unchristian and inhuman, because insults to those who are laboring under an inevitable dispensation of Providence ; when a logical aspect is put on, they are utterly futile—extreme instances of the fallacy of *Ignoratio elenchi*.

The slaveholder has a reason for caution. If this caution be carried somewhat to excess, the fact ought to excite neither surprise nor anger in the breast of any one who has studied the nature of man. Furthermore, is it not a legitimate inquiry how far those who stand at a distance from the scene are qualified to estimate the necessities which it involves ? The Northern Statesman is tempted to judge a measure by no other standard than its mere irrelative justice. In other words, he is liable to the error of *private interpretation*—an error that exists not less really in politics than in theology—an error reprehended by Thucydides as well as by Peter.

Take for example, the abolition of slavery in the District of Columbia. What at first sight appears to the speculative observer more reasonable ? How fit, in the nature of things, it is, that the Government of the freest nation on earth should have its seat on free ground ! What hurt can it be to the South that the " area of liberty" should receive the trifling enlargement of two or three score of square miles ? While so large a surface of the map is covered with States privileged to slavery, wherefore the outcry on account of a mere speck whose brief dimensions the eye can hardly recognize ?

Yet, behold, what a stroke this seemingly innocent measure would be to that moral influence which, as we have seen, is the slave-holder's chief reliance. Think of it as the establishment, in the heart of the South, of a place to which every discontented slave could turn his eyes—a sanctuary for refugees—a Whitefriars !

There may be men, however, on the free-soil side who have attained such a sublime apathy as to be quite indifferent to any perils which may menace the white population of the South. No consideration, arising from this view of the matter, is capable of placing the slightest restraint upon their inclination to carry abstract theory to the utmost length. Indeed all the sympathy of which they are capable, is enlisted in behalf of the negro; he is the most debased and least endowed with sensibility and judgment, and therefore should monopolize all the intellectual and moral superfluities of the outside world. What though the foundations of a social organization be upturned ? What though the mild, yet mighty element which gives the master such easy control over the servant be annihilated ? Selfishness says, 'tis naught to us : Pseudo-philanthropy says :—We ought not to regret that the slave will have an opportunity of struggling—even through blood and fire—to his freedom.

A person cherishing notions of this kind may regard them as very rational, and philosophic, and proper, yet he must perceive the absurdity of supposing that Southern men can ever adopt them. Nature has not constituted us destitute of the instincts of self-protection. The slave-holder's family, too, is dear to him ; nor will he forget the claims of posterity. Let all that is conceivable be attempted—let all that is conceivable be done, nothwithstanding the whole, the

Negro will be quelled. This result must ensue, although to accomplish it the present gentle sway have to be abandoned for the lash and the chain, and all those other resources which at present exist only in history and in the imaginations of Messrs. Garrison & Co. Should such an exigency arise, the master's heart would suffer, but how grievous the calamity that must fall upon the slave!

There is no probability that matters will be brought to such a crisis—and why? The Southern community, become conscious of their position, will take pains to avert every thing capable of impairing that pervading invisible influence to which I have so often referred, as the power that upholds contentment and tranquil order. I have dwelt upon this principle, obvious as it is, because it seems to me impossible for any one, without an appreciation of it, to understand the phenomena of our situation. We know that our happiness, if not safety, depends on the preservation of this social adjustment. A lively sense of the means essential to their security may very easily excite men to lay aside for the time all other considerations. No matter how earnest our desire that every bondman be set free, we cannot contemplate with patience any measure which, though calculated to further that general emancipation, at the same time threatens our own and the negro's present and prospective welfare.

Those placed in circumstances which induce entire submission to a guide so exacting, and yet in the main so true, may not always bear in mind the dictates of dispassionate reason. Thus may Southerners have erred. Certain it is, at all events, that they have been misunderstood. In periods of excitement leaders are most likely to be chosen from the advocates of extremes. Such individuals have the advantage of presenting themselves off-hand, in tangible and definite positions. A rallying point which is conspicuous has at least one good quality. So strong is the temptation this way that I think the South deserves credit for not having yielded to it more than she has. Unseduced by example which it was difficult to resist, she has maintained, in heart, the integrity of her early faith. The evils of slavery are at this day felt by her more sensibly—because more rationally—than by the hottest Abolitionism. She has taken a guage of the burden, and recognizes all the difficulties that oppose its removal.

Mr. Calhoun is quoted against us. It is a pity that those who do so — the honest portion of them, I mean, for the dishonest will of course accept no information which would jeopard their arguments—'tis a pity they do not know in how small a degree Mr. Calhoun represents Southern opinion. There are many who do not unite with him in his other ingeniously-fantastic theories—there is a countless host who differ from his views of slavery.

The Northern inquirer, reluctant to relinquish a pre-conceived idea, will perhaps demand why it is that citizens of the South, having so orthodox a creed, fail to apply it to the regulation of their conduct. Why do you not join heart and hand in the efforts which we are anxious to make for the banishment of the post? Why do you listen to our appeals so coldly, and reject our interposition with so much warmth?

I could give an answer downright and conclusive, if not very complimentary. Your efforts are injudicious and tend rather to aggravate than to lighten our difficulties.

But something else may be said. A policy of reserve is essential to the South, and the reason has been explained, unless I have altogether wasted my words. The slave must have his eyes directed to his master, and, until the hour of liberation come, must behold no one else. If any refuse to recognize this necessity, they take away all basis of discussion.

Let it be stated as a third and distinct reason, that the course which has been pursued by the North has excited among us (mark me—I say not that such an effect was *designed*) an impression that those who should be our loyal brethren have been actuated by a degree of harshness and illiberality. I think I hear a bluff rejoinder—"You are quite too sensitive." Perhaps we are, but if so you should *bear* with this our infirmity. Persons abroad little understand how extensively this interpretation of your motives has prevailed throughout our community. To appreciate an argument requires mental training, but every man can be hurt by an insult. Social bodies more phlegmatic may exist, where the first impulse is not acted upon and time is taken for mature deliberation. Here it is other-

wise. The inhabitants of the land, the *People*, rich and poor, slaveholders and non-slaveholders, are roused at once when it is conceived that their personal honor has been treated with disrespect. Do some of our politicians seem to you to conduct themselves occasionally in a very strange manner? It is not genuine madness, be assured:—a *politician*, of whatever clime, never loses his wits. They know that the community which they represent is impulsive, and they make their own demeanor to conform. The Congressman who is thus acting a part may appear ridiculous, but do not thence infer that an excited People will prove a spectacle to provoke mirth. *Their* frenzy, if frenzy should seize them, will be of another sort. Orlando cannot become a buffoon.

One may safely suspect that Southerners are beginning to look rather shyly upon some of those who claim to be their leading men. Many of the phrases which have been passing current are found, when strictly examined, to contain a sense that I verily believe nine-tenths of the intelligent minds throughout the slaveholding region utterly reject. A disposition is reviving to avoid ultra ground as far as possible. Not a few already feel discontent at being presumed to hold opinions equally abhorrent to common sense and to philanthropy. But we occupy a dubious and unsettled station:—the path that must be chosen is not yet clearly distinguished. To be exposed to the misconstruction of those whose favorable opinion we would gladly acquire, is an uncongenial and irksome lot. Many a spirit pants to declare how unreserved is its devotion to the cardinal doctrines of freedom. Yet for all this we dare not disregard our paramount duty. It is an unhappy condition of slavery, that master, as well as man, is forced to endure bonds.

Where there is so much feeling common to all members of a noble family, is it not a shame that estrangement should be in their midst—and this simply because Maine and Louisiana, New York and Virginia, cannot read each other's hearts! How and when is this equivocal state to cease? The solution of the question—a momentous question, surely—rests with the North. You are disembarrassed of the restraints by which we are fettered:—it is in your power to pursue a straight-forward and kind and generous course. Will you do this? or will you labor to obstruct our way with new and more intricate toils?

I use language which presumes sympathy on the part of those to whom it is addressed. And well am I satisfied of the virtue, faith, and good intention, that flourish on a Northern soil. Add to this catalogue of qualities *charity*, and I for one will acknowledge the existence of a national character as near perfection as this world can ever be expected to show. To those head-strong and selfish men among you, who are so eager to exhibit their entire destitution of American spirit as well as of decency and Christianity, I have nothing to say. Their malice, vivacious though it be, could do no harm if the vast community from out of which they spring, would not suffer them to pass for its authorized exponents. In the name of reason, not less than of civil harmony, let North and South throw aside the masks that disfigure and disguise them.

TAMEN.

MACAULAY'S HISTORY OF ENGLAND.*

Since the days when the celebrated novels of Sir Walter Scott were issued from the Edinburgh press, and heralded forth to the eager and admiring world as productions from the magic pen of the unknown "Author of Waverley," no work has created such high expectations or been read with such lively enthusiasm as that now before us. Indeed, it has been rather devoured than read, and seems to have been sought after, (if we may be pardoned the expression in connexion with so popular a book,) more with the desire to gratify an ephemeral curiosity than with a view to solid improvement. This species of *furor* is harmless and tolerable when produced by the pompous annunciation of a new novel from Bulwer or Alexandre Dumas; but it is very apt, if not quite sure, to prove fatal in the end and consequences, to the permanent popularity and esteem of a grave history—and more especially of a history of England. The impressions of fiction are pleasing, light, and transient, and even where a novel is deficient as to style and sound moral instruction, the interest of the story, if only tolerably sustained, will rescue it from harsh or condemnatory judgment. But it is far different with a work of history. Diffuseness of style, sparkling sentences, entertaining and brilliant episodes, occasional and tasteful metaphors, will do well in romance, and it is mainly in romance that such things are looked for by the refined lovers of literature. In a work of history these all, in our humble judgment, are both untasteful and sadly out of place, especially if the author's ambition is directed less to ephemeral popularity and to the desire for speedy profits, than to a lasting fame and lofty place among historians who will be read in after ages as reliable for authority and reference, as well as for useful instruction. We shall be much deceived if the brilliant and gifted author of the work now before us, does not experience the truth of the above remarks before many years will have passed. We are much mistaken if Mr. Macaulay does not soon find that his hopes of greatest fame must rather be reposed on those splendid Selections and Miscellanies, recently collected and published from among his numerous contributions to the Edinburgh Review, than upon this work of greater labor and higher expectations. The first may challenge not admiration only, but the severest and harshest scrutiny also, as to beauty, novelty and terseness of style, acute and unequalled powers of criticism, splendor of description, correctness and vigor of judgment, and rare fertility and chasteness of imagination. Besides all this, the Miscellanies are replete with sound lessons of instruction in ethics, the sciences, and politics. They abound with nice and elaborate illustrations of human character in all its features, and of human nature in all its aspects. All of this description of writing that we find in his history, we shall find previously and better done in his Miscellanies. Nor is Mr. Macaulay at all singular in the notion, if, indeed, he has chosen to rest his reputation on the work which has cost him most time and labor, in preference to what he doubtless deems his lighter productions. Both Petrarch and Boccaccio were engaged for years in writing ponderous volumes of Latin on which to repose their fame, and through the medium of which they had fondly expected to be handed down to a remote posterity. Yet these works of labor are scarcely known, never or very rarely read, and are passing from all connexion or association with their names; whilst the Sonnets of the first, and

*Macaulay's History of England. New York: Harper and Brothers.

the enchanting Decameron of the last, written by both at intervals of leisure and as mere pastime, have attained to a world-wide fame, and, as specimens of elegant and pure Italian, have long been preserved as precious and priceless treasures of the literature of the fourteenth century. Machiavelli labored arduously and long at his history of Florence, a work which embodies vast learning and which contains many reflections that afford a clew to his real political sentiments and governmental notions, and by which he doubtless hoped to live in the memory of after generations. Yet it was in the gloom and sad seclusion of a prison that he produced that singular little volume,—singular both for its power of thought and atrocity of sentiment,—which has consigned him to an eternal fame of odium, and coupled his name with that of "the Prince" of demons. Even Sir Walter Scott thought seriously, near the close of his unparalleled career, of discarding his grandest productions as a basis on which to rest his permanent fame, and even boasted at the well known "Theatrical Fund dinner," that a work was soon to see the light from the author of Waverley, that would throw all other productions from that celebrated and gifted source, completely into minority and secondary estimation. This work, thus singularly announced, was his life of Napoleon Bonaparte. Yet the contrary, as doubtless every sagacious hearer imagined when the declaration was made, has been the case. The biography, except for the beauty and power of its style, is generally regarded as imperfect in point of main facts, and as every way unworthy of its illustrious author; while the novels,—read now in every class of society with the same interest and enthusiasm as when, years ago, they flew from the press like lightning, to dazzle and charm a bewildered world —have been long set aside and marked for perpetual stereotype. Mr. Macaulay, then, has distinguished associates, if indeed, like them, he has been weak enough to suppose that the volumes before us, bearing though they do, the marks of untiring labor and diligent research, will be hailed by a succeeding generation in preference to his Miscellanies, as the enduring monument of his fame.

But, apart from considerations of this character, it is very certain that no book of the present time has been welcomed from the press with such general laudation and eagerness, or read with such blinded avidity. So popular a miscellaneous writer has surely not appeared in the character of a historian since the days of Sir Walter Scott. And although we must candidly confess our disappointment in the work, yet its popularity is so great and the prestige of the author's name so overshadowing, that we feel it to be an act of presumption and temerity to offer even the *least* disparaging criticism. And if it be true that high expectation is almost always followed by disappointment, as Lord Jeffrey remarks, it is scarcely possible that any readers of Macaulay's history should not be disappointed. It is by no means our design in employing this remark to reflect upon the general merits of the production, or to depreciate its justly high fame, even were it in our feeble power to do so. On the contrary, we regard it as one of the most brilliant and entertaining histories we ever read, or expect ever to read. True, it contains little that is new in point of general facts—little that could not be learned from Hume, or Fox, or Burnett. But the minutiæ of those facts are spread out with taste, amplified, and explained in a manner that must interest even the most fastidious. The concise and discriminative review of English history, previous to the epoch on which he intends finally and principally to treat; the learned and methodical disquisitions on English Church history, the nice and finely drawn delineations of party differences in the different ages; the bold portraitures of monarchs and statesmen and all descriptions of distinguished persons, either in politics or ecclesiastical history; the power and splendor of diction, the brilliancy of description, the flashes of withering sarcasm, the beautiful episodes, the occasional lovely pictures of domestic life, of love and of death scenes full of agreeable pathos and tender associations,—all these, and much else that might be justly added, form a whole of vivid and absorbing interest that could spring only from a mind of extraordinary vigor and versatility. But it is not like a history from the austere pen of Hallam, profoundly collated, tersely condensed, meditative, and perspicacious; bringing matters to the test of severe scrutiny rather than of superficial or critical re-

view. It does not impress with the force of the smooth, well-arranged, and methodical narrative of Robertson. We do not find in its pages the analysis, the profound philosophy, and rapid but digested condensation of Hume. Mr. Macaulay, therefore, must not expect, when the "hurly-burly's done," and when the buoyant emotions of curiosity, excited as well by the pompous heraldry of interested booksellers as by his own great literary reputation, shall give place to the calm and sober reflux of uncaptivated judgment, to sit unchallenged by the side of great historians. That time will surely come, and it is not, we incline to think, very distant. He who has so often wielded against other aspirants to a like high place the fierce weapons of criticism, must not think to be allowed to pass unassailed and unscrutinized.

Thus far, indeed, our author has swept critics and fault-finders from before him, and the public has sustained him. The only prominent critic who has inked his pen for the task of review, was so bitterly and unqualifiedly assaulted by editors and journalists, so bullied by Quixotic *litterateurs*, and so worried by personal attacks, that his effort may be said to have increased rather than diminished the popularity of the work. There were, however, two all-sufficient reasons why the merits of that criticism were disregarded. In the first place, it was put forth at an ill-chosen time. The whole literary world was in a blaze of excitement and silly enthusiasm. Had the excitement been of a rational character; or the enthusiasm been kindled by less *furious* elements, had the longings of rabid curiosity been in the least degree sated, the criticism might have been received and treated with more leniency. But a stronger reason against its favorable reception existed. It was known that it was from the pen of one hostile to Mr. Macaulay, and who owed him a grudge. This, of course, determined its fate. But the circumstances of the case are different now. The excitement and enthusiasm are fast subsiding. It may not, therefore, be deemed presumptuous to scan the merits and demerits of this great work, impartially and fairly.

The introductory chapter of this history is written after the true style of its author. No one who has read his Miscellanies could fail to tell that both must be from the same gifted pen. It abounds with excellent ideas on the nature and consequences of early historical events, imparting at once useful information and suggesting whole trains of deep and improving reflection. Especially were we pleased with the author's suggestions concerning the ancient pilgrimages, the crusades, abbeys, and the spiritual supremacy arrogated by the Pope in the dark ages. From all these the author very clearly and justly deduces important and beneficial results on society and on governments. The pilgrimages caused rude and barbarous nations to become acquainted with the refinements and civilization of Italy and the oriental countries. The crusades unfolded the secret of the benefits to be derived from national combinations, or coalitions between different powers in a common cause. "It was better," as the author says, "that Christian nations should be roused and united for the recovery of the Holy Sepulchre, than that they should, one by one, be overwhelmed by the Mohammedan power." It is certain, we believe, that a superstitious zeal and a fanatical spirit saved the whole of Europe, on this occasion from the corrosive influences and intellectual darkness of Islamism. Political considerations merely, on the rough diplomacy of that early age, could never have brought about those immense and formidable combinations which diverted the arms of Saladin from conquests and invasions, and drove him to defend his own soil. It is equally certain that if priestcraft had not in that age been predominant, and literature nursed and cultivated in quiet cloisters, the world would not yet have witnessed the lapse of the dark ages. The sombre shadows would still have rested over mankind, and the lore of the early ages been unrescued from the womb of the past. The spiritual supremacy of the Pope was a species of mild patriarchal dominion which formed a strong bond of union between the nations of Christendom. A common code of international or public law—a fraternal tie—an enlarged benevolence, were among the happy consequences of this supremacy, generally denounced as arrogant and unrighteous in the sight of God and man. "Even in war," says the learned author, "the cruelty of the conqueror was not seldom mitigated by the recollection that he and his vanquished foe were all members of one great federation."

It is to the reception of the Anglo-Saxons into this religious federation, and to the consequent inter-communication between the Islanders and Italians, that Mr. Macaulay traces the first dawn of a permanent improvement in the civilization and literature of the English people.

A condensed and spirited history of the Norman character and conquest follows upon these reflections, and then the author travels by long and rapid strides to the reign of John of Anjou, the brother and successor of Richard Cœur de Lion. An event in this reign which has been generally represented by English historians as disastrous and disgraceful, is here demonstrated by the author as having been the basis of all the prosperity and glory of England. This event was the expulsion of the English monarch from Normandy by Philip Augustus of France. The Norman barons and nobles were now forced, from motives of interest, to confine themselves and their hordes of wealth to the island. They began to look on England as their country, amalgamated with the Saxons, made common cause with the Saxons against a bad and weak monarch, and then followed the memorable scenes at Runymede where the Magna Charta was extorted. Here, says Mr. Macaulay, commences the history of the English nation. Mr. Hallam also, in the first part of his "Constitutional History," appended to his Middle Ages, speaks of this event as having been the first effort towards a legal government. Yet the same author, in a previous chapter, ascribes the date of many of the leading and valued features of the English Constitution to a period earlier than the reign of Alfred the Great; and in another sentence, declares that there is no single date from which its duration is to be reckoned." Certain it is that the main features of the judicial system, and especially the right of trial by jury and the number of jurors, were in existence before the time of Alfred, were further improved by that wise monarch, and were at last confirmed and permanently defined in the Great Charter.

No reader of history, it is true, can well question the fact that it was at this period that "the English people first took place among the nations of the world;" but their authentic history, many of the noblest and most admired features of their great Constitution, may be fairly traced to a period of time much earlier than the conquest. The Great Charter of liberty—the establishment of the House of Commons—the distribution of civil rights to all classes of freemen—the preservation of national independence under the ancient line of sovereigns, which some were rashly anxious to exchange for the dominion of France—the definition and limitation of the king's prerogative; all these, however, date their tangible origin and adoption from this period; and, in this sense, English history proper may also date its beginning from the same era.

At page 46, (Harper's edition) after asserting that it is doubtful whether England owes more to the Roman Catholic religion or to the Reformation, the author opens his account of the origin and character of the Church of England. Much that follows is tinctured with a good deal of that party asperity and bias which political feeling might very naturally engender in the bosom of a Whig historian when treating of this epoch. No one who reads these pages can fail to discern, at a glance, the political and religious sentiments of the distinguished historian. It is perhaps to be somewhat regretted that the author, in this instance, had not drawn a more salutary and substantial lesson from a complaint which he bitterly utters on a previous page, viz. "the drawback," which English history has received from being "poisoned with party strifes." The author, in the true and bigoted Presbyterian spirit, seeks to rob the church of all claims to that spiritual, apostolic origin which eminent and erudite divines have long labored to demonstrate as being her due. With a disputatious reference to some mere petty differences between her first established clergy, Mr. Macaulay abruptly narrows down and attributes the origin of the church to a motive of political necessity alone,—a political "compromise" between conflicting Protestants. He will find many, we imagine, to disagree with him on these points. It is an attack against the whole plan of spiritual economy inculcated and held by her ablest ministers. If Mr. Macaulay's premise and reasoning be true, a fatal blow is given to the high pretensions of the church. Episcopalians believe, and labor to prove, that the church proper existed in England long prior to the date of Henry VIII's apos-

tacy, and its subsequent permanent recognition and establishment under Elizabeth. It would be as well, they would contend, for Mr. Macaulay to assert that Christianity itself had no tangible or respectable existence until its adoption and legal establishment by the great Constantine; for what is most unquestionably true, until that period the Christian religion was held to be the lowest, most contemptible, and plebeian form of religion then practised in the world, and scarcely more than dared to show its face for fear of utter and helpless annihilation. The insignificance and political debasement of the early Anglican zealots, the Lollards and others who preceded them, are not to be used as an argument adverse to their holy, apostolic calling, if we believe with eminent divines of the present day. English bishops, say they, were known to have sat in the Council of Nice, a Council which was held long anterior to the date of Augustin's visit to the British Islands. They persuade us that the flame of the Church was burning stealthily but steadily through long ages of persecution until at last, by a concurrence of great events, divinely directed, it shot to its zenith amid the tempests of the Reformation. Right or wrong, therefore, the opinions and arguments of learned and accomplished prelates clash directly and fundamentally with those advanced by this great historian. In his character of reviewer, Mr. Macaulay had the full right to advance and maintain such opinions, and none could find fault with him. It was his individual opinion only, and carried no further weight than his personal influence and consideration were entitled to receive. But these opinions and views carried into an elaborate historical work, intended to be used as authority, and as a guide for opinion to future generations, is quite a different matter; and we much question if Mr. Macaulay will meet with tacit assent on the part of astute and proud divines of the communion of the English Church and its branches.

His character of Cranmer too, though true as to fact and history, must be viewed more as a caricature than a faithful portrait of that distinguished and unfortunate prelate. If governed by Mr. Macaulay alone, we would be seriously at a loss, in forming our relative estimate of character, whether to plant our deepest abhorrence on Cranmer, the hypocritical villain, or Jeffreys, the open and shameless villain. Certain it is that no previous writer of English history, with whose works we are acquainted, has dealt half so harshly and severely with this most esteemed of all Protestant martyrs who expiated their faith in the flames of persecution. Indeed, from the author's frequent reference to Bossuet, a bitter and bigoted Roman Catholic writer, the reader might very well suppose, that, discarding all contemporaneous English authorities, Mr. Macaulay had assiduously drawn his character of the Archbishop from the jaundiced picture left by that biassed Frenchman. Even Hallam, who, when dissecting character, as our author himself says in his elegant review of the "Constitutional history," most generally draws on the "black cap," deals with remarkable caution and kindness when he comes to speak of Cranmer. He attributes his faults more to the effect of circumstances than of intention, though he insinuates that the Archbishop might have avoided placing himself in situations where those circumstances were almost sure to occur. "If," says Mr. Hallam in his Constitutional history, "casting away all prejudice on either side, we weigh the character of this prelate in an equal balance, he will appear far indeed removed from the turpitude imputed to him by his enemies, yet not entitled to extraordinary veneration." This is a mild, and, as we incline to believe, a just sentence. If Cranmer was entitled even to veneration at all, he cannot have been considered so bad a man by Mr. Hallam as he is represented to have been by Bossuet, with whom Mr. Macaulay mainly agrees in opinion. Mr. Hallam condemns, as all right thinking men must condemn, the execution, under Cranmer's management, of the woman convicted of heresy, and of a Dutchman who was found guilty of teaching Arianism. Yet these religious atrocities were the prevailing sin and shame of the age, and may be ascribed, in this instance, more to the weakness and intolerance of education, and to the influence of generally sanctioned custom, than to any rancorous or unusual malignity on the part of Cranmer.

A truly charitable and unbiassed mind will find much in the melancholy scenes of Cranmer's closing days to palliate, if not

to justify his alleged errors and weaknesses. He had been marked by Mary, and her vindictive advisers, as a victim, for whom death, speedy and without torture, was not deemed a sufficient punishment. His grave, unassuming piety, his anti-Catholic counsels to Henry the Eighth, the reverence with which he was regarded by the Protestant world, his equally notorious opposition to Mary's succession, his exalted position in the Church, and his abhorrence of papal supremacy, were all taken into account in that barbarous reckoning which possessed the bosom of the fierce and implacable queen, and prompted her to visit such awful and appalling vengeance on the eldest Patriarch of the Church of England. With this view, Cranmer, in the first place, was committed to the Tower for treason, in September, 1553, a short time after Mary's accession to the throne. In the month following he was convicted of this crime for his share in Lady Jane's proclamation. An inhuman motive soon prompted Mary to pardon him; and then began the first scene in that bloody drama. It was resolved to take his life for *heresy*, the more to satiate revenge, and to signalize his execution. With this view he was cited to appear before the Pope at Rome, and although a close and guarded prisoner in England, was promptly condemned for his non-appearance as contumacious. His first punishment was degradation at the hands of one who was nearer akin, in his nature, to fiends than to men—Bishop Bonner. Then Mary began with her blandishments and unholy cajoleries. His total infamy and dishonor, before death, was the object of these deceits. Cranmer was visited and entertained by Catholic dignitaries, was treated with marked courtesy and hospitality by the queen's servants, was tempted by every allurement of hope, was courted to his doom by every seductive art. High expectations of preferment were flatteringly held out to him, and then, by way of awful contrast, and to confirm the work of flattery by arousing his fears, the warrant for his execution was shown to him. Cranmer, overcome by a natural fondness for life, and appalled by the prospect of the tortures which awaited him, unwarily fell into the snare. He signed his recantation of the Protestant faith, and subscribed to that of papal supremacy, and of the real presence. Then the monsters of the queen's vengeance mockingly laughed in his face, and were unable to conceal their fiendish exultation. Cranmer at once saw through the plan, and divined his fate. But he resolved to thwart their unholy schemes, and to turn his recent apostacy and his awful death to the benefit of his beloved Church. When it was believed that he was about to make a public confession of his conversion to popery, and when the church to which he was carried was filled with crowds of anxious and exultant Catholics, Cranmer surprised his audience by solemnly abjuring his recent recantation, by confessing humbly his weakness, and by declaring his firm resolve to meet death as a martyr to the Protestant religion. He was immediately hurried to the flames, and died heroically.

This, surely, cannot be the man, allowing for all his human and natural weaknesses of character, whom Mr. Macaulay bitterly stigmatizes as "saintly in his professions, unscrupulous in his dealings, zealous for nothing, bold in speculation, a coward, and a time-server in action," and as one every way qualified to bring about a coalition of church and state, where religion was to be sacrificed to policy! This same man is eulogized by David Hume, the most learned and accomplished of all English historians, "as a man of merit; as possessed of learning and capacity, and adorned with candor, sincerity, and beneficence, and all those virtues which were fitted to render him useful and amiable in society." Sir James Mackintosh goes even further than Hume, and no one can doubt that these two were possessed of quite as many facts, and full as much information, concerning Cranmer's character, as Mr. Macaulay. We are told by Mackintosh, when speaking of the primate, that "courage survived a public avowal of dishonor, the hardest test to which that virtue can be exposed; and if he *once* fatally failed in fortitude, he, in his last moments, atoned for his failure by a magnanimity equal to his transgression." The united testimony of these distinguished and impartial historians, united on points which contravene materially that of our author, though, doubtless, collated from the same sources, should serve to qualify, to some extent at least, in the reader's mind, the distorted

and uninviting portraiture of this venerable prelate's character, as given by Macaulay, with such bitter emphasis. We do not doubt that Cranmer was faulty in many particulars, and deeply so; but it is going further than history would seem fairly to warrant to characterize him as base, crafty, hypocritical and perfidious.

We come next to one of the most interesting divisions of the first chapter, and, indeed, of the whole volume. It is ground on which Mr. Macaulay may tread fearlessly, for he has elsewhere evinced that he is thoroughly master of the whole subject. We mean the reign of the first Charles, "a period," says the author, "when began that hazardous game, on which were staked the destinies of the English people." It is truly delightful to travel along with the author through this portion of his task. You see, at every stage, the unmistakeable impress of the great mind, with whose thoughts you have grown familiar in the Miscellanies. Every scene of the preliminary drama of the rebellion, is brought vividly before the mind's eye, and every part and feature of each scene, even to the minutest details, are as vividly arrayed. No one can rise from the perusal of this account of that interesting period without a feeling of conscious improvement and instruction, without feeling that he has become much better acquainted with the causes and character of a contest which exercised such mighty influence on the English Government. The dawn of the coming strife—the contests between king and parliament, growing gradually fiercer as we turn each page—the towering energy and unbridled ambition of the one, often so mortifyingly humbled; the mild and adroit opposition of the last, untiring, undivertible proof, alike against bullying and cajolery, and at last strengthening into open and formidable resistance;—the rush and confusion of civil war;—the impetuosity of the gallant cavalier;—the calculating, irresistible strategy, the cautious ambition, the vaulting aspirations of Cromwell, never revealed till developed by the consequences, yet never miscalculated or misdirected;—the trial, execution, and heroic fortitude of the unfortunate Charles, are all pictured with startling effect, and treated in a way which tells all who read that a master's hand is guiding them through the mazes of a period in the world's history, where small minds should never intrude for other purpose than to inquire.

We cannot find that our author anywhere condemns the execution of the king as an act of *injustice*, or moral *turpitude*, on the part of his grim slayers. Yet we must venture to say that we have always viewed it as such in the most aggravated form, at the same time that we fully admit the faults and crimes of Charles. We can never be brought to believe that subjects have the right to inflict, in cold blood, and under a mock form of trial, the last penalty of the offended law, or rather, as in all instances of this character, of no law at all, on the person of their constitutional and legitimate monarch. Yet we do not, by any means, subscribe to the doctrine of passive obedience. We object only to the *character* of the remedy. The punishment of James the Second was quite as efficacious, as to consequences, as the more revolting punishment which overtook his hapless brother. One is justifiable and proper, and the undoubted right of every free people; the last is odious, unwarranted, and wholly inexcusable, in point of justice and sound morality. It cannot be defended even on the grounds of necessity, policy, or example. The banishment or imprisonment of Charles would have been sufficient security to the new government, as was evidenced both in the case of Charles the Second, and of James the Second; and as the office of king was about to be abolished, it was needless on the score of example.

Mr. Macaulay, however, in a most beautiful and powerful passage, demonstrates the execution of Charles to have been, if not a crime, at least that which Fouché pronounced as worse than crime, a political blunder. His public execution, his fortitude, his christian meekness and courage in view of death, his adroit protest against the forms and authority of his condemnation, his public appeal in favor of the ancient and venerated laws of the realm, threw all advantages against his enemies, and clothed him in the apparel of a martyr. "From that day," says our author, "began a reaction in favor of monarchy and of the exiled house, a reaction which never ceased till the throne had again been set up in all its old dignity."

The succeeding pages, descriptive mainly of the Protectorate of Oliver, though written with great power of argument, and perspicuity and splendor of style, betray again the evident *penchant* of the learned author to lay hold on every thing which may be wielded, even through the august medium of history, in favor of the principles and political tenets of that party to which he is so prominently attached. The English people may well be proud of the government of the great Protector, but, to the eye of Mr. Macaulay, it seems to afford peculiar charms. The praises which he has taken care to "*dole*" (begging his pardon for using a phraseology which we humbly think he has fairly ridden down in these volumes,) so sparingly out to the monarchs and statesmen at whom he has been previously glancing, ingeniously lavished on this cold-hearted, unprincipled, though gifted usurper, with showery profusion. Not that there is aught of elaborated eulogy or fulsome panegyric. Every body acquainted with his writings must know that Mr. Macaulay does not at all belong to this class of authors. He possesses too much of taste and stern unbending independence for such a task. He appears greatly to prefer the office of judge to that of advocate, of censor to that of flatterer. But he seems now to forget, or to be too willing to pass over the crimes and odious qualities of the regicide in the high admiration which he evidently feels for the lofty genius and bold character of the Protector of England's proud Commonwealth. At the same time he cannot refrain from an occasional tilt with his favorite weapons of sarcastic, crushing ridicule against the sanctimonious pretensions and drawling hypocrisy of this arch politician and intriguer. Whilst we hear much of the glory and greatness of the Protectorate—its formidable power—its prominent umpirage in Europe—the dread it inspired abroad—the respect it extorted at home; we are reminded now and then of the author's fondness for "old Mortality," or "Woodstock," by a sly thrust at corporal preachers, versed in Scripture, leading the devotions of backsliding colonels and majors; at canting, sour-faced hucksterers who cover a thirst for blood under the garb of righteousness and godly pretensions, and at the contemptible, ludicrous picture of Lord Oliver's Barebones Parliament.

But it is very easy to perceive from a perusal of this portion of the history, when taken in connexion with other productions from the same gifted pen, that Mr. Macaulay is not only a Roundhead in sympathy and political prejudices, but that, of all great men who have ever stamped undying influence upon the world, Cromwell occupies the first and highest place in his estimation. Whether this exalted opinion of one so generally hated by all readers of history, is induced by an undisguised detestation of Charles and his party, or by an excusable pride in the glory which Cromwell threw around English character, or by community of political and religious predilections, we shall not venture to say. Certain it is, however, that while our author ranks him inferior to Cæsar only in taste and polite accomplishments, he places him far ahead of Napoleon in native strength of mind, and in all the cardinal qualities (invention only excepted) which form the characters of truly great men. We do not find this comparison in the pages which now lie open before us; but we find it in pages far more brilliantly written, brilliant as these are, and where it is evident Mr. Macaulay spent his principal force of thought and power of composition. Indeed the character of Cromwell is far more forcibly drawn in the admirable review of Hallam's Constitutional History by this author, than in the more labored work of his English history. It is from the review that we derive our opinion, mainly, of the author's antipathies and predilections. Indeed, the recollection of these previously expressed, and, doubtless, more candid sentiments, prepared us to examine this portion of the history closely and cautiously. We wished to guard against unwary temptations by a brilliant author, who might carry into a work of history the bias of early and cherished prejudices, and the influences of that jesuitical acerbity of thought which kindles so easily in the mind of a partizan reviewer. We now find that we did not act unwisely. The same course of thought and the same one-sided, prepossessed judgment which we easily discover in the reviewer, we find existing in all their original force in the mind of the histori-

an, only somewhat retrenched, perhaps, and attempered more to the graver character he now assumes. The Cromwell of the review, so feelingly and eloquently eulogized, is eminently the Cromwell of the history. The only discernible shade of difference is, that, in the last, the scope of the reflector through which the reader looks, although one and the same in both cases, is sensibly and prudently diminished.

We were not a little startled on finding that Mr. Macaulay, by a kind of specious negative insinuation rather than by direct assertion, attempts to persuade his readers of a fact which we have never hesitated to disbelieve. This is that Cromwell at one time had serious notions of interfering to save the King from murder by his infuriated partizans—infuriated, too, by Oliver's own artful teachings and profound intriguings. Our author even goes farther, in another place, and endeavors to leave the inference that Cromwell, if he had been left alone, would have desired to restore the Stuarts. The two passages from which we take these impressions are the following: "Cromwell had to determine whether he would put to hazard the attachment of his party, the attachment of his army, his own greatness, nay, his own life, in an attempt which would probably have been vain, to save a Prince whom no engagement could bind. With many struggles and misgivings, and probably not without many prayers, the decision was made—Charles was left to his fate."—(*p.* 119.) Again, a few pages afterward, we meet with the following in describing the dilemma in which Oliver found himself placed after he had slain his sovereign: "The course afterward taken by Monk was not open to Cromwell. The memory of one terrible day separated the great regicide forever from the house of Stuart."—(*p.* 124, *vol.* 1.)

Now, in the first place, Mr. Macaulay will find it difficult to persuade most of his readers that this crafty usurper ever put up a sincere prayer after he had begun his public career, or after the first faint sparks of his lurking ambition had begun to kindle and burn. Measuring the rise and the stealthy, deeply-planned progress of this amazing career by its still more amazing consequences, no one can fail to perceive that from the very first outbreak of civil war, the designs of Cromwell were directed to nothing less than supreme power. His own mysterious and politic conduct on all important occasions, the assiduous court which he managed always to pay to the army while training and inuring it to the strictest discipline, his fierce and unrelenting mode of carrying on the war, together with the concurrent opinions of all previous writers of English history, leave this clearly to be deduced.

In the second place, it is quite discernible, we think, that Mr. Macaulay, in his great zeal to throw every palliative circumstance around the character of his great favorite, has been led to adopt this opinion from contemporaneous journals and memoirs of interested witnesses, many of whom are referred to and quoted by Mr. Hallam. Ministers, officers, and associates, (who mainly compose this class of writers,) who survived Oliver, and who lived after the restoration, would be very naturally inclined to interpolate everything of this character in their account of a period which was abhorrent to the reigning family—and the friends of the Protector had too long possession of the public archives and documents, and were too wily and sagacious to have neglected such an opportunity of preparing for a reverse or reaction. If, a century or two hence, a historian of the French Consulate and Empire were to build up the character of Napoleon from materials of this description alone, and to discard those more vigorous tests of *deeds* which the Saviour of mankind himself inculcated as the true standard of judgment, and to which selfish man must be brought if we would ascertain his true nature—who of that generation could question the patriotism or purity of a single act of his public life? We choose, therefore, to put aside all evidence of this character in making up an opinion of Cromwell, and to trust to it no further than it can be legitimately reconciled to his deeds. By those deeds and their intrinsic merits must we alone seek to measure the great Protector. The feats of personal prowess performed on the field of Marston Moor, the consummate generalship so conspicuously displayed at the decisive battle of Naseby, the haughty expulsion of the Long Parliament, was no more done by Oliver to save Charles' life or to restore the Stuart dy-

nasty than was the fiery charge of Napoleon at Arcola, or the dispersion of the French deputies at St. Cloud hazarded with the view of restoring the Bourbons. Covetousness of supreme power, ambition to rise on the ruins of government, were the governing influence and chief motive with both the stern Englishman and adroit Corsican.

The concluding pages of the first chapter abound with the vigorous and spirited description characteristic of this writer. They are read with the intense interest which is created when one is drawing nigh to the *denouement* of a novel like Kenilworth or Woodstock. Like the novelist, our author holds his readers in a delightful suspense when dwelling upon the feigned irresolution of Monk; and we almost forget, in our admiration of the singular power with which the exciting scenes are brought to their conclusion, that the catastrophe has been familiar to us from childhood. Fancy pictures with a vividness that amounts almost to reality, the eager suspense in each countenance, when first the tidings of Monk's advance were announced in London. Then appears the whole gorgeous panorama of which all England was the scene. Hill and vale, field and forest, teem with multitudes flocking, with open arms, to welcome the hardy legions of the Scottish army. Cavaliers and roundheads, monarchists and republicans, churchmen and regicides, make up this enthusiastic and strange assemblage—all united against one artful and dangerous faction. Every eye is now anxiously turned on the cold-blooded, taciturn, inscrutable general, on whose decision rests the destiny of England. At length he summons that convention which invited the long exiled and friendless monarch to the home and inheritance of his ancestors. Then are seen the flushed cheeks and sparkling eyes of the down-trodden, persecuted cavaliers, whose lips, after long years of tortuous silence, are now at last unsealed—and the excited reader almost finds himself listening to catch the wild strains which ascend heavenward, as thousands of glad voices mingle in chanting one of those pensive lays which were treasured secretly during the iron sway of "old Noll," and rude snatches of which Sir Walter Scott so aptly puts into the mouth of his unique character of Roger Wildrake:—

> "Though, for a time, we see Whitehall,
> With cobwebs hung around the wall,
> Yet heaven shall make amends for all,
> When the king enjoys his own again."

Then opens the beautiful picture which closes all, and which our author so briefly but brilliantly describes. We see again that exciting scene which so charmed us in the closing pages of Woodstock. Clouds of dust in the distance, blazing rockets streaming against the brighter rays of the sun, tell us that the restored wanderer is approaching. "Onward come, pursuivant and trumpet; onward come, plumes and cloth of gold, and waving standards displayed, and swords gleaming to the sun; and, at length, heading a group of the noblest in England, and supported by his royal brothers on either side, onward comes King Charles."* He is seen to pass amid smiles of welcome, and tears of joy, and exultant acclamation. But what sullen, sour, staid faces are those which, amidst this general joy, alone venture to frown at the monarch's approach? Let the answer be given in the matchless language of our author. "On Blackheath the army was drawn up to welcome the sovereign. He smiled, bowed, and extended his hand graciously to the lips of the colonels and majors. But all his courtesy was vain. The countenances of the soldiers were sad and lowering, and, had they given way to their feelings, the festive pageant of which they reluctantly made a part would have had a mournful and bloody end."

We have long thought that this splendid scene, on which both "the great Unknown" and "the great Known" have bestowed their inimitable powers of description, must have been one of the most exciting and joyous spectacles that the world has ever witnessed; and this declaration, we trust, will find us some allowance with the reader who may chance to judge us austerely for thus long dwelling upon it.

Having, at the end of the first chapter, safely "lodged the restored wanderer in the palace of his ancestors," Mr. Macaulay opens his second with a wholesome and as-

* Woodstock—page 283, vol. 2.

tute, though rather uninteresting disquisition on the condition of the English government at the era of the Restoration. He condemns the inconsistency and bad policy of allowing the exiled family to return without exacting new and reliable securities against mal-administration, though he inclines to disagree with the majority of historians in representing the Restoration as a disastrous event. He seems to think, and justly no doubt, that this event, all unqualified as it was, delivered the English people from the domination of a soldiery that equalled the Pretorian bands of Rome in capriciousness and ferocity. The crisis which followed the deposition of the weak successor of Cromwell was, indeed, one of imminent danger to the integrity of the ancient and venerated constitutional government of England. A fanatical and intolerant faction had seized the reins, and supreme power was on the verge of passing into hands which would soon have demolished all the cherished landmarks of constitutional liberty, and substituted instead a rule more galling, more repulsive, and far more precarious than that even of the Rump Parliament which had been indignantly kicked out of doors by Cromwell. Then or never, therefore, was the time for all lovers of rational liberty to harmonize and unite, adjourning, as Mr. Macaulay says, all factious differences until a more convenient season. Monarchy was found to be far preferable to anarchy. The body of the English people acted with characteristic judgment and good sense; dissenting politicians and religionists united for the common-weal, and the fruit of that union was the speedy and timely restoration of the exiled monarch.

This chapter is truly a history; differing thus from the first, which is more in the style of a review. It is a succint and neatly arranged narrative of facts, interspersed with less of that digressive and continuous essaying which we find in the preceding, with fewer of the romantic and entertaining episodes which abound in those that follow, and with very little indeed of that proneness to tiresome biographical detail which disfigures the entire work. If the whole had been written in the style and method of the present chapter, the book might truly have been less brilliant, less entertaining, and less rapidly sought after by the multitude. But, at the same time, there can be little doubt, we think, that it would more surely have outlived this mere ephemeral and superficial popularity, and be finally stored away with such authors as Hallam, as Robertson, and as Clarendon, as a work to be consulted hereafter, more for solid instruction and authority than for entertainment merely.

During the earlier years of Charles the Second's reign, England may be said to have been in a state of transmutation. During the reign of the Puritans all kinds of public and private amusements were sedulously and harshly discouraged. The whole country was a vast religious camp-ground for the operations of drawling snufflers like "Tribulation Wholesome," or "Zeal-of-the land Busy," like "Praise God Barebones," or "Boanerges Stormheaven." The cottages were filled with prototypes of "douce David Deans,"—the palaces with sycophantic minions of Pym and Harrison. The public squares, the village-greens, and cross-roads were nowhere made merry by Punch and Judy, or May-day festivities. Drawling sermons, tortuous prayers, and nasal psalmody in "linked sweetness long drawn out," had supplanted all such abominations and sacrifices to the beast and to Baal. The nose of Ichabod Crane would have been rarely valued in an age which produced Ludowick Muggleton, and other fervent "sons of grace," like himself. Such was the social condition of England when the "merry monarch" came home to his inheritance with Wilmot and Villiers, and their accompanying trains of bastards and prostitutes, and pasquinaders and buffoons. The transition was sudden—startling—bewildering; but, in one sense it was complete. It was like exchanging on the moment, the sombre gloom of a prayer-meeting conducted by saints and psalm-singers, for the gorgeous brilliancy and entrancing scenes of an opera saloon. In a short time, too short, it seemed, to be otherwise than a pleasing vision of the night, the churches which had long been closed to the established form of worship were again opened, and nave, and arch, and gallery, whose echoes had long been silent, once more resounded with those loved and melodious strains which the solemn organ hymned forth to celebrate this joyous exit of intolerance and persecution. The down-trodden and proscribed

drama was speedily resuscitated, and the play-houses were crowded nightly with blazing devotees of fashion and pleasure. The glittering pageantry of Whitehall dazzled eyes which had long been accustomed to view with awe the grave and stately pomp of Cromwell's court. The voluptuous charms and winning graces of Eleanor Gwynn and Louise de Quéroaulle shone with a lustre in the saloons and drawing-rooms that called up lively images of Versailles and Marly, and which dimmed the vision of those who could scarcely credit that *these* were the successors of Mrs. Ireton and her staid sister. Armed troopers and godly expounders of the Word were no longer jostled in the ante-rooms of the presence-chamber. Ambassadors, and nobles in their robes of State, lords of the bed-chamber in their flowing, splendid vestments, gaudily attired pages in waiting, and liveried lacqueys had now taken the place of these; while, in the presence-chamber itself, was seen a showy, easy mannered and accomplished personage, affording, in every respect, a singular contrast to the grave deportment and mean appearance of his grim predecessor. In fact, it was everywhere evident that the domination of the saints, both socially and politically, was forever done. Nor is it to be taken for granted that all even of this class mourned the downfall and overthrow of the sombre and cheerless reign. Many humble cottagers and peasants who had conformed to the prevailing habits doubtless for peace and security, rejoiced when the time came that they might safely indulge once again in fond Christmas festivals, and week-day convivialities; and wild country squires, and rude jockeys and sportsmen hailed the return of that liberty which relieved their halls of crop-eared lecturers and exhorters, and allowed them again to bear-bait and horse-race. Some who, in the days of the Protectorate, had been most fervent and vociferous in amens and ejaculations during worship, afterwards took petty bribes to pimp for Buckingham, and introduce favored rivals of the king to the boudoir of Barbara Palmer. Indeed, if the divine standard of secret thought and forced compliance to right be erected by which to judge, we should doubt most seriously whether the moral condition of England was at a lower ebb after the Restoration, than during the saintly dominion of Cromwell.

We were pained, however, to find on page 169 of this chapter, more evidence of that bitter spirit which influences our author in his opposition to the Episcopal form of religion. Not satisfied with denouncing the prevailing immorality of libertinism, both in the political and social world, Mr. Macaulay indirectly, and by insinuation, seeks to lay some of the blame on the Church of England. We are prepared to admit that her clergy were too intent on religious vengeance against Puritans, and too eager in extorting amends for the pillage and deprivations they had suffered from their stern persecutors. But the pure morality of the liturgy, the whole admirable economy of the Church, stand forth in noble vindication of slurs which a historian, whose duty is rather to instruct than to proselyte, should be cautious in throwing out. Yet our author does not hesitate to use the language of the following sentences. "The ribaldry of Etherege and Wycherley was, in the presence, and under the sanction of the head of the Church, publicly recited by female lips in female ears, while the author of the Pilgrims Progress languished in a dungeon for the crime of proclaiming the Gospel to the poor. It is an unquestionable, and a most instructive fact, that the years during which the political power of the Anglican hierarchy was in the zenith, were precisely the years during which national virtue was at the lowest ebb."—(*p.* 169, *vol.* 1.)

It is impossible to mistake the intention of the author in these sentences, or to avoid the inference so unfavorable and unjust to the integrity of the Church of England. Does Mr. Macaulay mean to say that the Church was scandalized in the person and by the vices of the monarch, or that she is responsible for the same? And yet it would seem that such are the points of allusion, inasmuch as "the head of the Church" allowed and countenanced ribaldrous indecencies. Under the statute of Henry the Eighth the king "is reputed to be the only supreme head in earth of the Church of England." This important relation of the king to the Church is attributable to the connexion in England between Church and State, and is of a legal or governmental character exclusively. In this

capacity he has the right to nominate to vacant bishoprics, to convene, prorogue, restrain, and dissolve all ecclesiastical convocations. He alone receives a resignation from the chief dignitary of the Church, the Archbishop of Canterbury; and to him lies the ultimate appeal in Chancery, from the sentence of every ecclesiastical judge. This is the sum and substance of Blackstone's interpretation of this connexion of the king, as the supreme head, with the Church. But, in no case, is the king named as guardian of the spiritualities of the Church. "During the vacancy of any see in his province," says the great commentator, in speaking of the Archbishop of Canterbury, "he is guardian of the spiritualities thereof, as the king is of the temporalities." Under this view of the subject we think Mr. Macaulay's readers have the right to complain of his disingenuousness in this instance. It certainly is unfair to arraign the Church for the immoralities of a king who is only her supreme temporal head by virtue of his sovereign prerogative, and who is the recipient and never the dispenser of her spiritual benefits. The expression, altogether, is less worthy of an impartial historian than of a disputatious and biassed controversialist, and forms an exception to the general tone of the chapter.

The latter part of this first sentence, quoted above, can only be characterized, we are bound to say, as demagogical, and as being strangely out of place in a grave work of history. Nor is this all. It does not strictly convey the truth, nor does it leave the truth to be inferred. At the time of Bunyan's most unjust confinement he was not "the author of the Pilgrim's Progress," and it is more than probable that had he never "languished in a dungeon," that beautiful and treasured allegory would never have been given to an admiring world. During the civil war Bunyan had borne arms in the Parliament army, and imbibed all their austere notions of religious duty and severity of life, as his after career proves. Having inflicted upon himself a series of mental tortures which would have terrified a monk or a friar, he turned preacher, and, in open defiance of the law, began to proclaim tenets and doctrines which were deemed mischievous, and as being too nearly allied to the dangerous inculcations which had led to the fierce persecutions of the commonwealth to be publicly allowed; and for this contumacy and opposition to government, and *not* "for proclaiming the Gospel to the poor," was John Bunyan thrown into prison, and left to drag out a miserable confinement of twelve years, narrowly escaping the transportation to which he had been condemned. It did not matter in the eye of the law, nor do we presume that it was inquired into on his trial, whether his hearers were men of wealth, or *poor* men; the sentence, in either case, would have been the same. It was during this long and painful imprisonment that Bunyan conceived ideas of authorship; and then it was, in the depths of a dungeon more sombre and solitary than the valley of the Shadow of Death through which Christian is made to pass in his road to the Delectable Mountains, that he indited that wonderful book which has made him the delight of nurseries and firesides, of the palace and of the cottage, and which has given immortality to the name of a tinker's son. It may not be without its purpose, that we add to this narration the fact that Bunyan was, at last, released from prison through the influence and intercessions of one of that "Anglican hierarchy," which Mr. Macaulay so sweepingly disparages in the page before us.

We are unable to perceive anything else than the ebullition of strong prejudice in the "unquestionable and instructive fact" which the author states in the last sentence quoted. Apart from this, we cannot discern its force and meaning. We cannot discern its pertinence to the *history* at all. But, admitting the fact, we deny the truth of the inference intended to be deduced. The fact may be true, and yet not detract, in the least, from the spiritual integrity or moral pretensions of the Church. If the legal re-establishment of the "Anglican hierarchy," after years of persecution and proscription, is to be termed the "zenith of its political power," we do not perceive why this should connect the same with the profligacy of the age, or make the Church responsible for the "low ebb of national virtue," immediately after the Restoration. Political power may be conferred and confirmed in a day, and from the date of the enactment. Spiritual influence is the work of time, of labor, and of unremitting diligence. At a time when all England was

wildly engaged in celebrating the joyous Carnival which had, in this instance, succeeded a tortuous and long Lent, was delirious with excitement, and mad with delight at escape from Puritan dominion, it might not have been safe or politic, it certainly would have been no easy task, for the Church stringently to have interfered so soon after her own restoration, and to have impressed her pure morality and admirable precepts on a giddy population.

We have very great veneration for the ancient and venerable Church of England, as well as for its more faultless branch in the United States, and, American though we are, would most sincerely lament its downfall as politically connected with the government. We believe that separation would prove fatal, or, in other and plainer words, that the destruction of the one would be the inevitable destruction of the other. Much of England's national glory and all of England's happiness is attributable to her admirable and cherished social attachments and associations, and these last are closely interwoven with her Established Church. We can appreciate and understand our author when he speaks of Cavaliers, who, indisposed to "shape their lives according to her precepts, would yet fight knee-deep in blood for her Cathedrals and palaces, for every line of her rubric, and every thread of her vestments." She is intimately connected with all the associations of love, with all the tender relations of marriage, and with all the fond endearments of home and of family. She is a bond of union between hostile factions in the state. Even civil war and ruthless proscription could not eradicate her influence, or destroy the stronghold she has on the affections, the associations, and social prejudices of a majority of the English people. It is, indeed, "an unquestionable and a most instructive fact," that since her legal existence and connexion with the state, no hostile foot has trodden her soil, even if we make an exception of the descent of William the Third which was invited and connived at by the whole nation, and in which Englishmen were the prime movers. We have no desire to see these strong ties severed, or this fortunate union of Church and State broken, in a country where is centred the peace and prosperity of two great continents. We fully believe Mr. Macaulay when he says, "that a civil war of a week on English ground would now produce disasters which would be felt from the Hoangho to the Missouri, and of which the traces would be discernible at the distance of a century."—(*p.* 32.) And it is for these reasons, and these alone, that we regret that a writer of this author's great influence and celebrity, should partially convert a work of history to the purposes of depreciating an institution, and disparaging an establishment, in the most vital of its claims to honor and reverence, on the perpetuity of which, as we humbly conceive, depends the welfare of the English government, and, in that, the peace and prosperity of the whole world.

But the same people who, in this age of profligacy and immorality, were entertained with the lewd productions of Congreve and Wycherley, were also sufficiently impressed with the interests of civil liberty and private rights to project and extort the great act of Habeas Corpus, the day of the sanction of which our author justly denominates "a great era in English history." This key to the dormant and inactive immunities contained in the Great Charter was reluctantly given over to the English people by their jealous monarch. Our author tells us (page 232,) "that the king would gladly have refused his assent to this measure, but he was about to appeal from his Parliament to his people on the question of the succession, and he could not venture, at so critical a moment, to reject a bill which was in the highest degree popular." So materially, we thus perceive, do the most treasured rights of mankind depend on the caprice or policy of selfish rulers.

In this chapter we are treated to concise and spirited accounts of the Popish Plot, the Ryehouse Plot, the perjuries of Titus Oates so sickeningly bloody in consequences, and the treasons of Monmouth, Charles' bastard son by Lucy Walters, who was married by his father to the heiress of the noble Scotch house of Buccleuch, a house from which collaterally descended, in long after years, the "mighty wizard of the North," the great "Author of Waverly." The important and romantic interest which belongs to the life of this unfortunate nobleman, together with the melancholy fate which overtook him in the

reign of his cruel uncle, authorize Mr. Macaulay in dwelling on his birth, parentage, and early court life and military achievements, which he does in a manner at once the most entertaining and instructive. We are next introduced successively to three of the most noted political characters, which figure in English history. These are the younger Hyde, Godolphin, and Lord Halifax, whose name has been commemorated, in divers ways, as well in these United States as in England. Mr. Macaulay has given a description of this distinguished and influential statesman, (the most so of his time,) which, while it raises our previous estimate of his consummate abilities, rather depreciates our opinion of the consistency and inflexibility of his character as a statesman and minister. And we might extend this remark to most of those great men whose portraits make up the general contents of this volume and part of the next. It is a characteristic of Mr. Macaulay, as a historian as well as reviewer, to deal rather with the dark than the bright side of human character. He goes mostly upon the levelling principle, and before he has done with a character of history, the reader scarcely knows whether to admire or to detest; and between the two issues, generally leaves both for a feeling of contempt. We shall give examples of this propensity of our author before these desultory remarks are brought to a conclusion.

The ludicrous account of the Dutch war excites our contempt, at the same time that it moves us to laughter; and the language in which this dark story of Charles' reign is told, shows in a manner the most emphatic, our author's utter detestation of "that feeble tyrant," trembling in his luxurious palace at the sound of De Ruyter's cannons. "Then it was," says our author, "that tardy justice was done to the memory of Oliver. Everywhere it was remembered how, when he ruled, all foreign powers had trembled at the name of England; how the States-General, now so haughty, had crouched at his feet, and how, when it was known that he was no more, Amsterdam was lighted up as for a great deliverance, and children ran along the canals shouting for joy that the devil was dead." (*p.* 179). And, indeed, at no period of her history had the chivalry of England been at an ebb so low, or her resources so little understood or at command. Buckingham and Rochester could flirt with women, and venture a tilt at swords with jealous gallants or outraged husbands and fathers; but they did not relish the sterner game of meeting armed Dutchmen in battle. The few gallant spirits around the person of the king were disgusted with these insolent favorites, and shrank from encouraging a contest in which such minions and parasites might exert an influence at once to be deprecated and dreaded. The position of England in the European system during this entire reign was far from being important, if it was not even despicable. Indeed, she was almost regarded as the mere vassal of France, as her monarch certainly was the stipendiary of France's king. And yet it was during this same feeble reign, as we learn further on, that sprung the first germ "of that great and renowned army, which has in the present century marched triumphant into Madrid and Paris, into Canton and Candahar." To this army England owes all of her glory and all of her greatness. Commercial houses whose operations extend from the Thames to the Ganges, and from the Exchange of London to the bazaars of Pekin and Benares, would never have reached beyond the European or American Continents, if even so far, if the military spirit and strength of the nation had been less fostered and cultivated. Even so late as the present century, England might have shared, at the hands of the French Conqueror, the fate of Prussia and of Austria, but for this energetic and formidable development of her martial power. It can scarcely be doubted, that if victory had declared for Napoleon on the field of Waterloo, England would have been crushed, or, at least, severely and vitally crippled. And yet the civil liberties of England, are not at all endangered by her grand military system. Experience has abundantly shown that the arm of government generally deemed the most dangerous to free constitutions and free systems elsewhere, is in this country skillfully converted into an efficient and powerful arm of defence to both. England was never truly great commercially and politically, until her regular standing army was regularly established and appointed. Here, in our judgment, may be found the best

means of solving the enigma which for two centuries has puzzled mankind. It was not until then that her policy expanded and ripened, not until then that her enterprizing citizens found that great wealth and great glory might be made to travel hand in hand, and that both must be found elsewhere than within the narrow limits of their own island. From that moment, through all disasters and reverses consequent on long and bloody wars, all classes of society began to improve, and her commerce began to spread and to prosper. Since then, it is true, England has scarcely seen a whole year of uninterrupted peace with the whole world, but, in the meantime, she has scarcely experienced even the slightest retrogression. Trite maxims of ethics may do to inculcate as the basis of all proper government in some countries; England has staked her destinies on pursuing the more practical system of politics.

The strong faith of Mr. Macaulay in his own plan of writing history, as laid down in his essay on "history," and given to the world years since through the pages of the Edinburgh Review, is abundantly shown in the third chapter of the first volume now before us. The whole tenor and nature evince his desire to come up to his own standard. The conformity of the history to the model erected in the essay, in point of long and occasional prosy detail, in point of anecdote and memoir, in point of biographical narration, and in point of minute statistical inquiry, is admirable and eminently successful. The same ideas are advanced in his pleasing review of Mackintosh's history of James the Second—"a history of England"—he there says, after having gone through his imaginary plan, "written in this manner, would be the most fascinating book of the age. It would be more in request at the circulating libraries than the last novel."

A fleeting shadow of this coming event to be realized so gratifyingly in his own case, doubtless prompted this remark. If Mr. Macaulay's ambition was directed solely to attain the name of having written a history most intensely "fascinating," and which would outstrip competition with works of fiction in the race of demand at the book depots, he has every reason to be satisfied, for his history has been even *more* sought after than any of the "last novels." But with all becoming deference to so august a judgment, we still think that history should be written mainly with a view to something else than these "charms" so peculiarly fancied by Mr. Macaulay. With all his staid and severe narrative, and "majestic etiquette" of method and style, we must say that we tire less soon of Henry Hallam than of T. Babington Macaulay, with all his flowing redundancy of narrative, his rare accomplishment of style, and his total disregard of those "conventional decencies" of historical compilation which he denounces as "absurd."

The chapter under consideration may be useful to the masses of the curious, and to such as are fond of minute statistical research, especially in England, but we must hazard the confession that its great length its scrupulous, undeviating particularity, even in the nicest points, and its barrenness of general historical interest, wearied us sadly before we saw its end. The cause of this may be, and we are bound to consider was, less in the distinguished author's want of taste, than in our own want of the proper appreciative faculties, but so it was, any way, and the confession must pass for what it is worth. We surely wished that the author had sought less to avoid an error which he so unsparingly condemns in other writers when, in the essay on history, he speaks of the most characteristic and interesting circumstances being omitted or softened down, because too trivial for the majesty of history. After preparing to read grave, condensed history as that "philosophy which teaches by example," we cannot find much of interest in lengthened descriptions of the size of great towns in such and such a century; of how milliners, toy-men, and jewellers came down from London and opened bazaars under the trees which surrounded the watering towns of Cheltenham, of Bath, of Brighton and of Tunbridge; and of how fiddlers played, and morris dancers caprioled "over the elastic turf of the bowling green" of fine genial evenings. We do not look for such things in a work which has just absorbed our interest in recounting the more solid scenes of Cromwell's career, and of grave contests between monarchs and their parliaments. In Miss Pardoe's Court of Louis the Fourteenth, and in Mrs. Jameson's Beauties of

the Court of Charles the Second, we delight to read of these pleasing interludes and romantic indulgences; but, after conducting us to the very eve of that stirring epoch on which he has promised his readers more particularly to dwell, the ardent admirers of Mr. Macaulay (in the list of which we regard ourselves) must pardon us for saying that the author wearied us by this long account of what we conscientiously look on as "too trivial for the majesty of history." The polite literature of this brilliant literary age does not long arrest the attention of Mr. Macaulay. A few pages of pithy, forcible review make up all that we hear of it, while science and physics are alluded to only with distant reverence. Both are themes eminently worthy of the historian's attention, but our author had treated of them too fully elsewhere to patiently pause and go minutely over old ground.

The change in the character and spirit of literature at this period is mainly to be ascribed to those essential differences which marked the seventeenth century from the preceding. With the substitution of living for the dead languages, new tastes had been introduced and were grown popular. The sixteenth century teemed with scholars of profound erudition; but, in the latter part of the seventeenth the new philosophy began to obtain. As the great writer, from whom we derive these reflections, remarks, "men were less learned, but more able:" more subtle understanding and more exquisite discernment had been diffused through the republic of letters. At the era of the Restoration every species of taste had grown more sprightly, and from this the literature of that period took tone and character. Literary ambition and interest were then mainly absorbed in the drama, and to this department the change in taste had also penetrated. In France the racy and brilliant productions of Moliére and Regnard had supplanted those of the grave Corneille, and more exquisite and refined Racine. In England, as was quite natural at such a time, the austere and proscriptive antipathy which had banished all sources of amusement during the reign of the saints, broke up effectually the continuity of those works of elder dramatists which had given tone before to sentiment, and made way, after the Restoration, for a lighter more frivolous, and more meretricious species of dramatic entertainment. One extreme in any department of policy adopted by one party, is sure to lead to the adoption of the opposite extreme by another party, in retaliation, if from no other higher motive. Such was the case in this instance, and it was under this new order of things that the genius of a Congreve, a Dryden, an Etherege, and a Wycherley, rose to the culminating point, and attained to such enviable ascendancy. To the more entertaining and lively peculiarities of style in these writers over the old school, was added another attraction which lent superior lustre and fascination to dramatic amusements. This was the introduction on the stage of female performers, who had never been admitted under the ancient *regime.* To this bold but adroit innovation on established custom, the theatre-loving world is indebted for its long subsequent acquaintance with the brilliant histrionic talents and accomplishments of Mrs. Siddons and Miss O'Neil. In view of the many attractions of this fruitful theme, and of our admiration of Mr. Macaulay as a writer, we have sincerely wished that he had chosen to retrench other portions of the chapter before us, and dwelt more at length on its description. The few pages, however, which he devotes to its consideration are captivating beyond all parallel. We only regret that we cannot transcribe largely for the benefit of readers who have not met with the history, if, indeed, there be such. We may add that these few pages form the only oasis in the whole barren waste of this chapter, in point, at least, of true historical interest.

To quote, then, the full language of Junius—we now "turn with pleasure from this barren waste, where no verdure quickens," and where no interest fastens, and open at a page which more than compensates for all of dryness that may have been encountered in the preceding chapter, and which kindles at once to the most intense and vivid pitch. We glide lingeringly over the successive paragraphs, and almost sigh when the brilliant though melancholy scene is closed. It will be understood, of course, by those who have read this book, that we allude to the author's graphic and succinct account of the dying hours of king Charles the Second. All the personages of the mournful drama, all the scenes and their singular changes, appear at once be-

fore the eye, traced and drawn out with remarkable clearness and power. Barbara and Louise, and Hortensia, the queenly and voluptuous Duchess of Mazarin, niece of the great Cardinal, were all there, radiant with robes and gems, lustrous in all the glories of matchless personal charms. We see the timid, mild-mannered queen, abashed before the superior beauties of the king's frail sultanas, venturing nervously to the bedside of her distressed husband, fearful, even in that awful extremity, of indifference and repulse. There, too, for the first time distinctly, we behold the grim lineaments of the stern James, striving with bastards and prostitutes in kindly attentions to his departing brother. Then comes the trials and struggles of Charles with the Protestant clergymen—their efforts to console and absolve—his strange apathy and indifference. At length the solemn hour approaches, the secret has been unravelled by the devoted Louise; and, by that secret staircase which has so often been used by Chiffinch to introduce frail damsels to his master's bedchamber, a Priest of the Roman Catholic Church is ushered into the room. Then the dying monarch raises himself from his pillow, receives meekly the last solemn sacrament, and preserving to the last, that "exquisite urbanity so often found potent to charm away the resentments of a justly incensed nation," thanks his attendants for their attentions and kindnesses, apologises for the length of time he had been dying, and then resigning himself to the stroke, passes away without a struggle.

This is the mere abstract of pages which might furnish to a poet ample material for a tragic drama. No scene was ever more splendidly or graphically described; no living moving scene was ever more clearly realized, or ever afforded more intense and absorbing delight. Innovation, bold and broad though it be, upon the conventional, established form of writing history to introduce so lengthy and minute a picture of a monarch's death-bed, we yet cannot be so untasteful as to find fault with that which has afforded us such exquisite enjoyment.

Immediately on the heels of this follows the account of the proclamation of James the second as king, and then comes that hollow-hearted speech to the Council, so profuse in satisfactory promises which were afterwards so shamelessly falsified. From this point the thread of legitimate historical narrative is taken up and pursued, with very few exceptions, to the end of the volume, with unexceptionable tenacity. With the odious retaliatory measures of religious persecution which disgraced the reign of this cold-blooded monarch; the tortures of the perjurer Oates; the cruel treatment of the Scotch Covenanters; the contumelious secret negotiations with France; and the assiduously pursued, crafty, mad-minded effort to crush the Established Church, in order to restore the supremacy of that of Rome, we have little or nothing to do in following up the object of these remarks. The chapter contains much of biographical delineation. Sir George Jeffreys and the brutal qualities of character and disposition so witheringly attributed to him, fill the reader with sensations of unmitigated disgust and loathing; while John Churchill, the future illustrious Duke of Marlborough, is described in that characteristic manner which, as we have before said, leaves us in doubt whether to abhor or to admire a man who filled the world with his fame. The account of his early life really inspires contempt, and causes a regretful and unpleasing train of emotions when we connect the same with earlier and more grateful impressions of the victor of Blenheim and Ramillies, the proud conqueror of Villars and a brilliant array of brother Marshals; the Captain-General of a coalition which embodied such commanders as Eugene and Peterborough. We give Mr. Macaulay full credit for candor and accuracy, but we cannot thank him, in view of these agreeable associations, for spoiling, with a dash of his cutting propensity, so interesting and exciting a connection of historical inquiry. There is something unmeasureably disgusting,—especially, as we should think, to a proud Englishman—when we connect the hero of such mighty battle-fields, the active agent of so mighty a coalition, with the mean, low-minded, despicable, and petty miser and sharper of the history; with the kept minion of Barbara Palmer, Duchess of Cleveland, from whose adulterous bed he was once forced ignominiously to fly at the king's sudden approach, or with the cringing recipient of a heavy purse of guineas from the haughty paramour, for having accomplished, so successfully, a feat

at once so witheringly ridiculous and full of hazard. We should as little feel obliged to an American historian who, in giving the account of Washington's early manhood, should choose to represent the Father of his country in the midst of his slave quarters engaged in flogging a refractory negro tied naked to the stake. Such scenes in connection with the world's venerated heroes should never find a place in history which, we are told, is philosophy teaching by example. We can tolerate, in such a memoir as that of the Duchess of Abrantes, the story of Napoleon, as "Puss in boots," quarrelling with pert young girls, and of his playing, while Chief Consul, at childish games of leap-frog and prisoner's base, during his recreations at Malmaison. But how would such a page as this appear in Thier's history of the Consulate and Empire, where this same man is shown to us as the stern arbiter of the Duke D'Enghein's fate, as the victor of Marengo and Austerlitz, and as the haughty Dictator of prostrate kingdoms and empires? As little did we expect to derive from the volumes before us impressions of contempt for the character of the greatest Commander ever born in England, and the loftiest ornament of her history. As Mr. Macaulay is the first, so we trust he will be the last of historians who seek to combine with the gravity and decorum of legitimate history gossiping memoir and scandalous anecdote.

We come now to that portion of these volumes which has, doubtless, startled all American readers. In tracing the character of William Penn, the venerated Patriarch of one of our greatest States, our author has opened a chapter of his life which we confess is new to us, and, we imagine, to a great many others who have preceded and may succeed us in reading this work. It is somewhat to be wondered at, that a man whose shining virtues and spotless benevolence of character have won for him heretofore the admiration and eulogium of historians, and whose name has been handed down through generations, even, of wild, untaught savages as the choicest model of his kind, should come in for so immoderate a share of our author's keen sarcasm and pungent exacerbation. Even Voltaire, the most critical and supercilious of modern authors, and not famous for universal leniency and tolerance, yet ascribes to this good man qualities of heart and of character that alone would have made him immortal.—(*Dict. Phil., Art. Quakers.*) Yet Mr. Macaulay would have his readers to believe that William Penn would have been delighted to take air passage from London to Paris to have witnessed the tortures of Damiens. He would have them believe that he was miserly and extortionate, cringing, time-serving, and hard-hearted, to an extent that begets abhorrence. Penn, again, belongs to that class of persons alluded to some pages back, whom Mr. Macaulay first exalts, then abases; praises in one breath, in the next damns; and then leaves his readers to doubt and to contemn. This propensity reminds us of an anecdote, familiar in Mississippi, of a certain juror who was called on to try an issue between two suitors as to the right of property in a calf. The plaintiff's lawyer states his case and our juror at once conceives a verdict in his favor. The defendant's lawyer next explains the nature of his claim, and our juror yields his first impressions. Finally, the Judge sums up the testimony, and expounds the law, and, in this charge so mixes up the points in dispute, that our juror finds himself completely riddled, and protests that he cannot say who *does* own the calf. But,—asking the pardon of our author's admirers for this liberty—we must introduce one or two extracts from the work to convey these impressions the more properly, and to exemplify the justice of these remarks. After devoting nearly an entire column to the praises of William Penn, our author (*p.* 471, *vol.* 1.) says: "his enthusiasm for one great principle sometimes impelled him to violate other great principles which he ought to have held sacred. Nor was his integrity altogether proof against the temptations to which it was exposed, in that splendid and polite, but deeply corrupted society, with which he now mingled. The whole Court was in a ferment with intrigues of gallantry, and intrigues of ambition. The integrity of Penn had stood firm against obloquy and persecutions; but now, attacked by royal smiles, by female blandishments, by the insinuating eloquence and delicate flattery of veteran diplomatists and courtiers, his resolution began to give way. It would be well if he had been guilty of nothing worse than such compliances with the fashions of

the world. Unhappily it cannot be concealed that he bore a chief part in some transactions, condemned, not merely by the rigid code of the society to which he belonged, but by the general sense of all honest men."

Now these involve a charge of the deepest corruption, sensuality, and hypocrisy. The courtier Penn, intriguing with frail, pretty women, seduced from honesty by flattery, easily cajoled and easily bribed, and the grave, benevolent-hearted, scrupulous patriarch Penn, treating with, and winning the confidence of rude sons of the wilderness, ruling a colony by the law of justice and morality alone, and then spurning to obtain royal favor by abjuring the customs of his society, are two dissimilar characters which we cannot reconcile. The one is despicable, the other venerable. We do not mean at all to impeach the authority of Mr. Macaulay, but we must see the proofs before we can be brought to believe in their identity of person. In this we are fortified and sustained both by the general voice of history and the solemn denial of Mr. Penn himself, when charged as guilty by his enemies of the court. The mere fact that such charges were made in Penn's lifetime cannot be taken as proof of their truth. Any man who occupies an envied position is liable to be vitally impugned by his contemporaries. The charge of "bargain and intrigue" to obtain the office of Secretary of State under John Quincy Adams, has been levelled by unscrupulous enemies against Henry Clay for more than a quarter of a century; yet no decent historian would venture to allude to it otherwise than in the stern language of reprobation. Even Walter Scott suffered in public opinion when it was found that, in his life of Napoleon, he had condescended to dignify with historical notice petty scandals against his illustrious subject. We will hazard the assertion that proofs just as strong going to show that Henry Clay was basely bribed, that Napoleon caused Pichegru and Captain Wright to be strangled in prison, and that he whispered proposals of incest in the ear of the Princess Borghese, (both of which are alluded to by Sir Walter Scott, though qualified with the expression of his disbelief in their truth,) can be brought up by active, low-minded enemies, as any that can be arrayed to show that Penn intrigued with the court beauties of James the Second, and was bribed through his "vanity," as Mr. Macaulay intimates, to abet foul corruptions repulsive to "the general sense of all honest men." Yet no one ever candidly believed the first, everybody rejects the second; and we may safely add that no historian has ever before taken such pains to prove up the third.

During the reign of terror and bloody assizes under James the Second, a company of young girls who had borne a banner in honor of Monmouth's entry into Taunton, were suddenly arraigned and imprisoned, at the instigation of the queen's maids of honor, in order to wring heavy sums in their ransom from the pockets of wealthy parents and friends. The maids made several attempts to engage gentlemen to undertake this task of unworthy extortion, but met with indignant rebuffs and scornful answers. At length they applied to William Penn. "Penn," says Mr. Macaulay, "accepted the commission;" and then the author adds, significantly, "yet it should seem that a little of the pertinacious scrupulosity which he had often shown about taking off his hat would not have been altogether out of place on this occasion."—*(p. 607.)* The sarcastic tone of this sentence cannot be misunderstood, and betrays sufficient evidence of biased judgment to induce us to take Mr. Macaulay's character of Penn with many qualifications and allowances. The invidious—at least unnecessary—allusion, in another place, to the fact that Penn rode post haste from Tyburn, where he had just seen a man kick his life away under the gibbet, in order that he might not miss the show of seeing a woman burned in London, strengthens our impressions in this particular. Now we infer from the general character of Penn that a high and noble humanity of sentiment prompted him to both these acts—so liable to be used as the means of blackening his fame. Never before having met with either in any defined form, (never with the last,) we cannot venture to contradict or defend further. Mr. Macaulay himself thinks that this was the "probable" motive of Penn on both these occasions. If we thought for a moment that such was not *certain*, our veneration for the name and memory of Penn

would be speedily turned into a feeling of unmitigated abhorrence and detestation.

The first volume of this history closes amidst scenes of melancholy and blood, appalling and sickening to an extreme that inspires disrelish for perusal. The awful scene of Monmouth's execution; the bloody assizes; the hanging, drawing, quartering and transportation of the hapless victims of revenge; rotting skulls grinning at every cross-road; the noisome atmosphere; harrowing scenes of domestic affliction and suffering—all told in the peculiar graphic and forcible style of this author, make up a total of disgusting facts unparalleled in the world's history, and which haunt one's reflections for days after reading of them.

We shall not extend these remarks to the second volume, at this time; our only remaining task is, therefore, to condense and sum up our impressions of the general tone and character of the first.

Upon the whole, then, we are inclined to regard this work more as a terse, well-digested, and brilliant essay on the history of England, than, what it purports to be, a history proper of England. It is altogether a new visitor to the circles of the literary world both as to manner and method of telling history, and, in this sense, has attracted, as was naturally to be expected, unparalleled admiration. But like all preternaturally bright bodies in another sphere of attraction, it partakes more of the meteoric than of the fixed or intransitive nature, and, we are inclined to believe, will be pronounced in the end rather splendid miscellany than unadulterated history. But it has served its purpose. Mr. Macaulay has allured many to a branch of reading which has generally been considered forbidding and uninviting, and his brilliant, captivating style has induced and held many to a task who might have been repelled by the austere gravity of Hallam, or the pithy sententiousness and severe condensation of Hume. He has smothered the harsh frown and wrinkled brow of English history, and wreathed her face with winning smiles, and in this has achieved a pleasing revolution in the taste and character of the literary world. Whilst, therefore, he may not inspire the distant, reverential awe associated with Hallam or Robertson, his pages will always be opened with that agreeable anticipation of healthy and rational entertainment which possesses a reader of Kenilworth or Ivanhoe. Nor do we consider such comparison with these last wonderful productions at all disparaging to the claims of this history. Sir Walter Scott has, it is true, created many of his grandest scenes, and clothed them with a garb and face of startling reality. Mr. Macaulay has thrown around real and authenticated scenes of history all the dazzling attractions of fanciful conception. This peculiarity constitutes the principal charm of his history—a peculiarity and novelty of feature that must ever secure to it, independent of glaring innovations and bold episodings, a welcome place in all private libraries. It bears no resemblance to the historical works of the authors we have named. To compare Mr. Macaulay's history to that of any of these, would be like comparing a luminous mezzotint or rich, variegated enamel, to the more grand but at the same time more subdued paintings of Rubens or Corregio.

When it was made known to the world that Daguerre had published his celebrated discovery—that a process had been invented by means of which life-like representations of person and of landscape could be taken by the agency of light only, reflected through the camera obscura, that the images thus produced were so clearly expressed that silk might be distinguished from satin and marble from plaster, every body predicted that the easel and the brush would be abolished, and that the art of painting would be effectually superseded by this more speedy and wonderful method. And for a time it seemed that this prediction would be verified. Painters looked sad, and began to throw aside canvas and pallet, and to purchase cameras and copper plates. Curiosity ran wild. Old pictures and family portraits became objects of jest and ridicule, and for a moment the splendid galleries of Florence and of Rome were forgotten and neglected. But it was only for a moment that the daguerrean process held this supremacy. While all yet admire the genius of the discoverer and the strange and novel splendors of the discovery, while the magic operation still continues to dazzle and to puzzle beholders, it is yet evident that it is placed subordinate to the grander and more enduring achievements of the pencil. In making the ap-

plication of this apologue, (if we may thus speak,) we mean only to express our convictions that historical works of this class and description, brilliant though they may be, and sparklingly as they may be welcomed, will be consigned to a like subordinate station when compared with the labors of the elder and greater race of historians. We do not even mean to say it is our belief that Mr. Macaulay will meet this fate. There are many reasons to believe that he will not. His vast genius, his profound learning, his literary accomplishments, the fame with which he has filled the two hemispheres as a miscellaneous writer and reviewer, added to the fact that he is the author as well as leader of this style of writing history, may, and most probably will, effectually preserve him from the fate of less gifted or less fortunate imitators and successors.

But it is time these remarks should be brought to a close. We shall reserve much that we had intended to say, in this connexion, for some future continuation of a task which was undertaken less to criticise, than to endeavor to show that even the greatest writers, when moving in a sphere of authorship different from that in which we have been most accustomed and delighted to hold converse with them, are very apt sometimes to disappoint high expectations. J. B. C.

Longwood, Miss. Feb. 1850.

EVERSTONE.

BY THE AUTHOR OF "ANDERPORT RECORDS."

(Continued from page 286)

CHAPTER VII.

Many weeks had not gone by when Somers learned from an authentic source, that a person named Joshua Evans had been met at a small town in a neighboring county, travelling at his leisure towards Redland. The lawyer was instantly on the alert, and proceeded first to Munny's store, which he had come to look upon as the centre of information. Joshua had not been there, however: yet the people told him that a family of Evans' lived some eight miles to the westward.

"Let me know the way," said Somers.

"There are two roads," replied Sam Munny, deliberately.

"The shortest, then."

"That," returned the other, "goes by the Long Mill, and so on, up Starving Branch—but there are eleven chances out of a dozen that you miss it."

"Well," said Somers, "if that's the case, describe the other route."

"It leads by Mr. Newlove's house, and then along to Bartlet's, which is only a few hundred yards from the place you are going to. This road is very easy to find."

"And you advise me to take it, do you?"

"Why, Mr. Somers, it is certainly about two miles the longest, but I have lived long enough to have learned that the farthest way round, is oftentimes the quickest travelled."

"My experience is the same, Mr. Munny, and the longest road shall in this instance, at least, be my choice."

As the lawyer passed in front of Sylvester Newlove's residence, his good horse finding a level piece of road, broke into a gallop. The rider, in turning his head for one instant towards the enclosed field on the right, caught a glimpse of a man running towards the road, as if to intercept him. His first impulse was to stop. Then the recollection of the preciousness of time induced him to hurry on.

Bartlet's house was reached, and afterwards the Evans' settlement: but no Joshua could he there see or hear of. Digesting his disappointment as best he might, in a stomach which would have been more pleased by a substantial dinner, the indefatigable lawyer turned his horse's head eastward and homeward.

At Mr. Newlove's gate, he found Absalom Handsucker waiting for him.

"Mr. Somers!—I've got you now. But you went by in wonderful quick time this morning. I most trotted my legs off in trying to catch you."

"Well, Absalom, what's to pay?"

"Nothing so very great," replied the manager; "I only want to know whether you saw anything of a pocket-handkerchief between Munny's and here."

"No, I did not."

"I wouldn't make so much fuss about the article if it weren't *silk*. I paid ten shillings for it—that is York shillings, you understand. It was as good as ever, for I only used it when I went visiting and to meeting, and so forth. I thought I felt my

coat-tail flop light all of a sudden as I was riding through that big stretch of woods. I should have stopped, but Jack was so skippery and scampery that I didn't care to get off. It was very late, too—somewhere after midnight."

"That was a fine hour, indeed," said Somers, "for a young man to be out scouring the country! I fear you are getting into bad habits down South here."

Absalom blushed and chuckled at once as he answered, "I rather guess the Shawngo Mountains, if it could tell tales, would say that I didn't have to come here to learn how to find my way by starlight. Yet I'd have got off earlier from Mr. Safety's last night, but for that man Evans' coming."

"What did you say? Evans? Is it Joshua Evans?"

"Yes, sir, I think he gave that for his first name."

"Is he at Safety's now?"

"I suppose so," answered Absolom; "he seemed to make himself very much at home there, at any rate."

"If I had only known of this three hours ago!" ejaculated Somers. "But no matter—I must make the more haste now."

"Oh look here, Mr. Somers!" bawled Absalom after him.

The horseman turned his head.

"Don't forget to pick up that handkerchief, if you see it!"

"Is Mr. Joshua Evans here," said Somers to Mrs. Safety who came to the door as he rapped upon a bar-post with the heavy end of his whip.

"He went away about an hour and a half ago," replied the dame.

"Where has he gone?"

"I do not know; somebody called and took him off."

"Who was it, madam, that called?"

"I did not see the person's face, sir."

"Is Mr. Safety at home?"

"No."

"Will Evans be back here this evening?"

"How should I know, sir?" said Mrs. Safety, with some asperity. "I cannot be expected to interest myself in the movements of such as he. I don't begrudge the man his food and lodging—every wayfaring person is entitled to that much, but of course no Evans can have any further claim upon a Safety. This is all the information I can give you—will you come in, sir?"

Somers moved slowly away, convinced of the futility of putting more questions to Mrs. Safety. In front of a cabin a little distance off, he noticed a negro sitting on a drawing-bench and apparently engaged in dressing shingles. "That fellow," thought the lawyer, "may prove more communicative than his mistress chooses to be."

Riding up to the man, he said—

"Can you tell me which way Mr. Evans went?"

"I can't say to a certainty, sir," answered the negro, picking up another shingle, "but as they passed along here, I heard old Master Jack speak something about Hardwater Run."

"It was Mr. Astiville that accompanied him, then?"

"Yes, sir. And Mr. Josh Evans got on his horse and rode with him through the gap yonder, and, I 'spose, forded the Run and went up the other side."

"They did not pass by Mr. Everlyn's?"

"No, sir; if they had wanted to go there, they'd have fotched a course right over the hill, you know, and would'nt have had anything to cross but the Lower Branch."

Somers had good cause to fear that his errand was spoiled and the mischief done, yet he determined to follow up the trail of which he had at last caught sight. It was something to satisfy curiosity, even though no useful information could be gained. Naomi had assured him that Joshua Evans was aware of the situation of the cornerstone; Astiville had protested that he himself was ignorant of this; could it be that he had now taken Evans with him in order to learn the place and to be able to make way with the stone? It was matter for thought.

Having forded the Run below the junction, Somers turned to the left and went up the bank of the stream, riding all the way, of course, on what was incontestably Mr. Astiville's land. Occasionally on passing over a sandy place, he observed the fresh tracks of two horses which had preceded him in the same direction. On he went till he had gone beyond any possible site of the disputed corner. The hoof-

marks which had hitherto encouraged him no longer greeted his eager vision. It occured to his mind that the men whom he sought must somewhere have struck across to the Lower Branch, and he himself, without wasting time in a vain effort to trace them through the woods, bore off in a direct line for the other stream.

But while Somers was riding southward, Astiville and Evans were returning across the same ridge a few hundred yards below. And just about the moment when he reined his horse by the Lower Branch, they reached the edge of the Upper one. Let us leave the lawyer to ride east and west and to perplex himself at his leisure, whilst we watch their movements.

Joshua Evans, suffering his horse to stretch the bridle, and nibble such spires of grass as could be found within the compass of a few feet, turned his face towards his companion and said:

" It is most unaccountable. I thought I should recognize the corner without the least difficulty. The stone was the largest and most distintly marked of the whole six, the grave too, when I last saw it was greatly sunken. Yet neither stone nor grave is now visible on the one fork or the other."

" Yet," replied Astiville, " you say it is your opinion that the corner stood on this, the Upper Branch."

" Yes, I feel a conviction next to certainty that it did. What can have become of the stone I cannot imagine."

" Nor can I," rejoined Astiville, " It has now been a considerable time since I first attempted to trace out this line, and I assure you, Joshua, that neither then, nor any day since, have I been able to find the corner or any signs of it. If in this uncertainty I thought it justifiable to claim all the land that the law would give, can you blame me ? I did not wish to deceive Everlyn; I told him how the case stood. Assuming the risk—he has made extensive clearings, and erected a fine house at great expense. I could not but grieve to see all this taken away and he himself in advanced age reduced to poverty. You will hear, then, without wonder that I am determined, for his sake as well as my own, to relinquish no right nor shadow of claim, until it is wrested from me by a decision of the court."

" I think you act fair enough," responded Evans, " you can't be expected to take care of the rights of strangers—it's their own look out."

Astiville, who had brought his man to the point he wished, continued, " You can understand, Joshua, why it is I am unwilling that Dick Somers should get you into Court."

" Yet what if he did?" said Evans, " I am satisfied from this morning's search that I can't swear to the Corner."

" Ay, Joshua, but do you not see that he will ask you on which Branch you *think* it stands?"

" And that would be a hard question to get over," answered Evans. " Sworn to tell the whole truth, I should have no choice but either to say the North Branch or"—

" Or to perjure yourself—is not that it, Joshua?"

" Yes," said the man; " it's a rough word and means an ugly thing. To tell you the plain sense of the matter, Mr. Astiville, I'm no ways anxious to get into any such scrape, and what's more, nothing could persuade me to it."

Astiville answered, laughing, " You are very wise in that determination, Joshua, and you may rely upon it that I myself would hesitate a very long time before rendering myself liable to the penalties of a suborner. No, no, we must avoid having occasion to think of such a thing. Is there any very important business requiring you to remain about here?"

" None. I took a sudden notion to come in and see Redland once more. Accordingly I'm here. I have been in the county not quite forty-eight hours, and haven't yet found anything so special as to make me wish to stay longer. They say the country has been improving in the last few years, and perhaps this is true, but it had been going down hill so fast before, that a long while will be needed to fetch it back tothe state it was in when I left it. I don't mind where I make my home, so I can get good water to drink and clear air to breathe."

" It is but reasonable to suppose," said Astiville, " that you must be put to some inconvenience by leaving so speedily, and as your departure is prompted by good-will to me, it is but fair that I should recompense you for all loss incurred. Suppose I give you fifty dollars down, and send you a hundred after you have been away six months, will that suit you?"

"Perfectly."

"Yet it is necessary," added the other, "that you should go immediately. Somers will begin a search, I have no doubt, the instant he hears of your being in the county. Indeed, it is exceedingly fortunate that he did not catch you before I did. The same negro by whom I was accidentally informed of your having come to Alonzo Safety's, told me also that Somers passed by Munny's store this morning. Keep out of his way, will you? He's a keen fellow and may have a subpœna served in a trice."

"No fear," replied Evans, "I'll be on the watch, and what's still more to the purpose, I'll be on the go. The fellow must have the scent of a blood-hound that tracks Josh Evans."

"Here then we part," said Astiville; "it is as well that we should not be seen in company more than can be helped. I wish you a safe journey and good luck at the end of it."

With this he handed three or four bank-notes to Evans, who, after quietly depositing them in his pocket-book, went to pass the night at Alonzo Safety's.

Astiville crossed the stream and chose a winding course which brought him at length to the summit of the hill, near the habitation of Cain, the solitary. He dismounted, secured his horse by the bridle to a tree, and entered the cabin.

Cain was sitting in a musing attitude at the edge of the hearth, on which a few coals were glowing in readiness to receive the fresh-skinned rabbit that lay upon the table close by. He arose at the noise of footsteps, and perceiving the visitant, said,

"Is it you."

"Ay, Henry, how do you do this evening?"

"Why ask me that?" said Cain impatiently. "Reserve such empty inquiries for the world. These formal civilities may be received with satisfaction by others, but they lacerate my heart. Do you ask how am I? Surely you are not ignorant that although suns may rise and set and clouds gather and disperse, sameness is *my* portion. You may have a headache one day, an ague the next, and be well the following;—bless Heaven for the variety! My life admits of no change, it is one unvarying void.—No! Would that it were so. I am plunged to the bottom of an abyss full of horror, the waters come over me, I am tied, hand and foot, and cannot rise!"

Astiville suffered a few moments to elapse in silence, and then observed in a calm indifferent tone, "that's not a very fat rabbit you have there, Henry."

"No, it is not," replied Cain, "but you should have seen one I caught day before yesterday. It was a dainty fit for a prince. I need to have something nice since the frost killed my tomatoes. Yes, John, I haven't a single one—my favorite vegetable too."

"That is surprising," said Astiville; "the frost was not near so bad at Greywood. If you wish, I can send you some tomatoes from there."

"No—I cannot take them," answered Cain; "you know, I'm determined to eat nothing but what is the fruit of my own labor. If it is a duty to sustain life, let that duty be as rugged and difficult of performance as possible. And should the Almighty deprive me of the power of making my own subsistence, the event will bring only joy. I shall hail it as the signal that I am permitted to close my eyes upon these horrid scenes."

"Henry, do not let your mind brood thus upon what is passed. Live and be contented with life for the sake of another if not for your own. Am I not entitled to so much regard from you?"

"Yes, John," said Cain; "you treat me far better than I deserve. Of all men you have most reason to loathe my sight—and yet your eyes are not averted. You do not shun me as one accursed; you even come willingly into my presence, and offer consolation and the hope of pardon. I thank you; your's is true charity—it is *Christian* heroism; for human nature, unassisted, could not attain to such a height of fortitude. Stricken of God, and only not abominated by mankind because unknown, I have sought this wilderness, whose sole inhabitants, the beast and the bird, fly from before me. They, poor creatures, only recognize me for a man, and expect no injury greater than all men are fit to render them. You, John, know what I am, you feel the horror of my guilt as no one else can feel it—still you approach me, and by the might of compassion, you control very nature and forbid your muscles to exhibit those shudders which agitate your inward breast."

Astiville replied, soothingly, "If you have erred, you have suffered. Do not torment yourself further. The sacrifices which you have made, prove your penitence—this retirement proves it, and surely neither the law of God, nor that of man can require more. It is sufficient that you deny yourself all pleasure ; do not assume unrequired pangs. But let us think of something else. I want you to point out to me, Henry, the precise situation of the patent corner on the Run. Come, lead me to the spot."

"I cannot," said Cain.

"And will you deny me so small a favor, Henry ? Is this the fruit of that gratitude and regard, which you just now so earnestly professed ?"

Cain answered : "I will not, I will not suffer any human being to accompany me there. Let that spot be covered and hid. Let no eyes look upon it, but those, which, like mine, can penetrate the sand and the sod, and view all that earth attempts to conceal in her bosom. I dare not take you with me. Whenever I approach that fatal place, the man of blood stirs within, the felon hand again is raised to deal the blow, —oh, in those moments, may Heaven send no victim across my path !"

"This is frenzy," said Astiville. "Call reason to your aid, and lead me to the corner."

"Frenzy, say you ? Ay, surely, it *is* frenzy, and shall you be exposed to its insane violence ? And what right have you, or any other man, to look on that which the Ruler of the elements has hidden ? What claim has the ignorance of innocence upon sin's knowledge ? No ! I will perish, sooner than uncover that stone to the sight of any mortal."

Astiville rejoined : "Yet it is necessary that I should know the corner. I cannot otherwise establish the bounds of the patent. A portion of the inheritance may even be usurped by others."

"What of that ?" exclaimed Clain. "Better that the whole should be lost—better that land and forest, and Greywood itself, should be swallowed up, than that corner, so fatal to the race of Astiville, should be brought to light. It is at once my punishment and my privilege to visit that spot, and indulge in the meditations which it excites."

Astiville's desire to find the corner-stone was not extinguished, but he thought to gratify it in a different way. He took leave of the recluse, and rode off briskly. Scarcely, however, was he out of sight of the cabin, than he dismounted, and returned stealthily on foot. Crouching within a thicket, which commanded a view of the little garden, he waited patiently for the time when Cain should walk forth to the edge of the Hardwater. After the hands on Astiville's watch had marked the lapse of a full hour, he observed the tall white-haired figure emerge from the cabin-door, and descend the hill. The watcher followed, and, as he got near the bottom, quickened his step, in order to distinguish, with more certainty, the place where Cain should stop, which place, he doubted not, must be the site of the corner. As he was creeping rapidly along, with his eyes fixed upon the person in whose footstep he was following, his toe caught in a beech-root, which extended itself across the path. Before he could recover himself, he stumbled, and fell. Cain heard the noise, and, turning with a startled expression, beheld his disconcerted pursuer rising from the ground.

"Can I have no peace ?" exclaimed Cain. "Must I be dogged and watched in this way, and by you ? Has it come to this, that I may not endure my penance uninterrupted ?"

"Do not be angry, Henry," said Astiville.

"It is not anger which I feel," replied the other, "but sorrow :—and not on my own account, but yours. That accursed head-stone is hidden, and Heaven grant that it may remain so. And must I betray the spot, which can bring only misfortune and ruin to every Astiville who visits it ? No —a merciful Providence cannot require that horrid office of me. It is pardonable to cut short a life, which cannot be protracted, without bringing destruction upon those whom I ought to save. I am thankful that this day has come. I can now behold the term of my agony. Yes, I see my way clear, I have endured all that life has of wretchedness, and am now permitted to try what death holds in reserve. The ends of Justice, also, will thus be best accomplished ; life for life is the demand of nature, and of God."

"Henry, Henry," said Astiville, exhibiting the signs of real emotion, "do not

indulge in those wild and wicked thoughts. I promise, solemnly, to watch you no more. Go, and meditate where you please, without apprehension of any witness. Be satisfied with this assurance, and do no violence to yourself."

"I will think of it," answered Cain, gravely, and then, with his usual long strides, hastened back to the cabin.

Joshua Evans, in the meantime, had returned to Alonzo Safety's. Early in the morning he gratified his portly hostess by the assurance that he would probably have no occasion to trespass again upon her hospitality. As the traveller rode slowly along the front of Munny's store, he noticed a tall man, with long and hoary locks, standing by the counter, and receiving from the hand of the clerk, a small glass vial.

"I should know that face," thought Evans, "yet the hair is different. Pshaw—I must be mistaken. How silly to think of such a thing."

"Can you tell me the name of that long-bodied man?" he inquired of a negro, who was loitering in the road.

"Its Mr. Cain," was the answer.

"I knew it could'nt be him," muttered Evans, passing on. Yet, in spite of his efforts, he could not shake off the impression which the sudden sight of those long, sharp features had left upon his mind. His horse had walked several hundred yards, when, as if sympathizing with the rider's wavering purpose, he stopped short.

"I would give anything," said Evans, to himself," "for five minutes talk with that man. I have a great mind now to turn about, and go to him."

The impulse was not yielded to. and by evening Joshua Evans was many miles beyond the limits of Redland.

As for Richard Somers, whom we left wandering through the woods between the two branches of the Hardwater, he did not desist from his search, until the approach of evening threatened to add darkness to the other vexatious difficulties which combined to baffle all his skill and patience. He then went to lodge with Mr. Newlove. While sitting there in front of the cheerful fire, which the frosty air of autumn made acceptable, he happened to allude to the subject of the grave at the Fourth Corner. At this, Absalom Handsucker intimated it was in his power to throw some light upon the matter. "Mrs. Safety," said he, "told me all about it. It seems, however, that the Astivilles have been very particular to keep the story shut up, and Mrs. Safety,—she's some relation to the Astivilles,—said she gave it to me in confidence, and did'nt want that I should talk of it to others."

"Had Mr. John Astiville anything to do with the affair?" inquired Somers.

"No, sir, of course not—at least, he's no more concerned in it than his father was before him. You know the grave was made a long time ago."

It was never easy for Absalom to refrain from telling a story, which, he was sure, would be listened to with interest, and, before bed-time, he had disclosed all that Mrs. Safety had entrusted to his discretion.

The lawyer was greatly chagrined at this overthrow of the hypothesis which he had built up of so many plausible circumstances. He saw, with indescribable mortification, that Astiville was entirely guiltless of the villainy which he had charged upon him. Yet he felt more of anger than of humiliation. Notwithstanding all evidence, he would not believe that Astiville, whose meanness and purse-proud insolence were equally his dislike, had not been engaged in sins of a darker hue. Whether Somers retired to his chamber that night in charity with all men, may be doubted.

CHAPTER VIII.

If the lawyer felt discomposure, in reviewing the incidents of the day, the slumbers of his antagonist were also disturbed by uneasy reflections. Astiville could not forget the purpose of self-destruction, which had been darkly hinted by Cain. Selfishness whispered to the rich man, as his head sank upon a pillow of down, that the act of suicide, if committed, would rather promote than oppose his interests. "Why should I grieve, when he manifests a purpose to do that which it is best for me that he should do? And have I not ever generously endeavored to dissuade him? No more can be done;—let fate decide the matter. Does he live? I shall not wish him dead. Does he destroy himself? I will be resigned to the dispensation of Providence—and not only resigned, but content, for, so long as Henry lives, I cannot be free from anxiety."

But conscience would not be lulled. From the moment when he threw himself upon his bed, till the distant cock saluted the dawn, Astiville enjoyed no rest. When he arose, he tried to calm himself with the thought that all was now over. "What has been done, has happened without my will or desire—nay, I resisted it with all my might. I argued, I entreated, and if my efforts were vain, surely the fault is his own, not mine."

Astiville's ear was startled by his unuttered words. Echo seemed to repeat them over and over again. Then the severe internal monitor, whom no sophistry can silence, took them for a text: "He to be blamed, and not you? Does not the lie stick in your throat, and strangle you? You told him that suicide is wrong—was that a sufficient discharge of duty? You should have thrown yourself at his feet, begging, protesting, weeping;—and never have ceased to plead until he had relented, and promised to spare a life which should be dearer than your own."

Breakfast had passed, the dinner-hour approached;—Astiville could preserve the semblance of tranquillity no longer. He called for his horse, mounted, and was soon lost from view in the wide forest, which extended from the edge of the lawn to the forks of the Hardwater. As he proceeded he urged his blooded bay faster and faster; but no sooner was the log-chimney of the cabin distinguished through the trees, than the gallop at once subsided to a walk. The horseman displayed not then the impetuous haste of the courier, who flies to arrest an execution, but the reluctant, dragging face of a culprit, about to confront the witness and the judge. Riding up close to the low fence in the rear, he was able, without dismounting, to observe through the aperture, which served as the window of the rude hut, nearly everything within. That instant's fearful glance revealed to him Cain stretched at length upon the floor, his long, snowy hair hanging in disorder about his rigid features. But there was a living human form bending over the corpse. In that person the spectator recognized his own son, Howard. Even more shocked at this sight than at the other, Astiville turned hastily away, and dared not again draw bridle, till his steed, panting and bathed in sweat, recoiled from the iron gate of Greywood.

Howard Astiville had gone out that morning, with gun and pointer, in search of game. A flock of pheasants, pursued from thicket to thicket, led the eager sportsman to the little clearing which surrounded Cain's cabin. Howard, aware, by report, of the unsocial character of the inmate, had never before intruded upon him, but he now felt a sudden inclination to learn something of a hermit's mode of house-keeping. His surprise at seeing the old man prostrate on the floor, was changed into horror, when he read the label, "Laudanum," of the partially emptied vial, which stood on the table. Raising the body in his arms, he was rejoiced to find that life was not extinct. He knew of nothing else which he could do but to await in intense anxiety the result of unassisted nature's struggle against the narcotic. Finally, the would-be suicide opened his eyes, and made a languid attempt to

stand upon his feet. Howard contributed his support. Cain, after a bewildered glance around the apartment, tottered to the table, and, seizing the uncorked vessel of laudanum, raised it to his lips. Howard sprang forward, wrested the vial from his grasp, and threw it, with its contents, into the fire.

Cain burst into a rage. "Who are you," he exclaimed. "Who is it that dares interfere between me and my purpose?"

"Howard Astiville."

"Howard Astiville? Yes, I might have recognized you by the coarse hair, black as the raven's wing. Young man, I could tell you of that, which, once understood, would prevent any disposition, in future, to rescue me from my fate. Are you so young as not to know that there are those who do not deserve to live?"

"I know *this*," replied Howard, "that the Creator has given no man authority to be his own judge and executioner. If it be that you have committed crime, and wish to undergo the penalty, there are Courts to which the sword of justice is confided—look to them."

"Yet," said Cain, "what if my offence is one which no earthly tribunal will punish?"

"Then wait," returned Howard, "till the great Judge of all shall, in his good pleasure, summon you to attend his bar."

"Hear me further, young man. When a wrong is done, those injured must desire the punishment of the wrong-doer—ought they not to be gratified? When they cry vengeance, vengeance on the guilty, shall their reasonable demand be baulked? Is it just, that because the law of man is impotent, they should be compelled to wait for the tardy interposition of the decree of Heaven?"

Howard answered: "Vengeance does not belong to man. It little becomes those who sin continually against their Maker, to be harsh and unforgiving to each other. If the persons you have offended are capable of contemplating, with pleasure, your self-murder, they forfeit, by their want of charity, all title to atonement."

"You talk with Christian mildness," retorted Cain, jeeringly. "These are fine sentiments, indeed, to come from an Astiville, of all others—from a member of that hot and hasty race, whose custom it ever has been to exact the severest amends for a very small injury. You preach forgiveness and long-suffering with fluent diction; suppose I were to tell you that it is you and yours that I have wronged? What say you now? Is poison too bad for the wretch who has done harm to an Astiville?"

"I can pardon you," said Howard.

"Hold! Before you utter forgiveness, would it not be well to learn the crime? Pardon!—'tis a word easily uttered. But whom can you pardon? The rival who impedes your advancement?—the knave who picks your pocket?—or the slanderer, who defames and villifies you? Pshaw! why do I speak of such things? Yonder stands your dog—no doubt you cherish and admire him; he is your companion, perhaps, your friend, and faithful follower. Suppose, now, I snatch that fowling-piece—I, who have never drawn trigger these thirty years—and cause your dog to welter in blood before your eyes. That would be a little thing;—for, what is a *dog*, that you should resent his destruction? Yet would you pardon me?"

Howard made no answer.

Cain's lip curled contemptuously. He took up young Astiville's gun, which leaned against the wall, and said: "I am strongly tempted to try you, but let the brute live—he is not human." After a brief pause he added, "This is a handsomely finished gun—I presume you value it very highly?"

"I do—for it is a present from a very dear friend, and the giver is now dead."

Cain immediately beat the gun violently against the chimney. One barrel exploded, filling the room with smoke, but he did not desist till the stock was shivered into fragments. Then he threw what remained upon the floor, and looked at Howard, saying: "*Pardon me.*"

The young man's cheek, which had paled a little at the discharge of the loaded barrel, was now flushed with passion. His breast heaved, and his clenched hand was half extended.

Cain smiled. "I thought the Astiville had not changed his nature. Behold how meek, how patient, how forgiving!"

Howard, unable to restrain his wrath,

bounded upon the man, seized his collar, and heaved him to and fro.

"That is the right temper," said Cain, calmly, "I would have your eye flash just so; but act as well as look. Take up that iron rod and dash out my brains. I do not wish to be a suicide, and would rather die by your hand than my own."

Ashamed and confounded, Howard relinquished his hold.

"And this," continued Cain, is the youth who prates like a woman about the duty of forgiveness! If you burst into a rage for such a trifle, what will you not do when informed of that other and greater offence?"

"I know what I ought to do," replied Howard, "yet, I may come far short of duty. Tempt me not. It is better that I should remain in ignorance. Conceal the knowledge of what you have done within your own breast, and I will try to forgive you. Since this hour has shown me my weakness, I dare not promise more."

"Now you speak well," said Cain; "saints and angels may glory in their meekness, but what is humanity save a compound of impotence and passion? Where is the man who can declare beforehand his conduct in the moment of sharp and sudden provocation? Young man, accustom yourself early to moderate trials, lest some great one overtake you and prove irresistible. In your daily meditations anticipate wrongs and insults, and think how patiently you ought to act if any of them should really occur. Take an exemplification, and this may serve as a case for you first to practice upon. Your father once had a brother—suppose that uncle, whom you never saw, received his deathblow from my hand—what would you think of the deed and of the being who committed it?"

Howard, at this observation, looked up inquiringly at Cain, in whose countenance he read a strange expression which he knew not how to interpret. The recluse continued, in a light, careless tone:

"That would not be a matter to harbor resentment for, would it? The thing must have happened many years ago, and an uncle is not so very near a relative. Surely you would not hate me half so much for that, as for breaking your fowling-piece just now!"

"What am I to understand," said Howard, sternly, "are you in truth guilty of such an act as your words imply. Yet I never before heard that my uncle met foul play. You are jesting with me."

"Yes, you hit the thing precisely. Jesting? Of course. Do not I always appear a very merry fellow?"

Howard was puzzled, as was evident from his silence and from his embarrassed look.

Cain resumed. "I am stating an hypothesis—exercise your powers of meek forbearance upon it. Tell me now the result of the experiment. Could you pardon the murderer of your uncle?"

Howard remained silent.

"Or would you wish to see him become in despair the murderer of himself? Would you allow him poison, and rejoice to see him drink it? Would you furnish him with the knife and the cord, and teach him their use?"

"Tell me!" exclaimed Howard, "am I to believe you the wretch you describe?"

What is it to the purpose," replied the other, "whether the case presented be feigned or real? It is *your temper* I am testing; my own guilt or innocence concerns us now not at all. Have you charity enough to enable you to forgive a man who had slain your father's brother? Speak out—own yourself to be, as I suppose, full of malice and bitter resentment."

"Not so," said Howard, "I could pardon even one whose hands had been imbrued in the blood of an uncle. Declare to me now whether you are thus guilty."

"Perhaps I am, perhaps not—choose which opinion you may, be sure at least of this, that you cannot regard me with greater horror than I deserve. Yet amidst your detestation, leave some room for pity. So help me Heaven, I did not *mean* what I did—one moment's ungovernable anger—but how dare I attempt justification? A grievous sin, it was, to indulge that anger, and God inflicted a righteous punishment when he abandoned me, a helpless prey to my furious passions, and gave them power to lead me whither I would not. You cannot conceive, Howard Astiville—no man who has not *felt* the intolerable torment, can conceive, what I have suffered from that day to this. Oh, how fearful may be the consequences of one hasty impulse—I have seen the assertion in books, that ex-

istence, though in extreme misery, is preferable to annihilation—it is a lie, as all men will some day be convinced. If I but saw a possibility of soul and body being reduced to the nothing from which they sprang, I could run through flames to reach that blessed oblivion. But alas! each year that rolls over me only adds to the burden of my sorrows."

Cain sat down and clasped his hands over his eyes, whilst his whole body shook convulsively. Howard could not look upon such distress unmoved. Addressing the man in a soothing and sympathetic tone, he said:

"If the act on account of which you endure this remorse was not intended, alleviate your grief—there is a ground of hope."

"You speak of what you know not," replied Cain. "Did I declare the whole of my crime, no tongue on earth would have power to falter back words of comfort."

"Still," returned Howard, "the sad deed which you lament was the result of sudden passion—is it not so?"

Cain bowed his head.

The other continued: "Nature has made us all liable to violent bursts of passion."

"True!" exclaimed the self-accuser; "and all are guilty when they fail to bridle wrath. Yes, all are guilty when they feel the *spirit* of murder. Condemn every man you meet, condemn the tottering infant that shakes his puny fist in anger, condemn your own heart—but do not dare to justify *me*."

Cain rose and paced up and down the uneven floor of the hovel. Occasionally he would stop and muse with folded arms. After these brief pauses, he walked more furiously, and cast around him a wild and piercing glance. At length he halted abruptly in front of Howard, and spoke.

"Do not I appear like a frantic and distracted man?"

Howard making no answer, he continued, "I sometimes think I am. I wish with all my heart I were so. Yet you are without bias and can judge better; do I not seem deranged?"

Still receiving no reply from Howard, he added in an elevated and fierce tone,—"Come—let's have no hesitation. You must acknowledge it—I am mad, am I not? Speak! or I'll tear the words out of you. What other proof do you require? Must I throttle the fellow to induce conviction? Do you presume to deny that I am out of my senses?"

"No—I do not deny it," said Howard, naturally somewhat alarmed by his vehemence.

"I knew you would say so!" cried Cain triumphantly, "Crazy people are not responsible for their conduct—are they? So, if I kill myself, who shall say it is a sin? I have heard that all suicides are insane. At any rate there can be no doubt about *me*. Ay, everybody will admit that it is not Henry—pshaw, what was I saying?—that it is not the man who once did a very wicked thing, and paid for it afterwards by a life-long agony—that it is not I, a rational being, who pour laudanum down my throat or leap into the swollen Hardwater—no it is not I, but a maniac frenzy that restores this body to the dust from which it came, and sends this soul into the presence of Him who gave it! The Coroner will come and institute a careful investigation. He and his jury will pronounce a righteous and merciful judgment, declaring that insanity is the only culprit, and will absolve me, the poor sufferer."

"You may deceive your fallible fellow-creatures," answered Howard, "but remember, wretched man, that there is one whom you cannot deceive. The decision of a jury of inquest will have no weight with the Searcher of Hearts."

Cain seemed moved by the observation. "Your lips," he said, "only repeat what something within me is continually whispering. Is it then so—will I be required to answer for my own life as well as that of—of him, I mean, who fell with a mortal wound on the edge of yonder Run? I care not—my guilt cannot be increased, nor my condition rendered worse. Yes, let me die, let time be over, let me delay no longer to begin eternity."

"Oh, think better of it," said Howard, "pause, hesitate, ponder. Consider that as the tree falleth, so it shall lie. It is a fearful thing to destroy the last hope."

"I have no hope—despair has been my master these thirty years. I cannot recall the past."

"No," resumed Howard, "but you

can pray pardon for it. Do not deprive yourself of the opportunity of prayer."

"Prayer?" echoed Cain; "why mock me with the word?"

Howard, after a little hesitation, answered earnestly, "I am a weak and unworthy counsellor, sir; with shame and sorrow I acknowledge my incompetency to point out to you that path which alone leads to true and lasting consolation; yet, plain reason tells me—and it must tell you—that one crime can never be a warrant for committing another. No matter how far you may be plunged in sin, there is a still deeper gulf below. And there is a second truth no less certain. To the guilt is proportioned the suffering. You are undergoing a degree of pain now."

"Say not so smoothly *pain!*" interrupted the other, "I endure agony!"

"Well, then," resumed Howard, "I warn you that this agony, intense as you feel it to be, is capable of aggravation. Let not your own reckless conduct draw upon you that awful increase of woe!"

Cain was silent for a while, compressing his lips tightly. When he spoke, it was in a changed and troubled voice.

"Enough. Take up your broken gun, and leave me."

The young man answered, firmly, "I will not quit this room till you promise me to make no further attempt upon your life."

"How," exclaimed Cain, "am I your slave, to submit to the terms which you choose to impose. Begone out of my sight—begone, I say, lest I do you a mischief!"

Howard, unterrified by his loud voice and furious gestures, stood, and bent on him a calm, commanding gaze.

"Pshaw!" said Cain, retorting his glance with eyes that flashed scorn; "am I a child or madman to be quelled by a look? Do you pretend to lord it over me in my own dwelling, to prescribe what I must do, and what refrain from doing? You shall learn, boy, that I am not one to submit tamely to such an assumption of authority. Did your father send you here? He should have known better."

"No one sent me—accident, or rather Providence, was my only conductor; but now that I am here, I will not depart till you give me the assurance I require."

"You will follow up your bold command with threats, I presume," said Cain.

"No, sir," replied Howard, altering his manner, "I utter not a command; I only entreat and supplicate. It is in your power to bestow on me an inestimable boon, of which I can retain the recollection as long as I live. Though unhappy yourself, do not refuse to confer happiness upon another."

"What is it you ask of me?"

"To spare your life, sir."

"And how can such a boon, if granted, benefit you?"

"Can you not understand," replied Howard, "what a privilege it is to believe oneself instrumental in preventing a human soul from committing an unpardonable sin? Oh, sir, I implore you to forego forever the purpose which has this morning been frustrated. Life is short to the youngest; you are old, and how small a thing it is which I pray of you—merely to live out the days which God has assigned for your stay on earth. Without your daring and impious interposition, death will come very soon—may you not have occasion hereafter to say too soon!"

"What am I to you?" said Cain.

"A man! There needs no other justification of my interest in your welfare; and you are bound to acknowledge the same tie of relationship. Be, then, as ready to confer a blessing on me, as I am to confer a blessing on you. I argue not that you should refrain from suicide on your own account, but I beseech it as a favor to myself. Shall I go on my knees to beg the bestowment of this easy gift?"

"But have you forgotten, Howard Astiville, that I have injured you? If this shattered fowling-piece, the memento of your departed friend, be nothing, think of the old yet greater wrong which I have not the fortitude to describe plainly."

"I remember all," cried Howard, eagerly, "and I demand that you repair those former wrongs by making the promise which I seek. If I forgive all that you have done, will you persist in denying me one small favor?"

Cain, overcome by the youth's importunity, finally gave the promise which was required. Howard, about to depart, picked up such portions of his gun as were worth

preserving. When he was through, Cain, who had looked on gravely, said:

"Whilst you have been conferring a service upon me this morning, I trust a lesson has been impressed on your own heart. Let that broken gun remind you that there are elements within your bosom, which, if let loose, will scatter havoc around, and bring ruin on yourself. Youth is ever a period of danger, and your case is attended with an additional and peculiar peril. You inherit a stormy temperament which it will require your utmost might to control. The admonition now given, you will not hastily reject, for it comes from one who has felt passion, and suffered from it. Watch unceasingly; the dread trial will meet you at a time when you expect it not. Think that a single instant may suffice to entail unending sorrow."

"Forewarned is forearmed," answered Howard, affecting cheerfulness.

Cain shook his head, and rejoined, "I trust it may prove so, but I cannot read the lines of your countenance without a feeling of apprehension. Farewell, and may you be assisted by a power mightier than your own."

Howard had hardly climbed the fence, before Cain followed and overtook him.

"Stop, I wish to give you a charge. Tell no one what has occurred this morning; be silent even to your father. Another thing: come not here again—I am best alone. Now go; but once more let me urge you to watch the demon, Temper."

After uttering these words, the recluse turned his back abruptly, and retired within his hut. Howard walked home, and on the way had much to occupy his thoughts. He entered the house as the family were sitting at the dinner table, and took his seat among them without remark. During the meal, the father more than once glanced uneasily towards the son, but asked no question respecting his morning's employment. Astiville was something of an epicure, yet none of the viands which his wife offered him that day could tempt his appetite. When the cloth was removed, he pushed away the wine-glass placed before him by the servant, and rose from the table. Howard soon after followed.

Astiville took up a newspaper, but in vain endeavored to fix his mind on its columns. Lifting his eyes, at length, he perceived that he had no companion in the drawing-room except his son.

"You went gunning this morning, I believe, Howard?"

"Yes, sir."

"Did you find anything in your walk worthy of note?"

"No, sir; nothing to speak of," replied Howard, embarrassed by the recollection of Cain's injunction of secrecy.

Astiville inquired no further. He dared not speak, lest some of his troubled thoughts which agitated his mind should betray themselves.

After a few minutes of profound silence, Howard rose and remarked that he would ride over to Everstone.

"To Everstone!" echoed Astiville, suddenly and sharply; "which way will you go?"

"Along the wagon road, of course, sir, by the stone bridge."

"I asked," returned the father, trying to recover himself, "because I have a little business with Nathan Brewer, and did not know but you might perform it for me, if you took the upper route."

"Brewer's house is not at all in my way to Everstone," said Howard in some surprise; "but what is the business, sir? I can postpone my visit to the Everlyn's to another day."

"No matter," said Astiville. "On second thought, I would rather see Brewer myself. He is probably getting out timber in the woods near my line, which made me think you might possibly pass not a great way from him. But you would not be apt to find the man, so you may as well keep the road you first intended."

Mr. Astiville went to look for Brewer, by taking the most direct course to Cain's cabin. That riches are oftentimes a curse, is a trite saying, and not for twenty times John Astiville's great possessions would any wise man have been willing to undergo what was undergone by him in the brief interval between his morning's and his afternoon's ride.

CHAPTER IX.

HOWARD, who had a far lighter heart to carry, was quickly at Everstone. After a pleasant talk, terminated by the entrance of tea and other evening refreshments, he heard the blast of horns, almost drowned in the loud shouts of negro voices. Sidney sprang up and looked through the window.

"You must know," said Everlyn to Howard, "that this young lady takes a remarkable interest in farming matters—witness the animation with which she hails the corn-shucking."

"You will not be surprised at me, Mr. Astiville, when you learn that it is ten years since I last saw a shucking. How briskly the colored folks are flocking together from all sides, and how merrily they sing!"

Howard also went to the window. The sun had just gone down amidst the haze of the Indian summer, while the moon, rising over the eastern tree-tops, compensated well for his departure. The air, dry and balmy, was of that happy temperature which does not chill the blood though it tempts the limbs to exercise. Sidney donned her bonnet, and, accompanied by the visitor, went to gratify curiosity by a nearer view of the shuckers. The corn was collected at the stack yard, distant in a direct line something less than half a mile. There was a path which wound around the hill and led to the spot after a graceful circuit. This path the young couple followed.

"I do believe," said Howard, as the swelling chorus of the corn-song was reverberated from hill to hill, "that the negro is the happiest being on earth."

"That they enjoy life, is certain," replied Sidney, "but to constitute perfect happiness, should not the intellectual part of our nature be expanded and gratified?"

"Ah, what *can* gratify the yearnings of the soul when once awakened? Better the torpor of ignorance than a restlessness that allows no repose. The negro lives on from day to day with no thought nor care for the morrow; all the wants he is capable of feeling are satisfied; he is free from pain, he is free from desire, and consequently is happy. He seems to occupy the fortunate mean in the material creation. The stone and the clod do not suffer; but, inert, senseless, lifeless, they exist without enjoying existence. The lamb that gambols over the field, now plucking a tender spire of grass, then skipping to receive a caress from the bleating ewe, I verily believe is favored with an actual, positive, pleasure. But this creature's happiness is not unalloyed. No dog can pass by, that the sight does not cause its whole tender frame to quiver with apprehension. Does a sportsman fire his gun near the flock? The weapon is not pointed at the lamb, yet the poor creature runs hither and thither, and, in short, undergoes a thousand deaths before it meets the butcher's knife. The negro, however, more highly favored by Providence, frolics as gaily as the lamb, and, unlike the lamb, has nothing to dread. He labors, indeed, but not with his mind; and bodily exercise is the most grateful of animal pleasures."

"You commence at the bottom of creation," answered Sidney, "and as you ascend discern at each stage, an increase of happiness; if you went higher, would you not find the same law still to prevail? Surely, you yourself would not change situations with the merriest fellow that exhibits his white teeth in the moonlight above us."

"No," returned Howard; "nor would Crœsus have exchanged places with the peasant whom the oracle declared the happiest man in Lydia. Education has made me aware of faculties of which the blackey is unconscious. His ignorance is literally his bliss, for an increase of knowledge always causes an increase of desire. For instance, how can I read about men who have distinguished themselves in science, in literature, or in affairs of state, without longing to equal and surpass them? In the dreamy enthusiasm of boyhood, I doubted not to become some day a Newton or a Cicero, just as in an earlier period I hoped to attain to the physical prowess of a Cœur de Leon. Since then, as I become daily more and more capable of appreciating the characters of the men whose names are emblazoned in history, I am

compelled to despair more and more of ever rivalling their excellence. I am subjected to the torment of Tantalus, and there is no escape from it; the eyes of the mind once opened can never be closed. It is very easy to *learn*, but what more impossible than to forget? I am thrust involuntarily into a contest which I cannot now avoid. Winner in it I can scarcely hope to be, yet defeat is shame."

"To judge from your words," said Sidney, smiling, "one would be ready to suppose you the most miserable of beings."

"Do not draw that inference," replied the young man, "I have no right to any privilege of woe. I am now in a state of suspense which I dare say will not last: probably I shall soon find my level:—whether my part be to float on the flat surface of mediocrity, or, as I still would fain hope, to attain the rank of the flying-fish that sometimes soars in air, though at other times it is forced to hide amidst the pebbles of the bottom. Yet I wish there was some seer to declare the result beforehand, so that I might learn the station appointed for me, by some process less mortifying than the failure to maintain a higher one."

Sidney remarked that it had been stated that a man may make himself what he pleases.

"If those that tell us that," said Howard, "be themselves men of little note, their declaration is entitled to small respect; and as for the really great, they can speak for themselves but not for others."

"Yet strenuous effort," rejoined Sidney, "though it should fail to reach the highest aim, is better than a listless waiting on Time."

"I admit it. This cowardly sloth in which I am now sunk, I am myself ashamed of. It is a reproach to the Creator to shun the laborious probation which is the common allotment of all mankind. Yes, it is indeed time that I was up and doing."

"Excuse me," said Sidney. "I am very far from intending any application of my remark to yourself. Certainly you are hardly so advanced in years as to be obnoxious to any serious blame for not having yet performed as much as it usually requires a life-time to accomplish."

"You are a lenient censor, Cousin Sidney,"—(It must be noted, by the way, that Howard in the course of a diligent study of his ancestral tree, had discovered that Sidney's grandmother was the half-sister of his own great uncle; whence his claim to use the affectionate style of relationship.) "Do not palliate my fault. If I am young enough to deserve pardon for not having yet accomplished some memorable action, I ought at least to be earnestly busy in fitting myself to act. But here is the sad difficulty. I am no Admirable Crichton to embrace the whole circle of the sciences, nor do I feel the impulse of an instinct directing me to any career congenial to my disposition, and not above my strength."

"What think you of the Law?" inquired Sidney.

"I heartily despise it, and besides, the qualities which are its essential requisites, are precisely those in which I am most deficient—cunning, duplicity, and cold-blooded indifference. No—I'd as soon be a soldier of fortune, and cut throats for the highest bidder!"

Before the young lady was able to think of another suggestion, they had turned the corner of the fodder-house and come in full view of the dusky assembly. On both sides of a long pile of unshucked ears of corn they stood, or rather capered, for their feet moved quite as nimbly as their fingers, though less profitably to the master of the land. Mr. Everlyn's servants formed of course a small proportion of the party: there were boys and men at work who had come, without hope of fee except a participation in the frolic, and a share of the substantial supper at the close—distances varying from two miles to ten. All were shouting with full play of lung, and at the highest pitch of voice. Yet was there regularity in the discord. The same words were for the most part used by every individual, and at intervals the familiar chorus burst forth to which each voice contributed its utmost power, and which rose and swelled on the air, till it startled the owls in the depths of the forest. But who shall attempt to describe the indescribable *corn-song?* Pindar, in his wildest flights, never imagined lyrical achievements approaching the daring extravagance of these efforts of the Africo-American Muse. Trochees, Iambi and Anapests appear in a kaleidoscopical variety of collocation; while Diamters and Alexandrines are thrown in startling contrast. Sometimes we are

greeted by the severe majesty of blank-verse; anon, the song condescends to put on the trammels of rhyme. We hear not only brief and fervid odes, but long epics whose recitation wears out the night; and we are fortunate in being able to state a fact in regard to the origin of these latter prodigious compositions, which is capable of casting much light upon a critical question of no little importance. Close your mouths henceforward, ye clamorous opposers of Hedelin and Heyne! The Iliad, that noblest compound of rhapsodies, never could have sprung from one unaided author, for no single Homer is found adequate to compose so much as a corn-song. Verse after verse is added by the inspiration of innumerable successive poets. In some future day, a Pisistratus will doubtless arise to combine and arrange the precious fragments in one grand, symmetrical, immortal, whole.

As Sidney and Howard stopped to listen, the melodious choir were singing lines something like the following:—

Old Bob Hateful he was a devil,
Sartain and sure, sartain and sure!
"Water! Water!"---hear him bellow,
"Just from the spring so fresh and cold;"
But none did he git, for all he cried "hello!"
FIRE's what's for *him*---that rarscal old!
And where the fire is the hottest,
There may he choke---choke---choke!
For old Bob Hateful, he was a devil
Sartain and sure, sartain and sure!

When the last dying note of the chorus had floated away in the distance, there was a dead silence around the corn-pile. In fact, before the two or three previous lines were sung, the white visitors had been discovered by a portion of the assemblage, who immediately dropped their voices.

"Whe—ew!" said an old fellow whose curly grey locks glistened in the moonbeam, "Hush boys—hush boys!"

"Who's that?" asked one of those a little further off.

Priam—for the first speaker was no other than Mr. Newlove's lately engaged servant—answered in a low impressive tone, "Don't you see? It's *Master Howard Astiville*. Let's strike up something else quick boys;—it makes no odds what."

On the instant the negroes at one side of the corn-heap dashed into that spasmodic melody which accompanies the words—

"Pickin' up de cotton; pickin' up de cotton!
Heigho---Heigho!
Picken' up de cotton, &c.

The other division of the assembly sang "with taste" the pathetic strain

"An' thar I spied an old grey goose,
A-smilin' at the gander."

Had it been broad day, Sidney would have been able to perceive that her companion's face was flushed with anger. Too much absorbed, however, in observing the novel and picturesque scene before her, to divide her attention with aught else, she looked not at Howard nor addressed to him any remark for a space of some minutes. Curiosity being at length amply gratified, the lady and gentleman left the yard. Sidney then thought to inquire of Howard whether he could account for the sudden change of the song at their approach.

"And do you not know?" said Young Astiville, turning towards her.

"Really," she answered, "I cannot imagine the reason. If they intended to compliment us, I think they displayed little judgment, for the first song certainly appeared to have much more character than any that succeeded it."

"Haven't you heard of the grave at the fourth corner?"

"Yes, something, I remember that Mr. Somers"—here she hesitated.

"You refer to that evening when he uttered such audacious insolence in your parlor. Let me know precisely what it was he said, for neither father nor mother will tell me."

Sidney noticed his kindling ire and was unwilling to supply it with fuel. "It is not well," she answered to recur to an incident so unpleasant, and which, I have no doubt, has since been regretted by all parties who were engaged in it."

"If I had been present that evening," said Howard, "Richard Somers should not have escaped so easily. Let him never repeat the infamous slanders he spoke then, or dearly shall he rue the hour. But you shall learn the foundation upon which his frantic malice built I know not what impudent accusation. Robert Astiville, as you have probably heard, was the first of our family that settled in this State. He took up a body of land adjoining one which had been patented some score of years previous by Roland Compton. It chanced, as he was engaged with a chain and compass in running out his lines, that

he found himself oppressed with thirst near the fourth corner-stone of Compton, which was to constitute his own corner also. Sitting down to rest himself there, he dispatched a black man named Giles, his own slave, with a vessel to bring water from some spring, for, it being mid-summer, the Hardwater Run at whose edge he had arrived, was too warm and nauseous to be drank of. The negro, after an interval of time which doubtless appeared very long to the parched and weary company at the Corner, returned. He brought the bucket—so tradition says—upon his *head*. In lifting it down, the unfortunate man, whether accidentally or through design, slipped his hold, the bucket fell, and the water was spilled upon the ground. My ancestor, under the influence of the sudden irritation, raised the iron measuring chain which lay coiled at his feet, and struck the slave violently on the head. The blow was mortal."

An exclamation escaped Sidney's lips.

"My ancestor," continued Howard, "was a man of strong passions—in this respect, I fear, too much like his descendants—he was excited by a disappointment greater than any one can conceive who has not endured the agony of thirst; and more than all in striking Giles he meant nothing further than a moderate chastisement for his carelessness or perhaps wilful and sulky disobedience. Then let us not judge Robert Astiville too harshly. Deeply must he have repented the homicide into which an ungovernable temper had betrayed him."

"And was Giles buried by the corner-stone?"

"Yes, so it is said; and the negroes (who are strongly affected by such circumstances) have invested the spot with many superstitious and ghostly fancies. To this cause is in a great measure to be attributed the difficulty of at this day discovering the exact locality."

"Then," observed Sidney, musing, "you think that the corner which we thought was found near the sulphur spring, must be given up."

"I fear it must, indeed," replied Howard, "yet it ought to be remembered that this story of the grave is a mere tradition and has no positive evidence to support it. At any rate, however, there is nothing to shake our confidence in the Lower Branch, being the division line between the patents."

"Yet you have not told me why the blacks interrupted their singing upon our arrival just now."

"What?" said Howard. "Did you not hear them speak of a certain Bob Hateful—"

"And was that your—"

"My great grandfather's father you mean? Yes, such is the epithet with which the negro vocabulary has honored him. The poet who, about a century ago, composed that elegant elegiac, made the line run, 'Old Bob Astiville,' but the living Astiville's having, very naturally, no desire that their name should be handed down to posterity in such a fashion, remonstrated, and so energetically, that the sable songsters expunged it and substituted another. They have also sense enough to know that the song, albeit thus modified, cannot be particularly agreeable to any member of the Astiville family. Hence their disorder this evening upon discovering whom they had for a listener."

"I do not wonder," said Sidney, "that your family should prefer having so painful an incident in their history forgotten."

"And forgotten it would have been long ago," rejoined Howard, "but for the perverse memory of the negroes. Nor are they content with the tragedy as it really occurred. Each generation seems to consider it a duty to embellish the tradition with added circumstances of horror. According to the belief now current, Robert Astiville was not merely a man of impetuous temper, but a perfect demon—a rival in hard-hearted cruelty to Apollyon himself."

"Did Giles leave any descendants?" inquired Sidney.

"Yes. There is one old woman in particular who I know is descended from him. Her name is *Naomi*. Though now free, she once belonged to my father, and it was from her mouth that I first heard the tale of her ancestor's death. I was not more than ten or twelve years old, and as you may suppose, the account delivered by her with bitter emphasis, made a profound impression upon my mind. I remember that the old woman, to account for the sudden fit of passion of which Giles was the victim, assured me that there was an evil spirit who haunted our race, occasionally taking full

possession of some member of it, and leading him into all sorts of atrocious acts. And she referred me for confirmation of the doctrine to those passages in the New Testament which speak of persons who were possessed with devils. With an upraised finger and gleaming eye, she added, that it was very probable that this fiendish attendant of the Astiville family would some day enter into *me.* Of course, a child of the tender age of which I was, could not hear these frightful tales without shuddering. My parents perceiving the terror which oppressed me, and after some investigation discovering the cause, were very angry. The consequence was, that the old hag was whipped, and I fear that she regards me, though only an involuntary agent in her punishment, with as rancorous a detestation as she does the memory of old 'Bob Hateful himself.' "

Sidney and Howard strolled along in silence for a little distance. At length the latter remarked:

"There's an old negro, named Priam—and, by the way, I saw him at the shucking yonder—who is Naomi's husband. He is at present hired to Sylvester Newlove, and he it was, probably, or his wife, who gave Somers the information about the Grave, which was used to such effect in Court. I will not pretend to reproach Somers for anything he said before the jury;—there he only acted according to his trade. But what I *do* blame him for is, that he should afterwards have so shamefully garbled and distorted his negro tradition, for the purpose of lowering my father in Mr. Everlyn's opinion, and in yours. *That* was a trick of mean, despicable malice, to which I would not have thought that even Richard Somers would descend."

Sidney was struck by this observation. In a quick voice she said: "Can it be that Mr. Somers understood the matter as you have explained it?"

"Surely! How can it be else? The account which I have given you is the negro account, and it is the one which Somers must have received. Or, if any other tale was told him, it certainly could not have been more unfavorable to our family. This is the darkest one that has ever been propagated. But, giving him the credit of ignorance, what can you imagine more unjustifiable than to parade a hasty suspicion as truth, and to endeavor to affix it as an indelible stigma upon the name of a gentleman? His being a lawyer makes his conduct appear all the worse. Accustomed throughout his whole life to sift and weigh evidence, it is impossible that he could have failed to observe how entirely groundless was the charge which he took upon himself to utter."

"It was, indeed, very wrong," murmured Sidney.

"And now," rejoined Howard, vehemently, "Tell me what has been the effect of the calumny. You know exactly what Somers said that evening—I do not. If you are unwilling to inform me what the imputations were which he cast forth so recklessly let me hear, at least, whether they produced the result intended. A parent's honor is as dear to me as my own. If you see cause to believe my father a villain, you are welcome to esteem Howard Astiville ten times more a villain!"

"Trust me," replied the young lady, "I never had reason to entertain the slightest doubt of your father's integrity. Let the assertions which Mr. Somers uttered, in a moment of irritation, sink into oblivion. They are already as if never spoken—except so far as the recollection of them affects Mr. Somers' own reputation.

Sidney stopped, confused and blushing; for these last words had escaped her unintentionally. They expressed rather a painful conviction, than an opinion which she desired other persons to adopt.

Howard took up the word immediately. "Somers ought, in truth, to be ashamed of his conduct—but, I presume, his only care is to make himself agreeable to Miss Newlove?"

Sidney felt her embarrassment increase, but it was necessary to give some reply. So, after the pause of a few seconds, she said: "I hope, however, that Miss Newlove cannot possess so exacting a disposition as to require, from her advocate, the forfeiture of his honor."

"I should have been inclined to believe so too," returned Howard. "I had a good look at the young lady a few days since, and, really, if she were not a New Yorker's daughter, one might conjecture her to be quite an amiable sort of person.

Of course no less partial spectator than Richard Somers, would reckon her very beautiful;—still there's something engaging about her. Spenser has a couplet, which, I think, describes pretty well the impression likely to be made on one who saw her for the first time. The poet, in mentioning some plain, unpretending damsel, says:

'Yet was she fair, and in her countenance
Dwelt simple truth, in seemly fashion.'"

"Very pretty lines, indeed," said Sidney, "and I am sure that any one who deserves to have them applied to her, need not complain that Dame Nature has been niggardly in the bestowment of charms."

"Miss Emma Newlove is well enough," answered the gentleman, "though a little too meek, and quiet, and die-away for my notion."

"Why, I thought you had never conversed with her, Mr. Astiville?"

"So I have not—I only infer the character from the face. My opinion may be wrong. Perhaps, with all that mild sincere look, she is, in reality, a termagant and a scold. If this be the case, I trust that Somers is the man who is destined to become her husband—no fate can be too bad for him."

"But suppose she is of a temper altogether different?"

"Why, then," added Howard, "may she have the good sense to choose a husband somewhere else than in Redland. She ought to know that there are ladies here, too fair to be rivalled by Yankee beauty, and sufficiently numerous to engross the entire devotion of all the sons of the South. Stay!—let me think better of it. Yes, we'll be generous, the little puritan maidens shall have leave to gather the crumbs. Let them take the lawyer, and welcome! It will be a happy riddance to you, Cousin Sidney, will it not? But why waste time in making provision for Miss Newlove? She is sufficiently old to help herself. Though philanthropy is a good thing, I don't see that we ought to be particularly solicitous respecting this young lady. For my own part, my thoughts are not disposed to wander so far. You tell me that Somers' falsehoods have made no impression on your mind."

"What falsehoods?" asked Sidney, suddenly.

"I might answer," said Howard, after the fashion of echo—'What falsehoods?' Why, any and all;—for it is to be presumed that every word that drops from his lips involves a deceit. Yet I care little what estimation is placed upon his assertions, except when they touch my father's good name."

"Assertions which do that," said Sidney, "must meet disbelief and rebuke, let them proceed from whom they may. Your father's high integrity is not to be doubted, even upon testimony so respectable as that of Mr. Somers.

"I am grateful," uttered Howard, bending his head. "We stand cleared from one imputation; but how is it with regard to old Naomi's ban? Do you believe that there is indeed a curse overhanging every one who is so unfortunate as to be descended from Robert, the master of Giles?"

"If I did entertain such a belief," said Sidney, "it would only be a ground for sympathy and fellow-being. You know Everstone lies under a doom. But let us keep a bold heart, and destiny may do its worst."

"I have need, in truth, Cousin Sidney, to summon all my powers. Think what a fiend it is that haunts me—not a tempter who seeks to beguile me to my ruin, but an irresistible despot, who will never condescend to address his victim in any language but that of stern command. Imagine him tossing me about at his own will and pleasure. See me writhing as hopelessly as Laocoon, enveloped in the folds of the serpent. Am I not to be pitied? Perhaps, however, there is a way to exorcise and banish the fiend. If you, Cousin Sidney, were gifted with the power to relieve me from this horrible fate, would you not exert it?"

"Certainly. It would be inhuman to rerefuse; but, unfortunately, I am no Merlin."

"Oh," resumed Howard, "I ask not the forbidden aid of sorcery. The fiend is too mighty to be thus conquered. He can be driven out only by a power, of a nature directly opposite to his own. He is dark, loathsome, devilish. I must, then, look to one who is pure, benign, and lovely. And if the being who possesses these qualities, in their extent, will not assist me, I must abandon all hope. What say you now, Cousin Sidney?"

" I have to reply that I still think your safety depends upon yourself alone. But, since you make such an angel of me, I must, in return for the compliment, render all the service I can. Evil spirits were expelled, in ancient times, by the influence of music. We are nearly at the house, I perceive, and the piano is in tolerable tune. I will play to you, until the unwelcome demon, if he have any ears to stun, shall be ready to cry 'mercy.' "

" Thanks, my gentle David," said Howard, leading his companion towards the steps.

" And do *you*, great King Saul, be on your good behavior. Cast no javelins at my head—I beseech you."

To be Continued.

BROWNING'S POEMS.

If Mr. Browning be the poet of a transition state, this may explain one of his worst faults, namely, his occasional obscurity or unintelligibility. If he stands in the twilight of a coming day, it is not strange that familiar shapes emerge indistinctly, here and there, and assume unrecognizable forms, while the new revelations, which shall brighten with glory in the rising sun, still glimmer mystically from the shadows that enshroud them. But whatever be the explanation—and the true one is, perhaps, the indolence or the perversity of the author, —the fact is obvious, and must ever stand in the way of his popularity. There is a cunning mediocrity, which wins admiration by affecting obscurity, and which by enwrapping its paltry truism in a glimmering fog, plays upon its readers the brilliant imposture of making them transfer the excellencies, which they imagine, to words which they do not comprehend. There are in Browning whole pages, which, could we believe him infected with Charlatanism, we should attribute to this cause. But, in point of fact, we believe that he oftener obscures true merit than creates a halo around a sham; and, that the defect results rather from want of labor than from want of ability. He does not dwell upon his conceptions, until they assume that clear and determinate shape, which compels a definite expression. In justice to him, however, it must be said that his later productions are great improvements upon his earlier in this respect.

But if one cause of his obscurity is his imperfect expression, another cause is the abstruse and recondite nature of many of his thoughts. He is guilty of that kind of thinking popularly styled transcendental. Now, with many, this of itself is as bad as the unpardonable blasphemy, and will suffice to shut him out from all mercy, human or divine; while with others, like charity, it will cover the whole multitude of his sins. Without siding with either class, we believe that much of the poetry and of the prose, which is called transcendental, is replete with refined appreciations of both spiritual and sensuous beauty, for which we look in vain elsewhere; that it has widened our sympathies with nature by shedding upon the forms of sense the hues of the spirit; that it has analyzed more perfectly those mysterious visitings of feeling and thought, which cast such elusive flickerings of light and shadow upon the soul, and has woven into tissue, beautiful as morning mists and aerial as gossamer, the fine affinities which connect us with the world of spirits. These things are within the legitimate provence of poetry—but hardly fitted for the drama, because the drama supposes the mind too much absorbed in action to indulge in anything so fine-spun and visionary—but when you come to pure Kantian metaphysics, to speculations upon the essence and the properties of mind and spirit and the absolute nature of things, and other kindred themes, to attempt to extract poetry from them, is like the alchemist's attempt to make gold out of iron, or the Yankee's to squeeze milk out of a turnip. The fact is, almost all the great truths which lend a coloring to the affections, passions, and practical life of men, and which are consequently poetical—are simple and intelligible. Belief in divine Providence, and the immortality of the soul, the solemn raptures of devotion, the retributive terrors of conscience, the ennobling fascinations of love, the strength and purity of domestic affection, the aspiring and the grovelling propensities of man, and the beautiful effects of natural scenery, are themes to which the simplest heart gives cordial response and are inexhaustibly rich in poetry. It is the poet's chief mission to create media, through which these shall be

naturally and vividly expressed. And here he can find full exercise for originality and invention; for whereas truth in itself is one, it yet can shine through a thousand forms and speak in a thousand tones. The poet must select that form, which shall embody without obscuring it, and these tones which shall mingle the least of earthly discord with the music of its voice. He must leave to philosophers the annunciation of new laws and principles, whilst they require argument to support them; or if he would sometimes with Wordsworth and Coleridge, travel far into the twilight regions of consciousness, let him adopt the didactic and lyric, and not the dramatic form of composition.

The first and most ambitious, but to us the least satisfactory, of these plays, is Paracelsus. It is no drama, unless five separate talks upon the same subject, detailing the plans and experiences of a man in the pursuit of one object, without a particle of action, can constitute a drama. The first scene, headed, "Paracelsus aspires," shows him with his two friends, Festus and Michal, on the eve of departing on his wandering in quest of knowledge. They talk over his plans and hopes, scattering thickly, here and there, hints of his past career and of the strange promptings which induced him to dare *to know*, to know as Festus says, "the secret of the world, of man and man's true purpose, path and fate," a knowledge which is to find "its own reward in itself only, not an alien end to blend therewith." In his proud self-reliance, he scorns the services of humbler men. He says:

> "If I can serve makind
> 'Tis well—but there our intercourse must end;
> I never will be served by those I serve."

The theme, then, which is proposed is the aim "to know for knowing's sake," and the sacrifice of all affections to this end. Festus thus grandly describes Paracelsus.

> "'Tis no wish of mine,
> You should abjure the lofty claims you make,
> Although I can no longer seek, indeed,
> To overlook the truth, that there will be
> A monstrous spectacle upon the earth,
> Beneath the pleasant sun among the trees,—
> A being knowing not what love is. Hear me!
> You are endowed with faculties, which bear
> Annexed to them as 'twere a dispensation
> To summon meaner spirits to do their will
> And gather round them at their need; inspiring
> Such with a love themselves can never feel,
> Passionless mid their passionate votaries.
> I know not if you joy in this or no,
> Or even dream that common men can live
> On objects you prize lightly; but which make
> Their heart's treasure. The affections seem
> Beauteous at most to you, which we must taste
> Or die; and this strange quality accords,
> I know not how, with you; sits well upon
> That luminous brow, though in another it scowls
> An eating brand—a shame."

His after-fate, it is true, belies these wonderful attributes, but the above is, probably, the conception which the author wishes us to form of his hero. All the interlocutors of the play except Michal—Heaven bless her loving and truthful heart—are gifted with an inordinate loquacity. When they open their mouths, one, two, three, or four pages of words tumble out, sometimes, very little to the enlightenment of the reader, and, always, very little to the furtherance of dramatic effect. This is an historical characteristic of Paracelsus, he having given one of his names (Bombastus) to a species of eloquence, common before the Fourth of July and just before election, and which it was hardly necessary for Mr. Browning to have taken any particular pains to immortalize. Thus, many words are spent in discussing his plan of acquiring knowledge, which seems to have been merely to roam abroad, at random, gathering by observation the truth scattered up and down the world. Festus makes some very sensible objections, but is finally convinced, by the enthusiastic, mystical, and eloquently obscure replies of Paracelsus, that, with a person of his genius, they can have no application. He sees his way, "as the bird her trackless way," and, in the end, convinces Festus and Michal that he shall succeed in his enterprize, and departs. We next meet him after the lapse of nine years in Constantinople. Baffled in his object and sick at heart, he has consulted a conjuror to obtain some clue to the truth, which he cannot wring from nature. While soliloquizing over disappointed hopes ges a poor crazy poet, called Aprile, appears upon the scene. Aprile has been as far misled by his intense love, as Paracelsus by his desire to know. Paracelsus, however, discovers in the poor dying bard the qualities which are wanted for his own perfection. Says he:

> "Die not Aprile; we must never part:
> Are we not halves of one dissevered world

Whom this strange chance unites once more ?
Part? never.
Till thou, the lover, know; and I, the knower,
Love—until both are saved."

But Aprile expires, leaving Paracelsus convinced, that knowledge is precious only in its union with love.

The third scene presents him at Basil, lecturing to admiring pupils, at the zenith of his fame and popularity. Yet the lesson which he has learned from Aprile, to use his wisdom for man's benefit, has not rooted out his old contempt of his fellows. He despises, while he teaches them, and sees little harm in playing off the tricks of a charlatan upon men, who cannot appreciate true wisdom. He seems to have learned the lesson of love, theoretically, rather than practically. Festus is all admiration of his success; but Paracelsus predicts his own downfall, and still feels, within, the unsubdued desire to attain to perfect knowledge.

In the fourth part Paracelsus again "aspires;" that is, the people of Basil, having come to the conclusion that he is an unconscionable quack, he is about to start again upon his old vagabond life, in search of knowledge. This fourth part is a wonderful talk—the old race of volubility between Festus and Paracelsus, with a new spirit superadded. We had set it down as an astonishing specimen of some new style of poetry, and given up understanding its real or dramatic significance, until we found, by consulting the notes, that, at this time, Paracelsus "scarcely ever ascended the lecture desk, unless half-drunk, and only dictated to his secretaries when in a state of intoxication." This surely explains an accumulation of incongruities, under which language reels, and reason staggers, although it may raise a question among critics as to the æsthetical propriety of such writing.

In the fifth part Paracelsus once more "attains;" that is, he dies in the faith that he has missed the aim of life, by not mingling love with his thirst for knowledge. This much, at least, we gather from his wild and incoherent rhapsody, strewn here and there, with beautiful thoughts and images, like stars that twinkle tremulously in a nebulous sea of ether. The poet states its moral in these word sof Paracelsus:

"Let men
Regard me and the poet dead long ago,
Who once loved rashly; and shape forth a third
And better tempered spirit, warned by both."

In his note the author says: "the liberties I have taken with my subject are very trifling; and the reader may slip the foregoing scenes between the leaves of any memoir of Paracelsus he pleases, by way of commentary." Now, we plead guilty to but slight familiarity with the biographies of the Father of Chemistry, yet we do not hesitate to say, if they are sufficiently enigmatical to need the elucidation of such a commentary, we shall be in no more haste to cultivate a more intimate acquaintance. Meanwhile, notwithstanding its defects, the poem is full of boldness and originality, far beyond the reach of mediocre minds, which gave ample promise of ripened excellence. There are passages of which any poet might be proud; particularly those passages of description, which evince the observing eye, and personifying imagination of the true poet. And though it is, in a measure, true, as has been said, that Browning seldom expends his strength upon isolated passages, but shows his power in a subordination of the parts to the whole, we shall yet attempt to compensate for our somewhat disparaging criticism, by a few quotations.

As an instance of imaginative force in a single word, we remember few which surpass the following:

"Michal, some months hence,
Will say, 'this autumn was a pleasant time,
For some few sunny days, and overlook
Its bleak wind *hankering* after pining leaves."

Here is a description of an autumnal morning:

Festus. Hush!
Paracelsus. 'Tis the melancholy wind astir
Within the trees; the embers too are gray,
Morn must be near.
Fest. Best ope the casement: see!
The night, late strewn with clouds and flying stars,
Is blank and motionless; how peaceful sleep
The tree-tops all together. Like an asp
The wind slips whispering from bough to bough.
Par. Aye; you would doze on a wind-shaken tree
By the hour, nor count time lost.
Fest. So you shall gaze.
Those happy times will come again,—
Par. Gone! Gone!
Those pleasant times. Does not the moaning wind

Seem to bewail that we have gained such gains,
And bartered sleep for them.
Fest. It is our trust
That there is yet another world to mend
All error and mischance."

Here the descriptions are exquisite, and the transitions all beautifully suggested by natural associations. Yet it is curious to note how, even here, everything tends directly back to that eternal coil of doubt and faith, pride, contempt, and love, and the problems of "providence, foreknowledge, will, and fate," which he keeps unwinding from his bosom, without end. Here is a further decription of morning:

"See morn at length. The heavy darkness seems
Diluted; grey and clear without the stars,
The shrubs bestir and rouse themselves, as if
Some snake, that weighed them down all night, let go
His hold; and from the east, fuller and fuller,
Day, like a mighty river, is flowing in,
But clouded, wintry, desolate, and cold.
Yet see how that broad, prickly, star-shaped plant,
Half down in the crevice, spreads its woolly leaves,
All thick and glistening with diamond dew."

The following lines, though they remind us of Wordsworth's account of the origin of the Grecian gods, yet have a beauty all their own:

"Man, once descried, imprints forever
His presence on all lifeless things; the winds
Are henceforth voices in a wail or shout,
A querulous mutter, or a quick gay laugh,
Never a senseless gust now man is born;
The herded pines commune, and have deep thoughts,
A secret they assemble to discuss
When the sun drops behind their trunks, which glow
Like grates of Hell: the peerless cup afloat
Of the lake-lily is an urn, some nymph
Swims bearing high above her head; no bird
Whistles unseen, but through the gaps above,
That let light in upon the gloomy woods,
A shape peeps from the breezy forest-top,
Arch, with small puckered mouth, and mocking eye;
The morn has enterprise,—deep quiet droops
With evening; triumph takes the sunset hour;
Voluptuous transport ripens with the corn,
Beneath a warm moon, like a happy face."

Thus we might proceed, would our limits permit, quoting passage after passage, shewing a bold, vigorous, and original mind, which only a too decided introversiveness, which time seems fast remedying, prevents from producing a work of the very first order.

The next play, "Pippa Passes," is simple in its design, and genial in its sentiment. The author's capacity is fully equal to his conception, and, consequently, the characters are distinctly outlined, and the thoughts no longer float at large *in nubibus.* The poem seems intended to illustrate the influence of a good word, when spoken in critical moments. The heroine of the piece, Pippa, a poor girl from the silk-mills, who has her New Year's holiday, passes the "Happiest Tour," as she supposes, in Asolo, and, fancying herself for the moment the persons themselves, sings her song in their hearing, and, with girlish light-heartedness, trips away. She first passes Ottima, the young wife of an old man. She, with her paramour Sebold, has, the night before, murdered her husband, and, this New Year's morn, arises from the gratification of their guilty passions, to a life which their wicked deed has stripped of all its real charm. They are conversing in her bed-chamber, habituating their minds to the terrible remembrance, and devising the means of extracting pleasure from their mutual wretchedness. Peppa passes, singing her song, which concludes:

"God's in his Heaven,
All's right with the world."

The words awaken some old responsive feeling in the heart of Sebold, and he, at once, sees in his beautiful paramour a being hideous and despicable:

Sebold. Leave me!
Go, get your clotheson—dress those shoulders!
Otti. Sebold?
Seb. Wipe off that paint. I hate you.
Otti. Miserable!
Seb. My God, and she is emptied of it now,
Outright now—how miraculously gone
Of all the grace—had she not strange grace once?
Why, the blank cheek hangs listless as it likes
No purpose holds the features up together,
Only the cloven brow and puckered chin
Stay in their places—and the very hair,
That seemed to have a sort of life in it,
Drops a dead web.
Otti. *Speak to me—speak not of me.*
Seb. That round, great, full-orbed face, where not an angle
Broke the delicious indolence—all broken!
Otti. *To me—not of me!* Ungrateful, perjured cheat.

The words italicised are an exquisite stroke of nature. Only a true dramatist would have so intensely conceived the situation of Ottima, as to have felt that the unmistakeable expression of alienation and abhorrence was in the use of the third person—as if seas and mountains had arisen between her and Sebold, or, as if she had suddenly sunk to a lower scale of being—rather than in his words of disgust and contempt.

Pippa next passes a young sculptor with his bride. His rivals, envious of his genius and hating him for some slight eccentricities, by a pretended correspondence carried on in the name of his bride, have deceived him into marrying a girl, whom his fancy has clothed with all conceivable loveliness, but who is, in reality, of very ordinary pretensions. He has just discovered the deception, and is about to discard her at the very moment that the magnetic influence of his presence and conversation have developed the germ of a new life within her; when the song of Pippa resolves him to take noble revenge upon his rivals, by devoting himself to unfolding a nature, which needs only the shining-in of affection and intellect to germinate and bloom with exquisite beauty. "Look," he says,

> "Look at the woman here, with the new soul,
> Like my own Psyche's—fresh upon her lips
> Alit, the visionary butterfly,
> Waiting my word to enter and make bright,
> Or flutter off and leave all blank as first.
> This body had no soul before, but slept
> Or stirred, was beauteous or ungainly, free
> From taint or foul with stain, as outward things
> Fastened their image on its passiveness;
> Now it will wake, feel, live, or die again!
> Shall to produce form out of unshaped stuff
> Be art—and, further, to evoke a soul
> From form—be nothing? The new soul is
> mine."

With like success she passes a youth, meditating the assassination of a tyrant, and a bishop, who is on the point of compromising a high duty to expediency.

We have no disposition to find fault with a poem which so far surpasses its pretensions, and will only note, *en passant*, one or two blemishes. He makes Pippa say,

> "Thou art my single day. God lends to heaven
> What were all earth else with a feel of heaven."

But Mr. Browning is seldom guilty of such verbal impropriety as this. The couplet also illustrates another fault, somewhat more common, viz. the frequent suppression of the relative pronoun, which or who—a fault that, sometimes, contributes very materially to his obscurity. The song describing the King, who lived long ago "in the morning of the world," is an admirable "modern antique;" though we have some doubts, whether it be in character with the person who sings it. Yet it is much better in this respect, than some of the metaphysics and school-divinity, mingled in the songs of this little girl, who is represented as singing, as the bird carols, from the fullness of a joyous nature. In this play, too, we note another peculiarity, which has not much decreased with experience,—a fondness for sudden and unexpected transitions—which render some of the dialogue, at the first reading, almost as enigmatical as a Greek chorus, though a more thorough study of the author's conceptions and a free use of one's own imagination in the scenical details of the play, remove this objection.

But our three favorites among these plays are, "Colombe's Birthday," "A Blot on the 'Scutcheon," and "Lusia." Of these, perhaps, Colombe's Birthday will be most generally popular. It is full of stir, incident and vivacity; its characters all speak *in propria persona*, without showing the author through them, and the dialogue, particularly in the last two acts, is managed with an exquisite grace and tact, which equal or surpass the most charming scenes in Massinger. There are no prolix speeches, no long metaphysical disquisitions, but a brisk interchange of thought and sentiment, a constant development of the plot, and a delicacy and precision of characterization, which awaken an interest in the persons for their own sakes. It is the old theme of love *versus* money or high social position, or, adopting a broader generalization, of nature *versus* artificiality, and no where do we remember to have seen it more delightfully treated—no where the claims of love and nature advocated in more manly, healthy, and truly wise and noble style. Cultivated nature speaks in every part, without mawkish sentimentality or drivelling cant, asserting, in the persons of a high-born and honest-hearted woman, and of a simple and lofty-minded man, the homage which is ever her desert.

The plot is briefly this. Colombe is

Duchess of Cleves and Juliers. At the time represented in the play, one year of her rule has passed amid the adulations of a court, and she is now to celebrate her birth-day and the anniversary of her coronation. But the Duchy descends according to Salic law, and, this very day, Berthold, the nearest heir male of her father, backed by the influence of the Pope, the Emperor, and the Kings of France and Spain, demands the throne. The arrival of this demand gives the author a fine opportunity to paint the littleness and inconstancy of men nurtured amid the artifices of courts. Each courtier tries to shift upon the other the unpleasant duty of presenting the demand to the Duchess; and each shrinks from the task, desirous of doing nothing which shall forfeit the favor of their mistress, and, at the same time, of conciliating the new claimant. At this point, Valence, a young advocate, comes with a petition from the inhabitants of Cleves for the redress of their grievances, and, unconscious of its purport, is induced, as the price of an admission, to present the demand. The Duchess is surprised, heaps reproaches on her courtiers, who apologize, shuffle, and temporize. The prince is at the city gates, and they have no counsel for the emergency. Valence, with noble manliness and chivalry, assumes the responsibilities from which they shrink, is invested by the Duchess with their offices, and by his courage and promptitude, at once relieves her from her embarrassments and wins her heart. She submits to him the claims of Berthold, and bids him decide upon their validity. Valence decides in favor of the prince, but before the decision is made known, the prince makes, through Valence, proposals of marriage with the Duchess. This dashes all the hopes of Valence, yet he manfully acquaints her with his decision and Berthold's offer. The Duchess, during the interview, obtains from him a confession of his love, and then, in the presence of the court, rejects the proposals of the prince, with his prospects of imperial rule, for the hand of the humble advocate of Cleves.

The character of Valenee, for in this play the characters become valuable for what they are, as well as for what they say, is drawn with bold yet discriminating touches. Thrown into the midst of courtiers, his large sympathies for humanity and his heart, burning with the wrongs of his townsmen, contrast finely with their intriguing selfishness. While their courtly accomplishments, their paltry shifts and evasions but sink them deeper in trouble, acting from the instincts of nature and loyal to his sovereign, because loyal to his own conscience, he inspires a confidence, which he will use only for Truth and Right. While the Duchess supposes that the fickle impotence of her courtiers has left her succorless, he reveals to her the true sources of sovereignty. When she says, "heard you not I rule no longer," he replies:

> "Lady if your rule
> Were based alone on such a ground as these
> (*Pointing to the Courtiers*)
> Could furnish you—abjure it! They have hidden
> A source of true dominion from your sight.
> *The Duch.* You hear them—no source is left.
> *Val.* Hear Cleves!
> Whose haggard craftsmen rose to starve this day,
> Starve now, and will lie down at night to starve,
> Sure of a like to-morrow—but as sure
> Of a most unlike morrow—after—that,
> Since end things must, end howsoe'er things may.
> What curbs the brute-force instinct in its hour?
> What makes, instead of rising, all as one,
> And teaching fingers, so expert to yield
> Their tool, the broad-sword's play, or carbine's trick?
> —What makes that there's an easier help they think,
> For you, whose name so few of them can spell,
> Whose face scarce one in every hundred saw,
> You simply have to understand their wrongs,
> And wrong will vanish—so, still trades are plied,
> And swords lie rusting, and myself am here?
> There is a vision in the heart of each,
> Of justice, mercy, wisdom; tenderness
> To wrong and pain, and knowledge of its cure,
> And these embodied in a woman's form,
> That best transmits them, pure as first received,
> From God above her to mankind below."

And when Berthold reiterates his demand in person, speaking of the weakness of the Duchess, he answers:

> "You see our Lady; there, the old shapes stand!
> A Marshal, Chamberlain, and Chancellor,
> Be helped their way, into their death put life,
> And find advantage! So you counsel us.
> But let strength feel alone, seek help itself,
> *And, as the inland hatched sea-creature hunts*
> *The sea's breast out; as bittered 'mid the waves,*
> *The desert brute makes for the desert's joy,*
> So turns our lady to her true resource,

Passing o'er hollow fictions, worn-out types,
—So, I am first her instinct fastens on!
And prompt, I say, so clear as heart can speak,
The people will not have you.
Never, in this gentle spot of earth,
Can you become our Colombe, our play-queen,
For whom, to furnish lilies for her hair,
We'd pour our veins forth to enrich the soil."

We would gladly quote the whole scene between the Duchess and Valence, where Valence makes known the Prince's proposals of marriage, and where the Duchess learns the secret of his love for her. He is hardly an eloquent advocate for the Prince, since his own love has sharpened his vision to the want of it in others. The Duchess asks why Berthold's offer does not imply love.

" *Val.* Because not one of Berthold's words and looks
Had gone with Love's presentment of a flower
To the beloved; because bold confidence,
Open superiority, free pride—
Love owns not, yet were all that Besthold owned,
Because, where reason even finds no flaw,
Unerringly a lover's instinct may."

But upon this topic we have room to extract only those beautiful lines, in which, when the Prince in person proffers his hand and the Duchess seems about to accept it, he resigns his claims, not only unrepiningly, but with a kind of triumph.

"*Val.* Who thought upon reward? And yet how much,
Comes after—oh what amplest recompense!
Is the knowledge of her, nought? the memory nought?
Lady, should such an one have looked on you,
Ne'er wrong yourself so far as quote the world
And say, Love can go unrequited here!
You will have blessed him to his whole life's end;
Low passions hindered, baser cares kept back,
All goodness cherished where you dwelt and dwell.
What would he have?
He holds you; you, both form
And mind, in his; where self-love makes such room
For love of you, he would not serve you now
The vulgar way; repulse your enemies,
Win you new realms, or best in saving you,
Die blissfully, that's past so long!
He wishes you no need, thought, care of him,
Your good, by any means, himself unseen,
Away, forgotten!"

Berthold is the counterpart of Valence. With his nature half chivalric and half epicurean, with his aristocratic tastes and worldly views of marriage, he represents the highest class of artificial men. Valence acts always from principle and sentiment, without regard to consequences; but Berthold, even in wooing a bride, keeps in view his darling projects of self-aggrandizement. He thus makes love to the Duchess:

" You are what I, to be complete, must have,
Find, now, and may not find, another time.
While I career on all the world for stage,
There needs at home my representative.
The Duch. Such rather would some warrior woman be;
One dowered with lands and gold, or rich in friends;
One like yourself!
Berth. Lady, I am myself,
And have all these. I want what's not myself,
Nor has all these. Why give one hand two swords?
Here's one already; be a friend's next gift
A silk glove, if you will—I have a sword!
The Duch. You love me then.
Berth. Your lineage I revere;
Honor your virtue, in your truth believe,
Do homage to your intellect, and bow
Before your peerless beauty.
The Duch. But, for love;
Berth. A further love I do not understand.
Our best course is to say these hideous truths,
And see them, once said, grow considerable,
Like waters shuddering from their central bed,
Black with the midnight bowels of the earth,
That once up-spouted by an earthquake's throe
A portent and a terror—soon subside,
Freshen apace, take gold and rainbow hues
In sunshine, sleep in shade; and, at last,
Grow common to the earth as hills and trees,
Accepted by all things they came to scare.
The Duch. You cannot love then.
Berth. Charlamagne, perhaps!"

And again:

" Your will and choice are still as ever free!
Say you have known a worthier than myself
In mind and heart, of happier form and face;
Others must have their birthright! I have gifts
To balance theirs, not blot them out of sight,
Against a hundred other qualities
I lay the prize I offer. I am nothing;
Wed you the Empire?
The Duch. And my heart away?
Berth. When have I made pretension to your heart?
I give none. I shall keep your honor safe;
With mine I trust you as the sculptor trusts
Yon marble woman with the marble rose,
Loose on her hand, she never will let fall,
In graceful, silent, slight security."

But Colombe, like the true and noble woman that she is—and Mr. Browning is surely very successful in his delineations of female character—makes, as we have seen, the choice which her heart dictates. " A

Blot on the 'Scutcheon" surpasses, in beauty and pathos, all that Mr. Browning has written. It is a mournful comment upon a theme, so often illustrated in life, how the sweet forgiveness of heaven for human error is mocked and thwarted by the blind pride and revenge of man. A spirit of sadness and despondency, indeed, broods over it, too like the gloomy fatalism of the Grecian Drama, for the most benignant faith of Christianity. Yet there is a touching appeal from the world and its unkind decisions, to that mercy which sees, through the troubled surface of crime, "a depth of purity immoveable," hidden from mortal eyes until too late, and a contrite penitence, soothed by the hope ofreconciliations above, too lovely to be realized on earth—the sentiments which shed no irradiation upon the terrible doom of the House of Tantalus.

We will give a brief outline of the tragedy, quoting as we proceed such passages as our limits will permit. The house of Tresham are descended from a long, glorious, and untarnished line of ancestry. It consists of three members; Thorold, the head of the house; Austin, who is married to Guendolen; and Mildred the only sister. Orphaned in her infancy, Mildred has been reared under the care of Thorold, who, discharging towards her the office of both parent and brother, has acquired for her an affection of the purest and tenderest character. A marriage is proposed between her and Mertoun, a young Earl of illustrious parentage, and himself endowed with all the manly virtues. In the first act, Mertoun is represented as having just attained the assent of Thorold to the alliance, who, proud as he is of "brooding o'er"

> "The light of his interminable line
> An ancestry with men all paladans,"

Can see nothing unworthy in the connection. Says he:

> Ever with best desert goes diffidence;
> I may speak plainly nor be misconceived.
> That I am wholly satisfied with you,
> On this occasion, when a falcon's eye,
> Were dull compared with mine to search out faults,
> Is somewhat: Mildred's hand is hers to to give
> Or to refuse.
>
> *Mer.* But you, you grant my suit?
> I have your word if hers?
>
> *Thor.* My best of words,
> If her's encourage you. I trust it will.
> Have you seen Lady Mildred, by the way?
>
> *Mer.* I—I---our two demesnes, remember, touch---
> I have been used to wander carelessly
> After my stricken game---the heron roused
> Deep in my woods, has trailed its broken wing
> Thro' thicks and glades a mile in yours; or else
> Some eyas ill-reclaimed has taken flight,
> And lured me after her from tree to tree,
> I marked not whither. I have come upon
> The Lady's wondrous beauty unaware,
> And---and then---I have seen her.
>
> *Thor.* What's to say
> May be said briefly. She has never known
> A mother's care: I stand for father too,
> Her beauty is not strange to you, it seems;
> You cannot know the good and tender heart,
> It's girl's trust, and it's woman's constancy.
> How pure yet passionate, how calm, yet kind,
> How grave, yet joyous, how reserved, yet free,
> As light where friends are---how imbued with? love
> The world most prizes, yet the simplest. Yet
> The---one might know I talked of Mildred---thus
> We brothers talk."

But Mertoun knows far more of Mildred than he does avow. They have met, loved, and their love, through timidity and concealment, has lapsed into guilt. Night after night, he has scaled her chamber window; and this very evening he repeats their secret interviews. The scene between them is pathetic, touching the inmost soul of pity. Regret for their irretrievable error, regret for the dissimulation, so alien to their ingenuous natures, which they are compelled to assume, love, deep as the sources of their being, and unalloyed but by dark stain, trust in the mercy of heaven, of purification through repentance, and marriage as the best atonement for their sin; these are the subjects upon which they converse. We have room but for their parting words, Mildred says:

> We'll love on---you will love me still,
>
> *Mer.* Oh, to love less what one has injured! Dove
> Whose pinion I have rashly hurt, my breast---
> Shall my heart's warmth not nurse thee into strength?
> Flower I have crushed, shall I not care for thee?
> Bloom o'er my crest, my fight-mask, and device,
> Mildred, I love you, and you love me.
>
> *Mil.* Go!
> Be that your last word. I shall sleep to-night.
>
> *Mer.* One night more.
> And then—think, then!
>
> *Mer.* Then no sweet courtship-days,
> No dawning consciousness of love for us,
> No strange and palpitating births of sense,
> From words and looks, no innocent fears and hopes,
> Reserves and confidences; morning's over!
>
> *Mer.* How else should love's perfected noon tide follow?

All the dawn promised shall the day perform.
Mil. So may it be ; but---
You are cautious, love?
Are sure that, unobserved, you scaled the walls?
Mer. Oh, trust me ! Then our final meeting's fixed?
To-morrow night?
Mil. Farewell! Stay, Henry. Wherefore?
His foot is on the yew-trew bough—the turf
Receives him—now the moonlight, as he runs,
Embraces him—but he must go—is gone—
Ah, once again he turns—thanks, thanks, my love!
He's gone—Oh, I'll believe him, every word!
I was so young—I loved him so—I had
No mother,—God forgot me,—and I fell.
There may be pardon yet—all's doubt beyond.
Surely the bitterness of death is past!

But their meetings have not been wholly unobserved. For several nights, an old retainer has seen a muffled stranger enter his lady's chamber, and now, in view of the proposed marriage, his conscience will not permit him, any longer, to defer the discovery of the secret. Thorold is thunderstruck at the disclosure. He sends for her to meet him in the library, on the pretence that "the passage in that old Italian book we hunted for so long is found."

Enter Midred.

Mil. What book
Is it I wanted, Thorold? Guendolen
Thought you were pale—you are not pale! That look?
That's Latin surely?
Thor. Mildred, here's a line—
(Don't lean on me—I'll English it for you)
"Love conquers all things." What love conquers them?
What love should you esteem---best love?
Mil. True love.
Thor. I mean, and I should have said, whose love is best
Of all that love, or that profess to love?
Mil. The list's so long. There's father's, mother's, husband's---
Thor. Mildred, I do believe a brother's love
For a sole sister, must exceed them all!
For, see now; only see! there's no alloy
Of earth that creeps into the perfect'st gold
Of other loves---no gratitude to claim;
You never gave her life---nor even aught
That keeps life—never tended her---instructed,
Enriched her---so, your love can claim no right
O'er hers, save pure love's claim---that's what I call
Freedom from earthliness. You'll never hope
To be such friends, for instance, she and you,
As when you hunted cowslips in the woods,
Or played together in the meadow hay.
Oh, yes---with age, respect comes, and your worth
Is felt; there's growing sympathy of tastes,
There's ripened friendship, there's confirmed esteem,
---Much head these make against the new-comer!
The startling apparition---the strange youth---
Whom one half hour's conversing with, or, say,
Mere gazing at, shall change (beyond all change
This Ovid ever sang about) your soul
---*Her* soul,---that is, the sister's soul! With her
'Twas winter yesterday; now, all is warmth,
The green leaf's springing, and the turtle's voice
"Arise and come away." Come whither?—far
Enough from the esteem, respect, and all
The brother's somewhat insignificant
Array of rights! all which he knows before—
Has calculated on so long ago!
I think such love (apart from yours and mine)
Contented with its little term of life,
Intending to retire betimes, aware
How soon the background must be a place for it,
I think, am sure, a brother's love exceeds
All the world's love in its unwordliness.
Mil. What is this for?
Thor. This, Mildred, is it for;
Oh, no, I cannot go to it so soon!
That's one of many points my haste left out---
Each day, each hour throws forth its silk-slight film
Between the being tied to you by birth,
And you, until those slender threads compose
A web, that shrouds her daily life of hopes,
And fears, and fancies, all her life, from yours---
So close you live, and yet so far apart!
I must rend this web, tear up, break down
The sweet and palpitating mystery
That makes her sacred? You—for you I mean,
Shall I speak---shall I not speak?
Mil. Speak!
Thor. I will.
Is there a story men could--any man
Could tell of you, you would conceal from me?
I'd never think there's falsehood on that lip!
Say "There is no such story men could tell,"
And I'll believe you, tho' I disbelieve
The world---the world of better men than I,
And women, such as I suppose you---Speak!
[*After a pause.*] Not speak? Explain then!
Clear it up then! Move
Some of the miserable weight away,
That presses lower than the grave! Not speak?
Some of the dead weight, Mildred! Ah, if I
Could bring myself to plainly make their charge
Against you! Must I, Mildred? Silent still?
[*After a pause.*] Is there a gallant that has, night by night,
Admittance to your chamber?
[*After a pause.*] Then his name!
Till now, I only had a thought for you---
But now,---his name!
Mil. Thorold, do you devise

Fit expiation for my guilt, if fit
There be! 'tis nought to say, that I'll endure
And bless you,---that my spirit yearns to purge
Her stains off in the fierce renewing fire---
But do not plunge me into other guilt!
Oh, guilt enough! I cannot tell his name.
Thor. Then judge yourself! How should I act? Pronounce.

Mildred persists in refusing to name her lover, but proposes to proceed in the marriage with the Earl. Thorold, shuddering at what he supposes an infamous fraud upon Mertoun, and a contamination of a holy rite, exposes her guilt to Austin and Guendolen, and, frenzied with madness, roams all day over his estates, to return at night beneath the tree, which Mertoun climbs to reach his lady's window. Here he meets Mertoun, forces him to unmask himself and draw his sword, then madly slays the unresisting youth. The dying lover reveals to him the true nature of his love, and his proposed reparation. Thorold, stricken with remorse, drinks poison, bears to Mildred the intelligence of the deed, who expires, forgiving him his rash act, and then he himself dies.

We will quote from this play one more passage, where, when Austin and Guendolen, have gathered around the corpse of the Earl, Thorold turns to them, and says:

He fell just here!
Now, answer me. Shall you, in your whole life
---You, that have naught to do with Mertoun's fate,
Now, you have seen his breast upon the turf,
Shall you ere walk this way if you can help?
When you and Austin wander arm in arm
Thro' our ancestral grounds, will not a shade
Be ever on the meadow and the waste---
Another kind of shade, than when the night
Shuts the woodside with all its whispers up!
But will you ever so forget his breast
As willingly to cross the bloody turf
Under the black yew avenue? That's well!
You turn your head! *and I then?*——
Guen. What is done
Is done! My care is for the living. Thorold,
Bear up against the burthen---more remains
To set the neck to!
Thor. Dear and ancient trees
My fathers planted, and I loved so well!
What have I done that, like some fabled crime
Of gore, lets loose a fury, leading thus
Her miserable dance amidst you all?
Oh, never more for me shall winds intone
With all your tops a vast antiphony,
Demanding and responding in God's praise!
Hers ye are now---not mine! Farewell---farewell!

Of "Lusia" we have no space for a complete analysis. It represents the instinct and feeling of the orient brought into conflict with the calculating intellect of Europe, and nobly vindicating its moral superiority over the cold-hearted Machiavellianism, by which it is entoiled and overmatched. It has been called Mr. Browning's greatest work; but, in our opinion, though admirable for its thought and philosophy, it is surpassed, as a drama, by either of the two preceding. Its theories are too imperfectly transfused into character. It is poem and commentary in one. The persons, instead of exhaling the philosophy of the piece, unconsciously, as their vital atmosphere, are continually philosophizing upon themselves. Even Lusia, the warm-hearted Moor, the fiery creature of feeling, is ever and anon hinting, as it were, "Now, you are going to witness a fine specimen of impulsiveness and instinctive action," and indulges in ethnological speculations upon the differences between the Asiatic and the European. Lusia and Braccio, indeed, seem very much like abstract propositions defining themselves—egotistical transactions. Now, Hamlet, or Iago, or Falstaff, is as representative of a distinct class, as Lusia the Arab, or Braccio the Florentine, but in Shakespeare the generic is so individualized, that the abstraction is forgotten in the man. Lusia and Othello, for instance, are both Moors, both credulous, generous, impulsive, unschooled in wile or craft; but while Othello imprints his character on every word and act of his, without thinking of it, Lusia is constantly reminding us, 'I do so and so, because I am the Moor, the representative of Oriental spontaniety, and am not one of your cold, cunning, artful Europeans.'"

But we have not room for futher remark upon this play, excellent and beautiful, as in many respects it is. Perhaps, if we should compare it with "Colombe's Birthday," or with "A Blot on the 'Scutcheon," we should say that in this play there are the nobler materials, but in the others, they are the more exquisitely wrought.

Mr. Browning's other plays are "King Victor and King Charles," "The Return of the Druses," and "A Soul's Tragedy," works of various excellence, and all mark-

ed with his peculiar intellect. We would gladly specify their merits, but must refer the reader to the volumes themselves, and recommend him, by the way, to suspend his judgment, until he has read them twice. We should, likewise, be glad to speak, somewhat in detail, of his "Dramatic Lyrics," some of which are written with great power and beauty, and some of which, in their abrupt beginning, and mysterious allusions, and sudden transitions, are as simple as a Chinese puzzle—you have only to find out their meaning in order to understand them. We open at random, and come upon "Christina."

"She should never have looked at me
If she meant I should not love her;
There are plenty---men you call such,
I suppose---she may discover
All her soul to. if she pleases,
And yet leave much as she found them;
But I'm not so, and she knew it,
When she fixed me, glancing round them."

This is the first verse. Our first exclamation is, "Who the devil is Christina." But there is nothing out of the poem, nor in it, that answers the question very satisfactorily. We are left to guess at the reply to all such suggestions of womanish curiosity. We are next struck by the slovenliness of versification, evidently showing that the poem was a mere impromptu. Indeed, the native freshness of none of these poems has been suffered to evaporate in the tedious processes of revision. But, unfortunately, such meteoric corruscations of poetic frenzy are sometimes a little bewildering to men of cooler imagination, and touchingly recall the injunctions of Horace, in regard to "*limae labor et mora*, and *nonumque prematur in annum.* Let Mr. Browning recite some of these lyrics to a crowd of listeners, and he would soon appreciate the beauty, as well as the necessity, of a more Homeric clearness and simplicity; or, let him subject one of his plays to the ordeal of the stage, and we know of nothing that would sooner teach him his defects in dramatic composition. Yet, however much they might be improved by a more finished versification, and a more simple diction, no one can read such productions as his "Garden Fancies," "The Lost Leader," "The Pied Piper of Hamelin," and "The Boy and the Angel," without a high estimate of the range, versatility, and originality of his mind.

And here we take our leave of this delightful author, convinced that he has yet high duties to fulfil for his age. Walter Savage Landor has said of him, excepting Shakspeare:

"Since Chaucer was alive and hale,
No man hath walkt along our roads with step
So active, so inquiring eye, and tongue
So varied in discourse;"

and these endowments, he feels, were given, not merely to amuse and delight his generation, but also to subserve the higher offices of teacher and thinker. His aim is not merely to combine the actual forms of Nature, and of life, so that they may feed the sense of beauty and of mirth. He has come into a mechanical time, to find men enamoured of a material prosperity, to see wealth exacting the homage due only to goodness, to see the leaders of public opinion pandering to that low estimate of education and morals, which regards merely their pecuniary value, to see marriage, friendship, social intercourse, the judgments of mind, and the convictions of conscience, debased in vile thraldom by the despotism of gold; and while he reflects, in the mirror of poetry, all these, and the more lovely and holy characteristics of the age, he is not to forget to pour upon them a luminous effluence from his own spirit, which shall disabuse grosser minds of their false perception, by showing the sad effects of such worldliness upon the undying nature of the soul. He is sent, not merely to create a new world of Fancy, but, likewise, to re-create this old world in a higher spirit, as, indeed, the mission of genius is always rather one of regeneration, than of creation. Forgotten truths, old conceptions of duty, old ideals of excellence, are to be revivified under the new aspects of present life. If men, in reliance upon the inventions of human reason, grow regardless of heavenly grace, he is to restore them to humble trust, not only by showing how illusory is that confidence, but, also, by showing how infallibly men grow into a likeness to that in which they confide. If men have set their hearts upon worldly gains, and honors, and delights, he is to open upon them the vision of unseen principles and ideal truth. If they are

dwarfing their minds by a vain admiration of the miracles of their own medianism, he must point to the consummate glories which go forth with the night, and the ineffable beneficence which returns with the rising sun. If, in their superiority of railroad and telegraphic communication, they exult over antiquity, he must sing to them of a time, when the angels of heaven bore messages of light and love between God and his creatures. If affection is absorbed in intellect, and intellect is made the drudge of the senses, he must lead the mind back through the heart into the wisdom of love and the beauty of holiness. It is in the discharge of these high functions of poet and teacher, that Mr. Browning manifests his highest excellence, surpassing, we had almost said, with the exception of Wordsworth, every poet of his time.

SIDONIA, THE SORCERESS.

This is a novel, so totally different from all others, that it is difficult to speak of it as such, and yet the conception of the principal character can scarcely be called original. The delineation of Sidonia, in her demoniac career, is not unlike some of the creations of Maturin, Bulwer, Mrs. Shelley, and others, though far beneath them in power. The author refers to absolute evidences, and quotes seriously,—we presume, truthfully,—(though we have neither opportunity nor desire to make the research,) from various historical and biographical authorities: leaving the reader, nevertheless, to form his own opinion, as to the sources from which he has chiefly drawn; or, whether, indeed, the story, as a whole, be actually truth or fiction. The style affects an easy, natural gossip, so plain and matter of fact, that the most incredible and ridiculous averments are swallowed whole, like an oyster, slipping down before we have time to taste the quality.

In order to spare the reader any difficulties which might present themselves to the eye and ear, in consequence of the old-fashioned mode of writing, the author professes to have modernized the orthography, and amended the grammar and structure of the phrases. The effect of this "old-fashioned mode," however, is increased by the use of the Latin pronouns Ille, Illa, Hic and Hæc, to denote the different characters speaking in dialogue. The author has made the story a vehicle for the introduction of his own peculiar views of Christianity.

Sidonia Von Bork is said to have belonged to a noble and ancient family of Pomerania. The first public judicial account of her trial for witchcraft is referred to the Pomeranian Library of Dahnert, 4th volume, article 7th, July number, of the year 1756. She is represented as "the most beautiful and the richest of the maidens of Pomerania." A marriage, about to be consummated between her and Duke Ernest Louis Von Wolgast, was prevented by the timely discovery of her infamous character. After many years of a wandering and dissolute life, she entered the convent of Marienflies, became subsequently its Prioress, and was finally convicted and executed for witchcraft.

Of the numerous portraits of this remarkable woman, our author declares himself acquainted with but one, which is at Stargard, near Regenwilde, in the castle of the Count Von Bork. In this portrait, Sidonia, we are told, is represented in the prime of mature beauty. "A gold net is drawn over her almost golden hair, and her neck, arms, and hands are profusely covered with jewels. Her boddice, a bright purple, is trimmed with costly fur, and the robe is of azure velvet. In her hand she carries a pompadour of brown leather, and of the most elegant form and finish. Her eyes and mouth are not pleasing, notwithstanding their great beauty,—in the mouth, particularly, one can discern cold malignity. The painting is beautifully executed, and is evidently of the school of Louis Kranach.

Immediately behind this form, there is another looking over the shoulder of Sidonia, like a terrible spectre, (a highly poetical idea,) for this spectre is Sidonia herself, painted as a sorceress. It must have been added, after a lapse of many years, to the youthful portrait, which belongs to the school of Kranach, whereas the second figure portrays unmistakably the school of Rubens. The sorceress is arrayed in her death garments—white, with black stripes; and round her thin white locks is bound a narrow band of black velvet, spotted with gold. In her hand is a kind of work-basket of the simplest form."

In the novel its heroine is possessed of a sort of devilish grace and wit, which flashes brilliantly over the proud beauty of her youth, and throws a death-fire light on the the ugliness of her old age. Among the earliest examples of Sidonia's cruel nature, is an anecdote of picking and roasting a goose, alive, which, however, unluckily for the author's assumed antiquity, is precisely after the recipe given by Dr. Kitchener in the Cook's Oracle.

In the bloom of her maiden beauty, Sidonia is taken to the court of Wolgast, and admitted among the Maids of Honor to the Duchess. At the table of this pious lady our heroine betrays her ungodly education, by the inability to say grace; and, on the second, (it being Sunday,) to the amazement and horror of her highness, she is incapable of finding the les-

sons for the day, and knows not the New Testament from the Old. She is accordingly placed under the instruction of her Grace's chaplain, Dr. Gerschovius, and required to learn, first, the Catechism Lutheri, and afterward the Catechism Gerschovii; in both of which she fails, and, indeed, turns the whole affair into ridicule, to the great scandal and disgust of her Grace, the Doctor, and the Ladies of Honor.

On the young nobility and gentlemen of the Court, the new inmate produces quite an opposite impression. "All the young 'squires" fall in love with her, and she takes care to throw herself in their way, and by the arts and flatteries with which she knows how to increase the power of her charms, soon wins over the whole court to her interests.

"After dinner, in place of going direct to the ladies' apartments, she would take a circuitous route, so as to go by the quarter where the men dined, and as she passed their doors, which they left open on purpose, what rejoicing there was, and such running and squeezing just to get a glimpse of her—the little putting their heads under the arms of the tall, and there they began to laugh and chat; but neither the Duchess nor the old Chamberlain knew any thing of this, for they were in a different wing of the castle, and besides, always took a sleep after dinner."

With Prince Ernest she is especially successful, and to win his affections, and, through him, to become a Princess of the Ducal House of Pomerania, is her grand object.

The 11th chapter of our novel is headed: "*How Sidonia repeated the catechism of Dr. Gerschovius, and how she whipped the young Casimir, out of pure evil-mindedness.*" How she repeated the catechism is as follows:

"The Sunday came at last, when Sidonia was to be examined publicly in the catechism of Dr. Gerschovius. Her Grace was filled with anxiety to see how all would terminate, for every one suspected (as indeed was the case) that not one word of it would she be able to repeat. So the church was crowded, and all the young men attended without exception, knowing what was to go forward, and fearing for Sidonia, because this Dr. Gerschovius was a stern, harsh man; but she herself seemed to care little about the matter, for she entered her Grace's closet as usual (which was right opposite the pulpit) and threw herself carelessly into a corner. However, when the doctor entered the pulpit, she became more grave, and finally, when his discourse was drawing near to the close, she rose up quietly and glided out of the closet, intending to descend to the gardens. Her Grace did not perceive her movement, in consequence of the hat with the heron's plume which she wore—for the feathers drooped down at the side next Sidonia, and the other ladies were too much alarmed to venture to draw her attention to the circumstance. But the priest from the pulpit saw her well, and called out—"Maiden! maiden! Whither go you? remember ye have to repeat your catechism!"

Then Sidonia grew quite pale, for her Grace and all the congregation fixed their eyes on her. So when she felt quite conscious that she was looking pale, she said—"You see from my face that I am not well; but if I get better, doubt not but that I shall return immediately." Here all the maids of honor put up their kerchiefs to hide their laughter, and the young nobles did the same.

"So she went away, but they might wait long enough, I think, for her to come back. So they all proceeded to Sidonia's little room; for there she was, to their great surprise, seated upon a chair with a smelling-bottle in her hand. Whereupon her Grace demanded what ailed her, and why she had not staid to repeat the catechism.

"Illa.—'Ah! she was so weak, she would certainly have fainted, if she had not descended to the garden to have a little fresh air.'"

"Then," quoth her Grace, "you shall recite the catechism here for the doctor; for, in truth, Christianity is as necessary to you as water to a fish."

"The doctor now cleared his throat to begin, but she stopped him pertly, saying—

"I do not choose to say my catechism here in my room, like a little child. Grown-up maidens are always heard in the church.'"

"Howbeit, her Grace motioned to him not to heed her. So to his first question she replied rather snappishly—'You have your answer already.'"

"No wonder the priest grew black with rage; but seeing a book lying open on a little table, beside her bed, and thinking it was the catechism of Dr. Gerschovius which she had been studying, he stepped over to look. But judge his horror, when he found it was a volume of the Amadis de Gaul."

The Duchess, on quitting the maiden, threatens to banish her the Court; for which Sidonia inflicts corporeal revenge upon the little Prince Casimir, who had offered to recite the catechism, instigated by his mother, to put Sidonia to shame.

"She took it angrily, and, calling him over, said: 'Yes; come—I will hear your catechism.' And as the little boy came up close beside her, she slung him across her knee, pulled down his hose, and—oh, shame!—whipped his Serene Highness upon his princely *podex*, that it would have melted the heart of a stone. How this shows her cruel and mischievous disposition—to revenge on the child what she had to bear from the mother. Fie on the maiden!"

The celebration of her Highness's birth-day affords a good picture of the barbarism and the splendor of the court. The grand ducal hall is described as of great magnificence, containing a painted window, sixty feet high, delineating the pilgrimage of Duke Bokislaff the Great to Jerusalem, all painted by Gerhard Horner, a Frieslander, and the most celebrated

painter on glass of his time. In this hall are assembled all the lords of the court, and at the sound of drums and trumpets the great doors, all wreathed with flowers, are flung open by the marshal, and the princely widow enters, with great pomp, leading the little Casimir by the hand. She is arrayed in the Pomeranian costume, a white silk underrobe, and over it a surcoat of azure velvet, brocaded with silver. A long train of white velvet, embroidered in golden laurel wreaths, is supported by twelve pages in black velvet cassocks, with Spanish ruffs. From a coif of scarlet velvet, with small plumes, the Duchess wears a white veil, spangled with silver stars, and hanging to her feet, and from her neck is depended, by a gold and scarlet chain, a balsam flask in the form of a greyhound.

"As her Serene Highness entered with fresh and blushing cheeks, all bowed low and kissed her hand, glittering with diamonds. Then each offered his congratulations as best he could.

"Among them came Johann Neander, Archdeacon of St. Peter's, who was seeking preferment, considering that his present living was but a poor one; and so he presented her Grace with a printed *tractatum* dedicated to her Highness, in which the question was discussed whether the ten virgins mentioned Matt. xxv. were of noble or citizen rank. But Dr. Gerschovius made a mock of him for this afterward, before the whole table."*

Prince Ernest having yielded to the fascinations of Sidonia, it is decided by the Duchess and her honest counsellor, Ulrich, to send the young lady away; but no sooner has she gone than the Prince is seized with convulsions, and carried fainting to his bed, where he only revives to call on Sidonia—his beloved Sidonia. We think we have known gentlemen in these modern times, affected similarly in somewhat similar cases, where the fits were pretty sure to operate on tender female sensibilities. Her Grace summons the Court Physician, Dr. Pomius, in whom she has so much faith that she fancies a vast amount of profound knowledge to be expressed, if he only "*put his finger to the end of his nose.*"

The learned Doctor prescribes in vain, and the Duchess recalls Sidonia. The Prince recovers, and between him and Sidonia a private marriage is planned, which is prevented, however, by the accidental discovery, through Clara Von Dewitz, of Sidonia's criminality.

This good and modest Clara stands always in delicate contrast to the splendid beauty and mischievous wickedness, the mingled pride and meanness of Sidonia. Many years afterwards, when Sidonia, separated from the robber band, her associates, is caried forcibly into the Castle of Daber, by her cousin, Marcus Bork, whom she endeavors to stab, the character of Clara is brought out pleasingly:

"All this while no one had troubled himself about Sidonia. My gracious lady wept, the young lords laughed, old Ulrich swore, while the good Marcus murmured softly to his young wife—

"'Be happy Clara; for thy sake I shall consent to go to Saatzig. I have decided.'"

"This filled her with such joy that she danced, and smiled, and flung herself into her mother's arms; nothing was wanting now to her happiness! Just then her eyes rested upon Sidonia, who was leaning against the wall as pale as a corspe. Clara grew quite calm in a moment, and asked, compassionately—

"'What aileth thee, poor Sidonia?'"

"'*I am hungry!*' was the answer.

"At this the gentle bride, was so shocked that the tears filled her eyes, and she exclaimed—

"'Wait, thou shalt partake of my wedding-feast;' and away went she.

"The attention of the others was, by this time, also directed to Sidonia. And old Ulrich said—'What shall we now do with Sidonia?'

"Upon which my Lady of Wolgast turned to her, and asked her if she were yet wedded to her gallows-bird?

"'Not yet,' was the answer, 'but she would soon be.'

"Then my gracious Lady spat out at her; and, addressing Ulrich asked what he would advise.

"So the stout old knight said—

"'If the matter were left to him he would just send for the executioner, and have her ears and nose slit, as a warning and example, for no good could ever come of her now, and then pack her off next day to her farm at Zachow; for if they let her loose, she would run to her paramour again, and come at last to gallows and wheel; but if they just slit her nose, then he would hold her in abhorrence, as well as other maiden folk.'

"During this Clara had entered, and set fish, and wild-boar, and meat, and bread, before the girl; and as she heard Ulrich's last words, she bent down and whispered—

"'Fear nothing, Sidonia, I hope to be able to protect thee, as I did once before; only eat, Sido-

* Over these exegetical disquisitions of a former age we smile, and with reason; but, we pedantic Germans, have carried our modern exegetical mania to such absurd lengths, that we are likely to become as much a laughing-stock to our cotemporaries, as well as to posterity, as this Johannes Neander. In fact our exegetists are mostly pitiful schoolmasters—word-anatomists—and one could as little learn the true spirit of an old classic poet from our pedantic philologists, as the true sense of Holy Scripture from our scholastic theologians. What with their grammar twistings, their various readings, their dubious punctuations, their mythical and who knows what other meanings, their hair splittings, and prosy vocable tiltings, we find at last that they are willing to teach us every thing but that which really concerns us, and like the Danaides, they let the water of life run through the sieve of their learning.

nia! Ah! hadst thou followed my advice! I always meant well by thee, and even now, if I thought thou wouldst repent truly, poor Sidonia, I would take thee to my castle of Saatzig, and never let thee want for aught through life.'

"When Sidonia heard this, she wept and promised amendment. Only let Clara try her, for she could never go to Zachow, and play the peasant girl. Upon which Clara turned to her Highness, and prayed her Grace to give Sidonia up to her. See how she was weeping; misfortune truly had softened her, and she would soon be brought back to God. Only let her take her to Saatzig, and treat her as a sister. At this, however, old Ulrich shook his head—

"'Clara, Clara,' he exclaimed, 'knowest thou not that the Moor cannot change his skin, nor the leopard his spots? I can not, then let the serpent go. Think on our mother, girl; it is a bad work playing with serpents.'

"Her Grace, too became thoughtful, and said, at last—

"'Could we not send her to the convent at Marienfliess, or somewhere else?'

"'What the devil would she do in a convent?' exclaimed the old knight. 'To infect the young maidens with her vices, or plague them with her pride? Now, there was nothing else for her but to be packed off to Zachow.'

"Now Clara looked up once again at her husband, with her soft, tearful eyes, for he had said no word all this time, but remained quite mute; and he drew her to him, and said—

"'I understand thy wish, dear Clara, but the old knight is right. It is a dangerous business, dear Clara! Let Sidonia go.'

"At this Sidonia crawled forth like a serpent from her corner, and howled—

"'Clara had pity on her, but he would turn her out to starve—he, who bore her own name, and was of her own blood.'

"Alas! the good knight was ashamed to refuse any longer, and finally promised the evil one that she should go with them to Saatzig. So her Grace at last consented, but old Ulrich shook his gray head ten times more.

"He had lived many years in the world, but never had it come to his knowledge that a godless man was tamed by love. Fear was the only teacher for them. All their love would be thrown away on this harlot; for even if the stout Marcus kept her tight with bit and rein, and tried to bring her back by fear, yet the moment his back was turned, Clara would spoil all again by love and kindness.'

"However, nobody minded the good knight, though it all came to pass just as he had prophesied."

The terrible death of this lovely creature, through the fiend-like cruelty of Sidonia, breaks the last link, as it were, of her humanity, and forbids anything like a fellow-feeling for her subsequent sufferings.

The after life of the sorceress is devoted to revenge upon all who have been obstacles in her path, and especially upon the unfortunate house of Pomerania. The sub-Prioress, Dorothea Stettin, is one of the most afflicted of her victims. Some passages in the life of this over-sensitive maiden are more ludicrous than pathetic.

Dorothea, repenting the confidence she had placed in Sidonia, falls sick, and the *medicus*, Dr. Schwalenberg, is called:

"This doctor was an excellent little man, rather past middle age though still unmarried, upright and honest, but rough as a bean-straw. When he stood by Dorothea's bed, and had heard all particulars of her illness, he bid her put out her hand, that he might feel her pulse.

"'No, no;' she answered, 'that she could never do; never in her life had a male creature felt her pulse.'

"At this my doctor laughed right merrily, and all the nuns who stood round, and Sidonia's old maid Wolde laughed likewise, but at last he persuaded Dorothea to stretch out her hand.

"'I must bleed her,' said the doctor. 'This is *febris putrida*; therefore was her thirst so great: she must strip her arm till he bleed her.' But no one can persuade her to this, strip her arm! no, never could she do it, she would die first: if the doctor could do nothing else he may go his ways.

"Now the doctor grew angry. Such a cursed fool of a woman he had never come across in his life; if she did not strip her arm instantly, he would do it by force. But Dorothea is inflexible; say what he would, she would strip her arm for no man!

"Even the abbess and the sisterhood tried to persuade her—

"'Would she not do it for her health's sake; or, at least, for the sake of peace?'

"They were all here standing round her, but all in vain. At last the doctor, half-laughing, half-cursing, said—

"'He would bleed her in the foot. Would that do?'

"'Yes, she would consent to that; but the doctor must leave the room while she was getting ready.'

"So my doctor went out, but on entering again found her sitting on the bed, dressed in her full convent robes, her head upon Anna Apenborg's shoulder, and her foot upon a stool. As the foot, however, was covered with a stocking, the doctor began to scold—

"'What was the stocking for? Let him take off the stocking. Was she making a fool of him? He advised her not to try it.'

"'No, Dorothea answered, 'never would she strip her foot for him. Die she would, if die she must, but that she could never do! If he could not bleed her through the stocking, he must go his ways.'

"Summa.—As neither prayers nor threatening were of any avail, the doctor, in truth, had to bleed her through the stocking."

The poor sub-Prioress becomes possessed of a devil, or, as our author would explain it, is put into a somnambulistic state, wherein she declares that health can only be restored to

her through the intervention of Diliana, the daughter of Jebit Bork—the beautiful Diliana, whose "name is borne by no second on earth," and who "is unequalled in goodness, piety, humility, chastity, and courage." The damsel immediately appears, and becomes thenceforward the heroine of the story. Diliana is the granddaughter of Clara Von Dewitz, and a more lovely creation has rarely graced the pages of fiction. She is the redeeming virtue of the book—amid the coarse barbarisms, vulgarity, and superstition of the times—amid witchcraft and wickedness, she passes on, a second Una.

> " So pure and innocent,———
> She was in life and every virtuous lore."

In Diliana's interview with the Duke and the Magister, our author sets forth some of his peculiar tenets :

" At last Diliana exclaimed eagerly—

" 'Ah! can it be possible to speak with the blessed angels, as the evil women speak with the devil? In truth, I would like to see an angel.'

" At this the Duke looked significantly at the Magister, who immediately advanced, and began to explain the *opus magicum et theurgicum* to the maiden, as follows—

" 'You know, fair young virgin, that our Saviour saith of the innocent children : 'Their angels always see the face of my Father, which is in heaven.' (Matt. xviii.) Item, St. Paul, (Heb. i.) : 'Are not the angels ministering spirits, sent forth for the service of those who are heirs of salvation'? This is no new doctrine, but one as old as the world. For you know further that Adam, Noah, the holy patriarchs, the prophets, &c., talked with angels, because their faith was great. Item, you know that, even in the New Testament, angels were stated to have appeared and talked with men ; but later still, during the papal times even, the angels of God appeared to divers persons, as was well known, and of their own free will. For they did not always appear of *free will;* and therefore, from the beginning, conjurations were employed to *compel* them, and fragments of those have come down to us *ex traditione*, as we Magistri say, from the time of Shem, the son of Noah, who revealed them to his son Misraim ; and so, from son to son, they have reached to our day, and are still powerful.'

" 'But,' spake Diliana, 'is it then possible, for man to compel angels!'

" Ille.—'Yes, by three different modes; first, through the word, or the intellectual vinculum : secondly, through the heavenly bodies, or the astral vinculum ; lastly, through the earthly creatures, or the elementary vinculum.

" 'Respecting first the *word*, you know that all things were made by it, and without it was nothing made that is made. With God the Lord, therefore, *word* and *thing* are one and the same, for when he speaks it is done ; he commands, and it stands there. Also, with our father Adam, was the *word* all-powerful ; for he ruled over all beasts of the field, and birds, and creeping things by the *name* which he gave unto them, that is, by the *word*. (Gen. ii.) This power, too, the word of Noah possessed, and by it he drew the beasts into the ark (Gen. vii.), for we do not read that he *drave* them, which would be necessary now, but they *went* into the ark after him, two and two, *i. e.* compelled by the power of his word.

" 'Next follows the *astral vinculum, i. e.* the sympathy between us and the heavenly bodies or stars wherein the angels dwell and rule. We must know their divers aspects, configurations, risings, settings, and the like, also the precise time, hour, and minute in which they exercise an influence over angel, man, and lower creatures, according as the ancients, and particularly the Chaldeans have taught us, for spirit can not influence spirit at every moment, but only at particular times and particular circumstances.

" 'Lastly comes the *elementary vinculum*, or the sympathy which binds all earthly creatures together—men, animals, plants, stones, vapors, and exhalations, &c., but above all this cementing sympathy is strongest in pure virgins, as you, much-praised Diliana—'

" Hereupon she spake, surprised—

" 'How can all this be? Is it not folly to suppose that the blessed angels could be compelled by influences from plants and stones?'

" 'It is no folly, dear maiden, but a great and profound truth, which I will demonstrate to you briefly. Every thing throughout the universe is affected by two opposing forces, *attraction* or sympathy, *repulsion* or antipathy. All things in heaven as well as upon earth act on each other by means of these two forces.

" 'And as all within, above, beneath, in the heaven and on the earth, are types insensibly repeated of one grand archetype, so we find that the sun himself is a magnet, and by his different poles repels or attracts the planets, and among them our earth ; in winter he repels her, and she moves darkly and mournfully along ; in spring, he begins to draw her toward him, and she comes joyfully, amidst songs of the holy angels, out of night and darkness, like a bride in the arms of her beloved. And though no ear upon earth can mark this song, yet the sympathies of each creature are attracted and excited thereby, and man, beast, bird, fish, tree, flower, grass, stones, all exhale forth their subtlest, most spiritual, sweetest, life to blend with the holy singers.

" 'O maiden, maiden, this is no folly! Truly might we say that each thing feels, for each thing loves and hates. The animate as the inanimate, the earthly as the heavenly, the visible as the invisible. For what is love but attraction, or sympathy toward some object, whereby we desire to blend with it? And what is hate but repulsion or antipathy, whereby we are forced to fly or recoil from it.

" 'We, silly men, tear and tatter to pieces the rude coarse *materia* of things, and think we know the nature of an object, because, like a child with a mirror, we break it to find the image. But the life of the thing—the inner hidden mystic life of *sympathies*—of this we know nothing, and yet we call ourselves wise!

"'But what is the signification of this wide-spread law of love and hate which rules the universe as far as we know? Nothing else than the dark signature of faith impressed upon every creature. For what the thing loves, that is its God; and what the thing hates, that is its devil. So when the upright and perfect soul ascends to God, the source of all attraction, God descends to it in sympathy, and blends with it, as Christ says, 'Whoso loves me, and keeps my word, my Father will love him, and we will come and take up our abode with him.' But if the perverted soul descends to the source of all repulsion, which is the devil, God will turn away from him, and he will hate God and love the devil, as our blessed Saviour says (Matt. vi.), 'No man can serve two masters, he will *hate* one and *love* the other; ye can not serve God and the devil.' Such will be the law of the universe until the desire of all creatures is fulfilled, until the living word again descends from heaven, and says, 'Let there be light!' and the new light will fall upon the soul. Then will the old serpent be cast out of the new heaven and the new earth. Hate and repulsion will exist no longer, but as Esaias saith, 'The wolf and the lamb, the leopard and the kid, will lie down together, and the child may play fearlessly upon the den of the adder.' Hallelujah! Then will creation be free! then will it pass from the bondage of corruption into the lordly freedom of the children of God (Rom. viii.), and

Sun,
moon, stars,
earth, angels, men,
beasts, plants, stones,
the living as the dead,
the great as the small,
the visible as the invisible,
will find at last
the source of all attraction
which they have ever ardently desired—
round which they will ever circle
day on day, night on night,
century on century, millennium on millennium,
lost in the infinite and eternal abyss
of all love—
GOD!'"*

"* Almost with the last words of this sketch, the second part of *Kosmos*, by Alexander von Humboldt, came to my hand. Evidently the great author (who so well deserves immortality for his contribution to science) views the world also as a whole; and wherever in ancient or modern times, even a glimpse of this doctrine can be found, he quotes it and brings it to light. But yet, in a most incomprehensible manner, he has passed over those very systems in which, above all others, this idea finds ample room; namely, the New-Platonism of the ancients (the Theurgic Philosophy), and the later Cabalistic, Alchymical, Mystic Philosophy (White Magic), from which system the deductions of Magister Joel are borrowed: but above all, we must name *Plotinus*, as the father of the new Platonists, to whom nature is throughout but one vast unity, one divine totality, one power united with one life. In later times we find that Albertus Magnus, Cornelius Agrippa, and Theophrastus Paracelsus, held the same view. The latter uses the above word "attraction" in the sense of sympathy. And the systems of these philosophers, which are in many places full of profound truths, are based upon this idea."

The invocation of the angel, is a mixture of the ridiculous and the poetical. The Duke, the Magister, and Diliana, are in the knight's hall. Old Jobit Bork, peeping through the gimlet-hole he has made in the door. The Magister repeats the conjuration three times:

"And, behold, at the last word, a white cloud appeared at the north, that at every moment became brighter and brighter, until a red pillar of light, about an arm's thickness, shot forth from the centre of it, and the most exquisite fragrance with soft tones of music were diffused over the whole north end of the hall; then the cloud seemed to rain down radiant flowers of hues and beauty such as earth had never seen, after which a tremendous sound, as if a clap of thunder, shook not only the castle to its foundation, but seemed to shake heaven and earth itself, and the cloud, parting in twain, disclosed the sun-angel in the centre.

"Yet the knight outside never heard this sound, nor did old Kruger, the Duke's boot-cleaner, who sat in the very next room reading the Bible; he merely thought that the clock had run down in the corridor, and sent his wife out to see, and this seems to me a very strange thing, but the knight, through his gimlet-hole, saw plainly, that a chair, which they had forgotten to take out of the way of the angel at the north side, was utterly consumed by his presence, and when he had passed, lay there a heap of ashes.

"And the angel in truth appeared in the form of a beautiful boy of twelve years old, and from head to foot shone with a dazzling light. A blue mantle, sown with silver stars was flung around him, but so glittering to the eye that it seemed a portion of the milky way he had torn from heaven, as he passed along, and wrapped round his angelic form? On his feet, rosy as the first clouds of morning, were bound gold sandals, and on his yellow hair a crown; and thus surrounded by radiant flowers, odors, and the soft tones of heavenly music, he swept down in grace and glorious beauty to earth."

But enough. We cannot recommend "Sidonia" to our readers, for elevation of sentiment, or as producing a very pleasing or healthful impression upon the mind. Yet there is a good deal of lively picturing, and there is at least no fear that the supernatural views of the author will produce any worse result than to provoke a smile.

THE WORKS OF J. FENIMORE COOPER.*

Von Dencken, the profound and ingenious philosopher, from whose great work, the "Inquiry into the sources of the *Omne Scibile*," we lately translated a few paragraphs, has some further observations in the same connection, *(vide* the chapter, "*De Vita Humana,)* which may serve, like the others, in place of the usual metaphysical preface to a literary review. Having ourselves the same horror of that obscurity called "range of thought," of which reviewers in general are accused in the preface to the Pioneers, especially when we ourselves are called upon to exercise it, we shall be delighted if we can satisfy the expectations of readers, in this particular, with the speculations of the learned Dutchman. Still, we would not venture to make use of him, had not much observation long ago assured us that his labors are but little known in this quarter, and may interest, therefore, as much by their novelty as their truth.

"Not only," continues the philosopher, "does this constant equalization of vital power, of which I have treated, take place between the dead and the living, but it is constantly going on, from day to day and hour to hour, among all souls which come in contact. Certain constituent elements, of every one's life have affinities which attract similar elements in others—and *vice versa.* There is no individual with whom another can become acquainted without imparting or receiving, or both imparting and receiving, some peculiar vigor. Thus we often see the strongest friendships among opposites; a rash temper derives prudence from contact with a timid one, while the timid acquires a measure of resolution from the over-boldness of the other. How beautifully the reflective and the active harmonize and blend together! The first gains the needed repose of spirit, while the latter is supplied with new motives. Thus might be instanced numberless combinations which would at once be acknowledged as common and universal; indeed, were it possible, there is probably no development of soul-vigor in one individual without its counterpart somewhere in others.

"This constant influence or interchange of vitality which goes on among all mankind who come in contact, belongs to us as members of a great family. In this aspect, so far, that is, as regards *vitality,* we have a common soul; we are so far gregarious—a many headed monster—having one life running through us all.

"If there be any to whom this view is new and strange, let him consider his own life and see how imperceptibly the product of the common vitality—LAW—in all its forms, municipal and social, winds its arms around him, as he advances in years. Struggle and murmur as he may, and as most of us do, in one respect or another, there is no escaping this inexorable, all-pervading shaper of destinies. In whatever regard, and from whatever cause, we have disobeyed it, there is no escaping the penalty. If we have yielded to envy, hatred, or uncharitableness, the lurking self-reproach will hang about us forever. If we have been criminal against others, however fortunate in concealing it, we feel a difference between us and honest men. If against ourselves, what would we not do to avoid the laws of habit—misery of constrained intemperance, for example, or that most awful consequence of a disregard for the laws of life, a licentious old age.

"On the other hand, what a source of health and peace to the spirit it is to find ourselves going on in harmony with law, feeling ourselves co-workers with the general vitality of the race! Even where by reason of ignorance or constitution, we have failed in a thousand respects, it is a consolation to have remained steadfast in one. Thus the hypocrite in religion hugs himself upon integrity in

*The Works of J. Fenimore Cooper Revised, Corrected, and Illustrated, with a new Introduction, Notes, &c. G. P. Putnam.

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business; the mature gamester prides himself upon having done his duty to his family; the self-destroyer sustains his ruined body with the thought that he has never tempted others, and thus all of us find something to lean upon till the body fails to come up to the requirements of the lowest law of life, and death comes to bear us away."

After thus enlarging the limits of his theory of vitality, the subtle Dutchman proceeds to apply it to several conditions of life, and as the vital changes are observed more clearly among individuals brought in contact with large numbers of others, he takes his examples from regal, military, civil, and other prominent departments. Among others, he considers, in one chapter, the artist life, including all vocations in which men address the world, through the sense of beauty. We translate the few paragraphs applicable to our purpose:

"We have seen how, in the civil departments, though there may be unjust magistrates, and those who, through error, give erroneous decisions, yet the silent influences of life, which go to keep up the great vital equilibrium, gradually shake off the false, and retain only that which is true—that which was discovered to be true by the strong perceptions of vigorous and truth-loving spirits. So it is in the Fine Arts, and in the pursuits of literature and science. All that is mortal falls off and dies; but the truly vital lives forever. And this happens as well in indvidual instances, and during short periods, as universally during the lapse of centuries. There are no regular periods to its operation; if the soul of the universe has its throbs, they are too slow for our poor faculties of discernment. Sometimes the vigor of one man shall be so overwhelming that he will awe the hearts of nations through his life; and it will be not till long after he has gone off the stage that his true strength can be estimated—and then it may be seen that though he made a great noise in his time, and brought much to pass, yet there was little of him beyond the name that will return to the general stream of life. He did much, but he saw, heard, or felt no more,—less, perhaps, while here,—than many others, who would have left a stronger *residuum*, had their career been as public as his. Such instances have been cited in the chapter on military heroes.

"Sometimes the vital *aura* diffuses itself more quickly, and the world feels it like an electric touch. Poets and musicians have ere now wakened the common life to a new sense of gladness and beauty, by a single song. And so, in their several ways, have painters, and sculptors, and story-tellers. In deed, it is in all these arts that the true vigor, brought to bear, soonest recombines and returns to repose in the general breast of humanity. Hence, in all of them, how rarely does any one achieve great distinction! How hard, also, it is to sustain, for any length of time, a position once gained! For, to do it, one must labor, so soon does the virtue go out from him, against his very self, in order to preserve the relation that was between him and other men at the outset. Yet there are those who are able to accomplish this; who can go on from day to day, and year to year, imparting their power of vision, kindling their glow of spirit, their fire of emotion, and fancy's ardor, in the hearts of the world at large.

"That which they would have done at first they still sometimes desire to do, though their success in what was incidental might have taught them to expend their energies upon that. They may see the sparks flying in one direction, while they will continue to hammer in another; such may be their weakness. They may deem it less desirable to impart than to carry out a cherished plan; or they may be so constituted, so incongruously put together, that the crystal is only perfect on one side. How seldom do men see themselves as others see them! How often they go on, priding themselves on doing what they do ill, or not at all, and neglecting that which they do well—like a good violinist in one of our village bands, who should persist in playing the trombone, though it gave his hearers the headache to hear him, and himself the consumption to blow it!

"It is a wonder often to see artists and writers who have been successful, who cannot but feel that the peculiar vitality of their spirits has been taken up by its numerous affinities into the general bosom of life—who may see their works translated, or copied and spread among all civilized nations, and imitated by thousands, forming a new school of excellence in their department, whatever it may be—who may thus perceive the reflection, as it were, of their own image upon the world's mirror—it is a wonder that they do not feel a secret LAW impelling them to be true to their organization. But, then, habit makes us all powerless. We daily unlearn ourselves too late to avail us anything. Law, the law of life, overhangs us; it surrounds and environs us; but we can never stop. Once fairly in the current, we are dashed onward; we may founder these frail barks any moment we please, but we cannot control them; with our best efforts we can only keep keep them in the channel, and have others to follow, if they will,—whither, oh whither?"

"Whither, indeed," some readers will be

ready to exclaim, as they reach the philosopher's concluding sentence, "out of his depth we fear." But it is fortunately not necessary to follow him any further at present. The particular relevance of what we have already quoted may not be very obvious. But that does not much signify. It is customary for reviews to have metaphysical beginnings, for what reason we know not, unless it be to put the reader into a fitting frame of mind to attend to criticism; or it may be to serve for a base line to the survey of an author; or as a largo introduction to a principal movement in music—which sometimes appears to be used to weary the ear and make it glad to listen to anything rather than that to which it has been compelled to hear. We have, at all events, complied with the form in giving an extract from Von Dencken.

If his theory respecting vitality be admitted, as applied to writers, Cooper may felicitate himself on having imparted life to as wide a circle of his cotemporaries as almost any author living. The best of his novels have been long popular in both hemispheres, and as a writer of sea-tales, he has been the father of a numerous progeny of imitators. We confess to have anticipated and enjoyed, so far as one can enjoy anything, under the miserable apprehension of having to write about it, the opportunity of renewing our early acquaintance with many of his well-known personages. We have derived no little mental refreshment from breathing again the salt breezes of the German Ocean, and the fine snowy atmosphere of Otsego; we have been glad to meet again our old friend Leatherstocking, to see his silent laugh, and hear the sharp crack of his rifle; all his adventures as Hawkeye, Natty Bumppo, and the Trapper, we have skimmed over again, with, for aught we can see, undiminished enjoyment. There are also many others of these personages, in another walk of life, Long Tom Coffin and his descendants, some of whom we have followed through their perils once more with the same anxiety and the same admiration of their heroism we had in days past weeping for. With many of these people we first became familiar under peculiar circumstances—by stealth, and as we are taught to believe, at peril of our soul's salvation; we have persisted in knowing them, and others like them, thus far in life, and, sinner that we are, yet trust we are not utterly cast away. When we consider how much we owe to them, what we might possibly have become had we never known them, we are almost a convert to Von Dencken, and feel under a personal obligation to their author, for enabling us to keep our eyes open to the beauty of nature and nature's heroes, in spite of ignorance and superstition.

None of our writers has given more vivid pictures of American scenery than Cooper. Whether the scene be winter or summer, in forest or clearing, his landscapes are unmistakably drawings from nature. The opening of the Pioneers, and several scenes from the same novel, are well known examples. We will quote one of them:

A WINTER MORNING.

The side of the mountain, on which our travellers were journeying, though not absolutely perpendicular, was yet so steep as to render great care necessary in descending the rude and narrow path, which, in that early day, wound along the precipices. The negro reined in his impatient steeds, and time was given to Elizabeth to dwell on a scene which was so rapidly altering under the hands of man, that it only resembled, in its outlines, the picture she had often studied, with delight, in her childhood. On the right, and stretching for several miles to the north, lay a narrow plain buried among mountains, which, falling occasionally, jutted in long low points, that were covered with tall trees, into the valley; and then again for miles, stretched their lofty brows perpendicularly along its margin, nourishing in the crags that formed their sides, pines and hemlocks thinly interspersed with chestnut and beech, which grew in lines nearly parallel to the mountains themselves. The dark foliage of the evergreens was brilliantly contrasted by the glittering whiteness of the plain, which exhibited, over the tops of the trees, and through the vistas formed by the advancing points of the hills, a single sheet of unspotted snow, relieved occasionally by a few small dark objects that were discovered, as they were passing directly beneath the feet of the travellers, to be sleighs moving in various directions. On the western border of the plain, the mountains, though equally high, were less precipitous, and as they receded, opened into irregular valleys and glens, and were formed into terraces, and hollows that admitted of cultivation. Although the evergreens still held dominion over many of the hills that rose on this side of the valley, yet the undulating outlines of the distant mountains covered with forests of beech and maple,

gave a relief to the eye, and the promise of a kinder soil. Occasionally spots of white were discoverable amidst the forests of the opposite hills, that announced, by the smoke which curled over the tops of the trees, the habitations of man, and the commencement of agriculture. These spots were sometimes, by the aid of united labor, enlarged into what were called settlements; but more frequently were small and insulated, though so rapid were the changes, and so persevering the labors of those who had cast their fortunes on the success of the enterprise, that it was not difficult for the imagination of Elizabeth to conceive they were enlarging under her eye, while she was gazing in mute wonder, at the alterations that a few short years had made in the aspect of the country. The points on the western side of the plain were both larger and more numerous than those on its eastern, and one in particular thrust itself forward in such a manner as to form beautifully curved bays of snow on either side. On its extreme end a mighty oak stretched forward, as if to overshadow, with its branches, a spot which its roots were forbidden to enter. It had released itself from the thraldom, that a growth of centuries had imposed on the branches of the surrounding forest-trees, and threw its gnarled and fantastic arms abroad, in all the wildness of unrestrained liberty. A dark spot of a few acres in extent at the southern extremity of this beautiful flat, and immediately under the feet of our travellers, alone showed, by its rippling surface, and the vapors which exhaled from it, that what at first might seem a plain, was one of the mountain lakes, locked in the frosts of winter. A narrow current rushed impetuously from its bosom at the open place we have mentioned, and might be traced for a few miles as it wound its way towards the south, through the real valley, by its borders of hemlock and pine, and by the vapor which arose from its warmer surface into the chill atmosphere of the hills."

The language is diffuse, and the sentences cold and artificial in construction; but the flow of them is sustained, and the images chosen to present the landscape are beautifully picturesque. The scene is not flashed upon the apprehension in a poetic manner, by exciting a corresponding tone of feeling; it is elaborately drawn *from the eye*, as a painter would sketch it.

In his desciiptions of the changes of the ocean, Cooper has more emotion, and his language seems to rise and swell with the grandeur of his subjects. The Pilot has many fine examples of this, and they abound in all his later sea stories. The following is from Homeward Bound:

"The awaking of the winds on the ocean is frequently attended with signs and portents as sublime as any the fancy can conceive. On the present occasion, the breeze that had prevailed so steadily for a week was succeeded by light baffling puffs, as if, conscious of the mighty powers of the air that were assembling in their strength, the inferior blasts were hurrying to and fro for a refuge. The clouds, too, were whirling about in uncertain eddies, many of the heaviest and darkest descending so low along the horizon, that they had an appearance of settling on the waters in quest of repose. But the waters themselves were unnaturally agitated. The billows, no longer following each other in regular waves, were careering upwards, like fiery coursers suddenly checked in their mad career. The usual order of the eternally unquiet ocean was lost in a species of chaotic tossings of the elements, the seas heaving themselves upward, without order, and frequently without visible cause. This was the re-action of the currents, and of the influence of breezes still older than the last. Not the least fearful symptom of the hour was the terrific calmness of the air amd such a scene of menacing wildness. Even the ship came into the picture to aid the impression of intense expectation; for with her canvas reduced, she, too, seemed to have lost that instinct which had so lately guided her along the trackless waste, and was "wallowing," nearly helpless, among the confused waters. Still she was a beautiful and a grand object, perhaps more so at that moment than at any other; for her vast and naked spars, her well supported masts, and all the ingenious and complicated hamper of the machine, gave her a resemblance to some sinewy and gigantic gladiator, pacing the arena, in waiting for the conflict that was at hand."

It appears that Cooper's style, in his later novels has much improved in fluency; and even in these brief extracts, one may trace a difference. He was never a graceful or an elegant writer; no style can be imagined more unsuited to the purposes of entertaining narrative than that of some of his earlier novels. The opening of the Red Rover, if our memory serve, is particularly forced and crude in language as well as in conception. It is by the power of vision, the collected energy of his fancy, acting in spite of his style, that his descriptions are so clear and fascinating.

What is true of his style, will to a great extent, apply to the construction of his novels. His earlier plots are mostly elaborately improbable, and the scenes are not shifted with ease, yet the minor effects and

episodes are arranged with singular power. Take for examples, Mr. Gray's piloting the ship through the reefs, and all those scenes where Leatherstocking displays his skill with the rifle, such as the shooting of the turkey or panther. The latter incident in particular is finely wrought, and the sudden revulsion the reader experiences from extreme anxiety to perfect confidence in the skill of the old hunter, where the narrative is interrupted—

"Hist! Hist!" said a low voice—"stoop lower, gal, your bonnet hides the creater's head."

—has probably produced its effect upon nearly as many pairs of eyes as the story has had readers. Yet the Pioneers cannot be considered to be constructed or carried through in such a manner that the reader's interest is much interested in the main story. Leatherstocking is the true story; we are more interested in him and saddened by his departure, than gratified by the marriage of the lovers. The like is true of all the tales where he is introduced, and also of the sea stories, where we have him in his essentials, with only a "sea change."

He appears, in all the novels of Cooper in one shape or another, the simple-hearted, old (or sometimes young) man, with a preternatural skill, either as a huntsman or sailor, and a luck that brings him scot free out of every danger. It would only occupy space to enumerate his different phases; sufficient that we all know and esteem—almost reverence him. Could he be found in real life he would be a safer guide than twenty Kit Carsons in an overland journey to San Francisco; or, if we might have him in his salt phase, he should be shipped for the expedition in search of Sir John Franklin. He is Cooper's great original character.

Besides him, and his variations, we get very little of real character-drawing. There are points of difference insisted on, it is true, among Cooper's gentlemen, but we fail to distinguish clearly. There are old and young, Irish, French, negro, and the like, the usual stock-in-trade of novelists; these we separate as we read, by their names, and because we have a desire to see how they will get out of their difficulties; but the gentlemen are so crudely put together that the memory scarcely retains their individual traits.

What there is of individuality among them is so singularly as well as stiffly drawn, as to make them a race by themselves. They often exhibit extraordinary combinations of qualities, are at once chivalrous and calculating, cool and impatient, generous and close. Always on their good behaviour, they are yet very bad mannered. Their dialogue is constrained and unlike nature, and their intercourse generally, leaves an impression with the reader of having been in the society of would-be-genteel people.

The ladies also, in Cooper, or "females," as he delicately calls them, are less satisfactory even, than the gentlemen. They do not express the thoughts or use the language of ladies. Often their dialogue is ludicrously incongruous with the character and situation. For example:

"Elizabeth and her friend had not yet lost their senses in sleep, when the howlings of the north-west wind were heard around the buildings, and brought with them that exquisite sense of comfort, that is ever excited under such circumstances, in an apartment where the fire has not yet ceased to glimmer; and curtains, and shutters, and feathers, unite to preserve the desired temperature in the air. Once, just as her eyes had opened, apparently in the last stage of drowsiness, the roaring winds brought with them a long and plaintive howl, that seemed too wild for a dog, and yet strongly resembled the cries of that faithful animal when night awakens his vigilance, and gives sweetness and solemnity to his alarms. The form of Louisa Grant instinctively pressed nearer to that of the young heiress, who, finding her companion was yet awake, said, in a low tone, as if afraid to break a charm with her voice—

"'Those distant cries are plaintive, and even beautiful. Can they be hounds from the hut of Leather-stocking?'

"'They are wolves, who have ventured from the mountain, on the lake,'" whispered Louisa, "'and who are only kept from the village by the lights. One night since we have been here, hunger drove them to our very doors. Oh! what a dreadful night it was! But the riches of Judge Temple have given him too many safeguards, to leave room for fear in this house.'

"'The enterprise of Judge Temple is taming the very forests!' exclaimed Elizabeth, proudly, throwing off the covering and partly rising in the bed. 'How rapidly is civilization treading on the footsteps of nature!'

The general level of the dialogue among the principal characters in Cooper is in what, in our school days, was denominated the "high-flown" style. They seem to be trying how fine they can talk. We *have* heard something like it in real life. We have heard boys and girls who had been educated to such a degree that their common conversation was of this rarefied description; we have heard some such form of speech even from the lips of men and women—in remote villages, whose society is, notwithstanding all that is said of the world of fashion, the most artificial of any. But nothing like it was ever used in the intercourse of well-bred people.

It is another evidence, how easily our understandings are pacified when the fancy is interested, that we can read stories with pleasure where the dialogue is so undramatic. But it is only where the interest is independent of the characters that we can do it. Wherever it is attempted to be excited through them, Cooper always fails. His novels of society, such as "Home as Found," are unreadable, not on account of their satire, but because they have neither dramatic interest nor *vrai-semblance*. The characters are so coarsely done as to be mere caricatures, and they converse not to carry on the story but to bring out opinions.

The first principle in elaborating a dramatic construction, of whatever description, whether re-related in narrative or represented in a dialogue, or both, is *action*. The dramatist or novelist must keep ever in his mind, if he would have readers, the stereotyped order of the London Policemen "Move on!" The stage must never wait. Hence, there must, in plays, be always an underplot to occupy it while the main scene has time to be changed; and this must have a separate and subordinate interest. In the novel a similar construction, though not indispensable, prolongs and gives variety. It is worth while to observe how, in Shakspeare, the characters are brought out by the necessity, as it were, of the piece; all their reflections and perplexities grow out of, or have an immediate relation to that. The soliloquies in Hamlet have an immediate bearing upon the story. On the stage a mere neat plot, unravelled in the fewest possible words, will make an after-piece popular; while in writing, all those novels which are written with an obvious side purpose never please. The public do not like doctrine, either religious, politic, economic, or social, administered in the form of sugar-coated pills. Even Sue and Sands, and their kindred demoralizers, are obliged to do something more than make their characters discuss vice with one another.

With regard to the satire attempted in some of Cooper's novels of society, it is too extravagant and indiscriminate to be effective. The author endeavors to hit every where; nothing is too small game for him, and he never graduates his blows by the magnitude of the object, so that he affects the reader like a man out of temper, who is merely airing his opinions, without coherence or consistency. That any individuals or any classes should ever have been aggrieved by such writing, supposes an insensibility to the ludicrous as well as a weak irritability. To us, it is, in general, purely heavy reading. Here and there are passages which excite a smile, but we remember no instance at which we can fancy any one to take serious offence. Although it has been our fortune to be more or less connected for many years with the daily press, we do not think it a very strong proof of equanimity that we can relish the following as one of Cooper's good things:—

"Fortunately, there was yet no newspaper, a species of luxury, which, like the gallows, comes in only as society advances to the corrupt condition; or which, if it happen to precede it a little, is very certain soon to conduct it there. If every institution became no more than what it was designed to be, by those who originally framed it, the state of man on earth would be very different from what it is. The unchecked means of publicity, out of all question, are indispensable to the circulation of truths; and it is equally certain that the unrestrained means of publicity are equally favorable to the circulation of lies. If we cannot get along safely without the possession of one of these advantages, neither can we get along very safely while existing under the daily, hourly, increasing influence of the other—call it what you will. If truth is all important, in one sense, falsehood is all-important too, in a contrary sense.

"Had there been a newspaper at the Crater, under the control of some philosopher, who had neither native talent, nor its substitute education, but who had been struck out of a printer's devil by the rap of a composing-stick, as Minerva is reported to have been

struck, full-grown, out of Jupiter's head by the hammer of Vulcan, it is probable that the wiseacre might have discovered that it was an inexcusable interference with the rights of the colonists, to enact that no one should carry letters for hire, but those connected with the regular post-office."—*Crater, vol.* II.

There is a heartiness about this, which would have pleased Dr. Johnson, who liked "a good hater."

The savage pleasantry of the following is hardly less excellent:—

"These exercises commenced with instrumental music, certainly the weakest side of American civilization. That of the occasion of which we write, had three essential faults, all of which are sufficiently general to be termed characteristic, in a national point of view. In the first place, the instruments themselves were bad; in the next place, they were assorted without any regard to harmony; and, in the last place, their owners did not know how to use them. As in certain American *cities*—the word is well applied here—she is esteemed the greatest belle who can contrive to utter her nursery sentiments in the loudest voice, so in Templeton, was he considered the ablest musician who could give the greatest *eclat* to a false note. In a word, clamor was the one thing needful, and as regards time, that great regulator of all harmonies, Paul Powis whispered to the captain that the air they had just been listening to, resembled what the sailors call a 'round robin;' or a particular mode of singing complaints practised by seamen, in which the nicest observer cannot tell which is the beginning, or which the end.

"Of the oration it is scarcely necessary to say much, for if human nature is the same in all ages, and under all circumstances, so is a fourth of July oration. There were the usual allusions to Greece and Rome, between the republics of which and that of this country there exists some such affinity as is to be found between a horse-chestnut and a chestnut-horse; or that of mere words; and a long catalogue of national glories that might very well have sufficed for all the republics, both of antiquity and of our own time. But when the orator came to speak of the American character, and particularly of the intelligence of the nation, he was most felicitous, and made the largest investments in popularity. According to his account of the matter, no other people possessed a tithe of the knowledge, or a hundredth part of the honesty and virtue of the very community he was addressing; and after labouring for ten minutes to convince his hearers that they already knew every thing, he wasted several more in trying to persuade them to undertake further acquisitions of the same nature."

"American civilization" can bear this, one would suppose, without outlawing Mr. Cooper. But, not content with ridiculing our country music and oratory, the shocking man thus permits one of his characters to misrepresent our architecture. The reader will observe the characteristic ease of the dialogue:

"'I do not mean that the public has a legal right to control the tastes of the citizen," he said, "but in a *republican* government, you undoubtedly understand, Miss Eve, it *will* rule in all things."

"I can understand that one would wish to see his neighbour use good taste, as it helps to embellish a country; but the man who should consult the whole neighborhood before he built, would be very apt to cause a complicated house to be erected, if he paid much respect to the different opinions he received; or, what is quite as likely, apt to have no house at all.'

"'I think you are mistaken, Miss Effingham, for the public sentiment, just now, runs almost exclusively and popularly into the Grecian school. We build little besides temples for our churches, our banks, our taverns, our court-houses, and our dwellings. A friend of mine has just built a brewery on the model of the Temple of the Winds."

"'Had it been a mill, one might understand the conceit,' said Eve, who now began to perceive that her visiter had some latent humor, though he produced it in a manner to induce one to think him any thing but a droll. 'The mountains must be doubly beautiful, if they are decorated in the way you mention. I sincerely hope, Grace, that I shall find the hills as pleasant as they now exist in my recollection!'"

However true Mr. Bragg's statement might have been when "Home as Found" was written, it is certain that now there seems to be a decided preference for the Gothic.

In the following, the identity of meaning in the name of the street of which mention is made, with that of 'Broadway' leads us to infer that something is intended which ought to excite our ire as New Yorkers. But it does'nt. We have actually heard something very like it:

"Here the wailings of Mr. Wriggle were interrupted by the wailings of Count Poke de Stunnin'tun. The latter, by gazing in admiration at the speaker, had inadvertently struck

his toe against one of the forty-three thousand seven hundred and sixty inequalities of the pavement, (for everything in Leaplow is exactly equal, except the streets and highways,) and fallen forward on his nose. I have already had occasion to allude to the sealer's readiness in using opprobrious epithets. This *contretems* happened in the principal street of Bivouac, or in what is called the Wide-path, an avenue of more than a league in extent; but, notwithstanding its great length, Noah took it up at one end and abused it all the way to the other, with a precision, fidelity, rapidity and point, that excited general admiration. 'It was the dirtiest, worst paved, meanest, vile street he had ever seen, and if they had it at Stunnin'tun, instead of using it as a street at all, they would fence it up at each end, and turn it into a hog-lot.' Here Brigadier Downright betrayed unequivocal signs of alarm. Drawing us aside, he vehemently demanded of the Captain, if he were mad, to berate in this unheard-of manner, the touchstone of Bivouac sentiment, nationality, taste and elegance! This street was never spoken of except by the use of superlatives; a usage, by the way, that Noah himself had by no means neglected. It was commonly thought to be the longest and the shortest, the widest and the narrowest, the best built and the worst built avenue in the universe. 'Whatever you say or do,' he continued, 'whatever you think or believe, never deny the superlatives of the Wide-path. If asked if you ever saw a street so crowded, although there be room to wheel a regiment, swear it is stifling; if required to name another promenade so free from interruption, protest by your soul, that the place is a desert!'"

It has long been a desideratum with a portion of the city press to ascertain where there can be found a person who has read the volume from which the above is taken. The questions respecting the explosion of nitre, who committed the assault on Mr. William Patterson, where is the individual so regardless of conventional propriety, as to use a cigar in an omnibus, have hardly been more frequently asked than, "who has read the Monikins?" We confess that before beginning this present writing we *did* intend to set this question at rest forever by reading the work ourself, and publishing the fact to the world. But there are limits to human resolution; we can only say with truth that we have skimmed it, or better, perhaps, we have *looked into* it.

That the book has never been read, is not surprising. The author, apparently, finding his original purpose extremely dull in execution, abandons it for one which, even if wrought out in his most picturesque manner, would be uninviting, and which, as it is, is positively offensive. The idea of taking us to a nation of monkeys, with all that it involves, is of necessity coarse. But here it is carried out with a coarseness exceeding Swift's Honnyhyms, since monkeys, are not imaginary creatures, and the fancy refuses to consider them such; and it is not redeemed by Gulliver's wit, eloquence, and point. It has, in fact, no point; one knows not what is intended to be satirized, or where the satire is to stop; it has no substratum of sense, like Rabellais, nor does it, like him, atone for extravagance and absurdity, by carrying them to such an extreme, as to make us laugh. Yet there is no reason why Americans should be any more offended with it than Englishmen; the author bestows his tediousness equally on both. Except a few descriptive passages, the work, on the whole, is only a deplorable evidence what may be produced by a powerful fancy, acting under the influences of ill-temper, misjudgment, and unrefined taste.

Of the other later novels, for which Cooper has been so much berated, Homeward Bound is very readable, notwithstanding its dull discussions, as a sea story. In writing it, the author states in his preface, he so far yielded to the advice of his friends, who wished for "more ship," that he ended nearly where he meant to have began. It were to be wished for his own fame, that he had continued to follow the same advice in Home as Found, or never written the book at all. For it is a little less dull than the Monikins. Of the two together it may be predicted that any reader who could get through one, might accomplish the other; *but not otherwise.* After the success we have had, we cannot recommend any of our readers to attempt either.

At the same time, these works are the offspring of no common vigor of intellect, and they, of course, contain, scattered through them, much that is suggestive, and strangely expressed. There is nothing in them, except their dullness, that need frighten the nerves of readers. Mr. Cooper has been accused of being un-American in them—aristocratic—and per-

sonally vain, giving what he intended to be a portrait of himself in the hero. But we perceive nothing of this. To us the peculiar acerbity he manifests is amusing. Very often his sharp sayings have a spice of truth in them; and, surely, since California has come in, the country is extensive enough to bear a few quips—especially when they come from one who has done so much for her literature! As to his aristocratic tendencies, one cannot perceive clearly that Cooper has a distinct bias that way. He appears a strange compound of opinions—a piece of conglomerate containing rocks of several eras, igneous and other, united by a tenacious *Cooper* cement, harder than any of them. His querulousness and roughness of speech exhibit anything but the quiet reserve of a man, who feels himself assured of his title to a high social position; and if any reader would collate him carefully, we suspect as much might be found which would tend to make him "one of the people," as an "aristocrat." He evidently bears in mind that he writes for an English as well as an American audience; yet, for aught we can discern, his fellow-citizens fare no worse at his hands than Her Majesty's subjects. Nor can we fancy that in either of the Effinghams, in these volumes, he intended to give a portrait of himself. The Travelling Bachelor, however, and one or two others, we have not read.

In his more recent novels, while he has not abandoned the idea of making his writings the vehicle of opinions, he has learned the necessity of first rendering them interesting. He has been more careful to adhere to his true department of picturesque narrative. His opinions, also, are more woven into the texture of the story, and more clearly digested. Occasionally we have touches of his peculiar acidity; but, generally, his satire is more just, and his views more broad and temperate.

As a fluent narrative of Crusoe-like adventures, exhibiting a fertility of invention almost equal to De Foe's, and containing some of the most beautiful sea-scenes we have ever read, with some notions about popular government, which it will do no one any harm to skip, if they do not choose to read them, and now and then a tart sentence, (like the one we have quoted about the newspapers,) which they may smile at, or assent to, as they please —the "Crater; or, Vulcan's Peak—a Tale of the Pacific," will be found not unworthy to stand beside its author's most popular works. For a similar picturesqueness, fertility of invention, and some marvellous plays of seamanship, along with a little religious conversation, which novel-readers generally skip of course, "The Sea Lions; or, the Lost Sealers," is another of his best stories.

Either of these will be found capital tales for young readers. They breathe the heartiness of a strong, cheerful, active temperament, are full of ingenious modes of getting over difficulties, by application, have that fresh, old-fashioned, unsentimental downrightness, which we call "plain, practical good sense"—in short, if we may recur to the theory of the great Von Dencken, they impart largely of the true, manly vitality.

Did our limits permit, we should be glad to prove the justness of our appreciation of them by copious extracts from each; it is not possible to judge of the merit of full, easy narrative writing from a few short paragraphs. The following scenes from the Sea Lions may give some idea of the general excellence of the descriptive passages:

CAPE HORN.

"Taking Stimson with him, to carry a glass, and armed with an old lance as a pike-pole, to aid his efforts, Roswell Gardiner now commenced the ascent of the pyramid already mentioned. It was ragged, and offered a thousand obstacles, but none that vigor and resolution could not overcome. After a few minutes of violent exertion, and by helping each other in difficult places, both Roswell and Stimson succeeded in placing themselves on the summit of the elevation, which was an irregular peak. The height was considerable, and gave an extended view of the adjacent islands, as well as of the gloomy and menacing ocean to the southward. The earth, probably, does not contain a more remarkable sentinel than this pyramid on which our hero had now taken his station. There it stood, actually, the Ultima Thule of this vast continent, or, what was much the same, so closely united to it as to seem a part of our own moiety of the globe, looking out on the broad expanse of waters. The eye saw, to the right, the Pacific; in front was the Southern, or Antarctic Ocean; and to the left was the great Atlantic. For several minutes, both Roswell and Stephen sat mute, gazing on this grand spectacle. By

turning their faces north, they beheld the high lands of Terra del Fuego, of which many of the highest peaks were covered with snow. The pyramid on which they were, was no longer white with the congealed rain, but stern and imposing, in its native brown. The outlines of all the rocks, and the shores of the different islands had an appearance of volcanic origin, though the rocks themselves told a somewhat different story. The last was principally of trap formation. Cape pigeons, gulls, petrels, and albatross were wheeling about in the air, while the rollers that still came in on this noble sea-wall were really terrific. Distant thunder wants the hollow, bellowing sound that these waves made when brought in contact with the shores. Roswell fancied that it was like a groan of the mighty Pacific, at finding its progress suddenly checked. The spray continued to fly, and, much of the time, the air below his elevated seat was filled with vapor."

ENTERING THE ANTARCTIC.

"The third day out, the wind hauled, and it blew heavily from the north-east. This gave the adventurers a great run. The blink of ice was shortly seen, and soon after ice itself, drifting about in bergs. The floating hills were grand objects to the eye, rolling and wallowing in the seas; but they were much worn and melted by the wash of the ocean and comparatively of greatly diminished size. It was now absolutely necessary to lose most of the hours of darkness it being much too dangerous to run in the night. The great barrier of ice was known to be close at hand; and Cook's "Ne Plus Ultra," at that time the great boundary of antarctic navigation, was near the parallel of latitude to which the schooner had reached. The weather, however, continued very favorable, and after the blow from the north, the wind came from the south, chill and attended with flurries of snow, but sufficiently steady and not so fresh as to compel our adventurers to carry very short sail. The smoothness of the water would of itself have announced the vicinity of ice: not only did Gardiner's calculations tell him as much as this, but his eyes confirmed their results. In the course of the fifth day out, on several occasions when the weather cleared a little, glimpses were had of the ice in long mountainous wails, resembling many of the ridges of the Alps, though moving heavily under the heaving and setting of the restless waters. Dense fogs, from time to time clouded the whole view, and the schooner was compelled more than once that day, to heave-to, in order to avoid running on the sunken masses of ice, or fields, of which many of vast size began to make their appearance.

Notwithstanding the dangers that surrounded our adventurers, they were none of them so insensible to the sublime powers of nature as to withhold their admiration from the many glorious objects which that lone and wild scene presented. The ice-bergs were of all the hues of the rainbow, as the sunlight gilded their summits or sides, or they were left shaded by the interposition of dark and murky clouds. There were instances when certain of the huge frozen masses even appeared to be quite black in particular positions and under peculiar lights; while others, at the same instant, were gorgeous in their gleams of emerald and gold!

The aquatic birds, had now become numerous again. Penguins were swimming about, filling the air with their discordant cries, while there was literally no end of the cape-pigeons and petrels. Albatrosses, too, helped to make up the picture of animated nature, while whales were often heard blowing in the adjacent waters."

SEAMANSHIP AMONG THE ICE.

"About ten, the moon was well above the horizon; the fog had been precipitated in dew upon the ice, where it congealed, and helped to arrest the progress of dissolution; while the ocean became luminous for the hour, and objects comparatively distinct. Then it was that the seamen first got a clear insight into the awkwardness of their situation. The bold are apt to be reckless in the dark; but when danger is visible, their movements become more wary and better calculated than those of the timid. When Daggett got this first good look at the enormous masses of the field-ice, that, stirred by the unquiet ocean, were grinding each other, and raising an unceasing rushing sound like that the surf produces on a beach, though far louder, and with a harshness in it that denoted the collision of substances harder than water, he almost instinctively ordered every sheet to be flattened down, and the schooner's head brought as near the wind as her construction permitted. Roswell observed the change in his consort's line of sailing, slight as it was, and imitated the manœuvre. The sea was too heavy to dream of tacking, and there was not room to ware. So close, indeed, were some of the cakes, those that might be called the stragglers of the grand array, that repeatedly each vessel brushed along so near them as actually to receive slight shocks from collisions with projecting portions. It was obvious that the vessels were setting down upon the ice, and that Daggett did not haul his wind a moment too soon.

The half-hour that succeeded was one of engrossing interest. It settled the point whether the schooners could or could not eat their way into the wind sufficiently to weather the danger. Fragment after fragment was passed; blow after blow was received;

until suddenly the field-ice appeared directly in front. It was in vast quantities, extending to the southward far as the eye could reach. There remained no alternative but to attempt to ware. Without waiting longer than to assure himself of the facts, Daggett ordered his helm put up and the main gaff lowered. At that moment both the schooners were under their jibs and foresails, each without its bonnet, and double-reefed mainsails. This was not canvass very favorable for waring, there being too much after-sail; but the sheets were attended to, and both vessels were driving dead to leeward, amid the foam of a large wave; the next instant, ice was heard grinding along their sides.

It was not possible to haul up on the other tack ere the schooners would be surrounded by the floes; and seeing a comparatively open passage a short distance ahead, Daggett stood in boldly, followed closely by Roswell. In ten minutes they were fully a mile within the field, rendering all attempts to get out of it to windward so hopeless as to be almost desperate. The manœuvre of Daggett was begun under circumstances that scarcely admitted of any alternative, though it might be questioned if it were not the best expedient that offered. Now that the schooners were so far within the field-ice, the water was much less broken, though the undulations of the restless ocean were still considerable, and the grinding of ice occasioned by them was really terrific. So loud was the noise produced by these constant and violent collisions, indeed, that the roaring of the wind was barely audible, and that only at intervals. The sound was rushing like that of an incessant avalanche, attended by cracking noises that resembled the rending of a glacier.

The schooners now took in their foresails, for the double purpose of diminishing their velocity and of being in a better condition to change their course, in order to avoid dangers ahead. These changes, of course, were necessarily frequent; but, by dint of boldness, perseverance and skill, Daggett worked his way into the comparatively open passage already mentioned. It was a sort of river amid the floes, caused doubtless by some of the inexplicable currents, and was fully a quarter of a mile in width, straight as an air-line, and of considerable length; though how long could not be seen by moonlight. It led, moreover, directly down towards the bergs, then distant less than a mile. Without stopping to ascertain more, Daggett stood on, Roswell keeping close on his quarter. In ten minutes they drew quite near to that wild and magnificent ruined city of alabaster that was floating about in the antarctic sea!

Notwithstanding the imminent peril that now most seriously menaced the two schooners, it was not possible to approach that scene of natural grandeur without feelings of awe, that were allied quite as much to admiration as to dread. Apprehension certainly weighed on every heart; but curiosity, wonder, even delight, were all mingled in the breasts of the crew. As the vessels came driving down into the midst of the bergs, everything contributed to render the movements imposing in all senses, appalling in one. There lay the vast maze of floating mountains, generally of a spectral white at that hour, though many of the masses emitted hues more pleasing, while some were black as night. The passages between the bergs, or what might be termed the streets and lanes of this mysterious-looking, fantastical, yet sublime city of the ocean, were numerous, and of every variety. Some were broad, straight avenues, a league in length; others winding and narrow; while a good many were little more than fissures, that might be fancied lanes.

The schooners had not run a league within the bergs before they felt much less of the gale, and the heaving and setting of the seas were sensibly diminished. What was, perhaps, not to be expected, the field-ice had disappeared entirely within the passages of the bergs, and the only difficulty in navigating was to keep in such channels as had outlets, and which did not appear to be closing. The rate of sailing of the two schooners was now greatly lessened, the mountains usually intercepting the wind, though it was occasionally heard howling and scuffling in the ravines, as if in a hurry to escape, and pass on to the more open seas. The grinding of the ice, too, came down in currents of air, furnishing fearful evidence of dangers that were not yet distant. As the water was now sufficiently smooth, and the wind, except at the mouths of particular ravines, was light, there was nothing to prevent the schooners from approaching each other. This was done, and the two masters held a discourse together on the subject of their present situation."

If there were any limit to the productiveness of modern novelists, one would think Cooper had written enough. He has earned his fame, and might repose. But the habit of invention, probably, grows into a second nature, and our Jameses and Coopers, when they have once gotten fairly upon the wheel, are obliged to keep advancing, until destiny compels them to stop. We see already another story from Cooper, commenced by Mr. Putnam—"The Ways of the Hour." It will appear before this notice, and, it is to be hoped, will resemble, in exhibiting a return to its author's early manner, the two just com-

mended. His *forte* is his power of fancy, exercised on remote scenes and objects; there it moves freely, unimpeded by the actual; but it is too exuberant to meddle with every day life, and, like a telescope, turned to objects near at hand, paints only distortions. He is at home, not in the parlor, or the street, but on the ocean, or in the wilderness. There thousands of his young countrymen and women will be glad to accompany him through many more hazardous voyages and journeys.

It is a proof of Cooper's great popularity, after all his newspaper warfare, that republications of his novels should be in progress at the same time—one from Putnam, of which the Spy, Pilot, and Red Rover have already appeared, each in the modern convenient fashion of two volumes in one, the other from Stringer & Townsend, whose cheap editions are well known.

We hope our brief and imperfect critique may assist in extending their sale.

G. W. P.

THE DUEL WITHOUT SECONDS:

A DAGUERREOTYPE FROM THE STATE HOUSE OF ARKANSAS.

BY A MEMBER OF THE LEGISLATURE.

PROLOGUE.

THE Western desperado offers for analysis a new type of human character peculiar to the American frontier. He has no exemplar, either among the fiercest forms of savage life, or in any the wildest regions of the old world. Like the fresh forest embowering the rude log-cabin of his home —like the novel medium of circumstances, that environs his political, social, and moral being, coloring all his fancies, and inspiring all his feelings, he is a sheer original, as thoroughly *unique*, as he is terribly interesting.

It does not enter into our present purpose to discuss the tangled *rationale* of causes concurring to yield such a singular specimen of humanity. We intend, not to explain *why* he is, but simply to describe him *as* he is. In doing this, however, it may become necessary to show, first of all, what he is not, so as to contra-distinguish him from certain analogue, with whom he has been frequently confounded, by reason of some common attributes and affinities, though, in other respects, he is *toto cœlo* an opposite.

1. The desperado is not an assassin. As his very name implies, he is too *desperate*, too fearlessly and blindly brave for that. He never lurks in ambush; never stabs in the dark; never assaults his enemy when the latter is unarmed; never seeks to take him by surprise, and never manœuvres for the vantage ground. Doth he chance to meet his mortal foe—the man who has slain his father, or violated his sister, or profaned his own person with the stinging touch of the horse-whip? Before he cocks his pistol, or draws the big bowie knife from its scabbard beside his heart, he asks the invariable and formal question: "Are you prepared?" If the other answer, "No, I have not got my *tools*," the desperado says: "Go and get them; arm yourself well; for one of us must die." Thus, it is evident he is not an Assassin.

2. Neither is he a bravo. He never slays for hire. He would slay the wretch outright who should dare propose a bloody bribe; and so great is his loathing and horror for all sorts of dishonesty, that he even deems immediate death, without any formalities of law or trial the just punishment of a detected thief or swindler: and he stands ever ready to execute such penalty himself. And thus also it is plain he is not a bravo.

3. Again, he is not either in disposition, or demeanor, an over-bearing tyrant, prone to bully the weak, and cringe to the powerful. On the contrary, he makes a theoretical division of mankind, into two grand classes—"fighting men," and "peaceable men." He never attacks individuals who fall under the second category,—such cannot insult him by any indignity short of personal violence. But a sneering word or supercilious look from a "fighting man," sets him on fire as with lightning.

4. The desperado differs widely, too, from the professed duelist. It is true they are both mentally sworn to avenge insult; but there the similarity ceases. The duelist fights for etiquette, and from a sense of honor: the desperado, from passion, and for the pure love of danger. The

one obeys an organized code, burdened with multitudinary statutes as to times, places, formulas, weapons, and the personal equality of antagonists; the other recognizes but one law—on the proper provocation, and at the precise moment of its reception, to wage deadly combat, at any time, in any place, and with any and every kind of weapon. The one must needs have his second to arrange preliminaries and see fair play: the other can have no preliminaries, for he does battle on the insult, ere the thought gets cold,—he himself, will *make* fair play, and Death always is his second. The one calls for pistols, or the gentleman's sword, or perhaps in a strong case, will *risque* the surer rifle, especially if attended by the surgeon and his instruments; the other will combat, if ye prefer it, with knives, hatchets, short guns, or cannon,—nay, he would even handle red-hot "thunder-stones," had he power to command the artillery of storms: and there may be business for the grave-digger, for the doctor never, when he is done!

It is worthy of remark, that the desperado has a characteristic division of insults and injuries, denoted by the terms "pardonable" and "unpardonable." The number of "pardonables" is large and rather indefinite; but a spit in the face, the stroke of a horse-whip, the imputation of a lie, the denial of courage, the murder of a relation, and the seduction of a female friend, are fixed, inexpiable "unpardonables"—sins that must be answered by blood.

The man is not necessarily, in other respects, a dangerous or disagreeable member of society. He may be an affectionate husband, a fond parent, a pleasant neighbor. He is commonly courteous, often humane, and seldom inhospitable.

In fine, two, and only two essential elements may be assigned as constituting the logical *differentia* of the desperado's character—perfect freedom from fear, and unconquerable determination to punish every insult from one of his class.

This much may suffice as a general description of the strange species. We now proceed to exemplify, by detailing a dreadful instance, where the writer had the misfortune to be an unwilling eye-witness of the tragedy.

THE DUEL.

The Legislature of Arkansas held a session shortly after the organization of the State Government. Every thing, of course, was in a condition of half-chaotic transition. The "loaves and fishes" of office had not yet been fully divided, and monopoly was knocking noisily at the door of the "public crib," clamorous to be admitted. Intense was the fury of partizans within the House, and as fierce the excitement raging in the community without. The members mostly went to their places armed to the teeth, and, besides the choice weapons, worn in their bosoms, or protruding from their pockets, each kept an ample supply of revolving pistols in the writing-desk before him. There were munitions of war enough in the hall to have answered the purposes of a small army.

Every evening after adjournment, there was a general firing off and reloading in order to have their "tools" of death in prime condition for the emergencies of the morrow. I was frequently startled from sleep at the hour of midnight, by the roar of incessant explosions, heard at different points in the city. Many legislators also during the day would be out practising to learn the difficult art of cutting a tape string at ten paces, or of driving the centre out of a silver quarter, at twelve. They used as their pistol-gallery a little grove of pine trees, immediately on the south bank of the Arkansas river, and not more than fifty yards from the State-House, where every report was fearfully audible; and admonished certain independent members of the doom they might expect, provided their votes were not cast in favor of the banks! The Deringer pistol and bowie-knife governed. Power resided in gunpowder; and popularity hovered round the points of naked daggers.

Among the most agitating measures, calling into exercise the wisdom of the Western *sages*, was the institution of the Real Estate Bank. Its establishment was strongly and steadily, but ineffectually opposed by a slender minority. All the wealthiest men in the State, all the leading legislators took shares of its capital stock; and John Wilson, speaker of the lower House, was elected President. As this person was one of the chief actors in the tragedy

soon to be recorded, a brief designation of his appearance and character becomes necessary.

Every public man in the backwoods has a *sobriquet*, bestowed on account of some real or fancied peculiarity, by the whimsical humors of his constituents. Speaker Wilson was called "Horse Ears," from his possessing an accident never before heard of in the natural history of the species. When excited by any violent emotion, his ears worked up and down flexibly, like those of a horse. A man of ordinary looks, nothing in his features or countenance denoted the desperado, save a strange, wild, twinkling expression of his infantile grey eyes, always in motion with cold, keen glances, as if watching out for some secret enemy. He had fought half-a-dozen duels with uniform success, and had been engaged in several more off-hand affrays, in none of which he had received even the honor of a scar. Hence, as may well be supposed, his prowess inspired almost universal fear; and few were the *dead shots* to be found in Arkansas, who would voluntarily seek a quarrel with "old Horse-Ears." As to the rest, he was the owner of a large cotton farm, rich and influential, honest, liberal, and courteous in his manners; exceedingly amiable in his domestic relations, beloved by his family and adored by his slaves. Such are often the inconsistencies of human nature, which seems utterly incapable of producing unalloyed types of either good or evil—angels or devils!

During the session, previously specified, there was a member of the lower House, by the name of Abel Anthony, in no way remarkable except for his opposition to the banks and his sly, quiet wit, addicted to practical jokes. In the parlance of frontier technics, he belonged to the category of "peaceable men," having never in all his life before had a mortal rencounter. He was even deemed a coward, for he had been known to pocket open insults without so much as showing a sign of resentment.

One day the bill to provide for the more effectual rewarding of wolf-slayers, denominated, in short, "the wolf-scalp bill," came up for discussion. This had been a standing reform measure from the earliest settlement of Arkansas, and will probably continue to be so long as the Ozark mountains shall rear their black, bristling crests in the western division of the State, or the Mississippi swamps shall occupy so large an area in the east. Accordingly, whenever the wolf-scalp bill is taken up, a tremendous debate ensues. The contest then is no longer between the *ins* and *outs* of power. Whigs and Democrats alike overleap the iron lines of party demarkation, and begin a general massacre of chance-medley. It is a battle—war to the knife, and the knife to the handle—of every member against every other; the object being, as to who shall urge the most annihilating statutes against their common foes, the wolves, because that is the great pivot-question on which hinges the popularity of each and all.

The present occasion was the more arousing, as there had happened lately a laughable, but most annoying, instance in fraud of the previous territorial law. It seems that a cunning Yankee, fresh from the land growing "wooden nutmegs," had conceived a notable scheme of rearing wolves of his *own;* so that by butchering a hairy whelp, at his option, and taking its ears to a Justice of the Peace, he could obtain a certificate of "wolf-scalp," entitling him to ten dollars out of the county treasury. It was said that this enterprising genius had already in his pens a number of fine looking breeders, and expressed sanguine hopes of soon realizing a handsome fortune!

Numerous were the provisions advocated to prevent such scandalous evasions in future. Among others, Brown C. Roberts of Marion, moved "that each certificate of a genuine wolf-scalp be based on not less than four affidavits, and be signed by at least four Justices, and one Judge of the Circuit Court."

Abel Anthony moved to amend by adding, "and by the President of the Real Estate Bank."

This was intended by the mover merely as a jest, to throw ridicule on the complicated machinery of Roberts' bill, and accordingly it excited a general smile. But very different was the effect on Mr. Speaker Wilson, President of the Real Estate Bank. He saw fit to interpret the amendment as the deadliest insult!

I glanced towards the honorable Chairman, expecting to see him enjoying the joke; but the moment I beheld his counte-

nance, I was absolutely horrified at its savage expression. His face was of ashy paleness; and there, on those thin, white lips, as if in devilish mockery of malice, sat that grim, snake-like, writhing smile, which merely moved the curled mouth, spreading no further, nor affecting any other feature—that significant smile of murder, so peculiar to almost the whole class of desperadoes, when about to do some deed of death. There was, however, brief space for speculation as to physiognomic signs; for hardly had the offensive words left Anthony's lips, when Wilson sprang to his feet and imperiously ordered the other to sit down.

Anthony, manifesting no token of either surprise or alarm, replied mildly, that he was entitled to the floor.

"Sit down!" Wilson repeated, and this time in a shout like thunder.

"I am entitled to the floor, and will not resign it," said Anthony, apparently without anger, but giving back a look of calm, immovable resolution.

Speaker Wilson then left the chair, drew his bowie knife, descended the steps of the platform, and slowly and deliberately advanced through the hall some forty feet, in the direction of his foe—all the while that ghastly horrid smile, coiling up his pallid lips, and his ears moving backwards and forwards, with those strange, short, sharp vibrations which had won for him long before the nick-name of "Horse-Ears."

As Anthony was commonly considered a coward, when the spectators beheld the far-famed and all-dreaded duelist advancing upon him with uplifted blade, glancing aloft in the air, as ready for the fatal blow, all supposed that the reputed craven would flee in terror from his place. No one believed that he was armed, or that he would fight under any circumstances, or with any odds of position or weapons. But in this opinion every body was mistaken, and no one, perhaps, more so than his infuriate adversary. While that ferocious man was coming towards him, he stood calm and motionless as a pillar of marble. His color did not change one shade. All his limbs were rigid as iron. His only evidence of unusual emotion was a copious efflux of tears! At the sight of this we all shuddered, for then we knew the weeper would conquer or perish. In the backwoods experience has demonstrated two unmistakable tokens of thorough *desperation*—frozen smiles and hot-gushing tears: and tears may always be regarded as far the most dangerous. Such a conclusion was verified fully in the present instance; for as soon as the Speaker approached within ten feet of his weeping enemy, the latter suddenly unsheathed a bowie-knife from his bosom, and stepped boldly forward to the proffered battle. And then commenced a struggle for life and death, the most obstinate, bloody, and frightfully protracted, ever witnessed in the Southwest.

Wilson's knife was long, keen, and so highly polished that you might see yourself in the reflection of its smooth, bright surface, as in the most perfect looking-glass. The image being an extremely small miniature, so symmetrical was the rounding of the fine glittering steel. On each side of the flashing blade was a picture, the *fac-simile* of the other, wrought in exquisite gold enamel, of two Indians in their wild, native costume engaged in mortal combat with bowie knives.

The weapon of Anthony was of the largest size of the class called in that country "Arkansas tooth-picks," the most murderous implement of destruction, before which a human eye ever quailed. On one side of its broad gleaming blade was the picture of a fight betwixt a hunter and black bear. The bear seemed to be squeezing the man to death in its iron hug, while he was fiercely digging at the shaggy monster's heart with the point of his knife.

Such devices are common on the arms of the most notorious desperadoes on the frontiers, and are the objects of as intense a pride to their owners, as were the *insignia* of the most exalted chivalry to the knights of the heroic ages. For all men are poets; and the idea seeks for ever more to render itself incarnate in the material form—to speak in knowing signs to the senses. Destructiveness will have its images as well as Devotion!

Wilson made the first pass—a determined thrust aimed at the pit of his antagonist's stomach, which the other dexterously parried. For a time both parties fought with admirable coolness, and with such consummate skill, that only slight wounds were

inflicted, and those on the head and face, whence blood began to trickle freely. And still—ominous and awful vision—while the contest raged, the opposite and characteristic signs of *desperation* remained fixed, sculptured by the hand of horrible vengeance in either countenance. The cold smile, now converted into a fiendish grin of immeasurable malice, still lingered on Wilson's livid lips: and the tears still flowed, mingling now with warm blood from Anthony's black blazing eyes! The clatter of the knives, thrusting and fending off, and sharply ringing against each other, was hideous to hear, and alone broke the appalling silence that reigned throughout the hall.

At length, both foes, maddened at the prolonged obstinacy of the struggle, and blinded by the gore from the red gashes about their eyes, lost all caution, coolness, and equanimity, and battled wildly, more like devils than living men. Each one, more intent on taking the life of his enemy than in guarding his own, exerted every nerve and muscle with a truculent fury that struck the very beholders with icy fear. Both were soon very severely wounded in different parts of the body; but still there came no pause in the combat, till Anthony, striking a heavy, over-handed blow, cut his adversary's arm half off at the wrist! Wilson changed his bowie knife into his left hand, and, for an instant, ran several steps backwards, as if to decline any further contest. He then stopped, and, smiling more frightfully than ever,—a fearless, infernal look,—again rushed forwards. Previously, at this crisis, when certain victory was within his grasp, Anthony committed the folly of flinging his knife at the other's bosom, which, missing its aim, fell with a loud, ringing noise on the floor, more than thirty feet distant. This error decided the tremendous combat. Anthony was entirely disarmed, at the mercy of the tiger-man. Wilson darted upon him with a hoarse cry of anger and hellish joy—there, where he stood, motionless as a rock, powerless to resist, and yet too brave to fly. One sharp thrust ripped open the victim's bowels, and he caught them, as they were falling, in his hands! Another stroke, directed at the neck, severed the main artery, and the blood, spouting out with a gurgling noise, sprinkled the robes, and even the faces, of some members who sat nearest to the horrid scene!

The last act of the tragedy was closed, and the curtain of death dropped on the gory stage. Anthony, without a groan or sigh, fell in his place a corpse, and Wilson, fainting from loss of blood, sunk down beside him.

Up to this moment, although sixty Legislators were in their seats, and more than a hundred lookers-on in the lobby, and jewelled bevies of bright-eyed ladies in the gallery, still no one, save those raging madmen, had moved; no sound had disturbed the whisperless silence, but the clangors of their concussive steel. But then, as both tumbled on the floor, like lumps of lead, a single wild, wailing, heart-shivering shriek, as if some other soul were parting with its mortal clay, arose in the crowd of females, and all was again still; but whether that deep cry of an orphaned spirit was uttered by the maiden of poor Anthony's bosom, who had hoped to-morrow to be his bride, or by the beautiful little daughter of Wilson, or by some pitying stranger, could never be ascertained.

Wilson recovered, and is yet alive; and there is scarcely an inch square on his face that does not show its deep scar, as a memento of the matchless combat. He was expelled the House, bailed by a *merciful* judge, brought to trial, and acquitted. There was never a jury yet in the back-woods that would convict a person for slaying another in fair fight! For the desperado is the back-woods' hero, whom all men *worship*.

MISS BREMER AT HOME.

A STRAY LEAF FROM MY DIARY.

* * Stages there are none in Sweden, and yet they dare speak already of railroads! Travellers find nothing but horses, eight or ten hands high, a two-wheeled cart without top or springs, and a driver of ten or sixty years—rarely between—of either sex, to convey them from station to station. Foreigners who do not suffer of dyspepsia, hire or buy carriages with the safe prospect of selling them again at the end of their journey. Mine, a light but strong vehicle, stood at eight in the morning before my door. A rare sight it was, even for the good people of Stockholm. The horses, perfect grasshoppers, were almost buried in the stout, heavy harness which belongs to the carriage, and is carelessly thrown upon giants and dwarfs, adapting itself with truly wonderful elasticity to all sizes and forms. Their shaggy, uncombed manes concealed head and neck, not however a most cunning, bright eye, full of courage and devilry. The coachman's seat rose high above them, and on it throned Gustaf in the full glory of his light gray Macintosh, a hat from the Abruzzi, and a most formidable whip, the terror of all horses, and cursed by every peasant in Sweden and Norway. At his side the Skjutsbonde, the postillion of the station, in his rough but picturesque costume, looking askant at the "wild American," and evidently regretting to have risked his life in such company for a few copper coins.

Off we started, round one corner and another, over the floating bridge, full of fishermen and their customers. How beautiful this Northern city is! Here another lake opens before us, and always a perfect picture, full of life and action, with clear soft lights and a glorious background. What costumes come crowding round us! not the less pleasing because worn by a noble race and a happy people. Up the hill we dash in full gallop, and down to another lake, until the long, endless Queen-street opens before us. The small wooden houses look cheerful in spite of the dark red with which they are covered to the very roof; the bright large window panes show every where white curtains and well kept flowers. Now the houses become smaller and smaller, but what is that stately building there at the corner, with its curious carvings and mysterious signboard? Gustaf knows it well and tells the story not without effect, because he feels what he says. There is the last halt made when criminals are carried out to the gallows; there the youngest maid in the house comes out with a cup full of foaming beer, and hands it to the poor fellow in his cart. How she trembles and blushes! And he, the wretch, laughs and drinks, and will have his vulgar jokes even there and then. But Gustaf knows more—has he not been the late minister's own man? And was not Count T—— K——, who poisoned his own sweet child, his master's grand uncle? The proud Count, too, had to pass by there, and the cart stopped and the maid came, the cup in her hand. But a strange maid she was. She trembled not, nor did she blush, but with a firm step did she come up to the pale, shaking prisoner, and with a firm voice did she bid him drink. He drank and his eyes were on her eyes, and when he had said, I thank you! he sank back on the straw and was dead! She was his wife, and the executioner hung a corpse.

Ten minutes more and the gallows appeared. It was a pleasant spot to hang a man: a beautiful forest surrounded the green, luxuriant meadow, on which the three stone pillars rose with their cross-

bars and rusty chains. Pleasant, too, looked the hangman's little yellow house, covered with ivy and gay beans, with the urchins playing before it and the mother in the porch, an infant on her bosom, and politely courtesying! How far are life and death asunder? I forgot an important feature in the scene—the man who hung on one of the pillars and could not be taken down before night. The children played all the more joyously, the mother smiled all the more happily on her babe and the father—why, the father never came home before night on such days. So says Gustaf.

Now we are in the country. See, how that glorious lake breaks upon us! What is the secret of these landscapes? They have but three elements, always the same, and yet are never monotonous. There are the barren, stern, gray granite rocks with their crown of noble firs; there is the clear blue sky, not a cloud, not a vapor sailing in its lofty vault; and there is the dark, quiet lake, looking at you, like one of those deep, deep eyes that no thought can fathom and no heart ever forget. Now and then only the rocks recede and shelter a meadow with its thick, short, fragrant grass and its thousand sweet flowers. On the water's edge stands the little red house with its balsamines and honeysuckle under the open window; mother and daughter busily at work strewing the floor with green fir-twigs and twisting them into garlands for looking-glass and sideboard. The road turns round one of those gigantic rocks with which the country is filled, and another lake spreads its still dark waters before our eye. Huge granite masses hem it in on all sides; tall, graceful firs bend over its margin and cool their thirsting branches in its limpid waters; other lakes are seen at a distance, and high over rocks and trees rises the steeple with its bright copper roof and its proud weather-cock.

The country looks wilder and wilder. At intervals a house appears on a smiling plain, half hidden in the forest; ever and anon a church bell is heard far off, but the air is so still and nature so quiet that you fancy you hear every vibration, and the sound lingers among the rocks and under the broad branching trees. Not a singing bird is heard; the chirping of an insect startles you from your dreams; the falling of a leaf attracts your attention.

A gate opens. There stand the little white-haired children, their deep blue eyes eagerly watching for the small coin that the generous traveller is expected to give them. They speak not; not even their hands plead for them, and when the farthing falls, the elder takes it and kisses the three years old, and they laugh full of joy, and hasten through the forest home, to tell of their good luck and to show their treasure. On the right stands a small, hewn stone, and on it the word "Arsta." We are on Miss Bremer's estate. The wood forms a large park—deer is not to be found in Sweden—and nicely cut fences, well carved gates, and here and there a parterre of flowers betray the owner's taste. An avenue of beautiful, venerable trees begins at a second gate and through the tops the noble old buildings appear at a distance. It is a plain but lofty pile, white, with a dark, sombre roof; a small, not ungraceful tower rises on one side, and the dark, bold background of rocks and pine-clad hills gives an imposing though stern air to the scene, whilst the breakers of the Baltic, heard but not seen, add to the general effect. The road turns a sharp angle and you enter the vast, paved yard, a row of truly magnificent elms, centuries old, shelters the garden on your left; a grand staircase of white stone leads you, on the right, up to the noble entrance, with its pillars and well-carved coat of arms. An old Dalkulla—peasant woman from Dalecarlia—very picturesque and very ugly, looked rather astonished at us, and ascended the large flight of stone steps. She soon returned, followed by a small, thin lady of more than forty, with a very sweet smile on every one of her features. A loose black silk dress, high up on the neck; a small white cap; no ornament, no jewelry, except the silver in her hair, which, smoothly plaited down on both sides, formed a pleasant and appropriate frame to the fine, good face within. And how the whole lighted up when she stood before me and so kindly bade me welcome! Kind and warm was her reception, but yet she took good care twice to repeat my name and title, and to make herself quite *au fait* about her unexpected visitor. While we

were yet standing there, her sisters joined her—very much like Fredrika, almost as pleasant and good, but much less handsome. We were requested to follow her up stairs; driver and horses were placed under the special care of another female servant, and certain mysterious signs and words exchanged with a grim old cook in the background.

In the upper story we found a spacious hall, leading into a fine large room without paper or carpet: a couple of books on a centre table, some nodding mandarins on the huge porcelain stove, and a few vases between the windows were the only ornaments. Miss Bremer spoke in excellent English, and with much feeling of our own beloved country, for which she entertains a high respect, founded upon an uncommon familiarity with both the spirit and the working of our institutions.

Such gentle modesty, and such information I have seldom found together. Her recent excursion to Germany, where she had been using the water-cure on the banks of old father Rhine, led her to speak of German politics and German authors. She spoke German, as well as her mother-tongue, and French quite fluently. When will our own fair women do as much? My trip to Finland found favor in her eyes, and when I spoke of those wonderfully sweet songs with which that distant, unknown land abounds, she grew warmer and warmer, until at last she sat down to an old, old harpsichord, and played, and sang, her heart in her voice, and tears in her eyes. I looked, and I listened, and Jenny Lind, with all her indescribable charms, could not have enchanted more. But this was not all. A rustling of silk, a mysterious noise made us turn round, and there was the younger sister attempting to make us distinguish the Dalman's Polska from the English trip! There was so much true heart's kindness, such sweet *naivete* in the whole scene, that I felt nothing but honest, genuine admiration for the good old sisters. And Fredrika sang another, and still another of those beautiful Swedish songs, with which her young countrywoman charms the world. What sweet melancholy there is in all of them! A melancholy, not wild and despairing, not painful and irritating, but a grief so resigned, so gentle—you cannot, for your life, help thinking ever afterwards of those notes, full of humble sorrow, and low complaint, with a cheerful accord here and there, like the golden ray of the noonday's sun, that breaks through the thick canopy of Norway's dark pine forests, and sheds for a moment a brilliant light on the gloomy night beneath.

The next room, glowing with the golden light of the setting sun, contained a rare work of statuary. It was the Goddess Jauna, modelled by a talented young sculptor of Stockholm, after Miss Bremer's own idea and instructions. In form and dress a simple Swedish peasant girl, she had still such dignity in her carriage, such a clear, lofty expression in her features, that Goddess and woman appeared most happily blended. No classic outlines, no slavish adherence to rules respected only because of their antiquity. But what a beautiful, earnest eye, full of love and compassion, looking far into the future, and yet not unconscious of the present. How thoughtfully, and yet how gracefully, that small, well-rounded hand encloses the chin, whilst the left holds the golden apples, the glorious reward of the brave warrior, giving him the life eternal, and never-tiring joy! I do not wonder at Miss Bremer's predilection for Jauna; there are few sweeter creations of man's fancy in the mythology of nations, modern or ancient. She had the gift of seeing into the future, but when the Gods asked her how and when the world was to come to an end, she raised those deep, loving eyes of hers to heaven, and hot tears pearled down—the only answer she gave. The Gods loved her—all; but some too much, and one of her wicked admirers ravished her from heaven. The other Gods were sad in their hearts, and grew old, and their faces were covered with wrinkles and furrows. But Jauna came back, and there was joy in heaven, and the Gods grew young again, and were merry. Yet Jauna never laughed. Did she not know the future!

There was a little mystery evidently between our kind hostess and her servants. Gentle tappings at the door; solemn, though short conversations outside, a great bustling from room to room, all were symptoms that we were either most unexpected guests, or to be magnificently entertained. Our appetite told us the hour of the day

with wonderful precision. At last Miss Bremer came boldly out with it. Her mother had gone to Stockholm, and taken the only male servant with her; so, we must have patience, take pot-luck, and, especially, walk an hour or so in the garden, before dinner is ready.

Well, a walk in such a garden, and with such a mind at one's side, is almost as good as a dinner. And what a glorious garden it is! Stiff and regular, to be sure, as the German founder of the house, Count Thum, loved to have it in his old days. But the parterres are filled with gay, fragrant flowers, and the old trees, which enclose the open square, rise high into the air until their branches meet and form gothic arches of surprising boldness and beauty. Here Fredrika wanders, she told us, many an hour, day after day, a book in her hand, or a book in her mind; here her pure, truthful creations take form and shape, and here we now wandered for hours up and down the long, shady avenues, and French, and English, Swedish and German, even Italian, had to furnish their contingent to carry on our little war. So, she stoutly defended the necessity of an aristocracy; it was necessary and natural, she said, for, cream *will* form on the surface of milk.

I dare not betray the secrets of our dinner. A right good one it was, although a genuine Swedish dinner, with its thin, hard bread, baked once for the whole year, and its soup, after the roast meat. Soup, I said, but Swedish soup—that is, fish-soup, with dried pears and plums in it, and the inevitable Tilbunka—our bonnyclabber. When the latter was handed round, our hostess told us a pleasant story about it, and told it so well, that it cannot fail to lose much in the translation:

Long years ago, when people were yet pious, and believed in God and the Pope, a good Swede pilgrimed to the Holy Grave. The heat of Italy and its sweet figs, however, threw him on the sick-bed, and kind monks took him into their convent, there better to nurse the poor, suffering stranger, and his fever grew high, and his mind wandered, but one thought remained uppermost, and for hours he would call out and pray for his beloved dish, until the walls of the old monastery rang with the mysterious sound of—Tilbunka! But what was Tilbunka? one monk asked another, and at last they appealed to the abbot. He knew it. The chapel was opened; the choir was called together, gorgeous robes were put on, and sweet incense was burned. In long, solemn procession the holy brethren entered, and down they knelt in silent prayer. At last a voice was heard, and the organ pealed forth its richest harmonies, and in loud, solemn tones rose the anthem up to heaven, that "Santa Tilbunka," the Patron Saint of the foreign pilgrim, would hear their prayer, and save her pious worshipper.

A sweet voice, that rarest gift of all, Miss Bremer certainly has, and there is harmony in her thoughts, as there is melody in her words. With what beautiful subdued enthusiasm she spoke of her excursion to Haparanda, high up in the north of Sweden, where she ascended the famous mountain of Haparanda, to see the sun remaining all night above the horizon! How vividly she painted that lovely, still landscape lying at her feet, when towards midnight a silent, solemn struggle began, when drowsy nature was anxious to sleep, and night would not come and cover it with its warm mantle; and when at last light whitish vapors rose to hide the mysteries of night from the curious eye of man. The sun sank, but when he touched the horizon, he sank no more; his brilliancy, however, was gone, and no rays gilded the tops of the hazy mountains. There she stood alone in the still night, not a sound to be heard far or near, the gray mist hovering over lake and river: the fearful, mysterious struggle between night and day still going on; a strange, unnatural light, reflected from heaven upon earth, *and no shadow visible!*

We staid long, and time passed rapidly. Albums were brought out, books consulted and criticised, her own excellent sketches kindly shown, and even a look at some as yet unpublished works most indulgently granted. An incident, as pleasing as characteristic, concluded our visit. We had expressed a wish to take some little keepsake home with us. Before we took leave, Miss Bremer left us for a moment, and soon re-appeared with a rose in her hand, which the good, kind old lady had gone herself to get in her garden! "Tell my friends in your happy country that I shall be with them next Spring," were her parting words. * * * *

CONGRESSIONAL SUMMARY.

We present, as a summary of this month's proceedings in Congress, the speeches of Messrs. Calhoun, Webster, and Seward. These, with the speech of Mr. Clay, given in our last number, are a complete exposition of the present great social, moral, and political question before the nation. Avoiding, with the exception of Mr. Seward's speech, the wide range of abstract discussion the subject presents, they are comprehensive statements of the various phases of public opinion.

On Tuesday, March 5th, the Senate, having proceeded to the consideration of the resolutions submitted by Mr. Clay, Mr. Calhoun, having the floor, spoke as follows:

From the very first, he commenced, it had been his belief that the agitation of this question of slavery would ultimately lead to disunion. Agitation has been suffered to proceed, and the anticipated result is at last before us; and the great and grave question is now forced on this body—by what means can disunion be avoided?

To find the cure, we must learn the causes that have bred disease in the once healthful frame of our Federal system. To save the Union, we must first know what has endangered the Union. To this question there is but one answer—the all-pervading *discontent* of the Southern section of States.

Whence, then, springs this discontent? Is it from the arts of demagogues? he asks. Is it the working of faction and party spirit? Not so; here, as elsewhere, all regular political influences have been arrayed against exciting local questions, as weakening the strength of party ties; and that spirit, with all its immense weight, has, in reality, held in check the course of public opinion. The real source of this discontent, the Senator continued, lies deeper. It is found in the settled belief of the people of the South that they can no longer, with *honor* and *safety*, remain in the Union.

Again; what has caused this belief? It has sprung from the continued agitation of the slave-question by the North; from their aggressions on the rights of the South, and from the fact, which gives to these aggressions their practical significance, that the original equilibrium between the two sections no longer exists. Mr. Calhoun went on to show, from statistics, that the balance between these elementary divisions of the body politic, existing at the census of 1790, was entirely destroyed at the time of the last census of 1840. This inequality will be increased by the approaching census of the present decade. Two new territories are in progress to strengthen the Northern faction in the Senate, and strenuous efforts are making to bring in three additional free States from the territory recently acquired from Mexico.

This destruction of an equilibrium, which, he argued, was the fundamental basis of the confederacy, and of the Constitution, was not the result of time or natural causes. In that case, the South had no reason of complaint. It was brought about by the partial legislation of a Government that should have been the impartial trustee of the interests and security of all. This legislation, territorial, financial, political, will, first and last, have given to the North, if New Mexico and California be suffered to pass into her hands, full three-fourths of all the territory the United States ever possessed. Added to this, systems of revenue collected by duties on imports, and falling heavily on those, who, by their exports, paid for these imports; unequal disbursements; stringent tariffs, drawing direct contribution from the producing States, have all aided, in swelling to their present height, the wealth and prosperity, and consequent inducements to emigration, of the North.

"These causes," the Senator proceeded, "amply explain why the North has acquired a preponderance over every department of the Government, by its disproportionate increase of population and States. The former has increased, in fifty years, 2,400,000 over that of the South. This increase of population, during so long a period, is satisfactorily accounted for by the number of emigrants, and the increase of their descendants, which have been attracted to the Northern section from Europe and the South, in consequence of the advantages derived from the causes assigned. If they had not existed; if the South had retained all the capital which has been extracted from her by the fiscal action of the Government; and if it had not been excluded by the

ordinance of '87, and the Missouri compromise, from the region lying between the Ohio and Mississippi rivers, and between the Mississippi and the Rocky Mountains, north of 37°, 39'; it scarcely admits of a doubt that it would have divided the emigration with the North, and, by retaining her own people, would have, at least, equalled the North in population, under the census of 1840, and, probably, under that about to be taken. She would also, if she had retained her equal rights in those territories, have maintained equality in the number of States with the North, and have preserved the equilibrium between the two sections that existed at the commencement of the Government. The loss, then, of the equilibrium is to be attributed to the action of this Government.

This territory, Mr. CALHOUN continued, thus wrested from the hands of the South, thus enriched and peopled at the expense of the South, is now, by the political tendency of the day, to be used to overwhelm them. Centralization has converted this confederacy of independent powers into a consolidated democracy, and sectional interests, and political rights, are now mere questions of majorities. The whole State at last rests in the lap of the North; and wherever rival interests clash, the South falls a helpless minority at the feet of the powerful majority of the North. This might be well acquiesced in, he thought, for the great good of union, so long as ordinary interests only were at stake. But the greatest of all interests, to a people, are those of social life and social institutions; and these the South see now attacked. Diametrically opposite are the views of these sections on this subject. In the North slavery is looked on as a crime and an evil, and the only question that there divides the fanatic and the man of moderate views is the how and when of its extinctions. In the South, the relation is regarded as one which cannot be destroyed without subjecting the two races to calamity, and the section to poverty and desolation; and they, in consequence, feel bound, by every consideration of interest and safety, to uphold it.

The Senator then alluded to the rise and progress of the anti-slavery sentiment. Originating, he said, in the small and almost contemptible beginning of Abolitionism, it has, through the strife of party, become firmly rooted in the public opinion of the whole North. In its infancy, slight exertion would have stifled it, had there been in in the breasts of the people of those States a genuine love of the Union. But it was founded on opinions and feelings that found more or less sympathy in the heart of every Northern man. By toleration it gained strength. Its assistance was courted by rival factions. These factions have become tainted with its doctrines, and now, he feared, the only choice left the South was abolition or secession.

The Union, Mr. CALHOUN continued, was not to be severed at a single blow. But had it not trembled under many blows? Had not many a stroke been aimed at the cords that bound us together? These cords were not merely political. They are spiritual, social, and economical. The ties of religious feeling, the stoutest far of all, were already rent in twain, by the severance of the churches that once covered the Union, with a common interest and a common aim. When these have parted, embittered sectional feeling will soon do its worst on the rest.

Nothing, then, he says, will be left to hold the Union together, except force. But, surely, that can, with no propriety of language, be called a Union, when the only means by which the weaker is held connected with the stronger portion is force. It may, indeed, keep them connected, but the connection will partake much more of the character of subjugation, on the part of the stronger, than the union of free, independent sovereign States in one confederation, as they stood in the early stages of the Government, and which only is worthy of the sacred name of Union.

Mr. CALHOUN, having now traced the dangers that threaten the Union to the universal discontent of the South; having found the source of that discontent in their feeling of insecurity and political weakness; having traced that sense of insecurity to the aggressions and interferences of the North; and having seen the secret of these aggressions in the destruction of political equilibrium, and the conscious strength of the North, then asked how were those dangers to be averted? Clearly in the renewal of the balance of power between the two sections. He intimated that for this purpose, *an amendment of the Constitution* might be necessary. To the plan proposed by the administration, he utterly objected. Incompetent to effect its object, the salvation of the Union, he thought it, in fact, more exceptionable as regards the rights of the South, than even the Wilmot Proviso. That what the latter would effect by direct action of Congress, the former leaves to time and natural causes to bring about; while its measures and propositions respecting the admission of California, he looked upon as subversive of the Constitution. He cited precedents of former incipient States, as shewing the direct and previous action of Congress to be necessary even where the applicant for admission had more than the required number of inhabitants. How much more necessary, then, where the applying territory had less than that number, and its

present population not even bona fide settlers, but bands of roving adventurers.

Nothing that has as yet been offered, said Mr. CALHOUN, no plans of compromise, can save the Union. Nothing could save it but justice; simple justice to the South. She had no concessions to make. She had already surrendered so much, that she had little left to surrender; and, in conclusion, he asked for this justice at the hands of the North, since from their action it alone could come. The South, politically weak, were necessarily passive, and in case of refusal of justice, or indirect action involving a refusal, the South would plainly feel, that before them was submission or resistance. California, then, would become the test question. He declared emphatically, that her admission, under the attendant difficulties, would prove beyond doubt that the real object of the North was power; and the South would be infatuated not to act accordingly.

On the following day, the Senator from Mississippi, Mr. FOOTE, on the part of the South, protested against the ultra views of Mr. CALHOUN. He disclaimed, energetically, the position assumed by that gentleman, that the South demanded, as a *sine qua non*, amendment of the Constitution. "I am quite satisfied," he said, "with the existing provisions of the Constitution, if we can but secure their faithful enforcement. *I am for the Constitution and its guarantees.* It is not a new Constitution, nor an amended Constitution, for which I have been all along contending. The strong ground of the South has been that we seek only what the Constitution entitles us to command; we ask but justice under the Constitution, and that protection and safety which its provisions were intended to secure. And, Sir, I am not quite prepared to quit this strong ground, by asserting that we of the South will have no settlement of existing difficulties, unless we can effect a modification of the federal compact." He protested against this requisition of a change in the Constitution, as at present impossible, and the demand for which would be almost equivalent to pronouncing the Union at an end.

With regard to Mr. CALHOUN's sweeping denunciations of the whole North as hostile to Southern institutions, he considered such censure as highly unjust to large portions of the free States. "Abolitionists," he said, "are numerous in most of the States, where slavery does not exist. Free-soilers, as a political faction, are still more numerous. There are thousands of bawling demagogues scattered through the North, some of whose monstrous voices are heard in the halls of Congress, who are constantly avowing the bitterest enmity to the South, and to Southern institutions. Yet still, Sir, there are many—yea, I doubt not, much the larger part of the Democratic portion of the North, and many Whigs besides—who, though they are not the zealous advocates of slavery, and are unable to appreciate the manifold advantages, which we hold to belong to our system of domestic labor, are, notwithstanding, not *hostile* to it, in the sense in which the term has been obviously employed by the Senator from South Carolina. What, Sir! shall we say that those who have constantly signalized themselves by defending our domestic institutions against all unjust assailment; who are zealous upholders of the Constitution and all its guarantees; who have denounced the Abolitionists from the first, and who still denounce them; who have never affiliated with the free-soilers, and whose sturdy blows have consigned Wilmot provisionism, and all its ill-fated advocates to defeat and to disgrace;—are these the enemies to our constitutional rights? Are these the persons justly accused of being hostile to the institution which they have thus defended? No, Sir, no. There are statesmen in the North, to whom the South is as much indebted for the defence of our rights, as to any of her own sons." Mr. FOOTE then alluded to the recent Union meetings at New York and Philadelphia, and the resolutions there adopted, which would have done no discredit, he said, to any city of the South, and which he, with the exception of a single one, should have voted for most enthusiastically. The letters, too, of the Senators of New York and Michigan, (Messrs. CASS and DICKENSON,) read at those meetings, he predicted, would be received with enthusiasm and gratitude throughout the whole South.

On the following Thursday, Mr. WEBSTER addressed the Senate as follows:

He spoke to-day, he said, not as a Massachusetts man, nor as a Northern man, but as a member of the Senate of the United States; of a body whose value was shewn in periods like the present, and to which the nation looks with confidence for wisdom, moderation, and stability. The times were troubled. He did not affect to be fit to hold the helm in the political storm; but he had a duty before him, which he should perform truthfully, fearfully and hopefully.

I speak to-day, he said, for the preservation of the Union.

Mr. WEBSTER then alluded to the sudden and extraordinary events that led to the present crisis; to the war declared against Mexico; to the piercing of that country, and occupation of her capital by our troops, and of her sea-ports by our marine; to the treaty thereupon negotiated, and the cession to the United States of a vast territory, reaching from the Pacific and the mountains of California to the frontiers of Texas. The opening of the sea-board of the Pacific to our citizens, he continued, created a

rush of emigration. The California mines were then discovered, and adventurers poured forth in thousands. In a few short years this wilderness has received a population that makes it a subject of legislative consideration to provide for California a proper territorial government. This was not done, and the colonists found it necessary to form a local government for themselves. They have sent Senators and representatives who present the Constitution of the infant State of California, and desire its immediate recognition by the United States. This Constitution contains an express prohibition of slavery; and it is this prohibition which has chiefly raised the present dispute as to the propriety of her admission.

No one will deny, the Senator continued, that whatever were the reasons for the war with Mexico, its *purpose* was the acquisition of territory; and no one will deny, that such territory was fully expected from its geographical position, to be the acquisition of the slaveholding interest of this country. Events have turned out otherwise, and hence the agitation of the vexed question which has so frequently divided our councils.

Mr. WEBSTER then reviewed historically the question of slavery, from its rise in the earliest ages, to the present day. We find it, he said, among the earliest oriental nations. It existed among the Jews; their theocratic government made at least no injunction against it. It existed among Greeks; and the ingenious philosophy of that people justified it on precisely the same grounds assumed at this day, viz. the original inferiority of the black race to the white. The Senator thought the *Greek logic* faulty. The Romans, also, owned this institution, but by a higher philosophy, argued its justification, and rightly too, from the conventional law of that day, which placed the life and labor of captives of war at the absolute disposal of the captor. Christianity found slavery in full vigor, and no word of reprobation is met in its teachings.

It is, then, upon the general tendencies and abstract lawfulness of slavery, the Senator continued, that arises the wide difference of opinion between the two sections of our country. The North consider that, if not under the direct injunction of Christianity, it is, nevertheless, against its spirit; that it is the offspring of might, not right, and conduces to oppression and selfishness. The South, accustomed to this relation from birth, see in it a development of the finest feelings of our nation. And thus, thousands of men of tender consciences, fully as sensitive in the South as in the North, are led to the most opposite conclusions.

In this way the question of slavery has at last laid hold of the religious sentiments of mankind; and wherever discussion arises on such sentiments, all history shews that undue warmth must be expected. In disputes of this kind, men are always to be found who believe that right and wrong can be demonstrated with mathematical clearness; men who think what is plain to themselves, must be equally so to the moral perception of their neighbors; men, too, who in the pursuit of one duty, will trample on every other duty in its way; men who will not wait for the slow progress of moral causes in the cure of moral disease. In this class, with its want of charity and narrowness of mind, do we find the leaven that is now fermenting the Union.

Partly, then, from the spread of this Pharisaical spirit in the North, and partly in the South from the uprising of a new element, namely, that of *interest*, public opinion has undergone a complete change; changed North and changed South. At the time of the adoption of the Constitution, there was little invective against slavery as a crime; but all deplored it as an evil. None more so than the men of the South. With truth and with bitterness, they ascribed it to the selfish policy of the mother country, who, to favor the navigator, entailed this blight on the colony. They that dwelt in its midst, were strongest in its execration. A blight they called it, a curse, a mildew. In efforts to prevent its spread, none were more active than the statesmen of the South. The objection to the use of the term slave in the written Constitution, was urged by a Southern man. Southern men objected to the great length of time (twenty years) to which the importation of slaves was limited by law; and all, North and South, united in the hope, that with such limitation, slavery would at last die out, and the Constitution in reality, as well as in name, know no slave.

Mr. WEBSTER then alluded to the position taken by Mr. CALHOUN, that the ordinance of 1787, prohibiting slavery from all the territory then owned by the United States, was the first of a series of acts calculated to enfeeble the South. If to enfeeble the South, how, then, was it passed with the entire concurrence of the South? There it stands—the hand and seal of every Southern member of Congress, prohibiting slavery north-west of the Ohio! the vote of every Southern member of Congress, limiting the importation of slaves in the expressed hope that slavery would thereby become extinct! What, then, has produced this mighty change? What has made the blight a blessing, the blast a wholesome dew? Mr. WEBSTER attributed it all to the magic influence of *cotton*. When the Constitution was adopted, this great staple was hardly known. The first ship-load sent to Great Britain was refused admission into her ports, under the treaty, because the United States, it

was said, *raised no cotton.* And now that the South, from raising only ordinary agricultural products, has become the great producer of this staple, she naturally wishes to extend the area of production. Mr. WEBSTER attributed nothing dishonorable to his fellow-citizens of the South. Their motives were mixed.

He then spoke of the charge of Mr. CALHOUN, that not time and natural causes, but the act of man had increased, and at the expense of the South, the prosperity and rapid growth of the North. If this even were so, he asked, was it time, or the act of man that opened to that sectional interest, Alabama and Florida, the States of Louisiana, Arkansas and Missouri? The North may have acted weakly: they may have been out-generalled; it is possible, also, that they were generous and fraternal; but from whatever cause it arose, the direction of our government has from first to last been under Southern auspices. The event bears out what no one acquainted with the history of our legislation will deny, and as the last of these acts of men, not time, we have illimitable Texas added as a great slave-territory, pledged as such by the most ample guaranties of law—and now, he continued, this final act of Northern Legislation for Southern interests, has closed the whole chapter, and settled the whole account, for at this moment there is not a foot of territory belonging to the United States, that is not stamped as slave or free territory by the law of the land, or by a law higher than that of the land. Texas, to her farthest boundary, has been, by the resolutions of annexation, admitted as a slave State, and her territory as slave territory. The faith of the Government has been pledged thereto, and that faith, he, for one, meant to uphold.

"Those resolutions," said Mr. WEBSTER, "stipulate and enact that all Texas south 36° 30',—nearly all of it—shall be admitted into the Union as a slave State, and that new States shall be made out of it, and that such States as are formed out of that portion of Texas lying south of 36° 30', may come in as slave States to the number of four, in addition to the States then in existence, and admitted at that time by these resolutions. I know no mode of legislation which can strengthen that. I know no mode of recognition that can add a tittle of weight to it. I listened respectfully to the resolutions of my honorable friend from Tennessee, (Mr. BELL.) He proposed to recognize that stipulation with Texas. But any additional recognition would weaken the force of it; because it stands here on the ground of a contract for consideration. It is a law founded on a contract with Texas, and destined to carry that contract into effect. A recognition founded on any consideration and any contract would not be so strong as it now stands on the face of the resolution. And, therefore, I say again that, so far as Texas was concerned—the whole of Texas south of 36° 30' which I suppose embraces all the slave territory—there is no land, not an acre, the character of which is not established by law, a law which cannot be repealed without the violation of a contract."

But how came the faith of the Government to be thus pledged? How came it that within this body, in spite of its preponderance of Northern votes, this Southern measure was carried? By the aid, by the votes of that very Northern Democracy that now are raising the hue and cry of free soil. The very men that fastened slavery on new and boundless regions are now agitating the country with the wrongs of the slave. The very faction that was hand-and-glove with the slaveholder, are now taking to themselves the title of the free-soil party. They have saddled upon us this unfortunate compact with slavery, and now leave to us the odium of carrying out its provisions; and carried out they must be; for I know, he said, of no way, by which this Government acting in good faith, can relieve itself of a stipulation and a pledge, by any honest course of legislation whatever.

Texas then, he continued, being marked out by the law of the land, for the forced labor of the black man, a higher law, that of nature, destines California and New Mexico for the free labor of the white. Of Asiatic formation and character, the barren mountains and deserts of these countries possess no attractions for the slaveholder who seeks rich soil, and well-watered plains.

If, then, all legislation to entail slavery on New Mexico would be useless, equally useless and ill-judged would be any legislation or Wilmot Proviso, for its prevention. Useless, for it cannot strengthen the fiat of God; ill-judged, for it would be felt by the South as a taunt, as an evidence of the conscious power of the North. He wished to inflict no gratuitous insult on Southern feelings; and in that spirit should vote against the Wilmot Proviso.

Mr. WEBSTER then spoke of the growing exasperation between the free and slave States; of their mutual reproaches and grievances, real and imaginary. One grievance the South complained of, and with justice: the unwillingness of individuals and legislatures at the North to perform their Constitutional duties in regard to the return of fugitive slaves. And he put to all the sober and sound minds of the North, as a question of morals and conscience, what right have they to embarrass the free exercise of rights secured by the Constitution to the slave owner? He referred also to the frequent instructions of Northern Legislatures to members of Congress, on the means of abolishing slavery in the States. He thought State Legislatures had

nothing to do with that question, neither did he believe in the principle of instructions. Wherever the interests of his own State were not adverse to the general interests of the country, he should obey her instructions with gladness as a duty; but wherever the question affected the interests of other parts of the Union, he should feel called upon to act, not as a citizen of any particular State, but as a member of the General Government.

Another grievance complained of by the South, was the abolition societies of the North. He did not deny to these societies conscientious motives. He thought them composed of good and honest men, but with excited feelings and perverted views. Their philanthropy did harm to its objects. Their well-intentioned efforts drew tighter the bonds of the slave.

The North, too, was not without its list of injuries, and sources of unkind feeling. The change of Southern sentiment and action since the adoption of the constitution; the violent tirades against Northern character and institutions; the scornful comparisons of slave labor, with all its abject ignorance, with the educated and independent white laborer.

"Why, who are the laborers of the North?" he asked. "They are the North. They are the people who cultivate their own farms with their own hands; freeholders, educated men, independent men. Let me say, sir, that five-sixths of the whole property of the North is in the hands of the laborers of the North; they cultivate their farms, they educate their children, they provide the means of independence; if they are not freeholders, they earn wages, these wages accumulate, are turned into capital, into new freeholds, and small capitalists are created. That is the case. And what can these people think, when even Senators undertake to prove that the absolute ignorance and abject slavery of the South is more in conformity with the high purposes of immortal, rational, human beings, than the educated, the independent free laborers of the North?"

So far as these mutual grievances are matters of law, they should and can be redressed. So far as they are matters of opinion, a more charitable and fraternal feeling is their only cure.

Mr. Webster then alluded to the project of disunion. He scouted the idea of peaceable secession. Secession there might be, but it would be violent. It would be revolution. The foundations of order and society would be overturned. And how was it to be done? Where was the line to be drawn? The States planted along the banks of the Mississippi and its tributaries, and made one nation by that great stream,—how were they to be forced asunder?

"What has the wildest enthusiast to say on the possibility of cutting off that river, and leaving free States at its source and its branches, and slave States down near its mouth? Pray, sir; pray, sir, let me say to the country that these things are worthy of their pondering and of their consideration. Here, sir, are five millions of freemen in the free States north of the river Ohio; can any body suppose that this population can be severed by a line that divides them from the territory of a foreign and an alien government, down somewhere, the Lord knows where, upon the lower banks of the Mississippi? What would become of Missouri? Will she join the arondissement of the slave States? Shall the man from the Yellowstone and the Mad River be connected in the new republic with the man who lives on the southern extremity of the Cape of Florida? Sir, I am ashamed to peruse this line of remark. I dislike it; I have an utter disgust for it. I would rather hear of natural blasts and mildews, war, pestilence and famine, than to hear gentlemen talk of secession. To break up? to break up this great government; to dismember this great country; to astonish Europe by an act of folly, such as Europe for two centuries has never beheld in any government? No, sir; no sir! there will be no secession. Gentlemen are not serious when they talk of secession."

In conclusion, Mr. Webster stated, that any scheme proposed by Southern gentlemen for the mitigation of the admitted evils of slavery, would meet with his full consent and hearty concurrence. The territory ceded by Virginia to the United States, has yielded to its treasury eighty millions of dollars. Should the residue be sold at the same rate, the aggregate sum would exceed two hundred millions of dollars. Out of this sum of money could be defrayed the expenses of a large scheme of colonization, to be carried on by the Government, by which means the South could relieve itself of their free colored population. Any proposal of this sort would meet with his full co-operation.

"And now," said, he, "instead of speaking of the possibility or utility of secession, let us rather cherish those hopes that belong to us; let us devote ourselves to those great objects that are fit for our consideration and our action; let us raise our conceptions to the magnitude and the importance of the duties that devolve upon us; let our comprehension be as broad as the country for which we act, our aspirations as high as its certain destiny; let us not be pigmies in a case that calls for men. Never did there devolve on any generation of men, higher trusts than now devolve upon us for the preservation of this Constitution, and the harmony and peace of all who are destined to live under it. It is a great, popular Constitutional Government, guarded by legislation, by law, by judicature, and defended by the

whole affections of the people. No monarchical throne presses these States together: no iron chain of despotic power encircles them. They live and stand upon a Government popular in its form, representative in its character, founded upon principles of equality, and calculated, we hope, to last forever. In all its history it has been beneficent; it has trodden down no man's liberty; it has crushed no State. It has been in all its influences, benevolent, beneficent; promoting the general glory, the general renown, and, at last, it has received a vast addition of territory. Large before, it has now, by recent events, become vastly larger. This republic now extends with a vast breadth, across the whole continent. The two great seas of the world wash the one and the other shore.

On Monday, March 11, Mr. SEWARD having the floor, addressed the Senate. He commenced his remarks by reviewing the objections raised to the admission of California.

First, California comes among us without previous consent of Congress, and, therefore, by usurpation. This allegation he thought not strictly true, for we tore her from among her sister Mexican States, and stipulated to admit her with due speed among the States of the Union. But still, by the letter, she *does* come without previous consent of Congress. So did Michigan; and Congress waived the irregularity and sanctioned the precedent. This precedent is strengthened by the greater hardships in the case of California. With Michigan, Congress had merely neglected to take the census. With California, she neglected to act up to the treaty. Michigan had a civil government. California was under military rule; and military governments are against the genius of our institutions, oppressive to the governed, and full of danger to the parent State. Would those, he asked, who cite this objection, be better pleased with a territorial charter, which could in no ways be granted without an inhibition of Slavery?

The second objection, pursued the Senator, is that California had marked her own boundaries. But none had been marked for her either by previous law or prescription. She was obliged to assume them, since without boundaries she must have remained unorganized.

A third objection is raised to the great size of this new State. But there is already one State in the Union of greater magnitude than California. She may be divided, too, with her own consent; and this is all the security we have against the preponderance of Texas. Her only neighbor, Oregon, makes no complaint of encroachment, and the advantage, if any, proceeding from her vast area, will be with the rest of the Union; for the larger the Pacific States, the less will be their relative power in the Senate. Her boundaries, too, are in accordance with the natural features of the country; and the territory circumscribed, contiguous and compact.

The fourth objection to her admission is, that no previous census had been taken, and no laws existed prescribing the suffrage and apportionment of representatives in convention. But she was left without a census, and without such laws. She was left to act *ab initio.* Some of the electors, too, it is said, may have been aliens. The Pilgrim Fathers commenced in like manner on board the May Flower; and when they landed on Plymouth Rock were in like manner aliens. But this objection will surely fall, if her Constitution is satisfactory to herself and to the United States. Not a murmur of discontent has followed it from California; and as regards ourselves, we find that her boundaries have been assigned with discretion, that the public domain has been secured to the General Government, that the representation is just and equal, and that the Constitution is thoroughly republican. In fact, it is this very republicanism, untainted by the aristocratic element of slavery, that is the real objection with her opponents.

The fifth objection is, that California comes in under executive influences; first in her coming in as a free State; and second, in her coming in at all. The first charge is unsupported by proofs, and is peremptorily denied. The second is true, and a venial fault it is for the Executive to wish to resign power and influence into the hands of regular legislative authority.

These objections, the Senator continued are all, it will be seen, technical; not founded in the law of nature or of nations, surely not in the Constitution; for the Constitution prescribes no form of proceeding in the admission of new States, but leaves the whole to the discretion of Congress. "Congress may admit new States." But it is said we should now establish new precedents for the future. This caution comes too late. It should have been exercised when we annexed Texas, when we hurried into the war with Mexico, when we ratified the treaty of Guadalupe Hidalgo. We may establish precedents at pleasure, but our successors will use their pleasure in following them. States and nations certainly follow not precedent, either in the time or the circumstances of their birth. California sprang from the head of the nation, full-armed and full-grown, and ripe for affiliation.

Having now reviewed the objections, the Senator proceeded to give his reasons for the admission of California. Well-established calculations prove that, one hundred years hence, the aggregate population of this nation will be two hundred millions, or one-fourth of

the present population of the globe. This is based upon the present rate of increase. But the mountains of California contain gold and silver, and those of New England granite; and we are safe in affirming, that long before that maximum of numbers shall be reached, our possessions on the Pacific, from their swifter advance of population, will be peopled, and politically and socially matured. Shall, then, this great people, one in origin, religion, interests, sympathies and hopes, be one also politically, or broken into two conflicting and hostile republics? Shall this new world, containing all the elements of wealth and of empire, marked out by Providence for the development of man's self-control and self-government, renovating Europe on the one hand, and the decreptitude of Asia on the other, shall it desert its duties, and cast away its magnificent destinies in the dissensions of divided sway?

On the decision of the present day, the present hour, hangs the perpetual unity of this empire.

California is already a State, complete and fully appointed. She never can be less. She never can shrink back into a federal dependency. Shall she then be taken into the bosom of the Union, or shall she be driven from among us? Reject her now, and she will never return. Forced apart by our policy, would independence have no charms for her? Are not power and aggrandizement before her on the coast of the Pacific? Your armies cannot pass the desert, nor over the remote and narrow isthmus, nor around the Cape of Storms. Your navies might reach her, but her mines would turn them to her own defence. Oregon would go with her, and thus the entire Pacific coast would drop from your grasp. And where the long line should be drawn, dividing the empires of the West and the East, would depend neither on California nor on ourselves. The interests and convenience of the agricultural masses, filling up this vast area, would decide that question. Trade is now the God of boundaries; his decrees no man can foretell.

But, it is said, let California be admitted, but attended by a compromise of questions arising out of slavery. All compromise, the Senator argued, was wrong and inconsistent with real virtue and sincerity of purpose—and what, too, are the equivalents such compromise offers? Power, freedom, wealth on the Pacific; bondage in the rest of the new territory, and in the District of Columbia; and stringent laws for the arrest of fugitive slaves in the free States. Human freedom and rights for gold.

But he should object, Mr. SEWARD pursued, to the compromise, on the score of the incongruity of the interests to be compromised. California should be admitted, being a free State; she also should be received, had she been a slave State. This, the circumstances of her rise, and the inevitable dismemberment resulting from refusal, would render just and necessary. The questions connected with slavery, thus interposed, are consequently collateral, and present false issues.

Moreover, said Mr. SEWARD, I cannot consent to the compromise, because this compromise fails to meet the whole claims of the South. They demand the restoration of an equilibrium between the slave and free sections. Such equilibrium, he insisted, never did, and never can exist. Every political balance of power requires a physical basis. The basis, in the present case, must be an equality of territory, and a proximate equality in the number of slaves and freemen. These the South have irrecoverably lost. Were it even practicable, without this equality, it would change our national democracy into a simple confederacy, in which the minority have a veto on the majority.

Nor would success attend the details of this compromise. Mr. SEWARD went on to speak of the proposed alteration of the law concerning fugitives from labor.

"I shall speak on this," he said, "as on all subjects, with due respect, but yet frankly and without reservation. The Constitution contains only a compact which rests for its execution on the States. Not content with this, the slave States induced legislation by Congress; and the Supreme Court of the United States have virtually decided that the whole subject is within the province of Congress, and exclusive of State authority. Nay, they have decided that slaves are to be regarded not merely as persons to be claimed, but as property and chattels to be seized without any legal authority or claim whatever. The compact is thus subverted by the procurement of the slave States. With what reason, then, can they expect the States, *ex gracia*, to reassume the obligations from which they caused those States to be discharged. I say, then, to the slave States, you are entitled to no more stringent laws; and such laws would be useless. The inefficiency of the present statute, he said, lay not in its leniency, but in its violation of the primary laws of God. It made hospitality a crime, and the human being a chattel; and it denied the citizen all the safeguards of personal freedom, to impede the escape of the bondsman. With respect to the other concession, proposed for the purchase of freedom in California, the bill of peace for slavery in the District of Columbia, Mr. SEWARD avowed himself uncompromisingly opposed to such peace. Congress had absolute power in the matter, and he could not see that any implied obligation ex-

isted not to use that power. He saw no reason to hope for such emancipation, but he should vote for the measure whenever proposed, and was willing to appropriate any means necessary to carry it into execution.

Mr. SEWARD then cautioned Senators against ultra measures, either for the recovery of the fugitive, or against the inhibition of slavery in territorial charters. The temper of the people might be tried too far. The spring, if pressed too hard, would give a recoil that would not leave here one servant who knew his master's will and did it not.

He then spoke of the suggested compromise of boundary between Texas and New Mexico. This was a question of legal right and title, and it was due to national dignity and justice that it be kept separate from compromises of mere expediency, and should be settled by itself alone. In connexion with this question, he stated, he could not agree with the Senator from Massachusetts with regard to the obligation of Congress to admit four new slave States from Texas territory. When once formed, these States can come in as free or slave States at their own choice; but such *formation* depends entirely on the will of Congress. He denied the Constitutionality of the annexation of Texas. He found no authority in the Constitution of the United States for the annexation of foreign territory by a resolution of Congress, and no power adequate to the purpose, but the treaty-making power of the President and Senate.

Another objection to compromise, he continued, arises out of the principle on which the demand for compromise rests. That principle *assumes the classification* of the States as Northern and Southern, as slave and free States. Severally equal, the classes must be equal. To each of these classes, the new territory, being a common acquisition, falls in equal proportions.

On what, then, does this argument for the equality of the States rest? On the syllogism that all men are by the law of nature and nations equal; and States are aggregations of individual men, and thereby equal. But if all men are equal, slavery with its claims, falls to the ground. You answer, the Constitution recognizes property in slaves. But this Constitutional recognition must be void, for it is repugnant to the laws of nature and of nations, on which the Constitution is itself founded. He denied, too, that the Constitution recognized slaves. It never mentions slaves as slaves, much less as chattels, but as persons. That this recognition of them as persons, was designed, is a historical fact.

But granting the original equality of the States, and granting the recognition of slavery, still the argument fails. The Constitution is not the Constitution of the States, but of the people of the United States.

There is another aspect, he then said, in which this principle of compromise must be examined. These boundless Western domains are ours; but ours only in trust for our fellow men. They are the birthright of mankind. Shall we who are founding institutions for future generations, shall we who know by experience the wise and just, and are free to choose them, and to reject the erroneous and unjust, shall we fasten bondage on countless millions, or permit it by our sufferance to be established?

Mr. SEWARD then commented on arguments founded on extraneous considerations. The first of these is, that Congress has no power to legislate on the subject of slavery within the territories. But Congress, he argued, *may* admit new States. It follows that Congress may *reject* new States. The greater includes the less; and, therefore, Congress may impose conditions of admission. The right, too, to legislate and administer justice in regard to *property* is assumed in every territorial charter; and if to legislate concerning property, why not concerning personal rights? and *freedom* is a personal right.

But granting, it is said, the right, still legislation is unnecessary, for climate and sterility, the physical laws of God, lay a stronger injunction on slavery than any laws of man. Have climate and sterility, he asked, barred out slavery from arctic Russia? Did it not once brood over the length and breadth of Europe? and was not the enslaved race our own, and such as our own, the vigorous Anglo-Saxon, instead of the docile African? The laws of God may be transgressed.

"Sir," said he, "there is no climate uncongenial to slavery. It is true, it is less productive than free labor in many Northern countries. But so it is less productive than free white labor in even tropical climates. Labor is quick in demand in all new countries. Slave labor is cheaper than free labor, and will go first into new regions; and wherever it goes, it brings labor into dishonor, and, therefore, free white labor avoids competition with it. Sir, I might rely on climate if I had not been born in a land where slavery existed; and this land was all of it North of the fortieth parallel of latitude; and, if I did not know the struggle it has cost, and which is yet going on to get complete relief from the institution and its baleful consequences. I desire to propound this question to those who are now in favor of dispensing with the Wilmot Proviso—was the ordinance of 1787 necessary or not? Necessary, we all agree. It has received too many eulogiums to be now decried as an idle and unnecessary thing, and yet that ordinance

extended the inhibition of slavery from the 37th to the 40th parallel of north latitude, and now we are told that the inhibition named is unnecessary anywhere north of 36° 30.'" We are told that we may rely upon the laws of God, which prohibit slavery north of that line, and that it is absurd to re-enact the laws of God. Sir, there is no human enactment, which is just, that is not a re-enactment of the law of God. The Constitution of the United States, and the Constitution of every State are full of such re-enactments. Wherever I find a law of God, or a law of nature disregarded, or in danger of being disregarded, then I shall vote to reaffirm it with all the sanction of the civil authority. But I find no authority for the position that climate prevents slavery anywhere. It is to the indolence of mankind, and not the natural necessity, that introduces slavery in any climate."

Finally, Mr. Seward thought too much weight might be attached to the solemn admonitions of the South concerning the dissolution of the Union. Their violence, he said, was natural in a losing party who saw their side of the scales kick the beam. But there was a love of his country in the breast of every American citizen, which sectional feelings might dim, but never destroy. He knows no other country and no other sovereign. He has life, liberty, and property, precious affections and hopes for himself treasured up in the ark of the Union. Let those, then, he concluded, who distrust the Union, make compromises to save it. He had no such fears himself, and consequently should vote for the admission of California, directly, without conditions, without qualifications, and without compromise.

As a commentary on the above speeches, we give the following abstract of a letter published in a Mississippi paper. It shews that even peaceable secession will have its attendant dangers to the South; and that forces are now at work to lead a Southern confederacy to subsequent disunion and farther secession. The writer asks if their State laws are ample for the proper protection of property? Are their individual interests sufficiently guarded, in case that direst of calamities, a separation of these United States, should occur in the pending contest on the Wilmot Proviso? Is the farther introduction of slaves from other States, politic or safe, and is not the prohibition of such farther introduction demanded both on the score of individual and of State interest, and as concerns the permanent legitimate weal of the Southern domestic institution? The stability of property depends on its uniform value and proper protection by law. Slave property above all others, is considered the most delicate and most in need of such protection. To unsettle its stability, would be to destroy or depreciate its value. Any rash measure tending to destroy its domestic feature is to be deprecated; and this can only be preserved by maintaining its value. On these depend its permanence. On its permanence, the destiny of the Southern States.

Out of the fifteen slaveholding States, two, Delaware and Maryland, are, in any material sense, useless to the rest; and, from the course taken by the Senators of Missouri and Kentucky, we are led to infer, that these States are distracted, and emancipation not distant. A proof and a consequence of this is found in the fact, that droves of slaves, by hundreds and thousands, are now on their way from the latter State, to this and others of the cotton and sugar growing States. Now, is it, this writer proceeds to say, the interest of Mississippians to encourage this state of things? Shall the domestic character of the institution be degraded, and its intrinsic value be suffered to depreciate by the sudden introduction of surplus slaves from other States? Shall our present effective and happy municipal regulations for the treatment and management of slaves be uprooted, and Mississippi converted into a camp, paraded daily by Provost guards and patrols to prevent insurrection? Thousands of wretched, despairing human creatures, torn rudely from home, from family, and from cherished local associations, will be driven in upon us in manacled gangs, and will soon infect those now living here with their rancorous and seditious spirit. We cannot at this day throw aside all considerations of humanity in the vain attempt to display an overwrought zeal in behalf of our cherished institution. Its worst enemies are they who abuse it. Its real friends are not dead to all sensations of sympathy as regards the family attachments and social condition of our negroes.

And what will be the result? The picture here contemplated, the writer continues, brings before the mind the frightful scenes of the British and French West India Islands. Daily apprehensions, hourly vigilance, jealous suspicions, groups of white men, shrinking with fear, hordes of sullen and desperate blacks—these are the ground-work of that wretched scenery. And shall such things be seen in Mississippi? Shall the horizon be darkened with a cloud charged with such pernicious elements? Shall her property be cut down to one-half its value, that speculators and traders only shall flourish? To this one fact, the writer attributed the apparent mystery of the impoverishment and unimproved face of a State, exporting, annually, nigh twenty millions worth of products. It is notorious, he says, that in Mississippi there is

less to captivate the eye of a visitor, less to ensure permanent local attachments, fewer proud associations, less to offer by way of emulous comparison, and less to invite available investments, than in any other Southern State. Nothing but the character of the people sustains her position, and commands respect. Nor must this state of things be attributed alone to financial derangement, or mismanagement. The cause is found in the source above suggested. Of the aggregate returns from the sale of her products, one-half is disbursed on New Orleans, or Mobile, and the other half is carried off by negro traders from Tennessee, Virginia, or North Carolina. This is destructive beyond compensation, and will, in the end, beggar the State and its citizens. But, apart from pecuniary considerations, the writer urges, is it *politic, or safe*, under present circumstances, to allow the farther introduction of slaves within this State? We are threatened with dissolution of the Union. Congress is convulsed, and a kind of demi-revolution seems preparing. Should not the aggrieved States, then, contemplating the possibility of secession, be ready, at all points, for the result? Should not Mississippi pause in her deceptive and profitless policy, to husband her resources, and expend her wealth at home? In revolutionary times, a sudden accession of inflammable materials is dangerous in the extreme. No material is so inflammable as a horde of slaves, fresh from the trader's manacles, torn recently from family, and home, and early associations, discontented, corruptible, unreliable,—thrust suddenly into our midst, ere yet system and familiarity have reconciled them to their new homes. These very domestic ties and feelings form the real value of our insitution. The blacks have them, and every intelligent planter sedulously cultivates them. In times like this, then, harshly and rudely to sever them, is there no danger in such a course?

Finally, the writer asks if it is not the interest, politically, of his own State, to hold those States, which now so strongly manifest a desire to emancipate, to the slave interest, by refusing them opportunities of sale and profit. They will certainly hesitate, before they resort to colonization or manumission, and he urges the enforcement of the laws against the importation of slaves, which have been suffered to become a dead letter.

Disunion received the following severe rebuke at the hands of Governor Brown of Florida. That gentleman had been invited by the Florida delegation in Congress, to use his official authority in organizing a plan of representation for that State in the proposed Nashville convention.

Governor Brown in reply, disclaimed all authority for that purpose. He considered such a convention as revolutionary in its tendency, and directly against the spirit of the Constitution of the United States, and if the object of this convention be redress of grievances, would not, he asks, the expression of an opinion, or a *determination* by the States in their sovereign capacity, be calculated to carry more weight, and command more respect than the proceedings of an irresponsible convention of delegates? But, it is answered, the States have already acted by reports and resolutions and addresses; and the North remains unmoved. What more then can this convention effect, unless it is to be considered, and considers itself a revolutionary body? "If called for this end," he says, "I most solemnly protest against it. The time has not arrived for such measures, and I pray God the time may never arrive. There are, however, restless spirits among us, who have calculated the value of the Union, and would sell it for a *mess of pottage*. Since the Southern convention has been projected, a Southern confederation has been *more than dreamed of*." He questioned the expediency of getting up this convention, before any overt act of agression had been committed on Southern rights. He saw, as yet, nothing new or startling in the relation of the slave and free States; at least nothing calling for such extraordinary and revolutionary measures. For more than fifty years have abolition petitions been presented in Congress. Thirty years ago, this identical Wilmot Proviso question convulsed the Government to its centre. From the time, he writes, that the slave question first made its appearance in the North, when it was a "little cloud like a man's hand," until the present moment, when it casts a deep gloom over the future, it has been one continual conflict of words between the abolitionists and agitators and politicians of the North, and the politicians of the South. Time has brought forth no wisdom—experience no knowledge. But in spite of mutual bluster and threats, he believed the Union would safely weather the storm. He found one assurance of safety in the fact, that the present chief magistrate of the Union, was from and of the South; and he was confident that every encroachment on the bulwarks of the Constitution, would be by him met with native energy and resolution.

In conclusion, Governor Brown exhorted the people of the Southern States, to look to the "energetic action of their State Governments to guard and protect their rights and interests; and the members in both halls of Congress, to meet and resist with prudence and firmness, every attempt to break down the guards and compromises of the Constitution, from whatever source it may come; and when driven to the last trench, and beat down by brute

force, regardless of right and justice, and when the executive can, or will not apply an enduring check, when all the barriers of the Constitution are beaten down, and the South deprived of her equal right under the Confederation—then will those who have brought about this state of things have incurred the guilt and shame of the wanton destruction of this beautiful form of Government; and upon their heads will rest the curse.

CRITICAL NOTICES.

Maury's Sailing Directions. Notice to Mariners: By Lieut. W. F. MAURY, U. S. N., National Observatory, Washington. Approved by the Hon. William Ballard Preston, Secretary of the Navy; and published, by authority of Commodore Lewis Warrington, chief of the Bureau of Ordnance and Hydrography. Washington: 1850.

The peculiar benefits of a National Observatory are beginning already to be felt. The attention of the nation is directed toward it, as toward a centre, from which nothing crude or unscientific can emanate. A spirit of exactness and of research is cultivated in the official mind at Washington, and in the army and navy; and a respectability and importance is given to the Exact Sciences, by the knowledge that they are the indispensable auxiliaries of the government. Upon this consideration, every reader can enlarge for himself.

Lieut. Maury states, in this quarto pamphlet, that "every navigator, with the assistance rendered by the Observatory, and here published, may now calculate and project for the path of his ship, on an intended voyage, very much in the same way that the astronomer determines the path of a comet through the heavens. There is this difference, however; the 'Pilot Chart,' with its data, shows the navigator that, in pursuing his path on the ocean, head-winds and calms are to be encountered, and that therefore he cannot, with certainty, predict the place of his ship on a given day. He, therefore, in calculating his path through the ocean, has to go into the doctrine of chances, and to determine thereby the degree of probability as to the frequency and extent with which he may anticipate adverse winds and calms by the way."

James Montjoy; or, I've been Thinking: By A. S. ROE. New York: D. Appleton & Co.

When a new author takes his place upon the stage of literature, his first attempt deserves something more at the hands of the critic than a general expression of commendation or blame—it deserves discrimination. And yet we hardly know how to give, within the limits of a mere notice, an adequate idea of the work before us. We will begin with its faults, however, if only to have an opportunity to make its merits the final object of our remarks.

The author has unwisely deprived his book of the advantage of unity of interest. He has too many leading personages, whose separate adventures engross too much of the reader's attention. Jim Montjoy, the nominal hero, is not so in fact. He plays a very conspicuous part in the first scenes; but as the drama develops itself, he becomes a secondary character. Nor does any one personage take his place. And this is the vital defect of the book. Although the author has, with considerable art, taken up afterwards the separate threads of his narrative, and combined them for the catastrophe, yet, for want of a centre of interest to keep them connected throughout the work, they divide and fatigue the attention. Some of the characters, indeed, have the appearance of copies from living originals. There is an old lame sailor, whose oddities produce a really Corporal Trim-like effect. But generally, Mr. Roe's painting of characters belongs to a school that looks but little to nature for models. The good are too good; the bad, too entirely bad. The blemishes we have noticed are of a serious character in a work of fiction; for they are of that class which mars *effect*, that main object of art. Yet there are beauties enough in James Montjoy to redeem defects even more fatal. The opening chapters, which relate the adventures of young James with his brother Ned and his friend Sam Oakum, are delightful to read. The simplicity of the action invests the details with an absorbing interest, which reminds one of Robinson Crusoe on his island, and is only attainable in works, which relate the struggles of unassisted man against natural obstacles. The style too of this part of the work is greatly superior to the remainder. It seems to have been cared for as a labor of love. It is plain, almost faultless, and well in keeping with the events of the narrative. As soon as, by the success of the boys, and the introduction of new characters, the plot becomes more intricate, much of the attraction of the tale disappears, together with much of the author's happiness of manner. Mr. Roe's style, in the better parts, is of that kind of which we deemed the secret lost. It has that quiet, calm beauty, which is felt, rather than seen, and wins, without striking, leaving upon the mind a sensation of pleasure, which has stolen in unperceived. To give an idea of this style of writing, definition will not answer—since its merits are of that very character which baffles definition. Nor will quotation answer the purpose. A bucket of water would give a poor idea of the magnificent effect of the Hudson river in a landscape. So, of any single passage in this work, whose beauty consists of a succession of beauties, constantly following each other, and gaining strength by accumulation. Unexpected touches of gentle humor, or gentler pathos, minute,

yet unpretending descriptions of charming scenes, a patient, yet never wearisome attention to details—these are some of the qualities which enchant us in this new author. We cannot refrain from quoting the apologue, which he has introduced in guise of preface to this book:

"I was once present at a conversation between a goodly couple, in the old New England time, touching the fate of one of their sons, just sent abroad; he was a pet boy, at least with the old lady.

"I wish, my dear, that you would write to the firm of 'What do you call 'em a very particular letter about our Bill, and let them know just what he is; for going so among strangers, the poor child may have rough treatment, merely because they don't know his ways."

"I don't think it will do any good."

"Why not, Mr. Blossom? Surely if the folks knew how many good things he has about him, they would be a little tender of him, and not treat him as though he were a common boy."

"He must take his kicks and cuffs with the rest of the boys."

"Now, Mr. Blossom!"

"It is just so, wife; and all the letters in the world won't alter the matter. He's got to go through the mill, and his good and his bad will be known, without our meddling."

"Well, I most wish we had kept him to home."

"He would become rusty here. No, no; let him take his chance; he has gone where he must sink or swim by his own merits."

"Oh, dear! what a world it is."

"Yes it is, wife; but we can't help it."

"In sending abroad my first begotten, I was almost tempted to endeavor to smooth its way with the public, by explaining its peculiarities, and asking indulgence for its failings; but I called to mind what Mr. Blossom said about his Bill, and so quietly submit to the decree, that it must 'sink or swim by its own merits.'"

Moralism and Christianity; or, Man's Experience and Destiny: In three Lectures: By HENRY JAMES. New York: J. S. Redfield. 1850.

Three Lectures, of which the first was delivered in New-York, and published in the Massachusetts Quarterly. The second was read in Nov. 1849, in Boston. The third was read and repeated in New-York, in December of the same year. The title of the first lecture is "A Scientific statement of the Christian Doctrine of the Lord, or Divine Man." The second is entitled "Socialism and Civilization, in relation to the Development of the Individual Life." The title of the third is "Morality and the Perfect Life."

Our author calls the Divine Man, or God's Image in Creation, by the name of "Artist." His effort, a very great one, is to show that the Artist is he who acts wholly from within; from a pure and divine ideal of the universe, subjectively, as the Germans say, or as we say, after them. The actions of men in civilized society are merely relative: they are shaped, for the most part, under the stress of religious and moral obligation. The actions of the individual are the result of two forces; nature, impelling from within,—that is to say "the free nature of the Artist," which always seeks to represent in action its own ideal and its own desire—and society and religion, that is to say, usage and sacred tradition repressing and guiding from without. The latter forces, for the most part, triumphing over the individual nature. This triumph is the triumph of the three kinds of government by which society is regulated; the religious, or traditional, the civil or political, and the social or moral, morals being, of course, *customary*, and their tone given by society. The complete action of these three powers, or modes of power, on the individual life, is what is called civilization, more or less perfect. Our author is an intellectual rebel against all the three; he wishes to rise above them by substituting something better in their stead. He wishes to perform that gradual work of creation which has been going on since the first appearance of the human race, for many thousand years, and of which the final fruit and consequence thus far, is the educated society of Europe and America. He wishes the individual, by a single effort, to master every spiritual law of that progress; to raise above it, to tread it under foot; to substitute a new and peculiar creation of his own, placing him in a divine and unimpeded relationship with the entire future of God's providence, and making him no longer subject to, but a master and reformer of everything that is established by the voice of Milleniums, and held in highest veneration by the Heroes and the Sages of all past time.

A citizen of Boston wishes to do all this.

Posthumous Works of Chalmers. Vol. 9th. New-York: Harper & Brothers. 1850.

This volume consists of prelections, notes and commentaries on Paley's 'Evidences of Christianity,' Butler's 'Analogy,' and Hill's 'Lectures in Divinity.'

That God is the author of the first and faintest motions toward what is good, was the expressed belief of this truly religious Theologian. He was not betrayed by his scientific and mathematical pursuits, into that cold and fruitless faith which refers everything to a law or creature of the Divine will instead of the Divine will itself. See page 115 of this volume.

Atlas: Designed to Illustrate Mitchell's Edition of the Geography of the Heavens: comprising 24 Star charts, exhibiting the relative magnitudes, distances, &c., of all the stars, to the 6th magnitude inclusive. Also Nebulæ, Clusters, Nebulous stars, Double and Multiple stars. Together with the Telescopic appearance of the Planets and other remarkable objects in the Heavens. Compiled by O. M. Mitchell, A. M. Director of the Cincinnati Observatory. New-York: Huntington and Savage, 216 Pearl-st.

The publishers have sent us a copy of this most admirable Atlas, for general purposes the best and the simplest we have ever seen. The Heavens are represented in 24 maps; the stars indicated by bright white spots on a black ground; with a scale of magnitudes, and everything necessary for the use of the Student or the observer who wishes to obtain a knowledge of the Heavens. Professor Mitchell is well known in this country as our

most eloquent lecturer on Astronomy; and in Europe and America, both, as an enterprising and most persevering observer in a science which requires more enthusiasm and self-devotion in its votaries, than any other. We have never seen anything of the kind so attractive as these maps of stars.

Huntington and Savage have sent us a number of valuable school books of which they are the publishers. Among them we find room to name only the following:

The Pupil's Guide: by John Russel Webb; *Webb's Second Reader.*
John's First Book; Webb's First Reader.
Woodbury's Youth's Song Book: for Schools, Classes, and the Social Circle.
Mattison's Elementary Astronomy; for Academys and School. Illustrated Edition.

Schmitz and Zumpt's Classical Series. Cicero's Select Orations. Philadelphia: Lee and Blanchard. 1850.

A small, convenient school-edition of Cicero's Orations; with plenty of notes.

A Discourse on the Soul and Instinct Physiologically distinguished from Materialism. Introductory to a Course of Lectures on the Institutes of Medicine. New York University. By Martyn Paine, A. M., M. D., Professor of the Institutes of Medicine and Materia Medica in the University of New York. New York: Edwin H. Fletcher. 1849.

We have had no leisure for the examination of Dr. Paine's work, but conclude from a rapid survey of its pages that it will well repay the enquirer in the profound and difficult subject of which it treats.

Uses and Abuses of Air. By John H. Griscom, M. D., Physician of the New York Hospital. New York: J. S. Redfield. 1850.

This is a treatise by an experienced Physician, on the influence of air in sustaining life, and producing disease; with remarks on the ventilation of houses and the best methods of securing a pure and wholesome atmosphere in dwellings, churches, court rooms, work shops and buildings of all kinds.

A more important topic than the one treated of in this volume cannot be suggested in the entire range of regimen and diatetics. Every professional man, every master of a Hospital, and indeed every householder, will find instruction of the most important character in this treatise of Dr. Griscom. The author shows that a very large proportion of the diseases of civilization are produced by the respiration of an impure atmosphere.

Modern Literature and Literary Men. Being a second Gallery of Literary Portraits. By Geo. Gilfillan. D. Appleton & Co. 1850.

This volume contains sketches by this very popular author, of twenty-four distinguished authors, taken from various periodicals. Mr. Gilfillan has undertaken to be the trumpet blower of the modern literary world; he blows a very sweet and pleasant note; but, for the most part, always in the same key. His eulogy sickens by excess.

Cosmos: A Description of the Universe. By Alexander Von Humboldt. Translated from the German by E. C. Otte. New York: Harper & Brothers. 1850.

As we have published, at different times, two reviews of this celebrated author, it is unnecessary to do more than call the attention of the reader to this new and excellent edition, in two small and convenient volumes.

The History of the Decline and Fall of the Roman Empire. By Edward Gibbon, Esq. Boston, Phillips, Samson & Co. 1850.

This is a small octavo, six volume, library edition, of Gibbon's Decline and Fall, edited by the Rev. H. H. Milman. A complete index of the whole work is added, and the first volume has an excellent engraved likeness of Gibbon. It is the most convenient edition which has been published in America.

The Life of John Calvin. Compiled from authentic sources, and, particularly, from his correspondence. By Thomas H. Dyer, with a portrait. New York: Harper & Brothers. 1850. One volume, small octavo.

This volume is cheaply printed for circulating libraries and popular use.

A Handbook of Modern European Literature. For the use of Schools and Private Families. By Mrs. Foster. Philadelphia: Lee & Blanchard. 1850.

This is a brief sketch—a kind of skeleton history—to guide the reader in his choice of authors, giving the names of the most celebrated of all modern languages.

Hume's History of England.

The Publishers, Phillips, Samson & Co., Boston, have sent us the sixth and concluding volume of their excellent unabridged edition of Hume's History of England.

Special Notice.—The present volume is the concluding one of Hume's History of England, *unabridged.* It embraces a very carefully prepared index to the whole work, which, for purposes of historical reference, was deemed indispensable.

The above, in conjunction with the "Boston Library Edition" of Macaulay's continuation of Hume, is now *the only uniform* edition of the two authors published in this country. They are sold together, or separately, at 62 cents per volume.

The Life and Correspondence of Robert Southey. In six parts. New York: Harper & Brothers. 1850.

The price of this entire work, an elegant octavo edition, at twenty-five cents a number, is but one

dollar and a half. It is edited by his son, the Rev. Charles Cuthbert Southey, M. A. It is composed, in great part, of the letters of Robert Southey; a literary and social correspondence of extraordinary interest.

Memoirs from Beyond the Tomb. By the celebrated M. De Chateaubriand. Translated by an able and conscientious translator, Thomas Williams, Esq. For sale by Williams & Brothers, Office of the Morning Star.

We have before us a number of school books and class books, sent by the civility of publishers of which we can only give the names and object. Among these we notice

Historical and Miscellaneous Questions. By Richmal Mangnall. The first American, from the 84th London Edition. Embracing the elements of Mythology, Astronomy, Architecture, Heraldry, &c., &c., adapted to Schools in the United States. By Mrs. Julia Lawrence. With numerous Engravings on wood. D. Appleton & Co., New York.

Pinney's Progressive French Reader. Adapted to the new method, with Notes and a Lexicon. New York: Huntington & Savage. 1850.

Companion to Ollendorff's New Method of Learning the French Language. Dialogues, and a Vocabulary. D. Appleton & Co., New York. 1850.

White Jacket; or, Life in a Man-of-War: by Herman Melville. New York: Harper & Brothers.

This book we have received too late for perusal. The chapters we have read, however, decidedly whet the appetite for more; and incline us to think that it will be one of the most popular books of this world-renowned *sea author*. The reader is taken "on board ship," and introduced into its most minute economy. He is made acquainted with the real sea-dogs, and, whatever turns up, we feel assured, is portrayed with all the graphic skill for which the author is famous.

The Optimist: by Henry T. Tuckerman. New York: Geo. P. Putnam. 1850.

Mr. Tuckerman as a writer of the quiet and meditative class always pleases and profits us. He is one of the genuine essayists, of whom this country has pro duced but few.

The book befo re us consists of a series of essays on subjects of every day life and literature, and will, we think, become a favorite volume with the reading public. It is a beautifully printed book—as it deserves to be.

The East—Sketches of Travel in Egypt and the Holy Land: by the Rev. J. A. Spencer. New York: Geo. P. Putnam.

This enterprising publisher seems determined, at whatever cost, to do his part towards gratifying the insatiable curiosity of the public, in the lands of antique and sacred lore. This is the third book on the subject we have had to notice, in a very short period of time, from his pen. The book before us we can commend as most pleasant, and instructive family reading, being in the form of familiar letters, elegantly illustrated, from original drawings. The author is a well known scholar, and, very happily, uses his learning, without pedantry, to illustrate the objects of interest which he describes in his easy and flowing narrative of his journeyings in the East. He cannot be said to have added anything to the discoveries or theories of the many able writers on the subject, who have preceded him; but he carries the reader along with him, and will enable many to realize the scenes, reflections, and impressions which crowd upon the oriental traveller, better than many writers on the subject, of more pretensions.

Richard Yeadon

THE

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FOR MAY, 1850.

REVIEW OF THE REPORT OF HON. THOMAS BUTLER KING ON CALIFORNIA.

The government of the United States cannot be said to have a colonial system, unless the movements of such a system are to be seen in the constant acquisition and organization of new territories.

The expansion of the Republican Empire requiring the constant addition of new regions to receive the overflow of population and emigration, the policy of annexation,—peaceful and constitutional annexation—by treaty and by purchase, may be regarded as the settled policy of this government. The population of the United States, "consists of natives of Caucasian origin, and exotics of the same derivation. The native mass rapidly assimilates to itself, and absorbs the exotics, and thus these constitute one homogeneous people. The African race, bond and free, and the aborigines, savage and civilized, being incapable of such assimilation and absorption remain distinct, and owing to their peculiar condition, they constitute inferior masses, and may be regarded as accidental, if not disturbing political forces. The ruling homogeneous family, planted at first on the Atlantic shore, and following an obvious law, is seen continually and rapidly extending itself westward, year by year, and subduing the wilderness and the prairie, and thus extending this great political community, which, as fast as it advances, breaks into distinct states for municipal purposes only, while the whole constitutes one contiguous, entire, and compact nation."*

This population, is now 22 millions. In fifty years it will be 80 millions, and in an hundred years 200 millions; equal to nearly one fourth the present aggregate population of the globe.

The problem for statesmen of the present day, is, therefore, not how they shall confine this irresistible and wide spreading tide of life, but rather how they shall, with sufficient expedition, provide a soil for its feet to rest upon, and extend over it a government at once congenial, powerful and free.

The government of the United States, if they have not hitherto, must now begin to have a sound colonial policy. There are legislators, otherwise men of weight and wisdom, who have no faith in the expansive power of republican institutions, who sigh for the narrow and manageable limits of the old thirteen colonies, and amuse themselves and the people with predictions of the incapacity of a republican government to extend itself over a continent. These are men of the past; doubters, and faint hearted.

Such should not be the spirit of the rising statesmen of this age; they who are to live through the coming thirty years of republican aggrandizement—who are to shape the destinies of the coming time; it is theirs to make themselves sure of what will be, and must be; and then, by reason

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*Mr. Seward's speech in the Senate, March 11th, 1850.

and a just and universal legislation, guided by the constitution, and by the advice of history and experience, to provide governments for these expanding millions; not dilatorily and factiously, but with a great and generous liberality, a liberality to which Providence will be always kind, because it is the very brother and friend of Providence; and by obeying the great laws of events, becomes itself a law.

And now, when the necessity of adopting a broad and liberal system of colonization has forced itself upon the attention even of the most reluctant and bigoted admirers of narrow limits, the force of the national legislation is wasted in the hateful strife of faction. Instead of providing, with a paternal care, for our new colonies on the Pacific, to confirm and strengthen them in affection and respect for the mother country the leaders of faction are consuming week after week in profitless recrimination. Let us turn away from this wretched strife, and refresh our eyes and our hearts with new indications of the vigor and the power of our name and our laws; let us see how beautifully and peacefully they can expand themselves in new and untried regions.

The empire of freedom has now within its geographical boundaries every element of power; a hardy and enlightened ruling race, of the best blood of the human family. The American people, proper, spreading rapidly over a continent to which the Creator has given every natural advantage; of vast, but not sterile nor wasteful extent, lying between two mighty oceans, far removed on the one hand from the barbarism of Asia, and on the other from the old tyranny of Europe. On the North boundless forests, affording the materials of structure and habitation, whose removal leaves such fields as produce the best and healthiest food of man: out of these, rivers gathering their floods and flowing toward the South, East and West, navigable almost from their sources to the sea. In the South, rich plains producing every luxury in such abundance, that the meanest and the poorest may possess and enjoy them. In the West a land mountainous and rude, but teeming with the precious metals, with silver and with gold. In the East, nourishing a population qualified by industry and sagacity for every handicraft, and with an ingenuity and enterprise which converts the very stones beneath its feet into subsistence and riches; there is nothing wanting in this great, this select and wonderful region, to supply everything that is needed for the densest, and the most numerous and civilized population. It is not broken by impassable ranges of mountains, nor by sandy, illimitable deserts: from one part to another the traveller passes easily, and with safety. He may sail through the land, from end to end, by natural and artificial streams; he may traverse it, driven swiftly along, with the speed of an eagle, by the force of machinery. From place to place, over prodigious distances, he may send messages with the speed of lightning. The people of this continent have a common law, a single code or constitution, which makes every man the friend, the fellow, and the equal of all others of his nation. No country so favorable has been inhabited by the human race: none of such extent, and of so useful and delightful a variety. No people so free have ever been so numerous and powerful; they have but one language, and in that language is embodied every thing that is useful or important to be learned. Such a people, feeling their own destiny, must become the proudest, and the most dignified, the least jealous, and the most contented and happy among nations. The thoughts of a citizen, in such a nation, should be too grand and general for local heat and prejudice. Let him think of his country and her destiny, and he cannot fail to be magnanimous in his thoughts.

There is a narrow and unphilosophical, an unbending spirit, among a certain class of legislators, which is astonished and offended at every turn in affairs, and sees a crisis in every difficulty. Let us make up our minds to it, and quietly take up with this proposition, that as in the youth of an active and ambitious man, so in the first century of a rising and powerful state, *every moment is a crisis*. The day is critical, the year, the age, the century is critical, legislation is all critical; new forms of opinion are continually springing into life; new powers are rising on all sides of us, new necessities, new exigencies; our legislation must consequently take its departure from certain grand and simple principles such as suffice for the

government of Empires, and the rule of multiplying millions.

The liberty and equality of the American people, and of those of their race who blend with them and with their children, man for man; that is our first principle. A solid and efficient governmental organization, wherever men enough are met together to form a town, a county, a municipality, then a state; and for the rapid fusion of states into the one great Empire of freemen, maintaining, at the same time, with a most jealous care, the liberty, and sovereignty of the members, by granting them their separate honors; by honoring their equality in the council of the nations Here are points of departure for liberal legislation; from which, if we rightly take our observation and measure our course, we shall not be misled by those novel false lights which have appeared in the Southern horizon, Balance of Power, Extension by Conquest.

To doubt the expansive power of the American governmental system, is to doubt the existence of any universal principles of government; nay, it is to doubt the universality and efficiency of the moral law itself, from which that system, together with the law of nations, is immediately derived. True it is, the importance and weight of each particular state is somewhat lessened as the number of all increases; but the efficiency of the principles which govern all and each, is neither changed nor diminished. That law of gravitation which controls the revolution of two planets with their satellites, and harmoniously regulates their times, and subordinates each body to the common centre, rules with greater power, and with equal facility the movements of an entire system. When the principle of the movement is universal, the number of the bodies whose motion is regulated by it, may be indefinitely increased, and thereby there is no confusion, but only a greater stability.

The new State which is asking admission into the Union requires only a formality to become one of us; it is our jealousy only which delays its admission, and not any other reason; if jealousy be a reason: we cannot, constitutionally, lay *political* conditions upon California; we can exact nothing from her that she will be bound to fulfil. She does not ask to be admitted to the North or to the South, but to the confederacy of the whole. Were it possible for us to make certain political stipulations, to exact certain promises, to force into her Constitution certain provisions, for our sake or for her sake, it might be sound policy to keep her ambassadors waiting in the antechamber, with their hats in their hands, for the sake of humiliation; or to mortify their friends in the House or in the Senate. It was not to insult the South that she incorporated into her Constitution a provision against the holding of negroes in bondage; but wholly to exclude the negro from her limits, and make every inch of her soil a possession for that free and energetic race who are deriving wealth from it. The higher the grade of industry and intelligence brought in immediate contact with the earth's surface, the more willingly and rapidly it yields food and clothing, and comfort, to its cultivators; and, therefore, it is, the new State of California, (for we insist on calling it a State, as it has the natural members and properties of a State) has legislated for the exclusion of the inferior races.

No sooner had the gold region of the Pacific coast become a part of the American territory, it began to be occupied by American citizens; their numbers increased with extreme rapidity; but they found themselves subject to the uncertain and oppressive operation of laws written in a language which they did not understand, and founded on principles which they did not recognize. The native judges of the country were not fitted either by talent or education to arbitrate their differences, or confirm them in their private rights. "There was not a single volume," says Mr. King, "containing the laws of the country, as far as I know, or believe, in the whole territory, except, perhaps in the Governor's office at Monterey." The American citizens, the masters of the soil, already more numerous than the native population, found themselves without protection in their lives and property, saving by a rude military justice, and the force of public morals. Titles to property could not be with certainty established, and were necessarily taken without a possibility of ascertaining their validity.

Without charters, or any legal right of organization, towns and cities were grow-

ing up with all their municipal necessities of police, of taxation, and the protection of life and property. At the custom-house, duties were exacted by the general government, to a large amount, in return for which, the people themselves received none of the benefits of the government which exacted them. " In obedience, therefore, to the extraordinary exigencies of their condition, the people of the city of San Francisco and of other communities elected members to form a legislature, and clothed them with full powers to pass laws."

Their laws and liberties they did not derive from charters, they had them in their minds and in their hearts ; they were trained citizens; they knew how to organize a State. They were already, de facto, members of a State ; they had no gradations to pass through, they were not pioneers, backwoodsmen, or barbarians. " Other territories had been, at first, slowly and sparsely peopled, by a few hunters and farmers who penetrated the wilderness or traversed the prairies in search of game or a new home, and when thus gradually their population warranted it, a government was provided for them. They, however, had no foreign commerce, nor anything beyond the ordinary pursuits of agriculture and the various branches of business which usually accompany it, to induce immigration within their borders. Several years were required to give them sufficient population and wealth to place them in a condition to require, or enable them to support a State government."

" Not so with California ; the discovery of the vast metallic and mineral wealth in her mountains, had already attracted to her in the space of twelve months, more than 100,000 people. An extensive commerce had sprung up with China, the ports of Mexico on the Pacific, Chili and Austrillia. Hundreds of vessels from the Atlantic ports of the Union, freighted with our manufacturers and agricultural products, and filled with our fellow-citizens had arrived, or were on their passage round Cape Horn ; so that, in the month of June last, there were more than 300 sea-going vessels in the port of San Francisco."

" California has a border on the Pacific of more than 10 degrees of latitude, and several important harbors which have never been surveyed; nor is there a buoy, a beacon, a light-house, or a fortification on the whole coast."

" There are no docks for the repair of mercantile vessels nearer than New York, a distance of some 20,000 miles by sea."

" All these things, together with the proper regulation of the gold region, the quicksilver mines, the survey and disposition of the public lands, the adjustment of land titles,—the establishment of a mint, and of marine hospitals, required the immediate formation of a more perfect civil government than California then had, and the fostering care of Congress and the executive.

In a single year California had become a state of great commercial importance ; of equal, if not superior importance to any of those which have recently been admitted into the Union as States. Her citizens, therefore, with unexampled unanimity and promptitude, resolved upon the only course, which lay open to them the immediate formation of a State Government. To have waited the action of a Congress paralyzed by a balance of factions, would have shown a degree of patience and pusillanimity on their part unworthy of a people whose greatest glory, in the eyes of the world, is, the capacity which they exhibit for prompt, and efficient, and permanent, civil organization. They did not do this however, until they perceived that they would be subjected to ruinous delays had they to wait on the action of Congress.

In regard to that question which was, " shaking the Union to its centre," and had thus far deprived them of a regularly organized civil government, " they believed that they had an undefeasible right to decide for themselves, if not as a chartered State, then, as individual citizens, and in maintenance of that very doctrine which is so jealously maintained by the South. Was it for them to suppress any portion of their Constitution ? To *sneak* it *out* and make a secret of it, with the intention of *sneaking* it *in*, after their reception into the brotherhood of States ? It had been argued and established, say the friends of Mr. Calhoun, in the celebrated resolutions of 1847, concocted by that much lamented statesman, " that it is a fundamental principle in our political creed, that a people in forming a Constitution, have the unconditional right to form and adopt the government which

they think best calculated to secure their liberty, prosperity and happiness."

President Polk, in his message of 1848, declares that "whether Congress shall legislate or not, the people of the acquired territories, when assembled in Convention to form State Constitutions, will possess the sole and exclusive power to determine for themselves, whether slavery shall or shall not exist within their limits."*

Mr. King states that the date of his arrival at San Francisco was on the morning of the fourth of June. General Riley's proclamation, calling a convention to form a State Government, was dated the day previous to his arrival. Mr. King declares that he had no secret instructions, verbal or written, from the President, or any one else, what to say to the people of California on the subject of slavery. There was no party organization; there could be no secret influences: the people were ripe for the formation of a Constitution, and when the question of slavery was submitted to them by those who were opposed to it, a vast majority was found to be inimical to its admission. All the influence of which we find any testimony that it was exerted by Mr. King, was such as his age and experience, as a practical legislator, entitled and compelled him to exert, with or without executive instructions; that is, to advise a reduction to order of the chaotic Society of California, and to begin that work, which it was the first and paramount duty of the people to perform,—the organization of their society for the protection of life and property,—to show their capacity for self-government, and to test themselves in that particular, before they should apply for admission into the Union. "The Convention," says Mr. King, "was sitting 130 miles from the place where I was; my illness was a sufficient proof that I did not, and could not, had I been disposed, exercise any influence on the Convention; nor had I anything to do with selecting or bringing out candidates." In a word, it is understood that Mr. King did not exercise any political or party influence: all that he did exert was advisatory, and for this, even, we have only the testimony of newspapers.

A very large portion of this lucid and important report consists of a geographical and economical description of California. It may be interesting to the reader to learn, from this authority, that the population of California in 1802 did not reach a total of 17,000; and that in 1839 it fell short of 24,000; of which 18,000 were converted Indians.

In 1838 began the emigration from the United States, and in 1846, Colonel Fremont found it not difficult to raise an army of 500 fighting men. At the close of the war with Mexico there were estimated from ten to fifteen thousand Mexicans and Californians, exclusive of Indians.

The emigration of American citizens in 1849 was estimated at 80,000; of foreigners, 20,000. Thus, it appears that California is, strictly, an American State; more so, than several other States of the Union.

It is impossible to ascertain the number of Indians who occupy the surrounding territory. Of these, the remains of their villages at the feet of the mountains, show that they were once a numerous population. Americans who penetrate too far into the interior, not unfrequently fall in with hostile tribes; and a number have been killed by them. Emigration parties have been frequently attacked. These hostile tribes chiefly occupy the mountains, and range over the deserts of the interior.

Mr. King says that the small parties of Indians which he met, scattered through the lower portions of the footholds of the Sierra Nevada, seem to be almost of the lowest grade of human beings, living on roots and acorns, with occasional fish and game. These, he says, have never pretended to hold any interest in the soil, and have not the slightest inclination to cultivate it. They were too indolent to be profitably employed. He supposes that they will disappear from the face of the earth, as the settlements of the whites extend over the country; but that, at present, a very considerable military force will be necessary to protect the emigrants in the northern and southern portions of the territory.

Mr. King's description of the geographical peculiarities of California and the

* All the quotations thus far given, are from the Report, either quoted by Mr. King, or in his own words.

sea which borders it, are extremely interesting; but to give even an abstract of them would expand this article beyond the limits which are assigned to it: a few particulars is all that we are able to extract.

The forests of California, west of the Sierra Nevada, and below latitude 49, consist only of some scattering groves of oak on the vallies and along the borders of the streams; and of "red-wood," on the ridges, and in the gorges of the hills. With these exceptions, and a dwarfish shrubbery upon the hills, which can be used as fuel, the whole territory presents a grassy surface, varied with wild oaks, which grow in the valleys most luxuriantly. As the summer advances, this slender vegetation perishes, and the country becomes hot and desert-like. About the middle of each day, a cold, cutting wind begins to blow from the mountains, loaded with vapor; which, with the dry heats, render the climate at San Francisco, more uncomfortable in summer than in winter. A few miles inland, however, the climate is moderate and delightful. The best climate of California prevails in the vallies, along the coast range. On the vast plain of the Sacramento and San Joaquin, the sea breeze loses its influence, and the alternations of heat and cold are intense and afflictive to the stranger, the thermometer frequently ranging much higher than is known on the Atlantic coast of the same latitude.

A few months of acclimation, however, reconciles the stranger to the climate of California, and he pronounces that of the vallies which are situated between the great plain of Sacramento and the coast range of hill, "as healthful and pleasant, as it is possible for any climate to be, which possesses sufficient heat to mature the cereal grains and edible roots of the temperate zone."

The seasons, as in tropical latitudes, are divided into wet and dry, and will excite no surprise in the inhabitant of a southern State: the winters being extremely mild.

The soil of the vallies which are situated parallel to the coast-range, and those which extend eastward, in all directions among the hills, is deep and black, and of unsurpassed fertility.

There is said to be a rich belt of well timbered and watered country extending the whole length of the gold region between it and the Sierra Neva, some twenty miles in width, but it has not been surveyed, nor accurately described.

Mr. King represents that he considers the plain of Sacramento and San Joaquin covers an area of between fifty and sixty thousand square miles; and capable, under a proper system of cultivation, of supporting a population equal to that of Ohio or New York at the present time. It is, of course, to be understood that a system of irrigation would have to be adopted for this region, during the hot months.

Under the head of products, the report observes that the Californians were a pastoral people, and that grains enough for home consumption only, were obtained by the cultivation of the soil. Formerly there was a very great exportation of hides, but the destruction of cattle for their skins and tallow has now ceased, in consequence of the demand for beef; and the increase of population, and consequent demand for food, is so rapid, it is computed that the entire stock of cattle, supposed to be about half a million head, will be absorbed before 1854. The supply of beef will then be of necessity from the Atlantic States of the Union. "No other country," says Mr. King, "has the means of supplying so great a demand. By the regular increase of her population, at the present rate, California will require 100,000 head of beef cattle per annum from some quarter, to supply the wants of her people." This demand cannot be met by the salt provision commonly put up for mariners. It is found that the use of this food during the dry season produces destructive diseases. There is no climate, says the Report, where flesh meat and vegetables are more essential to human health.

To meet this vast demand for live-stock, sheep and cattle will be driven from New-Mexico and from the western states, and after grazing for a time upon the rich pastures of California, after their journey, they will become acceptable food.

In regard to the cultivation of grains, Mr. King argues from evidence which he considers sufficient, that in the rich alluvial vallies of California, every species of vegetable food may be produced, excepting perhaps, the maize, or Indian Corn; and without that irrigation which is essential

upon plains subject to the continued heats of summer. There is no species nor amount of vegetable production, however, which cannot be obtained from the soils of California by attention to drainage and irrigation.

As long, however, says the Report, as laborers can earn 15 dollars or more per diem, in collecting gold, they can very well afford to import their supplies from countries where the wages of labor are only 50 cents, or one dollar; and this brings us to the most important part of the report, namely the commercial considerations and prospects suggested by a view of the present and future aspects of California, as a country to be supplied by the products and manufactures of the Atlantic States.

The cultivatible land, south of latitude 39°, and west of the valley of Sacramento and San Joaquin, is claimed by such persons as are reputed proprietors of it, under what purport to be grants from the Mexican government. The boundaries of some of these properties, contain two or three times as much land as the grant conveys.

In most of the grants the minerals and metals are reserved to the government, which will perhaps explain the reason why larger discoveries of the metallic riches of the country were not made previous to its possession by Americans, and gives a hint of the true policy to be pursued by the government of the United States. It will be necessary to depart in some measure from the old established customs of government in regard to precious substances found in the earth.

The Mexican law requires that grants made by a provincial government shall be confirmed by the supreme authority in Mexico. Very naturally this requisition has been disregarded; not only because of the distance from California to the Capitol of Mexico, but because the claimants or proprietors, having no particular value for the soil except for grazing purposes, did not think it worth their while to examine into their land titles. There was room enough, says Mr. King, for all. These grants are enormously extensive; bounded by mountains, bays, and promontories, and since the discovery of the precious metals, they have become consequently, of enormous value.

"By the treaty of Guadalupe Hidalgo the United States purchased all the rights of Mexico to and in California;" a purchase which includes not only the land, but the rights of mining, and all that might accrue from the forfeiture of grants of which the conditions were not fulfilled, or through imperfection in the grants.

For the adjustment of these complicated affairs Mr. King suggests the appointment of competent Commissioners, with a power to confirm all rightful titles. The gold region, which is the same with the foot hills of the Sierra Nevada, some 500 miles long and 60 broad, requires also to be brought under a general system for use and settlement. The report suggests the necessity of a new survey as a matter of very great importance, both to the miners and agriculturalists, and, in general, to all land owners and purchasers. The public are not generally aware, that in the interior, even of the Atlantic States, millions of property and years of litigation are lost through the uncertainty of boundaries. We venture to say that an expenditure of $10,000,000 upon an accurate trigonometrical survey of the entire Union, would, in a very few years, save the expenditure of much more than that amount in law suits, and the bungling work of county surveyors. Much more then, is a complete and thorough scientific survey needed of a country like California, where the entire value of property is in land.

In this part of the Report Mr. King suggests the employment of a system of drainage and irrigation for the great plain of Sacramento and San Joaquin, which, he says, when agriculture shall have become a pursuit in California, will make this valley one of the most beautiful and productive portions of the Union; but while the hire of a day laborer is 3 dollars per diem, and grain can be procured from Oregon at 50 cents the bushel, there is no likelihood that the people of California will expend any capital in drainage or irrigation.

Under the head of "commercial resources," Mr. King takes notice that the precious metals are the only products of California; a state of things that must remain as long as the pursuit of gold continues profitable. The gold, as it is taken from the earth, weighed in ounces, is the medium of domestic and foreign exchange Vessels departing from all other ports

bring food and manufactures to the Californians, who pay for them in gold. These vessels, says the Report, will estimate the profits of their voyages by the sale of their cargoes in California. On the arrival and discharge of cargoes, they will become willing carriers of goods sent from California, at very moderate freights. Mr. King supposes that these tendencies will make San Francisco a ware-house for the supply, to a certain extent, of all the ports of the Pacific—American and Asiatic—and for the Islands. He adds that the establishment of a mint in California will bring thither more than ten millions of silver bullion, from other parts of the Pacific coast, to be assayed and coined.

Gold is worth a dollar more the ounce measured by the standard of silver, in New York than in San Francisco ; if, therefore, a merchant of Valparaiso receives in payment for lumber, or other produce, ten thousand ounces of gold in San Francisco, and desires to purchase goods from the United States or Europe, he will gain $10,000 by sending this gold to New York, and purchasing with it there. To carry this illustration farther than it is carried in the Report, let us suppose that goods are sent from New York to California, to the value of $17,000,000 of gold, paid for them at San Francisco. This $17,000,000 of California gold will purchase in New York $18,000,000 worth of goods in that market ; a process to be repeated indefinitely in favor of the exporters, so long as the abundance of gold in California shall continue to reduce its price, and the rapid increase of population keep up the demand for foreign products.

Our Report shows conclusively what we have always contended for, that it is not the gold diggers of California who reap the advantage of the mines. "Those who purchase and ship gold to the United States," says Mr King, "make large profits; but those who dig lose what others make."

The Report argues that San Francisco will become the mart of all exports from the countries on the west coast of America ; these finding no markets in China or other ports of Asia. The products and the manufactures of India, which are required in exchange for them, have to be paid for, chiefly, in gold ; but this gold must be remitted by the India merchant to New York. It cannot be sent to China, gold in China being not used as currency, and valued at only $14 the ounce by the silver standard. The China trade will, therefore, still centre in New York. Manufactures and products of India, carried to San Francisco for the supply of South America and the Islands, will be paid for in gold ; the gold will be sent to New York, (according to our report, which is founded on the best mercantile authority,) and, with it, there will be purchased sterling bills, payable in London. "These bills, sent to London, will be placed to the credit of the firm in China, from whom the merchandise had been received, and who, on learning of the remittance having gone forward to their agents, will draw a six months' sight bill for the amount, which will sell, in China, at the rate of four shillings and three pence, or two pence, the dollar."

The reader unacquainted with mercantile transactions need only understand that by an imperative necessity of trade, founded on permanent differences of prices in the precious metals, the greater part of the gold of California employed in striking the balance of the Chinese and India trade, will flow through New York, and from that port to Europe ; saving what remains, through superiority of demand, in the United States. If the reasonings of Mr. King and the experience of the New York merchants are here correctly given, the harbor of San Francisco will have the control of the commerce of the Pacific, and the merchants of New York will become in future the principal operators between Europe and Asia. A full examination of this part of the Report would have to be accompanied with a treatise on the laws of trade.

The Report dwells, especially, upon the importance of that commerce which is growing up between California and the older States of the Union. Every necessary and luxury has to be imported into California, a country which produces nothing but gold. The ports of the Pacific can supply only a small portion of these. Every species of manufacture that requires an expenditure of capital and ingenuity must come to California from the older States of the Union. The great distances over which they have to be carried already

give employment to a fleet of merchant vessels. The public have heard enough of California prices; we need not dwell upon them here. In the sole article of lumber, in consequence of the demand for houses, it is supposed that the demand will not be less than 20,000,000 feet per annum, at a not less price than $40 the thousand. With a population of 200,000, that is to say before the close of the present year, California will require near half a million of barrels of flour to be supplied of necessity from the Atlantic States; and allowing only $20 worth of clothing to each person, which is not half enough, she will require four millions worth. These estimates are exceedingly rude. The entire value of the trade between the States east of the Rocky Mountains and California will not, says Mr. King, fall short of twenty-five millions, and in five years may reach an hundred millions per annum, at the present rates of emigration.

We give the following quotation from the report without comment. "It is difficult to imagine or calculate the effect which will be produced on all the industrial pursuits of the people of the State of the Union by this withdrawal from them of half a million of producers; who, in their new homes and new pursuits, will *give existence* to a commerce almost equal in value to our foreign trade. Let no one, therefore, suppose he is not interested in the welfare of California; as well may he believe his interests would not be influenced by closing our ports, and cutting off intercourse with all the world."

Mr. King shows, conclusively, that even the article of coal will be powerfully affected. He supposes that the coal from the United States will compete successfully with the coal from Vancouver's Island and from New Holland. That the construction of a railroad across the Isthmus of Panama will secure the market for these articles against all competition. With the railroad, communication between New York and San Francisco can be effected in twenty days.

Mr. King's description of the gold region agrees very nearly with the information which has already been conveyed to the public through the news writers. He supposes that the average earnings of the gold diggers are about an ounce, or seventeen dollars the day; which will give an amount of $40,000,000, collected during the gold digging season of '48, '49; one half of which was probably collected and carried out of the country by foreigners.

Mr. King advises that a system of licences to gold diggers be adopted, the property of the soil remaining in the nation that; each man, on the payment of a certain sum, say $16, be permitted to dig for one year: a tax which would give a revenue from 50,000 miners of $800,000. The entire country will have to be surveyed and laid out; the system will involve the establishment of a military force and a police with sufficient regulations for its enforcement. During the mining season of 1849, more than 12,000 foreigners, mostly Mexican and Chilénos, came in armed bands into the mining district, bidding defiance to all opposition, and finally carrying out of the country some $20,000,000 worth of gold dust, which belonged by *purchase* to the people of the United States.

We are glad to perceive in the above language of the Report, a clear recognition of the true and only title by which these territories are held.

By whatever right, to use the word 'right' in the technical sense, a possession may have been acquired; by that same right it must be held. If the acquisition is a conquest and founded upon force, it must be maintained by force; and there is no violation of any right or title in it, by the attempt of its former possessor to reconquer it. It is barely possible that these armed bands of Mexicans are as ignorant of the true foundation of our title to California, as these Democratic Senators and Representatives who publicly speak of it as a conquest. We conceive that neither the Mexican invaders who have carried away the gold from the mines, nor their democratic orators have a right appreciation of the means by which the territories of California and New Mexico came into the possession of the United States. According to our understanding of the matter, the war with Mexico was gotten up for the express purpose of wresting these, and as much other territory as might be seized upon, from their ancient possessors, without even the pretext of a bargain or equivalent. Their

grand attempt to involve the entire nation in the disgrace of so deliberate a piece of wickedness met with a most signal failure. Public opinion rose against them, and by the steady opposition of the Whigs, they were obliged to cover their retreat out of this villainy by offering such terms as Mexico might reasonably accept, and without disgrace to herself. The new territories, it is to be eternally remembered, are by no means a conquest, but a purchase; and the right and title of the people of the United States to these territories is founded upon value received, and is good in the eyes of the law. Mexican and Chilinean invaders, have therefore no pretext nor precedent, thanks to Whig influence, for carrying the gold, by main force and arms, out of the territories which have been purchased by the people; and if the Mexican government itself abets such proceedings, we shall by and by have a *casus belli* for the war faction, which they will doubtless enforce, as becomes them, with the arguments of a very high-toned morality.

The report continues: "They may with as much right gather the harvest in the valley of the Connecticut, the Ohio, or the Mississippi. No other nation, having the power to protect its treasure would suffer it to be thus carried away. I would not allow *them* (the foreigners,) to purchase permits, or work vein-mines, because the contributions, proposed to be required, are so moderate they will not cause the slightest inconvenience to the miners, and are not designed as an equivalent to these privileges. Foreigners, therefore, would willingly pay their small sums for permission to collect and carry away millions of dollars in value. The object is not only a suitable revenue, but to preserve, for the use of our own fellow citizens, the wealth of that region. The system of permits will make all who purchase them police officers, to aid in excluding from the mines all who are not entitled to, or who do not procure them, and to prevent deserters from the army and navy from being protected in the mines. Sailors belonging to the mercantile marine would be thus prevented from violating their engagements, and the commerce of the country preserved from the disastrous consequences of the abandonment of ships by their crews."

The report concludes with several important suggestions. Mr. King shows the necessity of a powerful military force to be established in California with the least possible delay; of an efficient harbor defence, in case of war; of the establishment of a mint; and completion of the rail way across the Isthmus of Panama. The establishment of the mint he regards as of great importance to draw to San Francisco the 10,000,000 of silver bullion which are annually sent from Western Mexico to Europe. At San Francisco it would then be advantageously exchanged for gold coin, or would be coined itself to fit it for the Chinese and American markets, to aid in substituting Chinese and American manufactures for those of Europe.

Mr. King estimates that 50 millions of gold will be dug during the current year. He supposes that the entire difference in the price of gold between New York and San Francisco, will be saved to the miners by the establishment of a mint; but it is clearly impossible that mere coinage should make gold at $16, worth $18 the ounce, or that the coinage should add even five per cent. to its value.

At the very lowest estimate, the increase of emigration in California will create there a population of at least 100,000 of American citizens during the year 1850, if, indeed, there is not already as great a number to be found there. It is not too large an estimate if we allow for each man an outfit and expenditure of $500; by which it will appear that more than 50,000,000 of personal property have been carried out of the United States into that colony. An equal amount must be added for the sustenance of the population during the year 1850; and as much more for the expenditure of the previous year. The expenses of the colony have then already reached the enormous sum of at least 150,000,000. It will be safe to add at least 5,000,000 more for the employment of sailors and shipping, and the various contingencies and losses attending such an expensive adventure. If the entire cost of the war, including the purchase money of the territories be estimated at 75,000,000, and one third of it put to the account of California, the price of that colony has risen, within two years, to 180,000,000. But if the 100,000 citizens

who have gone to California, had remained at home, they would have remained here as producers. Let us suppose that each of these would have earned $200, during two years, which is certainly not too high an estimate; that is 20,000,000 of actual production, lost in time and labor; and the new colony of California will now have cost the United States, in the brief space of two years, 200,000,000.

The remittances of gold to the United States have not, if we are rightly informed, much exceeded 15,000,000, and that sum is, by many, thought to be too large an estimate. Let us suppose, that in addition to this, 5,000,000 of profit have been realized by exporters and traders; there is 20,000,000 for the first year, to the credit of California. Now, by Mr. King's estimate for the current year, 50,000,000 of gold will be dug in California during the year 1850. There is 70,000,000 to the credit of California. But no, this estimate is too large; it is not to be supposed that more than 30,000,000 of the proceeds of the current year will be sent to the United States; leaving only 50,000,000 to the credit of the new colony for the proceeds of two year.

It is impossible to come to any other conclusion than this, that this new colony of California has cost the United States 150 millions in personal property and the labor of its citizens, for which no return or profit has been received; that is to say the colony has cost $1500 per man. We have sent away 100,000 men, and with each one of them $1500. It is impossible to escape from the conclusion.

A great deal has been said and written in ridicule of English colonial economy. It is a fair subject of doubt, however, whether England ever sent out a colony more costly for the time of its duration than our Californian one.

We are, therefore, to conclude, and our conclusion is well fortified by facts which have been communicated to us through several adventurers who have sought their fortune in California, that the rapid fortunes made there are, by no means, as some have imagined, taken out of the earth with spade and pick-axe, and by strength of hand. In newly settled countries more than in any other, sudden augmentations of the value of land, and of professional services, give opportunities unknown in other countries for the rapid accumulation of wealth. This accumulation is by the transfer of the wealth of many into the hands of a few. The usual causes of inequality existing with far greater intensity than in other communities, their effects are increased by the carelessness and ignorance of new comers, whose property slips easily through their hands and falls into the purses of those who stand ready to appropriate and use it. It is only after severe losses and bitter sufferings, for the most part, that the poor and inexperienced colonist is able to establish himself in tolerable comfort. As California is described to us by eye witnesses, nothing can exceed the waste and reckless profusion of those who meet with a sudden turn of luck in the great lottery of the mines. Their fortune is shared with them by their brother adventurers, who have had the wit to engage in easier but more ingenious kinds of speculation.

Let us suppose that, by a kind of miracle, the entire population of California, together with the one hundred and fifty millions which have been sunk during the two years enterprise of that colony, could have been converted into an agricultural community, and transported to the interior—let us say, of Ohio, or Pennsylvania. One hundred thousand farmers, with each a capital of $1500! Each one of them might safely undertake to put the one-half of one hundred acres of wood-land in good order for cultivation, and in five years to convert fifty of those acres into rich and full bearing cornfields and meadows. Five millions of cultivated acres, producing each $20 worth of produce. There would be already created an annual income, to this agricultural colony, of 100 millions; needing only to have suitable roads to convey the surplus of their products to market, and the establishment of manufactures with a portion of that surplus among themselves, to convert them into one of the wealthiest communities in the Union; living, not as our unfortunate Californian brothers now live, in danger of malaria, murder, starvation, and every species of natural accident; deprived of home, comforts, and all the aids and consolations of a peaceful society; but living, as men should live, civilized, organized, and in peace.

The spirit which possesses a large portion of the American people at this time, seems to possess it, like an eccentricity of genius, or like the blindness of a Samson; by its own folly it grinds in the mill of poverty and destitution, and he who grinds is not responsible for himself alone; he compels others to suffer with him. He compels others, by the share which he bears, as a practical legislator in the affairs of his country; he legislates practically by his vote; by his vote he throws down those natural protections and barriers, peaceful, but insuperable barriers, which may be erected by the laws against the hostile enterprise of other nations, more adroit, and steadfast, and far-sighted than his own. And by this perverse spirit he is driven out, like Ishmael, with his tribe into the wilderness to fall a prey there to the harpies that haunt *untilled lands.* With agriculture alone, such is the eternal law of progress, begins the enduring prosperity of communities. Upon the shoulders of that Atlas the sphere of civilization rests with its full weight.

He and his tribe must go into the wilderness, because at home they have shut their eyes and set their teeth against the only means of prosperity. They will be free traders,—they, or to ruin they will go. They are martyrs, forsooth, for a principle.

Let us now suppose that, by an opposite system of legislation to that which has been now, for twenty years, pursued, not one hundred thousand unfortunate adventurers, but ten times that number had been suffered to find employment for their strong hands, their free and ready genius, and their quick wits, in new modes of industry, in the heart of the old States. In two years, by the imposition of 25 millions upon the entire country, in the shape of duties, would not four times that amount of value have been created, by new shapes of industry *protected*, and springing up vigorously in all the towns and villages of the Union? whereas now, under our free trade legislation, and our sad and terrible spirit of Ishmaelitism, of desert wandering, of gold hunting, and robbery, and conquest, we have incurred already some 75 millions of unavoidable taxation, with interest, and as much more, at the last estimate, in personal property taken away from us to be sunk, and forever buried and consumed on the slopes of the Sierra Nevada. Barren, deceitful, burning country, the country of diseases, wasteful, unfortunate country; cursed, like a young heir, with an inheritance of gold, which it must waste, and spend, and devour, until all is gone, before it can assume the garb and the habit of severe, honest, and saving industry?

Such, however, is our fate. The steed will run away; and while he does run, we can only guide him. Since extension is the rule, let us make the best we can of it. If, by a false and injurious system of legislation, we have driven our brothers into the wilderness, let us do all we can for them where they are. Let us make their fate bearable; infuse into them a spirit of humanity, and of kindness; extend over them the protection of the happier and more powerful States; give them every assistance in their attempts to organize themselves, and encourage all their efforts to build up a secure and peaceful State. They must come into the Union, sooner or later; every man knows that they must be brought in, with or without their anti-slavery provision; it makes no difference.

Legislation is the highest act of which men are capable; it should, therefore, as its effects are the most momentous, be the clearest, and the least doubtful. It is certainly unfortunate, not only for California but for the nation, that the question of her admission should, in all these proceedings, have been confounded with other, and wholly irrelevant matters. What we desire to see accomplished, during the present session, is, first, the admission of the new State, not with reference to any system of encroachment upon the rights of the South,—for the admission is no part of any such system, nor can be made such a part,—but simply, because it is right and necessary for the prosperity of California herself.

The next thing which we desire to see accomplished is the immediate and effectual abolition of the slave traffic in the District of Columbia. Were it our part to do so, we would bend every effort toward the removal of this sore and canker on the body of the State. We would not suffer that question to be entangled with any others. Thirdly, and as insubordinate in importance, we would endeavor to accomplish the establishment of an effective government for the terri-

tory of New Mexico; not with any reference to the question whether she should become, or should not become, a slave State in future, but only because it is just and necessary that such a government should be established. We would not revoke the ordinances of the Mexican Government, but leave the law as it is, and give the people full liberty, and every advantage for the formation of a new State, under such a Constitution as might please themselves, and not us.

The settlement of the boundary question between New Mexico and Texas, ought not to interfere, and cannot interfere with the duty of the general Government. Let an arbitrary line be drawn, and all without that line be left under the protection of the Texan Government. If a line cannot be agreed upon, let one be assumed as debateable, and subject to litigation before the Supreme Court; let the bill be so framed as to leave open the adjustment of the line; let the territorial government be merely a protective and temporary government; but still effective, and sufficient for the purpose; let the bill by which it is established be unencumbered by any species of proviso, and made good, by and for its own reasons and necessities, and separately enacted into a law.

The present policy of the Southern Senators is, to hold up continually, and to reiterate, the constitutionality of the designs of certain Northern agitators. They agitate in every shape certain propositions and principles as well known to, and as deeply rooted in, the minds of Northern politicians as their own. The North does not need to be informed of what the South is continually assuring them.

Resolutions to the effect that Congress has no power to abolish slavery in the District of Columbia; that Congress ought not to abolish slavery in the ports and dock-yards of the United States, serve only to waste the time of the Senate and to exasperate the passions of both parties. To become a portion of the fundamental law, they must pass through both Houses, under the conditions required by the Constitution. And unless such an enactment could be accomplished, they are of no value, except to such agitators in the North as will use them as a powerful political lever to break up the old party lines and engage the more ignorant part of the people in a crusade against Southern institutions.

It is a pity, it is a thing deeply to be deplored, even if it cannot be helped, that Southern Legislators should insist upon this hashing together, and making an indistinguishable mass of things, which, by their nature, refuse to be conjoined, and which have a separate importance and interest, and require to be treated, each, from the view of its own facts and its own consequences. If it is admitted to be a desirable thing—and who denies it?—for the new State on the Pacific to be made a member of the Union, the admission of that State does not become a precedent against the South. The nature of the necessity is such as to put aside every species of compromise. We cannot draw a line through California, dividing her population into slave-holding and non-slave-holding. We cannot identify her citizens with those of New Mexico. We cannot fix a law upon the people of New Mexico compelling them to admit slave-holders, as a condition of being themselves admitted to the Union.

If, however, it is impossible by any other course to pacify the heat of the two factions, let us, at least, move expeditiously and promptly in the course adopted, using the greatest care in this new kind of legislative joinery, to unite only such parts as will adhere.

A bill, boldly constructed, and forced through the Senate, may be rejected by the House; and then, we are no better off than at first. Indeed, we are worse off than at first; the political effect would be worse. Were a bill simply for the admission of California rejected by the Senate itself, the blame would rest, where it belongs, and there would be no charge against us for temporizing, or mincing, and encumbering the question.

It seems to be a very general opinion, among those who have kept an eye upon the proceedings of Congress, that no separate and independent bill for the admission of California will be allowed to pass the Senate at this session; that every bill for the admission, of necessity, will be encumbered, previous to, or during its passage through the Senate, with a provision for territorial governments in New Mexico without

any clause for the prohibition of slavery. In the House on the contrary, the intention of the anti-slavery proviso prevails so far, it is held certain by some that every encumbered bill of that character will be rejected, and that, consequently, California will not be admitted into the Union as a State, during the present session.

The results of such a course of legislation, or rather of non-legislation, or refusal to legislate, when the spirit from which it rises comes to be considered, will be disastrous not only to the South in particular, but to the tone and harmony of the nation. As for its effects upon the people of the territories and the West generally, their alienation cannot be doubted. In California, as well as in Ohio, it will create an intense and peculiar hostility. In New England, the effects of such a conduct are equally certain. In the South itself it cannot fail to produce, in time, a violent reaction against itself. In a word, it will everywhere arouse and fortify that spirit of innovation and of hostility to Southern institutions which has lately appeared in such a formidable shape, but which might have been annihilated, and may yet be annihilated, perhaps forever, by a single act of magnanimity on the part of the Senate. At the end of this long and idle session, during which not a single measure of national importance will have been adopted, a feeling of disgust will spread itself over the country, and a sense of the necessity of sending other and more forcible men to do the work of legislation, will take strong possession of the people's mind. In every village, throughout the entire Union, there will be a struggle. In two-thirds of these, there will be a visible decline of favor to the South, and a loss of power in the struggle. The mind of the people is not yet fully made up; they are willing to concede to Southern Senators, those qualities of magnanimity and that spirit of liberality in legislation to which they have hitherto laid so exclusive a claim. Let this feeling of involuntary respect for Southern men and their ways, which has come down to us from the days of Washington, be once fairly eradicated from the popular mind, in the North and West, and there will ensue such an overturning, such a sudden inequality and change in the much desired balance of power as will give a shock to the entire system of the Union. The stone will roll along the other slope. Political power will cease to emanate from Southern centres. The heat of the Northern will then exceed and subdue that of the Southern fire; and we have fixed the date of a new epoch in party history.

Opposition to slavery is by no means a fluctuating, but always a steady and increasing motive in our national politics. It cannot be extinguished; it cannot be subdued; it cannot be even diminished the minutest fraction of a thought. Every word that is spoken contemptuously of it, infuses into it a fresh life and vigor. Every opprobrious epithet heightens its crest. As it is fanatical, it is thick-skinned and dangerous. As it is allied with superstition, it is popular, and pervading. As it is a perpetual leaven, it is used on all occasions to leaven every species of agitation. Like the Greek fire, it burns in all elements: it burns in the Southern as well as in the Northern element; there is no condition of society which refuses to wear it, or which does not imagine that in assuming it, they have won a new claim upon the favor of God. Its movement is the Crusade of the day.

Viewing these things in such a light, the opposition of some injudicious legislators to the free introduction of California, because of that one clause which she has incorporated in her constitution, sounds to us like what is sometimes vulgarly called a tempting of Providence. Could the South be made aware of the immensity of the mischief which these noisy partizans are pulling down upon her head, we have confidence enough to believe they would be silenced by their constituents.

A committee of thirteen of the most experienced and respectable members of the Senate has probably by this time been appointed to take into consideration not the expediency of admitting the new State, (for upon that point the majority seem to be agreed,) but of joining to the instrument of admission certain other legislative provisions.

Mr. Clay will doubtless be made chairman of this committee, as the movement originated, or, at least, is mainly supported, by him. At former epochs, the most severe and dangerous, he has identified himself with the policy of peace and na-

tionalization, and by his skillful management of the most dangerous controversies, has well earned the title of Pacificator of the Union.

Let us make a rapid survey of a part of the ground which would have to be occupied by such a committee.

Their first and prime object is the pacification of parties, by the removal of the causes of aggravation. This we understand to be the object of such a committee.

It would be a committee of conciliation, and not of sacrifice. Those who are opposed to the extension of slavery over the new countries are not expected to bate a particle of their opposition. They will have indeed to be reminded, that by the terms of her annexation Texas received no boundary; and that she has a right to ask for such a boundary as will enable her to carry out the other conditions under which she consented to blend her nationality with our own—namely, the condition of forming two or more slave States out of her territory.

If the demands of California for admission are pressed by one side of the committee, the conditions of Texan annexation will be offered by the other.

The attitude of the committee is the attitude of the entire nation. The entrance of Texas into the Union was opposed by the people of the North from no very refined consideration, but mainly because she was a slave power. The entrance of California is favored by the same party for the opposite reason, namely, that she is *not* a slave power.

From this injurious eagerness and strife of factions may be derived a conclusion as solid as the Constitution itself, namely, *that the particular condition of a certain portion of the inhabitants, blacks or aborigines, in any new State asking admission to the great fraternity of States, makes nothing for or against its admission.*

"The African race, bond and free, and the aborigines, savage and civilized, being incapable of such assimilation and absorption remain distinct, and owing to their peculiar condition they constitute inferior masses, and may be regarded as accidental if not disturbing political forces." The presence or absence of such a disturbing political element cannot be made a ground for the expulsion of a State from the Union, or for the refusal to admit one.

A committee of the entire nation, they would concede at once the propriety of admitting a new State, without regard to any policy which she might adopt for the government of the inferior races.

An unsettled boundary between nations is usually, sooner or later, a cause of war. Had the boundary between Texas and Mexico been settled by the peaceful arbitration of the United States, previous to the act of annexation, there would have been no war with Mexico. California and New Mexico might have come peacefully into the the Union by treaty and purchase, after the precedent of Louisiana and Florida.

It is a part of wisdom, therefore, to weigh well the contingencies of every measure of annexation, before it is adopted, even of this favorite admission of California.

Unless the admission is accompanied by measures of conciliation on the part of the Northern faction it will be regarded by the South as a political conquest—a victory by the power of numbers, and will breed bad blood, and strengthen and intensify the factious hatred of the Southern party.

Were the measure one of vast and obvious benefit to the North, it might be carried *vi et armis* on the plea of mere advantage. But no pretext of the kind is offered. It is merely a triumph of the non-slaveholding States, beneficial to them only by the remotest contingencies. To the nation as a whole, on the other hand, the admission of the new State is to be regarded as of the first importance. A committee of the entire nation will look upon the admission, in itself considered, as a measure of national necessity.

As a national measure it must be accomplished in a spirit of peace, of union, and of nationalization; and, consequently, as it carries with it the odium of a political or factious victory, enough of concession and compromise would be demanded by the Southern half of the committee to annul and do away with all factious advantages on the other side.

To effect this end, there would doubtless be an effort to join with it: 1st, An acknowledgement of the claim of Texas to a share of territory sufficient for the accomplishment

of the terms of annexation. All that is desired by the Southern half of the committee in regard to Texas is such an adjustment of the boundary as will suffice for the fulfillment of these valid and binding conditions, so as to put them beyond the reach of violation.

2d. The establishment of a territorial government in New Mexico. The extreme party of the North wish to have a law passed by the General Government, prohibiting the introduction of slaves into the new territory; they wish to extend the protection of the ordinance of 1787.

The majority of the inhabitants of these territories are, it is well known, opposed to the introduction of slaves; upon them the responsibility ought to rest. Let them have a territorial organization, as the first step toward the formation of a State. Once organized they will act their own pleasure in regard to the introduction of slaves.

In view of those future annexations of territory which must follow rapidly upon the settlement of such as we already possess, it is highly impolitic for us to attempt any direct legislation upon this point. All that is demanded by the South, namely, that the territory of New Mexico be organized without prohibition or recognition of slavery, may be safely granted by the Northern party. Once a territory, New Mexico will rapidly become a State, and her admission will add no strength to the faction of the extreme South. There is hardly a possibility of her coming in as a slave State, and by her free entrance and that of California and Eutaw, the precedent is forever established, as the basis of our future "colonial system," of admitting new States upon the original footing, as *free colonies*, bringing with them their own colonial institutions. By this policy we establish forever the system of independent sovereignties, the system of the constitution and of union. The prohibition of slavery by law in New Mexico, would stand, upon a turn of parties as an infallible precedent for its establishment by the same authority in Cuba, or in some other new State. Let us never lose sight of the contingencies or rather of the certainties of our future. State after State will have to be admitted, until the continent is absorbed. What a dreadful future will that be, if we adopt the temporary strength of faction, as the guide of our colonial policy: Abiding, on the other hand, by the free policy of the old thirteen colonies, by which every member of the nation was brought in sovereign and independent, how peaceful and glorious the prospect of that future!

Such, if we have rightly surmised, would be the considerations that would actuate a committee of the more moderate and patriotic statesmen of both parties, assembled for purposes purely pacificatory and national. Other considerations would, of course, be submitted to them. They will be required to report upon the expediency of abolishing the slave traffic in the District of Columbia, a measure purely advantageous and calculated to stifle perhaps one half the anti-slavery agitation.

Other difficult questions would be submitted to them to be discussed and reported on, in a spirit at once constitutional and conciliatory. But it would avail nothing to connect them with those more important and momentous ones which have passed under our view. Such forced and unnatural alliances would serve only to exasperate the opposition of the more popular branch of the legislature and retard their accomplishment for another year.

USES AND ABUSES OF LYNCH LAW.

WHOSO SHEDDETH THE BLOOD OF MAN, BY MAN SHALL HIS BLOOD BE SHED, is a doctrine derived from that authority, which is the acknowledged foundation and cornerstone of all law among Christian and God acknowledging nations. Nor is it, by any means, confined to them; the Mahometan, the Armenian, the Worshipper of Bramah, the fire adoring Persian, the imaginative Indian,—all recognise it, although ignoring the source whence it is derived.

But is there no modification? There is. The spirit of a law must be regarded in preference to its letter, and the spirit of this law, emanating directly from God, and endorsed, almost universally by man, is against *murder*—cold-blooded, deliberate murder.

In the anticipated fate of the criminal, sickly sentimentalists lose sight of the crime, and the day has not yet passed when women, who would appear to much better advantage in their legitimate sphere, darning their husband's stockings, or preparing the family dinner, throng the court-rooms, shed tears of false pity, call meetings, circulate petitions, and, more ridiculous and disgraceful still, send notes of sympathy, encouragement, and condolence, perhaps even a bouquet, to felons, provided always their crime be of sufficient magnitude to merit such distinction.

They have set up, as an axiom and a text, that *the worst use you can put a man to is to hang him.* We do not know about this. To turn a man in form, but tiger in heart and habit, loose upon the world, is rather worse than to mete out to him the punishment which he has deservedly merited, according to our mode of thinking.

Shut him up in a penitentiary? and for what purpose? To remain there one, two, or three years; then to be used as a political engine by some time-serving Governor, who, to secure a score of votes, would turn the tiger free, to glut him with fresh spoil, not improved in feeling, or character, by his association with those like himself, but emerging again among men, no longer his fellows, with embittered feelings of hatred and revenge toward the whole human race.

When you can build prison walls so high that no criminal may scale them, enact laws so stringent, that no minion of office can trample them under foot, for his own, or his party's advantage, find jailors so honest that gold cannot corrupt, or sympathy and pity tempt, and formed, too, of such stern stuff as to exempt them from danger in the attack of an infuriate demon; then, and not till then, abolish, in toto, capital punishment.

We hear much, of circumstantial evidence, of the suffering of the innocent, and the escape of the guilty; but not one iota of truth exists in one case of one hundred. Every idle tale of a penny-a-liner, every silly coinage of the novelist's brain, is picked up, announced as startling evidence, made capital of, and treated as if it were as true as the Holy Writ. The fault exists—for fault there doubtless is, and not so much in the punishment of the innocent, as the acquittal of the guilty—in our laws, in too hasty decisions, in bringing men to trial before proper evidence is procured, or the case correctly understood; and in discharging them—judge and jury knowing them to be guilty—because sufficient testimony cannot be obtained to satisfy the technical scruples of the law.

We have, perhaps, strayed from the legitimate purpose of this article, which was not intended to consider capital punishment in the abstract, but simply the application, more or less severe, of Lynch Law. To proceed with our proper subject; the first step is to endeavor to impress upon the

reader's mind, as well as we may, the condition of the inhabitants of a newly-settled Territory or State.

These, we think, may be properly divided into four classes. First, the hunter and trapper, far, very far, in advance of civilization; mixing with the Indian, and, frequently, without anything like a regular home or shelter. To these, we might perhaps add the Indian traders, and then the class would be numerically so small, as scarcely to be worthy our present consideration.

The second class comprises the backwoodsman,—the true pioneer,—always to be found upon the very verge of civilization, forming, as it were, a living wall of defence and protection between the settlers and the tribes of Indians.

Class the third embraces those residing in, and thinly scattered over the outer ring of the settlements, usually cultivating their own land, generally small planters, or stock raisers, and composed of very heterogeneous materials; honest men, tempted there by the love of a new country, or a desire to purchase land cheaply, and, among them, outlaws, desperadoes, and rogues of all degrees. It is among the third class, that the so-called Lynch Law, is of more frequent occurrence.

The fourth class embraces the inhabitants of the more densely populated portions; of the towns, &c. Of the first class we have little to say; living entirely beyond the reach of the arm of the law, they soon become almost Indian in their habits and feelings, but are, upon the whole, a most useful class of men in a new country; serving as they do, for spies, guides, and soldiers, of incalculable value, in case of troubles upon the frontier, which alone drive these men, in a body, back upon the settlements.

The backwoods-man is a character as little known as appreciated among us. Rude are they in manner, language, and dress; avoiding the settlements and busy haunts of men; when they find the tide of emigration setting in around them, they evade its first rippling waves, by plunging deeper and deeper into the forest. Now, what may be the cause of this? It cannot be crime that drives them from their fellows, for crime and a bad conscience compel the miserable wretch to seek relief from reflection, in the society of men like himself. It is a far different cause,—or, rather, combination of causes,—that produces this result. Many a frontier-man, rough and rude as he may seem, yet bears within his bosom the germ of true romance and poetry. He seeks a retirement where he can enjoy Nature and a simple life, uninterrupted by the noise, disputes, and, worse than all, the, to him, hateful conventionalities of his fellows. In *his* mode of life is a wild but lofty spirit of independence, which, once tasted, can never be forgotten, and, indeed, it would seem that all men are prone to retrograde from what we call "civilization."

The conventionalities of the world are so many chains and fetters to the free spirit, which necessity has thrown over, and bound round, those who compose what is termed society. As a proof of this, you will seldom find a person, who, either of his own free will, or from stern necessity, has passed sufficient time among the woods and wilds, to properly accustom himself to, and appreciate them, that is ever willing to return to the crowded city, and busy haunts of men; whatever may have been his previous station, or rank, in the walks of life.

Those hosts of adventurers who rush to our new States, seeking fortune or fame, belong not to this class. Their wishes can only be obtained among crowds; they but hasten to anticipate their arrival, and obtain an early and sure foothold. Their approach heralds invariably the departure of the pioneer.

The desire to be alone, amounts with him in fact almost to monomania; although the stranger, whom chance, curiosity, or misfortune may have thrown in his way, is welcomed to his hut with unostentatious, but genuine hospitality and kindness. They are glad to see him, to glean from him news of the busy world without, and *here* they feel that he cannot be their superior.

Perhaps, after all, the "*aut Cæsar, aut nullus*," may be at the bottom of their idiosyncrasy.

The most eminent divine, the shrewdest merchant, the most subtle advocate, would soon learn that the talent, scholarship, or capacity for business, which gave him name, consequence, and wealth among the

multitude, was but a useless bauble there, and if he were wise, would hide it, like honest Robinson Crusoe's lump of gold, until circumstances again might place him in such a situation as to render it valuable. Soon would they learn to look upon the man, as being at least their equal, who, without chart or compass, can steer his undeviating course through the trackless forest and over the boundless prairie; who, with his never failing rifle supplies his family with food; who, without aid of tailor, hatter, or shoemaker, prepares his own rude and simple but appropriate dress; who, hourly accustomed to danger, looks upon it not as a cause for fear, but for immediate and skilful action.

They would soon learn to respect him, whose sole dependence is upon himself and his Maker, looking not to man for assistance and advice, but trusting in a cool and correct judgment, and arm nerved by healthful exposure and toil, and an eye and ear almost as true as those highly gifted individuals in the fairy tale.

This class of men form a western barrier more firm, more efficient, and more to be depended upon, than the boasted wooden walls of England. They are increasing every day, and will continue to increase, until the tide of civilization shall have overwhelmed all the vast West in its ever advancing wave, and then, as others have already done, they will spread to the North and to the South, to prepare new ground for the multitude, to conquer new territory, and again to leave, until driven to the extreme verge, they are finally engulphed by their remorseless and insatiate adversary.

As the Indian retreats, step by step, in his very foot-prints, follows the pioneer, who, in his turn, is forced ever onward by those with whom he has but little more community of feeling than with the Indian himself. It is the chase of human waves upon the sands of life.

Among the pioneers the outlaw is seldom found, and if he should venture, he must mend his manners, or meet with short grace and a sure rifle ball; for much as the wild woodsman despises the law and its emissaries, the hatred of its constraints bear no comparison to the intense disgust with which he regards crime. Theft is with him a sin of magnitude, and murder is punished according to the Indians' code.

As we have before said, the necessity of inflicting speedy punishment upon the guilty, exists more particularly among the thinly scattered settlers and planters inhabiting the frontier counties of a new State.

With the question of capital punishment, among us of the Atlantic border, or any of the more densely populated States, we have nought to do.

The reader will, perhaps, think that we are taking an unwarrantable liberty with our subject, in creating a distinction between the operations of regulators, and the results of proceedings in criminal cases, in which the entire population of a section or district take part; but as we have given our article the title of "*The Uses and Abuses of Lynch Law,*" he may, if he choose, include all "regulating" among the *abuses* of the system.

In the meanwhile we crave his patience until he shall have heard our reason for establishing this distinction.

In border counties, where there are no jails within whose limits criminals can be confined, what shall be done with them?

Desperadoes, and villains of every degree, in the South West are far from solitary in their habits, but will be generally found to be connected with a host of others, ready to assist them in any infamous project, or to shield them from the consequences, and interpose between them and the arm of the law.

Where there are sufficient numbers of such outlaws in a county, they will seldom shrink from a trial. Never, in fact, unless the crime be one of so heinous a nature, and so certain to be established against them, that they fear the personal interference of the people, in case the law should fail—as it almost invariably does—to fasten the guilt and inflict the punishment upon them.

They may completely set the law of the land at defiance. Witnesses will be found to prove any thing required in favor of the prisoner, and against the testimony for the prosecution; juries will be packed, officers bribed, the little county town filled with noted desperadoes from far and near, usually, perhaps, without any apparent organization; but their presence is felt, and their purpose well understood.

Juries, witnesses and lawyers, are too often overawed; and in the law there is no remedy, on the contrary, too often the law is a very protection to the criminal.

There is no possibility of improvement, for the moment the clan have obtained and exhibited a supremacy in any county, from that instant they will increase in numbers and in boldness, until it is certain death to any who may attempt to prosecute them, or even mention their misdeeds.

Then, every honest man must either submit patiently, and without complaint, to their aggressions, receive with the appearance of warm hospitality, greet with the semblance of friendship, welcome to his cabin, his table, and to the society of his wife, his daughters, and his sons, men whose hand he knows to be stained with blood; or he must sell out his homestead, at whatever sacrifice, and move far away.

To obviate this, the only practicable mode is, upon the first appearance of crime of sufficient magnitude, that the whole body of settlers near should rise, arrest the criminal, try him impartially and justly, then mete out to him such punishment as their own common sense and correct ideas of right and wrong may dictate.

For murder, the punishment is invariably death; for other offences, usually an order to quit the county forever. In such cases, assistance is frequently extended to the family of the culprits, in the disposition of their farms, and in the moving of their household goods and cattle.

Which of the two is the wiser course? by one single act of justice—when law cannot be depended on—to free the county forever from the danger of becoming a den of thieves and murderers, or by tamely submitting allow the villains to obtain such a foothold that, in the end, the honest portion of the community are forced to call upon the adjoining counties for assistance, and the power of law is only restored and asserted after a bloody and protracted battle.

The system of "regulators," and their ever concomitant opponents, the "moderators," WILL NOT DO, and as soon as two regularly organized parties are found to exist, it is the part of every wise man—who has due regard for his life and peace—to move, at any sacrifice.

So often has the plan of "regulating" a county been tried, and so fatal have invariably been the results, that the very name of "regulation" has come to be considered as one synonymous with that of murder and robbery.

Perhaps, in most instances, the first intention was a correct one; but when a few men are banded together with the intention of controlling many—of administering justice to, and inflicting punishments upon, their fellows, according to a code they themselves have laid down, and this without the slightest semblance of legal authority; abuses do not creep, but walk boldly and bodily into their system.

It is not the action of an entire section of the settlers, who, incited by the commission of some heinous crime, or aggravated by the perpetration of numerous petty offences, rise with *one* feeling, and as *one* man, punish the offender.

The true history of the "rise and progress" of all "regulating" and "moderating" may be given in a few words.

A few influential and determined men club together to reform a county, or to prevent crime, *ab initio*. Too often their proceedings are in secret, and the punishment which has been decreed to the offender, is administered by a party in disguise.

Such proceedings must necessarily awaken distrust and fear, among the more quiet of the settlers; while the rogues, whose characters are not yet known, hasten to obtain admittance to the corps of regulators, both as a shield against enemies, and a cloak to cover their own misdeeds.

Ere long the vindictive actions of the party, or the rascalities of its members, call down upon them the indignation of the rest of the county, and a counter party is got up, nominally to keep the regulators in check.

The last formed parties are called moderators, and invariably contain all the spare rascals in the county, whom the regulators have not already received into their ranks.

From this moment, a deadly feud commences between the two, and ere long the war is conducted with such ferocity, that two persons of opposite factions seldom meet—where there are no witnesses by to tell the

tale—without a combat, often fatal to one at least.

Some few years since, in one of the border counties of Texas, the two factions met in force. A regular battle ensued, in which forty or more lives were lost; and the disgraceful affair was only terminated, and peace restored, by the marching a strong force from San Augustin.

To give the reader some idea of the consequences of the system, we will state that to our knowledge, in the county of Harrison, in Texas, is a small stream, or bayon, known as "Widow's Creek," and upon its side, within a distance of five miles, are living—or at least *were* a year or two since —twenty-five widows whose husbands were all slain in this unnatural warfare; and that upon the plantation of a gentleman of our acquaintance—in the same county—are the graves of five former occupants of the land, who all have perished with ball or knife.

Marshall is the shiretown of the county, and it would strike a member of the Peace Congress with amazement, could he but see the appearance of the men who visit it upon a public day, armed as they are verily to the teeth. We remember a peaceable looking old gray-headed personage, riding in, one fine morning, with no implements of war *visible*, except a double-barrel and a bowie-knife, and the loungers remarked that *he* was rather poorly provided for, and "wouldn't stand more than half a chance."

The prevalence of so many weapons of war, however, produce one good effect. When voices are raised in anger, and knife and pistol flash in the sun, the hangers on about town, do not all run to see, but according to their vernacular, "tree" in the first store or "grocery" convenient. N.B. said "grocery" signifies "bar-room" as also do "Confectionary" and "Coffee-house."

Our immortal first Grandmother,—of the enquiring mind,—and the respectable but inquisitive Mrs. Lot, might here have learned a lesson that would have kept one from the discovery that apples did not agree with pairs, and the other, from engaging permanently in the salt business.

At Montgomery's Point in 1841, the "Regulators" and "Moderators" wound up their affairs by the driving of sixty odd persons of all ages and both sexes into the Mississippi. Which was the conquering and which the conquered party, we forget; but it is a matter of small moment—*arcades ambo*—two more villainous collections of blacklegs and assassins, probably could not be found, and had they performed over again the exploit of the Kilkenny cats—leaving nothing but their tales for us to relate,—it would have been a blessing to their country.

Having drawn the distinction between the so-called "Regulating" a county and the application of Lynch-law proper, let us examine the causes and effects of the latter, as exemplified in a few prominent cases.

One of the earliest instances in Texas, was in the case of the murder of an old man named Birkham, and although the tale has been told elsewhere, dressed in the garb of romance, yet we will now relate*the facts*.

He had lived upon our frontier for many years, and was in some respects a living copy of, or rather might have served as an original for Cooper's Leatherstocking.

With no family save a wife, he spent his time in cultivating a small spot of ground, in hunting and acting as a guide to surveying parties. He also had great influence over the Indians, and received a moderate compensation from our Government or their agents for his services in preserving peace among the savages and preventing them from the commission of depredations.

Although his cabin was near Trammel's Trace, and in a part of the frontier where many of the settlers were men of bad character yet he was respected and beloved by all, and regarded in a truly patriarchal light.

Did the Indians steal the settlers' horses? it was Charley Birkham who found them and obtained their peaceful restitution. Did the neighbors differ in their settlements? it was he to whom all such disputes were referred, and his decision was deemed as irrevocable, as that of the Medes and Persians. The old man had been invited to attend a log-rolling, raising, or some affair of the kind at a distance from home; so far indeed, that he preferred to start before night with the intention of "camping out" upon the road.

Putting a pair of log-chains in his saddle bags, in case they might be needed, he left

home some two hours before sunset, telling his wife to expect him upon the third day.

The third day came, and with it a party of settlers who had been at the frolic, and as usual all stopped at Birkham's cabin to have a word of friendly chat, and to enquire why he had not attended also. The consternation of the poor wife may be well conceived, and although the party endeavored to console and cheer her with the hope that her husband's mule had ran away, or that he had turned aside from his path to aid a traveller, yet they had but small expectations themselves of finding him.

Had it been any other man in the settlement, they would have given up the idea of his being found, for it was a wild country and had many wild inhabitants; but old Birkham had not an enemy in the world, the Indians and the veriest desperadoes loved and revered him.

They turned their horses' heads and rode back upon the trail, until they reached the nearest cabin, which according to their calculation would be as far as he could have ridden ere night overtook him.

The occupants of the cabin were a man and woman, past the prime of life, and a boy of perhaps fourteen years of age. They had always been regarded as very suspicious characters, not mingling at all with the other settlers, and being visited by strangers, whom the keen eyes of the backwoodsmen marked for villains.

Upon being interrogated, they stated, that Birkham called there at sundown, asked for a brand of fire, and refusing all invitations to stay, informed them of his intention to camp at a short distance further on; which they asserted he probably did, as they found an old camp-fire the next day, not more than a third of a mile from the house. They exhibited no alarm or hesitation, their story agreed with the information obtained from the poor wife, and at the spot indicated, the yet smoking remains of an old log corroborated the story.

They went on; but from that time could not obtain the slightest trace, yet they continued the search, alarming the country, and ere another day had passed, nearly every man in the range, white, black, or copper-colored, was hunting the wood for the old man.

It chanced at this time, that a roving personage, who lived or rather "stayed" in that section—slept where night overtook him—assisted the planters in gathering their cattle and breaking their horses—hunted, trapped, &c. &c., had gone to the town of Natchitoches upon the Red River, for the purpose of disposing of his peltries, laying in a supply of ammunition and tobacco, and last, not least, enjoying his semi-annual "frolic."

To his great surprise, one day, he saw an old and large roan mule, which he recognized in a moment as Birkham's favorite saddle-beast, ridden into the town by as noted a scoundrel as the country could afford. Our friend knew that something was wrong, yet not dreaming it could be anything more serious than a theft, determined that the man who could wrong Birkham should meet with his deserts. Fortunately—although such a man here, would be considered as untrustworthy in the extreme—the case was different there, and the hunter was deemed an honest man, and one whose word could always be depended upon.

He went directly to the merchant who transacted Birkham's business, stated the case to him, and requested him to purchase the mule if possible, for then he would be certain that it had been stolen; knowing as he did, the value the old man had always attached to him.

The merchant found his customer quite ready for a bargain, and purchased the animal for one third its value, but while the rogue was pocketing the money, our "hunting friend" came up and clapping him upon the shoulder informed him that he must return immediately to the "*lines*" with a small party who were about starting as his presence was particularly required.

The alarm and confusion of the man, were so great as to cause surprise to his captors, who had anticipated the usual carelessness of a desperado under such circumstances, and determining to discover the truth about the mule, taking the supposed thief a short distance from the town, they first tied his hands, and then adjusting a rope around his neck, throwing the other end over the projecting limb of a tree, informed him that he must tell the whole truth, or swing for it.

Had the rogue not been taken so by surprise, his course would probably have

been different; but having come with "hot foot," directly from the scene of the murder; without the least idea that it could yet have been discovered,—to find himself arrested almost upon the moment of his arrival, gave him such a shock that his customary impudence and coolness deserted him, and for once in his life he told the truth.

According to his story, when Birkham dismounted, the boy had taken off the saddle bags with the intention of bringing them into the house, but was prevented from so doing by the owner, who refused to stay, under the plea that it was necessary for him to resume his journey very early the next day, and that by "camping out" he would be sooner prepared for a start.

The weight of the log chains had been mistaken for the weight of money, and an act prompted by kindness upon his part proved fatal to the old man.

After remaining a few moments, he had taken a brand from the fire, mounted his mule, and ridden on; but the moment that he left, the boy informed his father of the supposed contents of the saddle-bags.

Their plot was soon laid, and almost as soon executed. Creeping from the road to the camp, they found their victim asleep, and despatched him with a club; then seizing the supposed booty, they returned to the house, but to undergo the disappointment of finding that they had committed a most foul murder, which their fears now told them would be certainly detected, and all for nothing.

At the house they found another of the gang, and with his assistance they returned to the camp, removed and concealed the body, then moved the fire to the spot upon which their victim had been lying.

The saddle-bags were burned, the chain concealed under a stack of fodder, and the mule was given to the unfortunate rascal who now stood trembling with a rope-adorned neck.

In such a case, there was no fear of any interference upon the part of the civil powers of Natchitoches in behalf of the criminal, and a sufficient guard having been, without difficulty, collected, he was soon travelling the same road again, and at very respectable speed.

How much time was occupied in the return, we know not, but the time of their arrival was after dark. Messengers were sent to arouse the settlers, and ere the sun had risen, sixty or seventy determined men had collected together.

The first step was to arrest the criminals, which was done easily. The chains were found in the spot designated, and the body of the poor old man was recovered. The four prisoners were then taken to the scene of the murder, and a jury having been selected, they were tried, and although the three last captured, proclaimed their innocence, the proof against them was deemed conclusive. The two men and the boy were ordered to prepare for death within half-an-hour.

We have before mentioned that among the settlers of that section, were many men of bad character, and in warning the present party, great care had been taken lest any of the former should be informed of the proceeding; but by some means the news had reached them, and just as the judge had pronounced sentence, a party of some twenty of the most notorious rode up, headed by what is there known as a "jack-leg" lawyer, who acted as leader and speaker for the party.

Armed to the teeth, they thought by audacity, and their known desperation of character, to compensate for their paucity of numbers.

They were mistaken. At a word from the leader, the guards drew around the prisoners and every man grasped his rifle. Finding this would not do, the lawyer attempted a parley, demanding to know the reason why these persons were seized, why they had neglected to summon himself and his friends, how they dared proceed to trial themselves, in place of taking them before an "alcalde," and wound up with stating, that he should make a speech to the "crowd" come what might.

"Mr. —" replied his opponent, "these persons have been tried for being all more or less concerned in the murder of our old friend Birkham, they have had a fair trial, there is no doubt of their guilt, the only one not accessory before the fact, has confessed to crimes enough to hang a dozen; they have half an hour to live, and for that time you may exercise your lungs if you choose, but before you commence permit me to make a few remarks.

"We have not *asked* you, for we did not *need* you. We *know* you, and we know if *we* did not ourselves punish these villains; by your means, in some manner, they would probably escape. You and your party may remain, although there are some among them who are far from welcome, but let them take this lesson home to themselves. We will no longer tolerate the commission of crime *in* our settlement or *near* it. Now speak, but stop at my command, and keep at a proper distance from us, for else some of you now may meet with a warmer reception than you would relish."

They were completely cowed; the lawyer, however, made his speech, which was listened to by very scowling countenances, and when the command was given he ceased. The three males were then placed each upon the back of a horse, with a noose round their necks; the other end of the rope being thrown over a limb above their heads.

Finding there was no hope left, the man and boy confessed. The two men were then hung, but the boy reprieved, and ordered with his mother, to quit the country, and not to return under penalty of death.

Thus were punished, and justly, two villains of the deepest dye, who would certainly have escaped justice had any attempt been made to have inflicted it by process of law.

We shall now relate an event which occurred in —— county, Texas, whether an *use* or an *abuse* of Lynch Law, we leave for the reader to determine; but, in order that he may have some data to govern his judgment, it will be necessary for him to understand the situation of the county.

Although populous and wealthy, for a new county, it boasted of no jail, which, indeed if it had possessed one, would have been of but little service, as there was no town of sufficient population to be a safe location.

That they had no jail, was nothing strange, as, if our memory serve us rightly, but three or four of the interior and southern counties were so blessed; and but two of these, those at Beaumont, and Brazoria, of any real use. In the city of Houston, was to be found one, in which, if you would keep a prisoner, it was necessary to weigh him down with irons, and then guard the house externally day and night. In Galveston, an old brig which had made an experimental trip in shore, upon her own account, during a very high tide, and resolutely refused to return, was pressed into the service, and would have answered remarkably well, had she not been so completely rotten that a man might kick a hole through her, and walk quietly off. A prisoner tried the experiment one night, and it succeeded to admiration.

Until a year or two previous to the annexation of the quondam Republic, petty offences had been almost unknown, except in the counties bordering upon the United States. There, especially near the line, were to be found necessarily, many whose crimes had driven them to a residence upon the confines of two Governments. This was particularly the case with the upper counties bordering upon, and near the Red River.

The first mentioned county had, however, been very free from absolute crime, until a short period preceding the time of which we write.

The gamblers, and those, in especial, of the most petty description, hung around the county town, despite the determination of Judges and District Attornies, assisted by very stringent laws, to suppress them.

In fact, perchance, one great stumbling block in the path of Justice, was this very over-severity.

By the laws then in existence, it was a crime, punishable with imprisonment, or very heavy fine, to play at cards for amusement, in any public house, or in any house or place within one hundred rods distance from the public road, and we believe the act is in existence at this moment.

Now, the bench and bar generally were much addicted to this manner of passing away an evening, and however careful they might be in the indulgence of this propensity, they frequently laid themselves liable.

Judge S——, whose proverbial pomposity had earned him the *soubriquet* of "Old Dignity," one morning called upon the clerk to read the indictments against a number of gamblers, and heard, to his perfect amazement, his own name included.

"What!" exclaimed the astonished official—"what! Read that again, sir."

Again the clerk read a long paper, setting forth, in the plurality of words that lawyers so delight in, how he, the said Judge, had offended against the majesty of the Republic, by playing at cards, &c., &c.

The Judge thought a moment, and then exclaimed: "How, sir! cannot the 'Court'* amuse himself in the 'Court's' own room, with the 'Court's' own wife?" In a rage he *adjourned* the Court.

The fact was, that the Judge had simply been playing a quiet game of "eucha" with Mrs. S——, suspecting no harm; and some mischievous individual, by peeping through the crevices of his log castle, had witnessed the transgression, and presented him before the Grand Jury.

It fared no better with his successor, Judge J——, who also made an attempt to punish those who set at nought the laws, and his authority, by gambling publicly.

The consequence of the attempt was, that the Judge had a quiet hint, that he, and nearly every member of the bar—including, we believe, the States Attorney—had been presented; and he was forced to follow the example of his predecessor—adjourn the Court, and tacitly admit himself conquered.

At length came one, who had never yielded to the fascinations of cards, or acknowledged the blandishments of the dice-box, who spent his evenings in his own room, attending to his own business, a stern, just, clear-headed, uncompromising man,—one that yielded nothing to custom, or prejudice, and would not swerve a hair from his line of duty, or detain the Court for half an hour, because--or--or--the great guns of the session had not yet slept off the fumes of their over-night draughts,—one that looked upon a gambler as he would upon a snake, punishing him to the full extent of the law; and yet the gamblers laughed.

His directions to the District Attorney, and to the Grand Jury, were particularly clear, and very pointed upon this subject; yet the gamblers laughed on.

They were indicted, yet they laughed—tried and convicted—their cachinations ceased not—sentenced to a fine of one thousand dollars each, and imprisonment, until paid, with a separate imprisonment beside—and all without sobering them; but when the Judge very coolly ordered the Sheriff to make it his particular business to see that they were well guarded, until the close of the term, when he should send them with him to Houston, with an order to admit the party to the *freedom* of the jail there; then, with the exception of an old fox by the name of Williams, they presented a decidedly blue and discomfited appearance.

This Williams was an original,—a perfect oddity,—and although he was notoriously lazy, and a petty gambler, yet he possessed such a fund of wit, drollery, and good humor, that many who scorned him and his profession, would gather around him, as he sat in the porch of the "Grocery," spinning his quizzical yarns, or amusing himself at the expense of some verdant specimen of humanity.

He was not so to be frightened, but, as he left the Court, addressing the Sheriff familiarly as "Joe," requested him to inform the audience,—not forgetting the Judge and Jury,—that he should open a Faro bank in whatever place he might be temporarily "hung up," and that they were respectfully invited to attend.

As soon as the session was terminated, the Sheriff prepared to muster a sufficient guard to convey so desperate a set as his prisoners to Houston, but Williams offered to take charge of them himself, pledging his word for their and his own safe delivery, and although his proposition was not fully accepted, so much confidence was really placed in the scamp's word, that the Sheriff accompanied them alone.

They were in due form consigned over to the care of the Harris County jailer, their horses being deposited in a stable, subject to their order, and as the Sheriff was leaving, Williams very quietly inquired if he had any commands for home, as he should be there the next day.

It was upon a Saturday that they were imprisoned; and on Sunday morning, as the boarders at the Hotel in M—— were

* This worthy was so impressed with the dignity of his office, that, in speaking of himself, whether in or out of the halls of justice, upon all possible occasions he would use the words "the Court."

at the breakfast table, to their amazement Williams and his troupe walked in, and took their seats, as if nothing had happened.

On being questioned, they answered that they did not think the people in Houston were glad to see them, and not wishing to be deemed intruders, they concluded to leave.

They had ridden sixty miles, and appeared in no hurry to ride any further, and when the Sheriff arrived that night, the first person who approached, and shook hands with him, was Williams. He knew that in delivering him over to the authorities of Harris County, the Sheriff's duty had been performed; that *they* would never trouble themselves to reclaim their prisoners, whom they had been extremely loath to receive, and that in all probability he should hear no more of it, except as a good joke, which was indeed the case.

This jail-delivery was, however, a mere bagatelle in comparison with some others, at least, as far as it concerned the well-being of the public. It is a strange and unaccountable peculiarity of south-western men that, in case of any outrage, they will risk life and limb, expend time and money; in fact, stop at nothing to seize the person of the criminal; but when once taken, not one in twenty would give himself the least trouble about guarding the prisoner, and the chances are much in favor of his escaping.

Perhaps, the excitement of a human chase may account for the former, but what may be the reason of the culpable negligence evinced in the latter, we know not.

A man, by the name of Decker, had committed a cold-blooded murder upon his son-in-law, under circumstances of unparalleled atrocity.

The unfortunate man was shot down, while he held in his arms an infant,—his own child,—and the grandchild of the murderer.

This affair occurred in Brazoria County, which, however, was not the one in which Decker resided, and, we believe, no effort was made to punish the criminal—with the exception of a trumped-up examination before a Justice of the Peace, got up, in all probability, to prevent further proceedings.

Decker returned to M—— County, and with him came the wife and child of the murdered man.

The people of the County, exasperated at the crime, were rendered almost furious at the audacity of the fellow in returning to settle himself quietly down among them, bringing with him the *spolia opima*, for which the murder had been committed; for Lacey (the victim) was possessed of a handsome property, consisting of money, cattle, and, perhaps, a negro or so—all of which Decker had appropriated.

The citizens, irritated as they were, determined to proceed legally, if possible, and accordingly, obtained affidavits, upon which to found the warrant for his apprehension.

The issuing of the warrant was an easy matter—the serving of it, another affair. For two years they attempted, sometimes with large parties, and sometimes with small, to arrest him, but all in vain.

Although travellers seldom passed, or stopped at his house, which was a species of backwood's hotel, without seeing him, yet however secretly an expedition might be planned, it always failed, and it became a matter of certainty that there were spies in the camp.

For a time the proceedings were dropped, and emboldened from having so often foiled them, Decker at length began to neglect his quarantine, and to ride about the country—laughing at the repeated failures of the officers, boasting of his exploits, and threatening the lives of all those whom he considered as his enemies. Finally, as if incited by the devil, who is said to be ever prompting his clients to their own destruction, he had the audacity not only to ride through the town of M—— on a Saturday afternoon, when he must have known that three-fourths of the settlers within ten miles distance would be there, but actually dared to stop at the "Grocery," call for a glass, and invite all present to join him.

His daring impudence so astonished the people, that he was allowed to ride out of town at the same deliberate pace that he had entered it. He was mounted upon an extremely fine mare, and accompanied by a villainous looking personage on foot, whose cerebral developments would have hung him without any further testimony, had he been tried by a jury of phrenologists.

Although they had passed through the village without interruption, they were not to escape so easily. The papers necessary for their legal capture were already made out, and in a few minutes the Deputy-Sheriff with one assistant, mounted in pursuit.

They came upon them at the edge of a wood, a mile from town, and an accident prevented escape or resistance. As they dashed up near to them, the volunteer became so much excited or alarmed, that in endeavoring to cock his gun—a double-barrel—he pulled both triggers,—a tremendous explosion was the result, and he very nearly bagged the sheriff-depute.

As the two travellers were plodding their way over deep sand, they had not heard the hoofs of their pursuers' horses, and the shot was the first intimation they had of their propinquity. Decker had dismounted, and his friend was riding and carrying a gun, which the horse—now become restive—prevented him from using, and the Sheriff's rifle, pointed at the culprit's head, caused an immediate halt and surrender.

Every step had been strictly legal, the prisoner was taken before a magistrate, who ordered him to be confined, heavily ironed, and a guard set over him, until the High Sheriff should return from Austin, when he was to be submitted to his charge and conveyed to Brazoria.

As for the travelling companion, who announced his intention of "sticking by the Captain," one of the assembled crowd took him aside and advised his immediate departure, on the ground, that his physiognomy did not give general satisfaction, and that the account he gave of himself was not believed to be gospel.

The gentleman was probably innocent of any acquaintance with Shakspeare, but his actions proved that he acquiesced with Falstaff in his opinion of the relative merits of discretion and valor.

Now, any reasonable person would have supposed the prisoner to have been sure of safe keeping; and, for a few days, he was. A physician gave up his office—a small building constructed of neatly hewn logs and strong as a fort, to be used as a jail—a part of the chain cable of some snagged steamer, was made fast to him, independent of his handcuffs, and guards were plenty enough for a few nights. But, alas, the sheriff was absent too long, and one night the Deputy found himself without a relief at supper time; so, stepping out to seek one, at a few paces from the temporary jail he met his superior who had that instant returned. While chatting a moment he heard a noise that alarmed him, and caused him to retrace his steps immediately. It was too late, the bird had flown—chains and all—through a window which which was forced open.

At this very moment, a tremendous thunder-storm came up, the rain poured down in torrents, and the Egyptian darkness which shrouded the night, was seemingly rendered tenfold more dense by the frequent and vivid flashes of lightning.

But despite the terrific violence of the storm, which seemed as though it were an earnest of the wrath of Heaven upon them for their culpable negligence in allowing so great a crime to go unpunished, the whole village was alarmed, and a large party sallied forth in pursuit.

Between midnight and morning, they all returned, dropping in, one after the other, dispirited, drenched, and covered with mud but determined upon renewing the chase as soon as the sun should lend his aid.

Decker was followed the next day by men on horseback and on foot, and although trailed, step by step for miles, yet the first accurate intelligence received from him was the advent of his son, who brought back the chain cable with his father's compliments, and thanks for their hospitality.

A year after, the same villain ran a very narrow chance in Houston, where he had the impudence to appear in the public streets *en plein jour*.

No sooner did the sheriff know of his presence, than he obtained a warrant for his arrest, but Decker was warned, mounted his horse, and started for home, riding for his life. The roads were very heavy, and again a violent storm arose. All this however, did not deter the officer—who saw him leave; a race and running fight ensued between the two, in which some shots were fired, yet, although, the parties were for a time neck and neck, Decker finally escaped by dashing into a thicket.

This man a short time afterwards, sold out his farm to two Germans, received a handsome sum of money, and in a few

months both of them died so mysteriously and suddenly, that there was but little question of foul play upon his part, as he was at the time a joint occupant of the house.

He is, for aught we know, yet, "unwhipt of justice" unless he has met with that violent death which is the almost certain fate of such desperadoes.

Soon after these events occurred, a very heavy robbery was committed, the robber arrested and confined for some months in a vacant house in the village.

In this instance, the person who had been robbed furnished the necessary funds to hire a guard, and it was thought the culprit would taste the thong of justice; but no: as soon as it was found that the proof was positive, that he had really obtained some ten or twelve thousand dollars, and could pay well for assistance, he was spirited away and heard of no more.

Two great crimes had also been committed in the county. A gun—probably a double-barrel—was discharged through the window of a gentleman of the name of Floyd, while the family were eating supper. The father was instantly killed and the others more or less wounded. All attempts to discover the perpetrator were useless.

The murder of a Captain Taylor was a more recent event. While sitting in an unfinished house, at night, playing a game of chess with his wife, in the act of moving a piece, he fell dead, pierced through the heart with a rifle ball; and as there was a violent storm raging, his wife did not distinguish the crack of the gun from a simultaneous electric explosion.

The chimney of the house had not yet been finished, and the villain fired through the vacancy. For a long time, this, like the former, was a deed of mystery, but at length a quarrel between two ruffians in Houston,—which resulted in the death of the one, and capture of the other—revealed among deeds of equal atrocity, that Taylor had been killed by a bravo, for a sum of money.

The veil that was thus partly raised, disclosed partially other equally fearful secrets, and it became a matter of certainty that a clan of villains was in existence probably a part of the Murrel gang, who were engaged in every species of crime—from horse-stealing and counterfeiting to kidnapping and murder.

That the number of these desperadoes in M—— county was increasing, admitted of no doubt, and that such was the fact need be a matter of surprise to none, since they found they were in very little danger of apprehension, or if apprehended, that they incurred but small risk of punishment.

Is it a wonder then, when murder, violence and crime were stalking boldly among them in open day, unchecked by law, when the county was constantly receiving fresh accessions of lawless persons from other counties and States, when everything tended toward anarchy, and that, right speedily, that the honest and well-meaning citizens, should at the next provocation take into their hands, the sword of justice, which the paralized arm of law was impotent to wield?

A man whom we shall call G—— we suppress the name from the belief that some of his relatives are respectable persons —was tried for cattle stealing in Harris County.

Whipping is the ignominious punishment that attends conviction of this crime, and in hope to evade it, G—— engaged a lawyer to defend him; giving him his saddle-horse, as fee.

The case was evidently going against the accused, and the lawyer whispered to him to get out of the room, upon any excuse, and when once fairly in the street, to run for life.

The advice was taken, and G—— accompanied by an officer left the room, but seeing the horse which he had given the lawyer, saddled and bridled, standing before the door, he leaped upon his back, and was soon beyond danger of pursuit.

For a year or two after this exploit, he was not heard from, but at length became bold enough to visit M—— and remain for some time.

Unfortunately for him he inspired many of the residents with dislike, and when they discovered who he truly was, some of them —out of pure mischief—rather than a desire to further the ends of justice—had him arrested and taken to Houston, where the ignominious lash was applied to his back.

He then again returned to M—— burning with resentment, and swearing vengeance against all who had been concerned in his arrest, but soon found the town too hot to hold him, and was accordingly, upon

the eve of retreating further north, when his horse was attached by the sheriff, for debt.

At the time the warrant was served, G—— was mounted upon the animal,—a fine and valuable beast—and refused to surrender him. An altercation ensued; whether he then drew a weapon or not we do not know; but it was proved that the sheriff seized a rail and forced him off the horse.

The moment G—— touched the ground he drew a pistol and shot the officer down. He was seized immediately, and taken to the court-house to await an examination of the sheriff's wound.

The physicians pronounced it to be certainly mortal; although they said the unfortunate man might linger in agony for days or weeks.

As soon as this was announced to the crowd, measures were taken for assembling all of the settlers living near; a judge and jury were chosen, and the man after a trial—which must be accounted fair, if any trial under such circumstances can be fair—was found guilty—of what we know not, for *murder* it was not yet, and condemned to die upon the gallows, as soon as his victim died.

For over a month did the sheriff linger, writhing in torture, but we much question if the mental agony of the condemned culprit was not infinitely the more difficult of the two to bear.

He knew that the sentence was predicated upon the supposed impending death of his victim, and as *he* lived on from day to day, the hope of an ultimate recovery must at times have forced itself upon him, only to make his calmer thoughts the more bitter.

The hour arrived at last, the officer died during the night, and as it was necessary to bury him as soon as possible, that duty was performed upon the next afternoon.

As it may well be supposed, there was a very large gathering at the funeral, and the whole number present, proceeded directly from the grave to the house where the prisoner was confined, and taking him a short distance, executed him.

This, perhaps, under other circumstances than those that preceded it, might have excited as much indignation as did the execution of the "Vicksburg gamblers"—of which we shall hereafter speak. It may be said that the crime was but manslaughter; yet let no one judge the actors harshly, who does not know from experience, the danger of living in a county situated as this was, and cannot realize the imperative necessity that existed of checking the tide of crime and vice, setting in so strong among them, by the prompt and immediate punishment of any and every wilful transgressor.

The case which we are about to record, has probably never been equalled in the singularity of its attendant circumstances. The merited punishment—the atrocity of the crime and noted villainous character of the criminal—the attempt to force a trial to serve him as a cloak, which but renewed the fable of Hercules and his fated lion-skin, the fact that he received his reward from the hands of an officer of justice, and as it might almost be said in open court—all combined, to invest it with a singular and romantic interest.

"Lem M'Guire" was known throughout Texas as a thorough-paced villain and blackleg. Accustomed from infancy to the most infamous companions, as he increased in years so did he grow old in crime and at the age of twenty was deemed by his companions, worthy of the front rank in their columns.

One of the first acts that made his name well-known, was his participation—while yet a mere child—in an affray in which a friend and protector of his, was shot,—and most deservedly—by a tavern-keeper, upon whom he had made a murderous attack.

M'Guire fought like a young tiger—as he was—clinging to the landlord with his hands and teeth, and though crying with rage and grief at the death of his patron, seemed perfectly regardless of the danger to himself.

We have no intention of writing the history of his career, but shall merely note an incident or two to give our readers an idea of the man.

He had been brought up by a man of his own kind, named Johnson, who furnished him with a home—such as it was,—until by his practices the latter had become possessed of sufficient property to awaken M'Guire's cupidity, and a determination to become possessed of it by foul means, as he could not by fair ones.

He accordingly laid his plans, and caused Johnson to become involved in a quarrel, in which his life was taken, at the instiga-

tion of the serpent he had nourished, who, immediately after married the widow—a woman of twice his age—and thus accomplished his designs.

A few months before his death, he paid a very characteristic visit to Houston, where he succeeded as usual in bringing himself into speedy notice. Entering one of the bar-rooms of the place in a state of semi-intoxication, and taking offence at a simple German who presided over the bottles, whose imperfect knowledge of the language prevented him from understanding correctly what was required, M'Guire struck him in the face with a heavy cut-glass decanter, breaking it in the act, and severly injuring the man.

Among the crowd which collected, M'Guire espied a Judge of one of the Courts, and turning upon him immediately knocked him down; then crossing the street where stood the Mayor "spectator of the fight"—as he supposed at a safe distance —the tiger prostrated *him* also at a blow.

He then retreated, walking up the main street of the town in triumph, and no more was seen of him—although warrants were issued for his apprehension—until the second day; when he rode down the street, stopped his horse at the scene of his late disturbance, and calling out the proprietor, told him he had travelled some distance out of his way to bid him good bye; and then rode out of town.

At this time he resided, we think, not far from the town of Crocket, and soon after his return from his Houston exploit, he determined, for reasons of his own, whether from enmity, to remove a troublesome witness, or a partner in crime, we know not; to have one of his neighbors "put out of the way."

Not being willing to take the trouble himself, he hired another, a journeyman at the trade of blood, to do the business for him. For some reasons, the bravo deferred the murder, until at length M'Guire imagined that he had turned traitor, and betrayed his designs to his enemy; which belief was strengthened by the ultimate refusal of the man to have anything to do with it.

So far, M'Guire had only gained the necessity of removing two persons in place of one; and, perhaps agreeing with Dr. Franklin's adage, "if you wish a thing done, *go ;* if you do not, *send ;*" determined *this* time to do his own work.

To murder his accomplice, he had a double motive, fear and revenge. Having secured the aid of one or more persons upon whom he could depend, he rode over to the house of the supposed traitor, and calling him out into the yard, in front of the house, in full sight of his wife and family, shot him down like a dog; then the party turned their horses toward the house of the one whom he had marked before for his victim, and killed him in precisely the same manner.

All this happened in broad day light, nor did his audacity cease here, but knowing that a magistrate lived near by, the party again mounted and rode to his plantation.

M'Guire was probably deceived in the man, whom he must either have supposed to have been a reckless being like himself, or one who might be influenced by fear or money, to subserve his ends.

The magistrate was very coolly informed that they came to be tried, that he must go through some form, no matter what, and give them a certificate of acquittal, which although the magistrates' court was only a preliminary one, they imagined, combined with the known and certain danger of meddling with them, would be sufficient to prevent any further inquiry.

As the reader may well imagine, the magistrate, who was almost alone in the house, was extremely alarmed, but had presence of mind to conceal his feelings, and put the villain off, upon the plea that it was necessary to have some other persons present, and also, to prepare certain papers, which could not be done at a moment's notice. It was Saturday, and he promised them, that if they returned on Monday morning, he would have everything fixed for them,—which he certainly did.

On Monday, McGuire appeared, with a reinforcement, making in all five or six, and found the magistrate sitting at the farther end of the hall. For the information of those who are not skilled in the houses of a new county, we would say, that a double-log cabin—such an one as the magistrate's—consists usually of two large rooms, separated by a wide hall, which, in

pleasant weather, serves the family for a dining and sitting-room, but being generally open at both ends, is not used in inclement days.

From all appearances, they found that the trial was to be an affair of more detail than they admired, and McGuire, considering himself now to be in a condition to dictate his own terms, insolently demanded, if the Justice intended to do as he was ordered—adding, that if he did not, and that immediately, he would cut him to pieces with his knife. The Justice replied, that he intended to proceed according to law, and in no other way; but hardly had he spoken, when McGuire, knife in hand, followed by his friends, rushed upon him.

At this critical moment, the side-doors were dashed open, and on either side a volley from six rifles was poured upon them. McGuire, and, we believe, two others, fell dead, the rest, more or less injured, were seized, and bound with cords.

It was like a "*coupe de theatre*," except that it exceeded one, as reality ever does fiction. We are sure that no melo-dramatist ever invented or got up a more perfect or successful affair; and who may say that it was not pure, even-handed justice.

We should like to have seen a non-resistant in the magistrate's situation, and to know whether he would have turned the gang loose upon the world, and have sacrificed his own life, rather than—by an exhibition of similar coolness and conduct—have done a deed that would entitle him to the thanks of his country.

But we are in error; a non-resistant can fill no magistrate's chair, for, he acknowledges and believes in no law, except, perhaps, for his own benefit. Speaking of non-resistants, reminds us of a sad exposé of one of the earlier apostles of that exceedingly astute sect, which,—believing that our readers may, perhaps, be equally willing with us to escape, *pro tem*, the perusal of a history of guilt and crime, and to exchange it for a more amusing subject,—we will relate.

It was years since,—ere the delicate hue of the peony upon our cheek had been changed by a Southern sun, to the more sombre tint of a half dried lemon,—that we were *in*duced and *se*duced, by a series of false pretences, to attend a lecture somewhere in that land of wooden hams, wooden nutmegs, and wooden-headed pedagogues, known, emphatically, as Down East. A non-resistant lecturer,—one that was deemed a burning and a shining light among that generation of saints, was to hold forth in exposition of his *then* new-fangled doctrines.

A numerous audience had assembled, and after reading to them a chapter from the Bible, the anti-pugnacious gentleman proceeded with as superlative a mass of nonsense as it ever fell to the lot of our ears to endure. First, he attacked the profession of arms, and consigned to his Satanic majesty, at one fell swoop, all who meddled or made with sword or gun, from the victorious general, dealing death and devastation upon the enemy,

"Proud Cumberland prancing, insulting the slain,"

to the veriest fourth corporal of the ragged militia

Having demolished the men of war, *secundum artem*, he went to work upon the men of peace, and at one stroke of his veracious tongue, packed off to Tophet the entire generation of law-givers, and law-expounders, Legislators, and common council-men, judges and juries, lawyers and clients, office-sweepers and jailers—all to *there* keep company with the Armigers.

"Our Maker alone," said this authoritative personage, "has a right to control men; the Justice, who usurps His right, commits practical blasphemy; the higher the grade, the more audacious the criminal, therefore, a king or a president is the most wicked wretch on earth."

He then denounced all that submitted to the laws, or acknowledged any earthly power or authority, and even asserted that it was a crime for a man to resist another, when his life was at stake, although by so doing he might preserve it, and prevent the commission of murder.*

*Non Resistants.—In New England, they have a Non Resistant Society, which held its anniversary in Boston a few days ago. One member, during the past year, has backslidden so far as to knock down a man, and he was expelled.

Mr. Garrison defined the principle of non-resistance by instancing a case like the following:—I a man is assaulted by a highwayman or a mur-

"Should a man steal from you," continued he, "go to him, and remonstrate with him; should a man purloin my watch, I would endeavor to obtain restitution by an appeal to his conscience. If I failed, I would go unto him again and again; and should he yet prove entirely hardened and depraved, no efforts of mine should ever seek redress by *law.*"

"Yes," added he, warming with his subject. "Yes, cold as the night is, should a man lay his hand upon my coat, no resistance would he meet from me; he might have *that*, and my cloak also, before I would sin by raising my hand against my fellow, or appearing in that tabernacle of the evil one—a Court."

Now, at this time sat in the centre of the building a certain noisy, turbulent, empty-headed, pettifogging lawyer, who, since that time, has made some noise in the world as a loco foco demagogue—empty vessels being the very ones of all the world to make a noise, when tossing to and fro in the turbulent sea of politics. Squire Dan, as he was called, not admiring the animadversions cast, with no sparing hand, upon a profession, of which he was—if not a limb—at least a twig, although a very small one, arose and addressed the orator of the evening, to the latter's astonishment, and that of the audience.

"Sir," said Dan, "did I understand you to say that you would neither offer resistance to, nor prosecute, a person taking your coat?"

"I *said* so, sir," replied the amazed non-resistant.

"But," continued Dan, "I wish to know if you really avow that determination upon your own part, or merely mean it as a part of your lecture, and an exemplification of the principles which you profess?"

"I say *distinctly*, sir, that my conduct would be as I have stated," was the reply.

"Well then," said his tormentor, rising, and blowing out his fat cheeks, 'very like a whale.' "I am a lawyer, and like to put everything to the proof, and now, I call the audience to witness your words. I know a poor man, sir, and an honest one, that needs a coat more than you do, and if you do not retract, I shall take it from you, and give it to him."

Dan started for the rostrum, and even was about ascending, when the alarmed and astounded exponor of non-resistantism cried "peccavi!"

"Stop, sir," said he, "I was preaching what we *should*, not what we *do* perform."

Our lecturer's course was cut short by an untoward event. A severe defeat at the game of draughts was formerly, and, probably, is now, termed "a skunk." The man was "skunked."

Great events hinge upon small causes. A refractory pig is said to have occasioned the late war between the United States and England, and the capture of one of the hereabove hinted-at, odoriferous purloiners of poultry,—known "down East" as "Wethersfield dogs,"—by a party of urchins, resulted in the non-resistant's defeat.

In the midst of an impassioned harangue, the animal was thrown into the centre of the building. It was cold weather, the doors were closed and a brisk fire burned in the stoves. An immediate retreat was the necessary consequence.

These "non-resistant" gentry may do very well in some quiet hum-drum eastern village, where the appearance of the parson's wife in a new silk dress, is enough to produce an extraordinary excitement; where a rise in hoe-handles, axe-helves, or rake-stales is a signal for an *emeute*; such as it is, where the principal amusement of the ladies is found in those female "Schools for Scandal," yclept sewing circles, and famous for the instruction of juvenile femin-

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derer, he must not resist, even for the purpose of saving his life, or the lives of his wife and children, unless such resistance can be effected without endangering the life or limbs of his opponent; he must not strike a single blow, in self-defence, that may, by any possibility, break an arm, or a finger even, of his assailant.

Another speaker coincided with Mr. Garrison, and remarked that, should his house be entered by robbers that night, he should offer no resistance unless they could be expelled without receiving the slightest bodily injury! But he should endeavor, on the morrow, to ferret out the burglars, (not, however, through the aid of the laws,) and have a friendly talk with them, and try, with words of kindness, to win them back to the forsaken paths of honesty and virtue. If any articles of which he had been robbed should be found in their possession, he should refuse to take them back, and beg of the misguided men to retain them, unless indeed they pertinaciously urged and entreated him to receive them.

ine "Ideas" in the art of "shooting" *at* the reputation of every female in the village, "present company excepted," and of giving an especial stab at the character of those whose position in society is superior to their own : where the anti-slavery almanac, the most "ideal" work of the age, and fully equal in imaginative description to Gulliver's Travels, Baron Munchausen, and Peter Wilkins combined, is purchased, and every one of its impudent and barefaced lies swallowed as pure gospel. They may do *there*, but in the Great West, men and women of very different calibre are requiréd. Accustomed from infancy to the excitement of the real dangers ever attending the settlement of new territory, they can neither understand nor forgive the pertinacity with which some of their eastern brethren insist upon letting their own business alone, and minding that of their neighbors and the community in general.

Cross the mountains, descend the "Belle Rinére," and the "Father of Waters," and you will find everything upon a gigantic scale. Earth, air, and water all combine to produce this effect. Land more rich than Canaan's soil, yields overweening crops of cotton and of corn. The storms are hurricanes, the rivers vast inland seas ; and, is it not surprising, where everything is expanded, that man should partake of the general feature ?

It is so, indeed, and while in size, they rival the sons of Anak, their virtues, their courage, their hospitality, and their crimes are all in the same proportion.

The entire world cannot produce such a collection of unmitigated scoundrels as are to be found there, some spending their time upon the rivers, some passing for planters and tavern-keepers, scattered through the South and West at convenient distances, making a chain of posts for the accommodation of their brethren, and others prowling about under various guises, as horse-dealers, negro drovers and peddlers, but carrying on the more profitable trades of negro stealing, robbery and murder. Commencing in most cases with gambling, the western scamp seldom pauses in his career, until he has reached the topmost round in the ladder of crime.

No boat ever travels over the Mississippi, Ohio, or their tributaries, without the accustomed freightage of "Chevaliers d' Industrie," as much superior in audacity and villainy to their congeners of the old world, as is an incarnate demon of hell to a common every-day rascal.

Boats are owned by associations of these scoundrels, run to facilitate gambling and robbing operations, and we would here warn all tyros in Western travel to enquire well into the character of both boat and captain before embarking, and when on board, to be seduced into no game of chance—even for amusement—with a stranger.

Some few years since, we think in 1842, a man was hung in Cincinnati, who, although but twenty-four years of age, confessed to twenty-two murders.

According to his own story, he had been for three years of his career a nominal bar-keeper upon a Western boat, in order that he might have a better chance to commit and conceal crime.

Travelling as a solitary gambler, while a mere boy, he had marked one of the passengers for his prey, under the idea that he carried with him a large amount of money. He engaged a part of the same state-room, and not succeeding in his efforts to inveigle the man into a game of cards, determined to murder him in the night and leave the boat with his booty.

He succeeded in the commission of the crime, but as he was searching for the supposed money, the door opening upon the guard was unlocked, and the captain of the boat entered.

Both were astonished, but the murderer was paralized, until the captain, the older adept in guilt, informed him that he had only forestalled his intentions, and proposed a division of the spoil.

For three years he remained upon the boat, engaged in gambling, and, when a fair opportunity presented itself, murder.

When all or a great portion of this tribe of villains were united by that arch-fiend Murrell, they presented a phalanx of crime that seemed almost impregnable to the law, and could only have been checked, for entirely uprooted they were not, by the ultra means adopted in Mississippi.

It is our intention to lay before the reader a full account of this man, and of the

various ramifications of his clan, many of which exist to the present day, of his real designs, and his singular mode adopted to gain adherents; but we must here pause, having scarce passed the threshold of our subject.

P. P.

MEMOIR OF RICHARD YEADON, ESQ.,

Tully, in describing a good and happy man, places him under a well regulated government, in the ripeness of honor, and the full enjoyment of reputation; capable of performing public trusts with safety, and of retreating into the shades of private life with dignity. To these requisites we would add the reflections of having earned character without envy, and of having deserved success by the strict observance of justice in all the relations of life; reflections which, in an eminent degree, belong to him whose biography we are about to write.

Richard Yeadon, whose life presents a noble example of independence in political principle, industry in professional character, integrity in business, of beautiful consistency in the family and friendly relations, was born in the city of Charleston, on the 22d of October, 1802. His paternal grandfather was Richard Yeadon, a native of England, and a watch-maker by trade, who came to this country before the bursting forth of that revolutionary flame, which spread over the continent, and eventually consumed the institutions of monarchy. Richard, the grandfather, intermarried with Mary Lining, a Carolinian of Scottish descent. In the struggle which ensued between the Whigs of this country and Great Britain, he sided with the former, without considering for a moment any question but the duty he owed to the liberty of the country of his adoption. On the occasion of the capitulation of Charleston, he suffered imprisonment in a prison ship and in the provost; and was, finally, with his family, banished to Philadelphia. On the conclusion of the war he returned to Charleston, where he died in 1784, over thirty years of age. He left a widow and four children, with little for their support. His children were, two sons, Richard and William, and two daughters. Richard, the eldest son, the father of the subject of this memoir, began to provide for himself at the early age of twelve years. He intermarried with the widow Mary Adams, to whom, as Mary You, he had been attached in early life. His consistent devotion to this object of his early affection, was rewarded in the possession of a moderate fortune, and a wife of intelligence and virtue. Young in life he became an officer in the branch, or office of discount and deposit of the old, or first, United States' Bank, at Charleston, and was one of the tellers of that institution when put in liquidation to aid in the settlement of its affairs. He was retained as an officer after that event. In 1812 he was elected by the Legislature a director of the Bank of the State of South Carolina, and in 1815 or 1816 was chosen deputy cashier, the title of which officer was subsequently changed to that of assistant and transfer clerk. This position he held at the time of his death, which occurred on the 9th of November, 1841, when he had approached his sixty-ninth year. He left a widow and three children: two daughters, and a son whose life we are engaged in considering. Mr. Richard Yeadon, the father, had established long before his death, an irreproachable character for integrity and honor. He was known as a good citizen, a faithful officer, and an affectionate parent. He was remarkably kind to his children, giving them all excellent educations, and providing for them liberally. His house was the abode of hospitality, and he was universally acknowledged to be one of the most able and upright bank officers ever known in Charleston.

Mr. Yeadon's maternal grandfather was Thomas You, a native of Carolina, of French Huguenot descent. He was a silversmith by trade, and the apprentice of

the father of the late Judge Grimké, who generously aided him in business. At about the age of thirty-two he intermarried with Elizabeth Clifford, a lady of sixteen years of age, and a co-heiress, with the late Mrs. Mary Turpin, of Mr. John Clifford, a gentleman of English descent, and a considerable land owner in Charleston. Mr. You took active part with his countrymen in the revolution; and, on the occasion of the surrender of Charleston, was doomed, first to the occupancy of the provost and then of a prison ship. He was about to suffer exile with his family, when a severe attack of gout obliged him to receive British protection. He seized, however, an early opportunity of breaking his parole, at the risk of his neck, and took up arms again with his countrymen. He died in 1785, or early in 1786, leaving a widow and five children, among whom was Mary the mother of Mr. Yeadon. The maternal grandmother, Mrs. Elizabeth You, though left a young, beautiful, and wealthy widow, never again married, but devoted herself faithfully and unweariedly to the care and nurture of her children, a much more noble reason for resisting suitors than the unravelling of the web, which distinguished the ancient wife, so often engaging the praises of poetry. Mrs. You was a lady of vigorous mind, and eminent in virtue and piety. She lived to the extreme age of 86 or 87.

The mother of Mr. Yeadon grew up a very lovely girl. In early life she was attached to Richard Yeadon, the father, but destiny separated them, and she married Mr. John Adams, a planter of Edisto Island. Shortly after marriage Mr. Adams was drowned, in a stormy winter's night, by the upsetting of a row boat, in which he was returning to his plantation from the city. Mrs. Adams was thus left quite a youthful widow, with an infant son, who not long afterwards followed his father to the grave. On the conclusion of a decorous widowhood, this lady again met Mr. Yeadon, and, their long smothered affection reviving, she became his wife. The fate of her first husband induced her to persuade her second to dispose of the Edisto lands and slaves, which was done at the moment when the culture of cotton began to supersede that of indigo. Mrs. Mary Yeadon, like her mother, was pious and amiable. With a fidelity and self-denial not often equalled, she dedicated her time to the advancement of the interests and happiness of her husband and children. But, though confining herself to this sphere, the graces of her character still expanded, and a large social circle daily attested her meekness, her affectionate and forgiving disposition, her usefulness and benevolence. She died on the 22d of November, 1842.

We have been the more particular in these ancestral notices for the reason that it is delightful, in contemplating the life of a friend, to look back and trace through the lives of those from whom he has sprung, the outlines of the features of character which distinguish him, and render the record of his life lovely. To observe, that his integrity, his charity, his virtues, are not the result of accidental training, or the consequence of a mere yielding of the heart to custom rather than principle, but part of the original property of the race—hereditary virtues springing directly from the soul, and descending in right lines, and in undiminished purity, to the latest branch. The parents of Richard Yeadon removing to a residence on Harleston's Green, he entered a school conducted by Mrs. Baker and Mrs. Rogers. Between the ages of six and seven he was transferred to the tuition of Mr. McDow, with whom he began Latin, and with whom he continued till the age of thirteen. For about a year afterwards he studied under Mr. Thomas McCay, whose health failing, he was put under that excellent instructor, the late Mr. Martin L. Hurlbut, who prepared him for college. In October, 1818, and before quite sixteen, he entered the South Carolina College, joining, or rather studying, with the Sophomore class until the examination in December, when he was admitted a member of the Junior class of 1819. The faculty then consisted of the Rev. Dr. Maxcy, D. D., President, and Professor of Rhetoric and Belles Lettres; Thomas Park, M. D., Professor of Languages; Edward Smith, M. D., Professor of Chemistry; Rev. Christian Hanchell, Professor of Mathematics; Rev. Robert Henry, D. D., Professor of Moral and Political Philosophy. Dr. Smith having died, in the vacation of Mr. Yeadon's Junior year, in Missouri, the celebrated Thomas Cooper, M. D., succeeded him. Mr. Yeadon's class was the first in the col-

lege instructed by this eminent man. Dr. Maxcy died just before the vacation of Mr. Yeadon's Senior year, having been long in such ill health as to be enabled to give but little attention to the class. At the spring exhibition of the Junior class, Mr. Yeadon was assigned a prominent part, and delivered an oration on "Sympathy." At the senior exhibition in March he was again distinguished, and spoke on "The Influence of Morals on Government." When graduated, in December, 1820, he received the second honor, and delivered the salutatory addresses in Latin, and an English oration on the "Influence of Government in forming the Character." The first honor of his class was awarded to James Terry, Esq., once commissioner in equity for Edgfield, who was some six or eight years Mr. Yeadon's senior. The third honors were awarded to Dixon H. Lewis, late United States' Senator from Alabama; the Rev. Paul Trapier Keith, Rector of St. Michael's, Charleston; Patrick C. Caldwell, formerly member of Congress from the Newberry District; Solomon Cohen, Esq., a distinguished lawyer, formerly of Georgetown, now of Savannah, and Robert Brevard, Esq., a citizen of North Carolina.

Leaving college, Mr. Yeadon, in January, 1821, began the study of the law with Messrs. Bennett and Hunt, where he enjoyed the advantage of a large law library, and a familiarity with the details of a considerable practice. In December, 1823, or January, 1824, he was admitted to the bar of the law courts, and in a year or two afterwards, to that of the chancery. While engaged in the study of his profession, Mr. Yeadon went through a long course of reading, both philosophical and legal; and, entirely under his own direction, impressed on his mind that large stock of the principles of knowledge, from which, in after life, he continues to draw with such facility and effect. To train his speaking powers, he, about that time, joined a moot court, or debating society, known as the Forensic Club, which embraced among its members many of the most distinguished men of the State—Henry Bailey, C. G. Memminger, Stephen, now Bishop Elliott, Alexander Mazyck, William P. Finley, Edward McCready, and others. In this club Mr. Yeadon acquired the power of extemporary speaking, a faculty which he certainly possesses naturally, but of which, doubtless, the diffidence of youth, and his high appreciation of its importance, retarded the more early development of. The extraordinary disposition of Mr. Yeadon for labor was here prominently displayed in the zeal with which he engaged in the various discussions before the society: with persevering industry composing and memorising whole speeches, sentence by sentence, without committing any part to paper; and interweaving, occasionally, extemporaneous replies with prepared matter, until the habit of speaking with great fluency and correctness was acquired. A practice, which cannot be too highly commended, or too earnestly inculcated, as, whatever the ability of the orator, it tends to give strength to his ideas, and moulds language to the justest proportions of harmonious and elegant diction.

In March, 1826, Mr. Yeadon formed a co-partnership in the practice of law and equity, with Charles Macbeth, Esq., a gentleman, whose mild and engaging disposition, whose firmness of character, and whose able and faithful attention to business, have insured him the respect and admiration of friends, and the justly merited rewards of professional success and political distinction. The connexion of friend and business associate, between this gentleman and Mr. Yeadon, continues through all the vicissitudes of opposing political sentiments.

In 1826, while suffering from an attack of rheumatism, which, from his 19th year, had crippled him, he visited the hot springs of Virginia. He there met with Henry Clay; but was then as was most South Carolinians, an ardent lover of Andrew Jackson, and felt no great deference for the great commoner of Kentucky. He lived long enough, however, to estimate his great services to the country; and became one of the most able and eloquent of his defenders.

In 1827 Mr. Yeadon's practice being small, he was appointed by the Legislature one of the special magistrates of Charleston, under a new and excellent system suggested by, and established through, the aid of his own pen. Afterwards, when the same system was still further improved, he was selected, with Henry Trescot, Esq.,

as judicial magistrate. In this position, Mr. Yeadon underwent a still more advantageous legal training, and prepared himself for those duties in his profession, which now began to flow from his increasing business.

In December, 1829, Mr. Yeadon married Miss Mary Videau Marion, of St. John's, Berkley, a daughter of the late Francis Marion, Esq., the grand-nephew and adopted son of General Francis Marion, that most prominent of all partizan heroes in the glorious picture of revolutionary struggles in South Carolina. This lady, with her hand, brought a heart full of purity and gentleness to her husband. A disposition of mildness and courtesy, and an intelligent mind, enable her to administer the affairs of her household with an ease and judgment, which render it the habitation of peace and comfort. No living issue is the fruit of this marriage.

In the early part of the summer of 1830, an eventful period of Mr. Yeadon's life commenced, in his connexion with the great union and nullification controversy, which then began to rage in South Carolina. At this period, actuated alone by principle, and not pausing to consider the probabilities of success, he connected himself with the Union party; and was among the prominent speakers at the great meeting at the Union Bower, held on the 4th July, 1831, when party lines were distinctly drawn. He wielded his pen with singular ability and effect in this cause, for the columns of the City Gazette, in 1830 and 1831, in opposition to Nullification; and there can be no question that, during the whole period in which this matter was the subject of debate, no single mind aided more in eliciting truth, than that of Mr. Yeadon. Indeed, no man brought to the side of the question, chosen by him, more lucid reasoning, and more dignified and efficient sources. On leaving college he had read the celebrated pamphlet, written by Mr. McDuffie, signed, "One of the People," and was strongly imbued with its latitudinarian principles. The debates in the Legislature, under the lead of Judge Smith, and Hugh S. Legare, had, however, reduced the standard of Mr. Yeadon's opinions, and he was brought to that position which he has since so consistently and ably sustained. Mr. Yeadon's belief on this vexed question of politics may be thus defined. He holds the opinion of a divided sovereignty between the States and the Union,—of a Union, sovereign, as respects its delegated powers; of States, sovereign, as regards their reserved rights,—neither possessing the right to trespass on the sovereignty, or the rights of the other; the Supreme Court of the Union being the constitutional and final arbiter on all disputed questions susceptible of submission to judicial arbitrement, and the ordinary action of our complex Government, with all its checks, balances, and safe-guards, state, federal, and popular, being the practical arbiter in all other cases.

Some other changes, we believe, have been admitted to have taken place in Mr. Yeadon's views, since his conversion to modern State-right doctrines. These are, *from believing in secession as a constitutional and peaceable right, to holding it to be revolutionary and treasonable, if attempted, by arms, against the consent of the Government of the Union. From believing in the inexpediency, to a sanction of the absolute expediency, of the Protective system.* He always held, and still holds, the Tariff to be constitutional; but once believed the adoption of the policy impolitic, and injurious to the South. He now considers it to have been constitutional and expedient, both for South and North; but thinks that the cotton manufacture, at all events, and, perhaps, some others, have reached too high perfection, to require further support from this agency. He is, therefore, opposed, at present, to increasing the duties for that purpose. The following extracts set this matter in its true light:

Extract from the address of Mr. YEADON, to the patrons of the Courier on taking leave of his Editorial duties.

"The undersigned, in dissolving his editorial relations with the Courier, its patrons and the public, trusts that he will not be deemed intrusive, but meet with a kindly indulgence, in a full, but succinct development of his political creed, and his views on the great political issues of the day.

"He believes that our Government is a happy combination of the federal and national

forms, investing the general government with complete sovereignty within its constitutional sphere, and leaving to the several States complete sovereignty within their reserved powers, the whole body being fitly joined together and compacted by that which every joint supplieth, according to the effectual working in the measure of every part, making increase of the body, unto the edifying of itself in love. In cases of conflict between the respective jurisdictions, the Supreme Court of the United States is the constitutional and final arbiter as to all questions susceptible of a judicial determination; and as to all others, the general government, in its ordinary and regular action, with all its complicated checks on usurpation or abuse of power, is practically, and of necessity, the tribunal of dernier resort. This results inevitably from the provisions of the federal Constitution, extending the judicial power of the United States to all cases in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made under their authority; to controversies to which the United States shall be a party, and to controversies between two or more States; and declaring that, this Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be *the Supreme law of the land*, and the judges in every State shall be bound thereby, *anything in the constitution or laws of any State to the contrary notwithstanding*." In other words, the very object and purpose of our present admirable Constitution, the work of wisdom by an assembly of patriots and sages, unexampled in the history of the world, were to form a nation, to the extent of the powers conferred on the central government.

"In this admirable scheme of polity, emulating the solar system, as well in the harmony of its action, as in the complexity of its structure, and like it, so nicely adjusting the centripetal and centrifugal forces as to secure the steadiness and lustre of the orb of light and life that stands poised in the centre; and the fidelity of the revolving planets, of whatever magnitude, to their assigned and respective orbits, without clashing or interference. There is found, too, every desirable check and security against usurpation or abuse of power by the central authority.

"If the foregoing views and opinions are well founded, and that they are so, is believed with unswerving faith and confidence, it follows that the doctrines of nullification and secession, so widely entertained and with such mischievous effects, in the State, are wild and untenable heresies.

"As to the tariff or protective system, the undersigned believes it to be both constitutional and expedient.

"He believes a national bank constitutional as a necessary and proper financial agent of the government, and in order to establish a sound national currency, the regulation of which he believes to be the province and duty of the General Government."

Amidst the intense excitement that prevailed in South Carolina, on the subject of the tariff, in 1831, various modes of redress were suggested. Among them was that of a Southern Convention, which enlisted the pen of Mr. Yeadon; and which he pressed, as the measure of the Union party, in certain essays in the City Gazette. The unanimity with which this mode of action has been adopted in the South, in reference to a late proposed unconstitutional action of the national authorities in regard to Southern relations, speaks well for the far seeing and prudential views of Mr. Yeadon, of whom, it may also be said, that he was among the first to recommend that measure in the present exigency.

The ardent Unionism of Mr. Yeadon was not without its proscriptive reward, for in December 1831, he was refused a re-appointment to the Magistracy of his native city; a station of which he had discharged the duties most ably, not less to his own, than the advantage of the country.

While thus breasting fearlessly the strong current of popular sentiment in South Carolina, an observing eye was on him. A. S. Willington, Esq., the Editor and Proprietor of the Courier, a gentleman whose clear and practical intellect had long illustrated the cause of commerce and of politics in the South, at once saw and appreciated the talents of Mr. Yeadon. The result was a proposition about the 1st July 1832, that the latter should become an editorial writer for that paper; an offer which was at once accepted. Mr. Yeadon immediately carried into its service, the same energy and industry which has characterised him in every position which he has occupied; and he became and continued to be the leading Union Editor, in the State, until the close of the nullification controversy. We extract from various papers of the date of Mr. Yeadon's resignation of editorial life, the subjoined testimonials of his standing in the opinion of contemporaries:

"Richard Yeadon, Esq., has retired from the Editorial charges of this paper, Charleston Courier, which he has maintained with signal ability and honor for upwards of twelve years." "He reflected honor upon the Editorial profession, and the best wishes of all his contemporaries of the press follow him in his retirement."—*Richmond Times and Compiler.*

"Richard Yeadon, Esq., after an able and honorable career of upwards of twelve years, has retired from the Editorial chair of the Charleston Courier."—*Baltimore Patriot.*

"Richard Yeadon, Esq., has retired from the Editorial management of the Charleston Courier, a post which he has occupied with distinguished ability for the last twelve years. Although we differed from him in politics, a sense of justice compels us to admit that, he was an able, bold, and efficient writer; and that the editorial corps has lost in his retirement, one of its most talented and accomplished members.—*Farmer's Gazette, Cheraw, S. C.*

"*Charleston Courier.*—Richard Yeadon, Esq. for more than twelve years past, the principal editor of this excellent journal, we regret to say, on Monday last, surrendered his connexion with the editorial department of this paper, and betook himself to his increasing professional and private engagements. His retirement from a station he has filled with so much credit to himself and the concern, and so much honor to the country and the profession, will be a source of regret to all who had the pleasure of an intercourse with him. To us it is matter of unfeigned sorrow to part company with one, who has been an efficient and valued co-laborer in the cause of our glorious Union, and in the propagation of sound Whig doctrines. Politics aside, however, we venture to assert, that all his contemporaries, from one end of the Union to the other, and we may say all over the world, where his journal has been received, will give him credit for his probity and candor, and for his marked and peculiar amenity of manners. In his withdrawal from the corps editorial, a light has gone from the galaxy, whose effulgence in times past has carried joy and gladness where the gloom of ignorance and error held its dark and slavish dominion. We part with him in sorrow, because in his retirement, the cause of sound and wholesome information and improvement loses a faithful advocate and friend. The laurels he has won are doubly his own, from the perilous and difficult position where he fought for them; and since duty now calls him from the field of strife, we trust he may find them as sweet to repose upon, as they were honorable and brilliant in their achievement."—*Mobile Daily Advertiser.*

Other testimonials, called out by this event, would swell our memoir beyond the pages allotted to it. Sufficient it is to say, that a very general outburst of editorial commendations announced it; and attested the value of the services of Mr. Yeadon to the Union, and the Press.

In the summer of 1832, Mr. Yeadon was appointed a member of the central committee of the Union party, and elected its Secretary; a situation, from the nature of the issue made up between the parties, and the bitterness of the contest, of great confidence and responsibility. In that capacity, and as editor of the Courier, he stood in the front rank in this long to be remembered and terrible State conflict; receiving on the strong shield which he bore the severest assaults of the State-right's nullification party, and striking vigorously for the cause of the Union, and the Constitution; and, it may be said, without the partialities of friendship, or the inclination of the partizan, that, during the whole course of that new and vindictive quarrel, no pen, no mind, no heart ever did more to sustain the Union, and to elucidate its blessings, than were brought to the cause by the subject of this memoir.

On the first of January, 1833, Mr. Yeadon became, with Mr. Willington and Colonel King, a co-proprietor of the Courier; and acted as its political and literary editor until the fall of 1844, when he retired; and has never resumed his position, though occasionally contributing to its columns. He persevered in his opposition to nullification, and the Test Oath, till the reconciliation of the parties in 1834, and wherever the Courier went, even where doctrines, counter to those advocated by it, were held, its dignified, its frank and reliable character, was unhesitatingly acknowledged. By those who maintained kindred sentiments it was hailed as the faithful advocate of the Union, the just expounder of the Constitution, the truthful, firm guardian of American liberty.

In 1836, Mr. Yeadon was elected to the Legislature. In that body, instead of devoting himself to the explaining of abstract politics, he set about the reforming of the laws, in many particulars defective; and in serving the best interests of hu-

manity. He was the author of an important reform in the law of insolvents—of those provisions, giving creditors the right to cross-examine as to the truth of schedules, and to call for the production of books kept by the debtor; of an act, enlarging the jurisdiction of the City Court, and giving efficiency to executions, issued from it, throughout the district. He also suggested the project of enlarging the prison bounds, so as to embrace the entire district, and of limited co-partnerships;—measures which, though they then failed, were subsequently carried out. In October, 1838, Mr. Yeadon was defeated in the canvass for the Legislature, in consequence of his opposition to the sub-treasury, or hard money scheme; an opposition, which he waged by the side of the lamented Legare.

In 1835 Mr Yeadon, in a series of essays in the Courier, and, subsequently, in pamphlet form, gave the world a lucid, temperate, and learned treatise on the subject of the rights of the South, with respect to slavery. It was fitting that he who had, under such discouragements and hostilities, so nobly stood forth the friend of the Union, in one controversy affecting its integrity, should again raise an arm for its defence in another, not less—perhaps far more—dangerous.

In September, 1838, while on a visit, with General Hayne and others, to Lexington, Kentucky, engaged in furthering the project of uniting Cincinnati with Charleston, by rail-road, Mr. Yeadon was elected an alderman of the city, in which position he served one year, and then declined the poll. During the period of his service in that body, he was instrumental in procuring the enactment of an important measure connected with the cause of education. This was the creation of the high school of Charleston; and the appropriation of a certain sum, annually, both to that institution, and to the college of Charleston. The plan of the high school, drawn up by Mr. Yeadon, is the most unique and effective of any we ever met with; and deserves to become the model for all similar establishments. The labors of Mr. Yeadon, in these respects, have conferred very valuable benefits on the youth of Charleston; not the least of which is, that the valuable services of Dr. Bachman have been procured as Professor of Natural History, for the college of Charleston. Nor is it alone to these institutions that Mr. Yeadon has given his efficient services. As Commissioner of Free Schools, a station which he yet fills, he has labored assiduously for the poorer classes—originating, and pressing to consummation, a local, or parish tax, for the erection of houses for free schools, and for apparatus; a measure, sanctioned by the Legislature, and which will soon develope advantages commensurate with the dignified objects of the sacred trust.

Up to the summer of 1840 Mr. Yeadon was identified with the Jackson and Van Buren party, though not sanctioning the sub-treasury scheme. At that period he separated from the party on that point, and on account of the charges of abolitionism against the virtuous Harrison. During the canvass of 1840 he remained neutral; but joined the Whigs on the election of Harrison. He denounced John Tyler's apostacy and treachery, in common with the Whigs of the day, and entered warmly into the contest of 1844, in favor of Henry Clay. To this struggle Mr. Yeadon brought all his enthusiasm, diligence, and ability. From the mouldering records of past history he revived and disentombed every fact which could tend to the illustration of the policy of his party, or be brought to act as testimony against his opponents. South Carolina, Georgia, Virginia, and the District of Columbia, were fields in which he personally shook the ranks of Democracy with his searching, bold, and eloquent appeals; and arguments, which he had prepared with great industry, and which, with extraordinary force, placed fairly before the popular mind the constitutionality and expediency of the Tariff,—became text books in every discussion in the south-west. In the canvass of 1848 he advocated the election of General Taylor; but the Whig party, having no distinct organization at that period in his State, he threw himself upon the side of the Taylor Democrats, who triumphantly carried the city. When it began to be evident that an attempt would be made to graft the sentiment of abolitionism on the institutions of the nation, he vigorously took the side of Southern rights. On this topic he

knows no Whig, no Democrat. While no man would do more to uphold the Union, or take more pride in its perpetuity, he is prepared to repel the slightest interference with the South, on the slavery question.

Mr. Yeadon's practice at the bar has yielded him remunerating emoluments; and he is, therefore, possessed of a very handsome fortune. Not only have his industry, and attention to business, been blessed, but his liberality also; for, while prudence has regulated his private affairs every public and private charity has found him a liberal benefactor.

Mr. Yeadon's capacity for usefulness has devolved on him the performance of many duties in civil and military life. He has filled, with approbation, many important public stations, and he is identified with nearly all of the charitable and school associations of the city. The Northern States, North Carolina, South Carolina and Georgia, are indebted to his pen for some of the finest descriptions of scenery, and the most graphic biographical sketches ever published in this country; an art of composition in which Mr. Yeadon is remarkably happy, and which causes his presence to be hailed with delight wherever he travels.

Mr. Yeadon's style of speaking is clear and brilliant. He has at ready command a large amount of, not only shining, but pure coin; and he expends it with ease and gracefulness. The visit of Mr. Webster to Charleston, in 1847, gave Mr. Yeadon a fine opportunity of displaying, not only the warmth of his heart, but of his eloquence too. As fair specimens of his extemporary style, we subjoin extracts from his speeches at the New England Society and Bar dinners to Mr. Webster.

At the first, being called on, Mr. Yeadon said—"He presumed that the call made on him indicated that the company desired from him a sentiment merely, not a speech. That, after the brilliant and almost unparalleled display of oratory, eloquence, and exquisite wit, which had graced the occasion, it would be vain presumption in him to interrupt the further festivity of the evening with a set discourse. He could not forbear, however, giving expression to his gratitude for the courtesy which had made him a participator in the rich and rare enjoyment, that had so signally marked this social and festive scene—that had made him a guest of the family party, given to the favorite son of New England by the descendants of her pilgrim fathers, who had made the sunny South their home. It afforded him heartfelt pleasure to unite in doing honor to their distinguished guest. He honored him as the light and glory of our literature, the star, the sun of our intellectual sky—as bearing, in oratory and eloquence, the same relation to our country, that Demosthenes and Cicero bore to Greece and Rome; emblazoning her with an equal lustre—as having won, by a long life of illustrious public service, in the Senate, the cabinet, and the field of diplomacy, not only the title of New England's favorite son, but, also, that of the patriot statesman of America—and as standing forth, by universal acknowledgment, one of the greatest citizens of our great Republic; belonging not only to his native New Hampshire, and his adopted Massachusetts, but identified with the history, and contributing to the fame of his entire country; and, therefore, rightfully claimed as the common property of the nation. There was one particular, too, in which, as a Carolinian, and a Southron, he felt more than commonly proud to do grateful honor to Daniel Webster. In his own Massachusetts, and in the Congress of the Union, he had boldly and patriotically rebuked the mad spirit of fanaticism, that, under the banner of a false philanthropy, would preach a crusade against Southern rights and institutions, and stab to the heart the peace, the prosperity, nay, the very existence of the South. It was gratifying, also, to recal the fact that, in the year 1840, in the capital of the Old Dominion, under the 'October sun' of a Virginia sky, he, Mr. Webster, had given utterance, 'before his entire country,' to the just, patriotic, and constitutional sentiment, and committed it 'to the wings of all the winds,' to be borne to every human ear, whether of friend or foe, of North or South, on all the responsibility that belonged to him—'THAT THERE IS NO POWER, DIRECT OR INDIRECT, IN CONGRESS, OR THE GENERAL GOVERNMENT, TO INTERFERE, IN THE SLIGHTEST DEGREE, WITH THE INSTITUTIONS OF THE SOUTH.' He pro-

claimed that we, of the North and South, were citizens of *United States*—united only for the purposes of common defence, common interest, and common welfare, but separate and independent in every thing connected with their domestic relations, and private concerns. Honor to the man who upholds the *Constitution* as the bond of our Union, and as the ægis of protection and bulwark of defence, to the separate interests and institutions, each and all, of our United States. He could not conclude, said Mr. Yeadon, without expressing his delight also, at beholding his own native State thus extending welcome and courtesy to Massachusetts, the mother of industry, enterprize and refinement, in the person of her illustrious Senator. It was fitting that old Massachusetts, she that had rocked the cradle of the revolution at Lexington and Bunker's Hill, should be thus met with old affection, and 'time honored' hospitality, by South Carolina—which had not sung the lullaby of our young independence; but tuned its ear to other, and different music, the thunder of Fort Sullivan. He gave, as a sentiment,—

"The reception of Mr. Webster in Charleston. The old Palmetto Fort exchanging a friendly salute with Bunker's Hill."

At the Bar dinner to Mr. Webster, Mr. Yeadon spoke as follows:

"He asked leave to pay a common and richly merited tribute to the three greatest men of the Union. The relations borne by their illustrious guest to his city, his State, his section, and the nation at large, naturally suggested to the minds and hearts of all present, two other distinguished citizens of our republic, his co-equals in greatness and fame, whose relations to city, State, section, and nation, were identical with his own. Boston, the Athens of America, Massachusetts, the cradle of the revolution, New England, the home of the Pilgrim Fathers, delighted to do honor to Daniel Webster, the 'bright star of the East.' Lexington, the soul of hospitality and intelligence, Kentucky, the eldest of the Western sisterhood, the far and mighty West, in all its vast extent of territory presented the laurel to Henry Clay, the great statesman of the West, who now, alas, in sorrow and desolation, amidst the shades of his own beautiful Ashland, mourns, with crushed and anguished heart, a gallant son, laid as a sacrifice on the altar of his country. Charleston, the Queen City of the South, South Carolina, the soil of the evergreen palmetto, the South, the sunny South, the home of chivalry and generous sentiment, do homage to John C. Calhoun, the pure and lofty patriot, the fearless champion of the South. Each of these illustrious men, in his own section, stands unrivalled in greatness and in the popular heart; and yet each was regarded as the common property of the nation, which had reaped such a long harvest of advantage and fame from their illustrious services in the Senate, in the cabinet and in the diplomatic field. At home, each towered in greatness and elevation, beyond compeer; but when viewed as the national plain, they rose in the similitude of three lofty and colossal columns, contrasted in their order of architecture, but equal in magnitude and height. He asked for permission then, as not inappropriate to the grateful occasion, to twine a common garland for the three great men of the republic. He gave Clay, Webster, and Calhoun, the three pyramids of America. Colossal in intellectual proportions, and towering in moral grandeur, they as much exceed those of Egypt in greatness and glory, as the intellectual and the moral are above the physical, they and their memory will be reverenced, while liberty is worshipped and public worth is cherished in this land of the free. The time may come when posterity will say: From yonder pyramids more than twenty centuries look down upon *our* actions.'"

In person, Mr. Yeadon is of respectable medium height, and somewhat stout. His head is what a phrenologist would admire, as happily proportioned, enough of the physical to give stability to the moral and intellectual, and his face is characterised by benevolent and intellectual expression. In disposition he is bland and courteous; and, though in moments of close attention to business, one may pronounce him occasionally and unconciliatory in manner, this arises more from anxiety to make progress with his engagements, than from a want of appreciation of the particular complaisances of life. Under an exterior sometimes forbidding, is beating a generous and sympathising heart, one ever open to the impressions of philanthropy; ever overflowing with kindness and urbanity.

In business the most minute particulars engage his observation or memory; and while, with some men, it requires hours of preparation, to make the transit from one department of business to another, he engages in the greatest variety

of transactions with ease and facility. His literary labors are voluminous, and will form a noble treasure in the letters of his native State. It is to be hoped, that the correctness and fluency of his pen will be directed to the elucidation of the history of South Carolina; a work for which he is eminently qualified, not less by qualities of industry in the collection of materials, than from the elegant character of his diction.

AN ESSAY ON THE

LIFE AND WRITINGS OF FRANCOIS RABELAIS,

THE GOOD CURATE OF MENDON.

BY EUGENE LIES.

Rabelais est-il mort ?
Non sa meilleure part ha repriz ses espritz.
JEAN TURQUET.

WE profess to be so far a disciple of the great philosopher to whose fame these pages are devoted, as to entertain the utmost abhorrence of bigotry, cant, and exclusiveness, in all their forms, whether based on national or sectarian prejudice. The ephemeral literature of Great Britain is particularly obnoxious on that score; it is redolent with the offensive taint of self-laudation. For this, we feel in some degree prepared; but we have no patience with a class of American writers who, without the obvious excuse of their transatlantic cotemporaries, endorse the conceited blunders of the British press. We will cite as a specimen the following critical dictum from a late number of a popular magazine of New York:—"An Anglo-Saxon can appreciate, although he may not altogether admire, Gallic wit; but a Gaul is hopelessly incompetent to understand Saxon humor." We notice this remark, not for its originality, but merely because it is the echo of many others of the same character, and to the same effect —common places of British self-gratulation, empty sounds, *voces et preterea nihil*, which the authors of Great Britain have uttered in the candor of ignorance, and which our own writers repeat, because they pass current in Great Britain. We should like to know on what grounds rests the common assumption that humor is the exclusive property of the Anglo-Saxon race, or that there exists such a thing as a special Anglo-Saxon variety of humor. What is humor? We will not attempt a definition which Addison has declared to be so difficult. But we imagine that a tolerably clear, though concise, idea of the humorous style is conveyed, if not by the epithet of *joco serius*, which Strabo applies to the satires of Menippus, at least by merely inverting that compound expression. Suppose that, catching the prevailing mania of Neologism, we took the liberty to qualify a work as *serio jocose*—it may be that the word would appear obscure—but if it meant anything at all, it certainly would mean *humorous*. Had the critic, whose remark we have noticed, stated that humor is a thing so exquisite, so delicate, and so inseparably woven with expression, that it loses a great deal of its effect in a translation, he would have occupied a much more tenable position.

If there be anything *sui generis* in Anglo-Saxon humor, we plead ignorance and beg for light; but if humor, in all languages, be merely what we conceive it, a veil of mock gravity cast over pleasantry to make her more attractive, then all the writers, whether Greek, Latin, Spanish, Italian, or English, who have practised that artifice, are humorists. And above all, the prince of humorists is one Francois Rabelais, whom the critic had probably overlooked in making his sweeping assertion.

Why did not Rabelais write his own

life? No theme could have suited his genius better; no pen could have better graced the theme. We do not hesitate to say that such an autobiography would have proved the most humorous of his works; a relation of the most Pantagruelic incidents by the author of Pantagruel. Unfortunately, his life yet remains to be written, and a few dates, a few facts, mentioned as it were inadvertently by cotemporary writers, some incidental allusions in his correspondence, and scant official entries that record several of his public acts, are all the authentic materials which criticism has been able to discover. On the other hand, however, tradition has bountifully supplied the defect. So universal was Rabelais' reputation for facetiousness, that for years afterwards his countrymen attributed to him every merry saying or doing that came to their knowledge. In this respect, he shared the fate of all originals in being made to father a long and spurious progeny, which, living, he would have disclaimed indignantly. It is somewhat difficult to discriminate, in the vast number of anecdotes attributed to Rabelais, the genuine from the false; nor is it easy to reconcile the conflicting accounts of several most important particulars relating to him. Yet the labors of modern criticism have much facilitated the task, so that we are enabled to furnish our readers with a tolerably consistent narrative of the leading events of his life.

Francois Rabelais was born at Chinon, in Touraine, about the year 1483. His father was either an apothecary, or an innkeeper; at all events, a man of some property. Rabelais received the elements of his education at the Abbey of Seuillé, where he passed his time, to borrow his own quaint expression, "in drinking, eating, and sleeping, in eating, sleeping, and drinking, and in sleeping, drinking, and eating." We next find him at a monastery, in the neighborhood of Angers, where he remained until he was sufficiently advanced in age to commence his noviciate. He then entered a convent of the Franciscan order, where he was finally ordained a priest sometime in or about the year 1511.

In the solitude of the cloister, Rabelais lost no opportunity of gratifying that innate thirst of knowledge which, to the last hour of his life, formed a prominent trait in his character, and redeemed—although it failed altogether to refine—many a gross instinct, many a sensual appetite. He became thoroughly acquainted with ancient literature, and even mastered the Greek language, which at that time was but little understood or studied.

The more he followed his elegant pursuits, the greater became his contempt for the gross ignorance of his brethren at the convent. This feeling, which he took no pains to disguise, produced its obvious consequences. With the exception of two kindred spirits, whom a similarity of tastes united in friendship with him, the monks of Fontenay le Comte hated, while they envied, the accomplished Rabelais. The hatred of monks is not habitually inactive, and, on this occasion, the mercurial temperament of their victim furnished their vengeance with ready pretexts. The vigilant inquisition of revenge never slumbered till poor Rabelais was confined under sentence of perpetual imprisonment—*in pace*, as they called it, with cruel irony—in the subterraneous dungeons of the convent. There are several versions as to the particular offense for which so severe a punishment was visited upon him. Some state that he mixed with the wine of the monks certain atonic drugs whose enervating influence greatly annoyed the voluptuous fathers, whilst others raise against him the still more serious accusation of having done *precisely the reverse*. A more rational and probable account charges him with having caused great scandal by his conduct at a village holiday gathering, where, in a drunken bout with some peasants of the neighborhood, he indulged in eccentric and obscene vagaries. But the characteristic and most popular is the following anecdote:—Tradition says, that he unceremoniously dislodged the statue of the blessed Saint Francis from its pedestal by the altar in the church, and, dressing himself for the part, ascended the vacant place and prepared to personate the Saint during the service. This idea, which he may have borrowed from the Stylites of ancient times, and which the Ravels perhaps borrowed from him, he contrived to carry out for a while with becoming gravity. But Rabelais had none of the spirit of Saint Simeon about him; he was not born for a model artist. At the most impressive

moment of the sacrifice of the mass, weary of his motionless attitude, he astonished the good villagers by the sudden exhibition of certain frantic gestures. It is said the congregation did not at first realize what they saw; they thought the statue had become animated. They were in a fair way to believe in a genuine miracle, when the incorrigible jester extemporized such a substitute for the ceremony of sprinkling with holy water, as was certainly unbecoming in the statue of the canonized founder of a religious order; and the wonder degenerated into evident sacrilege.

Whatever was his offense, influential friends soon interposed in his behalf, and procured, not only his release, but an order of the Pope for his transfer from the begging order of Saint Francis to the elegant leisure of the Benedictine rule. But his impatient spirit could not brook even the gentle restraint of his new discipline; escaping from the cloister, he assumed, without leave or license, the habit of the secular priesthood. He attached himself as secretary to the person of the bishop of Maillezais, his old friend and fellow-student and a liberal minded man, at whose house he became acquainted with some of the leading literary characters of the day, who were supposed to entertain opinions which leaned towards the Reformation; he associated or corresponed with the illustrious Budens, with Jean Bouchet, one of the leading spirits of the day; with the poet Marot, soon after tried and convicted on a criminal charge of eating bacon in Lent; with Louis Berquin subsequently burnt alive for Lutheranism; with Hugues, Salel, and Calvin. The latter was very partial to Rabelais and encouraged his inquisitive spirit until it led him to conclusions beyond the Calvinistic standard; and then the Genevese reformer became our author's irreconcilable enemy. It would seem that during this period Rabelais freely indulged in the expression of his hatred and contempt for the superstitious ignorance of his late cloistered brethren, if indeed he was not even conscious of having seriously committed himself against orthodoxy. For no sooner did the day of persecution arrive, no sooner were the flames of the Inquisition lighted to consume the works and persons of heretics, than Rabelais sought a refuge at the illustrious University of Montpellier, where he entered his name as a student in medicine.

He was now forty-two years of age; his person was tall and commanding; his countenance was habitually frank, open and good humoured in its expression, yet assumed whenever he chose an air of dignity which commanded respect; his voice was powerful and sonorous; in short, he possessed all the gifts of the orator. On the very day of his arrival at Montpellier, he obtained a most enviable distinction by a brilliant improvisation which he volunteered. In a wonderfully short time he became the the soul and chosen spirit, the pride and the boast of that ancient and famous institution. To this day, graduates in medicine at that University when they take their degrees, don for the occasion the *robe de Rabelais*, not the identical one however; for that precious garment has long since shared the fate of other ancient valuables; it has been carried away in patches for relics.

An anecdote is related which commemorates the eccentricity and the prodigious learning of Rabelais, as well as the high estimation in which he was held at Montpellier. The Lord Chancellor of France had infringed some of the privileges of the University of that city, and Rabelais was chosen as an ambassador to solicit redress. Upon reaching Paris, he found that the main difficulty consisted in obtaining an audience of that magistrate who was, it seems, determined to listen to no communication on the subject. He adopted, therefore, an expedient strongly characteristic of his odd and ingenious turn of mind. He dressed himself in a costume calculated to attract attention, a long green gown, an Armenian bonnet, oriental breeches; and then, with a pair of enormous spectacles fastened to his cap, and an inkstand of prodigious size in his hand, began pacing up and down the quay, in front of the Chancellor's residence. His quaint attire and strange demeanor soon collected a crowd; and the Chancellor sent to inquire the cause. "I am the calf-flayer," answered Rabelais. This unsatisfactory answer only piqued the curiosity of his Lordship who commissioned one of his gentlemen in attendance to question the calf-flayer. But Rabelais greeted him with a Latin oration. Another messenger appeared who understood that language and was addressed in Greek. A Greek scholar came down, but the calf-

flayer could no longer speak anything but Hebrew. In short, he exhausted the learning and patience of the household by addressing each new interpreter in a language unknown to him, and displayed such varied knowledge that the Chancellor ordered him to be called in; Rabelais improved his opportunity and represented the claim of the University in such skilful and pleasing terms, that he gained his cause at once. In his Pantagruel, Rabelais has set down this incident at large, and applied it to the meeting of Panurge with that friendly giant. There can be no doubt, that he has thus woven many of the incidents of his own life with the adventures of Panurge. It is, perhaps well for the good name of our author, that we cannot at this late day distinguish his personal recollections from what he has invented. Very many of the least reputable tricks and pranks of his favorite personage are narrated with so much complacency and with an air of reality so life-like, that we are tempted to suspect that they were perpetrated by their chronicler himself.

It was about the year 1532, that Rabelais made his first appearance in the literary world. This was an inquiring age; the recent invention of printing had awakened a thirst for learning which was seeking to quench itself in the deepest wells of ancient lore. It was the aim of the printers of that day to employ the most learned scholars as proof-readers and commentators. In this double capacity, Rabelais entered a printing house at Lyons, from which several editions of classical works issued under his superintendence, among others, his own translation of the Aphorisms of Hippocrates. It is said, however, that the publisher was well-nigh ruined by the ill success of those enterprises, and that upon his complaining to Rabelais, the latter swore by Jupiter and by the Styx that he should be indemnified for his losses. A few days afterwards he brought to him the first version of the romance of Gargantua, of which more copies were sold, as the author informs us, than there had been Bibles purchased for the last nine years. The object of this production was to ridicule the prevailing taste for romances of chivalry, a conception which, as Cervantes afterwards proved, alone contained the germ of an immortal work. Such was the immense popularity of this first imperfect attempt that its author republished it several times in an altered form, and at last was induced to follow up his theme in the first book of Pantagruel. This book, like its predecessor, is but a tissue of extravagant adventures in the most hyperbolic strain. Some passages are in the author's best manner; but they only make the remainder more obnoxious by contrast. Rabelais appears to have written these random sketches only to aim a blow against the literary taste of the day. In those parts where he rises superior to his theme, it would seem that he either followed unconsciously the promptings of his fine genius, or that he wished to test how far the peculiar style which he had created could serve as a vehicle for lofty thought and deep philosophy. We are obliged to give this surmise upon our own responsibility, because,—owing probably to its extreme simplicity—it seems never to have occurred to commentators. On the contrary, with the most wrong-headed perseverance, they have exhausted their ingenuity in discovering a regular plot and a sustained allegory running through the fables of Rabelais; some have insisted that they contain the history of France during three successive reigns; others have traced the romantic annals of Navarre minutely set down in the text; and many have been sagacious enough to point out the very personages in the story; there are keys innumerable which purport to lay open the mysterious and hidden sense of Pantagruel and Gargantua. Such an allegory, if it existed, would only mar the merit of the writer, without adding, at this remote day, the least interest to his productions. We feel justified, however, in acquitting Rabelais on that score. True, in his rambling portraiture of society, he might occasionally copy from the life, he might now and then introduce the playful caricature of some living personage, he might allude to passing events, and to the literary, religious and political concerns of those stirring times; nor did he ever permit an opportunity to escape of plying the lash upon his mortal enemies the monks, several of whom he has handed down to unenviable fame. But his native taste served him too well to permit him to blunder into a sustained allegory.

Our wayward man of genius was reaping his full harvest of fame when he was vis-

ited at Lyons by his old friend and fellow-student Cardinal du Bellay. This was one of the most remarkable persons of the age. He was then engaged in negotiating the reconciliation of Henry VIII. with the church, and he proposed to Rabelais to accompany him to Rome. The author of Pantagruel, who was never proof against any temptation to ramble, accepted the offer with delight, and entered the cardinal's household in the double capacity of physician and secretary. He carried his bold wit and joyous humor even into the presence of the Pope. When he saw the Cardinal kissing the slipper, he went about the reception room inquiring what sufficient mark of submissiveness was left for so humble an individual as himself to give, when a great Lord like his master was kissing the foot of his holiness. The jest was coarse enough, especially as it was worded on this occasion. But had it been coarser, it could hardly have incurred the displeasure of the joyous Clement, who loved a joke as he loved science and art. Yet Rabelais, who was well aware of it, pretended to feel alarm, for the purpose, most probably, of heightening the effect of his daring allusion. With great show of terror he ran out of the palace, bestrode the first horse he found, and galloped away through the rain, which was pouring in torrents, until overtaken by a special messenger, who assured him of his pardon. When again led into the presence and requested to test the sincerity of his absolution by naming any boon within the gift of the tiara, he humbly supplicated the Pope to excommunicate him. Clement was astounded: but Rabelais explained: he had heard an old woman exclaim, after vainly trying to kindle a fire, that the wood had the Pope's curse upon it. "Therefore," continued he, "your Holiness can confer no greater favor upon me; for I am a Frenchman, and my countrymen are greatly addicted to making bonfires of folk."

The Pope and his court were highly amused by these buffooneries, and felt the less disposed to take offence at them that they proceeded from one of the most learned and ingenious scholars of the day. For Rabelais, in spite of his Epicurean doctrines, and his joyous affectation of pleasure-seeking, remained to his last day a most indefatigable student. During a residence of six months at the Papal Court, he found time to pursue the most extensive researches in Botany and Archœology, and to add the Arabic to his stock of foreign languages.

On his way to Paris with despatches, he was detained at Lyons, because, with characteristic improvidence, he had squandered on the road his allowance for the journey. He extricated himself from his embarrassment by a practical joke. Disguising his name and person, he invited the principal doctors of the city to confer with an adept of the Art, who, from his travels had brought home the most valuable secrets. At the appointed time, after disguising his appearance in a suitable costume, he came before them, and in a counterfeit voice, addressed his audience on the most arduous topics of the science. When he found that he had chained their attention and their interest, he proceeded with an air of great caution and mystery to close the doors of the apartment. Then in a low tone and guarded manner, he announced his secret: "Behold an infallible poison which I have brought from Italy to deliver France from her incubus, the King and all his family." The magistrates were immediately apprised of this nefarious scheme, and caused Rabelais to be arrested and sent to Paris for trial. As a State-prisoner he was sumptuously entertained on the road, and reached Paris in the best possible condition. When he was ushered into the presence of Francis I. the royal patron of arts and letters courteously dismissed the Lyonese delegation, and invited their prisoner to partake of the cheer of the royal table, where Rabelais drank deep and kept the court in a Homeric laughter by the relation of his successful imposture.

After this adventure Rabelais returned to Lyons, *ubi sedes est studiorum meorum*, as he says himself. In this city, he gave himself up entirely to study, and pursued his intellectual labors with a fervor and disinterested activity that entitle him to be considered a benefactor of humanity. As physician to the hospital of Lyons, he gave lectures on medicine, and dissected publicly. As superintendant of the printing establishment of his friend Sebastian Gryphius, he revised and corrected several editions of classical works. In his labora-

tory he questioned nature and strove to rob her of her deepmost secrets. For he saw and advocated the necessity of experiment long before *novum organum* and the *(anglice)* reputed father of induction. At night he ascended his observatory and studied the stars until they grew pale in the first light of day. He sought relaxation in the society of a chosen band of friends, who had secretly organized, it is said, under his auspices for the purpose of advocating with the masses the doctrines of Calvin, reserving for the initiated only the knowledge of their remoter mysteries. These consisted, it would seem, in that practical epicureism expounded in the foundation of the monastery of Theleme by Gargantua. The mental exertions which he put forth at this period did not make him forget the style of literature which he had created; he published several comic almanacks, which have served as models to many imitators. It would seem that his contemporaries would not see the lurking satire in its true light, and took the predictions of Rabelais in such sober earnest that he soon obtained a vast reputation as a grave astrologer. It was also at this time that he completed and gave to the public his final version of the first two books of his humorous Gargantua and Pantagruel, adhering to his former plan only in so far as it made war against the absurdities of chivalrous romances, but indulging in the most open manner his detestation of monks and convents, and his quiet contempt for bigotry in all sects and religions.

This work appeared at a period of fierce religious persecution. King Francis and his Court, alarmed at the progress of the Lutherans and Calvinists, suddenly took into their heads to become strict Catholics. Several wretches were burned for heresy. The best writers of France were scattered in exile over Europe, or lingered in canonical dungeons. Rabelais wisely resolved to absent himself for awhile, and again took refuge at Rome, well knowing that he was nowhere safer from the persecution of ecclesiastics than in the shadow of the ecclesiastical throne. He threw himself at the feet of the pontiff and presented an humble request for absolution. Paul III. proved as indulgent to the author of Pantagruel as his predecessor had been, and granted him a brief which fully absolved him and enabled him to practice medicine, (without fee) while still enjoying the benefit of the clerical profession—a kind of roving commission which was well suited to our author's taste. Rabelais did not see fit to return immediately to France, but remained at Rome, amusing the Pope with his humorous repartees, and dictating, it is said, many of those witty sarcasms which the statue of Parguin had the privilege of publishing in that city.

In 1537, he returned to Montpellier, where he lectured and practised extensively, applying his system of Pantagruelism to the cure of the sick. Indeed, he considered it a point of the utmost importance to make his patients laugh. "Laughing," he says, "is the distinctive characteristic of the human race." But he never thought of complying with the conditions upon which he has received his bull of absolution, until he found it necessary to do so in order to receive emolument from an ecclesiastical preferment. He then sent a new petition to Rome, and armed with a new patent, repaired to the Benedictine convent of Saint Maur. Here he resided for a while, availing himself, nevertheless, of his license, to practise physic, for rambling about the country whenever his wayward spirit prompted him. We learn from his correspondence, that he passed several years in travelling from place to place, without any other aim or object than to enjoy life or to investigate some curious subject.

At last, in 1546, he issued his third book, requesting his reader to forbear laughing until the 78th should appear. We cannot help wondering at his audacity in acknowledging such a production at a time when the monks had all their own way in France. Dolet had lately been burned alive. Des Périers had committed suicide to escape religious persecution. And Marot had sought safety in exile, for having translated the Psalms into French verse. But Rabelais had powerful friends, and tact enough to avail himself of their aid.

The third book is immeasurably superior to its predecessor. We are no longer disgusted with fabulous accounts of giant prowess; we are no longer puzzled by obscure local and personal allusions. We

are admitted as spectators to a gorgeous scene, where the comedy of life is enacting under our eyes. Satirical and philosophical digressions no longer occur as exceptions only. They form the substance itself of the work. Of the personages of the story, nothing remains but the names. We forget that Pantagruel is a giant, and we love to hear him expound his shrewd and practical views of human affairs. Panurge himself is the embodiment of the doctrines of Rabelais. His playful cynicism is the life and soul of the work. If we here attempt to convey an idea of this strange production, it is less with a hope of doing justice to so vast a subject within the limits of our present paper, than with a view to induce others to take it up. Our scant extracts are chosen not altogether from the finest passages, but from those which are most free from obscenity, that prevailing taint of the work. We are compelled to give these extracts in our own language, however inadequate, because such published translations as we have met with are unfaithful, and often mar the simplicity of the original with interpolated wit.

King Pantagruel, having conquered Dipsodie, proceeds to dispose of his new territory on the most approved feudal principles. He gives the lordship of Salmygondin to his favorite Panurge, who husbands his estate so providently that "in less than fourteen days he wasted and dilapidated the fixed or contingent revenue of his manor for three years. Nor did he properly dilapidate it, as you might say, in founding monasteries, erecting temples, building colleges and hospitals, and throwing his bacon to the dogs, but expended it in a thousand little banquets and merry roysterings, to which all comers were welcome, particularly jolly fellows, young maidens and trim wenches; felling timber, burning large logs for the sale of the ashes, anticipating his income; buying high, selling low, and never waiting for his corn to grow ripe."

To all this extravagance the king strenuously objects, while Panurge undertakes to defend his conduct, and to prove logically that it is the duty of every good citizen to waste his estate and to run in debt. On this single issue they argue pro and con, exhausting all the wit and learning which the topic admits of, and which may now be found diluted in a thousand plays and poems from Figaro to Don Cæsar de Bezan. The discussion proceeds through several chapters, in that rambling, desultory manner which Sterne has imitated—as masters alone can imitate. The resemblance between the two writers is too obvious to be overlooked. Rabelais is more practical, more amusing, more anecdotic, more learned, though less ostentatious in displaying his knowledge. On the other hand, he never strives to move the heart; he never melts, never softens, but remains throughout joyous and even-tempered. How could he have indulged the pathetic mood? Sentimentalism is the luxury of leisure and seclusion, and Rabelais had lived a busy life of bustling adventure, of physical and intellectual dissipation. He had strained his comprehensive mind in the pursuit of Truth, and had found that all things human were a mockery and a farce; that no mortal sorrows were worth a tear, and that the sum of all wisdom and philosophy was to laugh, quaff, and be merry.

To return to the story. Panurge, finding that his sophistry is thrown away, and that the good sense of his benefactor is proof against his arguments, after vainly begging that he may be allowed just a few debts, only to keep his hand in, begins to look about for some new source of excitement. Accordingly, he presents himself one morning before Pantagruel with a flea in his ear—not a metaphorical flea, but a genuine specimen of entomology, set in gold earring. His toilet is likewise indicative of a perturbed mind. He has left off his breeches, and also, desists wearing—what was once the pride of his soul—a certain article of dress, considered *indispensable*, at that time, but decidedly *inexpressible* at the present day.

"Honest Pantagruel, not understanding the mystery, interrogated him, asking what meant this new prosopopeia Quoth Panurge, 'I have a flea in my ear; I wish to marry.' 'In good time,' said Pantagruel, 'I am delighted to hear it.'" It appears, however, that the old rake yet entertains some doubts and scruples about the matter. He fears to place himself in a situation where the *lex talionis* may be visited upon him for his past misdeeds.

He, therefore, goes about the country, taking counsel of every one as to whether he had better marry. To consult Fortune he adopts several methods in vogue at that time, dice, dreams, sorcery, and "pricking the book." Each successive oracle threatens with all the evils of matrimony. But, with laudable ingenuity, he tortures every denunciation with a favorable answer, and persists in interrogating the future. He consults a sybil, and next, a deaf and dumb individual. The account of his interviews with those two personages is comical in the extreme, and we only refrain from inserting it, for fear of offending the strait-laced morality of the day. At last he calls at the chamber of a dying poet, under the popular impression that there are revelations of the future attendant upon deathbeds. The good old man delivers his verdict in writing, and dismisses his visitors with a touching, though sarcastic farewell: "Go, children; I commend you to the great God of Heaven; annoy me no more with this, or any other business. I have, this day, which is the last day of May, and of me, turned out of my house, with great fatigue and trouble, a crowd of ugly, unclean, and pestilential beasts, black and dun, white, grey, and spotted, that would not let me die in peace, but with their treacherous stingings, their harpy-like filchings, and waspish teasings, weapons, forged in the smithery of I know not what insatiability, roused me from the soft thinkings whereunto I had yielded myself, already contemplating, seeing, touching, and tasting the weal and felicity, which the good God hath prepared for his faithful and his elect in the other life, and in the state of immortality. Turn ye from their ways; be not like unto them; no more molest me, and leave me in peace, I beseech you."

The following chapter, where Panurge, issuing from the dying poet's chamber, pretends to take the part of the monks, is the one for which the monks sought to bring Rabelais to the stake:

"Issuing from the room, Panurge, affecting to appear quite frightened, said: ''Sblood! I believe he is a heretic. The devil take me if I do not. He speaketh evil of the good mendicant fathers, the Cordeliers and Jacobins those two hemispheres of Christendom, by the gyrognomic circumbilivagination whereof, as by two celestial counterpoises, the whole autonomatic matagrobolism of the Roman Church, whenever it feels pothered with any gibberish of error, or heresy quivers homocentrically.* But what, in all the devil's names, have those poor devils, the Capuchins and minims, done unto him? Are they not sufficiently smoked and embalmed with misery and calamity, those wretched objects, mere extracts of fish diet? On thy faith now, Brother John, is he in a state of salvation? By the Lord, he is going damned, as a serpent, to thirty thousand loads of devils. To speak evil of those good and valiant pillars of the Church! Is that what you call poetic frenzy? I cannot stand it; he sinneth villainously; he blasphemeth religion. I am scandalized.' 'I,' said friar John, 'don't care a button. They abuse everybody, and if everybody abuses them, I am indifferent. Let us see what he wrote.' Panurge attentively read the good old man's writing, and said to the rest: He is delirious, the poor toper. I excuse him, however. I think he is near his end. Let us go make his epitaph. By his answer, I am no wiser than I was before. Hearken here, Epistemon, my darling, dost thou not think that he answered most resolutely? By the Lord, a subtle, rampant, and palpable sophist. 'Sdeath! how cautious of speaking amiss! He answereth only by disjunctives. He can but speak the truth, since it is enough that one part be true. . . . . . . 'The same was practised,' remarked Epistemon, 'by Tiresias, the great soothsayer, who, ere he began to prophecy, openly said to those who consulted him: 'what I shall say, may or may not happen. Such is the style of prudent prognosticators.' 'Nevertheless,' said Panurge, 'Juno put out both his eyes.' 'True,' answered Epistemon, 'for having decidedly better than herself, the dubious point mooted by Jupiter.'"

The remainder of the third book is devoted to the many attempts of Panurge to solve his problem, and presents a lively satire of Divination in all its forms. Among the various answers he receives, one of the wittiest is the apologue of the ring of Hans Carvel, which the poet Prior borrowed.† If foreign writers have

* Read Ranke's History of the Popes, and admire how the sagacious genius of Rabelais appreciated what modern historical criticism has but just begun to appreciate, viz,: the Counter-Reformation, and the agency of the religious orders.

† The researches of the Jesuits have proved that this anecdote, as well as many other popular stories, was known in China and Hindostan thousands of years ago. "There is nothing new under the sun."

appropriated, without scruple, the rich ores of Rabelais' inexhaustible mine of invention, his own countrymen have done the same to a still greater extent. La Fontaine, Moliére, and many others, have drawn from him some of their happiest and most humorous passages, which, being served up at second hand to an Anglo Saxon public, have made the latter wonder and exult at the prodigious fertility of Anglo Saxon genius.

There arose one universal clamor of hate, spite, and revenge at the appearance of the third book. Calvinists and monks united to denounce and crush its author. The latter, however, was armed at all points. To judicial proceedings he had papal bulls and king's privileges to oppose. To those who ventured to attack, him in print, he replied with scorching satire. His reputation and standing were but little affected by their attacks, since a few years afterwards (in 1550, old style) he was appointed Curate of Meudon. His appointment roused anew the rage of his enemies, and compelled him, in self-defence, to answer them once for all. This he did, by publishing his fourth book. Pressed by our limits, we can scarcely more than allude to this wonderful work, which raised the renown of its author to the highest pitch, and brought him within the very smoke of the stake. The fable purports to relate the adventures of Pantagruel, and his suite, during their travels. Under cover of this thin veil of allegory Rabelais plies the lash in succession over Huguenots and Papists, lawyers, judges, doctors, and others, in that pitiless, yet good-humored manner, of which the secret lies buried with him. It will be readily perceived that the plot resembles that of a late work, called Mardi, the strange title of which may be less borrowed from the original dialects of Polynesia, than from Pantagruel's watchword (Mardi-Grass) at the great battle on Farouche Island. There are many other points of resemblance between the two works, barring transcendentalism, which was not yet invented, when Rabelais wrote. *Besides*, the adventures of Pantagruel are amusing—so much so, that at the fiftieth reading of particular passages, we have laughed till we cried.

Rabelais was so hotly assailed for this new publication, that he did not venture to publish its continuation. He was getting old, and wished to die in his bed. The fifth book appeared after his death. Its authenticity has been suspected, and rightly so, we conceive, as regards particular chapters. But it bears, generally, the unmistakable stamp of his genius. It is neither the least remarkable, nor the least amusing of his works. It contains a satire on courts and judicial officers, as keen and severe as it is laughable. There is a passage in the eleventh chapter worthy of special notice. It foretels woe and calamity whenever the dark mysteries of French Jurisprudence shall be made evident to the people. This was first made fully evident by Beaumarchais, and the great French Revolution accomplished the prophecy.

The "good curate of Meudon" was fortunate enough to end his days in peace. He passed the evening of his life in the midst of his books, plants and instruments, surrounded by affectionate parishioners and in the enjoyment of the most unbounded popularity. Meudon became a place of frequent resort for the admirers of his genius and continued long after his death to be considered as a shrine of fashionable pilgrimage. It is, we conceive, greatly to the credit of Rabelais, that living as he did, in an age of fierce religious controversy he never permitted the prevailing mania to lead him astray. He merely attacked bigotry wherever he found it, in cloister, university, or conventicle. The result was, that both parties assailed him with equal fury. Calvin never allowed an opportunity to escape of venting his spite against one from whom he had hoped so much for the cause of the Reformation. He forgot his good breeding so far as to perpetrate an offensive anagram upon the name of our author, who retorted with much wit and readiness. On the other hand, the monks were indefatigable in striving by their writings and their intrigues to compass his ruin. It was only through consummate tact and admirable address that he escaped the machinations of cabal and envy.

He met death, at an advanced age in the true Pantagruelic spirit. When he donned the black robe according to the rule of his order, he punned on the first words of the Psalm: *Beati sunt qui moriuntur in*

DOMINO. The priest who attended him, saw fit, before administering the sacrament, to question him as to his belief in the Real Presence. "I believe," said Rabelais, "that I behold my Saviour precisely as he once entered Jerusalem,—borne by an ass." No wonder the poor priest afterwards published everywhere that the author of Pantagruel died drunk. His last will was characteristic. "I have nothing, I owe much, I give the rest to the poor." On the point of expiring, he mustered his strength, laughed aloud, and exclaimed, almost with his last breath, "draw the curtain, the farce is over."

This is not the place for us to enlarge upon the philosophy of Rabelais. A kind of practical Democritism, made applicable to human concerns was surely a leading feature of his mind as it is of his writings. But he alone is competent to expound his own doctrines. There is a volume of Pantagruelic wisdom in the following remark of Panurge "All the weal which Heaven covers, and which the earth contains in all its dimensions, height, depth, longitude and latitude, is not worthy to move our affections and disturb our senses and spirits.'

As a writer, Rabelais has exerted immense influence on the world. He was the first to bring out the real wealth of the French tongue. He was the first of a long chain of writers who have handed down to each other, as by a kind of intellectual conductor, that thorough command, which he first possessed of the difficult idioms of that language. Moliére, La Fontaine, Voltaire, Gresset, Le Sage, Beaumarchais, and a few others, may be considered as the lineal descendants of that great author. The sole surviving representative of that glorious line is Béranger, whose fate it is to witness the decline of his country's literature. For, through all the glitter of the modern school of France, we can discern, at best, but misdirected genius. The national taste has become perverted. Gaudy exotics have been engrafted upon the original stock. But they are like parasites that rob the tree of its sap, while their verdure is that of decay.

In his style, Rabelais affected to use obsolete expressions. This was only a consequence of his determination to champion the genuine vernacular in opposition to innovators. The writings of his contemporary Ronsard are more modern by half a century than his own. He, likewise, delighted in eccentric turns of phrase. Whenever he broached a subject, he exhausted it. His great work may be considered as an encyclopedia of the knowledge of his age. His boundless command of expression sometimes betrayed him into unmeaning accumulations of epithets, mere catalogues of words, the point of which is not often evident to us. Such was the candor of his cynicism, that he hesitated as little to trifle with his own fame as with the patience of his readers.

We would, in conclusion, proffer a word of extenuation in behalf of the moral character of the writings of Rabelais. True, they contain many obscene passages. But remember their date. Will it be credited that he borrowed some of his most immodest anecdotes from contemporary sermons of orthodox preachers? Squeamishness was hardly the prevailing sin of the age, since Luther himself was prone to write in a style which we could adequately qualify only by borrowing some of his own epithets—and these we will not venture to quote, although they are clothed in a learned language.

Besides, we deny that the *tendency* of our author's writings is immoral, except, perhaps, in so far as they may inculcate too great a disregard for human concerns. Although the perusal of any single page might revolt the most indulgent, by the great freedom of expression, still, as you proceed, you enter more and more into the spirit of the author. His apparent licentiousness no longer scares your propriety, and you surrender up your judgment to him, feeling like a child in the hands of an intellectual giant, or like a candidate for initiation at the mysteries of Eleusis, following your guide through passages and labyrinths of dismal obscurity, yet never doubting that you will soon emerge into the broad light of Heaven.

EVERSTONE.

BY THE AUTHOR OF "ANDERPORT RECORDS."

(Continued from page 387.*)*

CHAPTER X.

Early in the winter, Richard Somers was called by business to a distant part of the State. He had begun to think of returning, when he fell sick, and was detained a month or two longer. At last, sufficiently convalescent to relish his morning's toast and coffee, and to be able to direct his thoughts without fatigue to certain octavos bound in well-thumbed law-calf, which gave dignity to the walls of a snug apartment situated some four degrees nearer the rising sun; he opened letters bearing a Redland superscription, with no great annoyance, though each was sure to remind him of a huge arrear of labor.

He received one letter of very peculiar tenor; yet, like most of the rest, it came from a client:—

"Dear Sir:—

It gives me gratification to have it in my power to inform you that papers have been discovered which seem to remove all doubt of the suit's being decided otherwise than in our favor. That you, sir, who have supported our cause so ably in its darkest hours, should conduct it to the prosperous issue which is dawning before it, would be our first and most earnest desire, did we not know what honorable reluctance you feel to having any agency in Mr. Everlyn's disappointment. As it is, we rejoice that circumstances now allow us to relieve you of the painful duty which you are too upright and generous to throw off yourself. Are we mistaken, sir, in supposing that the best return we can make for your steadfast adherence to us so long as our interests required it, is to dispense with your aid the moment we can do so with safety? Nearly by the time this note reaches you, a jury will probably have been impanneled and a decision rendered. Thus you will escape all occasion to reproach yourself for having injured your friend, whilst yet you have secured the warm and lasting gratitude of your clients.

Truly rejoiced to hear of the improvement of your health, and trusting that it has been ere this perfectly restored,

I am with the deepest respect, &c.,

Sylvester Newlove."

A singular epistle, thought the lawyer; and he subjected it to a second reading. Satisfied then that he did not mistake its purport, he felt vexed. It is pleasant to entertain a conviction of one's own importance, and Somers, though it had cost him much pain to cleave to the New Yorkers, was not unnaturally chagrined to be told that they, being able to get along of themselves, were quite content to part company. The very act of self-sacrifice is attended with a degree of enjoyment, and it is hard to be balked of the luxury. A sensation of mortification, too, is mingled with the disappointment. To find no use for all the moral nerve which by much forethought and diligence has been provided for some desperate endeavor, is attended with a discomfiture like that experienced when one rushes with prodigious momentum against a door which gently opens of its own ac-

cord the instant the shoulder of the assailant is about to impinge upon it. In such a predicament, not only is there a waste of carefully collected vigor, but an awkward tumble is very apt to follow, with possibly the coincidence of a contusion. Besides, however desirable any object, no man is fully contented, unless the attainment of it be the result of duly appointed means. A zealous lawyer identifies himself with his client; the suit is not another's struggle, but his own, and there is no person from Cæsar to the juvenile engineer who drains a mud-puddle or dams a gutter, but prefers to owe his triumph altogether to his own exertions.

But if Somers' services in the suit were to be dispensed with, who was to supply his place. He was not at a loss to conjecture. It will be remembered that Caleb Schrowder had in vain applied to him to conduct the controversy with the squatter Foley. The headstrong Northerner, not frightened by a phenomenon so strange and ominous as a lawyer's refusal of a case, looked about for another and less reluctant attorney. Such an one was found in Mallefax, who, after securing to himself a sufficiently respectable amount of fees, conducted his client in the end to the very same result that Somers had declared to be necessary—a compromise with Foley. Mallefax, however, managed the affair with such adroitness, that Schrowder not only loosened his purse-strings promptly at every summons, but expressed himself perfectly satisfied with his lawyer. He even urged the propriety of giving him something to do in the more important suit. Somers at first would not listen to the suggestion, but finding himself exposed to continual importunity, subsequently yielded the point. Well aware, indeed, that the candidate was a sharp fellow, he thought that if strictly watched he might, perhaps, be made serviceable. Mallefax, after being thus retained, appeared very active and earnest, so much so that all three of the New Yorkers came—in spite of the dry hints of Somers—to repose considerable confidence in him. There could be little doubt accordingly to what hands the Newloves had been induced to commit themselves. That they were likely to be led into mischief, was equally clear, and this consideration, if Somers had been disposed to harbor malice on account of the abrupt dismission, was capable of affording ample consolation. I will not venture to deny that such a sentiment might have passed through his mind, but it is certain it did not abide there. The prospect of his late clients suffering from their hasty measure only aggravated his uneasiness.

A whole afternoon was spent in grumbling at the self-sufficiency which had presumed to act independent of counsel. The next morning, he began to look at the matter from a different side. If Everlyn could no longer regard him as the agent of ruin, and if he was henceforward to be exempt from every office conflicting with the unreserved manifestation of his attachment to Sidney, why need such a happy result cause him discomposure? As to any damage threatening Newlove *et alt*, he was not responsible for it. No lack of fidelity on his part had betrayed them into bestowing undue trust upon a knave. And moreover, the letter told him the matter was irrevocably settled. Perhaps there had really been a discovery. The New Yorkers may have gained the day and been put in condition to impose what terms they pleased on their competitor. If so, he might well congratulate himself that he was not obliged to be the go-between who should tell Everlyn it was not permitted him to trespass any more upon the soil of another.

Before the close of that second day's meditations, our lawyer became not simply resigned to the new disposition of affairs but joyful and elate. And so refreshing proved the ensuing night's rest that he deemed himself well enough to start on his journey towards Redland.

As he crossed the western border of the county, he was very curious to learn what decision had been made by the jury, but met no one capable of giving the information. He hesitated awhile what point to strike first. Munny's store suggested itself as the natural centre of intelligence. But to go thither, the habitations of the New Yorkers would have to be passed, and he had small inclination at that moment to hold a conference with them. No; love demanded as its tribute that he should direct his unshackled steps first to Everstone. He had now the opportunity to show Sidney that no sooner was the stern

restraint of professional duty removed than his heart's immediate impulse was to seek her presence.

"Is Miss Everlyn at home?" was his inquiry at the door.

"No, sir; she's gone to take a walk up the big hill where the spring is, way past the fodder house."

"Has Mr. Everlyn gone with her?"

"Yes, sir."

"If I leave my horse here, I can walk across the fields and find them, can I not?"

"Very easy, sir. If they arn't at the top of the hill, you can see from there all around."

Somers went, accordingly. After a brisk walk, which excited a glow in cheeks made pale by sickness, he stood on the summit of the eminence. It was late in March. The grass had commenced to put on that hue which is so grateful to the eye of man and beast; and the budding trees gave promise of their leafy treasures. A little distance down the further slope, a rivulet bubbled forth; on the rocks which surrounded its source two or three persons were seated. The beholder recognized at once the fine manly bust of Mr. Everlyn, and it was impossible that a lover's eye could mistake the proud and graceful carriage of the bonneted head beyond. Somers hastened to the spot.

Everlyn, and his daughter, and Howard Astiville, who, it seems, had accompanied them in their walk, rose and saluted the visitor courteously, though with an evident air of restraint. Somers alluded to the mildness and beauty of the day. Everlyn coldly assented to the truth of the remark, adding, that such delightful weather succeeding the confinement of the winter, had tempted them to take a longer stroll than perhaps, was altogether prudent.

"I do not wonder," Somers then rejoined, "that you should avail yourself of the earliest permission which the seasons give to issue out of doors, when you have so beautiful an eminence as this to resort to, and one commanding so extensive a prospect."

"That it affords a view of nearly the whole of my purchase," said Everlyn, "was a slight recommendation of the spot to one who saw himself in imminent danger of losing everything which it overlooked: but events that have turned up within the last few days give as different a color to the landscape, as that which less interested eyes behold, when the snows of February yield place to the verdure of Spring."

Somers hardly knew how to interpret this observation. Did it mean that Newlove, notwithstanding his confidence, had lost the suit? But, after all, what mattered it to him? The Northerners had voluntarily given him his discharge. He stood relieved from all concern, either in their success, or their defeat. Without waiting to learn the fate of others, he would explain the happy change in his own position.

He said: "You remember, I hope, Mr. Everlyn, that I have assured you from the very first that nothing but a conviction of duty could compel me to make any efforts tending to your injury."

"I do call to mind, sir, that you have heretofore expressed yourself to that effect."

"Perhaps, Mr. Everlyn, you have been disposed to doubt whether I was sincere in the declaration. And I am not sure that, ignorant as you were, of many of the considerations which affected me, you could avoid forming an unfavorable judgment. The consciousness that I was liable to the suspicion of duplicity constituted not the least painful circumstance of my situation. I feel a hearty joy in being at liberty now to say, that there is nothing which I hope for more unreservedly than your success and happiness. I tell you, sir, I would not, for the fee-simple of all the acres between this hill and Anderport, place myself again, as, during months past, I have been placed. I trust, sir, I am no longer disbelieved."

Somers, as he ceased speaking, stretched himself up proudly, and looked around. Everlyn, with the frank and cordial manner of their earlier acquaintance, declared how gratified he was to know that their friendship could be renewed in all its vigor."

The lawyer immediately afterwards turned to Sidney: "May I not hope that I am restored to *your* favor also?"

This appeal was made with so much earnestness of tone, that Sidney, who could not be unaware that she had more than one lover watching her demeanor, blushed. Her father quickly answered in her stead:

"Sidney is a good, amiable girl, I think,

and will never hate anybody who does not seek to injure Everstone."

Everlyn went on. "So, they could not induce you, Somers, to take a share in their last rascally plot. They had to look elsewhere for somebody to perform such dirty business! My only surprise is, that you were not undeceived, as to their character, and the merit of their claims, long ago. But, better late than never. I suppose that, notwithstanding you have escaped from them, you would not like to speak of the intrigues, which they communicated in confidence, or I should ask you to satisfy our curiosity upon some points."

Somers gravely rejoined, that he could not, for one moment, allow it to be supposed that anything had transpired, during his intercourse with his late clients, to lead him to doubt either their personal integrity, or the legal strength of their title. "I speak particularly," added the lawyer, "of Mr. Newlove and Mr. Dubosk. With Caleb Schrowder I never chose to have any dealings, except in so far as his rights were involved in theirs. It is but simple justice to the two former to say, that if I am unwilling to advocate their cause, my aversion springs only from the fact that their triumph is inseparable from the defeat of older and dearer friends, and it is, I think, due also to my own honor to make known that my release comes from their free, unsolicited act. There was no abandonment of the engagement on my part. Examine this letter, sir."

Everlyn took the open sheet extended to him, and began to run his eye over the contents.

"Read aloud, if you please," said Somers.

Everlyn, after doing so, folded up the paper, and looked first at Sidney, and then at Howard Astiville. No remark was made, till Everlyn, glancing at the back of the latter, said: "This is addressed to you, I observe, at Zephyrville—have you not since seen Mr. Newlove, or received some further communication from him?"

"I have neither seen him, nor heard from him," answered Somers. "The note is dark, except upon one point. It is this, however, which alone interests me, and I have sought to learn nothing else. Mr. Newlove here tells me he requires my services no longer. I am perfectly satisfied to remain in ignorance of the circumstances which have induced him to come to this decision."

"And would you have us believe you ignorant of what occurred in Court the other day?" This query came from Howard.

"I am altogether uninformed," replied Somers. "Have the jury agreed upon a verdict?"

"All other persons in Court, at any rate," said Howard, "have agreed upon one opinion."

"And what is that, if I may ask?"

"They are convinced of this sir, that however worthy your clients may be, one of them has a daughter of very questionable character."

"Explain," said Somers, reddening. "I do not understand you."

"I must give you a narrative, then, from the beginning," returned Howard, with a smile. "The jurymen were impanneled last Monday, and the excellent Mr. Mallefax appeared as counsel for Newlove and others. With great parade, a paper was exhibited, purporting to be the original copy of a survey made a good many years ago by Spencer Harrison—possibly you never saw the paper, Mr. Somers?"

"No! Go on."

"This survey was pretended to have been made for insertion in a deed of bargain and sale, from my grandfather, in favor of somebody or other, whose name is of no importance, as the deed was never executed. The terms of the survey, however, seemed to be drawn upon the supposition that the Astiville land extended no further than the Upper Branch, and hence your enterprising friends jumped to the conclusion that this was an acknowledgment, by my grandfather, of the reality of that Compton title, on which the Yankees rest."

"Pretty good collateral evidence," observed Somers, "though insufficient by itself."

"But hear the issue! Mason, our chief lawyer, scrutinized the paper, and, although the writing bore a considerable resemblance to that of old Harrison, he thought he detected some differences. Harrison, you know, has been very infirm this long time,—indeed, it was reported the evening before the trial that he was on

the point of death. It is, by no means, probable that the New Yorkers supposed he was really out of the world. Mason, upon application to the judge, was allowed to send to the old surveyor's, and procure papers, in corroboration or overthrow of that which had been offered in evidence. Spencer Harrison had that morning partially revived—and in this recognize how Providence oftentimes interposes to disappoint the schemes of villainy! Harrison was not only in the possession of his mental faculties, but was able to speak with coherence and intelligibility. He informed the persons who visited him, where to find the the original field-notes of the survey alluded to. In those field-notes, which, of course, were immediately brought into Court, no mention whatever was made of either branch of the Hardwater. The truth was, that the tract of land measured —which was only of some three or four hundred acres size—did not reach so far South. Another fact also, and the judge was very much struck with it. The field-notes were written in an altogether different hand from that which Harrison used of later years. The person who made up this false survey, ignorant that there had been any change in the surveyor's chirography, had written in a flowing, scrawly fashion, instead of using the stiff and upright characters, which would have suited the date assigned."

"Do not stop, sir," said Somers impatiently," what happened next?"

"Well," continued Howard, "the Court-room afforded quite an amusing scene to the lookers-on. Mallefax fidgetted about uneasily, now examining one paper, and now another, screwing up his features the while into expressions, whose like were never seen on any other countenance. Finally, he declared plumply that he did'nt know what to make of it, but that Miss Emma Newlove had given him the paper as genuine. All eyes were bent on the young lady, who, as it fortunately happened, was in the Court-room at the time. She was greatly abashed, and did not attempt to deny Mallefax's representation."

"What did the jury do?"

"They failed to agree; yet a large majority were against the New Yorkers."

"This is certainly a very remarkable statement," said the lawyer.

"It is a correct one, however," observed Everlyn, "as I can testify. I was present at the trial, and shared in the universal surprise excited by the revelations so unexpectedly made."

Somers, after a few moments' silent thought, inquired:

"Where is the paper supposed to have come from?"

Howard answered in a quick, decided tone, "There can be no question that Emma Newlove forged it."

"I do not believe it," said Somers, shortly. "'Tis absurd to think of such a thing!"

"You are alone in your opinion of its absurdity, Mr. Somers. She is a smart, accomplished young lady, I am told, and quite capable of executing such a performance."

"Pshaw," returned Somers. "You, also, are capable of reading and writing; but does this amount to the same as saying that you are capable of forgery?"

"You mistake me, sir," said the young man, "I did not mention the fact of Miss Newlove having received a good education, as proof, but by way of reply to an anticipated objection. There are many other more cogent reasons for believing her guilty of the crime which it is clear some one has committed. Mallefax is the only other person whom there is any ground to suspect, and Sylvester Newlove has stated since Monday, that his daughter acknowledges having herself communicated the paper to the attorney. And if she did not forge the survey, why is no attempt made to account for its having come into her hands?"

"You may pile argument on argument, Mr. Astiville—or rather you may continue to heap up shadows of arguments, but you will sooner convince me that yonder water is flowing up hill than that Miss Newlove has done what you say."

"That is confidently spoken," exclaimed Howard mischievously, "You could not deny the charge with more earnestness if it were made against yourself."

"And what of that?" replied Somers, "Does it appear so marvellous and incomprehensible that a man should be as ready to repel an undeserved reproach from another person as from himself?"

"I stand corrected, sir. I ought not to

wonder, for lawyers are accustomed of old to speak as fluently for one culprit as another, or if there be any difference in the quantity of pathos expended, it is measured out, they say, according to the amount of consideration."

"A sneer requires no answer," said Somers calmly.

"Yet," rejoined Howard, "If you so unceremoniously reject the reasons which have seemed to us sufficient to establish Miss Newlove's culpability, I think we are fairly entitled to demand in return some other proof of her innocence than a sweeping assertion. You admit, sir, that you are quite ignorant of the circumstances of the case except so far as you have been informed by us, and still you pronounce upon them with the manner of one who possesses perfect knowledge. Is this reasonable, I appeal to your own sound judgment, Mr. Somers? Is this young lady whom we supposed to have been wafted hither from Yankee-land, an angel from Heaven? Are presumptions which would overwhelm any other individual to be allowed no weight when urged against *her?*"

"Miss Newlove has not yet been arraigned, I believe," returned Somers, "nor have I been appointed her counsel—perhaps it will be as well to postpone the discussion till then. By that time I may become less obnoxious to the charge of ignorance which you now cast at me."

Howard took pleasure in pressing on the other's evident reluctance. "If the Grand Jury have not taken up the matter, private persons may, notwithstanding, form their opinions."

"I admit it, Mr. Astiville, and so far am I from questioning the liberty of private judgment, that although you may entertain some very erroneous notions, I will not presume to controvert them. At present, in truth I can find more agreeable employment if Miss Everlyn will allow me to assist her to surmount that fence."

While this conversation was going on, the party had been walking slowly towards the house. They had reached the edge of the field where a high fence met them.

"I thank you," said Sidney in reply to Somers' offer of service, "but we can avoid the obstacle altogether by walking a little way to the right."

As they proceeded homeward, by the course which Sidney pointed out, Somers contrived to keep close at her right hand. On the other side was the fence, and Everlyn and Howard walked in the rear. The latter was by no means pleased at this arrangement. He had not been prepared to see Somers place himself on such easy and familiar footing with Miss Everlyn. And compelled as he was to listen to the old gentleman's remarks upon the beauty of the wheat-field along the edge of which they were passing, jealousy enabled him to keep an eye and an ear attentive to the couple in front. He had never been a friend of Somers, and since the lawyer's open quarrel with his father, thought he had a right to *hate* him. That this man should step before him now with such assurance, and seem to make more progress at once in the obtaining Sidney Everlyn's favor than he himself had presumed to expect after months of assiduous courtship, was intolerable. He had noticed how sensitive Somers was upon the subject of Emma Newlove, and instinct told him, that Sidney, however amiable, could not be very much gratified to hear her suitor expatiate upon the merits of another young lady; so he resolved to provoke his rival to renew the discussion which had been broken off. An opportunity was not long in occurring.

Somers, during his talk with Sidney, naturally referred to the pain which her former coldness had inflicted. "I am sorry," he said, "that you should have so misjudged me. What could I do? I had engaged myself to these persons before I heard that your father was on the opposite side; they relied upon me, and should I forsake them."

"But yet," said Sidney, "if you had become aware that they were in the wrong, I confess I cannot clearly comprehend how any blame could have been attached to you for withdrawing."

"No; and if I had been convinced that their claim was unfounded, not only should I have been justifiable in quitting them, but an ordinary sense of right would have compelled me to that course. Here lay the difficulty. My heart was warmly and entirely enlisted on your side—but stubborn reason will not yield to sentiment. So strongly was I biassed in your father's favor, that could I have but seen the balance

hang even, my eyes, blinded by partiality, would easily have been persuaded that the scale in which your interests hung was the heaviest Though I tried hard, I could not deceive myself. To undertake the cause of these men, to tell them it was just, and then to turn around and, from personal considerations only, without any offence committed on their part, to break my engagement and desert them in their time of need !—I should have been dishonored forever."

"I imagine too," interposed Howard stepping up, "that your clients were gifted with such noble and attractive qualities, that on this account you could not have felt justified in leaving them to their fate."

"That is nothing to the purpose," replied the lawyer, not at all grateful for the interruption. "The character of the client should not be allowed to affect one's estimation of the case."

"Then, we have your authority for believing these Yankee gentlemen very disagreeable persons."

"Far from it, sir. All that I have seen, induces me to regard Mr. Newlove as an upright liberal-minded man; Ralph Dubosk is an industrious and skilful farmer, and he possesses other qualities which insure him the respect of every one who knows him; it is possible that even Schrowder has some good points, though I confess I have not yet found them out."

"I do think you are right about Newlove," observed Howard frankly, "He has really the look of a gentleman, and he speaks in a mild courteous tone, as if he had not been associating with oxen all his days."

Everlyn now spoke, "I must also say in justice to Mr. Newlove, that he has adhered very faithfully to the terms of the temporary agreement which has been made in relation to our respective use of certain portions of the land. A fine young horse of mine, happening to stray over into the vicinity of his dwelling, he had him caught and sent home to me, which is more neighborly conduct than is sometimes met with at the hands of persons who are neither strangers nor adversaries in a law-suit."

"Ah, what a pity it is that his daughter has behaved so shamefully!" sighed Howard, in a very pathetic manner.

"Do her the justice," said Somers, "to believe her innocent, till the contrary is established."

"How singularly matters have turned out!" continued Howard, "the very means which she took to secure success, are likely to result in the overthrow of all her hopes. No jury will ever be persuaded that a cause which requires the prop of forgery, can have merits of its own to stand upon."

"For my part," said Sidney, "I am sorry if we are to owe our success to the misconduct of another. I cannot but hope, even at the risk of our losing the suit, that Miss Newlove may be able to show that the false survey did not originate with her. For the honor of our sex as well from regard to common charity, I must believe it impossible that a woman could be led by a sordid love of gain to meddle with crimes in which the lords of Creation have usually enjoyed unmolested their disgraceful monopoly."

"I thank you!" returned Somers with animation, "And be assured on my report that this young lady has in her favor not only the general presumption of her sex's innocence, but particular qualities of her own, totally incompatible with conduct such as is now charged. I wish you were acquainted with her, and could see for yourself how amiable and mild and conscientious she is."

"In truth, you ought to be grateful to her, Mr. Somers," said Howard, "since she has been considerate enough not to involve you in this ugly business of the survey. This very circumstance proves her to possess abilities which you have not enumerated in the catalogue of her admirable traits. She is a consummate judge of character, doubtless, and perceived that you were not the proper person to support a forgery, so she had recourse to Mallefax who, it is not unfair to believe, is troubled with few scruples. How adroitly she gave you the go-by in that letter!"

"You are altogether wrong," said Somers with heat, "her motives were very different."

"What were they then?"

The lawyer was silent.

Howard resumed; "Oh, you are quite too partial to Miss Newlove, to view her procedure in the proper light. She suddenly discarded you, whom she knew to be

a person of integrity, and took up Mallefax who is notorious for being the very opposite."

"Is it not possible," remarked Sidney, gently, "that the Newloves, strangers here, were unawaré of Mr. Mallefax's ill-repute?"

"We cannot suppose so," answered Howard, "without imputing blame to Mr. Somers, whose duty it was to have cautioned them against him."

The lawyer appealed to here, by a look of inquiry, admitted that he had warned his clients not to put trust in Mallefax.

"And why was it," continued the other, "that you were not consulted with regard to this paper, Mr. Somers? If Emma Newlove thought proper to spare you the pain of appearing again in Court opposed to Mr. Everlyn, why was it thought inadvisable moreover, to refrain from asking your opinion upon the evidence to be presented? Is this excess of delicacy to be attributed to the fear of shocking your nerves by the spectacle of a document so ominous of ruin to your friend's fortune? Or did she apprehend that you might betray her cause at the very last? No, no! It is plain she feared you might detect and expose the meditated crime."

Somers perceived that young Astiville had a malicious object for endeavoring to draw him forth, but he thought it an unworthy thing to stand by in silence while reproach was heaped on one so blameless as he believed Emma. "If Sidney," was his thought, "be ungenerous enough to take it ill that I should defend absent innocence, I must have some other rule than her opinion to square my conduct by."

Howard who had continued to inveigh against Miss Newlove, wound up by saying "You acknowledge then, that our judgment is right, and that she is unworthy of defence."

The lawyer replied, "That an error has been committed is evident—a very serious error; but the motives that led to it, ought, I think, to escape such bitter censure. I do not deny that Mr. Newlove, and his daughter have been guilty of the weakness of paying regard to my peace of mind, it was very great misconduct, perhaps, and *you* may blame them for it, but I can not. As to the assertion that their failure to consult me, respecting the force and authenticity of the survey, implies criminality, it hardly deserves an answer. I was absent, and an invalid at the time when it came to light. Who does not see besides, that, if they had gained the suit by acting under my advice, I should have been just as much implicated in Mr. Everlyn's hurt as if I had appeared openly in Court? They did not wish to save me merely from being recognised as their Counsel. No, I thank them for not suspecting me of the meanness of desiring to shun any responsibility which properly attached to me! Appreciating my feelings they sought to relieve me from the true burden of my situation, the necessity of acting in any way to the prejudice of those whose welfare I esteemed as my own. It is very hard, indeed, that Miss Newlove should be subjected to suspicion on account of a measure which was prompted only by a most kind and generous impulse. Had her nature possessed more selfishness, had she been as considerate of her own security as she was of the comforts of others, she would have avoided the danger of such misconstruction. Yet, it seems to me that this disposition of hers which has made her obnoxious to suspicion, should satisfy us she is incapable of guilt. No one who has had even the slight degree of acquaintance with her that I have had, can ever bring himself to believe that she could have descended at one step to such a depth of infamy. What other evidence indeed of her innocence need be offered than that which she bears on her countenance. Is not ingenuous truth written there by the very hand of nature?"

"You speak with ardor in the young lady's behalf, Mr. Somers."

"And have I not reason to?" he said, turning suddenly to Howard, who made the remark, "at a time when my motives were misinterpreted by all others, when friends, whose happiness was the single aspiration of my heart, looked cold upon me, then Miss Newlove had the charity to believe that a lawyer may be something else than the most sordid and groveling of creatures. Clearly aware, as she was, what cause I had to hope for her defeat, she did not distrust me. Nay, more, this knowledge only seemed to her an argument for bestowing an additional confidence on me. This freely tendered, undoubting faith, it must

not be forgotten, was manifested by a stranger; and if she had known me ever so well, she might have been pardoned for a degree of solicitude and suspicion. Heaven bear me witness, she appeared to have more confidence in my integrity, than I dared have myself!"

"Yet," said Howard, quite unmoved by the other's warmth of diction, "if Miss Newlove was aware of your repugnance to plead for her, why did she insist upon such self-denial?"

"She did not any longer than she believed circumstances required, as this letter which you have heard, proves, even then she must have perceived that some risk was incurred by releasing me from my engagement."

"And we are to suppose her sincere then, in those expressions of gratitude for your services, with which the note abounds."

"The note is from the *father*, Mr. Newlove, not the daughter; yet it may be she concurred in it. To vindicate the sincerity of the writer whoever it was, I may say, what, otherwise, I could not say without an appearance of vanity, that the Newloves have done me the honor to entertain such an opinion of my professional capacity that they must have been indisposed to relinquish my aid until the case was finally decided, unless they had yielded to motives entirely disinterested."

"That is in plain English," said Howard, "they let you off when they thought they could get along just as well without you, calculating that they would be able to take you up again at any subsequent time, if it should be deemed advisable."

"Not so," replied Somers hastily, "they relinquish all claim, absolutely and unconditionally. With great disinterestedness they have chosen to place me in the same position as if I had never been retained by them, and, of course, I would not, knowingly, engage against Mr. Everlyn?"

"We are at the house door, I see," said Sidney, "let us not talk any longer of the past. I am glad at all events that you are now free, Mr. Somers, and feel yourself under no necessity, real or imagined, to set about tearing down the good old bricks which have a mind to enjoy the fresh air of the Highlands here for this many a day. Do not be angry if they seemed to frown on you before. You know it would be a very serious thing for them to start on another journey in their old age."

Somers smiled as he answered, "I fear I am made of too stubborn stuff to be greatly moved by all the wrath of these very respectable walls; that is, so long as their inmates do not take up the quarrel."

"Be not over bold, sir," rejoined the young lady, "some of the bricks may hear your vaunt, and tumble down, to deal heavy punishment on such presumption."

"Gramercy for the caution," said the lawyer, looking upward as he passed under the arch of the portico, "I do not covet the fate of Abimelech."

CHAPTER XI.

There are many in Redland County who must have a sorrowful remembrance of the feeling that prevailed throughout a portion of the community, at the time which this narrative has now reached. May no circumstances arise to provoke the repetition of those scenes! That the commotion which raged was preceded by causes very unworthy of such a consequence, all reasonable men will agree; but with regard to the influence which this truth ought to have on our anticipations of the future, opinions will naturally vary, according to temperament. The melancholy will say that there is far less danger in the paroxysm which we can trace to its origin, than is that, which, by seeming to arise spontaneously, mocks all preventive skill. Yet, is not the philosophy of the cheerful spirit better? When we see a violent outburst of passion subside the instant it is recognized to be causeless, instead of giving

ground for further apprehension, does it not rather warrant us in expecting a long continuance of the succeeding calm? Elements of danger lurk everywhere, and there is room for congratulation when a society —great or small—deprived of all ordinary restraints, has been exposed to the power of every evil principle it contained, and has passed through that fearful ordeal unharmed.

It could not be, that no jealousy should exist between races thrown in contrast under such circumstances as those of the Northerners and Southerners in Redland. Both parties, viewing their situation through the distorting medium of prejudice, could perceive only a single alternative. One, it was thought, must prevail, and the other be subdued; one must possess the land, and the other be driven into exile. The new settlers, coming with habits which had matured and hardened under a different clime, trained from infancy, to struggle against nature, and gain the vantage, entered upon a fresh contest with the steadiness and straight forward audacity of veterans. The native born inhabitants, on the other hand, conscious of superiority in some of the noblest traits of the human character, could not bear to contemplate the necessity of giving way to persons who came, not as strangers, to ask hospitality, but as invaders to demand their submission. "If these men," said they, "manifest so insolent a temper now, what must we expect hereafter? If the green tree be thus, how much worse must prove the dry?"

Time will show, that these hopes, and these fears, were equally unreasonable. If the new race brought a spirit of energy which was destined to have its course, the old was far too stout and worthy to be either exterminated or cowed. It was no onset of Goth or Lombard, nor of civilized man and savage. Fortunately for the beautiful land which the Disposer of Nations assigned to them, both rivals are to disappear, and another is to stand up in their room; a race combining the best qualities of both, and superior to either. Perhaps, the Northerner, elated by past achievements may look forward to such a prospect with little satisfaction; and the Southerner, it is probable, relishes it no better. The latter, standing, as he does, on a soil appropriated by long possession, we may admit to be not altogether without justification in his discontent. He feels an honest pride in his generosity, his high-spirit, and his conservative integrity; yet, should he reflect that these qualities need suffer no injury from an union with the puritan virtues,—thrift, enterprise and patient industry.

It is fair to believe that even in the exciting time of the spring of 183–, the characteristic moderation and justice of the old inhabitants of Redland, would not have been overcome, had not the indiscreet provocation offered by a few thoughtless Northerners, been exaggerated and embittered through the arts of selfish individuals like John Astiville. So skilfully had this bad rich man labored at his plot, during the winter, that, no sooner was the announcement made of a forgery committed by Miss Newlove, than the body of the the community hitherto restrained, principally by her mild and blameless character, began to raise the cry of "down with the Yankees." Even men of intelligence and education—persons, who were previously remarkable for inoffensiveness and good-temper—now thought it no sin to indulge in cordial detestation of a class, who, not content with shocking their strongest prepossessions, endeavored to wrest their property from them, by unscrupulous villany. If Emma Newlove, who appeared a very saint, had proved capable of such conduct, what redeeming traits could they expect to find in her rough and disgusting associates?

The mine was opened and charged, and only a little thing was wanting, to bring on the explosion. Mr. Newlove had a considerable flock of fine sheep, which he had imported from New York. Absalom Handsucker found one of them in the field, dead, and partly consumed by the buzzards.

"What, think you, could have been the matter with it?" inquired the owner.

"Don't know sir. Perhaps a dog took the first mouthful out of it—I saw Mr. Everlyn's pointer running across the field the other day."

"But is it probable Absalom? might not the sheep have died from some other cause?"

"Well it might—that's a fact," returned the overseer.

"Then," said the placable Mr. Newlove, "we'll say no more about it. There'll

be time enough to complain to the neighbors when other sheep are lost."

The next day Absalom met Caleb Schrowder, and, among other items of information communicated in the course of the sociable dialogue, the loss of the sheep was mentioned, and conjectures were interchanged as to the cause of its death. Schrowder went home very uneasy. He had himself some sheep. Not many to be sure, but what of that? The loss of one or two out of the number, would only be the greater proportionate damage. It was certain that dogs were quite too numerous in the neighborhood. The deduction was easily drawn—Bishop Whately himself could not have found fault with the syllogism—that a diminution of the number would be a public blessing. And why should not he, Caleb Schrowder, enlightened husbandman, and patriotic citizen, take part in so good a work? The folly of the man who locks his stable door after the horse is stolen, has become a proverb; some people with equal stupidity might put off killing dogs till the sheep were gone, but he knew better.

The design was not more grand than the execution was simple. There are many ingenious contrivances in the world, whose inventors have not obtained the immortality of fame which they deserve—among them is "the pen." Let me not be mistaken. No reference is intended to that trifling little implement, cut out of a goose quill, and whose utmost capability only extends to overturning thrones and setting brains on fire, but that other thing which country folks know better how to use. In days of old, the steel-pen, or stylus, was found quite valuable in shortening human life, but how much higher and more Malthusian the excellence of that *wooden*-pen which keeps in check canine prolificness! No model of this wonderful affair is to be found in the patent office, and there may be persons so grossly ignorant as not to understand the method of its construction. A few words of description may be given for the benefit of such untravelled citizens. The determined dog-hater takes about fifty large rails,* and builds therewith a quadrangular enclosure, being careful that each course of rails, as it is laid, forms a square somewhat smaller than that below it. The result is, that the pen which is ten feet square at bottom, gradually contracts till the aperture at the top is left not more than a yard or two in width.

Caleb Schrowder, after enjoying a complacent gaze at his handiwork, bethought himself to take his wagon and drive over to neighbor Newlove's. When he got there, he preferred a request to be allowed to carry away the carcass of the dead sheep.

"Certainly. You may have it and welcome. I was going to have it buried, lest the dogs, drawn to the field by the scent, should take to worrying the flock. But what use can you make of it, Mr. Schrowder?"

Our friend, without vouchsafing any answer but a smile and a mysterious wink, proceeded to take possession of the coveted sheep. It gave him agreeable surprise to find that the wool had not been plucked, and no sooner had he got the carcass safe home than he set himself, undeterred by its loathsome condition, about the task of robbing it of all that remained of the once ample fleece. He doubted whether he ought not to secure the tallow also, as sheep at the South are always fat, but concluding that it was "hardly worth while," he placed the well-picked body, without more ado, inside of his rail pen. Then he turned himself calmly to other business.

That night, instead of going to bed, according to custom, immediately after supper, he sat up very wakeful indeed. About nine o'clock, he heard a barking, and subsequently a loud prolonged whine. With joyful alacrity he sprang to his feet, seized a loaded gun, and hurried to the trap. There he found a dog imprisoned securely enough. The hapless animal, drawn by the scent of the carrion, had easily run up the sloping side of the pen, and leaped down to the feast. When he thought of *retiring*, however, it became apparent that the peculiar construction of the edifice, which had so much facilitated his entrance, made his exit an impossibility. In fact he was placed in a situation very unpleasantly similar to that of the rat which, after having without difficulty squeezed through the cozy little wire tunnel of a trap from the

* An American word, signifying rough pieces of timber, (ten or twelve feet in length,) split from the chestnut or other trees.—*Webster's Dic.*

outer and wider end, finds that he cannot get back though he attempt it at the risk of being impaled on the sharp points that bristle around the opening. The dog, recognizing the approach of a human form, wags his tail, and peeps imploringly through the bars of his prison. But Caleb Schrowder's heart had at that moment no room for pity. He even mocks the unfortunate captive.

"Ho! ho! you beauty. So you want to get out and play with my sheep! Why don't you go, then? Make a good jump and be off! He's a snug fellow, too, that's a fact—most as big as my Carlo. But, fine and nice as he is, he must make up his mind to die."

The muzzle of the gun was thrust between the rails; then followed a loud report and with it a piteous howl. A few seconds after there was a dead silence. Schrowder climbed over to examine the prey. "What's this?" he exclaimed suddenly, as he turned over the body of the dog. "A collar and piece of chain—hanged if it isn't! But bless my life if here aint too the very identical strop I put on *Carlo* this evening! There's the holes—le' me see—one, two, three, four. I wonder if I can find the wooden key—yes, here it is—and *haven't* I made a reg'lar nice job of it? This is Carlo sure as preachin'!"

The only effect produced upon Schrowder by his mistake, was to make him pursue animals of the dog kind with a tenfold more vindictive hate. Night after night he willingly lost his rest to make frequent visits to the pen, while he devoted the earliest hour of morning to the burial of the gory dead. At length, emboldened by impunity in slaughter, he kept his trap set by day also, and scrupled not, when opportunity offered, to expend his powder and shot as freely in broad sunlight as if darkness enveloped the slayer and the slain. The traveller who passed along the thicket behind which the fatal pen was concealed, closed mouth and nostril, wondering whether all the ailing beasts of the neighborhood used to come there to die. If, perchance, a favorite spaniel trotted at the horse's heels he would stop on snuffing the grateful odor, and leaping the fence would run to subject the savory repast to the test of tooth. The unaccountable mortality that was sweeping off the dogs began to excite remark. One man had it to declare that six of his hounds had disappeared in a single night, others who had suffered smaller losses were disposed to make an equal outcry.

Ripley Dair owned a dog, a sagacious and handsome fellow, who was valued by his master higher than the best hundred acres the county could show; and Dair had cause to admire and cherish him, for that faithful brute had saved the life of his only daughter. The little girl, also, loved the dog, and wanted no other protector nor companion as she rode daily to school. This dog shared the fate of others who had experienced Schrowder's tender mercies. Ripley Dair made searching inquiries, and soon learned enough to satisfy him that the responsibility lay amongst the New York settlers on the Hardwater. He sought not more particular information. He would as soon have made distinction in a nest of rattlesnakes as have wasted time in nicely measuring the proportion of detestation severally merited by a Dubosk, a Newlove, or a Schrowder. His rage was thoroughly aroused, and he determined that the whole brood should feel it.

When there was such a spirit as 'Game Cock Rip' to lead the way, it was not hard to find followers. Hundreds joined in wishing discomfiture and expulsion to the Yankees. It was dangerous for a population like that, to be in such a mood. The instant they ceased to feel a restraining sense of justice, there was no power which could control them.

That a storm was about to burst was now evident to the dullest apprehensions Schrowder experienced no little trepidation when he became aware of the position into which his follies had drawn him. It was curious to observe the change in his demeanor. Not a word dared he now breathe to the disparagement of Southerners or of any of their institutions. On one occasion indeed when he heard a most contemptuous epithet applied to a "complete built" Northern plough which had been left for exhibition at Munny's store, his lips were observed to move convulsively, and the practised eye of a deaf-mute might perhaps, have read the indignant response, but no ear was so finely strung as to detect an articulate sound. In the same degree that he learned to cringe to those whom he

had formerly despised, did he become insolent and reproachful towards his associates. He railed bitterly against Miss Newlove.

"But for that piece of handwriting," he said, "which she writ and wanted to make pass for something prettier than it was, we shouldn't a been in this teetery fix. I don't like these smart gals, they are always takin' the wrong ox by the horns. It's a confounded shame that with those slim potato-sprout fingers of her'n she should be able to pull down the barn on the whole lot of us! I wish a hog had snapped 'em off afore the school-mister showed her how to write other people's names!"

But what were poor Emma's own feelings? How could that timid and sensitive girl who had always shrunk, even from the indulgent observation of friends, endure the consciousness that she had become the object of universal scorn and abhorrence? If she herself had been told a month before what a trial awaited her, she could not have believed herself capable of surviving it. But there were latent powers in her nature, which would never have been recognised, had not the occasion arisen which demanded their exertion. It is a cause for gratitude that Providence, all of whose dispensations are merciful, oftentimes keeps us in ignorance of some of the strength which is bestowed, lest the knowledge of the gift should only prove a continual torture by reminding us of future pain against which that strength is destined to support us.

Emma, frail and delicate though she was, did not sink beneath her burden. Even the subdued murmur which fell with fearful distinctness upon her ears, and gave warning that personal danger approached, might startle, but could not appal. The blood which left her cheek only retired, like a courageous garrison, to the citadel, to strengthen and animate her heart. Her father implored her to abandon Redland and return to the northern home, whose shelter his persuasions had so unfortunately induced her to leave. "How much better," he exclaimed, "even to lose all that we have invested here, than to endure one moment longer this horrid suspense! Great as this loss is, it will not leave you poor. Enough will remain for our support and a little, moreover, for charity. Let us go then at once."

"Do not talk of it, dear father. Would you really have me fly to New York like a felon, and crouching under the brand of dishonor? Could you bear to be pointed at as the parent of a self-convicted forger?"

"But Emma, Emma, our enemies are too strong for us. By remaining we only put ourselves more and more in their power. Do you know that they even threaten an *indictment?* Think of being arraigned as a criminal, of being dragged into Court, of being exposed to public gaze and finally of being tried by a jury selected out of the creatures of John Astiville!"

Emma trembled, but her fortitude did not desert her. "I will do and suffer anything," she said, "rather than seem to acknowledge by my conduct, the justice of this foul accusation. There is law even here, I trust, to distinguish innocence from guilt?"

"Yet," replied the father, "what matters law or innocence, if you have no advocate? Somers, it is clear, has taken us at our word, and seems resolved to shun us henceforward as if we had the plague, and I don't wonder at it. He sees that he cannot be our friend without incurring the hatred of everybody else. It is very natural that he should seize the first decent opportunity to get rid of us?"

"Perhaps it is natural," said Emma with an involuntary sigh, "Yet, I confess, I did not quite expect that Mr. Somers would leave us without a single word of farewell. It might become others to act so, but I thought *him* more kind and liberal. I would not ask him to return to his engagement—we have no right to ask him—if he would but show a little sympathy, I should be content. He cannot but know how desolate we are; he sees that all the world contemn and hate us, and his heart should tell him how precious in such circumstances is the sight of a friend."

"Friend, Emma? How you talk. Mr. Somers was but our *lawyer*."

"And was he then nothing more?" she murmured sadly.

"Well, so let it be," she added, recovering her self-possession, "let him forsake us if he will; let him find happiness

while we are overwhelmed with distress. I will not be sorry that he owes his escape to our free act. If he has now become cold and thankless, we should remember that he once made a sacrifice in our behalf."

"Whom will you take in his place," said Mr. Newlove.—"Mallefax?"

"No. Never."

"Then, Emma, be advised by me and go back to New York."

"No, father—not till I stand free from reproach in the eyes of all. Mr. Somers though he now avoid us as polluted, shall learn to recognise us as pure and clear of blame. He may think us crushed and helpless, he shall see that we can arise from the dust without his aid."

Emma Newlove, thus distinctly aware of her situation, and too well acquainted with the character of her father to expect the least support from him, sought no other counsellor than her own resolute will. Hearing of the complaints of Schrowder, who, in truth, felt no delicate scruples about uttering his mind in her very presence, she invited him and Ralph Dubosk to call on her together, at her father's house. They came punctually; and she addressed the former thus:

"Mr. Schrowder, I am informed that you are dissatisfied with your present farm, what do you value it at?"

"Well," he replied, "You know it cost eight dollars an acre and I've put five hundred dollars' improvement on it. Still its vally has dropped considerable sence I bought it. Nobody would be anxious to take it after these law fussifications, especially that article with relation to the survey which folks are very bold to call forged. Of course *I* don't wish to give in that argument exactly, as you are from the North, and never before behaved anyways unbecomin' that I h'ard of—though I won't make out but what I'm *jubious* ——"

"You need not say anything more about that just now, Mr. Schrowder,—you have a thousand acres for which you paid eight thousand dollars. Now, if you are disposed to sell, I will take the tract off your hands, and give you nine thousand."

"The mischief you say? What's put you up to this so sudden? May be the title's all built up square at last—eh?—is that it now?"

"No sir. I have learnt nothing new respecting the title. The motive of my offer is simply this: it seems to be supposed that a paper which I was instrumental in having introduced as evidence, has had an injurious effect upon the cause. Now, I am unwilling that any one should suffer by my error, if you will sell your land I will buy it."

"Sure now!—that's queer—dog my cats if it aint! But if you choose to take wild notions, I might as well profit by 'em as any body else. So here's my hand, and it's a bargain."

Miss Newlove turned to the sturdy form of Ralph Dubosk, and said, "You also, sir, have a thousand acres, for which I am ready to give the same sum that I have offered Mr. Schrowder—will you take it."

"No—not I!" replied Dubosk emphatically, "If any body else was to say he'd give me nine thousand dollars for the lot I don't deny I'd jump at it very quick, but I wont from *you*. People may wear their throats out in talking of forgery and all that nonsense, I don't believe a word of it. Accidents may happen in the best of families, and so its like enough some mistake has been made, but as to anything worse being done—by *you*, Miss Emma, at any rate—I'll maintain, in the biggest man's face that it's an out and out *lie*."

"I thank you Mr. Dubosk. I am glad there is one person who does not think I deserve a cell in the penitentiary. Still sir, do not hesitate to accept my offer if you believe it for your advantage. I am quite willing to assume all the risk of the suit."

"I don't care if you are ever so willing," answered the farmer, "It takes two to make a bargain and I sh'nt be one of them. Ralph Dubosk is no very great shakes to be sure, but he'll never be the person to back out and leave the whole scrape on his partner. Whether the suit is to be lost or won, I'm in for it along with you."

"But you ought to consider, Ralph," remarked Schrowder, "that you can't stand the losing part of the business, altogether so well as the Madam here."

"That may be," replied Dubosk, "I know this piece of land is about all I'm worth in the world—but what then? If I lose it, I can start again, just as I did when the old man turned me adrift at the first, with only eight shillings in my pocket. The

world owes me a living, and I'll find a way to get it, you may depend. Humph! what if Miss Emma be rich—is that a reason why I should hang back like a balky horse? If a man's scarce of money he ought to make it up in spunk."

"You will not let me buy you out then?" said Miss Newlove.

"By no means—I have a particular reason for hanging on to my part of the land. It's pretty nearly the exact piece that old Astiville lays claim to for his own. I have a much lower opinion of him than of Mr. Everlyn, and want no better fun than to have him waste his curses on me."

"You may choose what kind of sport you please Ralph," said Schrowder, "but for my part I'm willing to leave you alone in your glory, as the Scriptur' says. When will you be ready to fork over, Miss, and give me the dockyments to sign?"

"Very soon, sir,—I will send you notice at the day."

Dubosk and Schrowder now withdrew, each being highly pleased with himself and each entertaining a thorough contempt for his companion. Which of the pair had best right to his complacency, the reader is at liberty to pronounce according to his own disposition.

Though Emma would have blushed to own it, there was no other circumstance which gave her so much pain as the determined silence of Somers. Her admiration of the lawyer had led her unconsciously to regard him with a warmer feeling. Love in a nature like hers, wears so equivocal a guise, that it is not surprising that both she herself and Somers should be unaware of its existence. We see nothing of that strong and vehement passion which subjects the whole soul to its imperious sway. The habitual gentleness of manner which flows from a kind and sympathising heart, becomes the expression of a tenderer sentiment, but so gradual is the transformation that we mark not one of its stages. Charity, that spiritual and heavenly maiden, has given place to animate and glowing Love; yet so fair was the first vision that our eyes will not believe that it has faded away, and mistake the sisterly likeness of the substitute for identity.

It was Emma's principle, as it was her temper, to look upon the whole world with kindness, and she thought it no harm that Richard Somers was included within the comprehensive circle of her affection. She knew or conjectured that Somers' heart was engaged by Miss Everlyn. It is an axiom in sentimental metaphysics that love is always jealous; yet *Emma* was not jealous. If any one takes upon him to infer from thence that she was not *in love*, it is insisted he straightway may devise a new term to denote her attachment. It may be rare to see an union of selfishness and simplicity; such a rare and nondescript creature was Emma Newlove. She wished all persons to be happy—Sidney Everlyn among them; and if that young lady's happiness depended on an indissoluble connection with Somers, she hoped sincerely that no obstacle would occur to prevent the wedding. Nothing, however, is more tiresome than to plod through the details of an analysis; let us jump at a venture to the conclusion. We know that the passion, Love, does not exist in Heaven, while it is a very prevalent disease on earth; Emma, in consideration of possessing one or two of the qualities of an angel, could not indeed expect entire exemption from this, or any other, condition of mortality; yet she was favored with the privilege of taking the universal distemper in the mildest form.

It was necessary to have a deed drawn for the conveyance of Schrowder's land. Emma saw no impropriety in applying for this purpose to Somers, as he might easily perform so simple and silent an act of business, without involving himself in the suit. A note was accordingly written.

(To be continued.)

CUBA.*

A book professing, like that before us, to give authentic details of Cuba, the queen of the American islands, can scarcely fail to awaken the curiosity of the reading public.

Making little pretension as a literary work, it is rather a representation of alleged facts; and invites an abstract more than a criticism.

To the mercantile, the agricultural, and the manufacturing classes, to the philosopher, the politician, and the philanthropist, the subject opens matter of deep interest; and fully impressed with its importance as the author appears to be, he is likely to acquit himself satisfactorily.

The main object of the volume is to show the political expediency of the annexation of Cuba to the United States. To this end, after deducing, from a variety of facts, the probability of the Spanish yoke being speedily thrown off, the author goes on to show how, in that event, Cuba must either remain independent, come under the protection of England, or join herself to the United States. The first he sets aside as being evidently less advantageous to the Cubans than either of the others; and by her geographical relations, he shows the value of a connexion with her to either England or the United States; and especially to us, as a point of defence in war, and a source of wealth in peace. He represents the impossibility of our permitting England to "erect a Gibraltar at the portals of the American sea;" and lastly, admitting the unlawfulness of interference between Spain and her colony, suggests, as a method satisfactory to all parties, the purchase of the island by the United States.

The various arguments of our author tending to this central point, are brought from a circle of interesting, political, social, and domestic narrations, happily illustrating the position, feelings, resources, and prospects of the Cubans. It is these illustrations, apart from political question, which chiefly furnish material for our present article.

The position alone of Cuba, renders her, under any circumstances, an object of interest. Whether we look back over three centuries, to when Columbus first beheld her beautiful shores, and the lofty summits of Portobello and Cobre, rising, like beacons of safety and promise through the dreary uncertainties before him; or view her as she stands now, clothed with increased importance as the acknowledged "Bulwark of the Mexican Gulf,"—the sentinel of the American sea,—commanding, in the hands of whosoever may possess her, "the great highway to Mexico and South America, to Oregon, California, and the Pacific." Whether we bring to our imaginations the gentle and generous aborigines, whose hospitable courtesies welcomed the adventurous stranger to their shores, or mark where luxury, vice, and oppression walk, hand in hand, over the birth-right of the timorous creole, there is always something to excite curiosity and command attention; and as we pursue the minute details of our author we scarce know whether most to admire the beauty of the fair "queen of the Antilles," or to lament the degradation of her fetters.

With the first culture of sugar and tobacco in the island, the indolent aborigines being incapable of the labor, slavery was almost simultaneously introduced. Many

***Cuba and the Cubans.* Comprising a History of the Island of Cuba. By the Author of "Letters from Cuba." With an Appendix containing Important Statistics. New York: Samuel Hueston, 139 Nassua St. George P. Putnam, 155 Broadway. 1850.

of the Spanish inhabitants of Jamaica removed, after its conquest by the English, to Cuba. An attempt was made on Havana about the same time; which, say the Spanish authorities, failed on account of a miracle performed in their favor by the land crabs and fire flies, the noise and light of which, mistaken for an enemy in ambuscade, caused the English to retreat with disorderly haste to their ships. The invasion of 1762 was more successful; and the island was conquered, but restored to Spain by the treaty of peace; which restoration is said to be regarded by the native writers as the true era whence the aggrandisement and prosperity of Cuba is to be dated. The captains-general who succeeded each other, at intervals of four years, during the thirty which followed this period, were men of energy and judgment; and the administration of Don Louis de las Casas, the founder of the "Patriotic Society," is represented as a brilliant epoch in the history of the island.

The French revolution produced commotions, rendering the office of captain-general every year of greater responsibility. As the need of talent, honor, discretion, and humanity increased, the more difficult it became to find officers of superior worth. To such the office grew repugnant. The political changes made by the Spanish Government, and the jealous policy which came to dictate their despotic measures, caused it to fall, at length, into most incapable and polluted hands.

There was not, until the last twenty years, any serious precedent, or open effort, to justify a difference between the political rights of Cubans, and of Spaniards on the soil of Cuba. At the commencement of the nineteenth century the government of Spain over Cuba was liberal, and the Cubans, in return, were loyal; but the changes adopted in the mother country affected similarly her colony; and the sudden passage from an absolute to a republican government, producing infidelity, served only to tear the veil of decency from the debased and corrupt state of society.

In 1820, a period of peculiar difficulty from the events which took place on the Peninsula, the office of Captain General was held by Cagigal, a man of great prudence and delicacy, whose affability of manners conciliated all parties, and caused him to be held in high estimation.

In 1823 the command was held by General Vives, afterwards raised to the dignity of Conde de Cuba, under whose auspices the temple was erected, on the *Plaza des Armes* of the Havana, on the very spot where, according to tradition, the first christian rite was performed in the New World. The temple is now opened only once a year,—on the anniversary of the day that mass was first said there in the presence of Columbus.

General Vives, after the restoration of Ferdinand, desirous of impressing the constitutional party with the idea that they might be carried farther than they meant to go, made it appear that a plan had been devised for throwing off the Spanish yoke. The royal order of 1825, investing the Captain General, with *the whole extent of power granted to the governors of besieged towns*, brought upon the island all its subsequent misfortunes. At that time the country was in its most flourishing and healthy period; and rapid, indeed, must have been the encroachment of despotism to bring it to the present state, as represented by our author.

After Vives the notorious Tacon came into office, and set the example of that mean and tyrannical administration, so closely followed by the unprincipled O'Donnell and others; and which, more than any other, promoted and aided the abuses that brought the island to its present condition.

Geronimo Valdez forms a noble exception. "Valdez had the courage and honesty to issue, during his short command, upwards of a thousand grants of freedom, illegally withheld by his predecessors, from so many Africans, who, according to the treaty, had become free. He left the palace of the Captains General of Cuba in the same high-minded poverty in which he had entered it."

It was through the influence of Tacon, whose noblest exploits were to expatriate, vex, and imprison the citizens, that the Spanish Cortez, in 1836, shut their doors, for the first time, against American representatives; the deputies of the island being obliged to return to Madrid without the privilege of uttering their grievances. "And this," says our author, "was the

single, but serious act of usurpation, which robbed the descendants of the island's conquerors of all interference in its administration and tributary system."

During, and since the time of Tacon, the seisure and immediate deportation of persons of respectability and distinction, have been of common occurrence, without a hearing of the party accused, and without any opportunity of defence being granted,—and this for the slightest possible causes of offence; often without any cause whatever.

"Within a period of little more than eighteen months about 200 persons were deported, and about 700 banished for life, from the island, by Tacon," while in the dungeons were lodged nearly 600 persons, the cause of whose detention nobody knew!

Through the agency of the intendant, Count de Villanueva, Tacon was finally removed; but Villanueva's ambition procured an addenda, by which the rights of the Cubans were sacrificed, it being agreed that no political assembly, or any rights whatever, should be allowed them. This discreditable compromise, we are told, was the undoubted origin of the immediate discontent and subsequent rapid adoption of the principle of annexation through the island.

It is, doubtless, a difficult task to manage, under any circumstances, a slave country. In the case of Cuba it was especially so. Individuals, recently arrived from Spain, could neither perceive nor understand the characters and feelings of the blacks, and were, consequently, unable to comprehend, or believe, in the probability of the coming storm, which judicious planters had so long foreseen.

A most "ominous policy," inasmuch as it fostered the dissatisfaction of the blacks, was that which consisted in placing the lives and property of the inhabitants of Cuba in such danger, as to choke any resentment respecting the political changes adopted by the Spanish Government for the exclusive benefit of the metropolitan community.

By degrees the bonds between master and slave were severed, and "not the slightest attempt at moral reform softened the harsh features and discordant views of the subjected, or of the dominant race."

It is related that, subsequently to the last bloody insurrection of November, 1843, particulars of a plan of devastation and bloodshed were accidentally learned; one of the immediate results of which was a meeting of the planters, called in the city of Matanzas; wherein a committee was named to propose a report, which report not being favorable to the views of government, the planters were not allowed to meet again, and the military government went through those difficult circumstances, guided by its own incompetent intelligence, or by the suggestions of the ignorant. Supposing that the conspiracy formed by the blacks comprehended every individual of that class, those who would, or could reveal nothing were marked as most criminal; and the same means were authorized to be employed with the *free*, colored population:

> "The officers, thus raised by a power above the laws, and above the dominical right of the owners of slaves, with a very few exceptions, exercised their authority in a manner the most sordid, brutal, and sanguinary."

Many of the cruelties practised upon the unfortunate Cubans by these officers who were, says our author, "at once attorney, judges, and executioners," are of too revolting a character to be dwelt upon, some few, however, not among the most sanguinary, may be quoted as illustrative of their power and the helplessness of their victims.

Under the indictments of Don Juan Costa, ninety-six died beneath the lash, of whom forty-two were freemen and fifty-four were slaves.

At a place called Soto Farm, several freemen were butchered and their deaths represented by certificates from physicians as having been caused by diarrhœa.

Affidavits were extorted from negroes criminating their masters, one of whom apprised by his *econome* or administrator, that he was a lost man, but that the fiscal would save him provided he paid two hundred ounces of gold.

Don Leon Dulraides, when any of those for whom he demanded punishment were freed by the council, was in the habit while the sentence was being read, of extorting money from such as were saved from death:

> "Don Jose del Peso punished a negro one hundred and ten years old, who died at the Matanzas jail. Don Francisco Illas, the enlightened and humane fiscal officer, who ap-

pears among those of his class as if to redeem the Spanish name from the dark stain brought upon it by his associate, was called to certify to the death of this old man; but he drew back horror-struck from the spot when he beheld a man so worn by age, having his body cut into pieces by the pitiless lash. The unfortunate victim had complained of the fiscal Peso, accusing him of stealing from him forty-five dollars. Del Peso, after inflicting severe punishment, found sport in hanging the accused victims on a tree, and then cutting the ropes to see them fall to the ground in bunches. He had been a journeyman tailor at Havana."

Three honorable exceptions alone, Mendoza, Arango, and Illas, are made to the set of miscreants, whose enormities disfigure this page of history.

In order to afford a right estimate of the trust placed in the hands of these agents of military justice, our author thus states the nature of their duties:

"They had separately the jurisdiction of a tribunal, with power to imprison and call before them whomsoever they would interrogate. The testimony which they obtained was received privately, no one being present except the fiscal and the witness. The fiscal would write down and sign the declaration, the blacks and the majority of witnesses knowing neither how to read nor write. Not even the notary, who is required to be present at the affidavits before the ordinary tribunals, appeared on these occasions to check the arbitrary, malicious, or blind impressions of the fiscal. Officers of the army were named to act as counsel for the individuals indicted, whether colored or white, free or bondsmen. These counselors, incapable through lack of talent or learning, were not allowed to read the proceedings regarding the persons whom they were to defend. All the instruction they had must be derived from a hasty and general abstract of facts made by the same fiscal, whose last duty was to demand the sentence which, in his opinion, should be imposed on the criminal."

With regard to the truth of the conspiracy, it is remarked that a general opinion is fast gaining ground at the present day, that it never existed. Our author considers it more likely to have been in its infancy, and that when the avenging storm was heard from afar it increased the number of the discontented, who, through despair, prepared for some last acts of devastation and blood. He suggests the painful reflection that while foreigners after long delay, obtained a hearing of their cases, and after being paraded through the country, tied hand and foot on horseback, and kept in a filthy dungeon, were declared innocent, the white Creoles, who had been imprisoned with equal injustice, remained still incarcerated, and their cases undecided, because they had no consul to claim for them the rights of civilized man.

After dwelling thus long upon these degradations, we find relief in turning to a chapter containing many charming sketches of scenery, customs and character.

In quotations from a volume entitled "Notes on Cuba, *by a Physician*," the beauty and fertility of the island are enthusiastically enlarged upon;—its well stocked farms and luxurious plantations, its fields of plaintains, its palms, sugar canes, almond and orange groves, and its mountains crowned with luxuriant growth. The Ceiba and the Jaguey, the latter adopted by the poets of Cuba as the emblem of ingratitude, are picturesquely described:

"Soon after entering a coffee estate, I passed by one of those giants of a tropical forest, a powerful ceiba, with its large, tall trunk fixed to the soil by huge braces projecting from it in different directions, and rising branchless and erect sixty feet, where it threw out immense horizontal arms of massive timber. The extremities of these only were subdivided into branches and twigs, which covered by foliage, formed an umbrella-shaped canopy over the whole. But although themselves free from leaves, these stout arms supported on their broads urfaces a luxuriant garden of air-plants. There were the wild-pines in close set hedges, with gutter-shaped leaves and cup-like cavities filled with the condensed dews of night, serving as cisterns for the winged tribes during the long drought of winter. Other species in branches of strings hung pendent or in fan-like shapes spread close to their foster-parent; while some, as the night-blooming ceres, with hairy coats, like long creeping insects, clung to the sides and under surfaces of the branches, or wound around the trunk itself. Nor was this garden devoid of beauty. A partial glimpse could here and there be had of flowers of the brightest scarlet, of the richest brown, and of a delicate pink, exciting vain longings in the beholder to explore their aerial beds. Not far from this tree was another as large, inclosed in the deadly embraces of the *jaguey marcho*, it was a mortal struggle for mastery between the two giants; but how powerful soever had been the *ceiba*, it was evident from the size of the other, the multiplied folds of its foster-parent, and its luxuriant branches and foliage already overtopping it, that the victory

would soon belong to the parasite. Near was a jaguey-marcho standing alone; the death of its victim had long been effected; and it pompously raised its distorted trunk, and spread its irregular foliage where once before its noble looking parent had stood in all its beauty."

Many other graphic and comic descriptions are given by the same author:

"Slowly promenading under the porches of the houses, I could not refrain from occasionally peeping into the parlors and chambers as I passed their large iron-grated windows. But the inmates were all up, and although now and then a fair senora might be seen in dishabille, the whole household was generally engaged in the duties of the day, for the creole is always an early riser. Several were engaged in sweeping the pavements; others were clustered around the milkman's cow, which had been brought to their doors, and were waiting their turn to have their pitchers filled from the slow stream; while a calf tied just without tasting distance looked piteously on, and at times showed signs of impatience, as he saw his morning meal borne off. When all had been supplied, he was muzzled, and his halter tied to the extremity of the cow's tail. One rush to the bag was tried, but the cruel netting frustrated all attempts to taste the bland fluid, and the poor animal quietly followed in the rear as the man drove his cow to the houses of his other customers.

"At other doors the malojero was counting out his small bundles of green fodder, each containing a dozen stalks of Indian corn, with the leaves and tassels attached, the common daily food of the horse. On their pack-horses were bundles of small-sized sugar-cane, neatly trimmed and cut into short pieces, and selected small on account of their superior richness, offering to the creole a grateful refreshment during the heat of the noon. Others carried large matted panniers slung over their clumsy straw saddles, filled with fine ripe oranges, the favorite and healthy morning repast of the native and the stranger, the well and the invalid. As the day progressed, mounted monteros were seen galloping through the streets, just arrived from their farms: each with his loose shirt worn over his pantaloons, its tail fluttering in the breeze, while his long sword, lashed to his waist by a handkerchief, dangled at his back. Then there was the heavy cart laden with sugar, for the railroad depot, drawn by eight strong oxen, the front pair some twenty feet in advance of the rest, its freight of boxes bound down firmly with cords, and covered with raw hides. By its side the driver stalked, dressed in a loose shirt and trowsers, which once may have been white, but now closely resembled the soil in their hue, and a high-peaked straw hat, with a wide rim, on his head. He held in his hand a long pole, armed with a goad, with which he urged forward his slow moving team, often striking the sharp nail at its extremity repeatedly into the flank of an ox, until the poor animal, in his endeavors to escape, seemed to drag the whole load by his sole strength.

"The arriero with his pack-horses, eight or a dozen in number, was also urging them on by his voice and the occasional crack of his whip, while they staggered under their heavy loads of charcoal, kegs of molasses, or aguardiente (rum), and the halter of each being tied to the extremity of the tail of the horse before, moved in single files, carefully picking their way. Suddenly one of the hindmost would stop to survey the path, when there would be such a general stretching of tails that bid fair to leave some of them in the state of Tam O'Shanter's mare after her hard-won race. The whip of the arriero would, however, soon remove the difficulty, and the long line would again move forward."

Of the climate and atmosphere of Cuba, of the soft cool evening breezes, the delicious fragrance of the early dawn, the clear ringing of the human voice through the morning air, it is said no adequate idea can be given to one who has never enjoyed them.

The rainy season is well described:

"For several consecutive days, the whole panoply of the heavens was, each noon, hidden by the heavy masses of clouds rapidly formed on the horizon, and over head presenting in their storm-like appearance a strong contrast by the clear blue of the noon's unclouded sky. About two o'clock began the gathering to one broad focus: and the black thunder-cloud, condensing in its frigid bosom the ascending vapors, and blending with its own immense mass the smaller ones in its course, with gathered and still increasing power, rose majestically against the opposing verge: its jagged edges apparently resting on the hills, and its pendent centre threatening destruction to all beneath. Then came the deep calm; and each leaf was motionless, while the scuds above rushed madly together, and curled and intermingled as if in fierce contest. And now the sudden blast burst through the still air, and the stout tree groaned and the tender plant lay prostrate beneath its power. The long pliant leaves of the tall palm, like streamers, fluttered in the rushing wind; the frail plantain's broad tender foliage was lashed into shreds; the umbrageous alleys of mangoes waved their long lines of dense verdure, and all nature did homage to the storm-spirit; all but the powerful ceiba, whose giant trunk bended not, and whose

massive arms and close-set foliage defied its utmost wrath; amid the turmoil it stood unmoved, a perfect picture of conscious strength. But the whole scene was soon hid by the torrents of rain that fell from the overcharged clouds. The atmosphere seemed converted into a mass of rushing waters; and mingled with its rattling gusts, was the lengthened crash and reverberating roar of the more distant thunder and the sharp shot-like report of that close by; while vivid streams and broad flashes of lightning played rapidly through the aqueous shroud. In less than an hour the storm had passed by, but fresh masses of clouds rose from different quarters, and their circumscribed showers often fell heavily within a few hundred yards, while near by not a drop descended."

The Creole, or monteros is represented as a finished orator, graceful in his action and in his expression, and so animated in speaking and full of motion, that one ignorant of his language could almost guess the drift of his conversation by his pantomime. The cringing deference of the oppressed Creole to the swaggering Spanish official is remarkable, and several amusing anecdotes are given illustrative of it.

The monotonous life of the Cuban ladies produces nervous disease. Their occupation consists solely of embroidery and shopping, and their evenings are given to places of amusement, yet even allowing that there is some truth in the general belief that the outward decorum of the better and upper class, is to a great degree merely in appearance, our author professes to have found in no part of the world more devoted wives and mothers than in Cuba. "There are few indeed," he says, "who would be capable of teaching their sons to become great men; but their deep abiding love, untiring care and devotion, many a Northern mother who never allows a new publication to escape her, and who laments in elegant English the ignorance of the Cuban ladies, may, with advantage to her own nursery, emulate."

The description of children,—of little girls of three years old, dressed in the extreme of fashion, "opening and shutting their fans with perfect incipient coquetry," and of "funny little men manufactured at five or six years, after the toilette of a Parisian exquisite" does not strike us with so much surprise as it might have done some years ago, before our own streets were thronged with miniature dandies, gloved and booted, and equipped with a cane.

All that we hear of gallantry and love in Cuba, is, according to our author, the former alone; the sentiment or holiness, which should hallow the union of hearts, being almost unknown. Wives are represented as degenerating into household drudges, scolding their servants and petting their children all day, and sitting at night in their luxurious butaque, or easy chair, to play with their fans the use of which is often the only grace left them. This account however tallies ill with the former, and with the general descriptions of the indolent but elegant Creole lady:

"A creole girl before marriage is a beautiful object, graceful, gentle, and loving; but a creole woman after forty, is very generally quite the reverse. The ravages of time are never concealed; gray hairs are not considered worth adorning, and old age is made disgusting. Instead of the "nice old ladies" and elegant matrons of our American homes, we too often find in Cuba only fat scolds with voices loud enough to frighten a regiment of men into submission, and faces so brown, so wrinkled, and so ugly, and with so evident an absence of all feminine softness, that we listen in wonder when we are told that they have been the beauties of their day. Delicacy of habit, and even of feeling, are, in my opinion, smothered in their infancy by the constant association with negroes; the loud coarse laugh and low jests, they imbibe with their first milk from the same source; the habit of command and arrogance, also acquired in their childhood, appears in after life to destroy all tenderness of manner, and increase that harshness of voice so universally remarked upon by foreigners, and ascribed entirely to the effect of climate."

Again we have the following:

"Now that we are here, let us enter the opera-house, where we may, indeed, be surprised to see no external evidence of all this degrading tyranny. Elegantly dressed and polished men crowd the boxes and seats; while the beautiful repose of countenance and figure, characteristic of the ladies, are expressive of dignity and content, to say the least. Their noble outline of feature appears to great advantage in the retired light of an opera-box, while their full busts and rounded arms, contrast finely with the richly plaited dark hair, and simple white dress, rarely ornamented by more than a fall of soft lace or a natural flower; and one is tempted to overlook the

absence of intelligence and brightness in those magnificent eyes, in consideration of their almost bewildering depth and softness. The vivacity of the Spanish lady is lost in the creole ; but in its stead, we find a charming gentleness very pleasing, and an amiability of manner absolutely captivating to the stranger. One dare not, however, raise the eye above the third tier of boxes, for there again are only met the depraved countenances and loose manners of the lower classes, unrestrained by either good taste or shame."

Our author while rejecting all the scandalous accounts given by foreigners of the immorality existing among women of "the better classes," considers that among the lower it is quite different,—that there indeed, the very meaning of the word virtue is lost, "which disgrace" he says, "with countless others, Cuba now flings back with reproaches upon the mother country." In towns and villages the people are declared to be sunk still lower in ignorance and immorality. Only a little romance remains among the country lovers :

"The Guagiro, with his wild, dark eye, wonderfully expressive gesture, and usually imperturbable self-possession, becomes ridiculously silent and shy in his courting. In a richly-worked shirt of fine linen, worn upon the outside as a sack ; a long, and often elegantly embroidered cambric sash-fastening to his side, the silver-handled sword, or "machete," silver spurs, and low slippers, he will sit for hours opposite his lady-love, only venturing now and then a word of reproof, to be interpreted in affectionate playfulness, and to which she retorts in the same style ; yet now and then, at a glance, and when unobserved, they do venture to exchange some very tender word. But gestures, shrugging of the shoulders, little dashing airs of coquetry in the lady, and bashful approaches on the part of the gallant, fill up the measure of the wooing of the Cuban peasant."

In regard to the "upstarts of the present military administration," the question arises, whether the Spanish gentlemen of by-gone days is not a character now altogether historical ; in illustration of which we have the ridiculously coarse and vapid compliment of a young lawyer :

"Una flor," said he, picking a flower, and presenting it to the marchioness, "a flower that will appear as beautiful on you, as your beautiful gifts will in my purse."

Our author considers that many circumstances have conspired to efface the simple, but haughty and noble minded, Spanish gentlemen, both from the peninsula and from Cuban society, and in answer to his own query suggests, very reasonably, as a cause, the intermixture, in the best society, for the last half century, of men risen through party influence, especially from the Carlist ranks ; the utter annihilation of that faith in his church which gave a serious cast to the natural dignity of the native Spaniard, and the mercenary motives which, from the throne, have penetrated down to the humblest cottages.

The following anecdote illustrates the manner in which wealthy bankrupts settle with their creditors :—

"To a foreigner, the object of the party assembled at the estate 'Santa Gertrudis,' which I had accidentally joined, would have appeared incongruous and extraordinary. The Marquis of Santa Gertrudis, through the reckless extravagance of his wife had become entangled in his affairs ; and were it the practice for men of wealth to pay off their debts at once, he would very likely have become a bankrupt. This, however, is not the custom in Cuba ; but such matters are managed on this wise. The creditors are assembled ; yearly instalments are agreed upon ; the extravagant living of the noble family is considered a necessary expenditure, and the majority, *usually made up of family or fictitious creditors*, force the rebellious claimants to lay down their arms, and enter into private compromises. The effect of this course is to set the family at ease ; the lady returns to her habits of luxury ; the sons to their dissipation ; the daughters to their careless waste of finery ; while they spend their time in love-sick fancies ; the poor relations and parasite friends to their customary dependence on the old trunk, raised from the ground for a few more years ; and the head of the family to fresh undertakings of new estates. And all this is carried out with as much indifference as if, in place of an extorted compromise from clamorous creditors, payment in full of every debt had been promptly made.

The lady who, on the occasion, had the management of this important domestic matter, was the daughter of the Count of M——. She belonged to what may be called the staunch nobility. Nature, and the teachings of her noble-minded parents, had made her a modest and virtuous woman. But the habits of her new home, and the circle surrounding her, were calculated to impair her superior qualities. The universal custom of the country, rather than indolence, influenced her, from

the very first years of her married life, to give into the hands of her slaves the nursing and early training of her children. The recollection of her father's home now and then directed her attention to books and foreign literature. But she found none to sympathize in such tastes; the ball-room, the 'sociedades,' the operas, her visits, the tedious and loquacious shoppings, the 'paseo,' the correspondence which she found it necessary to maintain with the country-estate clerks, and, what is more than all calculated to destroy the freshness of modesty and beauty, the gambling-table, to which she gradually became habituated, not only deprived her of time for more intellectual and domestic enjoyments, but destroyed her original taste for them. 'Mamma,' said her son, a boy of fourteen, dressed like a small gentleman, and with all the nonchalance and airs of a gallant, 'I don't know how you or papa are arranging your business with the creditors, but you must recollect that my own private property, now in your hands, must be so left that I may have all the necessary resources for living, and for my customary pleasures; and as to my carriage, I cannot give it up on any consideration, for, there is not one of my cousins who is without this convenience.' He went on at this rate, until the poor mother, conscious that she was reaping the fruits of her own errors and neglect, sighed in despondency. I must add, with pain, that this specimen of filial coldness and depravity is by no means the exception; the too fond and indulgent mothers, who are themselves the direct cause of such examples, are far more to be pitied than condemned. What teaching or light have they enjoyed to guide them in their incipient path when starting in life? The magistrate is corrupt, and his misconduct is the subject of every-day anecdotes and scandal; the minister of the gospel teaches neither by example nor from the pulpit; the husband has no idea of performing what would elsewhere be considered the most ordinary duties; the society is frivolous; books are looked upon with aversion; the press is an instrument of oppression; and the mainspring of civilization and civil liberty, faith in Christ, is unknown.

"In what able manner the marchioness succeeded in exciting the energy of her lawyer, by the offer of ample reward, what secret understanding went on between him and the intellectual Castilian judge, how each creditor was coaxed or frightened into acquiescence, I cannot say. I will only add, that some of them obtained favorable arrangements through the cunning arguments of the judge, which were the more ludicrous from contrast with his reasonings with other creditors, whom it was his policy to discourage in their claims. It was painful to see how poor neighbors had to yield to these influences out of utter incapacity to counteract such disgraceful combinations."

The seeds of infidelity, scattered so widely at the close of the last century, are said to have been found in Cuba a more propitious soil than elsewhere; and while the gospel influence, counteracting their growth, has extended itself in other directions, this unhappy island still presents a dark picture of unbelief, corruption and immorality.

Twenty-five years ago, religious practices and feelings were more or less in every respectable Cuban family; the church bell at twilight; the *angelus*, or call to evening prayer—created, every where, a simultaneous excitement; children and servants, at its conclusion, asked a blessing from their parents and masters; carriages and passengers paused in the street, and workmen refrained from toil.

The Sabbath, formerly held in devotional reverence, is now scarcely attested by a brief mass, scandalously hurried through, and witnessed only by a very small portion of the inhabitants.

At church, "the ladies ply the telegraphic fan with the same airs of coquetry and playfulness as they may have done the evening before at the theatre, or as they will probably do the same evening at the opera."

With open doors and windows the shopkeepers and artizans pursue the employments of the week, and the gentry, the masters of estates, the officers of government, and even the priests themselves, exhibit the same indifference. The priests, of course, are not respected; and "as their conduct belies the doctrines they have sworn to propagate, they set themselves quietly down to enjoy the bodily comforts of this life, without troubling themselves at all about their own or their flock's spiritual welfare." However this may be, is there not assumption in the following sweeping and personal censure:

"This morning, the elegant-looking and lordly young Bishop of Havana, in his gorgeous robes and costly jewels, swept past me from the altar, amidst a train of ignorant and servile priests. Not one gleam of piety or grace could be discerned in his vain, worldly countenance—not one single mark or

sign to denote him a follower of the meek and lowly Jesus."

Although our author makes but few exceptions to the general profligacy of the priesthood, he does not consider the responsibility of this dreadful state of things to rest upon the Romish church or creed :

"It would be illiberal indeed to carry to so unjust a length those prejudices of Protestantism which are doubtless founded in reason, and which cannot but be stimulated to a great degree at the exhibition of Roman Catholicism in Cuba. Yet in the United States no one can deny that it is a very different institution, both in its spirit and its practice, from that which is presented to the eye of the most superficial observer in Cuba. The Church proper is not the responsible cause, but the corrupt political government which has invaded its domain, paralyzed all its good energies, corrupted its entire organization, and poisoned its very fountains of spiritual purity. The central military despotism, in the hands of the Spanish officials, clustered in and about the palace of the captain-general, may be said to have absorbed to itself the Church, with every other good institution possessed by the island in its better days. Its influence has been destroyed, its revenues and property, together with all the patronage of ecclesiastical appointments appropriated by the government. The nominations to all religious offices are made, directly or indirectly, *by* the creatures of the government; and given directly or indirectly *to* the creatures of the government. The very members of the chapter of the cathedral at Havana are now named at Madrid, in disregard of the canonical proposals from the board according to law. Day after day and year after year have been suffered to pass without an appointment to fill the long vacant bishopric of Havana, and thirty years have elapsed since the sacrament of confirmation, as it is termed by the Roman Catholics, has been administered in the several districts of the diocese, which should be regularly visited once a year."

This highly important subject is enlarged upon, and the Catholic clergy of the United States are called to speak out, and to unite with the Protestants in the desire to witness such a termination of the miserable condition of the Cuban community as is supposed must result from annexation.

In relation to education, the statistics presented in this work speak with a force that is not to be contravened. The official items referred to, exhibit truly a revolting picture.

The last published census, which appears to be that of 1841, gives a total population of 1,045,624, of which 571,129 are white inhabitants, free mulattoes and free blacks, 436,595 are mulatto and black slaves, and 88,000 transient inhabitants. The number of schools, according to the most recent and favorable accounts, amounted in all to 222, in which were instructed 9082 free children; of these 5325, it is stated, paid their schools; and 3757 only, were under gratuitous tuition; of the latter, 540 were supported by the branches of the "Sociedad Patriotica" through personal subscription of the members, or voluntary taxation 2111 by local subscription, and 1106 gratuitously taught by the professors. From the above items, together with those found in Mr. Saco's "Parallel between the Spanish and British Colonies," the following comparison is drawn :—

		Number of children educated in proportion to the whole free population.
In the Bahama Islands,	1831,	1 to every 16
" St. Vincent's, .	1830,	1 " 19
" Jamaica, . .	1827,	1 " 18
" Antigua, . .	1830,	1 " 5
" St. Christopher's	——	1 " 11
" Lower Canada,	1832,	1 " 12
" Nova Scotia, .	1832,	1 " 10
" Prince Edward's,	1832,	1 " 14
" Terra Nova, .	1834,	1 " 8
" Mauritius, .	——	1 " 11
" Pres'cy of Madras	1834,	1 " 5
And the island of Cuba,	——	1 " 63

Our author next proceeds to an investigation of the general causes of complaint, by which he wishes the world to judge between the island and her rulers. He declares that the proposition laid down by the great English commentator in his division of rights into the right of personal liberty—the right of personal security—and the right of property, affords no benefit to the Cubans.

Many of the tyrannical acts of despotism, in the time of Tacon, have been, and are continued more or less frequently to the present time. Under pretence that it is necessary to keep the native inhabitants in a state of constant apprehension, in order to insure their continued allegiance, the government allows every kind of judicial enormity to be practised upon the helpless Creole, and he has no means of redress but through bribery.

Our author proceeds to an examination of the method of taxation now adopted in Cuba. A list, occupying several pages, is given, composed chiefly of the balance of different taxes. Much more is said of Cuban grievances generally. The press, under a servile censorship, is declared a weapon only wielded against the people. The Captains General now wield the judicial, the legislative, and executive power. The creoles are excluded from the army, the judiciary, the treasury, the customs, and from all influential or lucrative portions. In spite of the enormous tithe collected, it is only by subscriptions that the inhabitants can secure to themselves temples for worship, or cemeteries for their dead. For baptism, or burial, large additional sums are paid.

A citizen must obtain, and pay for a license to entertain company, or for any amusement at his house; also, for permission to leave his place of residence. He can neither walk the streets after ten at night, without leave, nor lodge a person at his house, without giving information, nor remove from one house to another. Parents are obliged to prove ill health, or feign it in their children, in order to procure passports for them to go to the United States, for purposes of education:

"A diabolical scheme, concocted in the chamber of Alcoy, exists for perpetuating the importation of African slaves into Cuba, the primordial cause of her present hazardous position.

"In that scheme enter not merely some members of the royal family of Spain, but all its dependents, favorites, and satellites, including the captains-general of Cuba, and their subordinates.

"The 'gratification' of half an ounce in gold, which was formerly received by the captains-general for every *sack of charcoal* (the nickname given by those engaged in this infamous traffic to the African slaves brought over), has risen to the large sum of *three doubloons* in gold.

"The colonial government and its confederates, not being able to elude the vigilance of the cruisers of the nations engaged in the suppression of this traffic, in order to continue the same, have had to appeal to a forced interpretation of existing treaties, pretending to show that such slaves are imported into Cuba from Brazil.

"These machinations are carried on by some members of the royal family in concert with the colonial government; and the cabinet not only has full knowledge of the same, but authorizes and protects them, or, at least, winks at the practices.

"Within these last months various cargoes of African slaves, amounting in number to more than 3000, were imported into the island of Cuba, and there sold almost publicly; and in *gratifications* set apart for the captain-general, Senor Alcoy has already received the sum of 12,000 doubloons in gold—about 200,000 dollars."

Our author considers that Spain, being too weak much longer to hold her Cuban possessions, a blow will shortly be struck to achieve the island's independence; and goes on to show the reasons which, in his own estimation, make desirable the annexation of the Island with the United States. "Cuba," he says,—

"Standing like a warder in the entrance of the gulf of Mexico, yet stretching far to the east, so as to overlook and intercept any unfriendly demonstration upon either of the great thoroughfares to South America or the Pacific, is in a position to overawe the adjacent islands, and watch and defend all the outside approaches to the Isthmus routes to the Pacific, while it guards the portals of the vast inland sea, the reservoir of the Mississippi and Mexican trade, the rendezvous of California transit, and, what has not yet been duly heeded, the outlet of an immense though new-born mineral wealth, which is yet to control the metal markets of Christendom.

"In short, it makes the complete bulwark of the Mexican Gulf, and only leaves to it two gates; one between Cape Antonia, the western extremity of the island, and Cape Catoche, which advances from the coast of Yucatan to meet it, and forms a strait less than 100 miles wide; and the other between Hicacos, the most northern point of Cuba, and Cape Sable, the southern extremity of Florida, but a little more than 100 miles apart, and between which passes the "Old Channel" of the Bahamas.

"Half a dozen steamers would bridge with their cannon the narrow straits between Yucatan and the west point of Cuba, and between Florida and Matanzas on the north, and seal hermetically to every aggressive stranger the entire coast circle of the American Mediterranean. This simple geographical fact constitutes Cuba the key of the Gulf, and it would be felt if it passed into the grasp of a strong and jealous rival. England, firmly resting on Cuba, and with Jamaica and the Bahamas to flank her steam operations, would have full retreat and succor for her fleets, and

would be able at need to concentrate the force of an empire against the coasting trade. With such a firm and convenient cover as that island, with its self-defended coasts and secure harbors, she could face, Janus-like, in every direction. With Canada and the Bermudas—raised for that purpose into a strong naval station—opposite our centre on the Atlantic, and half way between those strong extremes, she would present a dangerous front to the whole northern coast, while she executed the bold threat of her minister, to 'shut up the Gulf of Mexico, cut in twain the commerce between it and the Atlantic states, and close the mouth of the Mississippi and its hundred tributaries to the trade and assistance of the shipping and manufacturing states.' But strike Cuba—the central and noblest jewel—from this diadem of power, and her broken circlet of American strongholds is no longer formidable.

England—controlling Cuba on the north as she claims to control the Mosquito shore on the south, and mistress of Balize on the west as she is of Jamaica on the east—would be the arbitress of the Caribbean Sea, even now almost her own, and well guarded by her long array of Leeward and Windward Islands from other intrusion.

From the moment Cuba becomes an integral portion of the United States, all the exactions and oppressions which now weigh so heavily upon it, will be at an end. The island would enter at once into the enjoyment of civil and religious liberty; and with her ports open to the commerce of the world—her inhabitants educated and religiously impressed—her soil cultivated to its full capability—her products sent to an unrestricted market—and under the influence of the moral and political force which are the vital elements of the American Constitution—she would become the most prosperous of the states.

"On the other hand, the advantages to be obtained by the United States by the annexation of Cuba are incalculable.

"If annexation was fully and freely established, Cuba would be as valuable to this confederacy as New York itself. As an outpost, vital to American trade and defence, and as a centre of transit and exchange, Cuba would grow in importance to the whole family of the confederation, in even measure with the growth of the states on the Pacific, and the rising tide of the oriental business which the flag of the Union is about to lead from Asia across the Isthmus. She lies exactly in track of the golden current, and none of the states are, like her, in a position to watch and defend every inlet and outlet.

"In the circle of production, essential to a home supply, always sure and independent of foreign interference, Cuba can fill nobly the remaining gap, with her coffee, cocoa, and tropical fruits. In this, too, she would serve all her sister states, for she would sell to every one, and buy of every one, which is not true of the special product of any other state. She would also add as much as the Union really needs of sugar lands, and would make that, henceforth, a strong and distinct feature in the national balance of interests."

Many other arguments were advanced, for which we refer the reader to the book. We have, perhaps, already trespassed too far in our extracts.

It strikes us that the deepest—we hope not the most incurable—of the evils of Cuba, is her infidelity. If she hopes to preserve the independence she would obtain, or whatever course she may be induced to adopt, as most conducive to her future welfare, one thing is paramount—the eradication of infidelity—otherwise she can maintain neither her liberty, nor her dignity.

" That People, which forgets God, forgets itself."

WESTERN PRAIRIES.

Few know their beauty. Nature is hymned and talked of in a thousand shapes by poet and romancer; gay and smiling in rural loveliness, or wild in forest and wilderness. Her cheerfulness comes from the hand of man; his footstep is ever before us; and association mixes with simple natural beauty. Where man is not seen, it is then the sterile mountain tract, or primeval forest; grand, but austere and gloomy. The prairies, with the rivers that sparkle through them, shew nature in new moods; utter solitude without gloom, laughing scenes virgin to the plough and presence of man.

The streamlets that wander through these grassy oceans are skirted with timber five or six miles in width; their valleys are small prairies spotted with groves and miniature lakes; and the grassy bluffs on either side are sprinkled with branching oaks. These, scattered over dales, ravines and swelling uplands, the rivulets themselves sparkling over sands, now hidden from view in masses of tropic vegetation, now kissing the feet of the valley prairies, and again gleaming through vistas of beeches and wild graperies, produce successions of the most beautiful park-like scenery the world can shew. "I, too, lived in Arcady;" come with me to the skirts of one of these Western savannas, and let thy face and soul, carked by care, be smoothed by a day in prairie land.

Beautiful land! beautiful spring time! Warm winds bring northward odors of fresh earth and swelling buds. On the open prairie, cattle are grouped on the adjacent knolls, greeting the glad season. It is a day such as "Holy Master Herbert" sings of:—

> "Sweet day, so warm, so calm, so bright,
> The bridal of the earth and sky;
> The dews shall weep thy fall to-night,
> For thou must die."

Let us then mark it white in our calendar; let the patient four-footed drudges in the barn-yard enjoy it too, for surely it is God's holiday. The horses have crunched their last ear of yellow maize; the cattle have turned discontentedly from their sheaves of oats, for they have snuffed on the air the aroma of poplar buds in Southern forests; the gate is open, and away for a glorious gallop over the prairie sweeps the equine phalanx. The cattle seek the dales, and browse on the scented spray. And now, with stout legs under us, and gay hearts within, let us strike out into the wood-land. Over slopes well sodded with wild grass, dells sparkling with spring rills, through sheltered nooks where Spring first lavishes kisses, now threading thickets by paths made by wild deer, pausing at times under clumps of oaks where the bluejay sounds his alarum, and the woodpecker beats his tattoo, where the rabbit bounds from his form in the tuft of grass, and the quail rustles to its arched home in the hazel, we find ourself at last alone with Nature.

Cockneyism can find no knowledge but in the paths of man, and no antiquity but in the works of his hand. In the wilderness are whole libraries; volumes of classics which children can read; hieroglyphics unravelled by clod-hopper Champollions; old chronicles shaming Egyptian dynasties. The veil between us and God and nature is raised, and mesmerically we are filled with high truths. It is not poetical illusion, though that is no worse than matter-of-fact illusion; but actual intellectual perception. Around, beneath, within, floats the Unutterable Presence; and our hearts fill with the serene humility of children; a sense of repose, novel and strangely real, as far removed from joy as from grief, from satisfaction as from hope; a light neither gay, nor sad, nor sombre; we feel that we

walk in the shadow of a beneficent outstretched arm. Hand-in-hand with this lowliness of mood is an intense self-consciousness. God is before us, but around are our humble brethren of the inanimate creation; and man, the first of created things, in the wilderness steps a monarch. This feeling is real, it is psychological fact. As superiority of station among men gives sense of authority, so does man's natural dominion over the lower kingdoms. The Indian and the Arab have a dignity that civilized men often lack; and the frontiersman, uncouth in hunting-shirt and wolf-skin cap, is regal in his pride.

Gladly and cheerily, then, move onward. The tall dry spears of grass wave in our face; a deer starts up before us, wild-eyed, nostril-working, then up the wind he leaps, his white tail waving at each bound. And now we stand on the verge of the bluff; the beautiful little river stretching away right and left, its banks fringed with cotton-wood trees; between it and us, prairie covered with grass, winter killed, but now warm in the yellow sunbeams; here and there are spreading elms; at our feet a lakelet. Then down the steep sides, cling to the bushes, plunge through the hazel—the fires thin its wild growth, no hindrance is it. The grouse rise in myriads before us; a herd of deer, feeding in the distance, warily eye us, and we are as wild and glad and free as they. The river is before us, its smooth bosom covered with wild fowl, of all creatures the wildest and shyest of tyrant men. Loving solitudes, morasses where the foot of man dares not tread, pestilential fens where his frame withers and his strength leaves him, journeying and feeding by night, carrying beauty and love to desolate Northern lands, in their mystery they seem like feathered spirits. Let us creep on hands and knees to the bank and watch them at their play. Some dive after their finny prey, at this season their chief food; some sport in the limpid water, splashing and chasing, throwing diamond showers from their wing-tips; and others sit lazily on shore, dozing in the sun, with heads under their wings, or pluming their glossy coats. The little beach is white with their loose feathers. But they have spied us, and sound their warning. The timid teal dash with outcry down the stream; the wood duck, less wary, circles for a moment with erected crest and half-raised wing, and then follows precipitate; the mallard rises at once towards the zenith, collects his squadrons, and sweeps wedge-like over our heads. Farther on, the wild goose and wild swan take flight, and with noise like thunder the whole feathered army darkens the sky.

And now forward over banks of washed pebbles thrown up by spring floods, among briar-rose vines in summer a waving roseate cloud, through clusters of "burning-bush" scarlet with flower-shaped berries, and we stand amid a fleet of patriarchal sycamores. Huge white trunks rise athwart the sky like masts in Eastern harbors. Hereditary homes for the little people of the woods, gentle but strong, walk silently and tenderly among these Titan brothers. Beyond is a grey forest, time-worn, Saturnian. In the heats of the year shun its gloom. Its sombre light drives off the Present, where man best dwells, and brings up the light of the Past, sad to all whether in light or shadow. But at this season the sun glimmers among the tree-tops, and warms the jagged bark of the trunks; above, flit gay birds, bright yellow, blue and scarlet, and white. In mid air, swing interlacing vines, their long cables towing below; and through all, the little river leaps and tumbles and sings. Here is a group of buckeyes, the wild horsechestnut. In a few weeks, when all around is still bare, these trees will be in leaf; a Rosicrucian summer in the arms of winter. Before us is a grove of maples; in the midst, fires and cauldrons. A settler family have "camped out" to gather their spring harvest. They know not that it is the genial spring that make their women and children sing like larks, the aged prattle, and the woods ring with the laughter of their stalwart men.

They greet us warmly; courteous and self-possessed, hearty but quiet, man meets man. These rough unwashed backwoodsmen, well-bred gentlemen are they. Vulgarity is no growth of the wilderness. They offer us bread "and sugar water." Rest and eat of the forest dainty.

Such is the young year in sunny Illinois. What words can tell its ripened fulness, the golden glory of autumn; when the wild ivy hangs skyward a flaming meteor, and trees and flowers and shrubs adorn them-

selves for the closing sacrifice of the seasons. The waters cast back the glow, and robing all waves the autumn fire-mist.

As we emerge from the woodland, the eye accustomed to the sweep of the horizon, finds relief after a day spent in narrower prospects. From the rolling ground we stand on, we see the Grande Prairie stretching away interminably, with islands of timber scattered in the distance; below, a huge swell of land seems like a vast billow rushing to the shore.

Day now gives place to night; no sound is heard in these solitudes but the booming of the night hawk and the wrangling of wolves. As we press on, the prairie-hen flies from under our feet, and deer bound silently into the gloom A light is stealing around us, surely not that of the dim moon. We round a promontory, and the prairie is seen on fire. Grandly the flames crackle and glow. Counter fires have been started by the settlers, to creep up to windward, and thus stay the conflagration. As they near each other, they remind us singularly of opposing armies. Two lines of fire sweep off for miles into the prairie. One rushes impetuously before the wind; the other slowly but steadily works up to meet it. Between, lurid columns bear down from different points; fiery platoons charge into the night, lull, and then rush on with fresh fury. The wind rises, and whirlwinds envelope us in smoke and ashes. As we turn our backs on the uproar, how sweetly the moonlight steals into our hearts, like a dream of rest to the devotee and world-worn.

In yonder cove in the timber are a few straggling lights; a small frontier village. Let us see what this new land has done for old human nature. A cheerful glow streams across the highway; it is the village smithy. The smith welcomes us warmly with his fire-seamed hand which makes our own snap again, though used to the plough and axe-handle, and motions us to a vacant anvil for a seat. Fast the blows fall, fast the sparks fly, and fast from his mouth come words of fate, free-will, and the ways of God to man. Copious of village gossip, at home in theology, oracular in politics, the blacksmith is your true radical. His business lying with those only of his own class, and his shop being a choice village lounge, he bitterly contemns all authority but his own. A high aristocrat would our republican friend have been, had fate cast him amid gold instead of iron. He is metaphysical too, as all our mechanics are, disposed to go to first principles; even morbidly reflective. His neighbor the shopkeeper is blander of manner, more at home in the lighter topics of the day, and from his daily study of the papers, handles his terms better The blacksmith is cruder in his theories, but they are his own; his expressions are less skilful, but he has worked them out himself, and can see into a millstone every bit as far as the other. The smith is keen in political economy; the man of tape and needles is thorough in political arithmetic. The first deals out stubborn *a priori* arguments, his rival meets him with stubborn Baconian facts. The one is conservative not from principle but self-interest, the other is radical from neither interest nor principle, but position. Let us leave these disinterested champions ere they get personal, and cross over to where the village clothiers ply their tranquil trade. That the tailor is the ninth part of a man we deny; it is one of those proverbial fallacies which grow out of the malice or stupidity of mankind. The tailor is every inch a man, cloth measure. Their very posture on the shop-board, apparently so effeminate, needs much muscular exertion. The young squires of the bodkin, groan over many a weary back-ache before they get the requisite strength, they are not suffered to touch back to wall, but must sit up in the middle of the board as a tailor should; the reverse of the cobbler, who sinks hopelessly down into his bench, and is usually stooping and weak-limbed. The tailor when he leaves his board is erect and agile. Poised on his nether end, every stitch sends a jar through his frame, and digestion waits on appetite. Fine feathers make fine birds; from love of his art, he dresses well, and all know the softening effect on the character of broadcloth. Dress gives address. He is suave, even insinuating; courteous and gentle; a squire of dames too, the gay Lothario of the village. Listen! their talk is of the tender passion; love is discussed in every phase. How they handle it!

One poor fellow we knew, a knight of the shears; a knight paladin he was in truth. Manly, even chivalric in his bear-

ing, 'tender and true' in heart, with the face and soul of Apollo, he loved too well the flash of the sabre and crack of the rifle and sought the wars. Made third officer in his company by his brother soldiers, he was accosted on march, with vile words and brandished sword, by one of those knaves whom faction, to the nation's disgust, had thrown into high places. With levelled revolver, he claimed his privileges as an officer and a gentlemen. The sword was dropped, the Jack-in-office sneaked away.

The general officer thus snubbed, afterwards covered himself with glory by his magnanimity in throwing up defences for the enemy. Gods and men looked and wondered, the greasers stared and inextinguishable laughter rent the skies.

Our friend the tailor bore himself more than well in battle, and was returning with a name that would have sent him to the Legislature, and Congress, when the *vomito* laid this strong man low.

A pleasing feature in Western life is, the perfect social equality. From far and wide over-laden men here seek refuge. Strong arms and stout hearts their only wealth; all classes at last salute each other as brothers. The foreign laborer, debased through generations of starvation and misery, with little of manhood left but the instinct that makes the crushed worm writhe, here finds food, shelter, and work; and, what his wildest ambition once never dreamt of—broad, rich acres that he can call his own. His brutality is laid aside, and the man rises in his kindliness and strength. Here, too, comes the ruined Eastern merchant. He has left behind his care, his wealth, and social rivalry, but he, too, brings his quota to the common weal in intelligence and refinement. On the females of this class fall terribly the hardships of frontier life. In thousands of humble cabins, by forest and prairie, are found pale, intellectual-looking women, broken down with unwonted drudgery. In silence they struggle on, and one by one they fade from the earth. Not in vain is their toil, for a grand stock these Spartan mothers leave behind for the peopling of future empires.

But not only for the toil-worn is our great West a refuge. Unquiet spirits of all kinds seek it. Some, their souls softened, rest in peace; but the restless flee the placid prairie life. One we knew of, a reformed bucaneer; a downright, line pirate. A very respectable man he was, urbane and honorable; an object of interest to ladies, who loved him for the dangers he had seen, (he had narrowly missed the halter,) and of respect to his fellow-citizens, for the furrows in his cheek, and his volcanic eye, showed that the devil within was not dead, but slumbered; a gentle villain he was said to have been, who cut the throats of his victims, blandly smiling, and, hat in hand, ushered them along the plank. Quietly he passed his days, reposing on his laurels.

From this medley of people of all countries, opinions, faiths, and codes of morality, comes a freedom from prejudice, and an indifference to conventional forms, which always mark these Western cosmopolites. Freed from the incubus of caste, men breathe freely; and "good society," word of dubious import, is found among cobblers and tinkers. At least, its true conditions are here equality and mutual dependence, without which society is a bitter draught of meanness and insolence. Pretension fails, where good will only is to be gained; and obsequiousness dies out from want of fuel. Collision thus forces out a tact of manner and genial bearing—a manliness and courtesy, which stamps, with a distinct nationality, the Western citizen. The stranger cannot fail to be struck with it when he first sets foot on a Western steamboat. To men of warm sympathies, the universal cordiality, good humor, and unreserve are highly pleasing; and, if disposed to reciprocate the general good feeling, they will be still more charmed with the frequency of hospitable invitations.

There is another trait, which, on such occasions, will strike, perhaps, less pleasantly. The indifference to life here so marked, is, nevertheless, not merely a Western, but an American peculiarity. From this characteristic the American, with little of the mere "pluck" of the Englishman, or his dogged persistence, with less of the impulsive boldness of the French, stands unmoved in dangers, where the hearts of most men faint within them. It was this that made our ten thousand in Mexico rival the "the ten thousand," on the plains of Assyria. It is this, and not the mere national energy, that causes

the strange indifference of the public to the innumerable disasters by flood and field. It accounts, too, for the reckless steamboat races on our large water-courses, with their terrible risk of life. A boat rounds a point on a Western stream; colors are flying; martial music sounds; snorting and foaming, she quivers under the unwonted pressure. The hands sweat, and pant at their work. A tall Hoosier is seen, seated on the safety valve. The captain walks the hurricane deck, trembling with excitement. She passes a village; the people pour out on the bluff. Soft cheeks flush; handkerchiefs are waved; bright eyes sparkle; the men loudly hurrah. The boat returns the cheering. Fresh dry wood is flung into the glowing crater; sides of bacon, kegs of lard, tar barrels, are heaped up, and faster, faster she surges on. The captain doffs hat, and bows low to the fair spectators, and swears to win the race, or a place in Abraham's bosom. The passengers agree that love, and war, and steamboat racing, varied with a little bowie-knife practice, and quiet brag and poker, are sport fit for gods. Shortly after, under cloud of night, the rival boat crawls along; beautifully whipped, she had given up the contest. Fuel had given out, and a keg of gunpowder had been proposed to the captain, but he was not the true grit; perhaps he owned a share in the boat. He looks moodily at the crew; they sneer in return, and give warning. The passengers grumble, and ask to be put ashore; the ladies cross both boat and captain off their books. All must own that the sports of the West are in keeping with their gigantic plains and rivers.

As the traveller lands at some small river port, the man that carries your valise to the village inn, takes you patronizingly under his wing, and gives much friendly advice. Quite cheering, it is to those that come within these borders, haunted by spectral bowie-knives and revolvers. As you proceed you are saluted as Colonel, Major, Squire, or Judge, accordingly as self-esteem jerks back your shoulders and the crown of your head, or judgment pulls them forward. Encourage the pleasing delusion, and cheap military renown, or legal eminence, will be yours to the end of your days. Often is heard the heartsome challenge of, "Stranger, how are you?" and your heart bounds, and warmly you grasp the hand that in the nineteenth century opens to strangerhood. Elsewhere it is the gentleman from Maine, or Georgia, or Timbuctoo, or a vagrant the police must see to. The hotels make no returns of strangers. That poetical race are fast fading from the face of the earth. They linger on our Western frontier, mournfully treading in the foot steps of the red man; and when the last Indian disappears on the shores of the Pacific the last stranger will be close on his heels.

The trait that is at the bottom of this heartiness of manner is one of world-wide application. The ability to assimilate with those about us, or in other words, the power to reproduce in our own breasts their passing moods of thought and feeling, is necessary for us to understand, to sympathize, to work upon and to give the semblance of those moods. Not all the theories of human nature from Aristotle to Gall, will give this power. It is only found in the school of life. Those whose pursuits lead them apart from mankind, and who deal with things not men; the recluse of any kind, the student, the artizan; those whose life is spent in a routine of figues or forms, are all wanting in this impressional facility. Occasion may bring them out, but only to relapse into their dry and unimpassioned exterior. But those whom circumstance has kept among men, and whose study, unconscious perhaps, has been living man; those who have been forced to consult and bend to the humors of men, have thereby gained a knowledge and a power more useful than books can give. It lends to the man of fortune bred up in the midst of society, his bland and seductive courtesy; it gives dramatic power to the author and theatrical talent to the actor; it is the essential in diplomacy, and of Yankee 'cuteness in bargaining; with it, the knave becomes honored among men; without it, he comes to the gallows; it gives success to the man *a bonnes fortunes* to all in fact who easily win the hearts of either men or women. This principle of our nature is largely developed in the western wilds. Subsistence easily obtained, there is a large scope for the social instincts; and men congregate, and are far less solitary in their

lives than the dwellers in large cities. The backwoodsman, backed perhaps by his nonchalance and uninjured self-respect, would be at home in Eastern saloons: with use, would be the life of select coteries; far more so, than many of those trim young gentlemen, who pace public promenades, and see little of the gay world but its pantomime. The thorough-bred man of the world would be equally at home canvassing for votes in log-cabins, or haranguing his fellow-citizens from the stump. Shake hands then, men that tread the prairie sod and men that glide over carpets of down, men of glistening shoon, and men of the mocassin, for ye are brothers.

Little wonder is it then that individuals in the West so often rise from the lowest vocations to celebrity. One is now before our mind, who, in his youth, swung the axe for fifty cents a day, and whom early manhood found spelling over his a, b, c's. But the best of all educations for the battle of life, the knowledge of men, this bounteous land had given him in common with all its sons. He is now an accomplished lawyer, and a whig representative in Congress. Such men know the value of the institutions under which they grow up, and not one jot or title of their well balanced conservation would they abate. We hope shortly to be able to present our readers with a portrait of this gentleman. "Long and lank and brown, as is the ribbed sea-sand," ungainly in figure, and attenuated in face, its knightly lines impress, and its frank conciliation wins. His warm blood flames in his eye, but his *bonhommie* is irresistible by crowds or individuals.

Another phase of the above-mentioned national trait, is the early period at which the boy learns to act and talk and be treated as a man. While Eastern youth are imbibing learning at the gentle breasts of Alma Mater, the lad of the prairie gathers truer wisdom from the rough counsels of men. And when colleges and law-schools pour forth their verdant inmates to astonish the Western native, they find that their verdancy alone surprises. Many a tough lesson must they then con, before they make up for lost time. In these frontier villages the lads gather with the men around the shop-doors, in the blacksmith's hovel, about the stove at the village inn; and while their elders talk, listen with quiet judgment; or if they have aught to say coolly say it. Little respect for authority have they, it is our national defect; great self-reliance, they learn it as they wander with rifle on shoulder over plain and woodland; strong, reflective and analytic ability, for it is only in crowded regions where men gain their bread by unthinking routines, that the brain becomes an automaton and the reason withers. Before their beard has sprouted, their mind is full-grown, and they mount the stump.

This, then, this teeming soil has done or will do for humanity. It shew us that never before has man held destiny so completely in his hands. That from the working men of America must come development, if development really lies before us in this world. It tells the Fourierist raving about conventional distinctions, that distinctions are the work of nature's hand; that the strong arm is lord of the weak one, and that he who can search the depths of his brother's soul, can turn that soul to his own will. It tells the infatuate of society, who also vulgarly raves, and who rests his feebleness on others' strength, that these conventions are but *forms* of an inward power; that the spirit spreads fast, and the form ever lags behind. It tells him that despairs of human improvement, that many of the industrial classes are far ahead in intellectual essentials perhaps of himself. It tells the panegyrist of "blood," that the best blood is the rough common stock, where collision brings out vigor.

What more do we learn from this pleasant land, where men from the east and west, where men from the north and south commingle? That no institution that man has framed is entirely free from wrong or evil; that none that have stood the test of time are totally devoid of truth or good. That sectional prejudices fade away when brought face to face; that charity to the opinions of others is the truest philosophy, and manliness and good feeling the best breeding, and we learn at last, great truth! that in the lowliest vocations of life are found the conditions of intellectual rise, of moral excellence and real refinement.

T. C. C.

THE OLD HOMESTEAD.

Where yonder elm its graceful foliage spreads,
And four tall poplars lift their spire-like heads,
As if from vulgar eyes the wreck to hide,
Of what they once adorned in stately pride;
There, where twin lilacs breathe sweet odors round,
And all with purple stars bestrew the ground,
The ruined Homestead, once so trimly gay,
Forsaken stands, and tottering to decay.
Those roofless chambers shelter yield no more:
On one frail hinge slow creaks the crazy door:
No smoke, aspiring, curls amid the trees,
And paneless casements clatter in the breeze.

That time-bowed stoop, of many a sad farewell,
And many a kindly welcoming could tell,
But years have flown since o'er its threshhold passed
The lonely, lingering footstep of —— the last.
If yet, perchance, some passing traveller dare
Tread the weak floor and mount the uncertain stair,
Outspreading far, a landscape wide he sees,
Groves, and green vallies, and embowering trees;
The distant village, and the nearer plain,
The bounteous orchard, and the ripening grain.

Sad contrast these with yon neglected fields,
Whose arid mould the scanty thistle yields;
Where, every vestige lost of rural toil,
The plough has ceased to turn the exhausted soil;
The scythe no longer sweeps the grassy lawn;
The very foot-way to the door is gone;
The song of industry, its busy tread,
The social converse—all, alike, are fled.

There ne'er again the host's convivial voice
Shall bid, with cordial greetings, to rejoice;
Nor careful housewife's kindly proffered hoard
Be spread to tempt the traveller to her board.
Those young, fresh hearts, those spirits lithe and gay,
With song and mirth who wore the hours away—
Along that floor, where oft the dance they led,
Shall ne'er again the lively measure tread;
To sprightly viol or romantic flute
The walls that echoed are forever mute;
Cold is the hearth-stone,—all is silent there,—
The noisy pastime and the peaceful prayer.

There, oft, at eve, the hoary-headed sire,
With conscious skill, would lead the evening choir;
Or, while the circle gathered reverent round,
With simple wisdom sacred texts expound.
'Neath yonder elm his summer seat he chose,
When day's long toil enhanced the late repose;
Slow from his pipe the cloudy fragrance rolled,
While sunset tinged the old green woods with gold:
No cares penurious stirred his peaceful breast;
His toil was duty, his reward was rest.
O'er yonder weed-grown patch his garden lay
Rich with the culture of each passing day:
Its pathways trim no more allure the feet,
The long, rank grass o'ertops the sylvan seat:
Those damp, green stones still mark the living spring,
But morn no more the accustomed step shall bring:
The sun looks lone the distant hills between,
And throws no human shadow o'er the scene.

One fair-haired urchin was the old man's joy:
Active and apt, a wild and wayward boy,
Who oft, with truant feet, at mid-day, hied
With rod and line, to pace the river side;
Or to the green wood with his gun repaired,
Or trapped the rabbit, or the partridge snared.
His buoyant steps no more those fields may press,
Nor welcome glad his late returnings bless.
Oft times, at night, a kindly shelter sought,
When storms some stranger to their fire-side brought,
The traveller's wondrous story charmed his ear,
And near the listener drew—and still more near;
Flushed with a new desire, the pleasing theme
Beguiled his day and filled his nightly dream;
Till, all elate remoter realms to see,
He, too,—the stripling,—must a traveller be:
O'er lands unknown, bright visions to pursue,
Still following hopes that still before him flew,
A world-wide wanderer, from his native shore,
The boy departed and returned no more.

In yonder attic, roofless now, and bare
To wintry storms alike, and summer air,
Where through the wainscot sprouts the poisonous weed,
And loathsome toad and bloated earth-worm feed,
There, with his books, the wrapt enthusiast sate;
His books, at once his solace and his fate;
The field-task finished ere the page was sought,—
More dear the solace as more hardly bought;
There, all unaided, save by that strong will
That mastering difficulties sought them still,
Imbued with classic love, he toiled alone,
And made the lore of ancient time his own.
Where, oft, the live-long night his taper burned,
As there intent the learned page he turned,—
Where, slowly pacing, oft his step was heard,

Lone echo answers to the midnight bird;
The breeze, that fanned his pale and patient brow,
Still wanders there, but all unheeded now;
The student's task is done; and wild flowers wave
And night dews fall around his early grave.

One stalwart youth, inured to manly toil,
Robust with labor, turned the healthful soil;
'Gainst the broad oak alike the axe could wield,
Or thresh the grain, or mow the ripened field.
Nor tasks like these his sole employ he made;
But gentler arts, with native skill, essayed:
Full well the viol's hidden charm he knew,
And o'er its strings no vulgar bow he drew.
The serious mood beseemed his humor best;
So grave his look it half repulsed a jest;
Yet, oft, from him, to crown the social glee,
Came humorous joke, and racy repartee.
With grave suggestion, oddly misapplied,
He hit the mark, while seemed the aim far wide;
And while the rest with bursting laughter shook,
Reserved and shy, maintained his serious look.
A village lass at length his graver mood
To smiles converted, and his heart subdued.
To other scenes the new made bride he bore,
Nor cheered nor served the ancient homestead more.

Where now, through broken chinks, with filmy ray,
Pale moonbeams gild the chamber of decay,
There once the maiden sought her pillowed rest,
Or sat retired in musing fancy blest:
Now to the tuneful thrush her ear inclined,—
Now drew the truant rose branch through the blind;
As o'er yon woods slow rose the evening star,
With dreamy heart she touched the light guitar,
While by the sweet enchantment led more near,
The homeward rustic, wondering, paused to hear.
No witching melodies his feet delay
As duly now, he plods his evening way:
Though still the thrasher haunts those aged trees,
His songs no more the listening beauty please:
Where blushed the rose, along the lattice led,
The dismal ivy's ragged draperies spread;
Serena! loveliest of the group, how fast
The flower-like beauty of her blooming passed!
Oft was she seen at early summer morn,
Ere yet the dews forsook the trembling thorn,
Laden with spoils from field and flowery bed,
Warbling quick measures to her own light tread.
As then, arranged in tasteful order meet,
Each vase she filled with blooms and odors sweet,
While beaming smiles declared her artless joy,
How fitting seemed the delicate employ!
Around each graceful vase,—more graceful they,—
Her white hands hovered like twin doves at play;

While 'twixt her slender fingers peeping out,
Some wilful flower would seek its whereabout,
Or softly lean against her flowing hair,
As to the task she bent her forehead fair.
Caught by reflection was that glowing hue
With such soft blush that did her cheek imbue?
Caught by reflection from those flowers outspread,
The rich carnation, the camelia red,
Roses, with bursting buds, of sweetness rife,
Like her, just opening into riper life:
From these did she the soft suffusion win,
Or, from that lovelier flower, enshrined within?
Purer than lilies in the moon's cold ray,
Sweeter than violets in the lap of May,
Inborn, indigenous, untrained by art,
INNOCENCE, native to the virgin heart!
Crowned with a radiant bloom, all blooms above,
It bears a blossom, and we call it LOVE.
The flower enshrined within Serena's breast,
With transient joy her artless bosom blessed,
But all too soon, by falsehood chilled, no more
The flower divine its radiant love-bloom bore,
Life's mid-day heat too delicate to bide,
The bloom was blighted—and Serena died.

Where poisonous vines now spread their tendrils wide,
And leaves, o'erlapped, the parlor window hide,
O'erlooking thence the distant village green,
At early eve was oft the MATRON seen.
With busy needles glancing in the sun,
She knit the thread the morning's toil had spun;
Or read, with voice subdued, some legend dear,
To one pleased listener, ever lingering near,—
A timid child, of pale, attenuate face,
And feeble frame—the youngest of the race.
In growth by nature stinted, he could ne'er
Partake the sport to active youth so dear;
And thus it followed, other joys denied,
He loved the legend at his mother's side.
For her, much striving of unquiet thought,
Above the calmness of her life was wrought.
From out the love, that feeble boy she bore,
Came anxious fears the future to explore.
"Should she be called away, who might bestow
The care on him that only mothers know?
Whose voice, like hers, his hours of illness soothe?
Whose hand like her's the restless pillow smooth?"
Thus ran her thoughts; but dimly, through such fears,
She saw the shadow of the coming years.
Ere fifteen summers crowned his youthful head,
The mourning mother left him with the dead.
A childless widow—last of all her race,
She lingered long, sole tenant of the place,
Prepared in meek submission—calm of mind,
Alike to follow, or remain, resigned;

She lingered long, and slowly, day by day,
Began the fine old homestead to decay ;
Till tolled at last for her the funeral knell,
And then,—deserted,—all to ruin fell !

Now, oft, 'tis said, strange harmonies are heard,
When whispering leaves by midnight winds are stirred ;
And shadowy forms and ghastly faces there,
Flit thwart the gloom, and through the casements glare.
The sturdy laborer mends his evening pace,
To shun the oft told horrors of the place ;
And while his children, listening, crowd the hearth,
Recounts the terrors that betrayed his path.
He bids them shun that desolated ground,
Where sounds and shapes mysterious linger round ;
And tells of ghost that walks the crumbling walls,
And voice, that oft the midnight traveller calls.

If ere, as close the shades of evening grey,
The village maiden chance to pass that way,
She hurries on with sidelong glance of fear,
And cowering fancy paints the phantom near.
Sacred no longer to a virtuous race,
Pale superstition has usurped the place.
Too sad the theme ; yet memory loves to cast
Her tender, tearful glances o'er the past,
Lure back the vision of each old delight,
And, link by link, the circle reunite ;
Force from departed joys a luscious pain,
As withered roses, crushed, breathe sweets again.
Seen, like the sun, his beams when showers enshroud,
Reflected feebly through the sombrous cloud,
The vision dimly gleams. The years, turned back,
Retrace the foot-prints of their noiseless track.
While, as some sun-lit cliff o'erlooks the storm,
Serenely stands Faith's heaven-illumined form ;
The faint obscure with smiles of promise cheers,
And points the moral of the circling years.
Ceaseless MUTATION ; oldest law of earth,
Calling from slow decay the vigorous birth ;
And, waxing, waning, still, from first to last,
The Future brightening as declines the Past.

CONGRESSIONAL SUMMARY.

In Washington, March 31st, 1850, died John Caldwell Calhoun, aged sixty-eight years and fourteen days. Mr. Calhoun had been of late in failing health, and the excitement of the recent events in Congress, proved too much for his undermined constitution. His death was like his life, self-sustained and unfaltering.

For nearly half a century, Mr. Calhoun had been in public life. During the whole of that period, his position was a prominent one. Crossing swords in debate with Randolph, with Clay and Webster, sought in counsel by Madison and Monroe, his foot never failed him in such dizzy heights, his self-poised presence of mind never deserted him. Too much of a Statesman for a successful politician; too sectional in his views and feelings for a man of the nation, he was for that section all that a leader could be.

In such capacity, his character was well-suited to arouse enthusiasm and lasting regard. Immovable in his principles, of clear and logical intellect, singularly independent and self-reliant in judgment and action, ambition, the greatness of most men, was Mr. Calhoun's only weakness. Kind and just in his domestic and social relations, he sought his only relaxation from official duties in the society of his friends and family. His conversational powers were remarkable, and contributed not a little to his political success. He possessed alike the confidence of his constituents and the respect of the great men with whom he was ever associated. Had the qualities which drew forth these feelings been less real and sterling, he could never have maintained this proud position.

Mr. Calhoun commenced his public life in the Legislature of his own State. After serving there a few years, he was transferred to Congress, and at once took his place among the great minds of the country. His maiden speech was in defence of the resolutions recommending a declaration of war with Great Britain. He spoke in reply to one of the most brilliant efforts of Randolph. He sustained the reputation he had earned at home, and gained the name of being the most effective orator of the day. The course he pursued in his responsible position as Chairman of the Committee of Foreign Affairs is now national history.

At the age of thirty-five, he was invited by President Monroe to a place in the Cabinet. He was appointed Secretary of War. The affairs of this department were in the most complete confusion; so much so, that Mr. Calhoun's friends doubted the prudence of his accepting a situation that demanded a business talent for affairs. He applied his powerful mind to the task, and organized the Department on a footing that stands to the present day. The unsettled accounts of the Government, amounting to near fifty millions, he reduced to less than three millions. The annual expenditure of the army he found four millions, and effected a saving thereon of one million three hundred thousand. At the close of Monroe's administration, he was elected Vice-President, and was re-elected in 1828. During the difficulties between South Carolina and the General Government, he resigned and was elected Senator in place of Hayne. This difficult position he held to the entire satisfaction of his partizans. But the doctrine of nullification, however grateful to his own State, was odious to the rest of the Union; and Mr. Calhoun's prospects of the Presidency, and career as a national man were effectually checked.

He continued to represent South Carolina in the Senate of the United States for eleven years. In 1844 he was appointed Secretary of State by President Taylor. During the year he held that office, he was mainly instrumental in bringing about a measure, that is now, in its effects, convulsing the country to its centre. His diplomacy cleared the way for the annexation of Texas. The English Government convinced from Mr. Calhoun's energetic remonstrances that the United States would permit no interference, suffered that country to fall quietly into our hands.

Mr. Calhoun in carrying this measure was true to the political instincts of his whole life. He denied his nationality as an American citizen, and admitted no claims but those of his own State and his own section. Staunch to his post, it was in the furtherance of these claims and this policy that he drew his last breath.

"But he is gone—a man whose faults were few:
A nobler treads not Senatorial halls;
To his own views of right intensely true,
To Heaven's great aim magnificently false!
With steadfast will, that none could bend or break,
A kingly victim he to a profound mistake!

He stood a bulwark 'gainst the advancing tide
Of Human Progress, but the conquering wave
Kissed as it sank, that brow's majestic pride,
And wailed regretful murmurs o'er his grave.
Long be his resting place a hallowed spot,
Till Dignity, and Truth, and Manhood are forgot."*

On the announcement in the Senate of Mr. CALHOUN's death, Mr. CLAY spoke in eulogy of his virtues.

"My personal acquaintance with him," he said, "commenced upwards of thirty-eight years ago. The Congress of which we then became members, was that among whose deliberations and acts was the declaration of war against the most powerful nation, as it respects us, in the world. During the preliminary discussions which arose in preparation for that great event, as well as during those which took place when the resolution was formally adopted, no member displayed a more lively and patriotic sensibility to the wrongs which led to that awful event than the deceased, whose death all unite now in deploring. Ever active, ardent and able, no one was in advance of him in advocating the cause of his country, and in denouncing the injustice which compelled that country to arms. In all the Congresses with which I have had any acquaintance since my entry into the service of the federal government, in none, in my opinion, has been assembled such a galaxy of eminent and able men as were those Congresses which declared the war, and which immediately followed the peace. In that splendid assemblage, the star which has now set, stood bright and brilliant. It was my happiness, sir, during a great part of the life of the departed, to concur with him upon all questions of national policy. During the session at which the war was declared we were messmates, as were other distinguished members of Congress from his own patriotic State. I was afforded by the intercourse which resulted from that fact, as well as from subsequent intimacy and intercourse which arose between us, an opportunity to form an estimate not merely of his public but of his private life, and no man with whom I have ever been acquainted exceeded him in habits of temperance, and in the simplicity and tenderness of social intercourse. And such was the high estimate I had formed of his transcendent talents at the end of his services in the executive department under the administration of Mr. MONROE, that had he been translated to the highest office of the government, I should have felt assured, that under his auspices the honor and prosperity and glory of our country would have been safely preserved. Sir, he is gone. No more shall these halls witness in yonder seat, the flashes of his keen and penetrating eye. No more shall we listen to that torrent of clear, concise and compact logic poured from his lips. Sir, this is not the proper place, nor should I be the proper person to attempt a delineation of his character, or of the powers of his mind. I will only say that he possessed a lofty genius, that in his powers of generalization of those subjects of which his mind treated, I have seen him surpassed by no man, and the charms and captivating influence of his colloquial powers have been felt by all who have ever witnessed them.

Mr. WEBSTER, on the same occasion, spoke in high testimony of the character of the departed Statesman.

"I made my first entrance," he said, "into the House of Representatives in 1813. I there found Mr. CALHOUN; he had already been an efficient member of that body for two or three years. I found him then an active and efficient member of the assembly to which he belonged, taking a decided part and exercising a decided influence in all its deliberations, from that day to the day of his death. Amidst all the strifes of party and politics, there has subsisted between us always and without interruption, a great degree of personal kindness. Differing widely upon many great questions belonging to the institutions and government of the country, those differences never interrupted our personal and social intercourse. I have been present at most of the distinguished instances of the exhibition of his talents in debate. I have always heard him with pleasure, and often with much instruction, and not unfrequently with the highest degree of admiration. Mr. CALHOUN was calculated to be a leader in whatever association of political friends he was thrown, he was a man of undoubted genius and of commanding latent. All the country admit that his mind was perceptive and vigorous—it was clear, quick and strong. Sir, the eloquence of Mr. CALHOUN, or the manner of the exhibitions of his sentiments in public bodies, was part of his intellectual character—it grew out of the qualities of his mind—it was plain and strong, sometimes unsurpassed still always severe, rejecting ornament, not often seeking far for illustration. His power consisted in the plainness of his expression, in the closeness of his logic and in the earnestness and energy of his manner. These are the qualities, as I think, that have enabled him, through such a long course of years, to speak often and yet always to command attention. His demeanor as a Senator is known to us all—is appreciated and

* Tribune Newspaper.

venerated by us all. No man was more respectful to others—no man conducted with greater decorum and no man with greater dignity. I think there is not one of us but felt, when he last addressed us from his seat in the Senate, with his form still erect, with a voice by no means indicating such a degree of physical weakness as did in fact possess him, with clear tones, and an impressive and most imposing manner—there is none of us, I think who did not imagine that we saw before us a Senator of Rome, when Rome survived. Sir, I have not in public nor in private life, known a more assiduous person in the discharge of his appropriate duties. I have known no man who wasted less of life in any pursuits not connected with the immediate discharge of his appropriate duties. I have known no man who wasted less of life in what is called recreation, or employed less of life in any pursuit connected with the immediate discharge of his duty. He seems to have had no recreation but the pleasure of conversation with his friends. Out of the chambers of Congress he was either devoting himself to the acquisition of knowledge pertaining to the immediate subject of the duty before him, or else he was indulging in those social interests in which he has so much delighted. My honorable friend of Kentucky has spoken in just terms of his colloquial talents. They certainly were singular and eminent—there was a charm in his conversation. He delighted, especially, in conversation with young men. I suppose that there has been no man among us who had more winning manners in his intercourse and conversation with young men, than Mr. Calhoun. I believe one great power of his character, in general, was his conversational talent. I believe it is that as well as a consciousness of his high integrity, and the highest reverence for his talent and ability, that has made him so endeared an object to the people of the State to which he belonged. Mr. President, he had the basis, the indispensable basis, of a high character, and that was unspotted integrity, unimpeached honor and character. If he had aspirations, they were high and honorable. There was nothing grovelling, or low, or selfish that came near the head or heart of Mr. Calhoun—firm in his purpose, perfectly patriotic and honest, as I am quite sure he was in the principles that he espoused and in the measures that he defended. Aside from that large regard for that species of distinction that conducted him to eminent station, for the benefit of the republic, I do not believe that he was imbued with selfish feelings. However, sir, he may have differed from others of us in his political principles, those principles and those opinions will descend to posterity under the sanction of a great name. He has lived long enough—he has done enough, and done so successfully, so honorably as to connect himself, for all time, with the records of his country."

On Tuesday, March 19, Mr. Hale addressed the Senate in reply to Mr. Calhoun's speech on the slavery question.

He proposed examining the history of the agitation of this subject, the account of which, he said, as given by Mr. Calhoun, sounded more like romance, than the truth of history. That gentleman had asserted that these agitations consisted in a series of aggressions by the North on the rights of the South; and that these aggressions, resulting in the loss of the equilibrium between the two sections, had commenced in the ordinance of 1787. But how, he asked, could that ordinance be termed an aggression, when the only dissenting vote, on its adoption, was from a Northern state? This ordinance, he said, which is no other than the original of the Wilmot Proviso, was passed with the full consent of the South, was re-enacted by the first Congress that assembled under the federal Constitution, and has continued to be re-enacted, in substance, from the time of General Washington, who signed the first act, down to President Polk, who signed the same provision in the Oregon bill. And this principle, the power of Congress to legislate on the subject of slavery in the territories, or between the United States and other countries, has been assumed in every act of the Federal Government, organizing territories from that time to this. In proof of this, Mr. Hale, referred to an act passed in 1794, prohibiting the carrying on the slave trade from the United States to any foreign place or country; to the act of 1798, making it unlawful to bring slaves into Mississippi Territory, from any place without the United States; and to the Oregon bill of 1848.

With regard to the assertion of the Senator from South Carolina, Mr. Hale continued, that the direct attacks on slavery in Congress have commenced within the limited period of fifteen years, he would refer him to the year 1776, and he would find one of the most "agitating" and "fanatical" papers that he could well find, beginning with the declaration that all men are created equal. He would also refer him to a petition dated 1776, from Benjamin Franklin as President of the Pennsylvania Society for the abolition of slavery. He referred also, to the action of Congress upon a petition of the inhabitants of the territory of Indiana, praying that slavery might be permitted within that territory for a limited period. Mr. Randolph, Chairman of the Committee to whom the petition was referred reported as follows:

"That the rapid population of the State of Ohio, proves, in the opinion of the Committee that the labor of slaves is not necessary to promote the

growth and settlement of colonies in that region. That this labor, demonstrably the dearest of all, can only be employed to advantage in the cultivation of products more valuable than any known to that quarter of the United States. And that the Committee deem it highly dangerous and inexpedient to impair a provision wisely calculated to promote the happiness and prosperity of the Northwestern country, and to give strength and security to that extensive frontier, and they believe that in the salutary operation of this law, the inhabitants of Indiana, will find, at no distant day ample remuneration for a temporary privation of labor and of emigration."

Surely, continued Mr. Hale, these instances sufficiently prove that the ordinance of 1787 was not the act of a part, but of the whole country, that its spirit was impressed on the legislation of the country at the earliest period; and that it has continued them to the present day.

Another cause of agitation, and of disturbance of the equilibrium, the Senator proceeded, is sought in the Missouri compromise. But this compromise, whenever offered, uniformly receives the votes of the South, while the North, as a body, are opposed to it. A third cause of disturbance is pointed out in the Oregon bill; but this bill was only passed in 1848, and has hardly been in operation a year and a half.

The next in this series of aggressions is what is called the unequal system of revenue and disbursement adopted by this government. But this revenue has been mainly raised by duties on imports, and such duties, Mr. Hale considered always fall upon, and are paid by consumers, be they where they may. A state then, having ten times the population of another state pays ten times more revenue. Wherever the imports go, there the revenue is collected. With regard to the charge of unequal disbursements, the Senator thought it completely opposed to the whole testimony of history. "The expenditures of government are not made in the North, the officers of the government do not come from the North, nor are the great contracts made there. What is it that consumes one half, aye, three fourths of your revenue, but the army and the navy, and where is it expended? Why, where your Indian wars occur, your Seminole and Creek wars, in the Southern and not in the Northern portion of these States."

The various tariffs, too, have been inveighed against by the Senator from South Carolina, as oppressive to the South. But this system of policy has been fastened upon the country by the force of Southern votes, and originally against the wishes and interests of the New-England States. The whole legislation of this country has been, in fact, under Southern influence. The Presidents of the United States have been Southern men. The bench of the Supreme Court has been filled from the South. And no man, he said, has done more to stamp upon our Councils the character and features of that section, than the honorable Senator from South Carolina.

Mr. Hale then referred to the charge that the abolition societies of the North, although apparently disowned, were in reality courted and pampered by the rival factions in those states. Notoriously said he, these societies have been, until lately, under the ban of public opinion. Their presses have been destroyed, their orators mobbed, their meetings invaded; and it was not till the annexation of Texas was effected, that the public sentiment at the North began to lean towards abolitionism. But they saw in this measure, a settled purpose to aggrandize the South at the expense of Northern rights and feelings, and to use the power of the general government to spread the baneful institution of slavery.

The annexation of Texas, Mr. Hale continued, was effected in an unconstitutional manner; and the rights claimed by that state to form new slave states out of her territories, were founded on a contract obtained in fraud, and consequently void. Congress has a right to admit states. So far, then, as concerns the *admission* of Texas, the compact was binding on the United States, and on Texas. But Congress has no right to connect with such admission, a treaty with a foreign nation, fixing obligations on this government. All rights then claimed by Texas on the strength of this treaty were without proper foundation.

Mr. Hale then commented on the proposal for severer laws for the arrest of fugitive slaves.

"What will be the effect of such laws? You come upon an individual, who has been born and nurtured in the North, owing allegiance, and entitled to protection there. You come upon him with an affidavit taken a thousand miles off, and you seize him. Where is that man's right? Where is the trial by jury? Where is the habeas corpus? Where is the protection which the constitution guaranties to the nearest citizen living under the law? Now, I am free to say, once for all much as I love the Union, much as I reverence its institutions. fond as are my memories which cling around its early histories, I would sacrifice them all to-day, before I would consent that the citizens of my native state should at one blow be stripped of every right that is dear to them, and for which their fathers bled and died.

During the last month, little of interest has taken place in Congress. The House has been awaiting the action of the Senate on the question of the admission of California,

the Senate has apparently awaited the action of the country. Speeches have been made for the benefit of constituents, predictions of speedy dissolution by Southern members, and incredulous responses on the part of the North. Meantime four months of the session have gone by, and little of the large amount of business on hand has been transacted.

On Thursday, April 4th, the special order of the day being the resolutions of compromise, submitted by Mr. Bell, and the pending question thereon being a motion, by Mr. Foote, to refer the same to a select committee of thirteen, Mr. Webster reminded the Senate of the great delay in the discharge of their public duties, and thought the time was come, when, without encroaching on the liberty of discussion, they might proceed to some action on the subjects that had so engrossed their attention. He should endeavor, so far as lay in his power, to bring this question of the admission of California *per se*, to a decision by the Senate. After that, to take up, and act upon the territorial bill. He had no wish to check the liberty of debate; but he urged the necessity, instead of keeping all these subjects open and before them, from day to day, to take up some measures of a practical kind, and debate on that, until they were ready to act upon it. With regard to the proposition of Mr. Foote, he had no objection to coming to a vote upon it, but it was his opinion that every man was, by this time, as well informed upon these general subjects as he could possibly be after any report from a committee. He was for acting at once on California, and then upon the territorial bills reported by Committees on Territories. He wished this, for the sake of the satisfaction it would give the country, and the relief to men's minds. He wished, too, to enable Congress to go through with its ordinary duties, and he despaired of any wise, temperate, and just legislation, until these disturbing causes be removed. "I wish," said he, "that this question—brought upon us by the events of the last two or three years somewhat unexpectedly—should be settled. I wish it to be settled upon the true principles of the constitution of the United States. I want no new platform. I ask for no concessions upon one side or the other—no new compromises. The constitution is enough—broad enough, full enough, efficient enough; and if we can bring ourselves to act with moderation, and temperance, and candor, and liberality, and I will say—what is chiefly important—with fraternal regard and sympathy upon the questions before us, in the spirit of the constitution, we are able to rescue the country from its embarrassment. We—we who sit here, clothed with this high authority for a moment—are able to rescue this country, to relieve it, and to satisfy the public judgment and the public feeling of the extreme North and the extreme South, and from ocean to ocean. I believe it."

Mr. Foote, in reply, objected to taking up the California bill first. He thought, in case of the admission of California *per se*, the non-slavery party in Congress would adopt the *inaction* policy proposed by the administration. This course of proceeding, he said, is already zealously advocated by leading Whig presses in the North. It has, even here, been openly avowed this session in both houses of Congress. Pass the California bill, and gentlemen will be heard to cry out that New Mexico and Deseret can do very well without government for the present, at least, until they have population sufficient to entitle them to demand admittance into the Union as States. He thought that to carry a suitable bill for the government of the Territories, especially without the Wilmot Proviso, would require all the favorable circumstances that the forbearance and tactics of its friends could bring to its support. And he assured Senators that the admission of California by herself, "would awaken a feeling of chagrin, of irritation, and flaming indignation throughout the whole South, which in his judgment, would make all future attempts of adjustment hopeless, and inevitably bring upon us all the evils which it has been the generous ambition of the Senator from Massachusetts to ward off and prevent."

The next day the same question being before the Senate, Mr. Clay spoke as follows. He deplored the mutual distrust, both of honor and fidelity, which had arisen between parties during the present agitation. He did not partake of that feeling to the extent that others did. It had been his anxious desire, from the first, to see these great questions settled amicably, and harmony and fraternal feeling restored to this divided country. Every proposition offered, that had this result in view, he had hailed with delight. He was, therefore, ready to vote for the proposition of Mr. Foote, though far from sanguine as to the result. For one, he was ready to vote for California either separately, or in conjunction with the other territories, and with, or without the boundaries she has marked out for herself. He thought, in fact, California should have been admitted on the instant of her application. But such had been the opposition to this measure, that he now believed the only way to insure her prompt admission would be its combination in the same bill with provisions for the government of the rest of the territories. The accusation that such a course savored of disrespect, seemed to him completely imaginary. He saw no disrespect. What was there incon-

gruous or improper in apportioning, by one arrangement, their various governments to the different territories acquired at the same moment from Mexico? Another recommendation of this proposition was, that we are aiming at a compromise; and a compromise, he thought, should settle as many as possible of the distracting questions before the country. He doubted the propriety of admitting the bill for the recovery of fugitives, but in all that related to California, all that related to governments, for the other two territories, and even, if necessary, the adjustment of the boundaries of Texas—though that, he thought, might as well be left out—all these kindred subjects should be associated under a common bill. With these views, he should vote against the amendment to Mr. FOOTE's resolution, excepting from the other questions before the committee on all reference to the subject of California.

April 8, Mr. BENTON continued the debate on these subjects, as follows:

He was opposed to the joining the question of the admission of California with any one, much more with the whole, of the distracting questions arising out of the slave institutions of the United States. "California is a State, and should not be mixed up with anything below the dignity of a State. She has washed her hands of slavery at home, and should not be mixed up with it abroad. She presents a single application, and should not be coupled with other subjects. What are these subjects? They are," said Mr. BENTON,—

"1. The creation of territorial governments in New Mexico, and in the remaining part of California.

"2. The creation of a new State in Texas, reduction of her boundaries, settlement of her dispute with New Mexico, and cession of her surplus territory to the United States.

"3. Recapture of fugitive slaves.

"4. The suppression of the slave trade in the District of Columbia.

"5. Abolition of slavery in the District of Columbia.

"6. Abolition of slavery in the ports, arsenals, navy-yards, and dock-yards of the United States.

"7. Abolition of the slave trade between the States.

"8. Abolition of slavery between the States. Anda non-enumerated catalogue of oppressions and encroachments upon the South."

He was opposed, the Senator continued, to this mixture of diverse questions, separately and collectively.

On the score of general considerations, he objected to it, because no other State had been subjected to a like indignity; because the subjects coupled with the admission of California were distracting, angry, and threatening dissolution and secession, while her application was conciliatory, national, and proffering increase and strength to the Union; because every principle of fair legislation requires each measure to stand or fall on its merits, unaided by stronger measures, unimpeded by weaker ones; and because California herself objects to this mixture, by that provision in her constitution, which says that "every law passed by the legislature shall contain but one object."

He objected also to this admixture, Mr. BENTON continued, from the incongruity of its ingredients:

1. The government of the two territories brings up the question of the Wilmot Proviso, which is unconstitutional in the opinion of some, inexpedient in the opinion of others, and both constitutional and expedient in the opinion of some others. It is an angry and sectional question. California has freed herself from its trammels, by refusing to admit slavery within her borders. How wrong, then, to connect her admission with the other matters concerning those neighboring territories, which alone can justly come under the the action of this Proviso!

Moreover, the question of her admission is clearly constitutional, for Congress has the expressed power to admit new States. While the Wilmot Proviso power is only by inference, and by many members on this floor absolutely denied. Oaths to the Constitution cannot be compromised, and, therefore, doubtful questions should never be mixed with those of undisputed constitutionality.

He believed slavery to be extinct in New Mexico and in all California, and was ready to vote them governments without provision on that subject.

2. Texas, with her large and complex question, should equally, with California, object to this conjunction. They present incongruous subjects, and large enough each to demand a separate consideration. The settlement of the Texas question depends partly on the action of that State. It would be Texas, then, and not the United States, that would decide upon the admission of California, as well as other questions connected therewith by the resolutions of compromise.

The Texas questions should be adjusted, should have been, in fact, at the time of her annexation. He should vote accordingly for their settlement, but only as a separate and substantive measure.

3. The fugitive slave bill. This again is a case in which California has no concern, for she has no slaves to lose, and from her distance can receive none. He protested, too, against the dishonor offered to California, by mixing up the high question of her admission

with a bill for the arrest of runaway negroes. There was already before Congress, said Mr. BENTON, a bill for the recovery of slaves. He was ready to vote for it, for any thing, in fact, which would be efficient and satisfactory on this score. It was the only thing, he thought, in which the North, as States, had given just cause of complaint to the slave-holding interest. But he saw, in this body, no disposition to evade legislating the remedy. He saw no greater diversity of opinion than in any ordinary measure before Congress; no line dividing North from South, the East from the West.

4. Suppression of the slave trade in the District of Columbia. Here, again, California is in no ways especially concerned. It is a minor question, and not to be put in the balance against the admission of a State. The measure is right in itself, and there seems but one opinion in Congress concerning it. During his thirty years' experience in that body, he had seen no state of parties in which this revolting traffic might not have been suppressed.

5, 6, 7, 8. Abolition of slavery in the District of Columbia, abolition of slavery in the ports, arsenals, navy-yards, and dock-yards of the United States, abolition of the slave trade between the States, and abolition of slavery in the States. None of these questions would he submit to a committee. He would not take them under consideration. The agitation in the South on these subjects was a false alarm. Congress had never evinced a disposition to meddle with them. These rights of the slave-holding interest were guarantied by the Constitution, and needed no additional surety of Congressional compromise. Sixty years' refusal to act, sixty years' disclaimer of power, is the highest evidence Congress can give of its determination to abide the Constitution and its duty.

"These are all the specified causes of alarm to the slave States from any conduct, or apprehended conduct, on the part of Congress, of which I have heard complaint. I do not trouble myself with those who have no power to act—with individuals or societies. Congress is the effective power—the representative of all the States—and of that I speak, and say, that I know of nothing in its conduct which can give the slave States any cause for complaint or alarm."

Undefined complaints there are, the Senator continued, of aggressions and encroachments, but for these he knew of no foundation. Offensive legislative resolutions there certainly were, but nothing that in their character amounted to aggression or encroachment. But he didn't know of forbearance in Congress from exercising one undoubtedly Constitutional power, and which might have been used to the manifest annoyance and aggression of the South. The slave property of that section, valued at more than a thousand millions, and which no other government in the world would leave untouched, and for the taxation of which, there were the precedents of 1798 and 1813, this rich source of molestation to the South, and of profit at the expense of the South, no Northern member has ever proposed or hinted at. If, then, Congress refuses to exercise a right clearly constitutional, and fraught with mischief and oppression, what reason have we to imagine a tendency to measures which will accomplish that purpose no more surely, and have not the safe ground of the Constitutition to stand on?

But Congress does not stop at forbearance, said Mr. Benton. In the very year that saw the commencement of the slavery agitation, so little was Congress affected by abolition societies and petitions, that it actually increased the area of slavery, and at the expense of the Missouri compromise line. The annexation of the Platte country to Missouri, gained to that State six new counties carved out of free soil. Behold Texas; ceded to Spain, by a Southern administration in 1819, recovered by the help of Northern votes in 1844. Look at those Southern States redeemed from the Indian by Northern votes, and the white man and his slave allowed to go where actually slavery never existed before!

Mr. BENTON then spoke of the objections raised against the admission of California. It was urged by her opponents that her State government had been formed without previous action of Congress. But eight of the United States had been admitted in a similar manner, in a period of sixty years, running back from the year 1846 to the time of Washington. There were aliens too, it was said, having a voice in the adoption of the Constitution of California. The same objection was raised in the case of Michigan, but Congress overlooked the irregularity, for there was no alienism in its Constitution. Neither is there in that of California. It is an American Constitution, and thoroughly republican.

A third objection was, that its population was not sufficient to entitle it to admission as a State. But there were 100,000 male adults in California, and in the usual calculations it was considered that out of six persons, including women and children, there was one male adult. The 100,000 voters then in California would correspond to 600,000 inhabitants in the older States. He supposed that the attraction of the sexes was as true a natural law as the attraction of gravitation, and California would soon doubtless have its proper proportion of women and children. With regard to the territorial extent of California, he compared it with that of Texas. He main-

tained that the boundaries adopted were the natural limits. Deduct her mountains and wastes, and her soil adapted to cultivation was not as extensive as that of Missouri or Illinois.

Mr. Benton then spoke of the charge brought up of interference by the administration. He had no belief that there had been such interference, and how, if there had been, could it affect the question of her admission? How should the fault of the Executive be allowed to deprive the people of California of their rights?

In the House of Representatives, March 6, Mr. Stanley spoke as follows:—

He had heard much, of late, of "encroachments on the South---aggressions on the South." Some cause there was, he admitted, of complaint, but that the whole North were open to the sweeping censures cast upon them, he denied. He had watched the times, and it was now his settled conviction that most of this hue and cry originated in a malignant wish to embarrass the administration. The most unkind, and improper, and furious, though feeble, aspersions have been cast in a number of the speeches here, upon the motives of the President. In most of them, the Whig party has been fiercely denounced. He believed he could shew that all this agitation was for party purposes.

It was as a Northern man with Southern principles, and by casting the stigma of abolition principles upon the Whigs that Mr. Van Buren rode into power. When Mr. Harrison was nominated for the Presidency, he, too, was denounced as an abolitionist. Mr. Clay was denounced as an abolitionist; and the only allies of the South were Mr. Van Buren and his friends. The hollowness of all these protestations, the event has fully shewn. Mr. Stanley would not admit that either of the great parties at the North were hostile to the South. Some fanatics there are, but the great body of Northern people he could not believe were enemies to the Constitution and the Union.

Mr. Stanley thought that the complaints made by agitators in the South and echoed by their *doughfaced* friends in the North, on the one hand, and the ravings of the fanatical Wilmot Proviso men on the other hand, proceeded from a keen relish for party spoils. By thus spreading their nets, they hoped to drag in votes from both wings of the country. In this political game, one of the main points is the excitement raised concerning the refusal to surrender fugitive slaves. It is true the North has behaved badly in this respect, but have slaves never escaped before to the Northern States? Did this difficulty in recovering fugitives only commence with General Taylor's administration? It is certainly singular that from 1838, when a similar question was before Congress, down to General Taylor's election, no effort had been made to demand additional legislation upon this subject.

Another reason given us by disunionists, is the annoyance the South receives from the agitations of abolitionists, and the abolition petitions that besiege Congress. But before the repeal of the "twenty-first rule," Southern gentlemen said that if that rule should be repealed and these petitions received, the Union would be dissolved. But the rule *was* repealed, and still the union holds together. The petitions were received, and how stands the fact now? We have been here, said Mr. Stanley, more than three months and not a single abolition petition has been presented. The fact is, that in this favoured land, our people from "excess of ease" continually run into extravagances. When they could not war against the twenty-first rule, they form peace societies, societies for the 'rights of women,' &c. Denunciations only makes these people fold the cloak of prejudice more closely around them. Persecution brings them into notice. Forbearance towards their follies leaves them powerless.

But complaint is made that the North does not interfere to stop their aggressions. Who can silence the fanatic? New York cannot quiet her own anti-renters. New York, Massachusetts, Philadelphia cannot prevent mobs and destructive riots within their own borders.

Neither are all who are opposed to slavery disposed to interfere with slavery in the States. The Quakers in North Carolina, and elsewhere are opposed to slavery. Their petitions for the adoption of measures to secure its final extinction have been presented and received by our own Legislature. And these men are among our best population, industrious, sober, orderly.

Another "aggression," is that Massachusetts in 1843 passed resolutions recommending a change in the Constitution of the United States. But though the Legislature of Massachusetts did wrong in this instance, it does not follow that while the present constitution stands, she would interfere with slavery in the Southern states. If her conduct evinces a disposition to interfere, it admits also a want of power under the constitution.

Another Northern "aggression" is found in the attacks on the slave trade in the District of Columbia. But these attacks are not by Northern men alone. Southern members had reported bills against this traffic, and for himself, he was ready at any time to pass a law breaking up these miserable establishments carried on under the very eyes of Congress itself.

As regards the abolition of slavery in the

District, no man in his senses could believe that Congress would ever be guilty of the folly or the outrage of such interference. "Such an act would justly be regarded by the Southern Sates as a declaration of hostility on the part of the North, and they would act accordingly."

"Yes," said Mr. Stanley, "the South has been terribly oppressed! Out of the sixty years since the Constitution was framed, the South has had the Presidents all of the time except twelve years and one month. We have had our share of other high offices. How is it now? In the midst of this formidable invasion of our rights, when the Abolitionists are so strong, we have elected a southern President, who was said to be the owner of more than two hundred slaves! and that, too, against the nominee of the Baltimore convention, when it was said 'there was no slaveholder on their ticket!'"

We have a southern Speaker, with whose manner of discharging the duties of the chair I have no complaint to make. And what a spectacle his election presented! So strong was party feeling with some gentlemen from the non-slaveholding States, that when the issue was a northern or a southern Speaker, they refused to vote for a northern Speaker. This speaks volumes; party feelings must always influence us, must always be felt by the North and West, and southern votes will always be wanted.

A majority of the Cabinet are from slaveholding States. In the Supreme Court we have five to four. In the army and navy we have our full share. Of the foreign ministers we have more than our share. But still "Gott's resolution," or some other northern aggression, troubles us. Let me record another instance of northern liberality. When General Harrison died, Mr. Tyler became President. Mr. Southard, of New Jersey, was chosen President of the Senate; he died, and did the North practise aggression on us? Did they elect a northern President of the Senate? No; they elected a distinguished Senator (Mr. Mangum) from my own state."

Mr. Stanley then alluded to the speeches of certain agitators on that floor. Harsh and cruelly uncharitable speeches had been made, apparently with the only view of wounding the feelings of the South. Horrible pictures have been drawn of the miseries and the despotism of slavery. The fearful consequences of disunion have been gloated upon with apparent delight. And what has been the effect of men holding aud publishing such opinions as these? Emancipation in the southern States. which was going on daily, has been completely stopped. Free negroes voted in North Carolina until the year 1835. In one town, where he had lived, out of three hundred voters, sixty of them were free blacks. A simple petition, then, to the Court on half a sheet of paper, at the request of the master, alleging that he alone had rendered meritorious services, and the slave was made free. And now emancipation is a difficult matter. Their laws allowed slaves to be emancipated by will, but not to remain in the State.

"Sir," said Mr. Stanley, "I remember well when we had negro meeting houses, and negro preachers, some of whom could read and write well; but your philanthropists—those men who would rather look on rivers of blood than that slavery should be extended one inch, and have such horror of chains, shackles and despotism—they sent incendiary documents among our slaves, exciting them to insurrection. As an inevitable result, education was forbidden. Self-protection required it—protection for the slaves required it. And this is another fruit of your sympathy for the slave! But we do not deny them religious instruction. In one town in my district, the negroes have a clergyman of their own, and their own church—a Methodist church. I wish northern gentlemen could see them, neatly dressed, with cheerful faces, as they are going to worship. I wish they could hear their heart-rejoicing songs, when they sing praises to their Maker. They would think better of slaveholders and less of Abolitionists. Our people regard slaves as property, but not as cattle raised for market. I tell these Abolitionists, you are the men who have "riveted the chains." But for your efforts, thousands of slaves would have been educated and emancipated—would have been returned to Africa and Liberia, under the influence of the Christian religion—would have realized what the psalmist said: 'Ethiopia shall soon stretch out her hands unto God.'" With regard to the Wilmot Proviso question, continued Mr. Stanley, whether constitutional or unconstitutional, it would be gross injustice to the South to enact any such measure. He was opposed to disunion; the people of his own State regarded the thought of disunion with horror. But, if the legislation of the North should have unmistakeable evidences of unfriendliness and hostility, they would feel forced to provide for their own security in such manner as the world would justify. The North should remember that all tyrannous legislation would produce sectional animosities.

With regard to the charge that the revenue system of duties on imports imposes undue and peculiar burdens on the planting interest of the South, he considered that any tax that the Government can impose, so far as it operates on consumption, can only compel the Southern planter to share in the burden which all consumers have to bear. Nor can this burden be

to the whole amount of the duty, for the foreign producer must bear his proportion of it, in the diminished profits of capital. Nor has the price of Southern produce fallen since such duties were imposed, while the prices of articles of Southern consumption have even sensibly diminished.

Mr. STANLEY then spoke of the California question. It has been pronounced the "test question," but only by those he believed, who wished to bring about a dissolution of the Union. As a Southern he wished her admitted—the sooner the better. He believed in the great principle of the right of man to self-government. He would not consent to remand her, for her people were for the most part our own citizens, and there would be danger in compelling her to form a government without our aid.

In regard to the matter of territorial governments, he saw no plan better than that recommended by the President, and should cordially support it.

In the House of Representatives, April 3, Mr. M'CLERNAND, of Illinois, gave notice of his intention to offer at the prayer time, as a compromise to the question of slavery, a bill having for its basis the following objects:

1st. The bill provides for the admission of the State of California into the Union with her constitutional boundaries.

2d. The bill provides for the erection of a Territorial Government, to include that part of the territory of the United States lying south of the 42° north latitude east of the State of California, north of the 35° north latitude west of the Colorado and Virgin rivers, and the main easterly branch of the latter to its source; thence west of a due north line to the summit of the mountain range dividing the waters flowing into the Pacific from those flowing into the Great Basin; thence west of the summit of that mountain range to its intersection with the 42° north latitude. This Government is styled the Territory of Utah.

3d. The bill provides for the erection of a Territorial Government, including all the residue of the territory of the United States, acquired by the law treaty with the Mexican Republic, not included in the State of California and the Territory of Utah, more or less, including, of course, the department of New Mexico, with its *rightful limits*, and not more. The Territory thus erected, or the Territorial Governments to be formed therefrom, are provided for by a pledge that they shall be admitted into the Union, with convenient limits, as States when their population shall be sufficient, and when they shall have presented a constitution of republican form and asked to be admitted.

4th. The bill provides that, if the State of of Texas shall consent to and confirm that part of the southern boundary of the territory of New Mexico, as defined, extending from the intersection of the 34° north latitude with the Rio Grande, upoa direct line to the intersection of 100° of longirtude west from Greenwich, with the Red river on the main or Salt Fork thereof, and shall quit claim all the territories north of said boundary, to the extent of her claim to the United States; in that event certificates of five per cent stock, amounting in all, to $10,000,000, are to be delivered to Texas by the Secretary of the Treasury of the United States; provided that if Texas shall thus reduce her boundary as claimed by her, such reduction shall not alter the number of States authorised to be admitted into the Union without any restriction as to slavery in the joint resolution for annexing Texas to the United States; and provided further, that if the State of Texas shall not consent to such reduction, all of the fourth proposition shall be null and of no effect by intendment or otherwise.

MISCELLANY.

MINORITY REPORT ON A PROPOSED CONVENTION TO REVISE THE CONSTITUTION OF MARYLAND.

A most important feature of the age in this country, is the rapid change that is taking place in the Constitution of the States from the interference of State Conventions. Conventions are the order of the day; and are become quite common. The legislative responsibility attaching to a member of the Convention seems to be somewhat less than that attending a membership in a legislature. A representative in Convention is supposed to come more directly from the people. Mr. A., elected for a Convention, by the people of his district, is supposed to be a very different person from Mr. A. elected to the State Legislature. The work he has to do, is a work of which he knows very little: He goes to the Convention to hear three or four influential persons declare what changes they think are to be made in the fundamental laws. These few influential individuals represent the same party, among the people, with Mr. A. himself. Of course it would not do for him to offer any opposition to his leaders; and as the new law makers have it much their own way; if they be lawyers or demagogues as they usually are, they will have the skill to frame a Constitution suited to their own purposes, and that shall yet have every appearance of liberality and reform. We conceive that this true effect of a Convention is not generally understood. That effect, for the most part, is to throw the law-making power into the hands of a very few persons.

We do not mean to impugn the liberality of those persons who sincerely and rightfully desire to reform the laws of their State; it cannot be denied that there is hardly a Constitution, among the entire thirty, which does not demand reformation; and of all those the most in need of reformation are perhaps those which have been lately reformed.

The Report of the minority of the House of Delegates of Maryland on Constitutional Reform argues strongly against the necessity for assembling a Convention in that State. The principal features of the bill, presented by the majority of the same committee, are as follows: First, it is proposed that the will of the *majority* of the people shall be ascertained on the expediency of a Convention.

That in the event of an affirmative vote, the *Governor shall issue* writs of election calling a Convention to revive the Constitution of the State.

The basis of representation in the proposed Convention shall be that of a representative in the House of Delegates.

The action of the Convention shall be submitted to the confirmation of the *people*, and if approved by a *majority vote*, shall *supersede the existing Constitution of the State* without further action by the Legislature.

The minority of the committee object that by this bill, the Legislature assume a power which does not belong to them; that the Executive of the State is commanded by them to issue his writs of election; the people are *directed* to vote immediately upon the subject; if they refuse to vote, those who do vote have given to them the entire power of establishing the fundamental laws; moreover, the Treasurer is directed to pay the daily allowance of the members. The entire bill, they argue, is an assumption, by the Legislature of more power than belongs to it.

The minority of the Committee concede the point that by the fifty-ninth article of the Constitution of the State of Maryland, a Constitution not yet fourteen years old, the power is conferred, without restriction, upon the Legislature to alter and change the fundamental law. And yet, instead of exercising this power, so explicitly given to them, the Maryland legislature wish to have it all referred back to a Convention.

Admitting that the Constitution of Maryland needs to be reformed, the method of effecting this reformation is a matter worthy of all attention. The Constitution of Maryland confers an unlimited power of altering the fundamental laws of that State, upon the Legislature; but that body have chosen to deny themselves the exercise of the power thus conferred upon them, and to yield it to a Convention, provided in such a step, they meet the approval of a majority of the people.

The report of the committee suggesting this plan will be adopted by a *majority*; that *majority* of the popular representatives compels

the assembling of the people; we say compels, for if only a small portion should come together, as they certainly will, that small portion of the citizens will have called a congregation for altering the fundamental laws of the State.

The Convention being assembled, will appoint by *majority*, a committee to frame a new Constitution: the *majority* of this committee will frame a Constitution. This Constitution will then be submitted to the people, and ratified by a *majority*.

It cannot escape the eye of a philosophical observer that there is an evident tendency to weaken and undermine the powers of the State sovereignties by throwing, more and more, the power into the hands of mere *majorities*. It will not be required that "*two-thirds* of the people of Maryland should adopt a new Constitution; the immediate ends of the reformers will be sufficiently attained if their laws receive the sanction of the *majority* only. They have a particular end in view, which shall be nameless; when that end is accomplished, however excellent it may be, or however excellent the *collateral* ends, and final consequences of the measure, they will find that they have inflicted a wound upon the body of their State; they will find that their State is less venerable; less a distinct and stable member of the Union; more blended and lost in the mass of States which surround it; less able to resist the sectional and factious influences which set in upon it from other States—than it was before they shook the strong base of time and usage, and the consent of successive generations, to which alone Constitutions owe their stablity.

It is charged upon us by foreigners, that our people have an itch of change; we do not believe it. A more stable people does not exist on the face of the globe, or less given to change than the people of America. That they are lovers of reform, of genuine, natural progressive reform, which begins with the private affairs of the individual and his family, and extends upwards to the highest departments of State, we firmly believe; but that they are revolutionary we absolutely deny; if they were, the United States would be a chaos of revolutions; there is nothing to prevent it; but that the American people are naturally fond of change, for the sake of change, we do absolutely, and without hesitation deny for them. Common sense is their characteristic, and economy is their rule; and nothing is more wasteful of the time and money of the people than unnecessary changes in the fundamental laws. Every change in a Constitution breaks up a part of the system of society which moves under its control; there is time lost and labor lost. It is not the people, but a few designing and ambitious law-makers who make unnecessary changes and persuade the people of their sincerity.

In regard to these particular changes which are to be made in the Constitution of Maryland, whether they are necessary or not the people of that State know better than their neighbors, and are the only competent judges, that is not our affair; we wish only to caution them against weakening, or taking from the dignity of their sovereignty, as a distinct and separate people; while they go on changing and changing, until there is nothing strong or fixed in their law, the grand system of the Union, the fundamental laws of the Nation, stand like the rock of ages, gather strength with time, and wear, to each succeeding generation, a more awful and unchangeable aspect. Take care of your State sovereignties; the faster they change the sooner they will deteriorate; the more they struggle the sooner they will be submerged.

We subjoin from the columns of the New York Tribune, on account of the growth and successful establishment of that journal. In these days of universal reading, the press has become a separate estate of the realm. Sensitive to every breath of popular sentiment, watchful of men and manners, changing with the shifting hues of the element it lives in, it is the embodiment of public opinion. In its the embodiment of public opinion. In its reaction it exerts an influence that makes it a feature of the age. Clamorous and petulant and sectional in feelings and interest, it is nevertheless of easy absorption and reaches instanteously all parts of the social frame. It puts a girdle round the earth in forty minutes. Politically, it is a power behind the throne. But its political influence is the least important of its prerogatives. Governments, however conspicuous from the magnitude of their particular movements, form but a small part of the actual history of a people. The court and the camp are only the shadow of the spirit of the age. It is social life, with its diplomacies and its battles, deep guile-full diplomacies, and relentless, dogged battles, that with its steady current washes out the channels of individual and national existence. Periodical literature, with all its inaccuracies and special pleadings, its hasty judgments and one-sided views, is the page to which we must look for this true history. It gives us facts, men and opinions, the hasty, often correct generalizations of the day, the national *common sense*.

Newspaper reading may be the enemy of scientific depth or theoretic knowledge, but its wide spreading arrays of facts give the means of the broadest and most practical generalization. The indolent mental habits it favors, may lure a few away from research, but its interest will awaken thousands out of

mental lethargy. Its tentacula reach every man's door and every man's hearth. It is the social exchange, where all classes and conditions meet and exchange greetings and sympathies. The priest of public opinion, it lives only in the presence of its god. Its dictation is still condescending, its homely talk and blunt advice is only a finer adulation.

Mr. Greeley states that his paper was started nine years ago, and under most discouraging circumstances. Of scanty means, and with little pecuniary aid from friends, he had to encounter the increasing competition of the daily press of this city. The hazard was such that nineteen out of every twenty similar attempts had proved unsuccessful. The current expenses, already great, were soon to be increased by the general progress of business, and the diffusion of the magnetic telegraph. His first issue, to the amount of five thousand copies, was with difficulty given away. Before the end of the year he had a steady daily sale for more than ten thousand copies.

The expansion and development of his journal, from a mere register of passing events, to its present maturity as an expositor of ideas and principles, rendered necessary an increase of price. From six cents, the weekly charge was raised to nine, and ultimately to twelve cents. The rapid increase of sale was somewhat checked by this, but the falling off was slight. In commencing, his subscribers' list numbered less than a thousand names. His present regular issue is 15,360 of the daily paper, 1,680 of the semi-weekly, and 39,720 of the weekly edition, besides a growing European and large though unsteady California edition. His first week's expenses were $525, receipts $92; his last week's aggregates were, expenses $2,446, receipts $3,130; leaving a balance in his favor of $584.

The Tribune is now swelled to more than double its original size. It is printed in the quarto form, and contains forty-eight columns instead of the twenty at the outset. Four of its pages are devoted to News, Editorials, Literature, &c., the rest to advertisements.

The Editor is fitted by nature and art for a journalist. His long practice has given him a nice touch of the public pulse, his argumentation, though not always logical is broad and clear, and he writes *currente calamo* and with a full heart. His style is consequently warm and genial. It is even dramatic, for it shews the feeling that prompts the thought. He is really as the title of his paper imports, a Tribune of the people, eager to grapple with patrician wrong or insult, and disposed partly from kindness, and partly from love of popularity, to see them where none exist. There is little of dignity in his columns, but his earnestness and talent always extort respect. He is enthusiastic in theories for raising degraded humanity, and equally warm in his expedients to save them from miseries and troubles that no legislation or social change, it is to be feared, can ever reach. Whatever policy may have to do with particular moves, no one that looks into his paper can doubt that he is a man who is in the main sincere, that his sympathies are with the million, and his heart in the right place.

The bill, securing the Homestead of a family from sale on execution, to the value of $1,000, has finally passed the New York Legislature. It was objected to by its opponents on the ground there was no call for it by laboring men, or men of moderate means, and that it would serve only to protect the idle, and thriftless, and dishonest. The amount was also thought too great. But $1,000, throughout the country, and in small towns and villages, would no more than meet the expenses of a decent shelter, with the ordinary comforts of a home, while in the larger cities it would hardly buy the ground that a wigwam could cover.

The British minister at Washington, Sir H. L. Bulwer, has notified our Government relative to an exhibition of works of industry of all nations, to be held in London in the early part of the year 1851. It is to be a world's fair, held at the great centre of the world's commerce. An industrial tournament, where our national ingenuity can tilt against the exactness of English art, French taste, German accuracy, and the artistic mind of the south of Europe.

The exhibition will be divided into four sections:

1. Raw materials and produce, illustrative of the natural productions on which human industry is employed.
2. Machinery for agricultural, manufacturing, engineering, and other purposes, and mechanical inventions, illustrative of the agents which human ingenuity brings to bear upon the productions of nature.
3. Manufactures, illustrative of the results produced by the operation of human industry upon natural productions.
4. Sculpture, models, and the plastic art generally, illustrative of the taste and skill displayed in such application of human industry.

FRANCE.

The late election to fill the place of the thirty-one members, expelled in consequence of the affair of June 13th, 1849, have returned ten socialists, and twenty-one of the more conservative parties. This is a gain of ten for the government. There was a decided falling off of the socialist vote in all the De-

partments. That party seems to have abandoned the barricade as a mode of revolution, and to seek the more legitimate means of party organization and the ballot-box. This bodes well for the cause of transatlantic freedom. In France the rural districts are conservative; it is chiefly in the large cities that the anarchical element prevails. Let the agricultural masses, by use, once know their latent strength, and the reign of street revolutions, with their threadbare heroics, is at an end. In countries where population presses on the means of subsistence, there is always starvation. With starvation there is always misery and desperation. The cities are the natural drains of the country, and gather from all quarters its foul humors. Republicanism in France, has hitherto been more the writhings of these diseased parts, than the action of the healthful system. In the last spasm—the insurrection of the Red Republicans—the ulcer was laid open. Wretches, hardly human, hiding from the face of men by day, seeking their prey by night, familiar with crime, and with despair for their daily bread, dashed out of their dens and hiding places, and for three days fought over a city, that, a few years since, gave laws to Europe. Hurled back, Red Republicanism, in its sheep's clothing of socialism, now approaches the legitimate field of party and organized members. But here, organized capital and social influence again meet it and the cry, well known to us, of proscription for opinion's sake, is heard across the Atlantic. In the Legislative Assembly, March 16, M. de Lasteyrie complained of the publication of a list containing the names of shopkeepers who voted for socialist candidates, and calling upon the customers of these tradesmen to give them no farther employment. It was called an attack upon universal suffrage, and the Minister of Justice was urged to prosecute the *Assemblee Nationale* newspaper, in whose columns the article appeared. The government party defended the course of that journal, and a stormy debate followed. The true and enduring check to socialism is to be found in the conservatism of agricultural labor, and the increasing numbers of small proprietors, giving to the many, and no longer to the few, an interest in stable laws and government.

RUSSIA.

The Russian Prime Minister—Count Nesselrode—has addressed an energetic remonstrance to the British Government, concerning the precipitate course of the latter in relation to its Greek claims. He complained that, without notice to the powers, who, equally with England, were guardians of the defenceless kingdom of Greece, the British fleet had presented itself at the Piræus, making an imperious demand for the settlement of these claims. The mediation of France had subsequently been accepted, and the Russian Government had no objection to a course that might lighten the weight of pecuniary demands upon King Otho. But in relation to the two small islands, claimed by Great Britain as Protector of the Ionian Islands, but guarantied originally to Greece by the three powers, it is no longer a question of money, but of territory; and the Russian Minister protested in the name of his Government against any action on the part of France and England to the exclusion of Russia.

The course of the English Cabinet in this matter is not easily understood, but it is significant of anything but a cordial state of feeling between the English Government and the northern Autocrat.

HUNGARY.

The enlistment of Hungarian peasants into the Austrian army, and the degrading of Hungarian officers into the Austrian ranks, still continue. The latter is thought an unsafe move on the part of that Government. The superior knowledge of these men, and skill in their profession, gives them great influence over the Austrian non-commissioned officers and privates. They carry with them a spirit of revolt, that in these days of fraternization may prove a dangerous leaven. The army is no longer the brute tool of despots.

The sentences of death passed lately by courts martial upon persons concerned in the late insurrection, have been commuted to imprisonment in irons for terms of twelve and sixteen years.

Kossuth and the other Hungarian leaders at Shumla, have been removed, by the order of the Porte, to the interior of Asia Minor. The wanderers left their temporary home with reluctance. Kossuth was accompanied in his exile by his wife. Turkey again succumbs to the exactions of the Czar.

CRITICAL NOTICES.

Classical Series. Edited by Drs. SCHMITZ and ZUMPT. Quinti Curtii Rufi de gestis Alexandri Magni. Philadelphia: Lee & Blanchard. 1849.

This history of the exploits of Alexander by Quintus Curtius, an author probably contemporary with the first Augustus, begins at the third book, when Alexander, having gained a victory on the Granicus, was entering on his career of Asiatic conquest. It is one of the original authorities for the exploits of that conqueror. It is written in a free and entertaining style, and requires but a moderate mastery of the Latin language for its enjoyment. A few slight deviations from the classical prose of Cicero and Cæsar in the choice of words, and some loosenesses and inaccuracies of expression, are hardly sufficient to degrade this author from the rank of a classic, and are certainly not a serious objection to his employment as a school-book. There is, perhaps, no Latin author easier to read and understand; beside that, he has the advantage over primary school-books of the class of *Viri Romæ*, in being an original, and his work a continuous history. As a first book for the beginner, in Latin, we hold him, for these reasons, to be the very best. To facilitate the use of this history, as a school-book, the present very neat volume has, appended to it, an excellent small map of the conquests of Alexander the Great. The sole objection we have to find against it, is, that the impression of the letter press is from worn-out type, pale and painful to the eyes. For the popularity of a school-book publishers should have an especial care to make their letter-press clear and well defined. The quality of the paper is of much less consequence than the quality of the printing. It is saving at the wrong point to economise in the latter department.

The notes in this volume are abundant, and truly explanatory.

Anastasis. Sacred Dramatic Dialogue on the Resurrection of our Savior. The Temptations of the Wilderness, Bathsheba, and other Poems. By THOMAS CURTIS, D. D., original editor of the Encyclopedia Metropolitana, and editor throughout of the London Encyclopedia. New York: Leavitt & Co., 191 Broadway. 1850.

This little work is dedicated to Leonard Woods, Junr., D. D., the amiable and learned President of Bowdoin College, "in memory," says the author, "of many hours of affectionate fraternal intercourse." "I choose verse, because maxims, precepts, and principles, are thus more readily retained; because, it may seem odd, but it is true, I found I could express them more *shortly* in this way, than in any other."

The above quotation from Pope is placed by our author upon his title-page. This volume, however, contains a number of sonnets: the quotation certainly does not apply to them; for sonnets are, perhaps, done into verse for quite other reasons than the one thus assigned; and few that we have ever read have the virtue of brevity. Nor can it apply to an "Ode to Pain," which we find in the same volume, since it were quite impossible that an ode should be written in prose; nor to the poem of "Bathsheba," which is a very long-drawn history, with commentary, sentiment and all, attending in their robes of state. Brevity is not the characteristic of this author, though the volume is a small one.

Of the Anastasis, a poem of dialogues, which occupies some seventy pages of the work, the design is given by the author, in his introduction, as a poetic embodiment of the "legal evidence" for the resurrection of our Savior. He says, that Bishop Sherlock, while master of the temple, having had an audience chiefly composed of lawyers, drew their attention to the legal perfection of the evidence for our Savior's Resurrection; and, afterward wrote his celebrated tract, "The Trial of the Witnesses of the Resurrection of Jesus."

Our author, while holding a parochial charge happened to have several lawyers, and one a chief justice, in his audience. It was proposed, in imitation of Bishop Sherlock, to attempt something similar. The chief justice was requested to sit as judge: witnesses, male and female, were induced to look over the facts in the New Testament, and counsel was engaged on both sides. The judge, after a mature examination, pronounced the evidence perfect.

At the suggestion of his friend the judge, our author undertook to make a sketch of the proceedings. He says that his prose, with the addition of some few poetical circumstances, soon became verse.

It seems a pity that this noble subject had not been worked out by our author in good, honest prose; for the poetic additions, we humbly conceive, rather serve to encumber and retard, than to advance the argument. For example, in the first dialogue Joseph of Aramathea addresses Pilot in a strain of Eastern adulation, at once tedious and unbecoming. Pilot, as in honor

bound, replies in very chaotic verse, but with excessive politeness:

> "Noblest Counsellor,
> Of a most wayward race, as Romans feel,
> My soldier bluntness pardon, of that man,
> Awfully mute, despite of power and passion,
> Rome's iron sway, and bitterest accusers;
> On my own steel-clad heart how deep impressed,
> &c., &c.."

And again,—in allusion to the Jews, Pilot says,

> "Born with them, how oft
> The thirst of blood, and, as with Scythian slaves,
> An instinct of rebellion—truckling most
> When treated worst, I find. (As 'tis the *smiles*
>
> [*Pilot nods at "smiles" to make italics.*]
>
> Of morn, call up from our rank Pontines' foulest
> Most pestilential vapors.) Sir, that Man
> Stands yet an image on this poor sensorium
> Proud, stern, and firm—my Judge! the Gods avert
> His being my evil genius," &c.

This is a very buckram Pilot; a stiff, bombasteous fellow; and his vein is that of Cambyses' counsellors, at least. Joseph makes reply to him, in a most elaborate and stiff fashion, with terms of modern science to boot;

> "Thy princely courtesy on me
> The precious gift bestowed, which my own garden,
> The cypress corner, stretching to the foot
> Of their ' opprobrious hill,' and kindly shading
> Its hateful brow forever from my view,
> Received. Its base, granitic strata; deep
> Within a splendid tomb kind Nature hallowed;
> The initiatory skill, at least, was hers.

This last line is the very spirit of meekness. Joseph corrects himself before Pilot. Granitic strata were unknown in those days. Werner was not, as yet; nor Milton, whose "opprobrious hill" is quoted by Joseph: nay, we doubt whether any knowledge of a "*sensorium*," unless prophetically, had been granted either to Pilot or Joseph.

But a truce to jesting; here is a grand and serious topic, held up by the unfortunate ambition of one whom nature evidently did not design for a poet, to be a mark for endless ridicule, and the inextinguishable laughter of the critics.

Elfreide of Guldal, a Scandinavian Legend; and other Poems. By Marks of Barhamville. New York: D. Appleton & Co. 1850.

This work is copyrighted by the Messrs. Appleton in New York, and would seem therefore not to be a reprint. Of the locality or whereabout of Barhamville we have no knowledge, but we are led to conclude that, wherever it may be, there is but one Marks in it; and that, by this singularity and isolation, he acquires the right and title to the name of "Marks of Barhamville" to distinguish him from the other Marks, similarly isolated in other villages.

The volume before us, beside the poem of "Elfreide of Guldal," contains also, "Semael," "Maia; a Mask," and, lastly, "Weeds from Life's Sea Shore;"—and here is one of the weeds:

> "Thou who readest here—oh, learn that these—
> Each of these weeds hath been uptorn—each one—
> From the mysterious soundings of the heart—
> To each belongs a tale, which but the depths
> From which they come can tell."

These weeds are clearly a specimen of mandrakes, which, saith the old tradition, on being torn up by the roots, utter a shriek.

Shriek the first is entitled "The Chrysalis," which is an address to a Chrysalis:

> "Yet thou, lone chrysalis."

And,

> "Lone chrysalis, 'twas pride beguiled."

Now, under favor of poetic liberty, and using the caution of a critic, we do seriously protest against addressing a chrysalis at all, or under any circumstances; for, it cannot be said of a chrysalis, as it can of a Jew; hath it not eyes, hath it not ears, or hath it not a soul; it hath none of these. Prospectively, we admit the propriety of conversing particularly about a chrysalis, as about to become a butterfly,—one may, indeed, perhaps address a butterfly, but chrysalises are supposed to be asleep, and highly unconscious of their own position or attitude in relation to the universe.

The poem begins:

> "I, too, like thee amidst the stour
> Of winter's darkest noon was nursed—
> Cradled in ice, and rocked in storm;
> Blear lightning, at that hour accursed,
> Around was gleaming,
> And the night bird, of ominous power,
> O'er head was screaming."

A truly remarkable birth for Marks of Barhamville, whose chrysalis was thus threatened by the unfriendly elements.

Nota Bene. An infant is not a chrysalis; the comparison must be antedated to birth.

"Shriek" the second is entitled, "The Maniac Mother," which, from the dreadful circumstances attending our author in his chrysalis condition, follows with marked propriety. We forbear a quotation. The subject is not fit for poetry.

Passing over a succession of "shrieks," more or less musical in their tone, we touch only upon the last, which is an address, or ode to La Fayette, and begins:

> "'Twas Alleghan that first beheld thee
> Panoplied 'gainst freedom's foes,
> When ascendant fame impelled thee
> To the clime where erst she rose.
> Where her birth-star proudly gleaming,
> Flowered o'er the impurpled West—
> There wert thou; whilst honor beaming,
> Lighted on thy gallant crest.

There, 'twill be told in future story,
Thou, midst heroes, led the van—
Herald of Columbia's glory—
Envoy of the rights of man."

For a caution to ode writers we have quoted the above lines. The poet of Barhamville has assembled in them, and in the rest of this poem, most of the jingling common places of the English military ode—the poorest species of the ode, we take it, and the one in which the fewest have succeeded in giving any pleasure to the reader. The muse of our poet is, indeed, a very jay for borrowing feathers; and to pluck all of them from her wing would leave a very callow tit.

The Seventh Vial; Consisting of Brief Comments on Various Scriptures. By the author of *Millenial Institutions.* Springfield: George W. Wilson. 1849.

Another of the thousand and one attempts to adjust the prophecies of the Hebrews to the course of modern history. We never open one of those publications without a feeling of regret. No one of them that we have ever yet seen, evinces an apprehension of the true difficulties of the enigmas which it attempts to solve. The authors of these works do not seem ever to have seized the analogy by which the entire history of a single nation is made prophetic of that of every other nation of the same rank and form of government. The historian who has followed the rise and course of a single nation, governed by its own institutions, from its origin to its decline, perceives in it the operation of a certain order, of a certain law, providential indeed, but still an order and a law, else not providential. And when he makes comparison of this with the history of some other nation he perceives the same order and the same law. Thus, aristocratic republics founded upon domestic slavery, and using certain means for the accumulation of wealth, have, under providence, a certain rise, progress, and decline. Nations founded upon caste, like those of Egypt and of India, have a different order and decline, with terminations peculiar to themselves. The tribes of the Desert have also *their* unvarying history; the Monarchies of Europe have theirs; with still stronger analogies. We say then, that these expounders of prophecy do not come to their task with the requisite preparation; they do not show the requisite learning or philosophical ability; their point of view is sectarian; often superstitious, and for the most part, they bring less material of knowledge than any other class of writers, and what knowledge they have they seldom know how to use: hence the fruitlessness, so far, of all their labors. We do not believe that, with all their toil, they have made any material additions to human knowledge.

The Practical German Grammar: or, a Natural Method of learning to read, write, and speak the German Language. By Charles Eichhorn. D. Appleton & Co., New York. 1850.

This is a medium sized volume small octavo, made up chiefly of exemplars in the German language, by which the grammatical rules of that tongue are illustrated and exercised. It is exceedingly well printed, a rare merit in a work of this class. The method adopted by its compiler of carrying on the science and the practise of his language parallel with each other, we believe to be the true and only natural one. The latter part of the volume has selections from the best authors.

Latter Day Pamphlets. Edited by Thomas Carlyle. No. 1. The Present Time: and No. 2. Model Prisons. Phillips, Sampson & Co., 110 Washington Street, Boston. 1850.

Also another edition of the same. By Harper & Brothers. New York. 1850.

These reprints of Mr. Carlyle's latest works, as we suppose them to be, are printed in a style very creditable to the publishers, and superior to the ordinary cheap re-prints both in paper and in type.

The writing of this truly sublime and original but often coarse and grotesque author are now presented to the public in a very elegant, but sufficiently cheap form. Thomas Carlyle has been called by some fine spoken gentlemen of this day, a moral charletan, a literary mountebank; notwithstanding which opinion, we esteem him to be, on the whole, as he now writes, not only the most original and sublime, but the truest, the most simple minded, and the safest writer of the present age. He has no term of comparison; he stands alone; the single antagonist of the new born, and still young and powerful dishonesties of the present century. Against the swarm that sprang up from the dragons' teeth of atheism, sown by the writers of the last century, and which are beginning, but now, to fight among themselves for mutual destruction, he wields a sword of satire as heavy and as sharp as ever flashed in a mortal hand. Terms of rhetoric fail in expressing the vigor and the manly sincerity of this truly great author. He defies eulogy and scorns it: he asks only attention and a serious hearing; and that, notwithstanding the yell of disapprobation which we hear rising against him in certain quarters, he is likely to obtain.

It were a serious and vulgar error to suppose that this free and spirited writer, the truest representative of the modern mind, is an enemy of Liberty and the rights of man; at least, of that sole liberty, which is the offspring of obedience to the natural and divine law; or to those only 'rights' which are not wrongs. To say that this author is the patron of oppression, and the defender of tyranny betrays but a superficial and hasty study of him. It is anarchy, license, lawlessness, vice, fraud, dishonesty, weakness allied with wickedness and sustaining it; false philosophy which pursues the shadow and not the substance; purposeless and frothy benevolence, undistinguishing and feeble beneficence, which robs the deserving to sustain the vicious and the worthless.—It is against these that he directs his anger. Mr. Carlyle is not the enemy of freedom. Modern democracy has chosen to forget, that all human creatures are *not* fully able to govern and take care of themselves. The error is so monstrous and so

radical, it is so multiform and all pervading, in literature, in religion, and generally in every department and walk of life, that to speak of it adequately would be to make an universal criticism of the age. We stand appalled at the magnitude of the error; the hand trembles, we cannot write of it; the mind is darkened when we think of it; the spirit groans under the weight of it; and, for the most part, men who distinctly and clearly recognise it, and prophetically see the awful consequences, the anarchy, calamity and social desolation which it is preparing for us in the remote future, shrink away from the consideration of it, and yield themselves silently and gloomily to its irresistible current. Among the thousands of weak voices, this one, deep, clear and powerful reaches us, full of warning, of guidance and of consolation.

Grammar of Arithmetic: or, an Analysis of the Language of Figures and Science of Numbers. By Charles Davies, L.L. D., author of a great number of Mathematical works. New York: A. S. Barnes & Co. H. W. Derby & Co., Cincinnati.

Professor Davies' series of Mathematical works published by A. S. Barnes & Co., are well known all over the Union, and need no recommendation at present. The little work before us is intended for teachers and advanced scholars exclusively, and is strictly scientific.

Tea and the Tea Trade. By Gideon Nye, Jun., of Canton, China. New York: Press of Hunt's Merchants' Magazine. 1850.

A very curious pamphlet on the use and benefits of tea, the impediments to the increase of its consumption, directions for its preparations as a beverage, and suggestions of the moral and economical results to follow from its more extended use. A sketch of the history of the tea trade is added, a view of its statistical progress and present position in Great Britain and America, and suggestions showing the advantage of a greater uniformity in prices. The two articles which compose this pamphlet are from Hunt's Merchants' Magazine of January, 1850. The pamphlets were sent to us by the politeness of the author himself. We can only give it a brief notice, thongh we regard the subjects of which it treats to be of the first economical and diatetic importance. Whether regarded as a necessary of life, or as an article of commerce, the leaf of the tea plant takes the lead in the history of substances which have been the cause of commercial intercourse between nations. It is the incentive to industry of many millions in Eastern Asia, and conduces to the health and comfort of many more in Europe and America. The duty upon tea imported into Great Britain, has reached the sum of $25,000,000 per annum. This enormous duty upon one of the most necessary and beneficial articles of foreign commerce is levied under the mis-called free trade system of Sir Robert Peel. Our author goes into a calculation to show that a great injustice is inflicted upon China by the oppressive tax upon her teas, which, by keeping up the price of teas in Great Britain, turns the balance of trade against the Chinese, who are prevented, by that means, from exporting of their own produce so much as is necessary to pay for the opium and other articles with which they are supplied by British merchants.

The duty upon tea in England is a fixed one of more than fifty cents a pound of our money, upon all classes of teas alike; so that those in England who use the inferior kinds pay a tax to government of from 2 to 400 per cent. The effect of this inequality is to prevent the extension of the use of of tea among the inferior classes in Great Britain. Our author argues very justly for a reduction of the duty.

In the United States, on the other hand, since 1832, tea has been exempt from duty; an exemption which we deem an injustice to the people of the United States notwithstanding its great popularity. A very large revenue might be easily raised upon this article without any material reduction in the quantity imported. Notwithstanding its salutariness and almost infinite value as a substitute for spirituous liquors, tea is certainly to be regarded as an article of luxury, and we cannot but regard the absence of a duty upon it as an anomoly and an injustice in our economical system.

Our author shows that a great part of the cost of tea consists of charges of transportation with the cost of package, and an export duty in China of about 3 cents the pound. A moderate duty upon the article in this country would, perhaps, very soon have the effect to materially reduce the export duty in China.

The export duty in China, and the prices of package, transportation, dealer's profits, &c., make an addition of about 10 cents the pound on all kinds of tea without regard to its value. Thus it appears that if we buy tea at 20 cents the pound, we have only one half the value of our money in tea; while if we buy it at $1 the pound, we have nine-tenths of the value in tea; that is, the higher the price of the tea, the more intrinsic value we get for our money; an argument for neglecting the inferior qualities, and purchasing always the best we can afford; the best kinds, moreover, being most conducive to health and least liable to have been adulterated. Our author's very interesting pamphlet contains, also, important directions translated from Chinese authors, for making the infusion of tea, which we commend to the attention of all householders.

The second part of the pamphlet is a history of the tea trade, with full tables of statistics which we have no doubt are reliable, as they are taken from the highest authorities.

The entire pamphlet is well worthy the attention of statesmen and political economists. Our limits forbid further quotations.

Hands not Hearts, a Novel, by Janet W. Wilkinson. New York: Harper & Brothers. 1850.

This work seems to have been republished by the Harpers, because it is English. As the author is a lady, it must be treated with politeness. We propose, therefore, to say nothing about it.

Atheism among the People. By Alphonse De Lamartine. Boston: Phillips, Sampson & Co. 1850.

We are under obligations to the good taste and judgment of Messrs. Phillips Sampson & Co., and of Messrs. Hale and Le Baron, the translators of the work, for this very choice selection from the works of Alphonse De Lamartine. The object of the author is, to show that republicanism, to be a secure, should be a moral and religious form of government. Like all others, that we have read, of this excellent author, it is marred and discolored with his own personal vanity, as those of Thomas Carlyle are by vices peculiar to his intellectual temperament. Lamartine has what Carlyle has not, liberality of sentiment toward the people of other nations; vain and popular though he is, he is able to appreciate virtue and ability in every shape. In Carlyle there is a canker of discontent; there is a harshness, a coarseness, a violence, an egotism, a dogmatism, a conceit of *his* men, *his* views,—a contempt of moderate men, a scorn of all virtues save his own and his heroes, a forbidding—often disgusting—literary effrontery, and pride of understanding. All the faults incidental to literary John Bullism, steeped in the peculiar conceit of the Goethe school of writers, we find attending and disfiguring the genius of this admirable writer, and indicating in him some unspeakable moral imperfection; a sore upon the spirit, an ulcer in the mind, impairing the temper of the man, depriving him of all grace and courtesy, democratising his manners, and repelling from him the sympathy of the more delicate minded class of readers. M. De Lamartine receives no mercy at the hands of this universal scourger—this man of extremes. A proud man, of a strong and overbearing will, hates with a peculiar hatred every trace and symptom of vanity in another; and, therefore, Thomas Carlyle hates Alphonse De Lamartine.

Alphonse De Lamartine is a vain man; but, at the same time, we hold him to be a great and a good man, one of the most useful men of this century. He saved France from civil war; he controlled, week after week, by the power of his eloquence, the mob of Paris, controllable by no other power.

He saved France from the guillotine and the fury of red-republicanism; in a word, for we cannot now enter upon his history, M. De Lamartine, vain coxcomb though he be, governed his nation when no other power could govern it; named the provisional executive, organized the elections, organized an army of 500,000, originated and carried out the grandest system of foreign policy that any nation has ever adopted. For a certain number of weeks M. De Lamartine was, *de facto*, king of the French people, and held by force of native virtue, the destinies of that great people in his hands; he committed but few errors, fewer than, perhaps, were ever committed by one man in such a situation; and when the rising popularity of other men swept him from his post, and his account was surrendered up to the people, so vast was the balance of good to the credit of his administration, envy sickened at its magnitude, and could only say, what all men knew, " M. De Lamartine has a great deal of vanity." It is not probable that there will be found in history any account of so benign, so liberal, so excellent, and for the time, so powerful a ruler as he was during the time of his administration; but his empire was of necessity a transient one, as it rested on opinion and crisis. He came in by favor and by virtue, and not by force. He lacked one element of greatness—he was unwilling to make himself feared. M. De Lamartine was a vain man. He wished to be loved, he could not bear to think that any man in all France should not love and admire him. He was too general; he did not make friends, he would not make enemies; and, therefore, his power passed out of his hands, and his reputation passed away like a sound swept on by the winds. In the order of Providence he has filled his place, and filled it well; let him have have his statue among the effigies of great rulers that have been.

Through the past year M. De Lamartine has published a monthly journal called "The Counsellor of the People." Each number of this journal contains an essay by him, on some specific object of pressing interest to the French people, and generally political. We have now to look upon him as a popular author only; writing upon topics of general interest to other nations as well as to his own. Atheism among the people is the topic before us. It begins as follows:

"I have often asked myself, why am I Republican? Why am I the partizan of equitable Democracy organized and established as a good and a strong Government? Why have I a real love of the People, a love always serious, and sometimes even tender? What has the People done for me? I was not born in the ranks of the People; I was born between the high aristocracy and what was then called *the inferior classes*, in the days when there were classes where are now equal citizens in various callings. I never starved in the People's famine; I never groaned, personally, in the People's miseries; I never sweat with its sweat; I never was benumbed with its cold. Why, then, I repeat it, do I hunger in its hunger, thirst with its thirst, warm under its sun, freeze under its cold, grieve under its sorrows? Why should I not care for it as little as for that which passes at the antipodes? turn away my eyes, close my ears, think of other things, and wrap myself up in that soft, thick garment of indifference and egotism, in which I can shelter myself, and indulge my separate personal tastes, without asking whether, below me, in street, garret or cottage, there is a rich People, or a beggar People, a religious People, or an atheist People, a People of idlers or of workers, a People of Helots or of citizens?

"And whenever I have thus questioned myself, I have thus answered myself:—'I love the People because I believe in God. For, if I did not believe in God, what would the People be to me? I should enjoy at ease that lucky throw of the dice which chance had turned up for me, the day of my birth; and with a secret, savage joy, I should say, 'So much the worse for the losers! the world is a

lottery! woe to the conquered!" I cannot, indeed, say this, without shame and cruelty,—for, I repeat it, *I believe in God*."

The reader will now, perhaps, suppose that the remainder of the work is intended to establish a connection between a genuine love of the people and a belief in God: accordingly, in the second chapter we find sketched the first or instinctive faith, called the pantheistic; after this, the spiritual or Christian idea is sketched, and a belief expressed in those higher or moral laws of the universe, which show the existence of a deity greater than any merely creative power, or than that which inspires the universe with animal life and intelligent force alone. It is in this deity that the author expresses his belief, as the foundation of a genuine love of the people. He then touches upon duties; duty towards God, or religion; duties in a family; duty to the commonwealth, or rather to humanity at large, which is a collection of commonwealths, and of which the individual is, to use his own words, a "miserable and vanishing fraction," a leaf upon the great trunk of the human race.

Then follows an analysis of modern society, a condemnation of caste and rank, and then, the idea of a nation, the idea of the people; first as they are the whole nation, and second, a part of that nation, or what are commonly understood to be the people—the indigent and suffering classes of Europe. In America we admit of no such distinction, we have but one people. The indigent and suffering classes in America are not the people, but only an insignificant part of the population.

M. De Lamartine affirms, that the disposition of the individual to sacrifice himself for the good of the many, that is to say, of the people, as they are called in Europe, namely, the indigent and suffering classes, can spring from no other principle saving a belief in God; that atheism among the people individualizes them, makes them selfish and separates them from the community; that therefore atheism is inconsistent with the existence of a republic; in a word, he insists that ideas of government, of the common interest, of universal justice and humanity, ideas, in short, upon which the republic is necessarily founded, are divine ideas, derived directly from a belief, or rather from a faith, in the personal being of a God; with such attributes as those ascribed to Him by the ancient and modern Christianity.

The remainder of the work is occupied with instances from history and biography illustrating this grand truth. For our own part, we cordially agree with M. De Lamartine in all that he affirms in this pamphlet, and believe, moreover, that, by his eloquent and sincere exposition of it, he is rendering an inestimable service to the French nation. In America these things are, for the most part, well understood.

Heaven's Antidote to the Curse of Labor, or the Temporal Advantages of the Sabbath. By John Allan Quinton. With a Prefatory Notice by the Rev. S. H. Tyng, D. D. New York: Samuel Hueston. 1850.

This work is a defence of the Sabbath, as an institution for health, and for the preservation of the morals of the community. The veriest infidel, with a grain of common sense, can hardly fail to be convinced by the arguments and illustrations of the author of this work, of the necessity of setting by a portion of time for the rest and refreshment of body and mind. It is a small, cheap volume, and is altogether superior in style and utility to the mass of poor writings ordinarily scattered about by tract distributors. If the nature of the work were generally known to the clergy throughout the country, we believe the publisher could hardly fail to realize from it a good income.

An Easy Introduction to Spanish Conversation; Containing all that is necessary to make a rapid Progress in it; Particularly designed for persons who have little time to study. By M. Velazquez De La Cadena, Professor of the Spanish, Editor of Ollendorf's Spanish Grammar, etc., etc. New York: D. Appleton & Company. Philadelphia: George S. Appleton.

First Book in French. A practical introduction to Reading, Writing, and Speaking the French Language. By Norman Pinney, A. M. New York: Huntington & Savage. Hartford: H. E. Robbins & Co. Cincinnati: H. W. Derby & Co. 1849.

Messrs. Huntington & Savage publish a series of works for instruction in French by Professor Pinney. Their plan is the new method of Manesca adopted by Ollendorf. The publishers have sent us a printed paper covered with important recommendations of this series, from a great number of professors and teachers of the French Language.

The Geography of the Heavens and Class Book of Astronomy, accompanied by a Celestial Atlas. By Elijah H. Burrit, A. M. Revised and Corrected by O. A. Mitchell, A. M., Director of the Cincinnati Observatory. New York: Huntington & Savage, 216 Pearl Street.

This small volume has the imprimatur of Prof. Mitchell, to accompany his beautiful maps of the Heavens; it is, therefore, unnecessary to make any remarks upon its merits. It is thoroughly popular.

The Maiden and Married Life of Mary Powell, afterwards Mistress Milton. Boston: E. Littell & Co. New York: Stringer & Townsend.

This charming little story has placed itself upon daring ground. Anything short of the racy and delicate spirit which pervades it would have ensured a failure. The life of Milton is too near us—too much a matter of fact in every one's knowledge, to bear much mingling of fiction. Henry Neale, the English critic and lecturer, wrote a beautiful little romance founded upon the adventure of the

Italian Incognita; but it served only for the pages of a magazine, and could not have sustained itself as a separate work on its own foundation, like the one before us.

The mingling of simplicity and acuteness, of sweetness and wilfulness, in the character of the heroine, is so natural—the use of the ancient style so perfectly in keeping with it, and with her day—that we have, throughout, a feeling of reality. We almost imagine the pages of her journal to be an original manuscript retrieved from Time's destruction by some happy accident; so skillful is the author to conceal himself behind the scenes he exhibits.

Sketches of Minesota: the New England of the West. With Incidents of Travel in that Territory during the Summer of 1849. By E. S. Seymour. New York: Harper & Brothers. 1850.

Personal observation and free communication with the oldest and most intelligent settlers of the Territory of Minesota have enabled Mr. Seymour to present a series of interesting and reliable facts which will ensure to his book a ready circulation.

Probably the first obstacle which suggests itself to the more rapid settlement of this portion of our country is its high latitude; notwithstanding which, its climate is said to compare favorably with that of New England and Northern New York. Many circumstances, Mr. Seymour thinks, tend to modify the temperature, raised during the summer by the great radiating power of the sand, wh ch forms a large portion of the soil.

Early frosts, so injurious to vegetation, are rarely known; and the cattle are said to suffer less from cold, possessing a dry coat through the winter, than in a warmer climate where the winter is more open, and subject to thaws, rain, and dampness.

The minute details given of the advancement, and the natural resources of this fertile and beautiful country, afford subject of interest to a large class of readers.

The Wilmingtons. A Novel. By the Author of *Norman's Bridge, Emelia Wyndham, &c. &c.* New York: Harper & Brothers. 1850.

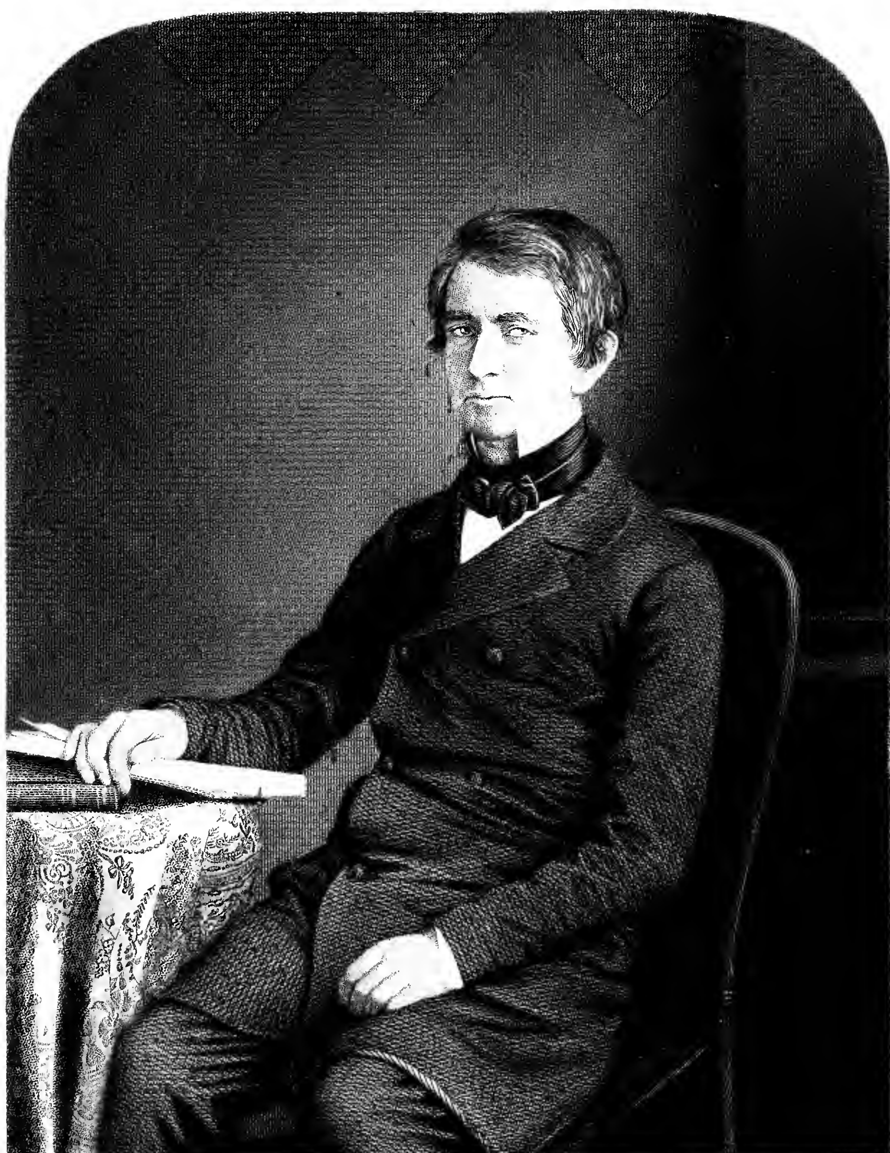
A critical friend, who has read the work, declares that it is a good and readable novel. Its author has already gained an excellent reputation, and we have no scruple in mentioning the work favorably to the novel reading public.

The Four Gospels, arranged as a practical family commentary, for every day in the year. Edited with an Introductory Preface, by Stephen H. Tyng, D, D., Rector of St. George's Church, in the city of New York. Illustrated with twelve highly finished steel engravings. New York: D. Appleton & Co.

Without the slightest reference to the merit or value of this volume as a religious work, we have a serious objection to raise against the publishers' assertion upon the title page, that it is illustrated with *highly finished* engravings. A work of piety should be marked from cover to cover with nothing but the most absolute truth. The engravings are *not* highly finished, but are simply third rate, and executed in a very cheap style; most of them from very bad designs; otherwise, the book is well enough, well printed, a handsome, substantial volume.

Gift to the subscribers to Saroni's Musical Times.

We have before us, presented by the courtesy of the Editor of the Musical Times, an exquisite engraving, large size, of the St. Cecilia of Dominichino, one of the most beautiful works of art in existence. This admirable engraved piece is presented to all who are subscribers to Saroni's Musical Times. The engravings are not yet all printed. As soon as the requisite number is obtained they will be distributed to the subscribers.



William H. Seward

THE

AMERICAN WHIG REVIEW,

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EDITORIAL NOTE.

The conductors of the Whig Review have heretofore expressed their own opinions, decidedly and without reservation, in regard to the extension of slavery, and other questions akin to, and springing out of, it. Any farther expression on their part would be merely to repeat what has been already said, or to fortify their own position with new arguments. The ground which they have taken they esteem to be strictly Whig and constitutional, and therefore intermediate, and conciliatory, between the extreme positions of the North and South. The question of the extension of slavery is simply a controversy between a certain class of property-holders and the rest of the nation, and tends to confound all other distinctions of party. Opinion, on the one side, is arrayed against interest and opinion on the other, and a contest is excited in which argument ends almost of necessity in recrimination. Opinion will not yield when interest does not compel it, and interest is always ready to fortify itself with opinion.

That there has been of late a great improvement, however, in the public mind, in regard to the right method of conducting this dangerous controversy, we have evidence in a prospectus, lately issued by Southern representatives, Whig and Democratic, at Washington, of a new paper to be established by them, for the defence of their institutions and their constitutional rights. The entire subject is to be thrown open to discussion, opinions are to be sifted and controverted, and of course reason and argument are to take the place of passion and recrimination.

In view of this marked improvement in public sentiment, the conductors of the Whig Review will feel themselves justified in persevering in the plan which they have now, for some time, adhered to, of giving the sentiments and arguments of both sides in regard to Slavery, without reserve. They have admitted, and shall continue to admit, articles from Northern and Southern pens indifferently, and biographies of statesmen representing constituencies of both extremes. No adequate or useful accounts of political actions or opinions can be given from a merely neutral point of view. Keeping therefore within the limits of courtesy, and of the doctrines of the National Whig Party, the Review will in future not feel itself bound to exclude sound Whig articles, advocating the views of either extreme. Our readers will then have before them a better chart of public opinion, by which they can mark out for themselves such a course as may seem to them to be the right one.

STABILITY AND GROWTH OF THE REPUBLIC. COLONIZATION.

A SURVEY of the ruins of modern European governments, suggests to the thoughts of an American, considerations full of hope and of glory for the present and the future of his own country. These governments have fallen to ruin for this one reason, says a certain satirical writer, "that they were not wise enough;" that the moral and intellectual powers set to govern them, did not know how to accomplish the work; that this incapacity had been long a standing, and a tolerated nuisance. Men of intrigue, without ability, without knowledge, and without virtue, or with forms of ability knowledge and virtue useless in the management of public affairs, had been suffered to occupy, or forced to occupy, the place of governors.

"Intellect," says the same writer, "is born in every century;" and the nineteenth flatters itself upon the power and quality of its intellect; but no one, in America, will ask the question that follows, 'what has become of this intellect.' We know very well what has become of it: it is embodied in our powerful laws and constitutions: it is not a talking, and a literary intellect, but a silent, effective and practical intellect; ruling men and nature in a way hitherto unexampled.

Twenty-two millions of people, armed, at peace and industrious; without King, aristocracy, or a beaurocracy! This is 'the fact of modern times.' When there are mighty consequences, there must be mighty causes; there must be intellectual power somewhere, powerful intellectual centres, to govern a nation of so many millions of armed men in such a quiet and successful way.

Amid that chaos of party strife which makes the passing history of European nations in our day, we discern the features of two opposing principles, so opposite, neither can exist without destroying the other: one of these the industrious, economic and democratic spirit, (which is, alone, the governing principle in America, and which therefore governs peacefully, and successfully), and the other a reflection, or rather, an actual presence of the feudal monarchy,—once the only ruling idea in Europe. These two contending principles, these twin passions, lie together, side by side, and intermingled, and continually striving one with the other for mastery in the heart of every European.

Democracy striving against monarchy and aristocracy, in the heart of the man himself—of the Frenchman, of the Englishman; that is the key to European politics. There are no more wars for the succession; there are no more crusades, but, everywhere, from end to end of civilized Europe, in the heart of each citizen a war of opinion, a struggle for change; and the rebellions, emutes, and Chartist insurrections, are but the signs of this internal struggle. 'Shall we have a king, or shall we make laws for ourselves? Shall we have an hereditary aristocracy, or shall we have an aristocracy of nature and of God? The prestige of our monarchy is gone. With external trusses and supports we shore up the outward bursting walls of the ancient basilicon. The monarchy will not serve us: there is no man who has an authenticated right to be king: and yet, how glorious the ancient monarchy! how gracious and magnanimous the kingly character; how it presides over the people like a divine presence; how, like Gods upon earth, kings walk among men! The crown, emblematic of eternity; the golden, star-adorned circle of legitimacy! Happy that people, who in the old time, unconscious of a new philosophy; (for in these days, alas, philosophy and science are become kings,) happy that people who, at ease in their vineyards, and among their feudal acres, feared God,

and honored the king; their's was a lot of God, a peaceful and benignant fortune. Our religion, too,—where is it? we know not: we have faith that there is a religion somewhere; we have faith, we are human; we believe that we have a touch of divinity; we know that we are the heirs of Heaven: but this damning question, this doubt of all things, which goes in the train of our modern philosophy; this fiery emenation from the laboratory; this fume of the dissecting room and the museum; this modern science, has rotted the parchment and melted the seal, and erased the signature, and the testimony is lost, and the witnesses are dead, and we are dispoiled of our inheritance: we have no laws but such as come to us by the favor of God, at the hour, as the reward of prayer and supplication: we have no religion, save the aftershine of Christianity, and such as is written in the script of nature upon the face of the universe. Happy, happy people were they of old; wretched, toilsome, the lot of us of modern days.'

Meanwhile, notwithstanding these lamentations and longings after the unrecoverable past, when it comes to a struggle for life between the two principles, Democracy invariably triumphs; the people have it all their own way. What is called reaction, is never apparently a retrogression. The Bastile is not rebuilt: no thought of such a thing. Paris continues Democratic even under a monarchy. Governments of the old form are re-established for an hour, for a day, for an age, only to be thrown down with redoubled violence. All appeals are to the people,—the poorer class,—they are the acknowledged sovereigns. It is theirs to choose between monarchy and democracy.

In America the struggle is finished, and in all men's minds, there is a settled feeling that laws should emanate from the people, or from the people's representatives. Here is an end of civil wars; here, a community at peace with itself. There is outlet for ambition in the bloodless strife of party; there is a love of order and a sense of the dignity of manhood, and of the nature of public and private rights, which confers upon the body of the laws, and upon the general structure of society, a stability combined with a plasticity and flexibility suitable to the progressive and improving spirit of the age.

Democracy in America is a solid and well established form of government, not because of any inherent stability and firmness in Democracy itself, but because of the unanimity and peaceful acquiescence of the people in its decrees. An aristocracy, a constitutional monarchy, or any other form, were it once agreed upon and adopted, and acquiesced in, as the great and final fact of the age,—as very destiny itself—(for in this light is republican democracy viewed in America,) might stand as firmly;—no thanks to the virtue of its founders or its supporters. A form of government impressed upon the *minds* and hearts of a people is a permanent and indistructable form, or distructable only by new ideas and modern opinions, more attractive and amiable than the old: and on such a foundation rests American republican Democracy, that it reigns sole monarch in the pride and affection of the people; the glory of the private man is that he too is no idle member of the State, but can effectually stretch out his hand against oppression, and cast a condemnatory vote, and fear no consequences; or if such a fear crosses him, he will search out its cause, and will not rest till he has crushed it. In America the power of the individual citizen is absolutely unlimited: whatever of native strength and advantage he is crowned with, setting aside the ordinary chances which befal human endeavor, and that medium of good and evil chance, which it has pleased God to mingle in the affairs of men, his success and his honor and his influence will be duly proportioned to the ability and the strength, (*vis-virtus*) that is in him.

If these things are true, the glory and the power of the nation must become commensurate with its native valor and strength, and more than that, 'the consummation sighed for by all philosophers,' a government by nature's aristocracy, a government of the best and strongest, must finally be here established; and that too, will be a government by law, since the best and the strongest are, under God, the defenders of law.

This then is what we mean by a popular government, a government where those only are admitted to the control who can make the people elect them;—who can force the people to elect them, by the admiration and the awe of their ability and

their virtue, and their supernatural vigor and foresight. Strong men in the villages and low hamlets, strongest among the few that surround them, are chosen by their peers; these elect others, better and more prominent than themselves, and thus the representative principle is carried out.

Behind all human affairs, and setting aside the accidents of chance, lies one predominant and ever ruling principle, upon which rest laws, usages, and influences; and that is the fear and veneration which we have for those who are, morally speaking, more powerful and far-sighted than ourselves. Governments, whether monarchic, aristocratic or republican, rest upon fear and veneration, whose form and exterior front, ceremonially expressed, we name religion,—worship. Men adore and worship virtue and force, but more especially virtue conjoined with force, under its various names of Piety, Heroism, and Statesmanship,—the three kings,—intellectual sovereigns,— which rule all human affairs, under God, whose representative on earth they are.

What then is a form of government, if it is not some particular method of ascertaining, of sifting and choosing out among the rising spirits of the time, those powerful and aspiring intelligences who are marked by nature and shaped by education to become the recipients of authority?

The Constitution ascertains for us the places and executive forms of power. It marks out the offices and functions of authority, of its inferior servants and functionaries, necessary to the establishment of a State, and the preservation of peace and order. It assigns over to the people, (as it must do in justice to them, seeing that it is only living men who can judge living men,) the business of selecting and appointing those who shall fill and satisfy the duties of the State. Our ancestors ascertained the form and the places of the state, for they saw it at its birth, and they alone could cast its horoscope; but they could not select the living representatives of power for ages to come: it was a part of their wisdom, enlightened by a religious regard, that they did not do this, and even forbade it forever to be done, and would allow nothing hereditary to come into the constitution of their state. They believed only in the aristocracy of God and the choice of the people; they left their government in the the hands of the two powers;—strength and virtue in the one, respect and confidence in the many. They founded their state for all futurity upon the veneration of the people, and the greatness and majesty of those few who alone are fit, (for the day and for the hour,) to be the people's representatives.

They left the State in the hands of their successors, to be increased as they had increased it in its three dimensions, of *solidity*, *durability*, and *extension*. In every dimension of excellence, they trusted it would increase. In solidity, or, in other words, in its internal organic strength. The people to be more thoroughly bound together, by ties moral and mechanical. By community of sentiments, interest, and language, by facilities of intercommunication, and of internal commerce and exchange. This process of progress and nationalization, by internal improvement, and the steady pacificative and protective influence of good laws, was intended, by them, to augment that first dimension of excellence, internal depth, and solidity of organization.

For the *second* dimension named, the durability of their State, they, no doubt, trusted to the affections and the veneration of the people, who would always look back with reverence to the maxims of the founders of the Republic: and, still more, to that invincible attachment which all men have to institutions, which secure them in the enjoyment of freedom. They provided, also, a constitution of government of which the parts are compensatory, and operate as so many natural checks and balances upon each other.

For the *third* dimension of the greatness of the State, namely, its superficial extension, the founders of the Union left no settled maxims, nor any system of policy. They were too intently occupied with solidifying and conferring properties of duration upon our institutions, to anticipate the exigencies of territorial extension.

It is not, however, at all difficult to conjecture what line of policy would have been indicated by them, had they chosen to advise their successors on this point. In the cession of all the State territories to the nation, in the treaty of peace with England, securing a band of territory across

the continent, and in the purchase of Louisiana, and of Florida, we have a succession of acts illustrating the policy which actuated them. They were 'wise enough' to accomplish, by negotiation and purchase, what a certain desperate and witless faction have lately undertaken to accomplish by seizure and invasion.

It is said that we have no colonial policy, when, at this very time, the entire nation is agitated by a controversy regarding the admission of several colonies to the dignity of States and Territories. A more effectual, though unsystematic, colonization than ours, the world has never known. It surpasses that of all other nations, not only in its rapidity but in the spirit by which it is sustained, and in its effects upon the nation at large. To attain a correct understanding of our own colonial movements, it will be necessary to take a rapid survey of that of other nations, both ancient and modern.

From a few centres the tribes of the Hellenes spread themselves over, at first, the Greek islands and promontories, and gradually the entire shores of the Mediterranean and Euxine seas. They had not a colonial system, but they colonized most effectually. Egypt, in the days of her military renown had a colonial system, strictly so called, and like that of England in our time, it was chiefly for commercial ends. This was at a time when Egypt was the great power of the world; the civilizer and the conqueror of East and West. There is reason to believe that with the early Pharaos the military colonial was a part of the general system of State policy. Before the building of Tyre and Sidon, while the Greeks were as yet an unknown tribe of Barbarians, before the Exodus of the Hebrews, before Rome had become even a village; the military trading colonies established by a series of conquering Pharaos, had planted the germs of civilization along all the shores of Europe and Asia. By her colonial system Egypt civilized and subdued the world, and made all nations tributary to her trading kings, who drew their revenues from royal monopolies, from export and the produce of land. The lines of Egyptian conquest were the lines of primeval commercial enterprise, stretching out in great radii to the Straits of Calpe, and the Capes of Good Hope and Coromandel. To this first and most gigantic of all colonial systems, if we except that of England, may be traced the centralization of ancient arts, arms, commerce and religion about the shores of the Mediteranean; giving the early nations that preparation which they needed to receive in succeeding centuries the higher and more positive and ameliorating influences of Phœnician, Grecian, Roman, Saracenic, Gallic and English conquest.

We find at the foundation of the political system, of the Egyptians, the principle of caste, by which the people were divided into many orders, the three principal orders being the Priesthood, the Military, and the Industrial classes. The military orders and the Priesthood depended for their subsistence upon the labors of the inferior castes: their colonies, like the nation itself, were composed invariably of the three orders: the military order subdued and intimidated, while the priests converted and instructed, and the merchants traded with the people whom they subdued. We may suppose the Pharaos to have been impelled by a three fold motive in extending their conquests and detaching their colonies; first, to increase their revenues and to enlarge the commerce of their merchants, by which they themselves also thrived; second, to reap for themselves military renown, and third and lastly to make the worship of Egypt the common worship of all nations. Our limits forbid us here from entering far enough into the subject to show that commercial intercourse was the leading and most powerful motive with these primeval conquerors, and those who in after ages followed their example.

That the colonial system of Egypt was not the best nor the most efficient, partaking in every particular of the weakness and corruption of their home economy and general policy, is evident from the rapidity and ease with which they were supplanted by the powers who succeeded them, and who brought other and more liberal systems of colonization, with happier and more enduring institutions.

Next in order, and superior in efficacy, follows the colonial system of the Phœnicians, whose lines of commercial enterprise were marked at intervals by the founding

of powerful cities, but who also failed to perpetuate themselves, because of the incurable ferocity and selfishness of their institutions.

Following fast upon the colonies of Phœnecia, came those of Hellenic origin; the overflow of the cities of the Grecian Archipelago. These were of a people essentially clannish and narrow, incapable of extending their patriotism beyond the liberty and glory of a state sovereignty.

When the population of a little Grecian state became excessive, a portion moved off, taking with them all that was necessary for the formation of a colony. It was their custom to seize upon such a portion of the earth's surface as seemed convenient for themselves, expelling the original possessors by force and fraud. The shores of the Mediterranean were dotted with Grecian colonies; which, soon after their planting, through the superior genius and martial prowess of their founders, were able to subjugate a portion of the territory which surrounded them, enough and no more than might serve them for agricultural purposes. They carried with them their domestic servants, freedmen and slaves, who were denied the use of arms. The aggregate population of the Grecian cities must have been many millions at the time of the commencement of the Roman conquests; but from the clannish and democratic character of their policy, they were never united in an Empire, even when their territories were contiguous. Grecian statesmanship extended only to the preservation, and if that could be added, to the domination of a little state or territory. Such was the colonial system of the Hellenic tribes, powerful to extend itself, not only from the superior character of the Greeks themselves, as a people, but from the naturalness and the unforced freedom of their system; their motive being the enjoyment only of their own lives and institutions, and not the extension of an Empire for the increase of royal revenues or of mercantile wealth. Notwithstanding the want of an organizing, or if we may so call it, a nationalizing element in the Greek character, the power of their civilization, and superior liberality and intelligence, made them effectually the masters and instructors of the world They accomplished nothing by any grand system of conquests. The empire of Alexander was an empire existing only during the life of its founder, and rested on the terror of his name. But this empire, to which so much more than its real glory and importance has been given by historians, was not strictly Grecian, and originated in a genius of which Alexander and his father, Philip, are the sole exemplars. The political genius of the Greeks developed and expended itself wherever it appeared in a conflict between two parties; the philosophical or aristocratic, which represented the oriental element in the Greek character, and the popular or democratic, which as truly, represented the occidental or European.

In the order of providence, we find the political energies of the Hellenic people concentrated and exhausted in the conflict between these two parties into which every Grecian city was divided. Out of these contests arises the political history and literature of later Greece. The sovereignties differed from each other only by the greater or less appearance of the aristocratic or democratic parties. If democracy triumphed, the aristocrat was converted into a demagogue, and demagogy changed swiftly into tyranny; and this is the summary of Grecian political history.

The colonies sympathized, and sometimes formed alliances with each other; there was a sympathy of Greek with Greek; there was an alliance offensive and defensive among the older cities; there was even a confederacy, with a council of States, the shadow of a nation, but no union; there was never at any time, a Grecian Empire with a law recognized as Grecian.

Rome follows next, and surpasses all her predecessors; she, first and alone, of ancient nations, began to form an Empire by the extension of a law that should be common to its members. Little as we know of the early history of Rome, we are yet well assured that it began with the union of many tribes in one city. Nations differing in language, in customs, and in political institutions, but not so far differing as to be incapable of assimilation, were blended together, by the superior *moral* power of some *few* among them, in a common state or sovereignty. Thus, at its very birth, we find the germs of those principles which afterward made that Power co-extensive

almost with the human family. There were no obstructions of caste; there was no exclusion through difference of religious sentiment. Foreigners were not reckoned impure, contemptible, or odious, because they were foreigners. A neighboring tribe, inferior in force, and intelligence, could be taken into the city, and allowed to share the priveleges and responsibilities of the common sovereignty. There was an aristocracy, but there was not, at the first, domestic slavery: Aristocracy was sustained by merit; Democracy was protected and encouraged by the laws; there was a conflict between the orders, but it was, comparatively, a humane conflict. Instead of massacres, there were concessions; there was a common law for patrician and plebeian. In these traits of policy we perceive the universality of Roman genius, and the ground of its capacity for empire. To govern all men, it is necessary first to recognize all as men.

The colonial system of the Romans was originally forced upon them by the necessities of their position. Their colonies were in every instance established for the protection of a military frontier. A genius such as theirs, claiming, and justly too, to have no superior, but to be, by virtue of its higher principles, the governing power of the world, extending itself also by commerce, and rendering tributary the industry of surrounding nations, while itself maintained an armed and neutral attitude, must either overcome or be overcome: it could have no fixed boundary, but always a moveable, inclusive, and enlarging limit. About the military colonies, as about cities of refuge, gathered all those who fled from the inequality and oppression of their own laws. Roman justice and authority carried with it an attractive power; its genius, though disciplinary, was, at the same time, equalizing and tolerant. Thus, by her colonial system, and not by occasionally traversing and desolating vast regions, Rome founded an enduring and ever extending empire: she colonized all Europe and a part of Asia, and, colonizing, conquered it; and conquering, governed and ameliorated the condition of those she conquered. If a portion of the earth had become Grecian, almost the whole became Roman. Britain, Gallia, Spain, Greece, the shores of the Black Sea, the eastern shores of the Mediterranean, the northern countries of Africa, Asia Minor, and even the shores of the Caspian were rather governed than subjugated by the wisdom and the valor of the universal people; a people of all nations, but who, from their very origin, had the art to draw to themselves and employ in their magnificent political system, the genius, and the talent, and the valor of almost the entire world; extending over the nations the privileges and the immunities, the laws, customs, manners, language and domestic civilization of the central state, and receiving, in turn, with equal liberality, all that might flow into them from other races and intelligences, and forms of civilization, to blend with and refine their own. Rome became the centre of the world: such was the liberality of her genius. The sceptre of her emperors passed to her Bishops; and, as before with laws, so now with religions, she fused together the human family by the universality and grandeur of her Christian doctrine. And now, instead of military colonies, she began to send out missionaries, colonies of faith; and thus she made a second conquest, more enduring than the first. The sceptre has again passed from her hands, but the lesson remains with us: we of the new empire of freedom have all her universality, and her liberality, and her justice; and we have more than that,—much more, and, doubtless, a career before us, more glorious and memorable.

Among the nations of modern Europe who have adopted and carried out a system of colonization, the most important are Spain and England; but in a general view it will be necessary to include the Netherlands, Russia, Portugal, and several of the States of Germany.

The remote and almost desert regions of Siberia have been colonized by the removal of state prisoners eastward; we find the city of Tobolsk in Siberia composed almost entirely of persons exiled for political offences: in addition to these Russia has established by the attractive power, or the direct influence of her policy, military colonies upon the Black Sea, which have become seats of commerce. The despotism of Russia, however, has not the universality necessary to the extension and formation of a solid empire: she is able to subjugate, but not to

govern and civilize in her own manner the surrounding nations upon whom she aggresses: her empire is an aggregate, bound about and held together by the iron tire of despotism, which expands itself during the heat of conquest, and contracts firmly upon the included masses in times of peace: she has government, but not organization; she increases in size, but, excepting at the centre, and with her proper people, neither in authority nor in respectability. The barbarians tributary to her, have been always tributary to some one of the great Eastern powers. It is a law of barbarian existence, in Asia and in Eastern Europe, that a tribe shall be the tributary of an empire, and always to that which is the nearest and most civilized; and by this necessity, and not by any inherent or acquired superiority of policy or government, the broken masses which compose the Russian Empire, cohere at the edges, and float together.

The Dutch people of the low countries, might be expected, from their occupation and their derivation, to discover a genius for colonization By their mercantile enterprises they have extended the lines of their trade slenderly around the surface of the globe, and we find them through a period of three centuries, founding merchant colonies in remote seas; but in no part of the world have this people increased and occupied the territory which they seized upon, with an energy or rapidity sufficient to form a new nation. Estimating their genius for colonization we find them in the third rank, inferior to Spain or England; inferior even to the Phœnicians, and much more to the Greeks: If they can be compared with any nation of antiquity in this respect, it is to the Phœnicians; not only in the buccaneer character of their enterprises, but the hardness and isolation, and the deficiency of protecting and governing power, through which they have failed to control effectually, or to assimilate with, the nations among whom they have alighted.

In the second order, as to success in colonial enterprises, we have to place the people of Spain and Portugal, whose expeditions combined the spirit of a crusade, or of a Saracenic invasion with that of a merchant enterprise; witness the conquests and settlements of the Portuguese—on both the shores of the new continents, where, first among modern European nations, they succeeded in planting colonies, which should grow afterwards into States, if not equalling, yet approaching the mother country in numbers and in civilization. The crusade is an enterprise of conquest sanctified by pretexts of religion; it breaks the courage and destroys the nationality of the people, whom it subdues. The triumph of a colonial system, on the contrary, is to preserve that which the crusade destroys; to convert and ameliorate, but not by violence; and thus to raise and organise those whom it subjugates, leaving them free in their opinion and religion, until such time as interest and reason may prepare them for conversion; and the triumph of a true conquest, after the Roman and English model, is, to confer upon the conquered people the freedom and the benefits of the empire. In both these respects the Spaniards and the Portuguese have signally failed: their colonies, established in the two Americas, have been marked, from their origin to the present time, with every species and grade of oppression and extortion, exercised not only upon the aborigines, whom they enslaved and exterminated, but each colony upon the other, and among themselves. Their history, and their ill success, their ferocity at first, and their weakness and effeminacy now, are among the most familiar traits of history. South America and Mexico remain, as at first, after three centuries of occupation by Europeans, with their natural resources undeveloped, and their populations weak, ill governed and two thirds uncivilized.

More fortunate in their methods, or rather in their spontaneity of colonization, have been the industrious, though narrow-minded Chinese, whose populous empire is pouring annually its hundreds of thousands over all the shores and islands of the Asiatic seas. In them we discover no organization or clinging together of separate colonies: Impelled by the simple instinct of self-preservation, they move off like emigrating rats or lemurs, floating from point to point, and from island to island, and every where clinging to the land. They carry neither government nor arms, but only industry, and the simplest arts of peace. It is supposed that they will eventually form the

staple population of the Southern Asiatic shores and Islands.

Passing by as of less importance the colonization of the Germans, Danes and Swedes, that of Germany alone, among these, in the shape of emigration, having become of late a feature in history, we come to that of France, which seemed to have owed its existence more to her ambition and her jealousy of Spain and England, than to any other cause. If England did any thing, France would be doing the same; and, therefore, France has her colonial history; but it scarcely deserves a record, having been, so far, wholly unsuccessful; at certain times it has become, or has seemed to become, necessary for the government of France to occupy the attention of her restless and ambitious people with planting colonies: She will send on a sudden, and seize upon some remote island, or territory, usually with a view to incommode or intimidate her great rival, England. But these enterprises of hers, begun in impolicy, and for sinister ends, have terminated with little credit to herself; and it was only in Canada and the West Indies that her people ever succeeded in establishing themselves in a condition approaching independence of the mother country. A more wasteful and aimless colonization than the modern French occupation of Algiers, where, as in some vast Syrtis, "armies whole have sunk" with small results, has not its record in history. France indeed cannot be said to have a colonial system: as we have already hinted, it seems necessary that France should imitate England in colonizing; but she has not steadiness of hand to wield a policy so delicate and difficult, and like the imitator in the fable, wounds herself in the attempt.

Last in order, but first in rank, and comparable only with that of Rome, follows colonization by the English, a people who control an empire of which the weightier half hangs beneath them at the antipodes. The English minister at the Court of St. James, with his working parliamentary majority, wields the destiny of the most civilized people of Asia, the Hindoos; while at the same time he regulates the affairs of the northern third of North America, and of the wealthiest islands of the West Indies; commands ingress and egress to the Mediterranean, threatens all the shores of Africa and South America, opens by force the ports of China, manages the trade of the Red Sea and Mesopotamia, dispatches simultaneously northern and southern polar expeditions, carries on armed negotiations with the Arabs of the Persian Gulf, advances the civilization of Egypt, protects the Islands of the South Seas and the fisheries of Nootka Sound, plants colonies in New Zealand, and in the new continent of Australia; where even now there is growing up a new nation of Anglo-Saxon origin and opinion, and speaking the language of England; and more than this, the English Minister, who concentrates in his little person, or who should concentrate in it, the wisdom of all governments and of all exigencies, controls the opinion, and through that the commercial policy of the free empire of America; which he wields to his purposes, the purposes of his commerce, his free trade policy, by which England thinks to make herself the dispenser of all benefits, and the arbiter of all fates. Let us, if possible, by fixing our eye steadily upon the general fact, and forgetting, for the time, as of necessity we must, the immensity of its details, detect the secret of such wonderful successes.

The colonial policy of England emanates from her domestic system; her domestic system represents the character of her people; or, rather, of the governing classes of her people; of the Norman conquerors of England, whom we are able to compare only with the Patricians of Rome to obtain a right idea of the power that lies in them, and the erectness and supremacy with which they were endowed by the Creator. The Englishman proper, since the days of William the Conqueror, is the master of polity; he is a conqueror, like the Roman; he overcomes every thing that is opposed to him, excepting his younger brother.

Like the Roman, he is a conqueror, but not a devastator; a Hastings, not an Attilla. He does not wish to be the scourge but the servant, of God; there is nothing in him barbarous or cruel; he delights in conferring benefits; he prunes and subdues, but he does not destroy; he governs benignly though, most part, severely and heavily; the nations are his gardens which he cultivates; he enjoys his control, as much as he does his profits; he takes a pride in his

empire, and wastes his revenue upon it, as he does upon his park and his stud of hunters; Asia is his conservatory, which he protects, not only for the tropic elegancies which she yields him, but for the beauty of her submission. Such a conqueror is the Englishman, and such before him, though inferior, was the Roman.

When we add to this peculiar genius for government which marks the English, as it did the Roman conqueror; that singular liberality of sentiment which accords to all freedom of opinion, which sedulously refrains from forcing the conscience or controlling the belief by any but the most natural and legitimate methods; and to this, urbanity in negotiation, a skill in touching the generosity and moving the affection of inferiors, we have, in great part, the secret of the superior success of England in extending and confirming her empire; in rooting her colonies in the soil of foreign countries, and creating between the aborigines and their new masters satisfactory ties of dependence and amity. Here, doubtless, is at least the *moral* secret of her success, and it belongs to the character of the Englishman, as it does with equal or even greater force to his brother, the American. Thus these two have been the most successful colonizers and founders of states.

Other advantages, however, it is necessary to take into consideration,—the mechanical ingenuity and warlike skill of the Anglo-Norman, and the courage and indomitable firmness of purpose,—the single, far-sighted, adventurous will,—the placidity of temper and constitution, adapting itself readily to all climates and circumstances,—the love of toil for the glory of overcoming, as well as for the physical fruits of toil,—a certain reliance on good fortune, or rather upon Providence, and a conviction of being always on the side protected and favored by the Dispenser of all good.—To sum all up, we trace the successes of English and American colonization to those leading *moral* traits, generosity, statesman-like prudence, and veneration for rights and laws, which characterize the race. In all of these, too, the Roman though much inferior, may be compared with his modern representative; for Rome was especially the originator of those national codes by which the civilized world is governed in modern times.

Under the colonial system of England are embraced a great variety of policies: there is, for example, first, the treatment of her immediate dependencies. Ireland was originally colonized, and continues from time to time to be colonized directly from England; and the government of that dependency has the faults and the imperfections which attend the entire system of English colonial government; for while we claim for England the merit of the most successful colonization the world has ever known, excepting our own, it is necessary also to admit that through a natural obstinacy or short-sightedness, she adheres too pertinaciously to that system of measures which were unquestionably necessary and salutary in their operation during the times immediately following a conquest. When her colonies have grown to the full stature and ability of a nation, England refuses to accord them their necessary liberties and interests; and there ensues, between the dependency and the mother country, a series of revolutionary struggles. The English statesman insists that a colonist shall be always a colonist: and, in this respect, the governing classes of England compare disadvantageously with those of Rome in her best days. There is a systematic rigidity, a pertinacious adherence to the old system, a resolution not to admit the younger brother to the rights and honors of the elder. Rome, under her wisest Emperors, incorporated her provinces with the Empire, with such distinctions only, and precedences as the nature of the people themselves might render expedient; and here the universality of the Roman genius made itself conspicuous. England, on the contrary, carries her aristocratic distinctions into the general system of the imperial government. It may be, nay, it certainly is a necessity arising out of the form of her government, which is representative, that she should do so; for if one of her colonies reaches the dignity of an independent state by growth in numbers, wealth and civilization, there is no longer any reason why it should remain dependant. Discontents and rebellions follow, seemingly of course, and the result may be almost with certainty predicted. This result, however, is predictable only when the new state is composed

in great part of colonists from the mother country, who carry with them the representative principle, with ideas of popular liberty.

It is necessary to make due allowance for this peculiarity, in judging of the colonial system of England; the spirit of defection goes out with the colonist, and when he finds himself strong enough, he begins to claim the prescriptive right of representation and self-government which belonged to his ancestors. The English colonies of the West Indies, by the peculiarity of their situation, and the sparseness of their white population, governing inferior masses of enslaved barbarians, offer a second, and wholly different, instance; they, of necessity, lean upon the mother country, because of their internal weakness.

Wholly different from the preceding were the mercantile colonies of eastern Asia.—Conquests, in the strictest sense of the term, over a people accustomed to be conquered and governed, time out of mind, by invaders superior to themselves in military prowess and civil wisdom. The conquests in India, by the English, were not properly conquests over the Hindoos themselves, but over their Mahomedan masters, whose expulsion left India devoid of government. The English merchants and soldiers came naturally and properly in the place of those whom they expelled, and were immediately, and even cheerfully, recognised by the inhabitants as masters more humane, and governors more just and efficient than those who preceded them. Thus the colonization of England presents at least three distinct polices, or forms, of exercising domination. The first of these forms being that which she has always found most difficult to exercise, namely, over a colonization exclusively by her own people, as in Ireland and North America; second, over one like that of the West Indies, where a sparse population of her citizens required the constant protection and support of the mother country,—and with these she has been more successful; and, lastly, over a conquest, more suitable to the Anglo-Norman genius, when coming as an invader, she ejects other invaders, and governs a civilized people expecting and wishing to be governed by a race superior to themselves. These are the large and simple phases of English colonial domination: other forms, intermediate to these, of a mixed character. partake, more or less, of the nature of their types.

Running through all these lines of policy, and characterizing, almost without exception, every act of colonial legislation, we discover the motive of *the home interest;* the motive which actuates the mercantile land-holding, and manufacturing, legislator, who looks upon a colony only as a market or a factory, whence he may receive produce, and where he may sell, for his own profit, the products of English industry. To the eye of the merchant legislator a colony is a mine of wealth for the home interest, and must be governed for the advantage of that interest. The colonial ministry calculate exchanges; they adjust tariffs, and pass acts for the regulation of colonial commerce, conducive only to the wealth of England. The offices of the colonies must be filled by younger sons, pennyless nephews, and promising proteges, who are there to reap wealth and honors, to make them worthy co-mates of their more fortunate brothers and cousins at home. The army is established for the defence of the colony, and the colony is governed for the honor and the benefit of the army: England is everywhere: all things must flow back to England; she governs like a lord; she legislates like a merchant; and it happens from this cause as much as from the nature of the representative system, that no sooner is a colony of Englishmen strong enough to protect its own interests, it wishes to shake off dependence upon its employer and merchant-master at home. It wishes to labor and to trade on its own account. It will not be taxed, nor have its commerce and manufactures suppressed for the benefit of an English Plutocracy.

Whenever the condition of her conquered subjects, and the colonists mingled with them, has been such as to create a full dependence upon the mother country, the colonial system of England has worked better than any hitherto adopted, even by the wisest nations of antiquity; not so much because of the superiority of the motive, (which, we conceive, has been always, primarily, the maintenance of the home interest,) as because of the superior liberality of the Anglo Saxons and the Anglo Normans themselves;—of their superior liberality and

magnanimity, which tempers a legislation founded upon trade, with principles and motives superior to the mere calculations of gain.

From such considerations the transition is easy to the American, or free system, which combines the three principles of Greek, Roman, and English colonization and territorial extension; for, first, the American colonist, wherever he goes, has extended over him the protection of the mother country,—of the imperial free government of the Union; and, so far, our system assimilates to that of Rome under her mildest Emperors.

And, secondly, our system resembles that of the more cultivated Greeks, in the immediate recognition of new colonies as independent states,—democratic sovereignties; and, lastly, it combines also the system of England in its first motive, which is economy and the increase of wealth. The wealth of the nation as a whole, actuates the colonial legislation of America. But this motive is regulated and kept in check, and guided in its action, by the irresistible principles of the centre; namely, the three Inviolabilities, of individual liberty, of state sovereignty, and the supreme regulative power of the Nation, or Union. Thus we discover that the colonization of a free people is a free colonization; and that a colonial policy bears every feature of the system of government from which it emanates. In the features of the child we recognize, in their purity and simplicity, those of the parent.

Casting an eye then backward over the history of our nation to its origin, we find the first colonies planted upon our shores by an unusual and eccentric movement in the mother country. It had never been the custom of England to drive away her citizens for opinion's sake, until the times of the persecutions, during which a portion of her inhabitants were driven from their homes and fire-sides to find freedom in the wilderness. These colonists were exiled by a three-fold persecution, social, religious and political; they were oppressed first by an hierarchy, and they carried with them, in consequence, the germs of religious freedom: they were contemned and ousted from places of social honor by a haughty aristocracy, and they took with them, in consequence, an hatred of hereditary privilege. They were denied the rights of free government, which they derived, or affected to derive, from their ancient constitutions; and they bore, in consequence, to their new homes the seeds of civil and political liberty.

Such, at least, were the ideas of the major part of those early colonists, who stamped its present character upon the American government.

But this was not all; they took with them what every Saxon, and every Anglo-Norman inherits, a feeling of nationality, an idea of empire, and of the union and oneness of many states, the highest form of political organization. Hence the pertinacity with which they clung to the mother country; hence their veneration for the crown, as a perpetual witness and evidence of the union and oneness of the empire. So powerfully however, did the old leaven of selfishness, conjoined with the passion of conquest and subjugation, work in the minds of the governing classes in England, so blindly and pertinaciously did they continue their denial of rights to the colonists,—the mercantile spirit looking askance and covetously upon the colonies, as mines of wealth, created for the benefit of the home interest,—notwithstanding the strong attachment, notwithstanding intimate relationship and mutual dependence, separation became inevitable.

Thus was added, by the experience of suffering under the oppressions of the home-government, a new principle to guide the nation in the extension of its empire; and this was the principle of the State Sovereignty, remoteness from the centre detracting nothing from the rights of the citizen as the member of a representative State. In a word, the platform upon which they stood while contending for their liberties with the mother country, became as it naturally should, the platform of their separate empire.

While this original platform is adhered to in the extension, as well as the consolidation of the nation, we need entertain no anxiety for the future. The first provision in our system, is that the citizen shall not be deprived of his rights as an elector. It follows that, if circumstances like those of a remote colony, have deprived him, for a time, of the benefits of citizen-ship, and

of representative government, in his State and in the Union, he ought, with the greatest possible expedition, to be re-incorporated with the people, of whom he is a member, and reinstated in those privileges of which he has been temporarily deprived. We will not say, in this connection, that the hindrances which have been thrown down before the new State of California, and have threatened to exclude her from the Union, are unconstitutional hindrances; we are not strict constructionists, in that sense, to believe that every thing wrong, or impolitic, or injurious, is therefore unconstitutional; the constitution covers only half the ground of national policy; it says nothing of colonies; it meets no exigencies arising upon the extension of the empire; it lays down no code for the government of territories or colonies. The founders of this government were not prophets in that sense, that they could legislate without a knowledge of the circumstances to which their laws should be applied; they could give us only rules and principles. The territory of Louisiana was not constitutionally annexed, nor was that of Florida; neither were Missouri or Michigan constitutionally annexed. Nay, was not the Constitution itself a measure for which no constitution had made provision? Was there any provision in the law of the thirteen old colonies which permitted them to cede their nationality to the Union?

The aim of our colonial policy, if we have any, is, that the general structure of the government, or rather that the unity and solidity of our free empire shall not be impaired by the rapidity of its growth; that an equal vitality and intensity of organization shall pervade every part of it, even to remote extremities. Such is the aim, and for its accomplishment what are the means?

First, that the native born, or the adopted citizen shall carry out with him, as an emigrant and a colonist, a feeling that his government goes with him;—a feeling of security as a subject, and of pride and confidence as a citizen.

Second, that he go, not with the feeling of a buccaneer, backed and supported by an ambitious and usurping government, coming at his rear to abet invasion, but with a confidence that when the time is ripe, and he and his fellows have occupied the land, and have made themselves a State, they may enter again into their nationalities, and recover their citizenship.

A colony, not many years ago, planted itself upon the territory of the Mexican Republic; and there, under the protection of that Republic, acquired the strength and properties of an independent State. It had become desirable in the natural order of events, that they should enter again into the body of the nation from which they were detached. The process of their annexation was an easy and an obvious one. Had there been a colonial system, recognized as a part of the general policy of our government, the colony of Texas might have re-entered into the Union without a war, and perhaps as a free, and not a slave State; but, instead of a colonial system, what had we? On the one side those who felt distinctly enough the general movement and tendency of affairs—who perceived the necessity and certainty that new territories should be added, and the empire extended, if it were only by the natural growth of population, and who yet proposed to vote down the order of events, and who, rather than suffer the addition of a new State, on the wrong side of *their* balance, would have permitted a division of the continent, and the establishment of independent and rival republics of the same blood and language. *They*, indeed, did not want more territory,—*they* had no occasion for new States; but the moving masses of the people had occasion, and did want more territory and more States, and it was an useless endeavor to attempt to vote down their desires or to make their enterprize and adventurous courage a reason for their exile and expatriation. There was an injustice in the opposition against which the popular instinct rebelled, and, naturally, it overleaped the limits of law and reason, and, in a violent reaction, there arose a spirit of conquest, a counter-spirit of aggression against this timid and inefficient policy.

On the other side, therefore, there arose a party of annexationists—a war party, who saw well enough the necessary course and order of events before them; who felt the expansive movement, but who, deserted by the light of reason, and leaving behind them the wise example of our forefathers,—the purchasers and negotiators,—

this faction of no principle proclaimed their purpose to be the conquest and absorption, of the entire continent. There were colonies of armed settlers on the Northern frontier who were to begin a war with England for the acquisition of Canada. By the exercise of a wisdom, which, embodied in one man, represents the prudence of the American people, that danger was averted. A second effort saved us a second time—during the boundary altercation with England about the Northern territories on the Pacific side of the Continent. In their third attempt, the instigators of war were more successful:—instead of purchasing from Mexico what she would freely have sold to us had we approached her in a spirit of peace and conciliation, we trod rudely upon her frontiers, and roused her to a spirit irreconcilably hostile, and that refused negotiation. Late in the day, after a prodigious expenditure of blood and treasure, we recovered ourselves, and began to see reason and right again, as before; and we *purchased* the territory which our war faction would have had us seize for a conquest. And now the same faction are beginning again, a fourth time, or, rather, a fifth,—for we recognize them first at the time of the annexation of Louisiana,—and they are preparing for us a series of alarming difficulties; their aim is universal empire, by conquest, on the new continent. They know the movements and desires of the more restless portion of the people, and with the bayonet they point the way. Their designs look not far into the future,—not beyond an age. They have it in their power to create causes of war that shall be inevitable; and they know that, as a nation, we recognise no settled colonial system.

Since the adoption of the Constitution new territories have been at intervals added to the Union, until the middle third of the continent has come under the Government of the United States. Immense portions of territory, sufficient to sustain many millions of population, are added by each distinct effort, and, in comparatively short spaces of time are divided into States, so that, in rather more than half a century, the extent of inhabitable and cultivatable territory has been increased three fold, and the number of separate sovereignties risen from thirteen to thirty. Seventeen new sovereignties have been added to the Union, each one able and efficient to represent and defend itself. But with the increase is augmented also the power of increase. The addition of every new state heightens the probability of the addition of others. Every new State, formed upon a new territory, acts upon the territory beyond it, and colonizes another state. The addition of Texas prepares the way for the addition of three others, to be formed out of the territory of Texas. The establishment of a new state on the Pacific, accelerates the formation of four more, two in the Northern, and two in the Southern and middle parts of the continent. The overflow of population from New Mexico, California, and the territories of Texas, rapidly Americanizes the Northern sections of the Mexican Republic. The absorbing and attractive power of our institutions, the same power which draws an annual emigration of half a million from Europe, which empties entire European villages of their inhabitants, acts with an effect still more intense upon the nations that surround us. By this attractive influence, powerful revolutionary parties are generated in every nation, sufficiently civilized and contiguous, to feel directly the influence of our institutions. These revolutionary parties desire to have their governments incorporated with, and under the protection of the Union. It is idle to protest against these effects; the causes are too creditable to ourselves that we should make the effects a subject of lamentation.

And yet we have no policy of colonization, of a just, and peaceful, and beneficial colonization. We refuse to look at facts. We deny ourselves the benefits of the future; or, rushing into the other extreme, we grasp madly at consequences, and, by unjust means, accelerate the movement of events.

It is reported that an armed expedition, organized by private adventurers, in league with a revolutionary portion in the Spanish Island of Cuba, is, at this moment, landing upon the shores of that island, with a view to assist in displacing the Cuban Despotism. The Government of the United States, it is said, in conformity with those laws, and with those treaties

with foreign nations, by which a strict neutrality is made a part of the national system, have ordered a naval armament to watch this expedition, and forbid their landing. This order of the Executive is struck at by certain Democratic Senators, and others, as an anti-republican order. The Executive, we know, cannot lift a finger toward the execution of a law, without being anti-republican, or, rather, anti-Democratic: for, it is the maxim of the war-and-conquest faction, that the best government is that which fails oftenest in the execution of the laws: in their view, "that is the best government which governs least:" which is as if one should say, that is the best teacher, who teaches least; that is the best mason, who builds least; or the best clergyman, who preaches least; or the best captain, who commands least effectually; or the best *agent*, who attends least to the *orders* of his employers. By this creed, the present Executive is like to prove a very defective *agent*. The law-makers, with us, are the people;—the Executive is their agent;—the less he attends to the commands of those who put him in office, the more pleasing will he be to the Democratic, or no government, faction.

This movement of adventurers upon the Island of Cuba has thrown out, into strong relief, the two colors of the peace and war parties in America. The party of *red*, the aggressive faction, are watching eagerly the progress of events in the South. This Cuba business is, doubtless, to them, the first movement in a line of conquest, by which Mexico and the West Indies are to be absorbed.

The chances are greatly in favor of their success: they have everything to hope, and nothing to lose: they rely upon two causes to promote their final success:—*first*, the onward movement of population, aided by that spirit of military adventure, and colonization, which is congenial to our people, and which, at certain moments, takes possession of the entire nation. Imagine a series of events like the following: The present, or some future expedition effects a landing, and succeeds in colonizing a portion of the Island of Cuba. The enterprise, managed with prudence, and well supported at home, could hardly fail. Then follows a season of hostilities, and a truce between the colonists and the defenders of the Island. Between these new colonists and the revolutionary faction there is a strong sympathy: and, after a time, matters come to a crisis; the Island makes a sudden effort, and throws off her allegiance to Spain. Spain, either of her own motion, or aided and instigated by England, maintains a furious and destructive war upon the Islanders. American volunteers pour in to aid their countrymen, and share the spoils of victory. Reverses follow: Spain is too powerful for her rebellious subjects. Citizens of the United States, taken in arms against the Government, are executed without trial, or thrown into dungeons. Then begins the movement at home. An universal sympathy with these suffering and adventurous spirits, moves the national heart. Hostility to Spain, the oppressor and her allies, becomes a test of patriotism. In the tempest of popular enthusiasm all parties are carried away. Negotiations with Spain are managed in such a manner, under the excitement of the time, as rather to hurry on the catastrophy; and there is danger of a general war.

Such is the *first* cause, or line of causes, upon which the war faction rely for ultimate success. Of their *particular and personal object* in creating the war, and carrying out the system to which it appertains, it is unnecessary to speak at present.

The *second* train of causes upon which they rely is of a more subtle, and much less appreciable character. It is a line of support derived from the attitude taken by non-extensionist party, and which places them, and the entire conservative body of the nation, at the mercy of the war faction. It begins in the fact that the conservative and constitutional peace party *refuse to adopt a colonial system;* whereas they, the war party, have a system, and a very effective one it is, and appeals, upon occasion, to the passions of the people with such force as to overwhelm all opposition; and the unjust and destructive spirit of war has its own way, with consequences infinitely to be deplored by the friends of freedom and legitimate progress.

Ab initio, in the very beginning, the unconditional opponent of extension begins by declaring his want of faith in the Constitution itself, and predicts the ruin of the

nation by its growth. He has no faith in the expansive power of a Republic. He has faith in a despotic, but none in a republican or free expansion. He thinks that the best government is the least capable of extending its dominion. He reverts to the happy thirteen colonies;—forgetful of the fact, that it is found a much easier task to nationalize thirty than thirteen, sovereign and independent States. Of the *thirteen* the best that could be made was a rotten federation, and then a feeble and uncertain Union; but now, out of the thirty, is there *one* that can erect itself against twenty-nine? This error is one which a contemplation of the facts ought at once to dissipate. It is the power of the separate sovereignties of which conservatism should be jealous, and over which it should exert a constant care; it is they that are in danger, and not the general system.

Again; no sooner does it appear that the tide of population and enterprize is beginning to overflow the boundaries of some neighbor State, all that we have to offer is a cry against the unmanageable growth of the empire,—the unwieldly bulk it has attained, and the formidable dangers that must ensue from the increased patronage of the Executive. We throw down the reins and the steed goes whither he will; another hand snatches them up, and we are plunged into a war.

Colonization, meanwhile, goes on rapidly. Bands of armed colonists and depredators swarm across the frontier, urged and encouraged by those who, if they confide but little in the constitution, trust implicitly to the timely passions of the people. The crisis arrives. It becomes necessary to negotiate for the protection of our citizens, now colonists upon a hostile territory. We are at a loss what to do. The people, impatient of our hesitation and delay, cry out for violent measures.

Events move on. The war is begun. It becomes necessary to sustain the honor of the nation. Millions have to be voted; five, ten, fifty, a hundred millions,—army after army is sent into the field. The enemy, who might have been made friends and allies, with vast loss and great glory are subdued. The people grow weary of the war, and begin to calculate the cost. The war party falls into disrepute, and go out of office. Negociations ensue for the *purchase* of territories already conquered. It is a point of honor and of honesty to purchase them. The empire of freedom was not founded by robbers. WOULD IT NOT HAVE BEEN BETTER TO HAVE PURCHASED BEFORE THE WAR?

Of all the systems of policy that have been pursued for national aggrandizement, that of the forcible or fraudulent seizure of the territories and property of others, has led those who have adopted it the most rapidly to their own destruction. Public immorality, originating in the vice and ambition of a few demagogues, who have the art to inspire, in the masses, a spirit of violence, reacts unhappily upon the character of individuals, leading them to a general disregard of social and moral obligations. As a just war elevates and strengthens—an unjust, aggressive war, depresses and corrupts, a people. With ourselves, proud as we are of our strength, and confiding in the undoubted superiority of our arms, the temptations to aggression are extraordinary—the ablest statesmanship of the age has been exercised in averting the omens of war. It is not always in the power of a single man to meet or avert the storm. It is wisdom to anticipate the danger and prevent its access by measures of progress and of conciliation, providing equally for the growth, education and unity of our future empire.

MAP OF THE ARCTIC REGIONS.

LAND SEEN BY THE HERALD 1849
BEHRINGS ST.
C. LISBURN
ARCTIC OCEAN
P. BARROW
MELVILLE I.
BANKS LD.
BARROW ST.
C. WALKER
WELLINGTON ST.
SMITH SD.
JONES SD.
LEOPOLD I.
LANCASTER SD.
PONDS BAY
SOMERSET
FURY
REGENT INLET
BAFFINS BAY
DISCO I.
GREENLAND
DAVIS ST.
SCORESBY SD.
ICELAND
MAGNETIC POLE
WALLOSTON L.
VICTORIA LAND
P. TURNAGAIN
FT. HECLA ST.
MACKENZIE R.
BEAR L.
COPPAMINE R.
R. BACK
F. ENTERPRISE
F. PROVIDENCE
REPULSE B.
WAGER R.
HUDSONS BAY

70 170 150 130 110 90 70 50 30 70 60 60

SIR JOHN FRANKLIN AND THE ARCTIC EXPEDITIONS.

A PERIOD in every age of the world has been marked for its spirit of adventure; either for the discovery and exploration of unknown countries, or for the colonization and settlement of countries previously known. Curiosity is, doubtless, the first principle which directs human footsteps to penetrate where they had not before trodden; to scan the broad ocean in quest of new lands; or to explore the depths of the African continent, and amid her burning sands, and her pestilential climate, to trace the sources of her mysterious rivers. Again, it leads him into the icy regions of the Poles, to search for a north-west passage across the American continent, or to reach those imaginary points which are the centre of the earth's axis. Without going back into the earlier periods of history, when the love of adventure was as great as in our time, it will suffice to speak of it, as it has been exhibited to us.

During the present century maritime and inland adventure, and discovery, have both been prominent. For several years the desire was to penetrate into the interior of Africa, to discover the source of the river Niger. Mungo Park was the first adventurer in this field, as well as the first victim to its deadly climate. Successive expeditions were sent out by the British Government, which only terminated with the late attempt to ascend the Niger, with steam vessels, from its mouth. To discover the sources of the Nile has recently been the object of several expeditions, and although traced almost to the centre of the continent, its head waters have not yet been discovered. A vast region remains unexplored within this continent, and several adventurers are, at the present moment, pressing forward to penetrate it. In another quarter of the globe there has been a great curiosity to know of what the centre of the vast island of New Holland consists, but every attempt to reach it has failed. The broad Pacific, with its innumerable islands, has been the field for maritime expeditions for more than two centuries. In this, the United States has entered into competition with other nations, and has contributed her share to the geography, and the natural and physical science of this region. In the Antarctic exploration we have also done our part. Besides these several portions of the earth, where the love of adventure and the promotion of science has led the traveller, there are others in Africa, Asia, and America, into which he has also found his way, and where he has been amply rewarded for his labors.

During the present century, in fact since the year 1818, the most remarkable zeal and interest has been awakened in England for explorations in the Arctic regions of America. They originated, first, in a desire to solve the problem of the existence of a north-west passage, second, to reach the North Pole; and, finally, when neither of these ends could be accomplished, it resolved itself simply into a desire to mark out the geographical features of these dreary and inaccessible solitudes, and to make certain observations connected with physical science. The discovery of a north-west passage, it is known, would possess no advantage, in a commercial point of view; nor would the feat of reaching the axis of the earth's rotation, be likely to confer a benefit on mankind; but every lover of science, every bold adventurer, in fact, every one at all imbued with the rational curiosity of knowing the physical condition of this inaccessible portion of our globe, feels a desire to see these questions solved. The world would rejoice if the daring and noble Franklin might yet be the means of solving these problems. No one has done more to earn these laurels than he, and

though the hope grows fainter, we ardently pray that he may yet live to attain the goal of his ambition.

The revival of a desire for polar exploration, mainly with a view to discover a north-west passage, took place in the years 1817 and 1818. This is said to have grown up in consequence of accounts brought home by the whaling ships from the polar seas, that great changes had taken place in the fixed ice of those seas, by which they were suddenly rendered more navigable than they had been for many years. "It was supposed that the great icy barrier, which had during so many ages obstructed these inaccessible regions, had, by some revolution of our globe, been broken up, and dispersed." The ocean was reported to be full of gigantic icebergs which had broken loose from their moorings, and it was stated in a Scottish newspaper, that "a stupendous mountain of ice had been stranded on one of the Shetland Islands."

THE REV. DR. SCORESBY'S ARCTIC VOYAGES.

Among the distinguished polar navigators of the present century whose voyages and explorations in those regions have made us acquainted with new lands, and who have made valuable contributions to physical science, the name of Captain (now the Reverend Dr.) Scoresby, should be first mentioned. This gentleman was engaged in the Greenland whale fishery for upwards of twenty years, and as early as 1806, approached nearer the pole than any known navigator at that time. The point reached by him was in lat. 81° 30', or within 500 miles of the North Pole. In order to reach this high latitude, Captain Scoresby found it necessary to cross a broad barrier, or field of broken ice, which was accomplished with much labor, when he came to an open sea, extending northwards, as far as the eye could see. A fine opportunity was now presented for enlarging the knowledge of the seas near to the pole; but he had been fitted out for other objects, and he could not forego these for the sake of the most brilliant speculations in science.

In subsequent voyages Captain Scoresby approached the eastern shore of Greenland, and in the year 1822, when in search of a new fishing ground, discovered and traced nearly 400 miles of its coast. The Dutch had previously seen some points, but they were involved in much obscurity.

The successful voyages of Captain Scoresby, and the valuable contributions made by him, had greatly increased the desire for polar explorations. "They possessed," says the United Service Journal, "more than ordinary claims to public attention and confidence, as emanating from a man peculiarly qualified to entertain correct notions upon the subject. An accurate and scientific observer of the phenomena of these Boreal regions, trained from infancy in the navigation of the Arctic seas, it was scarcely possible to find a man possessing the varied accomplishments of Mr. Scoresby, and having the actual experience he possessed."

These events led to the equipping of two expeditions. One was instructed to seek for a north-west passage, and, through it, to penetrate to Behring's Strait. The other, to attempt to reach the North Pole, and thence, to make the north-west passage to the same point mentioned.

We now propose to give a brief account of the several expeditions sent to the Arctic seas for these two objects, as well as those of geographical discovery, and the advancement of science. Space compels us to confine ourselves simply to the objects and results of these several expeditions.

CAPTAIN JOHN ROSS'S VOYAGE. 1818.

The ship Isabella, of 385 tons, under the command of Commander Ross, and the Alexander, of 252 tons, commanded by Lieutenant Parry, sailed from England,

on the 18th of April, 1818. Their instructions were, to proceed up Davis's Strait, thence to the head of Baffin's Bay, examine the three openings, known as Smith's, Jones's, and Lancaster Sounds, at the north-west side of that bay, and through them, make their way westward to Behring's Strait. On the 17th June the ships reached Waygat Island, in Baffin's Bay, where a barrier of ice prevented their farther progress. Mooring the ships to an iceberg, in company with forty-five whale ships, they awaited the breaking up of the ice. They then pressed forward, and in lat. 75° came to a part of the coast which had never before been visited by navigators, where they found a tribe of Esquimaux living in the deepest seclusion. On the 18th of August they passed Wolstoneholme, and Whale Sounds, which appeared filled with ice. Next day they came to Smith's Sound, on the extreme north of the bay. This opening had been described by Baffin as the most spacious in the whole circle of the coast, and it was believed that an opening might be found here. Captain Ross regarded it with attention, and becoming convinced that he saw it encompassed by land at the distance of eighteen leagues, he passed on. Following the western coast he next came to Jones's Sound, at the bottom of which he thought he discovered a ridge of very high mountains, stretching nearly across, united to a less lofty ridge from the opposite side.

The 29th of August had now arrived, and the sun had set after an uninterrupted day of 1872 hours, or two months and a half. The season was passing away, and the nights became gloomy. They now approached the last and principal opening, or that known as Lancaster Sound. This great inlet, which proved to be forty-five miles in width, bordered by lofty mountains, was entered by the ships, which ascended it for thirty miles. "During the run, the officers and men crowded the topmast, filled with enthusiastic hope, and, judging that it afforded a much fairer prospect of success than any of those they had so hastily passed."

"As the evening closed," says Captain Ross, "the wind died away—the weather became mild and warm, the water much smoother, and the atmosphere clear and serene. The mountains on each side of the Strait had beautiful tints of various colors. For the first time we discovered that the land extended from the South two-thirds across this apparent Strait; but the fog, which continually occupied that quarter, obscured its real figure. During this day, much interest was excited by the appearance of this Strait; *the general opinion, however, was, that it was only an inlet.* Captain Sabine, who produced Baffin's account, was of opinion that we were off Lancaster Sound, and that there were no hopes of a passage, until we should arrive at Cumberland Strait;—to use his own words "there was no indication of a passage, no appearance of a current, no drift wood, and no swell from the north-west.

Thus was this important inlet again overlooked. The expedition continued its course along the coast southward, passing two other openings in the land or inlets closed with ice, after which it returned to England.

"On the return of Sir John Ross," says the United Service Journal, "his conclusion regarding Lancaster Sound, became the subject of much skeptical discussion; and it was urged by those experienced in naval perspective, that Sir John Ross had not sufficiently guarded against a common optical illusion, and that he had not penetrated deep enough into the Sound to form any accurate judgment upon the subject; for it was urged, that a strait even of considerable breadth, if winding or varied by capes, always presents to the spectator the precise appearance of an enclosed bay. Discussion soon gathered an element of angry sentiment, which made it assume a form that looked very much like persecution; angry pamphlets were written on the subject, accusations and recriminations appeared; and the zeal which was exhibited upon the occasion led to the adoption of a line of conduct in some of the opponents of Sir John's views, which were not very creditable to them, and we think scarcely excusable or justifiable by any amount of zeal in the cause of science or popular enthusiasm."

Lieutenant Parry, second in command, differed in opinion from Captain Ross as to the continuity of land across Lancaster Sound; and the result was, a new expedition was determined on which was to be placed under the command of Lieutenant (now Sir Edward) Parry.

CAPTAIN BUCHAN'S VOYAGE TOWARD THE NORTH POLE. 1818.

The ships forming the expedition to reach the North Pole, were the Dorothy, Captain Buchan, and the Trent, Lieutenant Franklin. The former contained 12 officers and 42 seamen; the latter 10 officers and 28 seamen and marines. On board the Trent was George Back, then Admiralty's mate, who afterwards accompanied Captain Franklin in his land expeditions, and otherwise distinguished himself in the Arctic expeditions.

The expedition left England on the 18th of April and on the 24th of May, had reached Cherie Island, in latitude 74o 33′. Their instructions were to proceed to the Spitzbergen seas; pass northward between that island and Greenland, and make every effort to reach the North Pole. A few days after the ships separated, Lieutenant Franklin proceeded to Magdalena Bay in Spitzbergen, the place of rendezvous, where both soon after met. On the 7th of June they again sailed, and in a few days got beset in a floe of ice where they remained for thirteen days. Escaping from this imprisonment, they again sought a shelter in Fair Haven, and continued there until the 6th of July. Putting to sea once more with a favorable wind, they pressed forward but were soon brought up by the pack ice in latitude 80° 34′ N. Soon after a violent gale came on, and to avoid inevitable shipwreck, both ships pressed forward into the broken ice. Here they were exposed to the heaving and subsiding of great masses of ice, grinding huge pieces to atoms, and threatening every moment to crush and swallow up the ships. "No language," says Captain Buchan, "can convey an adequate idea of the terrific grandeur now produced by the collision of the ice and the tempestuous ocean." Such was the noise occasioned by the crashing of the ice, and the roar of the wind, that it was with great difficulty the orders could be heard. Yet the crew preserved the greatest calmness.

"If ever the fortitude of seamen was fairly tried," says Captain Buchan, "it was assuredly not less so, than on this occasion; and I will not conceal the pride I felt in witnessing the bold and decisive tone in which the orders were issued by the commander of our little vessel (Franklin) and the promptitude and steadiness with which they were executed by the crew. Each person instinctively secured his own hold, and, with his eyes fixed upon the masts, awaited in breathless anxiety, the moment of concussion. It soon arrived; the brig cutting her way through the light ice, came in violent contact with the main body. In an instant we all lost our footing, the masts bent with the impetus, and the cracking timbers from below bespoke a pressure which was calculated to awaken our serious apprehensions."

Both vessels were so much injured by this concussion, that when the gale abated and the pack broke up, they made the best of their way to Fair Haven; the Dorothea in a foundering condition. Lieutenant Franklin was desirous to proceed with the Trent; but this was contrary to their instructions. Besides it would have been unsafe to risk the whole party again to the danger of these seas without any means of escape, in case an accident should befal them, in a a vessel, too, so much shattered. All further efforts to prosecute the voyage were useless, and after the necessary repairs, both ships set sail for home on the 30th of August, and on the 22d of October reached England.

CAPTAIN PARRY'S FIRST VOYAGE. 1819—20.

Much disappointment, as well as dissatisfaction, was manifested on the return of Captain Ross, without having accomplished the object for which he was sent; and as some of his officers, including Captain Parry, did not coincide with him in his opinion of the continuity of land around Lancaster Sound, it was determined to send another expedition immediately to make a more thorough examination of that opening, as well those known as Jones's Sound, and Smith's Sound, farther north. This expedition was fitted out during the winter following Captain Ross's return,

and placed under the command of Captain (now Sir Edward) Parry. The ships selected were the Hecla, of 375 tons, and the Griper, of 180 tons. The latter was commanded by Lieutenant Hoppner. On board Captain Parry's ship the Hecla were Captain (now Colonel) Sabine, Lieutenant (now Sir F. W.) Beechey, and Midshipman (now Sir James) Clarke Ross. All these gentlemen have since distinguished themselves in other Arctic expeditions, as well as in scientific researches of an important character. The whole complement of officers and men in the two ships was ninety-four. They were provisioned for two years.

On the 11th of May, 1819, they took their departure, and on the 3d of July crossed the Arctic Circle in Davis's Strait, passing on that day fifty icebergs of large dimensions. One of these huge masses was 140 feet high, and aground in 120 fathoms, making altogether a height exceeding 600 feet. On reaching the 73d degree of latitude, opposite Lancaster Sound, Captain Parry determined to make the attempt to cross the great barrier of ice which fills the middle of Baffin's Bay, instead of pursuing the usual route of the whalers, which was to follow the eastern coast to the very head of that bay, and then cross above the barrier referred to, where the sea is usually open. Seven days were spent in sailing and warping, before the ships again reached the open water, the barrier being not less than eighty miles in width.

The ship now stood for Lancaster Sound, and on the 30th of July reached its entrance, just one month earlier than Captain Ross reached it the previous year, when he took the usual course around the shores of Baffin's Bay. This was a most important gain for the expedition, as nearly the whole navigable season was before them. In approaching the magnificent channel, which lay before them, bounded by lofty cliffs, they felt an extraordinary emotion, aware that the great question, on which rested the failure or success of the expedition, would soon be settled. On the 2d of August soundings were taken, and one thousand and fifty fathoms by the line, were found. But owing to the drift, Captain Parry did not think the depth of water more than 800 or 900 fathoms. The sea was open before them, neither ice nor land being visible to the west.

"It is more easy," says Captain Parry, "to imagine, than to describe the almost breathless anxiety which was now visible in every countenance, while, as the breeze increased to a fresh gale, we ran quickly up the Sound. The mast heads were crowded by the officers and men during the whole afternoon; and an unconcerned observer, if any could have been unconcerned on such an occasion, would have been amused by the eagerness with which the various reports from the crow's nest were received, all, however, hitherto favorable to our most sanguine hopes."

A strong easterly wind having sprung up on the 3d, they were rapidly carried to the west. They passed several headlands and openings on both sides of the channel, up which they sailed, and to which the name of Barrow's Strait was afterwards given. The first day they sailed 150 miles; the strait was still from forty to fifty miles in breadth, and no land was visible westward. They now came to an opening ten leagues across the mouth, with no land visible to the south. As their progress westward was obstructed by the ice, Parry determined to seek a passage through this new opening, afterwards called Prince Regent's Inlet, thinking that it might lead, and be nearer to the coast of America, than to follow Barrow's Strait west. They sailed down this inlet 120 miles, when they were stopped by the ice; after which they returned to Barrow's Strait, which they reached on the 19th of August. On the 21st, the ice had moved off, and left an unobstructed passage westward. The ships now pressed on, passing islands, headlands, and a very broad opening, eight leagues across, up which neither land nor ice were to be seen. To this was given the name of Wellington Channel.

Proceeding westward, large and small islands were passed on the north, while at the south land was occasionally seen. Their compass on account of their proximity to the magnetic pole became useless, and it was with difficulty, except in clear weather, that they knew what course they steered. The needle would now have pointed to the south. The officers landed on some of the islands as they passed, and found traces of the Esquimaux reindeer,

and musk oxen. The ravines were covered with luxuriant moss, and other vegetation.

On the 4th of September the ships reached the 110th degree of W. longitude, which entitled them to the reward of £5,000, offered by Parliament to the first ship's crew that attained this longitude within the Arctic circle. They now reached the largest island they had seen, to which the name of Melville was given, and worked their way along its shores. The navigable channel had been daily growing narrower on account of the ice, which was firm and compact to the south, as far as could be seen. Their progress was now slow, and on the 20th of September they found themselves completely beset by floes of ice. From the mast-head one unbroken field of ice presented itself, which had been there during the summer. It was now evident that no further advance could be made that season. The ships accordingly returned a short distance, and entered an excellent harbor, which they had passed. Here they sawed a channel through the ice for upwards of two miles, and took up their winter quarters.

The ships were now dismantled, and housed over. The most improved heating apparatus was put up ; every attention was paid to the food, clothing, exercise, and mental occupation of the crew. A school was opened. A newspaper called the North Georgia Gazette was published. Theatrical performances were got up by the officers, and every means adopted that would conduce to the health and comfort of the crew. In this manner the winter passed away. The sun disappeared entirely on the 4th of November, and was not again visible above the horizon until the 3d February. The animals took their departure early in the winter, and did not return until May.

To this desolate spot the expedition was frozen up for ten months. Early in May, however, parties were sent out on foot to explore in various directions, as well as to seek for game. Musk oxen, deer, hares, and ptarmigan, (a bird resembling a partridge,) ducks, and geese, became plenty. The hunters were tolerably successful, and the addition of fresh provisions was very acceptable.

The greatest cold experienced was on the 16th of February, when the thermometer indicated 55° below zero. In March the snow began to melt in the sun, yet, as late as the last of May, the sea still presented one unbroken field of ice, from six to seven feet in thickness. Toward the end of June the ice began to move in the offing. On the 5th of July the thermometer stood at 55°, and, on the 17th, at 60°. On the 1st of August the ships left their winter harbor, and stood westward, but after three or four days spent in working the ships through the floating ice, their farther progress was arrested by the compact ice, more firm than any they had seen. It did not appear to have been broken up for years, and on ascending the lofty hills which bordered the coast, from which a distant view was presented, no boundary was seen to the icy barrier. A brisk gale from the eastward produced no effect upon it, which induced Captain Parry to believe that a large body of land existed westward, which held it in this fixed state. To the south a bold coast was seen which was named Banks' Sound.

The ships remained here till the 15th August, when seeing no prospect of advancing farther, it was determined to escape while the weather was favorable. They accordingly put them about on the 26th. Barrow's Strait being clear of ice, they reached Lancaster Sound, and entered Baffin's Bay in five days. After some brief delays the ships proceeded to England, landing their officers at Peterhead on the 30th of October. In this long voyage of 18 months, but one man died out of 94 persons ; the remainder were brought home in excellent health.

Captain Parry was warmly received on his arrival, for the results of the expedition had surpassed the expectations of the most sanguine. "To have sailed upwards of thirty degrees of longitude beyond the point reached by any former navigator,—to have discovered so many new lands, islands, and bays,—to have established the much-contested existence of a Polar Sea, north of America,—and to bring back his crew in a sound and vigorous state, were enough to raise his name above that of any other arctic navigator." Another expedition was immediately decided on, and the command tendered to this efficient officer.

PARRY'S SECOND VOYAGE, 1821-22-23.

The sole object of this expedition, was the discovery of a north-west passage. The ships selected for it were the Fury of 377 tons, and the Hecla of 375 tons. Captain Parry commanded the former and Captain Lyon the latter vessel. They left England on the 8th May 1821, accompanied by a transport, with stores and provisions, which were to be transhipped on reaching the ice, where their field of explorations began.

Captain Parry, it will be remembered, in his first expedition, discovered a broad channel opening from the southerly side of Barrow's Strait, since known as Prince Regent's Inlet. This he believed communicated with the American Coast, and that the lands which lay on either side of it, were islands. It was also an opinion, pretty generally believed, that Repulse Bay had not been thoroughly explored by Captain Middleton in his attempt to find a north-west passage in 1741—that he might have been deceived by the appearance of the ice and by fogs, and that an opening might still be found through this bay. Another point of discussion was a passage known as Frozen Strait. The examination of these passages or inlets were therefore prominent objects of the expedition.

"After the most anxious consideration," says Captain Parry, "I came to the resolution of attempting the direct passage of the Frozen Strait, though, I confess, not without some apprehension of the risk I was incurring, and of the serious loss of time, which, in case of failure, either from the non-existence of the strait, or from the insuperable obstacles which its name implies, would thus be inevitably occasioned by the expedition." Parry was successful in getting through this Strait as well as in tracing the coast beyond, and of proving the general correctness of the statements of Middleton. Much time was lost in settling these points, after which the expedition continued its examination of several inlets and bays to the northward, through Fox Channel to a broad opening known as the Strait of the Hecla and Fury. In some of these inlets there was an appearance of summer, such as is not common in such high latitudes. "The vallies were richly clad with grass and moss, the birds singing, butterflies and other insects displaying the most gaudy tints, so that the sailors might have fancied themselves in some happier climate, had not the mighty piles of ice in the Frozen Strait told a different tale." Hunting parties were sent out which procured a variety of game.

To follow the narrative of this expedition, which abounds in events of the most interesting character, for a polar subject, would be quite beyond the limits of this brief sketch. Though much more was accomplished in point of distance, in the first expedition of Parry, than in this, the number and the variety of incident was greater in the latter. Esquimaux were seen at many places, with whom the most friendly intercourse was held, and the long tedium of two Arctic winters was much relieved by the contiguity of villages of these people. In fact, none of the Arctic navigators have had so favorable an opportunity to study the habits of the Esquimaux as Captain Parry did in this expedition, and the pages of his narrative are much enlivened by the interesting accounts of them. As little has been said in this paper of the natives, it may not be amiss to quote a short account of a party which established themselves near the ships and at whose request Captain Parry accompanied them to their huts:

"When it is remembered that these habitations were fully within sight of the ships, and how many eyes were constantly on the look out among us for anything that could afford variety or interest to our present situation, our surprise may be imagined at finding an establishment of five huts, with canoes, sledges, dogs, and above sixty men, women, and children, as regularly, and to all appearance as permanently fixed, as if they had occupied the same spot for a whole winter. In the construction of these houses the only material used was snow and ice. After creeping through two low passages, each having its arched doorway, we came to a small circular apartment, of which the roof was a perfectly arched dome. From this three doorways, also arched, led into as many inhabited apartments, one on each side. The interior of these presented a scene no less novel than interesting. The women were seated on the beds at the

side of the huts, each having her little fire place, or lamp, with all her domestic utensils about her; the children crept behind their mothers, and the dogs, except the female ones, which were indulged with a part of the beds, slunk out past us in dismay. The construction of this inhabited part of the hut was similar to that of the outer apartment, being a dome formed by separate blocks of snow, laid with great regularity and no small art, each being cut into the shape requisite to form a substantial arch, from seven to eight feet high in the centre, and having no support whatever, but what this principle of building supplied. They were lighted by a circular window of ice, neatly fitted into the roof of each apartment."

Exploring parties were sent out both years which traced the coast to a considerable distance in various directions, so that much geographical knowledge was acquired, and the fact established that there was no passage leading to the west south of Hecla and Fury Strait. In August 1823, the ships left their winter quarters. On the 17th of September 1823 they entered Hudson's Strait, and reached England on the 18th of November.

CAPTAIN LYON'S EXPEDITION TO REPULSE BAY, 1824.

In order to connect the Polar discoveries of Franklin eastward from Coppermine River and the late discoveries of Parry by which the whole line of coast might be made out, the Government determined to send the Griper, under the command of Captain Lyon, to Repulse Bay. The expedition left England on the 11th June 1824. The orders were to proceed to Wager River or Repulse Bay; to cross Melville Peninsula on foot; then to follow the western shore of that peninsula, and the northern shore of North America to the extreme point reached by Franklin in 1820, called Point Turnagain.

The Griper, although she had been employed by Captain Clavering in the Greenland seas proved herself unfit for this voyage. She was so deeply laden as to destroy her sailing qualities and render her unmanageable. She reached Repulse Bay near which she encountered successive gales of wind, and narrowly escaped foundering. She was beset with the ice, enveloped in fogs and in a severe gale lost all her anchors. Drifting at the mercy of the winds and waves she was happily carried by the current out of danger. The season having passed without effecting anything, and not thinking it prudent to continue in those boisterous regions without anchors, Captain Lyon determined very prudently to abandon the voyage, and make the best of his way to England, where he arrived in safety on the 10th of November.

CLAVERINGS AND SABINE'S VOYAGE TOWARDS THE NORTH POLE, 1823.

This voyage, although it was sent out for the purpose of reaching the Pole, is deserving of insertion here. This expedition consisted of the gun-brig Griper, commanded by Captain Clavering. Captain Sabine, since well known for his contributions to science, accompanied the expedition to make scientific experiments. The plan of the voyage was, "to proceed to Hammerfest, near the North Cape in Norway, in the 70th degree north latitude, thence to a second station, in or near the 80th parallel, on the northern coast of Spitzbergen; afterward to make the east coast of Greenland, in as high a latitude as the barrier of ice would permit, and having got within the barrier, to ascend the coast to the northward as far as might be compatible the same year, in order to obtain a third pendulum station for Captain Sabine's experiments at the highest degree of latitude that might be there obtained." A fourth station, if desired, was to be selected in Iceland, or any other place in the same parallel, if desired.

Aftar visiting Hammerfest, the expedi-

tion sailed on the 23d June, was in sight of Spitzbergen in four days, and on the 30th, rounded Hakluyt's Headland and dropped anchor. The tents and instruments were disembarked and set upon shore. Captain Sabine, two officers, and six men, then landed, to carry on their pendulum observations. They were provided with a launch, six months' provisions and fuel, to carry them to Hammerfest in case of necessity. The Griper then left, Captain Clavering having determined to push as far northward as possible. On the second day out he reached the pack ice, but twenty-five miles from the island, extending east and west as far as the eye could reach. The latitude observed was 80° 20′. After tracing the margin of the ice for sixty miles west and finding it trending to the South, and everywhere closely packed, he deemed it useless to proceed farther, and returned to the station, which he reached on the 11th of July.

Captain Sabine having completed his operations, and procured an abundant supply of rein deer for provisions, the ship sailed to the eastern coast of Greenland, in about the latitude of 74° the highest known point on the coast, where they landed. "Never was there a more desolate spot seen," says Clavering, "Spitzbergen was, on the whole, a paradise to it." He then stood to the northward till stopped by the ice in lat., 75° 12′, which he supposed the N. E. point of Greenland. A party of 12 Esquimaux were found here, with whom they held intercourse. The expedition remained on the coast till the 13th of September, during which time Captain Sabine, was enabled to complete his operations. They then sailed for England.

PARRY'S THIRD VOYAGE, 1824, 1825.

Captain Parry was placed in command of a third expedition for the discovery of a North-west passage, which sailed from England on the 19th of May, 1824. This expedition consisted of two ships, the Hecla and Fury, the same which were employed in the last expedition, the latter vessel being placed under the command of Captain Hoppner. Their instructions were to make the best of their way to Lancaster Sound, thence through Barrow's Strait to Prince Regent's Inlet, by which channel it was believed he would be able to proceed westward to Behring's Strait.

The ships entered the middle ice in Baffin's Bay on the 17th July. "From this time," says Parry, "the obstructions from the quantity, magnitude, and closeness of the ice, were such as to keep our people constantly employed in heaving, warping, or sawing through it, and yet with so little success, that at the close of July we had only penetrated seventy miles to the westward." They narrowly escaped being crushed, and it was not until the 9th of September that they succeeded in releasing themselves from this icy barrier. On the 10th of September they entered Lancaster Sound, which they found free from ice. They had not proceeded far, however, before their progress was obstructed by the new ice which had already begun to make across the Strait. Opposing winds and a strong current setting eastward, tended still more to check their progress, and in one night they drifted between eight and nine leagues westward. On the 26th of September an easterly wind sprang up which wafted the ships rapidly towards Prince Regent's Inlet, which they reached, and took up their winter quarters in Port Brown, on the 1st of October. The dreary winter passed off as usual, and without accident. The mercury in the thermometer did not rise above *zero* till the 10th of April, having remained below that point for one hundred and thirty one successive days.

As in former expeditions, parties were sent to explore the coasts in different directions before the breaking up of the ice, which took place on the 12th of July, and on the 19th the ships got clear, and stood across to the western shore of the inlet. They followed this shore southward for several days in the passage between the ice and the shore, until a change of wind brought the ice upon them, forcing them

into shallow water, and causing them to ground. They made several narrow escapes here, but the Fury was so much injured that it was necessary to take out her stores and heave her down. After making the necessary repairs, her stores were again embarked, only to be removed ashore again, three days after, when the ship again grounded, without any hope of getting her off. The summer was now rapidly passing away, and prompt measures were necessary in this dilemma. It was therefore determined to land the stores of the Fury, take her officers and crew on board the Hecla, and proceed at once to England.

It was now the 27th of August. A favorable wind enabled them to reach the western shore of Prince Regent's Inlet, whence, after a few days' preparation in getting the ship ready for her voyage, she sailed on the last of August, and entered Barrow's Strait on the 1st September. They found Baffin's Bay still clear of ice, and meeting with no obstructions, reached England on the 12th of October.

This last attempt was the least successful of either of Parry's Voyages. No information regarding a western passage had been obtained, and the additions to our arctic geography consisted in extending the line of coast but a short distance beyond what was previously known. The contributions to natural history were equally meagre. The shores of Prince Regent's Inlet were found to be the "most barren, the most dreary and desolate, that have been seen, not excepting Melville Island; not merely desolate of human beings, but almost deprived of animal and vegetable life." Astronomical and magnetical observations were made as in former voyages, the results of which are appended to the narrative of this voyage.

PARRY'S POLAR VOYAGE, 1827.

The fourth voyage of this distinguished navigator (or rather the fifth, as his first voyage was with Captain John Ross), was totally different from the preceding. This was to reach the North Pole in the most direct manner; first by a ship as far as the ice would permit, and then by travelling with sledge-boats over the ice, availing themselves of any spaces of water that might occur.

Two boats were constructed for the expedition, "twenty feet long and seven broad, flat-floored, and as stout as wood and iron could make them; and so fitted as to contain nautical and other instruments, bags of biscuit, pemmican, clothing and other stores." A bamboo mast, a tarred duck sail, answering also the purpose of an awning, paddles, boat hooks, &c., completed each boat's complement. Two officers and twelve men, were selected for the crew of each. "Each boat, with all her furniture, tools, instruments, clothing, and provisions of every kind, weighed 3753 pounds, exclusive of four sledges."

With this expedition Captain Parry sailed in the Hecla, on the 4th of April, 1827, reached Hammerfest, in Norway, on the 19th, where they took on board eight rein-deer, and a supply of moss to feed them upon, and on the 14th of May rounded Hakluyt's Headland in Spitzbergen. On the 8th of June the boats took their departure with 71 days' provisions, with a clear sea. The second day they reached the pack ice in latitude 81° 12' 51". As the daylight is constant in these high latitudes, the sun continually above the horizon, during the summer season, Captain Parry chose that portion of the twenty-fours which corresponded with night for travelling, and rested during the day. The sun was higher during the day hours, and oppressive to the eyes, while the heat rendered it more comfortable for sleeping. "This travelling by night," says Parry, "and sleeping by day, so completely inverted the natural order of things, that it was difficult to persuade ourselves of the reality; nor could we, even with pocket chronometers, always bear in mind at what part of the 24 hours we had arrived." A brief sketch of their mode of living may be interesting:

"Being rigged for travelling," says Captain Parry, "we breakfasted on warm cocoa and

biscuit, then stowed the things in the boats, and set off on our day's journey. After travelling five or six hours, we stopped an hour to dine, and again travelled four, five, or six hours. After this we hutted for the night, though it was early in the morning, selecting the largest surface of ice for hauling our boats on. The boats were placed close alongside each other, and the sails, supported by the paddles, placed over them as awnings. Dry shoes and stockings were then put on and supper eaten. After this pipes were smoked and the men told their stories. This part of the twenty-four hours was often a time, and the only one, of real enjoyment to us. A regular watch was set during the resting time to look out for bears, and for the ice breaking up around us, as well as to attend to the drying of the clothes. We then concluded our day with prayers, and having put on our fur dresses, lay down to sleep with a degree of comfort, which perhaps few persons would imagine possible under such circumstances. The temperature while we slept, was usually from 36° to 45°, according to the state of the external atmosphere; but on one or two occasions it rose as high as 60° to 66°. After we had slept 7 hours, we were aroused by the man appointed to boil the cocoa, when it was ready.

Our fuel consisted entirely of spirits of wine, of which two pints formed our daily allowance, the cocoa being cooked in an iron boiler, over a shallop lamp, with seven wicks. One pint of the spirits of wine would heat 28 pints of water, though it commenced from the temperature of 32°.

The ice was found to be entirely different from what it was expected to be. Instead of a smooth level plain, instead of compact floes, it consisted entirely of small, loose, and rugged masses, obliging them "to make three journeys and sometimes four, with the boats and baggage, and to launch several times across narrow pools of water." One day they only advanced half a mile in four hours; and another the ice was so much in motion as to make it dangerous to cross with loaded boats, the masses being so small. At other times the roughness of the ice compelled them to unload the boats and carry their stores in several journeys. But the most vexatious of all was, to discover, on taking an observation on the 30th, that they had reached no higher than 81° 23′, and had consequently advanced but eight miles nearer the pole in five day's laborious travelling. They continued slowly to advance, working from 10 to 12 hours each day; and in the windings of their journeys of 10 or 15 miles, did not advance more than two-thirds that distance. On taking observations as before, they found their actual advance northward was little more than half their apparent advance. This was owing to a strong current setting to the South, carrying with it the whole body of ice. On the 23d of July they reached their highest latitude or 82° 45′. They strove in vain to reach 83°. On this day the thermometer ranged from 31° to 36° in the shade.

"At the extreme point of our journey," says Parry, "our distance from the Hecla was only 172 miles. To accomplish this we had travelled by our reckoning, 292 miles, of which above one hundred were performed by water previously to our entering the ice. As we travelled the greater part of our distance on the ice three, and not unfrequently five, times over, we may safely multiply the length of the road by two and a half; so that our whole distance, on a very moderate calculation, amounted to 580 geographical, or 678 statute miles, being nearly sufficient to have reached the pole in a direct line."

On the 27th of July, they turned their faces homewards and reached the Hecla on the 21st of August, after an absence of 61 days. During their absence, the officers who remained with the ship were occupied with scientific explorations and observations.

On the return of the expedition to England, Captain Parry submitted another plan to reach the North Pole, but the Admiralty did not deem it advisable to make another attempt.

FRANKLIN'S FIRST EXPEDITION TO THE POLAR SEA. 1819-20-21-22.

The first expedition for exploring the shores of the Arctic Sea, which had been seen by Hearne and Mackenzie, was placed under the command of Lieutenant Franklin, assisted by Dr. Richardson as naturalist. They left England on the 23d

May 1820; took the usual route of the great lakes; thence by the way of Lakes Winnepeg, Athapasca, and Slave Lake, to the Coppermine River, which they followed to its entrance into the Arctic Sea, where they arrived on the 21st July.

The object of the expedition was to trace the shores of the Arctic Sea, eastward; and, if possible, to reach Repulse Bay. Embarking in canoes, they commenced their voyage under favorable auspices. The sea was clear of ice, save a small iceberg at a distance. The coast was found of moderate height, easy of access, and covered with vegetation; but the islands were rocky and barren. For the first thirty-seven miles they experienced little interruption. In passing a prominent headland, they first encountered the dangers common to the Polar Seas. Beset by ice, they encountered a violent storm, which compelled them to seek a refuge on shore. The coast soon after presented a different aspect. Hills and mountains of granite, destitute of vegetation rose abruptly from the water's edge to the height of 1400 or 1500 feet; no animals were seen except small deer and seals, and their hunters succeeded in shooting a bear, but so miserably poor was the latter as to be unfit for food. No Esquimaux were seen. The party continued their explorations along the coast, which was indented by numerous inlets, and studded with small islands, until they reached a Cape, denominated Point Turnagain. They now found that they had lost so much time in following the indentations of the coast, that it would be impossible to reach Repulse Bay that season. Beside this, their fuel was expended, and their provisions only enough for three days. "The appearances of the setting in of the Arctic winter were too equivocal to be mistaken; the deer, on which they depended for fresh meat would soon disappear; aquatic birds were winging their way southward; and the men, who had up to this moment displayed the utmost courage, began to look disheartened, and to entertain serious apprehensions for their safety." The officers united with Franklin in his opinion that it was not prudent to advance farther. The expedition, therefore, after spending a few days in the examination of some of the bays, returned to the mouth of Hood's River, from which they intended to make their way to Fort Enterprise, their destined winter quarters, about 150 miles southward. Up to this point, where their canoe voyage on the Arctic Sea terminated, they had performed a distance of 650 geographical miles.

They now proceeded up the river in their canoes, and though on a short allowance of provisions, they managed, by means of their nets and fowling pieces, to satisfy their wants for a few days. Coming to a high fall, their progress was checked; their large canoes could not be carried over them, and they were obliged to construct two smaller and more portable ones. With these, they set off on the 1st September, after divesting themselves of all unnecessary luggage, and expected to reach their spring encampment in a few days. The second day exhausted the last of their solid food, and on encamping for the night they could find nothing to make a fire with. The third day a violent snow storm came on; the party could not move forward, and for want of fire, the men remained in their beds. The snow had drifted to the height of three feet around their tents, and even within them, it lay several inches thick on their blankets. But they could not delay longer, hunger stared them in the face, and they were compelled to pack their frozen tents and push forward.

"Disaster now crowded on disaster. The wind rose so high, that those who carried the canoes were frequently blown down, and one of the canoes so much injured as to be unserviceable." The ground was covered with snow, and the swamps, though frozen ground, were not sufficiently strong to bear the men, who often fell through knee deep in water. A fire was made of the broken canoe and their last meal of portable soup and arrow root was cooked. They now resorted for food to a kind of lichen, known to the Canadians as *tripe de roche*, with which the rocks were covered. In cases of extremity this is boiled and eaten; but its taste is nauseous, its quality purgative, and it sometimes produces severe pain. On this the party subsisted for several days, and until a musk ox was shot which afforded them great relief. "This success," says Franklin, "infused spirit into our starving party. The contents of its stomach, were devoured on the spot; and

the raw intestines were pronounced by the most delicate of the party to be excellent. A few willow twigs were grubbed up from beneath the snow, fires made, the tents pitched, supper cooked and devoured with avidity." The expedition rested a couple of days to recruit their strength, when they proceeded; supporting themselves by the lichen alluded to, and an occasional deer and partridge killed by the men.

Severe as these privations were, the party were, nevertheless, thankful, and felt that a merciful Providence had watched over them and provided them with a means of subsistence; but it was the will of God that their confidence should be put to a more severe test; for they now entered a level country covered with snow, where the *tripe de roche* was not to be found. Another distress now attacked them: the intensity of the cold increased, while they became less able to endure it. Their blankets were insufficient to keep them warm, and the piercing winds reached their emaciated bodies. "The reader," says Franklin, "will probably be desirous to know how we passed our time in such a comfortless situation. The first operation after encamping was to thaw our frozen shoes, if a sufficient fire could be made; dry ones were then put on. Each person then wrote his notes of the daily occurrences, and evening prayers were read. As soon as supper was prepared it was eaten, generally in the dark, and we went to bed and kept up a cheerful conversation until our blankets were thawed by the heat of our bodies, and we had gathered sufficient warmth to enable us to fall asleep. On many nights we had not even the luxury of going to bed in dry clothes; for, when the fire was sufficient to dry our shoes, we dared not venture to pull them off, lest they should freeze so hard as to be unfit to put on in the morning, and therefore inconvenient to carry."

The next disaster that befel them was the loss of their remaining canoe. This was of the utmost importance to them, as they had no other way to pass the rivers which lay across their path. A few deer were happily killed soon after by the hunters in the party, who were kept constantly on the look out for game. The flesh, skins, and even the stomachs of these animals were equally divided among the party, whose spirits were greatly invigorated by such a supply of food after eight days' famine. A day's rest, and the journey was pursued until they reached Coppermine River, the breadth and current of which rendered it impassable without a boat. Efforts were made to construct one with willows and the canvas of their hut without success. Retracing their steps, they next attempted to ford a river presenting less obstacles by means of a raft. In this too their efforts were foiled, for they had nothing to propel the raft and their tent poles would not reach the bottom.

"The failure of every attempt occasioned a deep despondency, which threatened to have the most fatal effects, when Dr. Richardson, with a disinterested courage that made him forgets his own weakness, threw off his upper garments, and attempted to swim with a rope to the opposite bank. Plunging in with the line around his middle he at first made some way, but the extreme cold was too much for him, and in a few moments his arms became powerless; still, being an expert swimmer, he not only kept himself afloat, but made some way on his back and using his legs, so that he had nearly reached the other side, when, to the inexpressible anguish of those who watched his progress, his limbs became benumbed, and he sank. All hands now hauled in the line, and drew him ashore almost lifeless; but, placed before a fire of willows and stripped of his wet clothes, he gradually revived enough to give directions as to the mode of treating him. His thin and emaciated limbs, which were now exposed to view, produced an involuntary exclamation of compassion and surprise. "Ah, *que nous sommes maigres!*" said the French Canadians; but it is probable that few of them would have presented so gaunt and attenuated an appearance as the brave and excellent man who had thus nearly fallen a sacrifice to his humanity, for it was discovered about this time that the hunters were in the practice of withholding the game which they shot and devouring it in secret."

While these efforts were making, the party lived upon *tripe de roche* of which a small quantity was procured. The putrid carcase of a deer which was found among the rocks where it had fallen, though so acrid as to excoriate the lips was eagerly devoured, and the antlers and bones of deer, which had been picked by the wolves and birds of prey, were made friable by burning, and converted into food.

One of the Canadians now endeavored to make a canoe by stretching the painted

canvas used for wrapping up the bedding, over a frame work of willows. Pitch was gathered from the small pines to pay the seams and a frail bark was thus constructed, which to the joy of all was found to float. One by one the whole party was carried across the river, though from the leaky condition of the little bark, their garments and bedding were completely drenched. The joy of the Canadians knew no bounds at this unlooked for deliverance, and their spirits rose from the deepest despondency into tumultuous exultation. Mr. Back was now dispatched with three men to Fort Enterprize in search of the Indians. After drying their bed-clothes and tents, the remainder of the party again moved on. Six miles only were accomplished this day against a piercing wind and drifts of snow, and a few shreds of *tripe de roche* mixed with the remains of their old leather shoes, boiled or roasted, formed their evening meal. The following day two of their best hunters gave out and fell behind, and the stoutest men were unable to bring them to their evening's fire and encampment. Matters had now reached a dreadful crisis, and the only alternative seemed to be that Mr. Hood and Dr. Richardson, with a single attendant, should remain with the two Canadians where there was a supply of wood and ten days' stock of *tripe de roche*, and that Captain Franklin with the remainder of the party should hasten to Fort Enterprize for relief.

The next day Franklin proceeded on his journey, leaving every thing but a single tent, their ammunition, journals, and a blanket for himself. After a march of but five miles they encamped, supping on an infusion of the Labrador tea plant and a few morsels of burnt leather. The following day four other men, among them the strongest of the party, gave out and endeavored to retrace their steps to the spot where Richardson and the others were left. The whole party able to proceed now consisted of Captain Franklin and five men, who pushed forward and succeeded in reaching Fort Enterprize.

It was here they had passed the previous winter, and arrangements had been made to have a stock of provisions and other necessary comforts provided for them on their arrival at this time. They expected therefore to find the Indian hunters here, an abundance of game, a stock of fuel and a comfortable house. "On approaching the house their minds were strongly agitated betwixt hope and fear, and contrary to their usual custom, they advanced in silence. At length they reached it, and their worst apprehensions were realized. It was completely destitute. No provisions had been deposited,—no trace of Indians could be discovered—no letter told them where they could be found. On entering a mute despair seized the party. They gazed on the cold hearth, comfortless walls, and broken sashes, through which the wind and snow penetrated, and, awakening to a full sense of their situation burst into tears." A note, however, was found from Mr. Back, stating, that he had reached here two days before—that his party had endured great suffering, and one of them had been frozen to death. That they had gone on to Fort Providence, which it was doubtful they should ever be able to reach.

The sufferers thus disappointed, looked about for some means of subsistence, and found several deer skins thrown away during their former residence at this place, as well as a quantity of bones. Of these they made soup. They next made their house as comfortable as possible with loose boards, for the temperature of the outer air was from 15° to 20° below zero.

Captain Franklin was desirous to proceed to Fort Providence with his five men, but two had become so feeble that they were unable to move. He therefore left them, and with the remaining two determined to press on in the hopes of meeting some Indians and sending relief to his suffering party. The second day out he fell between two rocks and broke his snow shoes, which compelled him to abandon his journey and retrace his steps to Fort Enterprize. The two men were directed to press forward to Fort Providence for a supply of meat as the only means of saving the lives of the party left behind.

On his return to Fort Enterprize, Franklin found two of the men left there so weak that they could not leave their bed, so that the whole labor of procuring *tripe de roche* and cooking it, as well as the collecting and carrying fuel, fell upon him and the remaining Canadian. The frost was now so severe too, that the lichen could only be detached from the rocks to which it ad-

hered, with great difficulty, and the bone soup was so acrid as to corrode the inside of their mouths. Soon after, Dr. Richardson, who had been left behind with five men, arrived with a single man, Hepburn, the others having perished. The narrative of their sufferings and the cause of the death of these must be passed over. The arrival of Dr. R. was attended with a favorable change, as he and his companion were in a better condition than Franklin and his men. A partridge was shot and divided among the six, which was the first morsel of flesh they had tasted for 31 days.

Their several tasks were now allotted to each. Hepburn and Richardson went out in search of deer and other game while Franklin, unable to walk far remained nearer the house, employing himself in digging under the snow for the skins and bones of the animals they had killed and eaten during their previous winter residence here. Two other men procured wood for the fire, while the sixth was confined by swollen limbs to his bed, unable to move. But the winter was coming rapidly on them, the cold increased—food was more difficult to obtain—their stock of putrid bones and skins were nearly exhausted, and the *tripe de roche* very difficult to procure. The party daily grew weaker, their dishevelled limbs, their sunken eyes and sepulchral voices, betokened the fate that awaited them. Their mental faculties partook of their bodily weakness, and "an unreasonable pettishness with each other began to manifest itself." Two of their men died from exhaustion and there was not strength left in the rest to remove their bodies. "All they could do was to remove them into an opposite part of the house; and the living and dead remained in awful contiguity under the same roof."

In the midst of these dreadful sufferings, with death staring them in the face, these brave men were supported by an unwavering reliance on the mercy of God. "We read prayers," says Captain Franklin, "and a portion of the New Testament in the morning and evening, as had been our practice since Dr. Richardson's arrival, and I may remark, that the performance of these duties always afforded us the greatest consolation, serving to re-animate our hope in the mercy of the Omnipotent, who alone could save and deliver us." But relief was at hand.

On the 7th November, three Indians who had been sent by Mr. Back, arrived with provisions. On the 16th they had so far recovered their strength as to be able to proceed by aid of the Indians to the abode of Akaitcho, an Indian chief, who treated them with the greatest kindness. Provisions and clothing soon after reached them from Fort Providence. The following summer they returned by the usual route to Montreal and thence to England. Their travels in North America including voyage on the Arctic Sea exceeded 5500 miles

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FRANKLIN'S SECOND EXPEDITION TO THE POLAR SEA, 1825-6-7.

In 1824, the British Government determined to send another Polar expedition to complete the survey of the Northern coasts of America. Captain Franklin tendered his services to command the expedition and submitted a plan for a journey overland to the mouth of Mackenzie River, and thence by sea to the north-western extremity of America, with the combined object also of surveying the coast between the Mackenzie and the Coppermine Rivers." Dr. Richardson, his former companion in suffering, again offered his services as naturalist and surgeon, and volunteered to undertake the survey of the coast between the mouths of Mackenzie and Coppermine Rivers, while Captain Franklin should be engaged westward in an attempt to reach Icy Cape and Behring's Strait.

In this expedition they were enabled to profit by the experience of their first journey. Boats were constructed in England, of various dimensions adapted to the passage of rapids and other waters between York Factory on Hudson's Bay, and Mackenzie River, as well as for the navigation of the Arctic Sea. These were made of mahogany, with timbers of ash, yet so light, that the largest one, twenty-six feet

long and five feet four inches broad, and adapted for six rowers, a steersman and an officer, could be easily carried on the shoulders of six men. Their boats were shipped direct to York Factory and thence across the country, through the various rivers and small lakes, to await Captain Franklin at Methye River. Every man in the party was provided with water-proof dresses, and all that could add to their comfort and ensure the safety of the expedition, was procured.

The expedition sailed from Liverpool on the 16th of February 1825,—passed through New York, Albany and the great lakes to Lake Superior; thence through the Lake of the Woods and Lake Winnepeg to the Methye River where they overtook their boats on the 29th June. The season had so far advanced before they reached Mackenzie River that they determined to pospone the great expedition till the ensuing summer. They accordingly established their winter quarters on the banks of Great Bear Lake, by erecting substantial houses which they called Fort Franklin. Lieutenant Back, a young officer, who accompanied Franklin in his first expedition, superintended the arrangements here, while Captain Franklin determined to descend Mackenzie River, take a view of the Polar Sea, and return before the winter set in. This voyage he performed without difficulty and returned to his winter quarters on the 5th September. Dr. Richardson returned at the same time from some eastern explorations. In the meantime the Canadians and Indians were occupied in hunting and fishing, by which means abundant stores of provisions were secured for their winter's use.

The daily product of the nets during the autumn was eight hundred herring-salmon. A supply of fuel was also collected and piled up for use. The prospect before them was, therefore, very different from that which they had experienced in their previous winter residence in these regions. Nothing of importance occurred during their long winter. The officers instructed the men in reading, writing, and arithmetic during the long evenings, and divine service was held on Sunday, which was always kept as a day of rest.

On the 28th June the party embarked on the Mackenzie River. On the 4th July Capt. Franklin took the western channel where the river branched off towards its mouth, while Dr. Richardson took the eastern branch with his party. Large numbers of Esquimaux were met at the river's mouth with whom Franklin had a difficulty. They plundered some of his boats, and the quarrel would have terminated in bloodshed, had it not been for his great forbearance. The Esquimaux interpreter made a speech to his countrymen, in which he made known the great love which the white people had for them, which induced them to return much of the plundered property, and exacted a promise from them to behave better in future. The Esquimaux apologized by saying that "they had never seen white men before, and all the things in the boats were so very beautiful and desirable, that it was impossible not to steal them." The expedition proceeded along the shore of the Polar Sea with some interruption from the ice and fogs until the 16th August, when they had reached 150° W longitude, or about one half the distance from Mackenzie River to Icy Cape. A perceptible change had now taken place in the weather. Vegetation assumed an autumnal aspect, and ice began to form at night on the pools of fresh water. The Esquimaux lately so numerous had ceased to appear; the deer were hastening from the coast, and the migratory birds were winging their way to more genial climes. It was, therefore, resolved to return. Accordingly, on the 18th August the boats began their voyage eastward to Mackenzie River, which they reached without accident on the 4th September; and proceeding at once up that river, arrived in safety at Fort Franklin, where Dr. Richardson arrived a few days before.

Dr. Richardson in his exploration of the Polar Sea eastward from Mackenzie River met with no obstacles to retard his progress, and was enabled to accomplish his voyage to the Coppermine River, a distance of 500 miles, between the 4th July and the 8th of August He then proceeded up that river and reached the winter quarters of the party on the 1st of September. After a winter spent at Fort Franklin the expedition, in the following summer, returned by the usual route to England.

CAPTAIN BEECHEY'S VOYAGE THROUGH BEHRING'S STRAITS. 1825-26.

To co-operate with Parry and Franklin, it was determined by the British government to send an expedition to Behring's Strait. Capt. F. W. Beechey in the Blossom, a 24 gun ship, was destined for this service, and sailed from England on the 19th of May, 1825. A boat to be used as a tender, built as large as could be carried on the deck of the ship, was taken out. She was schooner rigged, decked, and fitted out in the best manner.

On the 22d July 1826, which was as early as it was desirable to be in the Polar Sea, Captain Beechey anchored in Kotzebue Sound, after surveying a portion of which, he proceeded to Chamisso Island, where he was directed to await Captain Franklin. Leaving the barge for the purpose of following the coast, he proceeded northward with his ship and passed Icy Cape. On the 17th of August, as the channel between the ice and the shore was not wide enough to trust his ship farther, he despatched the barge under the command of Mr. Elson to trace the shore as far eastward as possible. The barge proceeded as far as a prominent headland which was called Cape Barrow. This point, the most northerly part of the American continent yet formed the terminus to a spit of land discovered jutting out several miles from the regular coast line. It was now late in the season, and prudence dictated to the party that it was unsafe to proceed farther, as there was danger that the ice might close in upon them and prevent their escape. They therefore began a retreat towards their rendezvous, at Chamisso Island, which they reached on the 9th September not without difficulty, having been "thickly beset with ice, that threatened every moment to close with its impenetrable walls and cut off their return." The result of this voyage was the addition of an extensive line of coast to our Polar geography; and a comparison of notes shewed that but 146 miles intervened between the expedition of Captains Beechey and Franklin, who were on this coast at the same time. Captain Franklin afterwards asserted, that had he "been aware of the fact of his near proximity to the barge of the Blossom, no difficulties or dangers would have prevailed on him to return." It was the great object of his ambition to reach Icy Cape, and he doubtless would have accomplished it, or perished in the attempt.

The following year, Captain Beechey returned to the Arctic Sea, and endeavored to extend his survey beyond the point attained by him in 1826; but the severity of the weather obliged him to return before he had reached Icy Cape.

SIR JOHN ROSS'S SECOND VOYAGE, 1829-30-31-32-33.

In 1828, Captain John Ross whose name appears first among those who attempted to discover a North West Passage, and whose mistake in passing Lancaster Sound, lost to him the honor and renown which were gained by his successor Captain Parry, felt ambitious to resume the undertaking and make another effort to make this passage. He proposed to government a plan to explore the Polar Sea, with a steam vessel, but they were tired with an enterprise which had lost its novelty, and determined to send out no more expeditions for the purpose specified. Mr. Felix Booth a distinguished merchant of London prompted by a desire to promote the scheme of Captain Ross, then generously came forward, and advanced the amount necessary for the expedition.

The Victory steamer of 150 tons was accordingly equipped for the voyage. A great interest was excited in the enterprise and many officers in the navy tendered their services to Captain Ross. He gave the preference to his nephew Commander James C. Ross who had been in all the

late Arctic voyages. 22 men and an officer completed the party. With these he put to sea on the 7th of June, and on the 28th of July found himself off Disco Island. Their steam-engine proved a failure, for in the few instances in which they used it it did not propel her but a mile and a half an hour. On the 6th of August they entered Lancaster Sound, and with a favorable wind, two days after, reached the opposite shore of Prince Regent's Inlet on the 11th. Steering southward they came to the place where Captain Parry's ship, the Fury, was abandoned. Her stores they found in excellent condition, but every vestige of the ship had been carried away by the ice. After taking an abundant supply of provisions and coal, they worked their way slowly on, obliged to steer by the wind and sun; for the near proximity to the magnetic pole had rendered their compass useless. Enveloped in fogs, and surrounded by icebergs, their progress was full of difficulties and dangers, yet they forced on their little barque, and during the months of August and September had traced 300 miles of coast previously unknown, attaining a position within 280 miles of Franklin's Point Turnagain. By the end of September the snow fell thick; the thermometer sunk below the freezing point; huge masses of ice hemmed them in on every side, and on the 7th of October they went into winter quarters.

The usual preparations were now made for the winter; banks of snow were raised around the ship, and a roof of canvas placed on her. Her stoves kept up a temperature of 45° during the coldest weather, which was quite warm enough for health.

A party of Esquimaux took up their quarters near the ship, and a friendly intercourse was kept up between them. Some of these people exhibited much geographical knowledge, tracing out on paper the line of the coast for a great distance with remarkable accuracy. On speaking to them of the places visited by Captain Parry about Repulse Bay, they at once recognised them, and stated that they had lately been there. Captain Ross was unable to learn whether any passage existed to the Westward, though he was told that a great sea lay in that direction, which proved to be the case. They were afterwards told by the most intelligent natives that a passage existed far to the North, which was doubtless Barrow's Strait.

Several parties left the ship in April and May to explore the adjacent shores, accompanied by the Esquimaux as guides. The most important of these was one under the younger Ross, who, crossing the isthmus of Boothia reached the sea, the shores of which he traced to a point about 200 miles from the ship. The shore trended westward in the direction of Point Turnagain, but his stock of provisions would not permit him to reach it. He therefore, was compelled to return, reaching the ship on the 13th May, after an absence of 27 days.

Summer now came; the ice and snow melted with great rapidity; the country was inundated with water, and the surface of the ocean could not be traversed. All the efforts of the crew were directed to the extrication of the vessel. "But month after month rolled on; the height of summer passed, and the sea still remained bound in icy chains." August passed away and left them fixed to the same dreary spot where they had been for eleven months. On the 17th of September, "with a transport of joy, they found themselves free," and the gallant ship again moved forward about three miles, when her farther progress was arrested by a ridge of ice. The following day there was a heavy fall of snow, and in the evening a gale sprang up from the North, which continuing for three days, brought with it a crowd of floating ice and huge icebergs, crowding the whole together with the ship, towards the shore. A few days after they were frozen up and the sea presented an unbroken surface of ice. "It was," says Captain Ross' "as if the northern ocean were sending all its stores into this quarter," and then wedging them as firmly into the bay as the rocks themselves.

They were now frozen up for a second winter, and it was found necessary to lessen the usual allowance of provisions. Enough, however, was given to keep the men in health and vigour, which they preserved uninterruptedly during the season. It was, nevertheless, a dreary one, "the monotony of their situation pressing upon them with increasing severity."

In the spring, exploring parties were

again sent out. Commander Ross proceeded northward in search of a western opening but found none. Captain Ross and other officers went in other directions. The most important journey, however, was a later one performed by Commander Ross in search of the Magnetic Pole.

Calculations had been made by the learned, which placed this interesting spot in latitude 70° north, and longitude 98° 30′ west, and it was one of the objects of this voyage to discover the spot. In Commander Ross's journey the previous year, he passed within ten miles of it, but had not instruments with him to make the requisite experiments. "To this point, therefore, he directed his course. The journey was tedious and laborious, not only from the rigor of the season, and the ruggedness of the surface, but from the care with which he examined the country." On the 1st of June, he reached the spot where his own calculations fixed the Magnetic Pole, which was 70° 5′ 17 north, and longitude 96° 46′ 45 west. The instruments were put in motion and the amount of the dip of the needle found to be 89° 59′, being only one minute less than 90°, the vertical position, which would precisely have indicated the polar station; and the horizontal needles when suspended in the most delicate manner possible, did not shew the slightest tendency to move. He looked in vain for some object to mark the spot. "Nature had here erected no monument to denote the spot which she had chosen as the centre of one of her great and dark powers" Commander Ross erected a pile of stones and returned to the ship.

The summer of 1831 now arrived, and on the 29th of August the ship left her winter quarters. She was soon stopped by adverse winds and bad weather. A snow storm came on with a heavy gale, and they again found themselves completely surrounded with masses of ice. They watched an opportunity to escape through any channels in the ice that might be presented, but they watched in vain. On the 14th of September they were enabled to take exercise by skating on the new ice which had formed around them. A few days later, all hope of escape vanished and they found themselves fixed in the ice for a third winter, but four miles from their late winter station.

"The spirits of the adventurers now began to droop in earnest. They soon became sensible that, at all events, it would be perilous to wait another season in the hope of extricating the vessel, in which they could never return to England, and had no alternative but to abandon her amid the Arctic regions. Their only means of escape was to proceed in boats, or draw them over the ice, to the wreck of the Fury, when after supplying themselves with a fresh stock of provisions out of her stores, they might reach Davis's Straits, and return in one of the whale ships."

Up to this time the whole party had enjoyed excellent health. Now, the scurvy began to shew itself; yet the long and tedious winter was passed much as in previous years, and the spring found them ready to abandon their vessel. The stores of the Fury lay 180 miles off, in a direct line; but the windings which it would be necessary to make, increased the journey to 300 miles. There was no other hope of escape left for them but to reach these stores, and they determined to make the attempt.

On the 23d of April 1832, they commenced the labor of carrying their provisions, clothing and boats over the ice; but it was impossible to carry all, except by making many journeys. By the 21st of May they had accomplished but 30 miles distance to reach which their journey amounted to 329 miles. On leaving the Victory for the last time, they hoisted her colors, nailed them to the mast, and drank a parting glass to her. After the most fatiguing and incessant labor, in transporting their boats to a safe and accessible point, they made their way with their stores to Fury Beach, which they reached on the 1st July.

They now set to work, and built a house of canvas for their residence, until the ice permitted their leaving. The boats were next repaired and fitted; and they now awaited the moment when some channels of water would permit them to set out on their voyage. On the 1st of August there was an open sea to a considerable distance when they embarked, but the dangers to which they were constantly exposed from the masses of floating ice, obliged them

often to seek the beach for safety. On the 29th of August they reached Barrow's Strait, where they landed and pitched their tents. They attempted to run along the shore of the Strait with their boats but found it impossible. *The whole Strait was firmly closed with ice, and had been so during the whole summer.* Ascending the neighboring mountains, they saw an impenetiable barrier of ice before them, and that it would be impossible to reach the sea eastward. To return to Fury Beach was their only hope. On the 24th of September they retraced their steps, but were only able to get half-way in their boats, when they were stopped by the ice. They now hauled them high up on the beach for safety, where they left them; put their provision on sledges, and made their way to Fury Beach where they arrived on the 7th of October.

As the frail canvas house was to be their abode for the fourth winter, which had already set in with severity, they endeavored to make it comfortable by covering, and raising walls of snow around it. Stoves were set up and a temperature of 51° maintained. "But the winter as it advanced, proved one of great severity; and the slight walls could no longer keep up a comfortable heat." For food they were pretty well off. The stores of the Fury furnished them with a reduced allowance of preserved meats; but plenty of flour, sugar, soups, and vegetables. In February, the carpenter died of scurvy, and many of the seamen were attacked with the same disease. Their situation was now becoming awful, and unless liberated in the approaching summer, death was inevitable.

In April and May they carried forward to their boats a supply of provisions. To accomplish this many journeys were necessary, as in the previous year; and, although the distance to their boats was but 32 miles, their journeyings amounted to 256 miles. Having effected this, they returned to their canvas house where they remained until the 8th of July, when they set off, carrying with them the sick, and in four days reached their boat station. Here they anxiously awaited the breaking up of the ice. On the 15th of August a lane of water appearing, they launched their boats, embarked their provisions and stores, and got under way with a fair wind. They soon reached Barrow's Strait which they found open and navigable though obstructed with floating ice. They made rapid progress until contrary winds met them, which detained them four days. On the 25th they made Navy Board Inlet where they landed for the night.

The next morning a sail was seen. Signals were made but she did not descry them. A breeze sprang up and the sail soon vanished from their sight. A second soon after appeared. The weather became calm, when by hard rowing the boats approached so near that their signals were discovered. A boat was now seen coming from the ship, and on approaching, the mate asked them if they wanted aid, supposing them to be the crew of a whaleman, who had lost their vessel. On being asked by Captain Ross where their ship was from and her name, they replied that it was the Isabella of Hull, formerly commanded by Captain Ross. On being told that this gentleman stood before them, they replied that it must be a mistake, as he had been dead at least two years. Captain Ross soon satisfied them of the reality, when they hastened to the ship where he and his party received a most cordial reception. "Every man was hungry, and had to be fed; all were ragged and were to be clothed; it was washing, dressing, shaving, eating, all intermingled." Then came a thousand questions and the news of what had transpired in the world during their four years' absence. On the 13th of September they fell in with the fleet of whalers on the fishing ground, when all the captains came on board to welcome them, bringing presents from their stores. On the 30th, the fishery being no longer practicable, the Isabella left Davis's Straits, and on the 12th October reached Stromness. The news of the arrival of Captain Ross spread like lightning through the kingdom. for no modern enterprise of the kind had created so strong a sensation. All hope of their return having fled, they were now looked on as men risen from the grave. Crowds rushed to see them on their way to London. The officers were all promoted and eligible places given them. Captain Ross was knighted, and a committee of the House of Commons recommended a grant of £5000 to him for his services. In conclusion, it should be ob-

served that, notwithstanding the great hardships and exposure of the officers and men during the four years and a half they were absent, but two deaths took place.

CAPTAIN BACK'S JOURNEY TO THE POLAR SEA. 1833-4-5.

Captain Back was sent out by the British government at the head of an expedition in search of Captain John Ross, who had then been absent four years, and for the safety of whose party, great fears were entertained.

He left England in February 1833, and following the route of Captain Franklin, with whom he had been associated in his two land journeys, reached the eastern shore of Great Slave Lake, where he took up his winter quarters. The winter proved a severe one; and besides taking care of his own party, he was obliged to sustain a party of Indians which had reached his dwelling in a state of starvation. In April 1834, while preparing for his journey northward, Captain Back received despatches from England informing him of the return of Captain Ross. Nevertheless, agreeable to instructions, he made a journey to the Polar Sea by following a large stream, abounding in cataracts, since known as Back's River. He was unable to trace but little of the shore of the sea, and after many hardships, made his way back to his winter quarters. In the following year, he returned by the route he came, to England.

CAPTAIN BACK'S ATTEMPT TO REACH REPULSE BAY. 1836-37.

The object of this voyage was the same as that on which Captain Lyon had been employed in 1824. Captain Back's instructions were to proceed to Wager River or Repulse Bay, as he should find most expedient. On arriving there he was to leave his ship with an officer to be employed in making surveys and observations, and proceed with a large party across the intervening land to the Eastern shore of Prince Regent's Inlet. It was then to divide; one party to trace the shore of this inlet northward, while the other was to follow the coast line westward to the mouth of Back's River, and thence to Point Turnagain of Franklin.

The ship Terror was selected for the expedition, and a total of 73 officers and men made up the party. They left England on the 14th of June, 1836, and on the 28th of July, crossed Davis' Strait. On the 5th of September, they had reached lat. 65° 25′ opposite to Frozen Strait in Fox Channel, when they became fixed in the ice. The ship was tossed about among the broken ice for several weeks until a large floe or mass, got beneath her bottom and raised her high out of the water. Huge blocks of ice, and gigantic icebergs, attached themselves to, or were thrown upon the floe, while the ship lay in her icy cradle, unable, with all the efforts of her crew, to extricate herself from this dangerous position. November came, and finding themselves permanently fixed, Captain Back made his winter arrangements. Galleries and walls of ice and snow, were built around the ship for places of shelter as well as to protect her from the wind. This gave employment to, and furnished amusement for the men. But their situation was a dreadful one. At times, huge floes and icebergs were driven upon them by severe gales, crushing and grinding the floe or ice-island to which they were bound, threatening every moment to involve them all in a common destruction. In this situation they were tossed about at the mercy of the winds and waves during the whole winter. On one occasion they were driven near the rocky cliffs which bound these dreary and inhospitable seas,

expecting to share the fate of the icy masses which rushed by them, and were ground to atoms against the cliffs. But on they floated.

Late in February, "the crashing of the ice, the hoarse rushing sound, and the severe shocks against the ship" indicated a change, and it was soon found that a rent had been made in the ice, forming a continuous line of separation directly through the centre of the floe on which the ship was mounted.

"The ship now began to complain, and strained considerably under the counter. She then heeled over to port, and relieved herself about six inches from the starboard embankment against the side, making by the effort, gaping rents through the snow walls. At this time, the crashing, grinding, and rushing walls beneath, as well as at the borders of the floe, the rents and cracks in all directions toward the ship, herself suffering much, the freezing cold of 33° below zero, combined to render our situation not a little perilous and uncomfortable."

But the Terror was not now to be liberated. The ice gave way in part, only to give place to other floes and masses, which hemmed her in on every side, and were piled up around her in the same icy cradle in which she had so long been rocked. Away was she borne again in the midst of the ocean, enveloped in fogs and snow, her compasses useless, no one knew whither. The boats were several times got in readiness, and arrangements made in case of necessity to embark in them as a last resort, but they were mercifully spared this crisis.

In this state the ship remained until the 11th of July, when the ice was again rent asunder, and "a loud rumbling notified that she had broke her icy bounds, and was sliding down gently into her own element." "I know not," says Back, "how many cheers commemorated the occasion. It was a scene not to be forgotten by the spectators." The ship "crazy, broken, and leaky" as she was, now made her way to England as fast as possible, where she arrived in safety.

This sketch of the various Arctic Expeditions should not be concluded without mentioning the important services rendered by Messrs. Dease and Simpson. These gentlemen fitted out a boat expedition under the direction of the Hudson Bay Company, with which they completed the discovery and survey of the shores of the Arctic Sea, by connecting the discoveries of Franklin and Beechey west of Mackenzie's River, and those of Franklin, Back, and Ross, east of Coppermine River. These gentlemen made the longest voyage in boats, ever performed in the Arctic Seas. The explorations and discoveries of Dr. Rae about Repulse Bay and Boothia completing the survey of the shores about these regions are also of importance, and deserve to be mentioned here.

SIR JOHN FRANKLIN'S EXPEDITION, 1845-6-7-8-9-50.

In December 1844, Sir John Barrow, submitted a proposition to the British Admiralty and to the Royal Society for another expedition for discovery in the Arctic Seas, from which we make the following abstract:

Proposal for an attempt to complete the discovery of a north west passage.—There is a general feeling entertained in the several scientific societies, by individuals attached to scientific pursuits, and also among officers of the navy, that the discovery, or rather the completion of the discovery of a passage from the Atlantic to the Pacific, round the northern coast of America, ought not to be abandoned, after so much has been done, and so little now remains to be done, and that with our present knowledge no reasonable doubt can be entertained that the accomplishment of so desirable an object is practicable.

A brief sketch then follows of what had been accomplished by the several Polar expeditions:

"It may be presumed, therefore, that a distance of 300 leagues on a clear sea, keeping midway between Banks' Land and the coast of America, would accomplish an object which, at intervals during 300 years, has engaged the

attention of crowned heads, men of science, and mercantile bodies, whose expectations were frequently disappointed, but not discouraged." * * * Furthermore, Sir John Barrow observes, "that a final attempt to make a north-west passage would render the most important service that now remains to be performed towards the completion of the magnetic survey of the globe; and it is hardly necessary to say, that the geography and hydrography of this part of the Polar Sea would be a valuable addition to our knowledge of the globe, and well deserving the attention of a power like England."

The plan received a favorable consideration, and after a little consultation was adopted. Sir John Franklin had but just returned from Van Dieman's Land on the opposite side of the globe, having been governor of that colony for several years, and was at once given the command of the expedition. The ships selected were the Erebus and Terror. His second in command was Captain Crozier, (who accompanied Captain Ross in his Antartic expedition.) These, with 136 officers, seamen and marines made up the party. This expedition left England on the 19th of May 1845.

Their official instructions were to proceed up Lancaster Sound and Barrow's Strait to Cape Walker, a point noticed by Captain Parry from which the land trended southward. If an opening presented here, they were to avail themselves of it, and push on towards Behring's Strait. In case this course proved impracticable, their orders then were, to attempt the openings at the north of Barrow's Strait, particularly Wellington Channel, if it should be clear of ice, as it was when Captain Parry passed in his first voyage. He was then directed to proceed westward towards Behring's Strait.

To accomplish this, it was believed that three years would suffice ; and in case the expedition should be unsuccessful, the same period would be required in their endeavors to penetrate the several passages referred to. Provisions for three years were accordingly placed on board, and everything which could tend to the comfort and health of the party was added. The ships, too, were made strong, that they might withstand the pressure from the ice to which they would be subjected, and the most approved means were adopted to warm and ventilate them.

Considerable discretionary power was given to Sir John Franklin, notwithstanding these instructions, for they continue :

In an undertaking of this description, much must always be left to the discretion of the commanding officer ; and as the objects of this expedition have been fully explained to you, and you already have had much experience on service of this nature, we are convinced that we cannot do better than leave it to your judgment, in the event of your not making a passage this season, either to winter on the coast, with the view of following up next season any hopes or expectations which your observations this year may lead you to entertain, or to return to England to report to us the result of such observations, always recollecting an anxiety for the health, comfort, and safety of yourself, your officers and men; and you will duly weigh how far the advantage of starting next season for an advanced position may be counterbalanced by what may be suffered during the winter, and by the want of such refreshment and refitting as would be afforded on your return to England."

On the 26th July 1845, these ships were seen moored to an iceberg, in latitude 74° 48′, longitude 66° 13′ W., a point near by the middle of Baffin's Bay, and opposite Lancaster Sound, no doubt waiting for an opening through the floating or "Middle Ice," which is always found in this bay. This was the last seen of the ships.

The probability is that the middle ice was passed, and that the ships entered Lancaster Sound ; but what course they took afterwards is, of course, not known. No trace has been found of them on the shores visited by the various whaling vessels.

In the year 1848, no tidings having been received from Sir John Franklin, the British Admiralty and the friends of the intrepid navigator, determined to send out vessels for his succor. Three expeditions were accordingly equipped by the Government, to be dispatched in different directions.

The first vessel which sailed was the Plover, under Captain Moore. She left England on the 31st January, 1848, expecting to reach Behring's Strait by August, which would have given time for two months' exploration of the Arctic Sea. But proving a bad sailer, she only reached the Sandwich Islands on the 22d August, a period too late to make the attempt. Capt. Moore accordingly proceeded to the

coast of Kamstchatka, where he wintered.

The Herald, a surveying vessel employed in the Pacific, under command of Captain Kellett, was directed to join the Plover at some point near Behring's Strait. Capt. Kellett was ordered to take her under his direction, and search the Polar Sea north of that strait for Sir John Franklin.

The second expedition was placed under the command of Sir John Richardson, a gentleman who had distinguished himself in the overland expedition of Sir John Franklin many years before. His instructions were to proceed overland to Mackenzie's River; to follow that river to the Arctic Sea, and then with boats to examine the coast extending to the mouth of the Coppermine River, as well as the lands contiguous thereto. It was supposed that if Sir John Franklin had abandoned his ships and taken to his boats, or if he had sent out any parties to explore, they would have made every exertion to reach this coast. From this point they could proceed either to the Russian settlement at Colville River, or overland to Hudson's Bay or Montreal.

The third and most important division of the relief expeditions, was that under Sir James Ross and Captain Bird, in the ships Enterprise and Investigator. This expedition was directed to enter Barrow's Strait, to examine the prominent points of land as it passed up, particularly the points leading up Wellington Channel on the north and Cape Walker on the south, for traces of the missing expedition, and then to proceed westward towards Melville Island. On this division a much greater sum had been expended than on the others; the ships were provisioned so as to enable them to winter in the Arctic regions, which would give them two summers for their explorations. They were to follow the supposed track of Sir John Franklin; and, of course, great hopes were entertained of the success of the expedition.

The fourth and last division was simply a store-ship called the North Star, Mr. Saunders commanding. This vessel was laden with supplies for the Franklin expedition. "The main object of the voyage was, first, by replenishing the stock of provisions in the ships of Sir James Ross, to prevent the return of the Investigator, Capt. Bird, to England in the summer of 1849, in order that Captain Bird with his ship might continue to co-operate with Sir James Ross in prosecuting his search during the summer of 1850; and, secondly in case of not meeting with the Investigator or her boats, to land the necessary supplies at certain points on the south side of Lancaster Sound and Barrow's Strait. The preference was to be given to Whaler Point on Leopold Island. If these places were inaccessible, the supplies were to be left at Pond's Bay. This being accomplished, the North Star was then to run up to the head of Baffin's Bay and examine the openings known as Smith's and Jones's Sounds. "But it was ordered, and the order was reiterated," says Dr. Scoresby, "that the commander of the North Star should carefully avoid risking all hazard of being detained throughout the winter."

Such were the four expeditions sent in search of Sir John Franklin, from all of which we have heard except the last. Their results we will now proceed to state.

The Herald and Plover proceeded to Behring's Strait for their winter quarters, in the summer of 1849, arriving at Chamisso Island, their place of rendezvous within the straits, on the 14th of July; one vessel preceding the other by a day only. They were joined here by a private yacht, the Nancy Dawson, belonging to and commanded by Mr. Shedden. The object of this gentleman was to search for and aid Sir John Franklin. He was last from Hong Kong.

On the 18th of July they sailed on their voyage of research. Passing Icy Cape, a boat expedition was arranged and despatched on the 25th, consisting of the Herald's pinnace, decked over, and three other boats. The Nancy Dawson joined them; when this expedition of small craft boldly pushed its way into the Arctic Sea for some distance beyond Point Barrow. Here, according to instructions, they despatched two whale boats under the command of Lieutenant Pullen, fully provisioned and equipped for separate service. These boats were directed to proceed along, and examine the coast as far as Mackenzie's River for traces of the missing ships; and, if they attained that point, were to ascend the river to Fort Hope,

and return by the way of York Factory, a trading post on Hudson's Bay, in the summer of the present year.

The Herald, after despatching the boat expedition to Mackenzie's River, advanced to the northward, until the 28th July, when she reached the great field of pack ice, which stopped her further progress. This was in latitude 72° 51′ N. and longitude 163° 48′ W. From this time until the 17th of August, the ship continued to force her way along the edge of the pack, exploring the region between the extreme northern point of the American coast and the contiguous parts of Asia, when land was discovered from the mast head. The details of these explorations are given with minuteness in the official report of Capt. Kellett; but as they embrace no events of importance until land was seen, they are passed over. The particulars of the discovery alluded to are of interest, and are given in order to complete our narrative. The island visited was in latitude 71° 20′ N., longitude 175° 16′ W:

"In running a course along the pack towards our first discovery, a small group of islands was reported on our port beam, a considerable distance within the outer margin of the ice.

"The pack here was not so close as I found it before. Lanes of water could be seen reaching almost up to the group, but too narrow to enter unless the ship had been sufficiently fortified to force a hole for herself.

"These small islands at intervals were very distinct, and were not considered at the time very distant.

"Still more distant than this group (from the deck) a very extensive and high land was reported, which I had been watching for some time, and anxiously awaited a report from some one else.

"From the time land was reported until we hove to under it, we ran 25 miles directly for it. At first we could not see that the pack joined it, but as we approached the island we found the pack to rest on the island, and to extend from it as far as the eye could reach to the E. S. E.

"The weather, which had been fine all day, now changed suddenly to dense clouds and snow showers, blowing fresh from the south, with so much sea that I did not anchor as I intended.

"I left the ship with two boats; the senior lieutenant, Mr. Maguire; Mr. Seemann, naturalist; and Mr. Collinson, mate, in one; Mr. Goodridge, surgeon, Mr. Pakenham, midshipman, and myself in the other, almost despairing of being able to reach the island.

"The ship kept off and on outside the thickest part of the loose ice, through which the boats were obliged to be very careful in picking their way, on the S. E. side, where I thought I might have ascended. We reached the island, and found running on it a very heavy sea; the first lieutenant, however, landed, having backed his boat in until he could get foothold (without swimming,) and then jumped overboard. I followed his example; the others were anxious to do the same, but the sea was so high that I could not permit them.

"We hoisted the jack and took possession of the island with the usual ceremonies, in the name of her most gracious Majesty Queen Victoria.

"The extent we had to walk over was not more than 30 feet. From this space and a short distance that we scrambled up, we collected eight species of plants; specimens of the rock were also brought away.

"With the time we could spare and our materials, the island was perfectly inaccessible to us. This was a great disappointment to us, as from its summit, which is elevated above the sea 1,400 feet, much could have been seen, and all doubt set aside, more particularly as I knew the moment I got on board I should be obliged to carry sail to get off the pack and out of the bight of it we were in; neither could I expect at this late period of the season the weather would improve.

"The island on which I landed is four miles and a half in extent east and west, and about two and a half north and south, in the shape of a triangle, the western end being its apex. It is almost inaccessible on all sides, and a solid mass of granite. Innumerable black and white divers (common to this sea) here found a safe place to deposit their eggs and bring up their young; not a walrus or seal was seen on its shore, or on the ice in its vicinity. We observed here none of the small land birds that were so numerous about us before making the land.

"It becomes a nervous thing to report a discovery of land in these regions without actually landing on it, after the unfortunate mistake to the southward; but so far as a man can be certain, who has 130 pairs of eyes to assist him, all agreeing, I am certain we have discovered an extensive land. I think, also, it is more than probable that these peaks we saw are a continuation of the range of mountains seen by the natives off Cape Jakan (coast of Asia), mentioned by Baron Wrangell in his Polar voyages. I returned to the ship at 7 P. M., and very reluctantly made all the sail we could carry from this interesting neighborhood to the south-east, the wind at the time allowing me to lie just clear of the pack.

"August 18.—Towards the morning we had a very strong wind, with constant snow storms and excessive cold. The wind having changed to the northward left me no choice but to return to my rendezvous for the boats."

No traces of Sir John Franklin were met with by the Herald, the Plover, or their boats, as far as heard from. The Plover was then equipped and provisioned for the winter, and after making other researches, was directed to take up her winter quarters in Kotzebue Sound. From this place Captain Moore will continue his explorations during the summer of 1850, in search of the missing expedition.

The second expedition in order is that of Sir John Richardson. This gentleman, accompanied by Dr. Rae, left Liverpool on the 25th of March, 1848, arrived in New York a fortnight afterwards, and proceeded at once to Montreal. Here he was joined by 16 Canadian voyageurs, provided by Sir George Simpson, when the party proceeded on their journey by the way of Lakes Ontario, Erie, Huron, Superior, Lake of the Woods, and Lake Winipeg, reaching Cumberland House on the 19th of June. A few days after, Sir John overtook the party which left England before him, under Mr. Rae, and had come by way of Hudson's Bay. This party consisted of 16 Canadian voyageurs, with a large batteau, four boats brought from England, with their crews of five seamen and fifteen sappers and miners. The provisions and stores for the expedition were also brought by this party. On passing the last portage, the two canoes, with their crews, were sent to Canada. The party again divided on reaching Mackenzie's River. Sir John Richardson and Mr. Rae proceeded with two boats and their crews down Mackenzie's River, while Mr. Bell, with the remainder of the party, took the winter stores and hastened to Great Bear Lake, to establish a fishery, as well as to erect dwelling-houses and storehouses for the whole party, when it should assemble for its winter quarters. Two men were also despatched to the mouth of Coppermine River, there to hunt and await the arrival of the boats.

Sir John reached the sea on the 4th of August, and had an interview with about 300 Esquimaux, who were collected to meet him, having been apprised of his coming by signal fires lighted by their hunting parties on the hills skirting the river. The distance from Point Encounter where they met this party, to the mouth of Coppermine River, including the large inflexions of the coast line, is upwards of 600 miles; and as they had almost constantly head winds, they rowed along near the shore. Their communications with the Esquimaux, assembled on the headlands to hunt whales, or in pursuit of reindeer, were frequent. They came off to the boats with confidence, and through the medium of an Esquimaux in the party of Sir John, who spoke good English, they were able to converse freely together. These Esquimaux invariably told them that no ships had passed, and were rejoiced to learn by the inquiries made of them, that there was a prospect of their seeing more white men on their shores. Up to Cape Bathurst, or about one third of the distance between the Mackenzie and Coppermine, the Esquimaux informed them that for six weeks of the summer, or, as they expressed it, for the greater part of two moons, during which they were chiefly occupied in the pursuit of whales, they never saw any ice.

At Cape Bathurst they erected a signal post, and deposited a case of pemmican. Similar deposits were made on other prominent points.

After rounding Cape Parry, they observed for the first time on their voyage, flows of drift ice, which increased as they advanced. No Esquimaux were seen here, though traces of them were noticed.

On the 22d of August the weather suddenly changed, and became cold. Snow storms were frequent, and the progress of the boats was much impeded by the new ice. After much labor, in hauling the boats over the ice, in making portages along the shore, and with the aid of occasional spaces of water, the party succeeded in reaching a point near the mouth of Coppermine River by the end of the month. Here they left their boats, buried their provisions and ammunition, and on the 3d of September, with thirteen days' provisions, set out on foot for their winter quarters, at Fort Confidence, which they reached in safety on the thirteenth day.

In the spring of 1849, Mr. Rae volunteered his services, with an excellent crew of experienced voyageurs, to proceed to the mouth of the Coppermine River, there to take their boats, and about the middle of July, at which time the sea is open, explore the region northward. His intention was to cross over to Wollaston Land, and endeavor to penetrate to the northward, erecting signal columns, and making deposits on prominent headlands, and especially on the north shore of Banks' Land, should he be fortunate enough to reach that coast. He was directed to return during the summer; also to engage one or more families of Indian hunters to pass the summer of 1850 on the banks of Copper-

mine River, to be ready to assist any party that may direct their course that way.

The results of the third expedition, or that under Sir James Ross, comes next in order. He sailed from England on the 12th of May, 1848; entered Baffin's Bay early in July; and left the Danish settlement of Upernavik on the 13th of the same month. He met with great difficulty in passing the middle ice, and it was not till the 20th of August that he succeeded in reaching the clear water in latitude 75½ degrees north, and longitude 68 degrees west. The ships now proceeded to the western shores of Baffin's Bay, which they followed, and closely examined for traces of Sir John Franklin. Signals were erected on all the prominent points, and casks were thrown overboard containing papers with information for the missing party, should they discover them. The shores of Barrow Strait, both north and south, were examined, as well as the entrance to Wellington Channel, which was closed with ice, and did not appear to have been open during the summer. Their progress westward was also stopped by the pack ice, which stretched across Barrow Strait, so that the only alternative seems to have been to secure a harbor for the winter in Leopold Island, into which the ships entered on the 11th of September, 1848.

On the 15th of May, 1849, Sir James Ross left the ship with Lieut McClintock and a party of twelve men, taking 40 days' provisions. These, with the clothing, were lashed to two sledges. The party followed the shore of North Somerset, westward to Cape Rennel, when the land trended to the south west, and afterwards to the south. They followed all the indentations of the coast until the 5th of June, when, having consumed more than half their provisions, and several of the party being disabled, they abandoned further operations. Returning, they reached the ships on the 23d of June, after an absence of 40 days.

During the absence of Sir James, other parties were sent out to explore the north shore of Barrow Strait; the east of Prince Regent's Inlet; and a third to examine a portion of its western shore. Very little was accomplished by these parties. No traces of the missing ships were discovered by either Sir James Ross or the other exploratory parties referred to.

During the winter a great many white foxes were taken alive in traps set for the purpose; and as it is well known how large a tract of country these creatures traverse in search of food, copper collars, upon which a notice of the position of the ships and depots of provisions was engraved, were clenched around their necks, when they were set at liberty. It was hoped that intelligence might, by this means, be conveyed to the crews of the missing vessels.

The season being late, without a prospect of immediate release from their winter quarters, Sir James Ross employed his men in sawing a canal two miles long through the ice, wide enough to admit the passing of the ships. Even by this means, which was attended with immense labor, he only reached the open sea and liberated his ships on the 28th of August.

Sir James now intended making all haste to reach a westerly point and, if possible, Melville Island, during the short season that remained; but he had gone but twelve miles when his further progress was arrested by fixed pack ice, which had not broken away during the season. He watched an opportunity to push his way through any opening that might be presented, when a strong wind from the westward brought the whole pack down upon, and closely beset the ships. All attempts to extricate themselves proved fruitless. Vast fields of ice and gigantic icebergs surrounded them for miles in all directions, and they soon perceived that the whole body was driving eastward, at the rate of eight or ten miles a day. "Every effort on our part," says Captain Ross, "was totally unavailing; for no human power could have moved the ships a single inch." In this manner they drifted until the 25th of September, by which time they had been carried completely through Barrow Strait into the centre of Baffin's Bay. Here new dangers attended them; tossed about among the icebergs of that boisterous sea, and surrounded by a field of ice 50 miles in circumference, they were in fear of being carried to the western shore of that bay, and crushed among its innumerable icebergs. But on the day named, the great ice-field was rent asunder, and the ships made their escape to the eastward.

Another season had now passed; all the harbors were closed with ice, and it was too late to recross the pack. The only alternative was to return to England, where they arrived early in November.

Thus terminated an expedition on which the hopes of the English nation were centred. It was the best arranged of any division sent in search of Sir John Franklin; and the seas Sir James Ross was directed to penetrate and examine were those wherein Sir John was believed to have passed, and, if still living, where it was believed he could be found. But misfortune seems to have attended the expedition from its start. The first season was spent in passing the middle ice of Baffin's Bay, and they barely reached Leopold Island in time to secure a winter harbor. The selection of this was unfortunate, as the ice remained in it during the whole summer; and a month before Captain Ross made his escape, whaling ships were in sight of it or had passed it. The last and most serious disaster was in being swept from their exploring field at the moment they entered it; for it is probable that, had the expedition remained in its harbor at Leopold Island a few days longer, until the great field of ice had passed, it would have found an open sea to the westward.

From the foregoing it will appear that there are now three parties in the Arctic Seas in search of the missing ships.

1. The North Star store-ship. This vessel has already been in these seas one season. She was last seen on the 19th July 1849, in latitude 74° 3′ N., longitude 59° 40′ W., waiting for a passage round or through the middle ice of Baffin's Bay. It is to be hoped she succeeded in reaching some point beyond that attained by Sir James Ross up Barrow Strait, or that she has passed up Wellington Channel. Her return will be looked for during the approaching season or autumn with much interest.

2. The party under Dr. Rae. This expedition was to be at the mouth of Coppermine River on the 1st of July, 1849, or at a period when he might avail himself of the earliest opening of the ice in the Polar Sea to push forward with his boats through the passage between Wollaston and Victoria Lands; and from thence work his way towards Cape Walker on Barrow Strait, and Banks' Land. Much will be expected from this enterprise. Dr. Rae will have a full season before him, and it is believed with confidence, that the addition he will make to our Arctic geography will be greater than that of other recent Arctic navigators. If Sir John Franklin was successful in reaching Cape Walker, and in passing south or west of that point, some trace will be discovered of his expedition. As this party intended to return to some post on Hudson's Bay before the winter set in, the result of their examination will reach England in April or May of the present year.

It appears by a recent despatch of Sir George Simpson, Governor of the Hudson's Bay Company, that Dr. Rae has been instructed to continue his examination in the Arctic Sea, and along its shores during the present year. To send out two expeditions, one to be commanded by himself. One of these is to examine such portions of the region lying between Banks' Land, Cape Walker and the Coppermine River, as had not been visited in 1849; the other to be despatched from the mouth of Mackenzie River. Rewards were to be offered to the Esquimaux and the half-breed Indian hunters of Mackenzie River, to search for some vestige of the missing expedition.

3. The Plover, under Captain Moore. This vessel wintered in Kotzebue Sound, north of Behring's Strait, and will continue her explorations during the present season in the seas of that quarter.

4. The party despatched from the Plover and Herald, near Point Barrow, under the command of Lieutenant Pullen. This consisted of two whale boats 27 feet in length, and one *baidar*, a boat made and used by the Esquimaux, manned in all with fourteen persons. They were provided with provisions for 100 days, besides a quantity of pemmican to be deposited for any of Sir John Franklin's party which might reach the coast. Lieutenant Pullen's instructions were to examine the coast of the Arctic Sea to Mackenzie's River. He was then to ascend that river, and make his way to York Factory on Hudson's Bay.

5. In addition to these three parties which were left in the field last year, other expeditions of greater magnitude are in progress of preparation in England, or have already taken their departure for the Arc-

tic regions. The ships *Enterprise* and *Investigator*, lately under the command of Captain Sir James Ross, have already been refitted, and were despatched from England on the 12th of January; the Enterprise, under command of Capt. Collinson, and the Investigator under Lieut. Maclure, who served in the Enterprise in her late voyage. Measures have been taken by the Admiralty to give these vessels the aid of steamers in passing the Straits of Magellan and on to Valparaiso, in order to quicken their voyages and enable them to reach Behring Strait in time for continuing the search for Sir John Franklin during the present season. Should information be received from the missing expedition, or any further light be thrown upon it by other expeditions now out, additional orders are to be sent by Panama to meet the ships at the Sandwich Islands.

But the efforts to render succor to the missing ships do not end here, as the search within Behring Strait is to be continued until the close of the summer of 1853. This search will be committed to Captain Moore with the Plover beyond the time prescribed to Captain Collinson for his operations. Such a course seems necessary for the purpose of affording relief to Sir John Franklin or any of his party who may reach that region, as well as for affording aid to or co-operating with other expeditions.

6. The last steamer from England brings advices that the British Admiralty have decided on two more expeditions to be sent out during the present spring, as follows. The first will consist of two sailing ships, the *Baboo* and *Ptarmigan*, and two steamers, the *Eider* and *Free Trader*. These will be sent to Barrow's Strait and adjacent localities under the command of Captain Austin, who acted as first Lieutenant of the *Fury*, in Parry's third voyage in 1824.

These vessels will have a crew of 30 men each and will be fitted and stored with full three year's provisions.

7. The Admiralty have also planned another expedition, of which Captain Penny, late of the Advice whaler, is to have the command. This will consist of the Lady Franklin and Sophia, which will also be fitted with three years' provisions, and will have a complement of 50, being 25 for each ship. Captain Penny left town last evening for Aberdeen and Dundee, to personally superintend the fitting of his vessels; and it is expected that he will be ready to sail for Jones' Sound by the first week in April.

8. It is also stated in a late London paper that the veteran Polar navigator, Sir John Ross is pushing on his expedition, and yesterday proceeded to Troon, Ayrshire, on the Clyde, to purchase a new vessel not yet launched. Mr. Abernethy, late gunner of the Enterprise, it was stated, was to accompany the gallant officer. The question of security to the crew of his vessel for their pay has been raised in many quarters. It is said the vessel is to be insured, if any office will take her; and should she return she will be sold, and the proceeds will form the means of paying the wages.

Thus, it will be perceived that there are now, and will be, in the field during the approaching summer, eight different expeditions, embracing twelve vessels, including two steamers and two parties in boats; all devoted to the noble and praiseworthy object of affording assistance to or rescuing Sir John Franklin and his associates from their ice-bound and dreary home.

The Rev. Dr. Scoresby, whose long experience in early life in the Greenland Seas, aided by much valuable information collected in his voyages there and by subsequent scientific investigations, has thrown out some considerations for the discovery and relief of the missing ships, which seems more feasible and more likely to be attended with favorable results than any before projected. His plan is to procure two vessels, such as are used for whaling; two smaller craft of about 100 tons burden, or less; and a well equipped boat, to be managed as follows:—

"The largest vessel of the series (which might be a whaler) would be appointed to take position in, or not remote from Port Leopold; another vessel—say the next largest—might take up a position as a second depot and place of refuge, at Melville Island. A third—a small vessel—would be directed to the west side of Cape Walker, for penetrating from thence, as far as she conveniently might, to the south-westward, should the position of the land and the condition of the ice permit in that direction. The other small vessel would have assigned to her the search of Wellington Channel, and other inlets proceeding out of Barrow's Strait northward; whilst the boat being dropped, after the passage of the 'middle ice,' might undertake, with great advan-

tage, the researches which are still requisite within the different indents of the upper part of Baffin's Bay (principally that of Jones's Sound, and secondarily that of Smith's Sound, with any other penetrable channels that might be discovered), such inlets seeming to promise additional outlets, westward, after the manner of Lancaster Sound.

"The boat, acting independently, would be no burden on, or incumbrance to, any of the exploring vessels. . . . . . The boat would seek its own safety at the close of its operations, by going up to the refuge-ships at Port Leopold, or by endeavoring to join some one of the whalers, by which the boat's crew might obtain a passage home."

From these vessels parties might be sent off in various directions, and examine a wider field than has yet been explored. Even if they traversed the distance which Sir James Ross went on foot during the spring of 1849, before he left Leopold Island, much might be accomplished. He then explored 500 miles of coast in the space of forty days, and on his return, had the whole summer before him. But his efforts were confined to releasing his ships from their winter harbor, with a view of penetrating westward, and of course small parties could not be spared for separate explorations. With vessels stationed at prominent places, as suggested by Dr. Scoresby, to be employed for depots of provisions, and as rallying points for the crews of the smaller vessels, as well as for their winter quarters, more could be accomplished in an examination of the Arctic regions, with a view of relieving Sir John Franklin, than by any other plan. Even if they fail in attaining their object, they will then have acquired more geographical information than has been accomplished by any previous expedition.

We are strongly impressed with the opinion, that if the barrier of floating ice which exists in the higher latitudes of the North Polar sea can be passed, that an open and unobstructed sea may then be found. Dr. Scoresby, as has been stated, once passed this barrier, which was not at that time broad, when he entered an open sea. Sir Edward Parry, in his attempt to reach the Pole over the broken ice, found this ice moving southward in a body, so that after an arduous journey of 10 or 15 miles, he found by observation that he had not gained more than a third that distance. The barrier on this occasion and at this place, must have been very wide, or he would have passed it and reached the clear sea beyond. Throughout all the Arctic Seas the course of the currents are southward; hence, when the ice is loosened and broken up, it moves with the current. A similar barrier was found in the Antarctic Seas, which was crossed by Captains Wilkes and Ross, and open water found beyond. Now, if Sir John Franklin in passing up Wellington Channel, crossed this barrier (supposing the sea to exist north of that channel), he may have passed far to the west, and we may hear of him beyond Behring's Strait, or off the northern coast of Siberia. In these seas he would find whales and seals, which would support his party for a long time.

In the United States a deep sympathy is felt for Sir John Franklin and his brave associates, and numerous appeals have been made by the press to the Government and to philanthropic individuals in his behalf. The President has already sent a message to Congress, recommending the fitting out of an expedition to be sent in search of the bold adventurers who have perilled their lives in the cause of science. Many officers of our Navy have applied for the honor of commanding the expedition, or of accompanying it; and it now only awaits the tardy action of Congress before equipping the ships.

But this is not all. While the country is awaiting the slow movements at Washington, Henry Grinnell, Esq., a noble and public-spirited merchant of New York, has come forward, and proposes to furnish, at his own expense, two vessels of 100 tons each, well equipped and provisioned, for the Arctic Seas. To render them more efficient, he offers to place them at the disposal of the Secretary of the Navy, to be officered and manned by him. These vessels will be despatched early, so as to be in Lancaster Sound as soon as it is clear of ice, and to search the various openings into Barrow's Strait at the earliest period possible.

In conclusion, it will be asked, What are the prospects that Sir John Franklin and his party survive? These it will be proper to consider.

The expedition took full supplies for three years. It has been absent nearly five years. If it appeared to Sir John that he

might be kept in the Polar regions longer than his provisions warranted, he might, by lessening the allowance, make them last four years. And when his provisions were entirely exhausted, it is believed that he might, by fishing and the chase, procure a supply for his entire crew. This, of course, depends very much upon his situation. Some portions of these regions abound in game, while others are nearly destitute. Capt. Parry, during his stay of nearly twelvemonths at Melville Island, added the following game to his stock of provisions:—3 musk oxen, 24 deer, 68 hares, 53 geese, 59 ducks, and 114 ptarmigans; amounting in weight to 3766 lbs. of meat, or 3 1-2 pounds per month to each man. All this was obtained with but little effort, as hunting parties were occasionally sent out. Further south, on Victoria and Wollaston Lands, game is abundant. Here thousands of deer resort every spring, and game of every kind is plenty. Seals too, are common in these seas, and are easily shot, their curiosity rendering them an easy prey to parties in boats. Again, we have an example of Mr. Rae, who, while employed in Arctic explorations, was obliged to spend the winter on the shores of Repulse Bay. His only fuel consisted of the withered tufts of an herbaceous andromeda, and his whole party maintained themselves by the chase alone during a whole year.

With men of robust constitution, (and none other have been, or should be selected for these polar voyages,) the climate does not disagree. The deaths have been no more, if as many, as they would be under other circumstances. Parry, in his first voyage of eighteen months, lost but one man out of his crew; and Ross, notwithstanding the severe hardships and suffering of his party, shut up for four winters among the ice, one of which was passed in a canvas house, lost but two men. If whales or seals, therefore, can be found, there is no doubt but Sir John Franklin and his party may subsist for years. They would suffer most for the want of vegetables, but it is known that he was well provided with anti-scorbutics; and during the summer season, sorrell, which is the best anti-scorbutic, is found in abundance on the islands north of Barrow's Strait.

There may be reasons why the party have not abandoned their ships and sought the shores of the Arctic Sea, near the Coppermine and Mackenzie Rivers, whence they might proceed to the trading posts. In the first place, if they passed up Wellington Channel, they may be too far north to run the risk of attempting a journey on the ice, but would prefer remaining with their ships, in the hope that they might be able to escape during the summer. They may have attained a point far to the westward towards Behring's Strait, where they are surrounded by the ice, and from which there is no escape, except with their ships. If here, they would be in the midst of whales, on which they could subsist for years. Sir John Ross, it will be remembered, was shut up for years in the Arctic seas, and finally escaped; and we may entertain strong hopes that Sir John Franklin will yet return. It would be an extraordinary event to annihilate two ships, with 138 men, so completely that none should escape; that none of them should have reached the Esquimaux, or be seen by them; or that no trace or fragment of the ships should be left or discovered. Vessels, it is true, are often wrecked and crushed by the ice in the Polar Seas, but it is very rare that the crews perish; in fact, no recent cases are on record.

Since the foregoing was in type, advices have been received by Anthony Barclay, Esq., British Consul at New York for Minesota, that intelligence had been received overland from the expeditions under the command of Lieutenant Pullen and Dr. Rae; and that they had fulfilled their instructions without finding any traces of the missing ships. The course which the former was to pursue is known; but with the extent of Dr. Rae's explorations we are not yet informed. If he reached Banks' Land and Cape Walker, it is then almost certain that Franklin did not reach either of these points, but entered some of the openings on the northern side of Barrow's Strait, probably Wellington Channel. This opinion we have entertained from the beginning, inasmuch as it presented more flattering prospects for reaching the west, than any other yet known. In this direction he has not yet been sought, and it is to be hoped that the expeditions now fitting out will send exploring parties into every opening north of Barrow's Strait.

EVERSTONE.

BY THE AUTHOR OF "ANDERPORT RECORDS."

(Continued from page 511.)

CHAPTER XII.

WE looked over Somers' shoulder when, in the *dishabille* of an invalid, he opened the first missive that came from his Northern client. After an interval of something like two months he receives a second. The note lies spread open on his office table at Daylsborough, and invites inspection :

"DEAR SIR—My daughter has contracted to purchase from Caleb Schrowder his adjoining tract of land, the metes and bounds of which you are well aware of. The price is nine dollars per acre. She requests, sir, that if your engagements permit, you will be good enough to draw up for her in proper form, (but without any clause of warranty) a deed of bargain and sale. Hoping to hear from you at your earliest convenience, I remain,

Sir, your very obedient Servant,

April 20th. SYLVESTER NEWLOVE."

It is unquestionably a laconic document, but seems to have been composed in the much recommended *suggestive style,* for it formed the text of a pretty long cogitation.

"*There!*" said the lawyer, in his soliloquy, "It has come at last. I had a presentiment of it—fate can't be shunned.—I was destined for this plaguy suit, and struggle hard as I may, it will stick to me. Oh, it is horribly vexatious! Everything just made up so nicely with Sidney! and if I get into the affair again, it will be a thousand times worse than before. I have told them I was perfectly disengaged, and would never be dragged a second time into such a predicament. What will they say if, as a sequel to these fine assurances, Richard Somers should re-appear in the ugly shape of Counsel for the Northerners? Old man Everlyn, too, is so excessively touchy; you never can make him cool enough to understand the necessities of a lawyer's position, and if I attempt to explain the matter, the only effect will be to work him into a resolution to take no unfortunate wretch of a Barrister for his son-in-law. Did ever man see the like of it? Here I have been this month and more, trying my best to keep out of the way of the Newloves. Manytimes I have even refrained from visiting Sidney, lest I should happen to meet some Yankee face on the road. I have had a desperate tug with conscience—for it is certainly a downright shame not to acknowledge their forbearance and consideration—still I've shut my eyes to civility, propriety, even to common decency, and now I see all the results of my efforts swept away like a vapor!"

A man in a home-spun coat, at this moment, entered the office, and informed the lawyer of some mighty grievances for which he sought a remedy.

"Your boys have been dogged, you say;" replied Somers, "who had it done?"

"That Yankee neighbor of mine, in course. He was friendly and sociable at first, and I joined fences with him; but if you take notice, Mr. Somers, it always costs more than it comes to, to have any fellowship with a Northerner."

The man, having had his say, withdrew.

"He's right;" muttered Somers. "Yes, I am sure I have found it to cost more than it comes to! I would give all the fees Newlove has paid me, and a hundred more like them, never to have seen his face, nor his daughter's either. Yet she's a right spirited little girl, after all, to be buying out Scrowder at such a gloomy time. I declare I admire her for it! She deserves something better than the ruin which is hanging over her; I must turn to once more, and save her from it if possible. *But Sidney?* Ah, me; I can't help it!" And the lawyer—on my conscience, reader, I am stating no more than the simple truth—heaved a genuine sigh.

Somers sat down and prepared the deed according to request. He read it over, supplied the stops, and then folding up the paper with the utmost precision, laid it away in one of the pigeon-holes of his desk.

Bearing in mind the next morning, that the stage coach with the mail would soon pass through the village, he thought of enclosing the deed to Mr. Newlove. "What more can be necessary? They only ask for the conveyance, and there it is. He did not say that my presence was wanted. I am not bound to look beyond the letter of my instructions. '*Qui hæret in litera hæret in cortice*'—so be it, I am perfectly content to remain on the outside."

Notwithstanding this satisfactory reasoning, the deed was not then sent The morning following the process was repeated, but with no additional result, except that an envelope was put on. Still another day came, and he had gathered sufficient resolution to write the address. In that condition the document remained a whole week, at the end of which period Somers deposited it in the breast pocket of his coat, and locking his office door, sprang upon the back of his good horse Mansfield. He ambled along as other travellers do, who go with a divided mind, till he recognized off to his right, the hill-top above Everstone, which had been the scene of his re-admission into the favor of Sidney. The road which he had now to pursue led him away southward. As he turned, vexation grew strong upon him. Somers was not perfect. His legal discipline had done something towards correcting the defect of a hasty temperament, yet nature was by no means expelled. In the present instance, he had made up his mind to go through a certain course of conduct. An imperative sense of duty forced him to the task, but could not force him to regard that task as pleasant and desirable. He went to do a good deed in an ill mood.

Emma, from her window, saw him riding up to the door, and her heart beat quick. She felt relieved, as at the prospect of strong and ready succor. Hitherto, she had stood alone in her trial, now she might expect kind consolation, and wise advice. Immediately, she descended and waited in the parlor the arrival of the visitor.

He entered, uttered a brief salutation in a tone neither warm nor cold, but unsatisfactory, and took his seat.

Emma was quite abashed, and the eager words which her first emotion of joy had prompted, died upon her tongue.

"I have brought you," said the lawyer, drawing forth his packet, "the legal document prepared in accordance with Mr. Newlove's note."

She received it, and bowed in silence.

There was perfect stillness for some moments; then he said, "I have received another communication from your father—I got it a good while ago—previous, in fact, to my return to the county."

"Well, sir," Emma took courage to say, "I hope you were gratified by its contents."

"Gratified, indeed! was it such excellent good news, to hear that you had all taken the case in your own hands, and were about to make an upset and crash of the whole affair? I left you in a tolerably good plight; how matters now stand, it is not worth while to say. I had taken some pains in the business, and did not expect to have them altogether wasted. But what boots it? If the parties most interested are pleased with the change, I am sure I have no right to complain. Yet 'tis a pity I was not informed of your inclination at the first. If you were anxious to lose the suit, I could have shown you the way to do it with a somewhat better grace. Yet, perhaps, a striking denouement was a desideratum—if so, the end, I must confess, seems likely to be obtained. Most bold, indeed, has been the management, and not more bold than brilliant. To whom am I to give the credit of it—Mallefax or

your father—or possibly it belongs to the judicious Schrowder ?"

"Blame no one, Mr. Somers, but me."

"Blame! Excuse me; I don't blame anybody—I only intended to pay a compliment to skill and energy. I am glad, however, that no legal personage is the author of the happy scheme. I should dread to have such a rival at the bar. It is bad enough to be discarded at all, but it would be worse degradation to know that I had been supplanted by Mallefax."

"Surely, sir," exclaimed Miss Newlove, "you are not in earnest in this misconstruction of my father's letter. It cannot be that you are unaware of the motive which prompted it."

"The words of the letter," replied Somers, "expressed a wish to relieve me from embarrassment."

"And is not that, sir, a sufficient justification in your eyes ?"

"Oh, the intention was well enough, if the practical effect had only corresponded. Just look at the state of things. I had faith in the declaration of the letter, and went about like a free man, telling the Everlyns they had no longer any right to treat me as an enemy. Indeed, I have not patience to repeat all the folly I was betrayed into. And now, when I am to turn about like a weathercock and give the lie to everything I have been saying, can you expect me to be very grateful for the scheme which has involved me in such awkward inconsistency ?"

Emma drew herself up proudly, and answered, "I am too well aware, Mr. Somers, of the weight of obligation under which we lie to you, ever to have regarded the returns we have sought to make, as evincing anything more than a disposition to discharge the plainest of duties. The release from your engagement, which that letter conveyed to you, could in no event have been worthy to excite so high a sentiment as gratitude, but whatever estimation it deserved to have placed upon it at the first, it deserves *now*. No desire is entertained by us to lead you a second time into painful connection with either our failure or our success. A just cause can defend itself."

The lawyer smiled at the magnanimous speech. Another woman in Emma's place, would probably have been indignant to find herself turned into ridicule, but *she* was only humbled.

"There's many a client," said Somers, "who thinks himself very well able to dispense with his advocate, yet a recent instance shows that it is not always safe to act upon this natural feeling of independence. But seriously, Miss Newlove, do you comprehend all the difficulties under which you are now laboring ?"

She made no answer.

He continued, "Do you know that an advantage has been given to Astiville, which he is disposed to use to the utmost? Do you perceive that a public sentiment has been awakened, which it will be almost impossible to repress, and which, if it remain uncounteracted, must result in the ruin of your cause, if it do not even threaten your personal safety ?"

"I know it all."

"Then do you know also what an opprobrium rests upon your name? Have you learned that nearly ninety-nine persons out of a hundred believe you guilty of an infamous crime ?"

Emma's throat and cheek and brow were instantly suffused with crimson. Her eye shot forth a glance steady and bold, but then sank timidly to the floor, while she answered—

"Perhaps you too, sir, are numbered among the ninety and nine who judge me so hardly."

Without making a direct reply, Somers said—"I have seen what purports to be an original survey of old Harrison. It cannot be denied that it is a fancy piece, or a studied forgery; in other words, it is not genuine. If I had been consulted, it should never have gone into Court; and I must add, that it was a very hasty and ill-advised measure, to proceed without my advice."

"I am aware of that, sir, and do not wish you to be bound to the consequences of my folly. But tell me, Mr. Somers—for of you I have a right at least to demand an answer in this matter—does your opinion agree with that of those who think me chargeable, not merely with folly, but with guilt? Am I, in your estimation, a—*forger?*"

The lawyer went on calmly, just as if she had not interrupted him. "The survey is written in a hand which resembles

yours in some particulars, but does not resemble it more than it resembles many other hands. The presumption from this alone would be very slight. From whom did you receive that paper, Miss Newlove ?"

"It was brought to me by a person, who required my promise never to mention from whom it came."

"Indeed ! and was not this a sufficiently suspicious circumstance to put you on your guard against a snare ?"

"I had, in truth, some doubt, sir ; but there did not seem any very great risk, and I knew how much pain you must suffer, so long as you continued bound to our fortunes."

"Pain—suffering !" interrupted Somers, suddenly ; "who told you I was in such terrible distress ?"

"We knew nothing more, sir," replied Emma, in a timid tone, "than your own words and manner declared."

"Ah, that's it—is it ? So I appeared all the while very cold and remiss and inattentive to your interests ; and on your part, consequently, you were anxious to get rid of me."

"Mr. Somers, you know that we were not. So far from entertaining any sentiment of this kind, it cost us a most severe effort to adopt the measures we did. How far from our minds was the thought that that letter could possibly prove a cause of offence. Believe me, Mr. Somers, it would have been a great relief to us to have felt absolved from the duty of writing it."

"Well, not to talk any more of that just now," said Somers, "allow me to ask whether the person who gave you that paper—the survey I mean—told you it was genuine ?"

"He said—"

"He !—it was a *man* then ? A Southerner ?"

"Yes, I believe so ; but perhaps I ought not to relate these particulars."

"What was it he said, then ?"

"I cannot repeat the words ; but he spoke in a way to induce me to infer that the paper *was* genuine. He added, however, that it would be well to take advice on this point, and to act accordingly."

"And did you consult any body ?"

"Yes, sir—Mr. Mallefax "

"I thought as much. But tell me, did this mysterious visitor allude to Mallefax by name, and recommend your application to him in preference to any one else ?"

"No ; I do not think he did."

"As to Mallefax himself, then—when the paper was communicated to him, did he scrutinize it suspiciously, or did it meet his ready approval ?"

"He at once appeared convinced of its genuineness."

"Now, let me know who the man was."

"That question, Mr. Somers, I may not answer."

"The name may not be mentioned to others, if you think proper," replied the lawyer, "but to me it *must* be told. A pretty thing it would be if any secrets were to be kept from an advocate. The whole affair depends on my having correct and definite information."

"Do you suspect, Mr. Somers, that I do not tell you because I am myself the author of the paper ? Does my innocence stand in such need of confirmation ?"

Emma's words were uttered low and plaintively. In quite a different key, Somers rejoined—"Pshaw ! pshaw !—My opinion is nothing to the purpose. The thing really to be considered is, how to make you stand fair in the sight of *others*. So give me an answer to my question."

"I cannot, sir."

"I am willing to promise, on my honor, to reveal what you tell me to no one else."

"I have every confidence in your honor, Mr. Somers ; and if it were my secret I would trust it to you without hesitation. But I have engaged to keep the name locked within my own breast."

"Yet the fellow who gave it to you has proved false."

"It is possible he has," said Emma.

"In that case, then, you surely are not bound to keep faith to him. Between the requirements of self-defence on the one hand, and a promise made to a scoundrel on the other, there is little room for hesitation."

"Still, sir, I do not feel at liberty to tell you who gave me the survey."

"Liberty !" repeated Somers ; "there's no liberty about it.—It is a case of *necessity*. Don't you see that no jury in the world will decide for a cause, in support of which they believe forgery to have been

resorted to? And is a blasted reputation not to be considered? Is your father's peace of mind nothing? Good heavens! Miss Newlove, think of it. The loss of your property here is the smallest part of the matter. To be a subject all your life for gossiping scandal-mongers—to meet open scorn wherever you go, for rely upon it, the stigma will be recognized though you should seek obscurity in the uttermost State of the Union!—to be taunted by the vile—to be loathed and shunned by the righteous—to have the ordinary incidents of your life ingeniously distorted and blackened, and printed in scurvy pamphlets to be hawked over the country, under the title of 'Adventures of the Great Female Forger!'—Miss Newlove, death itself were not worse than such a life as this!"

"No, no," answered Emma; "it were far better to die than to endure the fate you describe."

"Give me, then, the information that will enable me to save you from it."

Emma shook her head sorrowfully.

"Whatever you may think of me, sir, in consequence of my silence, I cannot tell you that."

Somers, disappointed, turned his head away abruptly. Emma, mistaking the meaning of the gesture, was unable to restrain her tears, and said: "So you will forsake me, then?"

"Never!" exclaimed the lawyer, with fervor.

As much surprised as gratified by his tone, she looked up quickly. "And notwithstanding appearances, you believe me innocent?"

"Assuredly—how is it possible for me to doubt it?"

"Still you talk of the universal contumely which I am to expect henceforward. I thought from that—"

"What did you think?" said Somers, relaxing his countenance from the stern expression which had so much affected his client.

"I thought," replied Emma, hesitating, "that is, it seemed natural to suppose that you could not speak with such severity, unless you at least *suspected* me of having done something very wicked."

Somers laughed gaily at the answer.

"You must learn," he said, "that a lawyer does not carry his mind on the end of his tongue. Why, I would talk to you in that strain from morning till night—I would proceed with increasing vehemence to scold and upbraid and taunt—I would scowl more savagely than ever wolf did upon lamb, if I thought there was any possibility of frightening you into a communicative disposition. But as I have failed, distress yourself no longer with reflecting upon the world's opinion; we will yet make it recant its judgment. Yes, though you refuse to give me the means of convicting the real forger, I shall still manage to show how absurd and unjust it is to suspect *you* of the crime. There now; you pardon me for the agitation I have caused—do you not?"

"Yet," returned Emma, with grave and earnest simplicity, "if it be true that a lawyer does not speak from the heart, how can I know that you are not practising upon my credulity now? However confidently you speak, perhaps doubts, after all, possess your mind."

"I will answer you frankly," said Somers. "Your conjecture is not altogether wrong. It is true that I was not perfectly sincere in the cheering manner which I used just now. But I think I have done you injustice. If you wish it, I will not in future disguise a single doubt which I entertain.

Somers paused and scrutinized her steadily. He saw how her whole slight frame trembled, and how deadly pale her cheek had become; but he read undaunted firmness in her tightly compressed lips and in her bright, dilated eye.

The words which came from her were such as he expected:—"I can bear anything but deceit."

"Hear then," said Somers, "all my doubts. I am not certain that you may not lose this land to which you have an equitable and a legal title;—I am not certain that you will ever escape from the reproach which powerful enemies are endeavoring to fasten on you;—I am not certain that an excited populace will refrain from visiting you with open and violent indignity."

Somers stopped. Emma replied in a low voice, "Have you finished? I am prepared to endure all this."

"No. I have something more to say. I have told you my apprehensions, I must

tell you now of what I am certain. I am certain that you have the support of pure, unspotted, conscious innocence. I am certain, also, that you have one friend who is equally bound by admiration of your character, and by gratitude, to devote to your service all the poor faculties that God has given him."

Emma was almost overcome. The strong emotion which at that moment swelled her bosom, revealed to her what she had never before suspected, that Somers was something more to her than an intelligent friend and upright advocate. Fortunately, she was alone in the discovery. Somers was no coxcomb, and did not imagine that every fair client whose interest he had succeeded in awakening was ready to throw her heart into his hand.

"I will tell you what I have done within the last few days," said Somers. "There was a scheme a-foot to have you indicted by the Grand-jury; I went to work and represented the glaring injustice of proceeding upon remote surmises, in such terms that the half-formed purpose was abandoned."

"But ought I to fear a trial?" replied Emma, "I am not guilty."

"I know it, and so does Astiville probably know it, and he could have no expectation that the prosecution would be terminated by conviction; but a true bill found by a Grand-jury would confirm existing prejudices, and give opportunity for effecting his other plans. Then you yourself would be annoyed by the publicity and the numberless other vexatious circumstances of a trial, whilst the acquittal when at length it came, would not remove the reproachful suspicions which make your present state so painful."

"I understand the case now," returned Emma, "and am able to appreciate the service you have rendered me. May I ask your opinion respecting the measure which this deed you have brought is designed to effect? Do I well to buy out Schrowder?"

"Well;" answered Somers, "very well. I am not sure that I should have ventured to suggest the move, as the consequence of it is to put in jeopardy nine thousand dollars more; but since you have determined on it of your own accord, I am at liberty to say that you have done just what I should feel like doing, if I were in your place; and I do not believe that spirited conduct is always injudicious conduct. In this case, we will get rid of Schrowder, the most tormenting encumbrance that ever suit was oppressed with. As soon as the matter is concluded, I will give the fellow a hint that his safety will be best consulted by an immediate departure from the country, and as his cowardice at least equals his selfishness, there is little danger of his remaining. After that, if we can only secure a few months of quiet, the present commotion will die a natural death, and we may hope for a fair trial and a prosperous issue."

"Ah, but," said Emma, "I must not allow you to sacrifice yourself a second time in our cause. Your friends have become reconciled, and Heaven forbid, that we should be instrumental in drawing upon you their renewed displeasure."

Somers replied immediately, "Though my friends should forget reason, I must not forget duty. No—let any consequences come that may—I will give up friendship and the Everlyns—yes, I will give up every one of them, sooner than leave you a prey to the shameful conspiracy which has been formed against you!"

"Yet indeed, sir," urged Emma, "I do not wish to take advantage of your generosity."

"It is useless to talk of it," exclaimed Somers, "I am not at all generous; so spare any self-reproach. How could I ever enjoy a moment's peace hereafter, if I carried with me the consciousness of having broken the most sacred duty of my profession? A lawyer is not exactly a knight-errant, yet is he a recreant knave if he refuse to strengthen the weak and succor the oppressed.

CHAPTER XIII.

Somers had good reason to apprehend unpleasant consequences from his re-engagement with the New Yorkers. Mr. Everlyn, frank, open, direct, never had patience to view an object from more than one side. His notion of friendship agreed with the character of his mind. By the term he understood a complete identity—of *taste* as far as possible—of *sentiment*, with no reservation at all. A common friend to two enemies seemed to him as absurd a figment of imagination as a quantity equal respectively to two quantities unequal to each other. Yet was he not dogmatic and self-important. He did not require the whole sacrifice to be made by his friend; but, in order to secure the proper sympathetic conformity, would often relinquish his own strong prepossessions. The circumstances of the case were to decide from which party the compliance should proceed. In the present instance, he was under a necessity to oppose the Newloves. It might be that Somers felt himself under a similar necessity to support them. Everlyn would not quarrel with him for the choice, but only came to the conclusion that the intimacy was sundered. What had given rise to the incompatibility—whether irresistible fate or fickleness on Somers' part—made no difference whatever.

Sidney thought still more hardly of her lover. That he should go and league himself with the adversary at a time when, as he himself had owned, he was fettered by no obligation, was conduct so strange that she was compelled to attribute it to some secret and very powerful motive. What that motive was, she was not long in conjecturing. Had not Somers himself betrayed the warm and peculiar interest he felt in Emma Newlove? Yet if he were indeed thus deeply attached to that young lady, why did he seem to struggle against the circumstances which at once justified and favored his new suit? Why did he still profess undiminished affection for herself? Suspicion and jealousy, however, are seldom at fault. Mr. Everlyn now enjoyed a moderate fortune; should Everstone be lost, he would be reduced to poverty, and his daughter would become portionless. Miss Newlove was rich; Lawyers are all mercenary; it was difficult for Sidney to contemplate the inference which appeared a legitimate deduction from these facts. The hypothesis admitted of a variation. Perhaps Somers had a sincere liking for the Yankee maiden, apart from the consideration of golden charms: perhaps, also, there remained in his breast something of the love she herself had excited: it might be that, hesitating between these opposite attractions, he had thought to decide the doubt by yielding up his whole heart to her to whom the fortune of Law should give the broad estate. This conjecture, which seemed the most probable, was likewise the most offensive. To think that Somers throughout the lawsuit should be complacently occupied in keeping warm the two hearts, each of which he desired to have in a suitable state for his acceptance when the day of final choice should come—how abominable and shocking! Like the epicure who is fattening two fowls of the anserine genus in separate coops for a birthday entertainment; he does not expect to eat them both, oh no—nature is unequal to the consumption of two such luscious tid-bits at a single meal—but he is yet uncertain which will prove possessor of the largest liver, and his fastidious palate craves the best. And was Sidney Everlyn to be one of those geese? was her honest affection thus to be practiced upon? What was Richard Somers, that he should select her as a fit object for his selfish management? The offspring of obscurity and poverty, who ought to be grateful for the slightest notice received from those who could trace back their ancestry to the days of King Arthur.

Sidney's beauty, like all other human beauty, owed its radiance to pride—not

self-important vanity—not conceit—that tormenting appetite which is continually craving and pining and enduring the agonies of hunger, unless cloyed with the manna of adulation. But within her soul there dwelt that high-spirited consciousness, which, though the source of all enjoyment to the possessor, delights not in outward manifestation, and courts neither notice nor acknowledgment. Her's was that pride which is convinced of its own merit and superiority, yet is satisfied with this internal conviction and contentedly sees the world around pursue the course that pleases it; pride which shrinks from contact and may be mistaken for timid weakness, until a wound is felt, but then arms itself with a sudden instinctive vigor to repel and punish the aggression. Had she been a King's daughter, and Somers a page of low degree, she could have given him a love unexacting, loyal, tender, submissive. Without repining, she would have seen the crown pass from her head to his, if it were *her hand* that made the exchange. But the scene of her life was not laid in the romantic land of dreams;—there were no sceptres nor thrones to be the gift of generous affection. Rugged realities surrounded her, which even love's enchantment could not render smooth and verdant. Still the fond wish remained that, although she had little more than her heart to bestow, the recipient should take it with the temper of one who is placed under an enduring obligation. She would contribute love for the adornment of the Marriage Ring; the suitor must furnish not only love but gratitude.

That Somers was not wealthy, caused her therefore no regret. His obscure and humble birth, which we might suppose would appear an insuperable objection to one so proud of the glories of her own genealogical tree, gave him, in her eyes, a charm and an attraction. That he affected none of the arts of the parvenu, but frankly owned his barren escutcheon, was a merit, since it came not from any stolid and vulgar independence, but was accompanied by an ingenuous appreciation of the advantage which his mistress enjoyed in her ancestral dignity. She never suspected—and the error was a pleasant one—that this poor lawyer—this son of parents whom nobody knew,—who appeared so humble, and who really was so devoted, had a spirit to the full as haughty as her own, and a will, of whose iron and masculine rigidity her mind could form no conception. She saw him now actuated by other purposes than such as love for her would suggest, and she saw it with a surprise that equalled her displeasure. Had she been prepared for this course, by knowledge of his character, she might have learned to pardon it; but it is not surprising, that, attributing his conduct, as she thought herself compelled to do, to selfish and discreditable motives, she should have regarded it as presumptuous perfidy deserves to be regarded.

Somers, for his part, was a lover, and in that character, was willing, as a matter of course, to be attentive and obsequious. It had never entered his thoughts, however, that he was a proper object for *condescension*. Perhaps it was well that the course of his love did not run smooth. Sidney must have found, after marriage, if not before, that she was far less unlike the diademed princess, than he was to the pliant and graceful page. The disappointment which awaited her came best at a time when, although it might crush the dearly cherished fabric of a girlish fancy, it did not blast a whole life-time's prospect of happiness.

Though his mind was filled with uneasy forebodings, Somers thus failed to recognize all the danger that threatened, and consequently could not take the proper measures to avert them. He knew enough, indeed, of female character and of human character, that Sidney would not tolerate a rival in his affections, and ordinary prudence enjoined upon him to say nothing which could kindle jealousy. Hence he studiously avoided speaking of Emma or of her concerns. His caution was detected by Sidney, and unluckily, instead of allaying her suspicions, only seemed ample confirmation of them. At each visit that he made, he received a greeting colder than at the last. He was earnest and tender, and rhetorically persuasive—but all to no purpose. She listened apathetically, replied in monosyllables, and only varied her formal reserve by darting an occasional gleam from that marvellous bright eye of hers. What meaning shone in that glance, there was no time to examine—you might

as well attempt to assort the colors which glow in the lightning, when it breaks from the thunder-cloud. All that the dazzled vision of poor Somers could observe, was, that it was not such a glance as ought to give rapture to the lover. After a long endurance of this treatment, his own temper began to be chafed. He felt strongly tempted to make the wide, blindfold leap from patience into recklessness. Why should he submit to be the slave of a woman's whim? Did it not rather become him to give open defiance to her absurd jealousy? What was it but base, unmanly truckling, to shun the utterance of truth? —and what more true than that Miss Newlove was eminently deserving of her advocate's most zealous service?

As the lawyer was riding one day across the wilderness of the debatable land, he saw, standing a little way from him, a surveyor's compass. Two bare-headed negro lads reclined at lazy length upon the ground, while stretched between them was a Gunter's chain. A lithe young fellow, in a grey frock coat, and shining cap, was busily adjusting the instrument, and stooped now and then to peer through the sights. A surveyor!—but none of those whom Somers had known to be at the disposal of the good land-owners of Redland. A second look was taken:—yes, there now could be no doubt—it was Howard Astiville. But the young gentleman has an assistant with him, and—who would believe it?—the assistant wears a *bonnet!* The figure turns, and at thrice that distance of twenty yards it would be easy to recognize the lovely features of Sidney Everlyn.

Sidney blushed, and so did Howard.

"Ah, do not let me interrupt you," said Somers. "Broad highways are to open behind you, I presume—arteries, to carry the blood of civilization into these woody solitudes; or perhaps you resort to the compass to enable you to follow some vagrant swarm of bees? Do I then hail a new Aristæus, Mr. Astiville, and can this fair vision at your side be one of the forms of the bee-god, Proteus? Or is my first guess nearer the truth?—Are you the Gen. Wade of our century, and has the Genius of the land appeared under the similitude of Miss Everlyn to guide and encourage your labors?"

"No, sir," replied Howard, "I am not a road maker, nor the engineer of roads. It is true, indeed, that I am hunting for the lost—but not for lost bees. My employment is less classical, and less poetic. I am hunting for landmarks—for proofs to establish a just cause, Mr. Somers. The Hardwater, that stream which seems to have possessed the faculty of rendering itself invisible to some eyes, can no longer avoid detection. I think we have found it, but *where* I ought not, perhaps, to mention, since the disclosure may pain you, sir."

"Do not so misjudge me," rejoined the lawyer, "as to believe that the discovery of truth can ever cause me pain; or if I were capable of wishing anything concealed, you would do no more than right to drag it forth into open day, and convince me of the disappointment. I do not desire to lead you into any unwilling announcement, yet if you have found the true boundary of Roland Compton's grant, I am sure I ought to rejoice, for it will relieve me from a very great embarrassment."

Howard, glancing towards Sidney, said, "We have no secrets, Mr. Somers. We are content to declare to you now, everything that we expect to declare before your face in Court. Our investigations have not been fruitless. So abundant, in truth, are the results obtained, that it would be niggardly to deny you a participation in the enjoyment of them. The *Lower Branch* is the Hardwater."

"Indeed?"

"Yes: and if you feel disposed I will take pleasure in pointing out this new evidence which we have obtained."

Somers dismounted, and began to examine the papers offered to his perusal.

"This," said Howard, "is the copy of an old survey—it is not presented as the *original*, please to take notice, Mr. Somers —I leave your clients in sole possession of the sweets of forgery. Though not a very practised surveyor, as you may imagine, I have been running out this west line, and find that it reaches no farther than to the Lower Branch. The survey was made at the instance of old Jeremy Compton, to mark off a portion for his daughter, at her marriage. She died, without leaving children, and the land reverted to the father. Perhaps you were unaware of the existence of the survey, or if not, perceived that it would be no advantage to Miss

Newlove to bring it forward. How was it, Mr. Somers?"

"I was well enough aware of the document," replied the lawyer, "and had read it in the clerk's office."

Sidney, on hearing this avowal, sent forth one of those keen looks with which she had lately been so much in the habit of favoring him.

Somers did not wince. Turning with a pleasant smile to Howard, he said: "If you will take the trouble to reckon up the latitudes and departures, you will observe that there is an error somewhere of no less than nine hundred poles. The west line is given here as 105 poles—supply a cipher at the end and the whole becomes consistent. But 1050 poles will bring you to the Upper Branch. One hundred and five poles, by the way, did not even bring you quite to the Lower Branch—did it?"

Howard owned that it did not.

"I thought as much," continued the other, "There is no supposition which can reconcile the survey with its own conditions but that of the omission of the cipher in the statement of the west line."

Howard looked blank: Then making a strong effort to force a little cheerfulness into his countenance, he inquired the reason why Somers, if the case stood as he represented, had not used the survey as evidence in behalf of his clients.

"I will tell you: I knew that twelve plain men are very apt to be bewildered by paper calculations of this sort. Prudence compels a lawyer many times to refrain from urging the arguments which are most convincing to his own judgment."

"Then it seems," said Sidney, quickly, "that your boasted Law is the most uncertain of all ordeals."

"It is a shrewd conjecture," answered Somers, "but I believe there is nothing certain in this world—except a lady's favor. I was going on to say, however, Mr. Astiville, that I had another reason for not availing myself of the evidence afforded by this paper—I thought it probable that the opposite parties might save me the trouble of bringing it into Court."

"I understand you," interrupted Howard, "the plan was to seize the moment of our fancied security, to give us a blow which might prove fatal. You hoped to serve us in this matter as you had served us about the tree and broken stone, at the Sulphur Spring. But, I thank Heaven, you are to be disappointed."

"And to what do I owe the said disappointment, Mr. Astiville?"

"You are fishing for gratitude in this query," answered Howard, "but I must say, frankly, that you will get little from me If there be such a mistake as you allege in this survey, be assured we should have discovered it without the aid of your candor and acumen. Or even if we had gone on in our error, I profess that it is better to be deceived one's-self, than to practice deceit upon others. I prefer our survey here, with all its imperfections, to that well-concocted forgery which you consider yourself bound to justify and abet."

"*Abet?*" repeated Somers, frowning.

"I do not mean," said Howard, correcting himself, "to charge you with any participation in the crime itself. You were far too sagacious, and doubtless, I ought to add, too honest, to dabble in such roguery. But when you defend the perpetrator, and assist her to prosecute the same scheme, though by means less disreputable and dangerous, I cannot look upon you—"

"Look upon me how, Mr. Astiville? Do not hesitate to speak your mind."

"I cannot regard you," continued Howard, "as one from whom I would be willing to receive any—the most trifling obligation. Nor can I forget, Mr. Somers, that the same person who is so tender of the reputation of this unprincipled young woman, scrupled not to foul his lips with the blackest insults to a man who stands higher than himself in public estimation —a man of unstained honor—a gentleman —one who never yet, I am proud to say—has done anything to entitle him to a lodging in the penitentiary! You are able to admire Emma Newlove, while you hate and vilify my father."

"My conscience," replied Somers, calmly, "justifies both the liking and the disliking."

"Oh, how excellent a thing it is," exclaimed Howard, "to have a pretty word like Conscience always ready at one's call."

Somers retorted promptly, "It is a better thing to have some knowledge of the subject which one is talking about, whether it be a *Survey* or the conduct of a fellow creature."

Howard, with a countenance that was indebted for its glow in part to confusion, and in part to anger, answered with vehemence, "You know a great deal, Mr. Somers—a great deal—I do not dispute it; you are far better informed than we can be of the length of Miss Newlove's rent-roll, and consequently of her claims upon your sympathy, but the rest of us, sir, though not admitted to the same precious intimacy, are not cut off from the power of observation. Indeed, we have, in some respects, an advantage. Partiality dims your superior vision—or perhaps the very proximity to the young lady's resplendent charms, dazzles you—allow me to perform the friendly part of putting at your service the results of our disembarrassed scrutiny. We know what a spirit has its home behind those meek and saintly features, which have had so fascinating an influence. I beheld them, sir, when the veil of hypocrisy was torn from them—I saw how detected guilt shrank aghast. When I remember that scene in Court, I could pity her; and almost pardon, if that confusion and speechless terror of the conscience-stricken woman had borne fruit in penitence. Ah! Mr. Somers, I trust it is not encouragement ministered by *you*, that nerves her to defy public opinion, and the salutary discipline of remorse!"

Somers made an impatient movement of his hand, but refrained from speaking.

"You have charged me, sir," continued Howard, "to speak only of what I know. It is not your wish, I presume, that I should become quite a Carthusian—you are willing to have me open my lips sometimes. Now there are very few subjects indeed which I claim to understand exactly and entirely, but if there is anything—besides my own existence and the truth of Scripture—of which I am reasonably sure, it is Emma Newlove's guilt. I know that she is reckless, destitute of all feminine delicacy, capable of being restrained by no considerations of honesty, utterly vile, worse than the common thief, worthy to be branded as a convict and to be scouted from society—"

"Stop!" exclaimed Somers, "for shame's sake, stop!—Since you are no longer amenable to the ferule of the schoolmaster, young man, consider that there are proprieties to be observed in this world of grown people, which you claim to enter. Remember, sir, that you are not on a play-ground amongst a throng of rowdy urchins. Talk the language of gentlemen."

At this rebuke, a convulsive quiver passed through Howard's frame. With his grating teeth, and clenched hands, and livid face, he seemed ready to bound like an enraged beast, upon the lawyer, who recovered his own composure in viewing the spectacle of such almost frantic fury.

"Somers!" said the youth, "you shall answer for this! I will meet you where and in what way you please—"

"Come," he added, stamping upon the ground, "the interval must be short between such an insult and expiation! Come! let us go instantly, unless you would have me knock you down like a dog! Come! or I'll brand you as equally villain and coward!"

Sidney, terrified by the sudden explosion, interposed. "This must not be," she said, "Richard, go not—Howard, be calm."

"Calm!" echoed Howard, "Yes, surely—calm I am and will be; but would you have me put up with degradation, Sidney? Shall I suffer open, flagrant dishonor to pass unpunished?—No!"

Turning then to Somers, and speaking in a low, deliberate voice, which told of passion only the more intense that it was partially smothered, he said "There can be no more trifling—let us begone—what else is to be transacted can better be arranged in another place than in the presence of a lady."

"I will not take you at your word," replied Somers, "a little reflection will suggest other thoughts. For my own part, no false pride shall prevent me from declaring that I meant not to wound your feelings thus severely."

"Pshaw!" interrupted Howard, "It shall be seen that I am no child, to be coaxed into good humor by a few sweetened phrases. I still hold you to an account."

Somers walked up to the compass, which was standing near by, and shook it with his hand till the index vibrated over a space of ninety degrees on either side. "I will make no reply," he said, "till that load-stone has settled in its place; and unless your demand is then repeated, I will consider it as having never been made."

Somers, Sidney, Howard, stood as still as a marble group. The curly-headed chain-carriers leaned, the one on his right elbow, the other on his left, while their countenances expressed the most eager expectation.

As Howard's down-cast eye watched how the needle moved slower and slower, many a vision glided before his mental sight. He saw a fellow man weltering in blood—he saw the fatal weapon of the duellist dashed in horror upon the ground—then he saw his own form staggering—prostrate—he saw those features, which the glass that hung in his bedroom had taught him to recognize, distorted and ghastly—he could almost behold the half-uttered prayer which the heavens would not receive, but which was beaten back to crush the panting and dying heart from which it had issued. Afterwards, there rose up in front of him, the gaunt, white-haired figure of the being who dwelt in the lonely cabin. He thought of the shattered gun, and the burst of impotent wrath which had succeeded. The admonition of that strange tutor sounded in his ears—"*The demon, Temper*,"—was *he* not now unchained? A moment's sin—the everlasting remorse! Was he to choose such a fate? Oh! what a blessing that the evil doom was not already upon him! The darkness, though imminent, had not yet fallen on his path of life. His own hand had need to be lifted ere the beams of the cheerful sun would be forever cut off.

The brief moment had elapsed. The needle was still. Sober-judging reason had resumed his seat, and Howard could recognize how much he had escaped through his rival's forbearance. Yet it fretted him to reflect that he had required the aid of Somers to enable him to rule his own spirit. It was a bitter mortification, too, that Sydney stood there to witness the triumph of the hated lawyer. He would so far take advantage of this, the second and sharpest lesson he had received in those Hardwater woods, as to remain hereafter cool and on his guard. He would not afford Somers another opportunity to display the superiority of self-possession over impetuous fury, but he should prove, that although instructed, he was not reduced to confusion or to silence.

"I think, Mr. Somers," said he, in carefully modulated tones, "that you have rendered yourself fairly obnoxious to complaint. If filial piety is insufficient to justify my speaking, as the representative of the man whom you must confess to have been unworthily slandered, I have at least a right to open my mouth as the friend of Miss Everlyn and her father. This Newlove girl is strenuously laboring to effect the ruin of a time-honored family in which you and I are now both of us guests. Professing the warmest attachment to the Everlyn name, and declaring yourself unfettered by any ties which might compel you to do it harm, you voluntarily engage in defence of the adversary, and you choose the very moment when the universal voice of the community denounces her as an infamous, though unconvicted, criminal. And so far are you carried by zeal for this woman, that if I here, on the land of Mr. Everlyn, undertake to speak of her in the terms which she deserves, you interpose a flat denial, and lecture me for my youthful impertinence!"

"The lecture you speak of, Mr. Astiville, was unintended; the denial, however abrupt, was but truth."

"Truth!" resumed Howard, "and what warrant have we for that? One man's single assertion. You affirm Emma Newlove's innocence—the world affirms the contrary. Yet not even suspense of judgment is allowed us. This stranger girl is *your* friend, and must therefore be acknowledged spotless. Mr. *Everlyn's* friend, on the contrary, may be assailed with insolent abuse in Mr. Everlyn's own parlor! I appeal to Miss Everlyn; ought not the man to be blamed who acts thus, be he lawyer, or what not?"

"I also," said Somers, directing his eyes toward Sidney, "appeal to Miss Everlyn. Would I not be unworthy of the vital air that keeps me in existence, if I refused to stand up in behalf of a weak, unfriended, innocent female? Confidently do I look to you, Miss Everlyn, for I know that you cannot forget what claims every member of your sex must have upon a man's courtesy, his liberal construction, his support, his succor. Be you my judge—I want no better—but put on the robe of justice. Separate yourself from all those personal considerations that might

affect the decision. Stand aloof, icy and impartial. Be stern, if you choose, but be just. Remember not that Miss Newlove's interests seem to conflict with yours; regard her situation as if you were reading the story of something that took place a century ago. See her remote from her early friends—in a strange land—surrounded by those who wish her ill! See her in the midst of circumstances which have conspired to make her appear, though amiable, odious—though unsinning, a culprit—though disinterested, a hypocrite and knave! See her, not a robust *man*, used to hardship, able to buffet with storms, but a frail, ingenuous, sensitive female, reared in seclusion, and fated to begin her acquaintance with the world by meeting its frown—a hot-house flower cast out into the snows of December!"

"Still, sir," observed Howard, "she is wealthy, and money can always procure advocates. Where is the necessity of your being engaged in her cause? Is she in so desperate a plight that she requires the best man at the bar, and, therefore, lays claim to *you?*"

Somers answered, "I will not thank you for your question, Mr. Astiville, as a compliment, nor will I be angry at it as irony.—Possibly, Miss Newglove may over-estimate the value of my service, but I am too well aware of my deficiencies, to fall into such an error, or to countenance it in others. There are more difficulties than you perhaps suppose, in the way of procuring a lawyer to act in my stead. Of these difficulties, however, this is not the occasion to speak. There is another very obvious reason why it would be improper for me to withdraw from Miss Newlove, and to prove that it has great force, I need refer only to the manner in which you yourself received my declaration, made immediately on my return to the county, in March. Should I refuse to have anything further to do with these Northerners, people would at once attribute it to my conviction of some bad practices on their part.—The inference would be supported by the fact that I was not present at the trial, which resulted so unfavorably. If those now to whom I exhibited the letter, which was sent to me at Hilton, and which declares the motive prompting their course, are so ready to suspect them of wilful deceit, what must the multitude think to whom I cannot communicate the same light? Surely it does not become me to allow presumptions, so strong and so unjust, to be raised against clients who have acted towards me with the utmost candor and generosity. It might be that the Newloves could extricate themselves from their unfortunate position without me, yet the probabilities are that my abandonment would insure their ruin. Do you think then, Miss Everlyn, that I could be justified in leaving those who regard me as their sole reliance?"

Sidney, thus invoked, replied with hesitation, "It would seem that you ought not —if, indeed, Miss Newlove be so entirely helpless."

"I see," said Somers hastily, "where the stumbling-block lies. If poverty were joined to Miss Newlove's other distresses, all would admit how deserving of compassion she is. Yet what advantage is her property to her? It excites envy; it gives men a ground to stifle conscience. She has wealth!—she has wealth!—and who thinks it necessary to dispense either mercy or justice to the wealthy? I behold her in the midst of afflictions which those who dwell in hovels and sleep on straw, do not know. Shall I stand apart coldly, and add to the burden of her sorrows, because she does not happen to be *poor?* Is the creed of the Sans Culottes the true one; is the possession of a little silver and gold unanswerable proof of guilt? Must I tell Miss Newlove to throw away whatever riches God may have made her the steward of, as she would hope to escape the scorn and loathing of all Christian people? Is there any consideration, Miss Everlyn, which could tempt you to place yourself in a situation like hers; could all the treasures of India persuade you to such a lot?"

"Tempt me to forgery?" said Sidney—"Never!"

"I do not speak of that," rejoined Somers, "but only of the *suspicion* of such a crime. Ah, can you not help believing this young lady guilty? Yet at least there is a possibility of the contrary; her innocence is a conceivable thing. The day will come, I trust, when you will recognize that it is more—that it is probable —that it is certain. I ask you now, however, only to *imagine* that she has com-

mitted no forgery. Let me venture next to suggest a comparison. You are attached, Miss Everlyn, to this home of yours—this fine heirloom of your family—this ancient mansion of Everstone. It gives your heart a pang to contemplate any impending danger. Nor do I wonder either at your affection for such an object, or at your dread of losing it. I can admit that you have cause for anxiety, for grief, and even for resentment. But consider, I entreat you, the state of her whom, perhaps, you have only thought of hitherto, as a troublesome adversary. What is there in your fortune, though the worst should come, equal in bitterness to her *present* distress? Enough, however, has been said, I hope, to justify my conduct in your eyes. If unfortunately the effect of my words has been different, I should only weary you by adding to them Let me ask then, can you forgive me; but no, I will not yet put on the air of a supplicant. I have taken you for my *judge*—as a judge pronounce. Mercy shall not plead for me I want my conduct in this matter to be tried by the inflexible rule of right. Assistance has been lent to Miss Newlove; the fact charged is admitted. Could I in duty, and in honor, have done otherwise?"

"Did Miss Newlove request you to re-engage in the suit?" inquired Sidney, with a gravity that would have done no discredit to His Honor on the Bench.

"She did not," replied Somers, rather reluctantly; "but if she had, I could not have been under greater——"

"It is scarcely worth while to talk more about it," said Sidney, coldly.

"As you please," rejoined Somers, angry that he should be thus prejudged.

"I must bid you good morning," he added.

"Will you not then accompany us to the house?" said Sidney.

"I thank you; but I must deny myself the pleasure, to-day. Besides, I fear I might be instrumental in interrupting Mr. Astiville's important researches with his compass."

Somers left the party and rode off southward. The excitement of the past scene was still upon him. "What a reasonable creature she is!" he muttered. "But the man is a fool who pretends to argue with a woman. I shall not give myself the trouble again very soon. She can listen to that hot-headed youngster, and walk about in the woods with him as long as he chooses to lead. Well, I care not! I'll die a bachelor sooner than make myself a slave!"

His horse happened to stumble over a stone. He pulled up the animal's head fiercely and applying the whip dashed through the trees in a gallop, to the imminent peril of his eyes. The rapid motion and the continual necessity to sway his body to and fro in avoiding the projecting branches, made the blood run through his veins with accelerated velocity. Nothing equals such a ride for giving a man self-confidence, elation, audacity. The heart bounds with every leap of the steed; each jagged limb escaped, is a foe overcome. "Why should her opinions cause me any concern?" said the cavalier half-aloud. "I am well enough off as I am; a wife would be but an encumbrance and a plague—such a wife at any rate as should bring with her a thousand whims, and should want to instal them every one as lords over my conduct. I wish I had told her she might take Howard Astiville or any body else she could get, for I was determined to have nothing more to do with her. I have half a mind to go back even now, and show that I have a little spirit left! She would be surprised, I reckon, to find that a grown man does not lose his senses when he falls in love, like a moon-struck boy!——Mansfield! Hold!" The horse stopped short in his career, more in obedience to bit and bridle than to his master's ejaculation. Somers himself, indeed, turned and rode slowly in the direction of the place from which he had come, but it was not to execute the heroic purpose shadowed forth in his words. Alas, for romance! an unnoticed twig had robbed him of his *hat*. There, fifty yards back, half-obscured among last year's leaves, the battered beaver lay. Disconsolate as La Mancha's Knight when he lost the brazen helmet of Mambrino, Somers descended from the saddle to resume his less glittering head-piece. The incident, trivial as it was, sufficed to take from him his haughty daring. No longer could he persuade himself to feel either scorn for his mistress's person, or contentment with her displeasure. He would fain have banished her from his thoughts, but it was impossible. Love, that obstinate

and wilful boy more than recovered all the ground which he had lately been compelled to abandon. The forlorn suitor beheld the image of Sidney; what grace in every motion! what charms clustering in the curls that played around that delicately moulded throat! how expressive that cheek now pale, now glowing! what fascination in that matchless eye! In a word, Somers, a man of sense, the shrewdest practitioner at the Bar, of a mind mature and well balanced, and long passed that susceptible age when every pretty face that is seen, sends a tremor to the heart,—Somers, who for the dignity of his sex, we should have hoped to find incapable of such weakness, Somers was love-sick.

Out of the forest at last, he struck into the road which led eastward.

"A bright day, this; clear over head, and dry under foot."

Somers riding slowly and absorbed in meditation, had not observed the horseman in the rear till he overtook him, and uttered this salutation. A glance showed that the speaker was Ripley Dair.

"Yes, Mr. Dair, we have indeed delightful weather; but a little more rain would be of service to the crops."

"Like enough," returned the other; "but there are some people not far from here who needn't to be very anxious about their crops."

"Why? Are they so small and unpromising."

"They may be good, or they may be indifferent," said Ripley Dair. "It makes little odds which, as they won't have the trouble of harvesting them. Look here, Mr. Somers, let me know, are you still going to plead for this batch of Yankees? I hear some people say you are, and some that you are not."

"Yes, sir, I am Mr. Newlove's lawyer for want of a better."

"Then, Mr. Somers, take a fool's advice, and back out of the scrape as soon as you can. If you stick to them you'll never get another client in Redland."

"Well, in that case, I must do the best I can without any," replied the lawyer, composedly.

"Ay, but you may have to meet with something worse still," said Dair. "We have all made up our minds; these Yankees on the Hardwater must quit in a hurry. If they pretend to stay, they'll come to harm, and so will all those who stand at their backs."

"Whatever the plans that have been formed, Mr. Dair, I cannot allow them to influence my conduct."

Dair answered with a raised voice, "I tell you, sir, there's no use in kicking; you'll only hurt your own heels. The will of the people is the law, Mr. Somers, and our will now is that the Northerners must clear out from the county. We'll make a beginning with these, and after that take a turn at the Reveltown nest. I hate the rascals, and—mind you, Dick Somers—I should want nothing better than to have them dare to show fight. We give them notice out of mercy; but, bless your soul, I hope they won't take the hint! If I could only have a chance to lay hands on some of those impudent conceited pumkin-eaters, it would do me more good than the best dram I ever got in my life! They shall turn up their noses in a different fashion, the thick-tongued hogs!"

"But listen to me for a few minutes," said Somers, "and I can convince you that there is much misconception prevailing."

"You needn't say a word," interrupted Dair; I'm no Juryman, thank Heaven, and you can't make me believe black's white"

"Yet I have had a better opportunity than you, Mr. Dair, to become acquainted with these men. They have their peculiar ways."

"Yes, *confounded* peculiar!" exclaimed the other; "they may please *you*, but they don't me. I had rather chew garlic for tobacco, than be sickened with the sight of them. The short and the long of it is, Mr. Somers, that you are getting yourself into a tight place. I don't care the snap of my finger if a Yankee or two gets killed; but I'd be sorry that any body of Southern blood should be hurt from interfering in the quarrel."

"Who is it that is interfering in a quarrel not his own?" inquired Somers. "You ought to be ashamed, Mr. Dair, to let John Astiville make a tool of you."

"You are a long way off the mark, in that shot," replied Ripley Dair proud y "I was not born to be made use of by any man; It's *my* fight, and I'll stand

foremost in it, though John Astiville may follow suit, if he chooses; there's elbow room for all, and amongst the whole of us I am inclined to think the Yankees will have a slim chance. It is none of my business who gets the land; Astiville and old Nick may toss up for it, and I shan't cry whichever has the luck—one is about as good as the other; I can bear any neighbor but a Northernman. But say the word, Somers, are you going to leave Newlove, or not?"

"I shall not leave him, sir."

"Well," replied Dair, gruffly, "I've given fair warning; you are now the best judge of what agrees with your health."

Somers made no reply, and rode on at the same rate as before. Dair hung back, but in a few minutes whipped up his horse and was again at the lawyer's side.

"Are you in earnest, Mr. Somers?"

"Certainly I am."

"You stick faithfully to the Yankees, then?"

"Yes."

"And mean to give them the benefit of your best counsel?"

"Of course; that is the chief part of my professional duty."

"Then I have one more question to ask."

He hesitated, and Somers looking him steadily in the face, said—

"I am ready to answer, sir; what is it?"

"Oh, nothing more than just this: Under present circumstances, what are you going to advise these folks to do?"

"That is a very general interrogatory, Mr. Dair."

"I don't mean it so at all. The particular thing I'm asking is just this: Are you going to tell them to stay where they are? I am not speaking, mind you, of their continuing to hold a *claim* to the land; but simply as to their purpose of living on it."

"One of them, Mr. Dair, Caleb Schrowder, is on the point of moving away now."

"I know that, and a wise man he is in doing it; but now as to the other two."

"I presume," said Somers, after a slight pause, "that they will continue to live here. At least, I am not aware of anything to the contrary."

"Then just listen to me one moment, and after you hear what I've got to tell, you may make it known to your clients—since its your notion to have them for clients. This is Tuesday; there are four days left of this week—they may have these four days and all of next week besides, to pack up their plunder and move. If they are found between the Forks of the Hardwater next Monday week, it will be the worse for them Perhaps you know something of me, Mr. Somers; if you do, you can't doubt that I'm not one to speak a thing I don't mean. I'm no fool either; I am not ignorant that there is a risk in talking before-hand of what's to be done, to a lawyer, and a keen one too, like you! but the fact is—and I want you to think of it well—I know precisely where I am, and what ground I've got to stand on. I don't stand *alone*, either. Let the Yankees go away of their own accord, next week, or—"

"Or what, Mr Dair?"

"I know I've no business telling you," replied the man, checking his horse, "but the devil's welcome to Ripley Dair the minute he's afraid to speak his thought. Let the Northerners be off of themselves, or there'll be hands to *move* them off,—and that roughly."

"My road lies this way," he added, turning, "take notice—*after next week.*"

Somers thought it his duty to inform Dubosk and the Newloves of the communication Dair had made to him. He added no comment, for he was aware of the responsibility of giving any. The man's declaration might be an empty threat, which would never be executed, but it might prove something more serious. They should interpret it whose interests and safety were concerned.

Ralph Dubosk heard the announcement quite stoically; but after he had revolved the matter in his mind a little while, he began to waver.

"I'm not afraid of any one man of the set, for all the pistols and so forth they say they carry. If I only got my grip on him, I would'nt care if he had a wagon load of shooting-irons in his pocket; but when a whole country gets a rising, then to be sure the scrape begins to look kind of serious."

"That is very like my opinion," said Mr. Newlove, and he went on to make some further observations.

Dubosk rejoined, and the consultation

between the two was protracted to a considerable length. Finally, Dubosk turned to Emma, who had been a silent listener:

"What do *you* think of it, Miss Newlove?"

"I cannot speak," she said, "I ought not to speak for any but myself. My situation is very different from that of others. *I* must not leave here, for if I did, the flight would be attributed, not to apprehension of danger, but to consciousness of being deservedly exposed to danger."

"She's not going, then?" said Dubosk inquiringly to her father.

Newlove sighed, and looked towards Emma.

She rose from her seat involuntarily, as she answered the mute appeal. "No: I must remain—I cannot go—it will not do for me to think of it. Yet let me not involve others. Determine for yourself what is expedient, without reference to my course."

"I shall stay," said the farmer, "To do anything else would be *downright foolish*, that's the truth."

As for Somers, he had his own part to perform, and he found it of no little difficulty. Of course, the first step was to discover the person who had been the bearer of the Harrison Survey. He questioned Mallefax thoroughly, but the fellow, if he was not as ignorant as he pretended, was well prepared for the attack, and bore it without flinching. He applied to Newlove. The good man, however, knew nothing, except by the report of his daughter, and she had told him only just so much as she had told Somers himself. The next resort was to Absalom Handsucker. The overseer did his best to enumerate all the persons, who, to his knowledge, had been to the house during the winter. Among the names was Alonzo Safety's.

"What was his business?" inquired the lawyer.

"Why, nothing in relation to the paper. It was only about the money he owed."

"What money?"

"Hadn't you heard of it? It was lent before you went out west—must have been a month before. At any rate, I'm sure it has no manner of concern with the forged survey."

"Never mind that—tell me all you know about it."

"Why, you see, Nehemiah Gibbs, a Connecticut man, had been talking it into Mr. Safety that there was some sort of *mine* on his land, which had only to be shewn forth to make a splendid spec. The next thing was, that Mr. Safety wanted to borrow three hundred dollars, and, what do you think, he looks to *me* for it. His wife had put this kink in his head—she's a queer woman, is that Mrs. Safety. She believes every Northern man is as rich as a king.—I wonder what they come South for, then? I rather guess it isn't because they've got so much money they feel obliged to travel down here to spend it. But, as I was saying, Mr. Safety had to look to somebody else for the cash. I recommended him to Miss Emma, and sure enough she let him have it. She said she wouldn't charge him any interest for three months, but made him promise to pay it back in that time. Well, the day came, and he hadn't the money. Miss Emma was very much put out. For all her softness and quiet ways, she's particular in these matters, and whenever she once puts down her foot anywhere, you may depend she stands as stiff as a gate-post. She told him she depended on that three hundred to pay Sam Munny a debt of the same amount. Thereupon, Mr. Safety offers to hand over his own note to Sam Munny, and so make it all the same, and in that way it was settled."

"Was Safety angry because she was so strict with him?"

"Oh, no, she never made anybody angry."

"Can you tell me, Absalom, whether Munny has ever been paid?"

"Yes, sir, I rather guess he has—in fact, I'm in a manner certain of it. Sam, it seems, after a month's waiting, began to kick up a fuss, but very soon settles down quiet, so it turned out he'd got the three hundred."

"How did Safety manage to raise it for him?"

"That he never told me himself. The truth is, I have been sort of shy of asking him, for fear he'd be popping out with another call on me, and whether I get his daughter or not, I don't want to encourage him in the trick of turning to me to help him along in his foolish speculations. However, *Mrs.* Safety let on that John Astiville had given them a loan."

"*Astiville*—indeed?"

"You may well wonder, Mr. Somers, for everybody says Mr. Astiville's a miserable close-fisted old chap. Mrs. Safety takes great pride in telling how she's in some way related to his family—how, exactly, I never could well make out from her story, but I should judge he isn't a man to think it a part of religion to take care of all his kinsfolks."

"Nor do I think so, Absalom.—By the way, you visit at Mr. Safety's quite often, do you not?"

"No: not to say *often*—not more than three or four times a week, besides Sundays."

"You are very moderate indeed," returned Somers, "I have not time to talk longer just now, but as I want to consult with you upon matters in general, I will find an opportunity to see you again in the course of a day or two. By that time, perhaps, you may have some news to tell me."

Wednesday, Thursday and Friday, had passed. As the week drew towards its close, the pressure upon Somers' mind became heavier and heavier.—The uneasiness which Sidney Everlyn's frown inflicted, was absorbed in more serious anxiety. His clients were of right entitled to his first thought, and that thought he had given when it required him to postpone his own happiness to the mere pecuniary advantage of strangers; but now there was more at issue than the fate of a law-suit. Though Ripley Dair were a drunken braggart, destitute both of courage to attempt the execution of his threats, and of the influence which could command the co-operation of others, the lawyer not less keen-sighted than resolute, recognized many additional signs of danger. Whilst thus conscious of the responsibility resting on him, he felt a painful embarrassment arising from the difficulty of discerning a course of action adequate to avert the evils that threatened.

Not for a moment doubting the truth of Emma Newlove's representation of the origin of the survey, he trusted that thorough and continued investigation, would bring to light the person who, he was confident, had been the agent of a conspiracy against her. Yet the time was very short; and even if the truth were discovered, how would it be possible in a single week to convince men of it? This, however, was the only hope.

What he had gathered from Handsucker, had induced a vague suspicion that Alonzo Safety might have been the messenger whose name Emma had bound herself not to disclose. Hence he looked forward with no little eagerness to the overseer's second report. He was too wary an examiner, however, to let his witness see the point to which his questions tended. No sooner had the lawyer fastened his eye on Absalom, than he perceived that something had occurred since the previous meeting, which had produced a notable effect on the worthy man's mind. The first words uttered, confirmed the indications afforded by the sober and thoughtful countenance.

"Gracious, goodness! Mr. Somers,—"

"What have you heard?"

"Heard? It's not *hearing* that's to speak of, but plain eye-sight. I have seen what I am sure I never expected to look on when I left old York. Arabella, too! Who'd have thought it?"

"Arabella—that's the name of Safety's daughter, is it not?"

"Yes—sir,"—answered Absalom, in a reluctant long-drawn and most doleful tone, "I went there yesterday afternoon—it was earlier than common—before supper in fact—things had gone so beautiful and sweet the evening before, that I hadn't patience to wait any longer than I could help. I walked right into the parlor, hoping Arabella might be there, and there she was sure enough—but goodness me! ——"

"What was wrong?"

"I can't talk about it, sir. The memory of it makes me mad!"

And, at one word, Absalom with one hand fiercely slinging aloft his axe, drove the edge deep into the heart of the sycamore log, near which he was standing.

"Never before," he added, "never before in all my life, Mr. Somers, was I so astonished and horrified! I had heard tell of such a thing—but Arabella!—ugh!"

"Tell me what it was you found so startling; perhaps, after all, it admits of being explained."

"I don't want it explained. Oh, it's too sickening to talk about; the very *thought* of it is worse than a dose of seeny and salts! If these be Southern ways that a body must get used to, here's one child

that's bound to wheel right-about-face, and in double quick time too !" Did you ever read a book by the name of the Mysteries of Udolpho, Mr. Somers ? It's a little book in fine print."

"Yes, I know what you mean."

"Do you remember how it tells of raising up a curtain, and then seeing all sorts of sights ?"

"Yes."

"Well, sir, the way the body felt that h'isted that curtain, was not a circumstance to what I felt yesterday evening. I'd rather see all the graves in a church-yard dug open. I'd rather look on ghosts of a moonlight night, and hear the bones rattle inside their white sheets. I'd rather be in the night-mare, and have a big red-eyed old woman drag me by the hair till my head struck over the edge of a thousand foot precipice, and I could see at the bottom a host of pitch forks sticking up ready to catch me.. I'd rather look on anything that ever a crazy critter raved about, than meet *that* sight again!"

"But what news had Mrs. Safety to give ? Did she say anything more in regard to that debt to Mr. Astiville."

"I didn't stay one minute in the house, Mr. Somers—how could I ?"

"Still, this is not the only visit, surely, you have made since Tuesday ?"

"Oh, no—and now I come to think of it, there was some talk two or three evenings ago about the three hundred dollar trouble. One thing's clear, which is that the Marm, for a wonder, doesn't know as much about that matter as Mr. Safety does. I noticed he always got deaf and sleepy as soon as she got to poking questions at him respecting it. Besides Arabella—hang the girl, I hate to think of her now!—she told me Thursday night, her mother was mighty inquisitive to learn how her father had persuaded old John to fork over. It seems he'd tried to get money from him afore this time, and could not."

"Did the young lady say how her father was accustomed to answer interrogatories on this point ?"

"Yes, sir ; you see I'm mighty good at pumping when my curiosity's up, and I drew her on very artful. She said he generally answered in a careless, indifferent way that old Jack had let him have it pretty readily on his offering his note, and giving faithful promise to pay interest punctually ; however, Bell said afterwards, that this wasn't always the case, but once in a while her father would get fidgetty, and, though he wouldn't show anger to Mrs. Safety—'cause why, Mr. Somers ? he's afraid—yet that when she herself, that's Bell, took to asking him something about his visit to Greywood, he answered very short and sharp, so that she wondered at it, because he wasn't apt to be so. This is all I know, Mr. Somers, and all I ever can know, for I've done *courting in Redland.*

(To be Continued.)

WILLIAM H. SEWARD.

Biography is valuable mainly as a development of Ideas, first, through the contemplation, consequently through the life of the subject. Whoever has transcended in thought and then in action the beaten path of ordinary opinion and endeavor, has become a legitimate object of general inquiry and interest, though born in a garret, living in humble obscurity, and finally laid to rest in unmarked, unconsecrated earth. Whoever has *not* thus transcended has no claim to our personal interest or study, though nations bowed to his sceptre and monarchs trembled at his frown. "All the days of Methuselah were nine hundred sixty and nine years, and he died,"—such are the comprehensive and significant terms in which the father of Sacred History wisely chronicles a life blameless indeed, but signalized by no extension of the boundaries of human thought, no decided contribution to the well-being of the race.

William H. Seward was born at Florida, Orange County, New-York, on the 16th of May, 1801. His father, Samuel S. Seward, a physician of energetic character and thrifty aptitude for business, had recently migrated thither from New-Jersey, where the family had found a home since its progenitors came to this country. John Seward, the father of Dr. Seward, and grandfather of William H., was an ardent whig of the Revolution, and served effectively as a colonel of militia, as occasion prompted, throughout the Revolutionary struggle. The Sewards are of Welsh origin; Mary Jennings, who became wife of Dr. Seward and mother of William H., was a dauhgter of Isaac Jennings, and of of Irish descent.

William H. Seward enjoyed the advantages of school and academical education in his native village and in Goshen, the county town, until 1816, when he entered Union College, Schenectady, at the age of fifteen, so qualified as to be advanced one year in the collegiate course. His assiduity in study and capacity of acquirement are not yet forgotten in the college, and the friendship and esteem of the venerable President Nott have ever since been among his most treasured possessions.

In January, 1819, when in the senior year of his course, he withdrew for a year from College, spending six months of the term at the South, making inquiries and observations which have doubtless influenced potentially his private convictions and public acts with regard to some of the most exciting and difficult questions of the age. The residue of his vacation he devoted to the study of the law at his father's residence. When the next senior class had reached the point at which he had left his own, he returned to college and completed his course, graduating in August 1820, and sharing the highest honors with William Kent, (son of the illustrious Chancellor, and since Professor of Law in Harvard University,) and Tayler Lewis, (since Professor in the New-York University, as now in Union College.)

Mr. Seward soon afterward resumed the study of law with John Anthon, Esq., in this city, and completed his preparation for the bar in Goshen with John Duer and Ogden Hoffman, Esqrs., being associated with the latter in practice for the six months preceding his admission, in October, 1822. On the 1st of January, 1823, when a little more than twenty-one years of age, he removed to the infant village of Auburn,

Cayuga County. He there commenced in earnest, as a stripling among strangers, the building up of a practice and a reputation, without fortune or patronage, save the interest accorded him in the declining business of Elijah Miller, Esq. who was then withdrawing with a competence from the labors of his profession.

In 1824, Mr. S. married Frances Adeline, daughter of Judge Miller, by whom he has had five children, three sons and two daughters, all of whom but one daughter are still living.

The political life of Mr. Seward may be said to date from 1828, though he had received the testimonial of a nomination for Surrogate of his county by Governor Clinton in 1825, and the honor of a rejection by the hostile Senate of that year. It is now time to glance at his political views and their antecedents.

His father, Dr. Seward, was an ardent and devoted champion of Jeffersonian Democracy, and the son early imbibed and zealously maintained the principles of that school, acting naturally and heartily with the professors of the faith upon his first assumption of the responsibilities of active citizenship. But when there was enacted in 1824 the farce of a nomination of Crawford and Gallatin for President and Vice-President by a decided *minority* of the Democratic Members of Congress, in contempt of the remonstrances and protests of the majority, and 'the party' was summoned to sustain that illegitimate and distasteful nomination, on penalty of being stigmatized and excommunicated as Federalists! young Seward was among the thousands in our State, as in others, who spurned and defied the mandate, and demanded that the novel and momentous issue thus raised be submitted in our State to a direct vote of the people. The demand was contemptuously scouted by the wire-workers, who, well aware that they had little or no chance with the people, had no doubt of their ability to choose a full Electoral ticket by the already elected Legislature, to which the choice was confided by the existing law. Under the lead of Martin Van Buren, Silas Wright, A. C. Flagg, and their associates, a bill giving the choice of Electors to the people was repeatedly defeated in the Senate—the last time by the vote of Silas Wright, who had obtained his election as a Senator by the votes of political adversaries, expressly on the strength of assurances that he would support the People's Electoral law. So the choice of Electors continued vested in the Legislature, but so intense and general were the popular excitement and indignation thereby created that several of the Republican Members whose votes were counted secure for the Crawford Electors disappointed that expectation, united with the small band of 'Republican' or 'Bucktail' Members openly favorable to Henry Clay for President, and, by an understanding with the Clintonian members who supported Mr. Adams for President, a compromise Electoral list was made up from the tickets of the two sections, voted by both, and nearly all elected. Four only of the Crawford list of Electors were chosen, having been voted for by one or two of the Clay members, and one of these was of doubtful preference, who finally cut the knot which perplexed him by voting for Gen. Jackson. Twenty-five Adams and seven Clay electors completed the New. York College. And in the midst of the contest the State went with whirlwind sweep for the 'People's party,' electing De Witt Clinton Governor by 16,000 majority, James Tallmadge Lieut. Governor by 30,000, and choosing an Assembly of corresponding politics. The Senate, being but one-fourth chosen annually, remained in the interest of the Crawford managers, and among its acts was the punishment of William H. Seward for his contumacy in standing with the People against the Caucus.

Mr. Seward was not moved by this rebuff to abandon the party of his choice. A democrat in every pulsation of his heart, every fibre of his frame, by every tradition of his childhood, he hoped and trusted that, when the immediate cause of aberration should have passed away, the party of his affections would be found once more on the side of Freedom and Popular Rights. But when, in 1828, he found the entire machinery of that party in the hands of Van Buren, Wright, Flagg, Cambreleng, and the deadly enemies of the policy of Internal Improvement in the State, and the more insidious and equivocating but not less deadly enemies of systematic Protection to Home Labor and the improvement of Rivers, Harbors, &c., by the Federal Govern-

ment, when he saw the wire-workers of the party of his love using their control over the party machinery to harness New York to the care of the treaty-breaking despoilers of the Cherokees in Georgia, of the cabal which had ridiculed, reprehended, and resisted the efforts of Adams and Clay to strengthen the cause of South American Liberty and Independence by promptly and cordially acceding to the invitation to send Embassadors to a Congress of American Republics at Panama, and which had concentrated its forces upon two ultra champions of eternal and expansive Slavery for President and Vice-President, with the probable and too successful intent of securing every Electoral vote South of the Potomac, Mr. Seward deliberately and finally shook off the dust from his feet, and abandoned the profaned and desecrated temple where Democracy had once dwelt, and whereon her name was still glaringly inscribed to delude and betray. Abandoning no principle which, as a Democrat, he had ever cherished, but on the contrary maintaining and rejoicing in them all, braving an overwhelming local majority and the strong probability of a long exclusion from public trust, he took his stand with those who, regardless of past differences, rallied around the Administration of Adams and Clay from a conviction of its eminent ability, purity, sound principles and devotion to the public good, resolved that the sorceries of Party should never more incapacitate them for giving instant and effectual heed to the dictates of Public Good.

The year 1828 was signalized by the first distinct convocation of Young Men, as such, in our State, with reference to political affairs. A Young Men's State Convention of the friends of the National Administration was held at Utica, August 12th, of which Mr. Seward was chosen President. It was attended by four hundred delegates from all parts of the State, and remained several days in session. Although its immediate object was defeated by the election of Jackson and Calhoun, its ultimate influences on the public sentiment of our State were, and still are, salutary. Many of our purest and best men date their interest in and connection with public affairs from the call of that Convention.

The disastrous struggle of 1828 was conclusive for the time, and with its result the Administration party, as such, was paralyzed and virtually disbanded. But a new party was simultaneously rising in the West, which embodied the elements of resistance to the malign policy which had secured an unquestioned ascendancy in the National councils. The abduction and death, in 1826, of William Morgan, a seceding Freemason, of Batavia, Genesee Co., had profoundly agitated and excited the Western portion of our State. The developments made in connection with or in consequence of that tragedy, had convinced many thousands that the Masonic Institution, however useful in darker times and under despotic governments, where daggers were constitutions and the fear of secret conspiracy and violent death the only practical checks on the antics of arbitrary power, was unnecessary in and unsuited to our day and country, and contained at least the germs of gigantic evil, the means in the hands of the unprincipled, daring and subtle, of fatal aggressions on public liberty and private security. The Anti-Masonic party thus called into existence cast some 33,000 votes for Solomon Southwick as Governor in 1828, in defiance of the hopelessness of his success and the absorbing struggle between the Adams and Jackson parties; in 1829, there was no other but the Anti-Masonic ticket run in opposition to the Jackson in the West; and in 1830, Francis Granger, who, declining the Anti-Masonic nomination for Governor, had been the Adams candidate for Lieut.-Governor in 1828, was nominated by the Anti-Masons for Governor, with Samuel Stevens, an esteemed Whig of this city, for Lieutenant, and the ticket thus formed was supported by all the Anti-Masonic and most of the Anti-Jackson strength of the State. Mr. Seward was in like manner, while absent from the district and without having sought the distinction, nominated and supported for Senator from the Seventh District, then comprising the counties of Onondaga, Cayuga, Cortland, Seneca, Ontario, Wayne and Yates, and he was elected by some 2,000 majority, though the district had given a large Jackson majority the preceding year. He received *ten* votes more than his opponent in

Cayuga County, which had never before thought of bolting any candidate bearing the Democratic label, and which had given some 1,800 majority for Jackson two years before. Mr. Granger, though nobly supported in the West, was deserted by the Anti-Jackson men in many of the Eastern Counties, and failed of an election by some 8,000 votes.

Mr. Seward took his seat in the Senate, being his first introduction into office or public life, at the meeting of the new Legislature in January, 1831—a young member of a small minority, at a time when Party was despotic and our State especially under the sway of an ascendancy familiarly known as "The Regency," which combined general ability with consummate knowledge of the springs of human action and a devotion to Party for Party's sake in a degree seldom equaled. Van Buren, Croswell, Wright, Flagg, N. P. Tallmadge, Perley Keyes, Samuel Beardsley, Cambreleng, Jonas Earll, Jr., Col. S. Young, John Cramer, John A. Dix, (a recent convert,) and their associates, formed a nucleus of Political management and influence whose lightest whisper was heard and obeyed in the remotest corner, the most out-of-the-way nook, of the State.—Wielding the patronage of the Federal as well as that of the State Government, backed by the unequaled popularity and seeming invincibility of Gen. Jackson, they had gradually moulded every feature of our State's institutions to the one purpose of increasing and perpetuating their own power. The entire Judiciary of the State above the grade of Justice of the Peace was manufactured in Albany, and most of it subject to re-appointment at short periods. All manner of Weighing, Measuring, and testing the quality as well as quantity of staples sold and delivered, was legally confided to functionaries designated by the Central Power, into whose hands the Banks had recently been more completely thrown, by the superinduction of the famous Safety-Fund system upon the basis of the older plan of special charters and exclusive privileges to be accorded only as the Legislature—that is, the Regency—should think best for 'the Party' Even the business of selling goods by Auction was a close and gainful Political Monopoly; no man being authorized to pursue that calling until formally nominated by the Governor and confirmed by the Senate, so that merchants of unspotted integrity and undoubted capacity, whose retirement from their life-long vocation of selling goods by Auction would have been regarded as a public misfortune, were refused commissions for nothing else than Political contumacy, and compelled to *hire* the name of one or another grog-shop declaimer and ward-meeting packer, who had procured an Auctioneer's commission as the due recompense of his services to 'the Party,' and who was thus enabled to live in vicious idleness and debasing intrigue from year to year, on the spoils of the business community. Surrogates, Commissioners of Deeds, Notaries Public, &c. were all made in Albany, of course. Even the few offices of purely local character, such as County Treasurers, Keepers of Almshouses, &c. which had formerly and with obvious propriety been filled by the Boards of Supervisors of their several Counties, were, by Regency legislation, required to be chosen by a vote of the *County Judges* conjoined to the Boards of Supervisors, thus adding five devoted vassals of the Regency to the Board in each case, and paralyzing effort for a Whig Board in balanced Counties. And, as if to guard against the consequences of any sudden giving way of overtaxed popular endurance, the Senate, whose assent was requisite to give validity to any *new* State appointment, in default of which the incumbents held over indefinitely, had been arranged by a 'Republican' ascendancy in the late Constitutional Convention, so as to be re-elected one-fourth annually, and, with the usual 'Republican' preponderance of three-fourths to seven-eighths in that body, no popular outburst against the Party, (as was proved in 1824, and was again demonstrated in 1837,) could be potent to shake the Regency in this citadel of its power. It could only be overcome by years of steady and decided popular antagonism, and for this it was presumed that the cohesion and discipline of the disorganized and headless opposing array would never be found adequate, but must succumb, after a year or two at most, to the disciplined, experienced, carefully chosen and well-paid drill-sergeants of 'the Party.' Thus every aspiring youth was measurably constrained to enroll himself in the ranks of the self-styled 'Re-

publicans;' he could choose the adverse side only by consenting to forego all reasonable chance of official emolument or distinction. If he were not a 'Republican' of the Regency stripe, he had no shadow of chance to be a Master or Examiner in Chancery, Notary, Commissioner, District Attorney, Auctioneer, Inspector, &c. nor to obtain any post opening the way to consequence or fortune. Such was the political bondage of the State of New York when Wm. H. Seward first took a seat in her Legislative halls.

The limits of this Memoir will not allow more than a glance at his Senatorial career. Though uniformly in a minority embracing hardly a fourth of the Senate and of the entire Legislature, and therefore without hope of any immediate correction of the great evils and abuses above indicated, he yet made his abilities and his assiduity respected by his adversaries and admired by his compatriots. The great cause of Internal Improvement found in him a most ardent, fearless and effective supporter, as did that of Universal Education, including every proposition looking to an increased efficiency in our Common School system. He supported the act abolishing Imprisonment for Debt; that meliorating the Prison Discipline of our State; the erection of a separate Penitentiary for Female Convicts, &c., and was assiduous and influential in the discharge of his duties as a member of the anomalous Court for the Correction of Errors, of which the Senate then constituted an integral portion and numerical majority.

The Deposits of Public Moneys were arbitrarily, unconstitutionally and in defiance of a vote of the People's Representatives, removed by Gen. Jackson's order from the United States' Bank in September, 1833. The Commercial consequences of that despotic usurpation began to be felt early in 1834, and induced a natural and intense Political commotion. Mr. Van Buren was then Vice-President with the Presidency in reversion, Wm. L. Marcy Governor, Messrs. S. Wright and N. P. Tallmadge U. S. Senators, with S. Beardsley, Cambreleng and a peculiarly docile delegation in the House. It was essential to them all, but especially to the Heir Apparent, that New-York should with emphasis sustain the high-handed act of the President, and all the vast machinery of the Regency was put in operation to that end. Resolutions approving the Removal were promptly presented in and driven through the two Houses at Albany; and on their heel came a proposition through Gov. Marcy for a State Loan of Six Millions of Dollars, to be placed at the disposal of the State officers and by them employed in sustaining the Banks and Business of our State, which, it was alleged, were imperiled by a war waged upon them by the Bank of the United States! Extraordinary and exceptionable as this measure was, its contrivers found no difficulty in passing it; indeed, it would be hard to imagine an act which they could not have passed by ample majorities. And, though they never borrowed nor loaned a dollar under it, and probably never expected to do either, yet the measure was none the less effective for the end in view. Not to protect the Safety-Fund Banks from apprehended hostility or feud, but to renew and confirm their fealty to their Regency creators and to secure the votes of their long array of stockholders, officers and customers in the impending struggle, was the act devised, and that purpose was effectually answered.

Against this series of measures a speech was made by Senator Seward which thrilled the hearts and won the admiration of the Whigs of our State. It was an effort which pointed him out to thousands as the fittest leader of the embattled Whig host, and it was followed in due course by his nomination a few months later as the Whig candidate for Governor of our State in the approaching election. And, though the combination of interests, patronage and power in the adverse array, aided by disastrous results in the States voting just before New-York, proved irresistible, reelecting Gov. Marcy by some 12,000 majority, yet the Whig vote polled for Mr. Seward was larger than had been cast for the candidate of either party at any preceding election, except possibly that for Gen. Jackson two years before. The Whigs were of course beaten throughout and paralyzed for several succeeding years, and Mr. Seward returned to his practice, his Senatorial term closing with 1834.

But 1837 brought the explosion of the Pet Bank policy, drawing after it the col-

lapse of the Political ascendancy which had for ten years ruled New-York without check or remission. With the general Suspension of Specie Payments the Safety-Fund agglomeration and the Political fabric whereof it made a part fell into shapeless ruin. Without much effort or expectation, the Whigs swept the State like a tornado, choosing six of the eight Senators and one hundred of the one hundred and twenty-eight Members of Assembly. The Senate remained strongly Regency, as were the entire body of State and Canal officers, but the prestige of popular favor and their great preponderance in talent as well as numbers in the House enabled the victors to commence in earnest the long needed work of Political Reform. The Freedom of Banking, under general and equal laws designed to guard the bill-holders against loss by exacting a desposit of ample security for all paper issues; the overthrow of the Auction Monopoly; the liberation of the Whig Counties from the Regency shackles imposed on them by the intrusion of the Albany-made Judges into the appointment meetings of the Boards of Supervisors; the restoration to the People of the right to use Small Bank Notes, and the re-invigoration of our Internal Improvement policy,—such were the leading objects of Whig Legislative effort throughout the memorable session of 1838, some of which were then carried, and the speedy triumph of the residue rendered morally inevitable. Mr. Seward held no public station, but he was frequently in Albany, in friendly counsel with the Whig Members, and heartily concurred in their general views and measures. And when in due time the Whig Delegates assembled to designate standard-bearers for the ensuing Election, he was a second time nominated for Governor, and this time with better fortune. In spite of unexpected disasters to the Whig cause in Pennsylvania, Ohio and other States, depressing hope and threatening to paralyze effort in our own, Mr. Seward was chosen Governor by 10,421 majority over Gov. Marcy, who had been three times elected by large majorities. The Whigs also chose Mr. Bradish Lieut. Governor; and prevailed in the Legislature and Congressional Delegation by like majorities; but, though they again chose a majority of the Senators elected, the dead-weight accumulated under other auspices still held the Senate faithful to the Regency. In all other departments, the Whig triumph was complete.

Gov. Seward was inaugurated on the 1st day of January, 1838, and directly transmitted to the Legislature his first Annual Message. As this document is characteristic of the man, and develops the fundamental ideas on which his public life has been grounded, the following extracts may be read in this connection with interest:

"There have been periods of debasement when it was believed that the energies of man were unequal to greater achievement, and his character susceptible of no further improvement; that a law of necessity frustrated all efforts to increase his security or mitigate the evils of his condition; and that his destiny would be speedily completed by destruction sent from the presence of unoffended Deity, upon him and the earth he had polluted. The tendencies of the present age indicate a more cheering result. The light of his intellect increases in brilliancy and reveals new mysteries to his persevering investigation. His passions become more equal and humane; his energies break through the restraints of power and prejudice, and the democratic principle leads his way to universal liberty. Froward indeed would this generation be to ask for other signs than it now enjoys, that our race is ordained to reach, on this continent, a higher standard of social perfection than it has ever yet attained; and that hence will proceed the spirit which shall renovate the world. The agency of institutions of self-government is indispensable to the accomplishment of these sublime purposes. Such institutions can only be maintained by an educated and enlightened people.

It requires national wealth to dispense effectually the blessings of science, and social ease and independence to produce a desire for their enjoyment. But education and national prosperity are reciprocal in their influence. If it were asked why knowledge is generally diffused among the American people, the answer would be because wealth is more generally diffused. And if it were inquired why the solaces and enjoyments of life are found in our dwellings, the reply would be that it is because education has been there. The augmentation of both prosperity and knowledge may be indefinite, and the security of Republican institutions be constantly increased, if that augmentation be impartially distributed. The spirit therefore that pervades our country and animates our citizens to seek the advantages of competence, is to be cherished rather than repressed. It resists the inroads of aristocracy and demolishes all its defences. It annihilates the distinctions, old as time, of rich and poor, masters and slaves. It banishes ignorance and lays the axe to the root of crime.

To enlarge, therefore, national prosperity, while we equalize its enjoyments and direct it to the universal diffusion of knowledge, are the great respon-

sibilities from which arise the systems of Internal Improvement and Education.

Our country is rich, beyond all she now enjoys, in latent, unappropriated wealth. The minerals within the earth are not more truly wealth hidden and unused, than the capabilities of its surface to yield immeasurable fruits to sustain the steps and gladden the hearts of the children of men. Emigration tending Westward with constantly increasing numbers manifests the resources of native labor we possess to render these capabilities productive. There is another resource which is ours neither by inheritance, nor by purchase, nor by violence, nor by fraud. It is the labor, the incalculable surplus labor, of the European States. This is wealth, and the moral energies of those who bring it hither are an element of national greatness. They come to us under the same law which controlled the colonists in their emigration and settlement here. They force themselves upon us even though we inhospitably resist them. The surplus capital of Europe, too, is seeking our shores with the same certainty and in obedience to the same aw. Anathematized though it be from our high places, and denounced by those who, removed by fortune beyond the general necessities, desire to maintain the power derived from what remains of inequality in our social condition, it still flows unseen over our land, and abounding prosperity vindicates its presence and its usefulness.

This tide is now acquiring increased volume and velocity from the reduction of the distance between the two continents by Atlantic steam navigation. They who would roll it back must change not merely the relations existing between this country and Europe, but the condition of society on both continents. They must re-invigorate the energies of Europe, substitute democracies for her thrones, and religious toleration for her hierarchies. They must subvert the institutions and break down the altars of Liberty in America, arrest the prosperity of the nation, deprive enterprise of its motives, and deny to labor its rewards. If all this is not done, the settlement of our Western regions will go on; new States will demand admission into the Union; their trade and commerce will continue to augment our wealth, and their citizens, no matter whence they spring, to claim us as brethren. If the energies of the new States already planted adjacent to the shores of the lakes be seconded and sustained by a wise and magnanimous policy on our part, our State, within twenty years, will have no desert places—her commercial ascendancy will fear no rivalry, and her hundred cities renew the boast of ancient Crete. The policy of this State includes every measure which tends to develope our own resources, or those of the regions which can be made tributary to our commerce, and every measure which invites the labor and capital of Europe. It requires that we welcome emigrants among ourselves, or speed them on their way to a Western destination, with all the sympathy which their misfortunes at home, their condition as strangers here, and their devotion, to liberty ought to excite. If their inclination leads them to remain among us, we must assimilate their principles,habits, manners and opinions to our own. To accomplish this, we must extend to them the right of citizenship with all its inestimable franchises. We must secure to them, as largely as we ourselves enjoy, the immunities of religious worship. And we should not act less wisely for ourselves than generously toward them, by establishing schools in which their children shall enjoy advantages of education equal to our own, with free toleration of their peculiar creeds and instructions.

The year 1838 has been signalized by the momentous confirmation of the highest hopes excited by the successful application of steam power to the propulsion of boats. But this wonderful agent has achieved, almost unobserved, a new triumph, which is destined to effect incalculable results in the social system. This is, its application to locomotion upon the land. Time and money are convertible. Husbandry of the one is economy of the other, and is equivalent to the economy of labor. Railroads effect a saving of time and money; and, notwithstanding all the incredulity and opposition they encounter, they will henceforth be among the common auxiliaries of enterprise. Happily, it is not in our power to fetter the energies of other States, although we may repress our own. This useful invention, like all others, will be adopted by them, although it gain no favor with us; and they who are willing that New-York shall have no Railroads must be ready to see all the streams of prosperity seek other channels, and our State sink into the condition of Venice, prostrate and powerless among the monuments of her earlier greatness.

A glance at the map would render obvious the utility of three great lines of communication by Railroads between the Hudson River and the borders of the State. One of these would traverse several of the Northern Counties, and reach with its branches to Lake Ontario and the St. Lawrence. A second, keeping the vicinity of the Erie Canal, would connect Albany and Buffalo. A third would stretch through the Southern Counties, from New-York to Lake Erie.

It is certain that neither one or two of these improvements would accomplish the useful ends of all; and, when the growing wealth and importance of the several regions directly interested in these improvements are considered, it is not less clear that, however delayed, all must eventually be completed. It remains, then, to be decided whether it is wiser to regard them as trivial enterprises, each by the operation of local jealousies hindering and delaying the others, or whether all shall be considered as parts of one system and equally entitled to the consideration and patronage of the State.

Action is the condition of our existence. Our form of government chastens military ambition. The action of the people must be directed to pursuits consistent with public order and conducive to the general welfare. Our country will else be rent by civil commotions or our citizens will seek other regions, where society is less tranquil, ambition enjoys greater freedom, enterprise higher motives, and labor richer rewards.

We are required to carry forward the policy of Internal Improvement, by the abounding experience of its benefits already enjoyed; by its incalculable benefits yet to be realized; by all our obli-

gations to promote the happiness of the people, to multiply and raise their social enjoyments, to maintain the fame of the State, inestimably dear to its citizens, to preserve the integrity of the Union; and by the paramount duty we owe to mankind, to illustrate the peacefulness, the efficiency, the beneficence and the wisdom of Republican Institutions. * * * *

The Colleges, Academies and Common Schools constitute our system of public instruction. The pervading intelligence, the diminution of crime, the augmented comforts and enjoyments of society and its progressive refinement, the ascendancy of order and the supremacy of the laws, testify that the system has been by no means unsuccessful in diffusing knowledge and virtue.

It must nevertheless be admitted that its efficiency is much less than the State rightfully demands, both as a return for her munificence and a guaranty for her institutions. Some of our Colleges and Academies languish in the midst of a community abounding in genius and talent, impatient of the ignorance which debases, and the prejudices which enslave. The Common School System, but partially successful in agricultural districts, is represented as altogether without adaptation to cities and populous villages. The standard of Education ought to be elevated, not merely to that which other States or Nations have attained, but to that height which may be reached by cultivation of the intellectual powers, with all the facilities of modern improvements, during the entire period when the faculties are quick and active, the curiosity insatiable, the temper practicable, and the love of truth supreme. The ability to read and write, with the rudiments of arithmetic, generally constitute the learning acquired in Common Schools. To these our Academies and Colleges add superficial instruction in the dead languages, without the philosophy of our own; scientific facts, without their causes; definitions, without practical application; the rules of rhetoric, without its spirit; and history divested of its moral instructions. It is enough to show the defectiveness of our entire system, that its pursuits are irksome to all, except the few endowed with peculiar genius and fervor to become the guides of the human mind, and that it fails to inspire either a love of science or passion for literature.

Science is nothing else than a disclosure of the bounties the Creator has bestowed to promote the happiness of man, and a discovery of the laws by which mind and matter are controlled for that benignant end. Literature has no other object than to relieve our cares and elevate our virtues. That the pursuits of either should require monastic seclusion, or be enforced by pains and penalties upon reluctant minds, is inconsistent with the generous purposes of both. Society cannot be justly censured for indifference to education, when those who enjoy its precious advantages manifest so little of the enthusiasm it ought to inspire. All the associations of the youthful mind, in the acquisition of knowledge, must be cheerful; its truths should be presented in their native beauty and in their natural order: the laws it reveals should be illustrated always by their benevolent adaptation to the happiness of mankind; and the utility and beauty of what is already known, should incite to the endless investigation of what remains concealed. If Education could be conducted upon principles like these, the attainments of our collegiate instruction might become the ordinary acquirements in our Common Schools; and our Academies and Colleges would be continually enjoying new revelations of that philosophy which enlightens the way, and attaining higher perfection in the arts which alleviate the cares of human life.

If these reflections seem extravagant, and the results they contemplate unattainable, it need only be answered that the improvability of our race is without limit, and all that is proposed is less wonderful than what has already been accomplished. To the standard I have indicated, I do not hesitate to invite your efforts. Postponed, omitted, and forgotten, as it too often is, amid the excitement of other subjects and the pressure of other duties, Education is, nevertheless, the chief of our responsibilities. The consequences of the most partial improvement in our system of Education will be wider and more enduring than the effects of any change of public policy, the benefits of any new principle of jurisprudence, or the results of any enterprise we can accomplish. These consequences will extend through the entire development of the human mind, and be consummated only with its destiny."

These extracts will seem long to those who take care not to read them; to those who earnestly seek to know who and what Gov. Seward is they will be more valuable than a greater extent of narrative and assertion. This Message was his first official exposition of his views on the chief topics of National and State concern; and by the light of these sentiments you may easily and clearly read his whole public career. Other extracts press for insertion, and are put aside only because they would swell this memoir beyond all reasonable bounds.

Amid a very general defection and discomfiture the Whigs of New-York maintained their ascendency in their State Election of 1839, choosing an Assembly, 70 to 58, and so considerable a majority of the Senators as to give them for the first time a decided preponderance in the upper House also. The Canals and every remaining department of the Government except the Judicial now passed into Whig hands. Many of the Reforms for which the Whigs had vainly struggled for years were now effected with little opposition. Gov. Seward's second Message, in January, 1840, was in good part devoted to an eloquent and powerful vindication of the

Internal Improvement policy, to suggesting and urging recommendations of Law Reform, to Education, the Currency, the Political action of the Federal Government, &c., &c. Space willl not permit even a synopsis of his positions and arguments. The following passage, however, occasioned so much controversy and encountered so very general a prejudice and hostility that it cannot well be omitted:

"Although our system of Public Education is well endowed, and has been eminently successful, there is yet occasion for the benevolent and enlightened action of the Legislature. The advantages of Education ought to be secured to many, especially in our large cities, whom orphanage, the depravity of parents, or some form of accident or misfortune, seems to have doomed to hopeless poverty and ignorance. Their intellects are as susceptible of expansion, of improvement, of refinement, of elevation and of direction, as those minds which, through the favor of Providence, are permitted to develop themselves under the influence of better fortunes; they inherit the common lot to struggle against temptations, necessities and vices; they are to assume the same domestic, social and political relations; and they are born to the same ultimate destiny.

"The children of foreigners, found in great numbers in our populous cities and towns and in the vicinity of our public works, are too often deprived of the advantages of our system of public education, in consequence of prejudices arising from differences of language or religion. It ought never to be forgotten that the public welfare is as deeply concerned in their education as in that of our children. I do not hesitate, therefore, to recommend the establishment of Schools in which they may be instructed by teachers speaking the same language with themselves, and professing the same faith. There would be no inequality in such a measure, since it happens from the force of circumstances, if not from choice, that the responsibilities of Education are in most instances confided by us to native citizens, and occasions seldom offer for a trial of our magnanimity by committing that trust to persons differing from ourselves in language or religion. Since we have opened our country and all its fullness to the oppressed of every nation, we should evince wisdom equal to such generosity by qualifying their children for the high responsibilities of citizenship."

It would seem difficult honestly to misunderstand this wise suggestion of the employment of teachers for the ignorant and vagrant children of our cities able to speak a language that those children could understand and prepared to overcome their natural distrust of and aversion to strangers by the sympathy of a common religious faith, as a proposition that the children should be *taught in foreign languages* instead of the English, and drilled in Catholic catechisms instead of spelling-books and readers; and yet such a construction of the Governor's suggestions was very generally proclaimed and doggedly persevered in, to his temporary but serious injury. The above paragraphs, together with his urgent advocacy of Chancery and Law-Practice Reform, cost him at least Five Thousand votes in the ensuing Election. But, Time at last sets all things even.

The first outbreak of "Anti-Rent" resistance to legal process during the last twenty years had taken place a month before the transmission of this Message. Gov Seward had instantly called out an adequate Military force, whose simple presence in the excited district at once vanquished all show of resistance to the laws, though it was powerless against the spirit in which the disturbances originated. The Governor stated the facts in his Message, and added:

"The resistance to the Sheriff arose out of a controversy between the tenants of the Manor of Rensselaerwick and its proprietors. The lands in that Manor are held under ancient leases, by which mines and hydraulic privileges, rents payable in kind, personal services, and quarter-sales are reserved. Such tenures, introduced before the Revolution, are regarded as inconsistent with existing institutions, and have become odious to those who hold under them. They are unfavorable to agricultural improvement, inconsistent with the prosperity of the districts where they exist, and opposed to sound policy and the genius of our institutions. The extent of territory covered by the tenures involved in the present controversy, and the great numbers of our fellow-citizens interested in the questions which have grown out of them, render the subject worthy of the consideration of the Legislature. While full force is allowed to the circumstance that the tenants enter voluntarily into such stipulations, the State has always recognized its obligation to promote the general welfare, and guard individuals against oppression. The Legislature has the same power over the remedies upon contracts between landlord and tenant as over all other forms of legal redress. Nor is the subject altogether new in the legislation of the State. It was brought under consideration in 1812, by a bill reported by three Jurists of distinguished eminence and ability. I trust, therefore, that some measure may be adopted, which, without the violation of contracts, or injustice to either party, will assimilate the tenures in question to those which experience has proved to be more accordant with the principles of Republican Government, and more conducive to general prosperity, and the peace and harmony of Society."

These suggestions, though generally decried when made, have since been, if not literally adopted, yet in effect surpassed. Successive Legislatures have directed the State's Attorney-General to institute proceedings for the recovery of lands held under Manorial grants, where it shall seem to him that said grants were invalidated by fraud or by want of due authority in the grantor. The Convention of 1847 engrafted upon our Reformed Constitution provisions intended to prevent the creation of new and ultimately to extirpate all existing Manorial rights or privileges within any State. And, by a late decision, our Supreme Court has distinctly pronounced the exaction of Quarter Sales, as stipulated in most of the Manorial Leases, illegal and void, being contrary to fundamental law and Republican policy. The time is evidently at hand when the securing of a Homestead to each Family, of Land to each Cultivator, and of Opportunity and full Recompense to each individual willing to Labor, will be recognized and acted on as cardinal principles of a genuine Democracy.

The controversy between the Executives of New-York and Virginia respecting the nature and extent of the constitutional obligation to deliver up fugitives from justice had mainly taken place the preceding season, though it was not then concluded.—Gov. Seward refers to it in his Message in the following terms:

"A requisition was made upon me in July last, by the Executive of Virginia, for three persons as fugitives from justice, charged with having feloniously stolen a negro slave in that State. I declined to comply with the requisition, upon the grounds that the right to demand and the reciprocal obligation to surrender fugitives from justice between sovereign and independent nations, as defined by the law of nations, include only those cases in which the acts constituting the offence charged are recognized as crimes by the universal laws of all civilized countries; that the object of the provision contained in the Constitution of the United States, authorizing the demand and surrender of fugitives charged with treason, felony, or other crime, was to recognize and establish this principle of the Law of Nations in the mutual relations of the States as independent, equal and sovereign communities; that the acts charged upon the persons demanded were not recognized as criminal by the laws of this State, nor by the universal laws of all civilized countries; and that consequently the case did not fall within the provision of the Constitution of the United States.

"The Governor of Virginia, in his last Annual Message, referred the subject to the consideration of the Legislature of that State, and declared that my construction of the Constitution of the United States could not be acquiesced in nor submitted to. He added, that if it were allowed to prevail, and no relief could be obtained against what he designated as a flagrant invasion of the rights of Virginia, either by an amendment of the Constitution of the United States, or by the action of the Legislature of Virginia, it might ultimately become the important and solemn duty of Virginia to appeal from the canceled obligations of the National compact to original rights and the laws of self-preservation.

"I confess my surprise that it should in any part of the Union be regarded as a new and startling doctrine that the Constitutional power of the Executive of any other State to demand the surrender of a citizen of this State, to be carried to the former and tried for an offence committed there, is limited to cases in which the offence charged is recognized as criminal by the statute laws of this State, by the common law, or by the universal laws of mankind. Nor can I withhold the expression of my sincere regret that a construction of the Constitution, manifestly necessary to maintain the sovereignty of this State and the personal rights of her citizens, should be regarded by the Executive of Virginia as justifying in any contingency a menace of secession from the Union."

The Election of 1840, which followed, resulted in an overwhelming Whig victory. Gen. Harrison was chosen President by 234 Electoral votes to 60 for Van Buren, the Whigs fully maintained their ascendancy in our State, and Gov. Seward was re-elected, though by a majority seriously diminished by the influences already alluded to. He declined to stand for a third term. We have had four Governors since, but as yet, no one of them has been re-elected.

Internal Improvement, Law Reform, Land Distribution, Educational Progress, and a diminution of the expense of and impediments to Naturalization, were the chief topics of his third Annual Message, transmitted on the 5th of January, 1841. The following paragraphs alluding to Gen. Harrison, the elected but not yet inaugurated President, have a concise felicity of expression, of which time has not yet denuded them:

"The Chief Magistrate of the Union will enter upon his trust with favorable auspices. The public good requires, and the public mind consents to repose. Fortunate in experience of public services in the Senate and the field, in executive and diplomatic stations; fortunate in exemption from prejudice in favor of any erroneous policy hitherto pursued; fortunate in the enjoyment of his country's veneration and gratitude; and especially fortunate in having at once defined and reached the boundary of his

ambition, the President can have no other objects than the public welfare and an honorable fame.

"The People expect that he will preserve peace, maintain the integrity of our territory and the inviolability of our flag, co-operate with Christian nations in suppressing piracy and the Slave-Trade, avoid alliances for every other purpose, conduct our foreign relations with firmness and fairness, terminate our controversies with the Indian tribes, regain their confidence, and protect them against cupidity and fraud; confine the actions of the Executive Department within constitutional bounds; abstain from interference with elections and the domestic concerns of the States; defer to the wisdom of Congress, and submit to the will of the people; observe equal and exact justice to all men and classes of men, and conduct public affairs with steadiness, that Enterprise may not be disappointed; with economy, that Labor may not be deprived of rewards; and with due accountability of public agents, that Republican institutions may suffer no reproach.

"If he shall endeavor to meet these expectations, no discontents can affect—no opposition can embarrass him; for he will act in harmony with the spirit of the Constitution, and with the sentiment of the People. And when, like him whose fame is unapproachable, but whose wisdom and moderation this distinguished citizen has adopted as his great example, he shall have healed his country's wounds, and restored her happiness and prosperity, he will enjoy the rare felicity of a retirement more honored than even his distinguished station."

Gov. Seward's fourth and last Annual Message was transmitted in January, 1842. The trial of McLeod for the alleged murder of a citizen of our State at the time of the burning of the steamboat Caroline at Schlosser, in the Niagara River; the Public School system of our city and its grave defects; the General Banking Law and its deficiencies, as shown by experience, were, after Internal Improvement, its more prominent topics. On the subject of his still unsettled controversy with the Executive of Virginia, he says:

"I lay before you a law of Virginia calculated to embarrass our Commerce. The effect of the act is postponed until May next, and the Governor is authorized further to suspend it whenever the Executive authority of this State shall surrender three persons heretofore demanded by the Lieutenant-Governor of the Commonwealth as fugitives from justice, and the Legislature shall repeal the law extending the trial by jury. I have respectfully informed the authorities of Virginia that my convictions of the illegality of that requisition are unchanged; and that although New-York, from motives of self-respect and devotion to the Union, will not retaliate, nor even remonstrate, yet she cannot consent to remain a respondent, since Virginia has seen fit to transcend the sphere assigned her by the Federal Constitution, and to pass an aggressive law; but that this State will cheerfully return to a discussion of the subject, with a sincere desire to arrive at the conclusion mutually satisfactory and conducive to the general harmony, whenever the effect of that unfortunate statute shall be remedied by the action of our sister State, or by an overruling decision of the Supreme Court of the United States. The Legislature will decide whether the trial by jury shall be relinquished, and whether a State which acknowledges no natural inequality of man, and no political inequality which may not ultimately be removed, shall wrest that precious shield from those only whose freedom is assailed, not for any wrong-doing of their own, but because the greatest of all crimes was committed against their ancestors. Taught as we have been by the founders of the Constitution, and most emphatically by the Statesmen of Virginia, we cannot renounce the principle that all men are born free and equal, nor any of its legitimate consequences. But we can, nevertheless, give to Virginia, and to the whole American family, pledges of peace, affection and fidelity to the Union, by relying upon legal redress alone, and by waiting the returning magnanimity of a State whose early and self-sacrificing vindication of the Rights of Man has entitled her to enduring veneration and gratitude."

At the close of his second term, Gov. Seward returned to Auburn and resumed with ardor the pursuit of his long neglected profession, to which his next six years were assiduously and most successfully devoted. An extensive and lucrative practice in the Courts of the United States, especially in cases arising under the Patent Laws, was rapidly acquired, and had increased to an embarrassing extent when he relinquished, so far as practicable, his practice in 1849, to devote himself to his new Senatorial duties, and to settling the large estate of his father, who died late in that year. Though not a candidate for office at any time during these years, he yet devoted a portion of 1844 to an active canvass of our State in behalf of the Whig cause and of Mr. Clay's election as President, and in 1848 he addressed large assemblages not only in this State but also in Pennsylvania and Ohio in advocacy of the election of Taylor and Fillmore.

Gov. Seward, though ardently engaged in the canvass of 1844, through almost the entire Summer and Fall, was unable to accept half the imposing invitations to speak that urgently solicited his consent; and the brief letters he addressed to those whose solicitations he was compelled to decline, are among the most effective appeals of that memorable contest. In reply to the Whigs of Orleans County, he wrote:

"AUBURN, May 19th, 1844."

"Our Revolutionary sires sung of the 'Tree of Liberty' they planted and watered with blood, and we, who rest under its branches, justly boast of its fruits and rejoice in its protection. Yet the exile, though invited from other lands, too often finds himself an unwelcome intruder beneath its shade. Masses of our countrymen too hastily seize and satisfy themselves with its unripened fruits, while to a whole race it yields nutriment as bitter as Apples of Sodom. Let us stir the earth as then, and apply to the roots of our noble Tree the fresh mould of knowledge and religion, so shall it produce for all alike and abundantly the sweet fruits of peace, security and virtue.

Gentlemen, Let the Whigs of the Eighth District look to this: they are not mere partisans, politicians of the day, nor of the season, politicians from interest nor expediency. When I had the honor to be elected Chief Magistrate of this State, I received in the Eighth Senate District a majority equal to my entire majority in the State. During the short interval of seven weeks between my election and inauguration, I received more than a thousand applications for offices. Of these applications *two* only came from beyond the Cayuga Bridge. To that region I look continually, confidingly, and always, for the spirit which shall not merely restore prosperity when it has been lost, but which shall constantly renovate and regenerate Society. Look at our neglected and decaying Public Works. Who shall renew and complete them but the Whigs? Look at the Tariff Law, which constitutes our system of Protection! passed in the Senate of the United States on compulsion by a casting vote perfidiously pledged to its speediest possible repeal. Who has saved it but the Whigs? Look at the stain of Repudiation on our National Honor. Who shall efface it but the Whigs? Look at the intolerance, turbulence, conflagrations and shedding of blood in the streets of an Eastern City, and say how shall such crimes be averted but by establishing the truth that all men are equal before the Constitution and the Laws? And who shall do this but the Whigs, who always maintained the supremacy of the Laws?

Look at the threatened extension of our territory, for the mere purpose of extending the public domain of Slavery, and adding new bulwarks to support that accursed institution. Who shall postpone this evil now? A Whig Senate. Who can prevent it hereafter but a Whig Administration and a Whig Congress? And who shall lead the way in those great measures but the Whigs of Western New-York—who led the way in 1837 and 1838, and in 1840? And who so fit a leader as Henry Clay, whose self-sacrificing patriotism has so often postponed its own rewards to save the interests, the peace and the welfare of his Country?

I am, gentlemen, with great respect,

Your humble servant,

WILLIAM H. SEWARD."

To the Whigs of MICHIGAN, who soon after addressed him a similar and pressing invitation, he returned the following answer:—

"AUBURN, June 12, 1844.

DEAR SIR:—The Whig State Central Committee of Michigan could hardly have been conscious how seductive would be the call they were making upon me in their invitation for the 4th of July next.

Independent of the great satisfaction I should enjoy in becoming acquainted with the citizens of your State who support the great party upon which I have bestowed my confidence and affection, there is nothing in the range of human knowledge I so much desire as to see and study the Great West, its resources, its condition, its prospects, and its growing influence upon the destinies of our Country and of our Race.

But, my dear Sir, I have been long a truant to domestic duties, and neglectful of personal interests. The inconvenience of this error must be corrected. I cannot, therefore, gratify my desire to see the West, at this juncture.

I should the more deeply regret this, if I had the vanity to believe for a moment that what I could say would at all promote the success of the Whig party in Michigan. I could only speak of the beneficent operations of the Tariff, and invoke the People of Michigan to let it stand; of the desirableness of saving the avails of the Public Lands, and applying them to Education, and the improvement of our interior communications by water, and invoke the aid of the people of Michigan in favor of a policy more important even to them, than to the State to which I belong; of the deplorable error of adding bulwarks to the falling institution of Slavery, which is the chief cause of our national calamities, and the only source of national danger, and implore the Free People of Michigan "to stand by the cause of human freedom;" and of the importance of liberal naturalization, as a chief element in our growing empire; and appeal to the enlightened People of Michigan to instruct their elder brethren of the East on a principle which lies at the base of Western prosperity.

But there can be no need of such appeals to such a people, and at least I shall have no special claims on the attention of those whom I should address.

Accept, my dear sir, for yourself and your associates, assurances of my very high respect, and believe me, most respectfully your obedient servant, WILLIAM H. SEWARD.

To M. EACKER, &c., State Committee."

We give one more of these letters, and give it entire, because of the honor it does to a noble Commonwealth, first on the list of immovably Whig States, and to two of her illustrious Statesmen whom the Country delights to honor. Gov. Seward, having been urgently invited to attend a great gathering of the Whigs of Western Massachusetts at Springfield, returned the following answer:

"AUBURN, July 29, 1844.

GENTLEMEN:—The earliest studies of every citizen in the history of Democracy in America carry

him at once to Faneuil Hall, the Council Chamber of Boston, and to Lexington and Bunker Hill, the battle-fields of Massachusetts.

When sedition raised her thousand clamors, and fears of the dissolution of the Union came thick and fast upon me in a foreign land, opening a sad perspective of commotions, declining public virtue and the calamities of endless civil war, the voice of Massachusetts, delivered by DANIEL WEBSTER, defending our glorious Constitution, not for her interests, nor her sake, nor her glory alone, but for the peace, welfare and happiness of the whole American People, quelled the storm, dispelled the alarm, and assured mankind of the stability of "Liberty and Union, then and forever, one and inseparable."

Whenever and wherever fraud has planned a mine to subvert a pillar of the Constitution, or Power has meditated a blow against the People, or against a citizen, or against an exile, or against a slave, against anything in the shape of a Free Society, or against anything in the shape of a man, JOHN QUINCY ADAMS of Massachusetts has been seen watching the design with eagle eye, and in the moment of the attempted perpetration of the crime the conspirators fell, the intended victim rose free and safe, and the deliverer, unrewarded and unthanked, set himself again on his endless watch for the cause of Freedom and Humanity.

If I could be allowed to sit in the silence that would become me in the proposed gathering of the Whigs of Massachusetts, or if they would be content with my merely expressing the veneration and reverence I cherish for them and her, I might be persuaded to accept the hospitalities tendered to me. But they have another object; I am required to speak. Massachusetts and her sons 'stand there,' needing no praise from me, and asking none. My life has already become a living offence against my own conviction of propriety. I cannot instruct, nor can I consent to seem as if I thought I could instruct, those from whom it is my pride to learn. I must therefore, gentlemen, again decline your kind invitation. But I will second in this State your noble efforts for Clay and the Constitution with what ability I possess. Past relations excuse my advocacy here, and it seems not altogether unbecoming, because it is at least dutiful and grateful.

Accept, gentlemen, renewed assurances of grateful and affectionate respect and friendship.

WILLIAM H. SEWARD.

George Ashmun, George Bliss, &c., Esqrs."

A concurrence of malign influences deprived the Whigs of the victory in that desperate contest to which they were entitled. Prominent among these influences were the outbreak of Nativism in several of our great cities, whereby the Adopted Citizens, alarmed for their dearest rights, were driven pell-mell into the Loco-Foco ranks, while thousands were naturalized on purpose to vote for Polk as the way to put down Nativism, and many Immigrants voted who were not naturalized at all, nor entitled to be. Hardly less baleful was the obstinate assertion of our adversaries in the Free States that *Mr. Clay was as favorable and as much committed to the Annexation of Texas as Mr. Polk*—an assertion for which some color of countenance was indeed extorted from the letters written by Mr. Clay to Alabama, but which was none the less a fraud and a falsehood, not only in the absolute fact but in the consciousness of its utterers. The votes thrown away on Birney in this State alone because of such assertion would have sufficed to elect Mr. Clay. Other influences conspired with these to carry Mr. Polk into the Presidential Chair, bring Texas into the Union, and plunge the country into a destructive, needless and therefore criminal War with Mexico. Gov. Seward, having done all that man could do to avert these foreseen calamities so long as effort would avail, returned to his profession when the result of the struggle of '44 was declared, discharging his duty as a private citizen and a Whig with unwavering fidelity and biding in faith the dawning of a brighter day.

On the evening of the 12th of March, 1846, a horrible destruction of human life took place in Cayuga County. John G. Van Nest, a worthy farmer residing in Fleming, three miles south of Auburn, with his wife, infant son and mother-in-law, was butchered outright, and a guest named Van Arsdale severely wounded. The murderer was a negro, unknown to the victims or the survivors of the family; but he stole a horse and rode away upon it, was traced north to where he exchanged it for another, also stolen; and thence into Oswego County, where, at a point forty miles from Fleming, he was overtaken and arrested next day. He proved to be a half Indian, half negro, twenty-two years old, born in Auburn, where he had lived nearly all his life and spent five years in the State Prison under a conviction for horse-stealing. He was taken back to the scene of the tragedy, fully identified as the slayer, and ordered to stand committed for trial as the murderer. But the immense, excited concourse by this time assembled there could ill brook the idea of awaiting the slow process of indictment, trial and execution. They were fierce for his blood

then and there, and would brook no delay. Pious deacons and sage justices clamored savagely for an opportunity to tear him limb from limb, and it was only by stratagem that the officers having charge of the prisoner were enabled to baffle the frenzied crowd and run him into Auburn jail, with the bloodhounds in full cry on their track. The mob dispersed to diffuse their excitement and thirst for blood all over the interior of our State. The funeral of the victims soon followed, and a mighty concourse assembled around the encoffined remains of the four lamented victims, to whom Rev. A. B. Winfield, pastor of the Church whereof those victims were members, preached a sermon of which the following is the conclusion:

> "If ever there was a just rebuke upon the falsely so-called *sympathy* of the day, here it is. Let any man in his senses look at this horrible sight, and then think of the spirit with which it was perpetrated, and, unless he loves the *murderer* more than his *murdered victims*, he will, he must confess, that the law of God which requires that 'he that sheddeth man's blood *by man shall his blood be shed*,' is right, is just, is reasonable. Is this the way to prevent murder, by sympathy? It encourages it. It steels the heart and nerves the arm of the assassin.
>
> "But capital punishment is said to be *barbarous, cruel, savage*. What does this amount to? Why, that God *commands* that which is *barbarous, cruel* and *savage!* Most daring blasphemy! But 'all punishment is for the good of the culprit, or else it is tyrannical!' The wretch who committed this horrid deed has been in the school of a State Prisen for five years, and yet comes out a *murderer!* Besides, it is an undeniable fact that murder has increased with the increase of this anti-capital-punishment spirit. It awakens a hope in the wretch, that by *adroit counsel* law may be perverted, and jurors bewildered or melted by sympathy; that by *judges infected with it*, their whole charges may be in favor of the accused; that by the *lavishment of money*, appeals might be multiplied, and, by putting off the trial, witnesses may die. Why, none of us are safe under such a false sympathy as this; for the murderer is almost certain of being acquitted! If I shoot a man to prevent him breaking into my house and killing my family, these gentlemen will say I did right. But if he succeeds, and *murders* my whole family, then it would be *barbarous* to put him to death! Oh, *shame, shame!* I appeal to this vast assembly to maintain the laws of their country inviolate, and cause the murderer to be punished."

The excitement thus created overspread the whole region, and swept everything in its course. As an example of its blind fury—Cayuga had for some years been a closely balanced County in Politics, rarely, since 1837, giving 300 majority either way, and as often for one party as the other. But in the election for delegates to the Constitutional Convention, which took place soon after this murder, though the Whig ticket was headed by Judge Conkling of the U. S. District Court, who at any other time would have been elected, the adverse candidates were all chosen by about 1,000 majority. The popular fury against negroes, excited by this murder, coupled with the belief that the Whigs would favor the extension of the Right of Suffrage to Blacks, while their adversaries avowedly would not, was mainly instrumental in producing this result. And its influence was felt, though not so strongly, in many other counties.

Freeman was indicted for murder on the 18th of May, and arraigned for trial on the 1st of June. It was still a test of courage to whisper, in any part of the county, a word in extenuation of his crime, or to doubt that he was legitimate prey for the gallows. But WILLIAM H. SEWARD had inquired into the matter, and become satisfied that the prisoner was of unsound mind, at once shattered and imbecile, and that he was not morally accountable for his deed. He appeared in Court on the arraignment as a volunteer counsel for the accused, and entered a plea of Not Guilty by reason of Insanity, and demanded a preliminary trial on that issue. That plea was especially odious to the popular mind, as it was believed that several great criminals had recently escaped the gallows by means of it, one of them at Auburn. If a popular vote of the County could then have been taken on hanging Freeman and his counsel together, the affirmative would, doubtless, have had an immense majority. The Court took time to consider the plea, and, on the 24th, decided that the issue of sanity or insanity should be separately tried, and ordered jurors to be drawn for the trial. Hon. John Van Buren, Attorney General, with Luman Sherwood, District Attorney, appeared for the People; Gov. Seward, with his partners, Christopher Morgan and S. Blatchford, to whom David Wright was added, at Gov. Seward's request, by assignment of the Court, were counsel for the prisoner. A jury was, after a sharp struggle, empaneled, and the trial proceeded.

Freeman, it appeared, had been a va-

grant, errand-boy and menial from his infancy, staying where he could, and picking up his living by doing odd jobs here and there. That he was inefficient and intractable was notorious; some attributing his inaptness to an obtuseness akin to idiocy, while others suspected it had its root in indolence and knavery. When hardly seventeen years of age, he had, by perjury, been sent to State Prison on a conviction of stealing a horse he never saw, and had there, by reason of his rudeness and incapacity, been beaten over the head so that, (as was afterward proved,) the drum of his ear was broken and his left temporal bone was ever after carious and diseased. He was henceforth more sullen and stupid than ever, complained of deafness, seemed to have little memory, but brooded ever on the idea that he had worked five years in the State Prison for nothing, and ought to be paid for it. In this state of mind he was liberated on the expiration of his sentence in September, 1845, and continued to mutter about his five years' service, and that he must and would be paid for it, to all who would listen to him and to some who would not, down to the time of the murder. To those who visited him in jail between the tragedy and the trial, his talk was substantially the same. He insisted that he could read, and seemed on trying to do so, but merely uttered such incongruous words and phrases as came into his head, having no reference to the open page before him. When asked why he killed the Van Nests, he only repeated his old story about his five years' service, and that he must be paid for it. He denied that he had killed the child, however, and manifested sensibility when accused of it. He said to one witness that Van Nest said to him, "If you are going to eat my liver, I will eat yours;" whereupon he (Freeman) struck him. It appeared that Freeman's brother had died of brain fever, an uncle was a wandering lunatic, an aunt had died deranged. Freeman himself had been to various lawyers' offices to get justice for his five years' service, had visited Mrs. Godfrey, whose horse he was convicted of stealing, on the same errand. After a protracted and arduous trial, the jury returned this verdict, "*We find the prisoner sufficiently sound in mind and memory to distinguish between Right and Wrong.*" The prisoner's counsel demanded that this verdict be rejected, and a simple verdict of "Sane" or "Insane" required. The Court refused, and the counsel excepted. On the 6th of July, the District Attorney moved on the trial on the indictment, which Mr. Seward opposed, but the Court overruled him, and refused to hear argument. The prisoner was arraigned, and asked if he demanded a trial on the indictment. He answered "No." "Have you counsel?" "I don't know." "Are you able to employ counsel?" "No." The Court directed the clerk to enter a plea of "Not Guilty," and that the trial proceed. Mr. Seward here interposed an affidavit, asking a continuance of the case, because of the prisoner's infirm mind and helpless condition, the popular excitement against him, and the absence of a witness deemed material to prove his insanity. Motion denied. A motion to quash the indictment for cause was overruled; as was a challenge to the array of the panel for like cause. The trial went on; a jury was obtained; and, on the 23d, a verdict of Guilty was recorded. On the 24th, Freeman was sentenced to be executed on the 18th of September following.

The counsel for the prisoner promptly interposed a bill of exceptions, alleging errors and misdirections on various points in the course of the trial. The argument on this bill was made before the Supreme Court, by Mr. Seward for the prisoner, and Attorney General Van Buren for the People, and Chief Justice Beardsley delivered the opinion of the Court, sustaining the exceptions, reversing the judgment against Freeman, and granting a new trial. Meantime, the Judge visited Freeman repeatedly in his cell, became satisfied of his mental disability, and refused to try him again. In fact, it became speedily so evident that no one could reasonably doubt it Gradually declining in health and strength, Freeman became more and more palpably idiotic and deranged, and finally died in prison, August 21st, 1847.

If to statesmen are awarded honors and to conquerors laurels, he who saves a community from its own blinding frenzy and baleful passions is deserving of its grateful remembrance. That Freeman was not torn in pieces to satiate the wolfish ferocity of a mob, was due to the tact of his custo-

dians'; that he was not deliberately choked to death, while half insane, half idiotic, for an offence of which he had no moral consciousness, is due to the persevering fidelity and self-forgetting humanity of William H. Seward.

The hum of preparation for the contest of 1848 again summoned Gov. S. to the political arena. Early convinced that Gen. Taylor combined with eminent fitness for the station, an unequalled popularity among those who are not decided partisans, but whose votes, as they are cast into this scale or that, determine the result of an election, he was, though not prominent in the canvass, a decided advocate of the nomination of Gen. T. up to the assembling of the Whig National Convention at Philadelphia, and thenceforth an ardent and assiduous champion of his election. Though he spoke frequently in our State, the certainty of an overwhelming Whig triumph here rendered speaking well nigh superfluous, and he therefore accepted invitations to address the Whigs of Pennsylvania and of Ohio, to set forth the reasons which induced him—ardently devoted to the preservation of every inch of Free Territory from the irruption of Slavery and hoping for the Emancipation of the Enslaved universally—to unite in the support of Gen. Taylor. The following extract from his speech at Cleveland, Ohio, will convey a fair idea of his views and positions:

"There are two antagonistical elements of Society in America—Freedom and Slavery. Freedom is in harmony with our system of Government, and with the spirit of the age, and is therefore passive and quiescent. Slavery is in conflict with that system, with justice and with humanity, and is therefore organized, defensive, active, and perpetually aggressive.

"Freedom insists on the emancipation and elevation of Labor; Slavery on its debasement and bondage. Slavery demands a soil moistened with tears and blood; Freedom, a soil that exults under the elastic tread of Man in his native majesty.

"These elements divide and classify the American People into two parties; each of these parties has its court and its sceptre. The throne of the one is amid the rocks of the Alleghany mountains, the throne of the other is reared on the sands of South Carolina. One of these parties, the party of Slavery, regards disunion as among the means of defence, and not always the last to be employed. The other maintains the Union of the States, one and inseparable, now and forever, as the highest duty of the American people to themselves, to posterity and to mankind.

"The party of Slavery uphold an aristocracy founded on the humiliation of Labor, as necessary to the perfection of a chivalrous Republic. The party of Freedom maintains universal suffrage, which makes men equal before human laws, as they are in the sight of their common Creator.

"The party of Slavery cherishes ignorance, because it is the only security for oppression. The party of Liberty demands the diffusion of knowledge, because it is the only safeguard of Republican institutions.

"The party of Slavery patronizes that Labor which produces only exports to commercial nations abroad, tobacco, cotton and sugar, and abhors the Protection that draws grain from our native fields, lumber from our native forests, and coal from our native mines, and ingenuity, skill and labor from the free minds and willing hands of our own people.

"The party of Freedom favors only the productions of such minds and such hands, and seeks to build up our Empire out of the redundant native materials with which our country is blest.

"The party of Slavery leaves the mountain, ravine and shoal to present all their natural obstacles to internal trade and free locomotion, because Railroads, Rivers and Canals are highways for the escape of bondmen.

"The party of Liberty would cover the country with railroads and canals to promote the happiness of the people, and link them together with the indissoluble bonds of friendship and affection.

"The party of Slavery maintains its military defences, and cultivates the martial spirit, for it knows not the day, nor the hour, when a standing army will be necessary to suppress and extirpate the insurrectionary bondmen.

"The party of Freedom cherishes peace, because its sway is sustained by the consent of a happy and grateful people. The party of Slavery fortifies itself by adding new slave-bound domains, on fraudulent pretext and with force.

"The party of Freedom is content and moderate, seeking only just enlargement of Free Territory through fear of change.

"The party of Slavery declares that institution necessarily beneficent, and approved by God, and therefore inviolable.

"The party of Freedom seeks complete and universal emancipation. You, Whigs of the Reserve, and you especially, Seceding Whigs, none know so well as you that these two elements exist, and are developed in the two great National parties of the land as I have described them. That existence aud development constitute the only reason you can assign for having been enrolled in the Whig party, and mustered under its banner, so zealously and so long. And now, I am not to contend that the evil spirit I have described has possessed one party without mitigation or exception, and that the beneficent one has on all occasions, and fully, directed the action of the other. But I appeal to you, to your candor and justice, if the beneficent spirit has not worked chiefly in the Whig party, and its antagonist in the adverse party."

Gen. Taylor was chosen President and Mr. Fillmore Vice-President in the election which soon followed, and in this State the Whig ascendancy, owing to the bitter

feud and nearly equal division of the adverse host into supporters of Van Buren and Cass respectively, was overwhelming. The Whig plurality on the Electoral and State tickets was nearly 100,000 votes, and the Assembly exhibited nearly or quite one hundred Whig majority out of one hundred and twenty-eight Members. The Senate had been chosen the previous year, when the feud was much less definitive and universal, and stood twenty-four Whigs to eight opponents of both sections. On the Legislature thus composed—the most decidedly Whig that New-York had ever seen, embracing representatives of the party from nearly every neighborhood in the State —devolved the duty of electing a United States Senator, in place of John A. Dix, whose term would expire on the 4th of March then ensuing. A very eager and animated canvass early and naturally sprung up among the friends of our prominent Whig Statesmen, by any of whom the post might justly be regarded as the goal of an honorable ambition. This canvass was closed on the evening of the 1st of February, 1849, when the Whig Members of the Legislature assembled to designate the candidate of their choice for Senator. The vote on the first informal ballot stood—William H. Seward, 88; John A. Collier, 12; all others, 18; blanks, 4. Gov. Seward having nearly three-fourths of the whole number, was unanimously nominated, without proceeding to a formal ballot, and on Tuesday the 6th ensuing, he was elected a Senator of the United States, for six years from the 4th of March then ensuing, by a vote of 121 for him to 30 for all others.

Gov. Seward took his seat in the Senate on the day of Gen. Taylor's Inauguration, (March 5th, 1849,) and is understood to have withdrawn from the labors of his profession, so far as his engagements would permit, in order to devote himself thoroughly to the duties of his station and to those of the responsible private trust already alluded to. Heartily concurring with and supporting the general views and measures of the illustrious Patriot now happily filling the Executive Chair of the Nation, he has yet vindicated his integrity to his own convictions by a uniform affirmance of the Right of Petition, the natural Equality of all Men, and the duty devolving on Congress of protecting and shielding the Territories of the United States from the intrusion of Human Bondage. While thus maintaining his own principles—sometimes in a minority of two or three only—he has studiously refrained from giving personal offence to others or taking offence at any sallies of malevolence and impertinent detraction. Never moved from his natural equanimity by the insults or taunts of the few who hoped to commend themselves to local favor and eclat by scurrilous attacks on the representative in that body of Three Millions of Freemen—the undoubted, unfaltering champion of the Right of All Men to Freedom and its attendant blessings—he has kept due on in the straight path lighted before him by the sentiment of Humanity and by his convictions of Truth, Public Policy, and Christian duty. His votes and his speeches have been, all as one, on the side of Justice, Equality and Beneficence. From his speech of March 11th, on the Admission of California, in connection with the Slavery Question—a speech which posterity will recognize as the memorable incident of the Session of 1850, and of which already Half a Million copies have been printed without satisfying the demand for it—a single extract will close this Memoir:

"The Union, the creation of necessities physical, moral, social and political, endures by virtue of the same necessities; and these necessities are stronger than when it was produced, by the greater amplitude of territory now covered by it; stronger by the six-fold increase of the society living under its beneficent protection;—stronger by the augmentation ten thousand times of the fields, the work-shops, the mines and the ships of that society, of its productions of the sea, of the plow, of the loom, and of the anvil, in their constant circle of internal and international exchanges; stronger in the long rivers penetrating regions before unknown;—stronger in all the artificial roads, canals and other channels and avenues essential not only to trade but to defense; stronger in steam navigation, in steam locomotion on the land, and in telegraph communications unknown when the Constitution was adopted;—stronger in the freedom and in the growing empire of the seas;—stronger in the element of national honor in all lands, and stronger than all in the now settled habits of veneration and affection for institutions so stupendous and useful.

"The Union then IS, not because merely that men choose that it shall be, but because some Government must exist here, and no other Government than this can. If it should be dashed to atoms by the whirlwind, the lightning, or the

earthquake to-day, it would rise again in all its just and magnificent proportions to-morrow.

"I have heard somewhat here, and almost for the first time in my life, of divided allegiance—of allegiance to the South and to the Union—of allegiance to States severally, and to the Union. Sir, if sympathies with State emulation and pride of achievement could be allowed to raise up another sovereign to divide the allegiance of a citizen of the United States, I might recognize the claims of the State to which by birth and gratitude I belong—to the State of Hamilton and Jay, of Schuyler, of the Clintons and of Fulton—the State which, with less than 200 miles of natural navigation connected with the ocean, has, by her own enterprise, secured to herself the commerce of the Continent, and is steadily advancing to the command of the commerce of the world. But for all this, I know only one country and one Sovereign—the United States of America and the American People.

"And such as my allegiance is, is the loyalty of every other citizen of the United States.

"As I speak he will speak when his time arrives; he knows no other country and no other sovereign; he has life, liberty, property, and precious affections and hopes for himself and for his posterity, treasured up in the ark of the Union; he knows as well and feels as strongly as I do, that this Government is his own Government; that he is a part of it; that it was established for him, and that it is maintained by him; that it is the only true, wise, just, free, and equal Government that has ever existed; that no other Government could be so wise, just, free and equal; that it is safer and more beneficent than any which time or change could bring into its place.

"You may tell me, Sir, that although all this may be true, yet that the trial of faction has not yet been made! If the trial of faction has not been made, it has not been because that faction has not always existed, and has not always menaced a trial, but because faction couldfind no fulcrum on which to place the lever to subvert the Union, as it can find no fulcrum now; and in this is my confidence. I would not rashly provoke the trial, but I will not suffer a fear which I have not to make me Compromise one sentiment, one principle of truth or justice, to avert a danger that all experience teaches me is purely chimerical. Let those, then, who distrust the Union make Compromises to save it. I shall not impeach their wisdom, as I certainly cannot their patriotism, but, indulging no such apprehensions myself, I shall vote for the admission of California, directly, without conditions, without qualification, and without Compromise. For the vindication of that vote I look not to the verdict of the passing hour, disturbed as the public mind now is by conflicting interests and passions, but to that period, happily not far distant, when the vast regions over which we are now legislating, shall have received their destined inhabitants.

"While looking forward to that day, its countless generations seem to me to be rising up and passing in dim and shadowy review before us. And the voice comes forth from their serried ranks, saying, 'Waste your treasures, and your armies, if you will; raze your fortifications to the ground; sink your navies into the sea; transmit to us even a dishonored name, if you must; but the soil that you hold in trust for us, give it to us Free! You found it free and conquered it to extend a better and surer freedom over it. Whatever choice you have made for yourselves, let us have no partial freedom; let us all be free; let the reversion of our broad domain descend to us unincumbered and free from the calamities and the sorrows of human bondage.'"

MOSS AND RUST.

FROM THE GERMAN OF FRIEDRICH LEESER.

Two aged men stood near a moss-clad tomb
That marked a battle of an olden day;
A rusted sword lay in the rank green grass,
And answered not the noontide sun's bright ray.

One gently touched the ancient sepulchre,
And mused, and deeply sighed, and shed a tear;
Then, in the faltering tone of mourning love,
Poured these sad words into his comrade's ear:

"Moss grows on the old monument of stone,
And acts a tender, charitable part:
I had a faithful Friend: he, like the Moss,
Guarded me well, and bound my crumbling heart."

The other peeled the rust from the old sword,
And marked its ravage on the blade of death;
Then, with a shudder, let the relic fall,
And spake with trembling voice and gasping breath:

"Rust gathers on the stricken warrior's sword,
And acts the savage part of a rude foe:
I had an enemy: he, like the Rust,
Devoured my heart of steel, and laid me low."

They said no more, but, arm in arm, walked on;
I marked their aged forms, so bent and weak,
Beheld the rusted sword and moss-clad tomb,
And, as I gazed, a tear rolled down my cheek.

G. M. P.

WHITNEY'S PACIFIC RAIL ROAD.

Our readers know our opinion in relation to Mr Whitney's plan of rail road to the Pacific. We embrace, with pleasure, the opportunity of giving place in our columns to the following letter to the London *Times*, inasmuch as it presents some of the most forcible reasons we have ever yet seen, even from Mr. Whitney's hand, in favor of that great enterprise, to which he has devoted his life. The whole world will be surprised at the announcement of the bold proposition, that, "should the Pacific Ocean burst its bounds, and mingle with its sister Atlantic, opening a Strait from Panama to Tehuantepec, the commercial world would not be particularly benefitted by it." If this be so, it must be obvious that a canal, or rail road, or both, across the Isthmus, will only be of temporary importance, but inadequate, in the end, to establish a new route of commerce, of material benefit to the world. Mr. Whitney's facts and reasons on this point, if we do not mistake, will be regarded with interest. Any person can test one of his main points by taking a string, and measuring the distances on the surfaces of the globe, as he prescribes. His facts, in connection with his reasons, demonstrate a profound consideration of the general subject, and if susceptible of thorough vindication, naturally will constitute the pivot of that powerful lever, which he has already applied to the public mind, to move it to the consummation of his proposed scheme of a rail road across this continent. This letter might, perhaps, properly be put forward as the text and basis of his great enterprise. It is the text, as the best homily yet given of its importance, and a basis as constituting the platform on which his general reasoning rests. If the substance of the statements in this letter be correct, the argument is concluded, and nothing remains but for the Government to set Mr. Whitney to work. It is singular that the world should have been so long, for ages, magnifying the importance of a ship canal across the Isthmus, when, as would seem from this document, it can be of so little benefit to commerce. Even with that canal, the great desideratum, to wit, a shorter and less expensive route to Eastern Asia, would still be wanting.

Mr. Whitney speaks truly of the stupendous effects of changes of routes in the great channels of commerce, on the destiny of states and empires ; and his own great conception is well developed in his averment, that there can be but one more change of this kind, to wit, a cheap way of transport across the American continent, as far north in the United States, as may be convenient, in the two items of saving of distance, and of finding the means of building the road in the wild lands on the route. Providence seems clearly to have indicated the route of these provisions. There they are, and no where else. All Mr. Whitney asks is : let me have those means, which would otherwise lie dormant, and be good for nothing to anybody, and I will build the road, without one dollar's expense to the country, and with an incalculable benefit to the people of the United States, and to the world. We submit the letter :

Washington City, Jan. 10, 1850.

To the Editors of the London Times.

Gentlemen—I am not a little surprised at the frequent remarks in the London Journals, on the subject of a communication between the Atlantic and Pacific Oceans at Panama, Nicaragua, and Tehuantepec. These speculations seem to have led the world astray, as well in Europe as America. But your merchants, who are acquainted with the commerce of the world, your men of science, your geographers, and your navigators, must see, if they will take a globe, measure it, and examine the subject, that, should the Pacific Ocean burst its bounds

and mingle with its sister Atlantic, opening a strait from Panama to Tehuantepec, the commercial world would not be particularly benefited by it.

In the first place, it will be seen, by a reference to a map or globe, that the range of mountains in South America which divide it, and form the Atlantic and Pacific slopes, run so close to the Pacific Ocean, that there is but a small space for population, from Cape Horn to Upper California.

Secondly—The continent running north and south from Cape Horn to the Arctic Ocean, gives to both slopes, the same climates and soils, the products of which must always be similar, and therefore exchanges on a large scale cannot take place.

Thirdly—The commerce of the Pacific slope, hitherto confined almost exclusively to South America and Mexico, is small, and cannot be increased in these quarters, because it is uncertain, and not founded upon regular exchanges. The most of it is now more properly an Atlantic trade, being founded by smuggling merchandize over the mountains, from the Pacific to the Atlantic side, and must decrease as soon as steam is used on the many rivers running into the Atlantic. The settlement of the Pacific slope, north and south, must, after a short time, not only cause a diminution in the present amount of commerce with Europe and the Atlantic slope of the United States, but lessen intercourse also; for when the North Pacific slope becomes settled, as it soon will be, the different parallels, from Cape Horn to the Pacific Ocean will exchange with each other, and supply each others wants. The entire coast will exchange with the Pacific Islands, with Japan, China and all Asia, and its commerce and principal intercourse will be with these parts, and its own different sections.

It being a fixed law that the avails of labor must always return to the region of its own products, and be there consumed to the extent of, and in such articles as the wants of the producer may require; and as the wants of the people who may inhabit the Pacific slope can generally be better supplied by natural exchanges, and from the Pacific Islands, Japan, China, &c., than from either the Atlantic slopes of the United States or Europe, excepting only a small amount of manufactured goods, (with which, also, they will, after a little supply themselves,) it is, therefore, clear to my mind, that settlement on the Pacific slope, with capital and enterprize, will soon establish for themselves a commerce and intercourse directly with the Pacific Islands, and with Asia, which will be more mutual, more convenient, and more profitable than intercourse and trade with the eastern slope of the United States and Europe.

From the most recent official tables, it will be seen that the British commerce with Chili was, per annum, for 1842:

	54 vessels,	14,138 tons.
Foreign vessels,	32	9,889
Total,	86	24,027

And it will be found that the voyage from Valpairaiso to London, by Cape Horn, is shorter than by Nicaragua. Is it not, therefore, certain that, were the Isthmus swept away, this trade would continue its present route?

For the same year, and from the same tables, (Parliamentary Reports,) I find that the British commerce with Peru was:

	42 ves.	11,989 tons.
France, - -	1	409
U. S. (Treasury Rep., 1846,) with Chili,	14	4,873
With Peru, -	4	1,045
Others, -	1	596
Total,	62	18,912

This 18,912 tons, then, is the amount of the Pacific commerce in this quarter, which might pass over the Isthmus by railroad or canal, and which cannot be greatly increased. The question here presents itself, as to what will be the products of the Pacific slope, which may be wanted either in Europe or on the Atlantic slope? Certainly none of the products of the soil; because the Atlantic slope will always produce the very same, in greater abundance, at much less cost; and this view applies to all latitudes north and south, and to all the Pacific Islands. But there is the gold, the silver, the quicksilver, precious stones, and the common minerals. The common minerals, iron, coal, copper and lead, cannot be brought this side for a market, because, like the products of the soil, they are cheaper here—and the precious metals, as they do not enter largely into commerce, except in their passage from the mines, to be employed as the medium of trade, and to settle balances in the commercial world, will soon find their level, based chiefly upon the labor which produces food for man, and this species of labor employs more than eight-tenths of the population of the globe.

The next two steamers to arrive (this letter is dated January 10, 1850,) will probably bring from California nearly the whole remainder of the mines for two years. These two years have probably been as prosperous as any that may succeed. The amount received here in the United States will not then probably exceed $11,000,000 reckoning by the mint amount, the only reliable source, which is actually less than the estimated amount of gold and silver coin sent there from this quarter. In addition to this we have sent to California some $20,000,000 of other property. Now,

as there has been no other product, or little other than gold in California, and as the population has been almost exclusively males, we have only to take the estimated population of each year, to ascertain what should have been the actual produce of labor per diem for each individual. For the first year it was estimated that there were in all more than 20,000 souls, which at one dollar per diem for 300 days, would amount to $6,000,000. The second year the population has been estimated over 120,000, which at one dollar per diem as above for 300 days would amount to $36,000,000 for both years $42,000,000 reduce the per diem to fifty cents and it will then probably exceed the amount of gold produced.

The principle wants of such a population will always be food, with but a comparatively small amount of clothing, and their supply must ultimately come from the Pacific slope itself, their teas from China, their coffee, sugar, &c. from Japan, Java, and the Pacific Islands; so that to the Atlantic slope as well as to Europe, their gold must be an *import* to be purchased in competition with all the world, and limited in amount to the few articles of clothing which their wants and the necessities of a tariff system, in the benefits of which they cannot participate, compels them to take from us. The commerce and intercourse therefore between the two slopes, must, in the end, be very limited, and more particularly so, because the Atlantic slope has no surplus population to dispose of, and labor generally, will be far more productive, comfortable and prosperous here than there. The emigrants to Oregon and California, therefore, must in the long run go directly from Europe and China, and those from Europe to save expenses would go round the Cape.

The geographical position of Oregon and California, with the sources of production both on the sea and land, opens a field of enterprise which cannot fail almost immediately to draw off an immense amount of the surplus population of both Europe and China, and it will not be long before all the branches of industry, in the produce of the soil, in manufactures, in commerce, and in the fisheries, to the supply of almost all their wants, will be chiefly occupied by their own population—can England or the Atlantic slope be benefitted by this? And to what extent?

A very important branch of the industry of the eastern slope has been devoted to the whale fishing in the Pacific, and its products have been counted as domestic, amounting to an annual return of over $8,000,000. This must soon cease to be a *product* of the eastern slope, because the fisherman will transfer his residence to Oregon or California, and will there build and fit out his small vessel, and make several cruises in a year, the fruits of his labor will be expended where produced, and if the Atlantic slope or Europe purchase his oil, as they must, it would be the same to both, an *import* and not a *domestic product*, and as it could not bear the cost of transhipment and transit across the Isthmus, it would still go around the Cape. Another and immense source of production for the future population of the Pacific slope will be a codfishery, extending from Oregon to Tartary, 5000 miles, which could employ millions of men; but their market would be Japan, China, and all Asia, and not the Atlantic slope and Europe.

The present commerce of the United States with all Asia, amounts annually to about $9,840,000 of Imports, and $3,400,000 of Exports of which latter $580,000 are foreign products leaving an actual balance against the United States of about $7,000,000 to be paid through England. Though this trade may be profitable to individuals, it is not so to the nation. Now, if the Atlantic Ocean were open by a Strait between North and South America to the Pacific, a vessel bound from New York to China, would take that route, because the trade winds would carry a vessel in almost a direct line from Panama or Tehuantepec, to the Ladrone Islands, near to China, and the distance would be about 13,138 miles, but the homeward voyage would always be made as as it now is, by the Cape of Good Hope, and though the distance as performed by Captain Waterman in the Sea Witch in 75 days, is 14,255 miles, still the always favorable trade winds would make this the shortest voyage home; besides it is on the homward voyage that the merchant is most interested in saving time. His ship goes out to Asia nearly empty, and waits till November or December, and then returns laden with a rich and valuable cargo. It is therefore the homeward voyage that must sustain the expenses of the ship both out and home.

Were there a rail road or canal across the Isthmus, the saving in distance and time on the voyage *out* would not compensate for the expenses of transhipment, and transit from Ocean to Ocean. A steamer bound from the Isthmus to China, by running up the coast to San Francisco to the Bonin Islands, and via Japan, might lessen the distance about one thousand miles; that would be the best route for a steamer but could not be taken by a sail vessel on account of trade winds. The distance for a steamer from the Isthmus to China would be *three times* that from Liverpool to Boston; or from New York to China, it would be about equal to *four times* across the Atlantic, and with all the depots, possible to be established on the route, the whole capacity of the steamer, would be required for her necessary fuel and stores, with no room left for freight. And

if we estimate freight at a price corresponding with what is charged by the Steamers on common dry goods from Liverpool or London to Boston or New York, say £7 per ton measurement, it would amount from China to New York, not including transhipment and transit across the Isthmus to £28 sterling or $140 per ton measurement, or $280 for one ton weight of Young Hyson, or $350 per ton for other Teas, costing on ship-load in China an average of 35 cents per pound or $700 for a ton weight of 2000 pounds. Is it not therefore perfectly clear, that the trade of the United States with China, could not be changed to this route, even if the Isthmus were swept away.

The commerce of all Europe with all Asia amounts to an annual aggregate exports and imports of $250,000,000.

It is this commerce which controls the world. The change of its route has changed the destinies of Empires and States. It can have but one more change, and that must be across this continent. When that change shall have been effectual, commerce and civilization will have encircled the globe. But that great change cannot be made, as is urged, across the Isthmus. Any common school boy can demonstrate this; let him take a globe, (not a flat map,) place the end of a string at Canton, bring it up through the Chinese Sea, through Sunda Straits, into the Indian Ocean; then draw the string tight over the globe to the Cape of Good Hope; thence via St. Helena, and, inside of the Cape de Verd Islands, up to England, and it will be seen that the string upon the globe has reached almost exactly the route of a vessel sailing from Canton to England, and always with a fair wind, the distance being 13,330 miles. Take the same string, and place the end at the same point arrived at in England, bring it over to Panama, and thence, as the trade winds would force a vessel's course, south of the Sandwich Islands to Ladrones, and it will be seen that the string does not reach near to China, the whole distance from England being 15,558 miles, or 2,228 miles greater than the voyage by the Cape of Good Hope. From Singapore and Calcutta the distance against the Isthmus route would be still greater; comment is here unnecessary.

Could the commerce of Europe with Asia be carried on in steamers, it will be seen that the present route is shorter from 2,000 to 3,500 miles than by the Isthmus; with far greater facilities for depots for fuel, &c. The Cape de Verd Islands, St. Helena, the Cape of Good Hope, Madagascar, the Isle of Bourbon, Christmas Island, and others, are directly on the route; and from the Cape of Good Hope to Australia, the Island of St. Paul's is midway on that direct route.

Neither the history of colonization, nor that of our Western settlements, presents a parallel to the position of Oregon and California, as they are connected with the Eastern slope of the United States. Old nations with a surplus population have planted colonies; the colonists have been restricted to trade with the mother country, each being a forced market for the products of the other. The object of such a system is to provide for a destitute and useless population, and to chain them to the throne, and, at the same time, make them producers of food and staples, to be exchanged for manufactured goods, and thereby better the condition of those remaining at home. But such a relation, and such a result, can never obtain between the Atlantic and Pacific slopes of the United States, because, after a little, the two sides will produce the same articles: and, moreover, because the exchanges with Europe will be made by the Atlantic, and not by the Pacific side.

And, although the mines and fisheries may attract, and are likely for a short time to attract labor, so as to prevent the production of a sufficient amount of food for the Pacific slope, that deficiency could not be supplied through or across the Isthmus, owing to climate, and the necessarily heavy expenses of transit would force the production of more than a necessary supply in Oregon in a short time. Is it not, therefore, evident, that the Atlantic and Pacific slopes must be separate and distinct in all their interests, that they can have but little intercourse and but small amount of exchanges, and that they must remain in all respects precisely to each other as are the people of the United States in relation to Russia or any other foreign nation? But, could the route for the commerce and intercourse of Europe with Asia be turned to across this continent, then the Atlantic and Pacific sides would be made depots for it, as also depots for the products of the Mississippi basin on the one side, for the markets of Europe, and on the other side, for the markets of Asia. Then all these parts of the world, being the great parts, almost the whole world would be bound together by ties of mutual interest. The surplus population of Europe would fill up the great basin of North America, and produce food and staples to exchange with those who remain in Europe. And the surplus population of Asia, China particularly, would be removed to the Islands in the Pacific and Indian Oceans, and their products would be exchanged with both Europe and the United States. This would equalize, harmonize, civilize, christianize, and make comfortable the scores, even hundreds of millions in all those quarters, who are now destitute, miserable, and a large portion perishing with want. To accomplish all this, the route must be located

so far north, that the sphere of the globe will sufficiently shorten the distance—and the work must be constructed from a plan of means, which will secure an adequate reduction in the cost of transport. The route must pass through a wilderness, with as great an extent as possible of agricultural country, to be brought into settlement and production. The work itself to be the cheap means of transit from and to the great markets of the world.

A change of route for commerce can benefit no interests, particularly, unless the saving of time and of cost of transport be sufficient to increase the consumption of the articles which constitute that commerce: Or unless it opens to settlement and production a new country, which before had been inaccessible and useless.

Now we will suppose that the commerce which is carried on around the Cape of Good Hope could be changed by a canal or railway across by Suez. It would certainly shorten the distance very much; but what interest would be benefitted by it? or would commercial exchanges be increased?

Though time and distance would be lessened, still the expenses of transhipment and transit, the dangers of navigation, and damage by climate, would be such that no material reduction in the cost of transit would be effected, and the condition of the surplus population of both Europe and Asia would remain precisely the same, inasmuch as no means would be created to enable one to consume more of the products of the other.

These are the questions which should be considered by both the statesman and the merchant. It is the position of the surplus population of Europe, with the heavy tax imposed on labor to meet the interest on the enormous debts of the European nations, and other burdens, together with the surplus population of Eastern Asia, particularly China, that must occupy the minds of the statesman and philanthrophist of all the world, and especially of Europe and America—and the construction of a new highway for the commerce and intercourse of Europe with Asia, must be a basis on which to found a system to provide for, and make useful to all mankind, the European and Asiatic surpluses of population.

This is a subject in which the whole world, and particularly England and the United States, is interested. If, gentlemen, you can give this a place in your valuable journal, I shall feel myself greatly indebted and honored, as I am already for your favorable notice of my project.—Most respectfully, your obedient servant,

Asa Whitney.

Note.—*For a tolerably full account of Mr. Whitney's plan of operations for the construction of a rail road to connect the Atlantic with the Pacific coast, see article in the number of this Journal for July,* 1849.

CONGRESSIONAL SUMMARY.

The Senate having under consideration the resolutions of Mr. Bell, of Tennessee, and the motion of Mr. Foote to refer them to a select committee of thirteen,

Mr. Baldwin spoke as follows: He had listened to the discussions in the Senate on these subjects with deep interest. He had seen in their tone much to admire, much to regret, and it had been his endeavor to preserve his own mind from any undue excitement or bias, so as to be governed alone by the spirit of the Constitution in any legislative act he might be called upon to take a part. That sacred instrument dealt in no sectional language. The voices of the whole American people spoke there harmoniously. It was adopted, in a spirit of liberality to conflicting interests and sentiments; tolerating, no doubt, some institutions then thought temporary, and some compromises now regretted. But they are there; and he could speak with authority, in the name of the people of his own State, that they were prepared to abide by the letter and the spirit of these compromises.

Such, Sir, said Mr. Baldwin, are the instructions of the State of Connecticut, passed by a nearly unanimous vote of both Houses of the Legislature. But they have also instructed their Senators and requested their representatives in Congress, to oppose in all constitutional ways, every measure of compromise which shall yield any portion of free territory to the encroachments of slavery, or by which the people of the United States shall be made responsible for its continuance. He did not believe in the principle of instructions, but these instructions fully concorded with his own judgment, and he should readily and gladly conform to them.

The resolutions now before the Senate, and the proposition to refer them to a committee of compromise, did not meet with his approbation. The question of California, in his opinion, should be connected with no other question whatever. The people of the State are here claiming a right; a right guarantied by treaty. The question of that right should then be judged and disposed of by itself, biased by no motives but that of justice. These propositions also assumed an antagonism in the interests of the North and the South, which was unwarranted by fact, unsound in principle, and unconstitutional if carried into legislation. The Constitution knew no North or South or East or West; it proceeded from the people of the United States, and it was to their collective interests that as legislators they were called upon to attend. This body should acknowledge no antagonism, no divided interests; they should know of only one constituency, and that was the whole of their common country.

He did not sustain the admission of California from any supposed advantage to the people of his own portion of the country. He saw no such advantage. He saw no way in which the introduction of her Senators and Representatives in Congress could conduce more to the promotion of the interests of his constituents than to the interests of any other section. It was on the score of justice to the people of California that he advocated her admission. At the time of the cession of these territories, we pledged ourselves to protect and maintain the inhabitants in the free enjoyment of their liberty and property, and the full exercise of their civil rights. This pledge we have failed to keep. It is true, the old Mexican and departmental laws continued in force, but these laws were notoriously insufficient in the altered circumstances of the country, to shield them from disorganization and private wrong. "Had California continued as it was, composed of a few sparse settlements, the laws in force at the time of the cession would have been ample for their protection. Their interests were small; their transactions with each other were comparatively few; their temptations to crime were slight; but under our authority, by our invitation, a vast influx of population from all parts of the world have migrated to California. Ships from Europe and Asia and Western America, as well as from our own coast have entered their magnificent harbors, richly laden with the products of every climate. Mines of gold of unsur-

passed richness have allured adventurers of every description, and given a new impulse to labor in all the departments of industry. Towns and cities have arisen among them, as by magic; thousands of people are clustered together from different nations, of dissimilar habits, differing in their usages, and the systems of law to which they had been accustomed in the places from which they migrated—differing not merely from those of the Mexican inhabitants but of each other. We all know that, in a remote country like that thus newly settled by those who are strangers to each other, who come with habits thus dissimilar, the ordinary restraints of society, which stand in the place of law in older countries, have but a feeble hold upon the population. What, then, was the necessary result? That liberty and property were in a great measure unprotected. Crimes were committed, and there were no adequate tribunals to try and punish the offender. Contracts were made and broken, and there were none to administer justice. Rights of property were violated with impunity. Who was responsible for all this? The old Mexican laws, the old departmental officers, were entirely inadeqnate to the purposes for which Government was now needed. What, then, should be done? They appealed to Congress. Congress representing the supreme power of this Government, to whose dominion they had been transferred by Mexico, refused to interfere—refused to aid them with a system of laws adequate to the circumstances in which they were placed. Even the writ of *habeas corpus* and the right of trial by jury were vainly attempted in this body, at the last session, to be conferred upon this distant people. Mexico had relinquished her dominion to a power that refused to exercise it efficiently for their protection. The greater portion of the people were our own citizens, our own kindred, our sons."

Driven thus by necessity, they have framed laws and a Constitution for themselves, and it is not for us to cavil at any irregularities in their formation, irregularities forced upon them by ourselves, but to inquire in good faith whether the *casus fœderis* has arisen, whether the time has come for her admission as a State. If we cannot deny that these requisites are fulfilled, what right have we to allow sectional feelings and questions to be mixed up with and delay her admission?

These resolutions, the Senator continued, propose that Congress shall renew the assent given by the joint resolution of 1845, for the formation of three or four new slave States out of the present territory of Texas, and assert that the faith of the Government is already pledged for their admission. If this be so, no act of ours can strengthen or impair that obligation. Whether it be so or not, it surely is a question which this Congress is not competent to solve. Assuming it to be the true construction of the Constitution, as in his judgment it was, that foreign territories can be annexed by the treaty-making power alone, it would follow that the joint resolution for the annexation of Texas was simply void. If so, it was the acquiescence of the people of the United States in the Union of Texas, and not the joint resolution, that placed her on the footing of the other States of the Union. Texas of course knew, when negotiating for admission, the rights she should thereby acquire, and the obligations she should come under. She had perfect knowledge of the Constitution of the United States. He might, therefore, when this question comes practically before Congress, feel unwilling to admit the binding force of this pledge. He was not now called upon to decide, but he protested against its being sent to a committee of compromise along with other subjects which he might feel bound to sustain, and thus give rise to an imputation of bad faith.

Moreover, this is a question which no State but Texas has a right to raise; and, hitherto, she has manifested no desire to take it into consideration. He thought that Congress should address itself to those duties of legislation which called for action, avoiding discussion productive only of agitation.

With regard to the questions connected with this subject, said Mr. Baldwin, the only constitutional and proper mode of treating them, is to act upon them as they arise. The question of the extension of slavery over free territory admitted no compromise. It involves a deep-seated principle. Slavery was not a natural law. It could exist only by positive enactment, and the majority of the people of the United States, he was satisfied, were averse to assuming the responsibility of any legislation that might lead to its extension.

But it is said that slavery being purely a domestic institution of the States, the Government of the United States has no concern with it. This he admitted so far as slavery in the States was concerned. But he denied that Congress had no right to legislate on this subject in the territories. Congress must act in the government of the territories precisely as a State Legislature acts within its own limits. The Government and the Territories belonged to the people of the United States, and not to the several States. The treaty-making power negotiates for the nation—not as the agent of the States. The territory is acquired for the Union. The constituencies of the nation are the people, not the States.

With regard to the subject of fugitives from the Southern States, Mr. Baldwin contended that the safety of the class of colored citizens of the Northern States, demanded that ques-

tions of the kind should be heard and decided by the permanent judicial tribunals of the Government, that the colored freemen of the North are entitled to all the privileges and immunities of citizens of the several States to which they have occasion to go. He thought that all that was needed upon the subject of fugitive slaves, was to amend the existing act of Congress, so as to confine the exercise of the powers conferred to the judges of courts of the United States, and to secure to those who allege themselves to be free, the advantage of an impartial jury to aid the courts in the ascertainment of facts.

Respecting the other alleged grievances, the burden of the complaint seems to be the petition for the abolition of the slave-trade and slavery in the District of Columbia and wherever the jurisdiction of Congress extends. But is this any interference with the rights of any State? Is it any real grievance, if these petitioners confine their request to the action of Congress, where Congress has the entire and exclusive power of legislation? Senators may not be willing to grant these petitions, but have they any right to say that they or their constituents are aggrieved by their presentment?

"In conclusion," said Mr. Baldwin, "I will only say—and I say it with great deference to the opinions of others—that there is, in my opinion, but one course to be pursued to calm the agitations that now surround us, and prevent their recurrence. It is to place ourselves firmly on the platform of the Constitution, adhering faithfully to its compromises, and administering, in the spirit which animated our fathers, and in the light of their admonitions and example, the powers confided to us by the people. No compromises of principle are required for our security. No sectional concessions should be asked, or expectations encouraged; but even-handed justice secured to all. Pursuing such a course, I fear no danger to the Union. Its foundations are too deeply laid in the interests and affections of the people, and in their cherished recollections of the past, to be easily disturbed. It is emphatically their government; and its powers, though wisely and carefully limited, are amply sufficient, if beneficently directed, o lead us to a higher degree of national glory and happiness than has fallen to the lot of any other people." *April* 17.

The same subject being before the Senate, and the pending question thereon being Mr. Benton's instructions to the Committee, to the effect that Congress has no power over slavery in the States, nor the slave-trade between the States, and that Congress ought not to abolish Slavery in the District of Columbia, nor in the forts, arsenals, and navy-yards of the United States, Mr. Clay moved to amend this proposition so that it should read,

"Provided, that the Senate does not deem it necessary to express in advance any opinion, or to give any instructions either general or specific, for the guidance of the Committee."

Mr. Benton said, in reply, that the proposition to which this amendment was offered, was in fact only an amendment to his original proposition, and which he had accepted in a spirit of compromise, and at the suggestion of Mr. Clay. As the Senator from Kentucky now wished to recede from it, he would withdraw it altogether.

The proposition being thus withdrawn, Mr. Clay's amendment fell with it.

Mr. Benton then moved his original proposition, providing that the Committee shall not take into consideration the question of slavery in the States, the internal slave-trade, slavery in the District of Columbia, and in the forts, arsenals, and navy-yards of the United States.

Mr. Clay again moved his former amendment, namely, that the Senate does not deem it necessary to express in advance any opinion, or to give any instructions, either general or specific, for the guidance of this Committee.

Mr. Benton objected that this was not an amendment, but in direct conflict with his own proposition, and consequently unparliamentary. He regretted the obstacles thrown in the way of the admission of California. In fact, he saw nothing but long delay and imminent danger to that bill, in proceeding any farther with this motion to refer to a committee. We have no need of this committee, he said. We have the bill already, brief and explicit. He therefore moved, before the pending amendment is gone into, to lay the subject of raising a committee on the table, for the purpose of taking up the bill for the admission of the State of California.

Mr. Clay, in reply, said, that no one wished for the speedy admission of California more than himself, and with due deference to the Senator from Missouri, he suggested that the chief obstacle was the course taken by Mr. Benton. Let this opposition to the appointment of a committee cease; let the committee be raised, and then, if necessary, let the bill for the admission of California be reported and acted upon in the Senate. In that case, he had already intimated, he should propose as an amendment to the bill, provisions to give territorial governments to the two new Territories without the Wilmot Proviso. He thought the bill faulty. The brevity that the Senator from Missouri so recommended, would result in losing for the United States, the public doman of California.

The question being taken on Mr. BENTON's motion to lay on the table, it was negatived by yeas 24, nays 28, as follows:

YEAS—Baldwin, *Benton*, Bradbury, Chase, Clarke, Corwin, Davis of Mass, Dayton, Dodge of Iowa, Dodge of Wis Douglass, Felch, Green, Hale, Hamlin, Jones, Miller, Norris, Phelps, Seward, Shields, Smith, Walker, Webster—**24**.

NAYS—Atchison, Badger, Bell, Borland, *Bright*, Butler, *Cass*, Clay, Clemens, Davis of Miss, *Dickinson*, Downs, Foote, Hunter, King, Mangum, Mason, Morton, Pearce, Rusk, Sebastian, Soule, Spruance, *Sturgeon*, Turney, Underwood, Whitcomb, Yulee, **28**.

Mr. BENTON, then commented on Mr. CLAY's amendment. It asked the Senate, he said, to cut itself off from all its parlimentary rights of offering amendments to bills and resolutions while going through that body. The attempt is impotent. We have a right to offer instructions after instructions, and if the Senate will not adopt them, its only way is to reject them when presented; to vote them down. This right of offering instructions he meant to exercise to its full extent.

In reply, Mr. CLAY said, that there was nothing extraordinary in giving a subject to a committee without instructions. It happened every day; two or three times a day. When a joint committee was appointed in the instance of the Missouri compromise, no instructions were given; they were left free as air, to devise the best mode of settling that unhappy question. Senators had a right beyond doubt, to instruct if they wished, or to leave the committee without restraint. This resolution will be adopted; and who was it, he asked, that wished to check the free exercise of their rights by the Senate? Why those who by their amendments, against the emphatic expressions of opinion by the majority of that body, would produce embarrassment and delay. I have framed this resolution deliberately, said Mr. CLAY, and for the express purpose of getting rid of the unnecessary instructions which the Senator from Missouri has proposed, and to dispose of any other instructions which his ingenuity, and no man possesses a greater amount of it than he does, might suggest to be brought before this body. Let my amendment be adopted, and let the Senator offer his other instructions from one to ninety-nine, if he pleases, and we shall see if the question of order will not silence them all.

Mr. WEBSTER cared little how this matter of a committee should be decided. He felt no interest in it, for he thought no great benefit would result from it. But the motion of the Senator from Kentucky he considered irregular. It is in direct reversal of the standing rule of the Senate that "the proposition under consideration may be amended." If this were a bill, could it contain a proposition that it should not be subject to amendment? or could it be moved in amendment to it, that this bill should be carried through the Senate without any proposition to amend?

Mr. CLAY rejoined that here was a proposition to refer certain subjects to a committee. The Senator from Missouri proposed certain amendments to that proposition. They had a right to vote these amendments down one by one. His own proposition went little farther than that.

At the suggestion of Mr. MANGUM, Mr. CLAY modified his amendment by inserting after the word "necessary," the words "and therefore declines."

The question being then taken, the amendment was adopted. Yeas 25, nays 22, as follows:

YEAS—Atchison, Badger, Borland, Butler, Cass, Clay, Clemens, Davis (Miss,) Dickinson, Dodge (Iowa), Douglass, Downs, Foote, Hunter, Jones, King, Mangum, Mason, Morton, Pearce, Rusk, Sebastian, Soule, Spruance, Sturgeon, Turney, Underwood, Yulee.

NAYS.—Baldwin, Benton, Bradbury, Bright, Chase, Clark, Corwin, Davis (Mass), Dayton, Dodge (Wis), Felch, Greene, Hale, Hamlin, Miller, Norris, Phelps, Seward, Shields, Smith, Walker, Whitecombe.

April 18.

Mr. BENTON moved that the Senate proceed to the consideration of the California bill.

Mr. CLAY moved to lay the motion on the table, which was agreed to—Yeas 27, Nays 24, as follows:

YEAS—Messrs Atchison, Badger, Bell, Borland, *Bright*, Butler, *Cass*, Clemens, Davis of Miss., *Dickinson*, Downs, Foote, Hunter, King, Mangum, Mason, Morton, Pearce, Rusk, Sebastian, Soule, *Sturgeon*, Turney, Underwood, *Whitecomb* and Yulee.

NAYS—Messrs Baldwin, Benton, Chase, Clark, Corwin, Davis of Mass., Dayton, Dodge of Iowa, Dodge of Wis, Douglas, Felch, Greene, Hale, Hamlin, Jones, Miller, Morris, Phelps, Seward, Shields, Smith, *Spruance*, Walker and Webster.

The question was then taken upon Mr. BENTON's amendment instructing the committee not to connect California with any other measure. The amendment was rejected. Yeas 25, Nays 28.

The question was then taken *seriatim*, upon the thirteen propositions of Mr. BENTON, all of which were rejected. It was then taken upon a proposition by Mr. HAMLIN, excepting the admission of California from the reference. This also was rejected. Mr. WALKER moved to except from reference to the Committee, the subject of the arrest of fugitive slaves. This proposition was rejected.

The final question was then taken upon the motion to refer the resolution of Messrs CLAY

and BELL to a select committee of thirteen, and adopted. Yeas 30, Nays 22, as follows:

YEAS—Atchison, Badger, Bell, Borland, *Bright* Butler, *Cass*, Clay, Clemens, Davis (Miss) *Dickinson, Dodge* (of Iowa), Downs, Foote, Hunter, *Jones*, King, Mangum, Mason, Morton, Pearce, Rusk, Sebastian, Soule, Spruance, *Sturgeon*, Turner, Underwood, *Whitcomb*, Yulee.

NAYS—Baldwin, Benton, Bradbury, Chase, Clarke, Corwin, Davis (Mass) Dayton, Dodge (Wis), Douglass, Felch, Greene, Hale, Hamlin, Miller, Norris, Phelps, Seward, Shields, Smith, Walker, Webster.

The following day the Senate proceeded to ballot for the Chairman of the Select Committee upon the Compromise resolutions of Mr. BELL and Mr. CLAY. On the first ballot Mr. CLAY had 28 votes, BELL 1, BENTON 1, MANGUM 1, blank 4.

So Mr. CLAY was declared elected.

Messrs Cass, Dickinson, Bright, Webster, Phelps, Cooper, King, Mason, Downs, Mangum, Bell, and Berrien were, on the next ballot elected, the remaining members of the Committee without opposition.

From this Committee, May 8, Mr. CLAY presented the following report.

From the thorough discussion which these subjects have received in the Senate and throughout the country, the Committee deem it unnecessary to give the motives and views which have determined their conclusions on these questions.They would restrict themselves to a few general observations and reflections.

Their object in this report was to adjust all the differences arising from our late territorial acquisitions, in connection with the institution of slavery. They wished to leave nothing behind to rankle in the public mind.

The first subject that presented itself to their attention was the Texas controversy. The resolution of Congress annexing Texas to the United States, provides that additional States, not exceeding four in number, may, by consent of Texas, be formed out of her territory, and that such of these States as shall lie south of 36° 30′ north latitude, commonly known as the Missouri compromise line, shall be admitted, with or without slavery, as they shall severally choose.

The Committee are unanimously of opinion that the compact with Texas contained in this resolution is clear and absolute. It has been urged that it was unconstitutional. But it was also declared at the time of the treaty of Louisiana, that the annexation of that province was unconstitutional, and who would now think of opposing the admission of the new States constantly forming within its ancient limits? In grave national transactions, differences may exist in their earlier stages; but when once consummated, prudence and safety demand acquiescence in the decision. The Committee consequently think that the terms of annexation should be complied with. They do not, however, consider that the formation of these new States should originate with Congress. In conformity with usage, the initiative should be taken, with the consent of Texas, by the people of her territory. When they present themselves for admission, and have decided upon the the purely municipal question of slavery within their own limits, Congress is bound to accept that decision.

With regard to the question of the admission of California, a majority of the Committee are of opinion that all irregularities in her application should be overlooked, in consideration of the omission of Congress to provide a proper territorial Government, and the consequent necessity of framing one for herself. The sole condition required by the Constitution of the United States in respect to the admission of a new State, is that its Constitution should be republican in form. That of California is such. Neither can there be objection on the score of population, which is even greater than has heretofore been deemed sufficient for the admission of new States. With respect to her boundaries, the Committee regret the want of accurate geographical knowledge; but extensive as her limits are, they appear to embrace no very disproportionate quantity of land adapted for cultivation. It is known that they contain extensive ranges of mountains, deserts of sand, and much unproductive soil. The front assigned on the Pacific might have been more limited, but it is not certain that to States formed by thus curtailing her sea-board, a sufficient extent of accessible interior could have been given. Should the necessity arise, from the increase of her population and a more thorough exploration of her territory, to form a new State out of California, they believe from past experience that such a measure would meet with no obstacles.

A majority of the Committee, therefore, recommend to the Senate the passage of the bill reported by the Committee on Territories for the admission of California, as a State, into the Union. They would advise also the adoption of the amendment to the bill, securing to the United States the public domain, and other public property, in California.

Whilst a majority of the Committee believe it to be necessary and proper, under actual circumstances, to admit California, they think it quite as necessary and proper to establish governments for the residue of the territory derived from Mexico, and to bring it within the pale of the federal authority. The remoteness of that territory from the seat of the general Government; the dispersed state of its population; the variety of races—pure and mixed—of which it consists; the ignorance of some of the races of our laws, language, and habits; their exposure to the

inroads and wars of savage tribes; and the solemn stipulations of the treaty by which we acquired dominion over them, impose upon the United States the imperative obligation of extending to them protection, and of providing for them government and laws suited to their condition. Congress will fail in the performance of a high duty, if it does not give, or attempt to give, to them the benefit of such protection, government, and laws. They are not now, and, for a long time to come, may not be, prepared for State government. The territorial form, for the present, is best suited to their condition. A bill has been reported by the Committee on Territories, dividing all the territory acquired from Mexico, not comprehended within the limits of California, into two territories, under the names of New Mexico and Utah, and proposing for each a territorial government.

The Committee recommend to the Senate the establishment of those territorial goverments; and, in order more certainly to secure that desirable object, they also recommend that the bill for their establishment be incorporated in the bill for the admission of California, and that, united together, they both be passed.

Exception has been taken to what is called the incongruity of the combination of these two measures in the same bill. A majority of this Committee see nothing incongruous in this combination, but are aware of many considerations that mark it with a peculiar propriety. The object of these measures is, respectively, the establishment of a government for the new State, and the new Territories. Originally provinces of one mother country, they were ceded to the United States by the same treaty. The same article in that treaty guaranteed them protection and good government. Conterminous in some of their boundaries, alike in their physical condition, they present, with the exception of the rapid increase of population in California, a common attitude towards the rest of the Union.

But it is objected, this combination forces members to the alternative of voting for what they disapprove, or of rejecting a measure of which they approve. To this it may be answered, that there are also many who reject California alone, but would willingly admit her in conjunction with the territorial bill. This objection shows that the real ground of opposition to the combination lies in the favor or disfavor in which each measure is held, and not in any want of affinity between them.

In these conflicting opinions and interests, a majority of the Committee think that the true spirit of legislation demands mutual concession. Few laws are ever passed in which there is not something given up for the sake of the greater good that is gained. Especially in a confederacy like ours should this spirit prevail. It was founded on mutual concession, and by mutual concession alone can it be preserved. The territorial bill, in itself, is marked by this species of compensation. It omits the Wilmot Proviso, that fruitful source of agitation; while, on the other hand, it makes no provision for the introduction of slavery. This Proviso, so productive of discord, experience has shown to be practically unnecessary for the accomplishment of its professed objects. California, in which the introduction of slavery was most feared, has, by the unanimous action of her own convention, expressly prohibited that institution, and there is every reason to believe that Utah and New Mexico, on their admission as States, will follow the example.

Neither is there any aggrievement to California in thus coupling the question of her admission with other subjects, for her best dignity should be found in her power to restore tranquillity to the great family of her sister States.

The next subject on which the Committee report is that of the Northern and Western boundary of Texas. A majority of the Committee recommend that the boundary of Texas be recognized to the Rio Grande, and up that river to the point commonly called El Paso, and running thence up that river twenty miles, measured thereon by a straight line, and thence eastwardly, to a point where the hundredth degree of west longitude crosses Red River; being the southward angle in the line designated between the United States and Mexico, and the same angle in the line of the territory set apart for the Indians by the United States. In addition to this concession by the United States, it is proposed that Texas receive for her relinquishment of whatever claims she may have to any part of New Mexico, the pecuniary equivalent of ——— millions of dollars, to be paid in a stock to be created, bearing five per cent interest annually, payable half yearly, at the treasury of the United States, and the principal reimbursable at the end of fourteen years. It is estimated that the territory to which Texas will thus relinquish her claims, and which embraces that part of New Mexico lying east of the Rio Grande, includes a little less than 124,933 square miles, and about 79,957,120 acres of land. From the sale of this land the United States may be reimbursed a portion, if not the whole of the amount thus advanced to Texas.

A majority of the Committee recommend that the proposals to Texas be incorporated in the bill embracing the admission of California, as a State, and the establishment of territorial governments for Utah and New Mexico. By the union of these three measures, they hope that every question of difficulty arising from the acquisition of territory

from Mexico will be placed in a train of satisfactory adjustment.

The Committee next report on the subject of fugitives from labor. The Constitution explicitly declares that no person, held to service in one State, *under the laws thereof,* shall, by escaping into another, be discharged, in consequence of any law, or regulation, therein, from such service, but *shall be delivered up* on the claim of the party to whom such service is due. This clause, so plain and obligatory, is addressed alike to the States composing the Union, and to the General Government. Its enforcement is the duty of both. At present, it is notorious that the attempt to recapture a slave is attended by great personal hazard. Perilous collisions constantly ensue. The law of 1793 has been found wholly ineffectual in prevention of this state of things, and the Committee recommend more stringent enactments. The proceedings for the recovery of the fugitive should be summary. Trial by jury has been required for them in the non-slaveholding States; but, were this granted, it would draw after it its usual consequences of delay and increased expense, and, under the name of a popular and cherished institution, there would be a complete mockery of justice, so far as the owner of the slave is concerned. A trial by jury, however, would be less objectionable in the State claiming the fugitive. Accordingly, the Committee recommend that the claimant be placed under bond, and be required to return the fugitive to that county in the State from which he fled, and there to take him before a competent tribunal, giving him all facilities for establishing his freedom.

The Committee hope that, in this way, all causes of irritation, consequent on the recovery of fugitives, will be removed. Should, however, these measures, in their practical operation, prove insufficient, they consider that the owners of such slaves will have a just title to indemnity out of the Treasury of the United States.

The Committee finally report on the questions of slavery, and the slave-trade, in the District of Columbia. Without discussing the power of Congress to abolish slavery within the District, they are of opinion that its abolition is inexpedient. The apprehension and uneasiness it would excite in the slave States, the constant decrease of the slave population in this District, and the probability that this concession would lead to farther demands, stamps such a measure as unnecessary and unwise.

But a majority of the Committee think differently, with regard to the slave-trade within the District. This trade is as revolting to the feelings of slaveholders, as to those from the Northern States. Most, if not all, of the slaveholding States have prohibited a trade in slaves, as merchandize, within their own limits; and Congress, standing in regard to the people of this District in the same position that the State Legislatures do to the people of the States, may safely follow the example. The Committee recommend that this traffic be abolished.

The views and recommendations contained in this report may be recapitulated in a few words:

1. The admission of any new State, or States, formed out of Texas, to be postponed until they shall hereafter present themselves to be received into the Union, when it will be the duty of Congress, fairly and faithfully, to execute the compact with Texas, by admitting such new State, or States.

2. The admission, forthwith, of California into the Union, with the boundaries she has proposed.

3. The establishment of territorial governments, without the Wilmot Proviso, for New Mexico and Utah, embracing all the territory recently acquired by the United States from Mexico, not contained in the boundaries of California.

4. The combination of these two last-mentioned measures in the same bill.

5. The establishment of the western and northern boundary of Texas, and the exclusion from her jurisdiction of all New Mexico, with the grant to Texas of a pecuniary equivalent. And the section for that purpose to be incorporated in the bill, admitting California, and establishing territorial governments for Utah and New Mexico.

6. More effectual enactments of law to secure the prompt delivery of persons bound to service, or labor, in one State, under the laws thereof, who escape into another State.

And 7. Abstaining from abolishing slavery; but, under a heavy penalty, prohibiting the slave trade in the District of Columbia.

May 13.

The Senate having under consideration the bill to admit California, as a State, into the Union, to establish territorial governments for Utah and Mexico, and for making proposals to Texas for the establishment of her Western and Northern boundaries, Mr. Clay spoke as follows:

He wished to give some explanation concerning the report of the Committee of Thirteen. When that report was presented to the Senate, various members stated that it did not meet, in all its parts, with their concurrence.

This was true. No one member of the Committee concurred in all that was done, or omitted to be done by the Committee. But these differences were no source of discouragement to him. In the passage of the measure through this branch of Congress, there was room

for its modification. But even if it should not be so modified, he felt confident that there would finally be a unanimous concurrence of the Committee in its favor, and a large majority in the Senate.

The first measure on which they reported, was that concerning the compact between the United States and Texas, on the occasion of the admission of that State into the Union.—Here there was an undivided opinion. Two Senators made the reservation that they should not consider themselves bound in every condition of things, to vote for the admission of those States thus carved out of Texas, but united heartily in this as the true exposition of the compact.

The question of the admission of California, continued Mr. Clay, was the one that gave the most difficulty to the Committee. It was insisted that, if admitted at all, it should be with one representative; that there was no sufficient evidence that her population entitled her to more. But accurate testimony could hardly be demanded in this case. Neither did usage call for the strict fulfilment of the law. Neither Georgia nor Texas, on their admission, had a population proportioned to the number of their representatives, but it was known that the rapid influx of emigration would shortly remove the difficulty, and the irregularity was overlooked.

There seems an error existing, said Mr. Clay, with regard to the requisite population to entitle California to two representatives. It is not double the amount fixed for one representative. That number was fixed by Congress, ten years since, at 70,680; but it was expressly provided that any State, which had an excess beyond a moiety of that amount, should be entitled to an additional representative.—The Senator then showed from the memorial of the deputation from California to the United States, that her population was 107,069, on the first of January, 1850. This exceeds the requisite number, and he had no doubt, from the statements of officials at San Francisco, she had, at the present moment, full 135,256 inhabitants.

With regard to the limits of California, a proposition was first offered in the Committee to extend a line through to the Pacific of 36° 30; a subsequent proposition altered this line to 35° 30, but a majority of the Committee finally decided upon having no dividing line. This proposition was made with the view of reserving a slave State out of the Territory. But with the non-slaveholding State of California on the North, the mountains of Mexico on one side and the Pacific on the other, slavery surely would never be introduced—or if introduced, could never be maintained.

But California, it is said, is too extensive; her seaboard is 600 or 700 miles in length; it is unreasonably large. But of this coast, the part below 36° 30 is bordered by deserts of sand, back of which are successive chains of mountains, forcing the population to the eastward, to have intercourse exclusively with Mexico and the Atlantic States. While in the Northern part of California is a vast desert, hitherto never passed, and reaching from the country of the Mormons to the Pacific. I think then, said Mr. Clay, that with respect to the population of California, with respect to her limits, and the circumstances under which she presents herself to Congress, every thing is favorable to the grant she solicits, and that we can find neither in the one nor the other a sufficient motive to reject or throw her back into the state of lawless confusion and disorder from which she has emerged.

All these considerations, the Committee consider, apply with equal force to the two Territories of Utah and New Mexico. The plan of the Executive, recommending the admission of California, but leaving the other two questions unsettled, was originated at a time when it was thought that to create governments for the Territories would be productive of the greatest distractions and agitation. Since then the extremes of public opinion have moderated. The North and the South have come to the rescue of the Union. Measures that then were dangerous, would now meet with general approbation. He contended that to abandon Utah and New Mexico, to leave them without the authority of the General Government, without power to protect their own citizens, or the citizens *in transitu* to other regions, to d this in the face of the treaty of Guadalupe Hidalgo, was in conflict with the high claims of duty. At this moment, said Mr. Clay, disorders are commencing, from the backwardness of the Government in establishing the boundaries of Texas. Commissioners have been sent by that State to Santa Fe or New Mexico, for the purpose of bringing them under her authority. From the temper of the people of that province, he had no doubt these demands would be resisted, and civil commotions and shedding of blood might yet be the consequence.

With regard to the amount to be paid Texas for her relinquishment of her claims, to prevent improper speculation in the stock market, the Committee had thought it best to wait until the final disposition of the bill, before naming the sum they had concluded to recommend.

Mr. Clay then alluded to Mr. Benton's parliamentary objections to the combination of these three measures. He showed that the process of *tacking* one bill to another, to which the Senator from Missouri had objected, was not the same in principle in the English Parliament as in Congress. Bills originating in the House of Commons were not subject to amendment by the House of Lords, as in our

Senate; but if received at all, were to be passed entire. It was the means of forcing popular measures on the crown and aristocracy. The practice was consequently decried in the messages of the crown, and by all writers under the influence of the aristocracy. It was looked upon favorably enough by the popular party. But in consequence of the power of amendment by the Senate, the technical objections to it are in no ways applicable to the present compromise bill. The practice in this country has been to associate bills of the most diverse natures. The constitution of California, providing that no two subjects should be united in one bill, has been held up to us as example. The constitution of Louisiana has the same enactment, and experience shows the greatest inconvenience resulting.

The question of African slavery has been left open to the action of the people, when the Territory arrives at the dignity of a State. The Territorial government, by the plan of the Committee, has been debarred from all legislation on that subject. The Indian or peon servitude however is left open to their action. At present, he said, by the Mexican law and in point of fact, slavery did not exist in that province; and he thought there was little probability of its entering a country where labor can be obtained at the rate of three or four dollars a month.

The next subject the Committee reported on, was the re-capture of fugitive slaves. The Committee here proposed two amendments to the bill reported by the Senator from Virginia, (Mr. Mason). The first provides that the owner of the fugitive shall, whenever practicable, carry from his own State to that whither the fugitive has fled, a certificate of the Court, adjudicating the fact of slavery, the fact of elopement, and a general description of the slave. This record shall be in the Free State competent and sufficient evidence of the fact. The inconvenience will be very slight, and the reverence in which records are everywhere held will be great additional security. The next provision is, that the owner, on the detection of the fugitive, shall give bond to take him back to the county of the State whence he escaped, and at the first Court there held after his return, shall afford him all the facilities necessary for the establishment of his right to freedom, if he still continues to assert his right. A trial by jury is demanded by the non-slaveholding States, and this the amendment provides for. The practical operation of this will be, that where, if the trial by jury were allowed in the free State, the fugitive would use every endeavor, and find great facilities for escaping from justice, now that this trial is to be conducted among his old comrades, and where he is well known, he will feel more inclined to relinquish his pretensions to freedom. Mr. Clay thought that the South should make this concession. Their rights were to be maintained, but maintained in a manner not to wound unnecessarily the feelings of others.

The Senator then alluded to the opinion prevalent in some of the non-slaveholding States, that there is a higher and Divine law, entitling the runaway to food, shelter, and hospitality from the man under whose roof he has come. Divine law has often been the pretext for outrages on society. Divine law is the plea of the Mahometan for his polygamy. The wretch, dying from famine, can, with far greater plausibility, point to his neighbor's abundance, and plead natural and Divine law for satisfying therefrom his wants. Let them point out, said Mr. Clay, the credentials of their revelation.

Finally, the Committee have reported on the abolition of the slave-trade in the District of Columbia. He believed there was no time within the last forty years, when, if it had been earnestly pressed upon Congress, there would not have been found a majority—a majority from the Southern States—in favor of it.

Mr. Clay then alluded to the Wilmot Proviso. This is an abstraction pressed upon the South by the North, and urged, they say, by a natural sentiment in behalf of freedom. The South reject it, not from fear of the objects of the Proviso, for these objects will be accomplished without its aid, but in a sense that their security lies in denying at the very threshold any right in the North to touch the subject of slavery. The North contend for an empty form, the South for the preservation of property, of life, of happiness. They know that to yield to this demand, will be the signal for new sects springing up, with new notions and new natural laws, who will carry their notions into the bosom of the slaveholding States.

At a meeting of the Southern Members of Congress, held May 8th, a Committee was appointed to take into consideration the subject of a newspaper to be established at Washington, and to be devoted to Southern interests and institutions The Committee, in their report, call the attention of the South to the necessity for an organ which shall uphold their peculiar institutions, and, at the same time, be held distinct from the ordinary party ties and influences. They assert that the public opinion of the world has been directed against these institutions, and that now these attacks must be met on their own ground. The South has hitherto relied on the conscious justice of their position, but the time has come when they must wrestle with this public sentiment, or fall. This warfare, incited by interest or prejudice, commenced, the Committee state,

with Great Britain. That country, after having been the cause of the establishment of slavery in the New World, has labored ceaselessly at its destruction. A common origin, a common language, and a common literature, have rendered her efforts on this continent partially successful. Its abolition in her own dependencies has brought on premature decay, and from the influence of this spirit, have proceeded the distractions within our own borders. To combat these pernicious and fanatical doctrines, to enter the lists against the world, to defend Southern rights and Southern feelings, to meet a sentiment founded on visionary theories and prejudice, by the experience and judgment of those from position better informed, the Committee urge the establishment of this paper. At the seat of government, they say, there is no paper which makes these interests their paramount object. The abolition party can always be heard through their press there, while the other journals make the maintenance of party their controlling object; and not one to consider the preservation of sixteen hundred millions of property, the equality and liberty of fourteen or fifteen States, the protection of the white man against African equality, as even equal to the political organization to secure the election of President. In the Federal Legislature, the South has some voice and some votes, but the press in this city takes its tone from that of the North. They give, in turn, a coloring to that of the South, and false impressions are consequently produced throughout that section, concerning public men and measures.

This journal is to be sustained by Southern means and talent, and to be dedicated to the defence of their social position before the world. Southern Whigs and Southern Democrats are to contribute alike in its columns. Party relations are not to be disturbed, but to be held subordinate to the great and engrossing interest, to the South, of slavery.

On April 30, the joint resolution from the House, respecting the expedition in search of Sir John Franklin, being before the Senate, it was finally adopted, by a vote of 28 to 16. The resolution was as follows:

Resolved, by the Senate and House of Representatives of the United States, in Congress assembled, That the President be, and he is hereby authorized and directed to receive from Henry Grinnell, of the city of New York, the two vessels prepared by him for an expedition in search of Sir John Franklin and his companions, and to detail from the navy such commissioned and warrant officers, and so many seamen as may be necessary for said expedition, and who may be willing to engage therein. The said officers and men shall be furnished with suitable rations, at the direction of the President, for a period not exceeding three years, and shall have the use of such necessary instruments as are now on hand and can be spared from the navy, to be accounted for and returned by the officers who shall receive the same.

Resolved further, That the said vessels, officers and men shall be in all respects under the laws and regulations of the navy of the United States until their return, when the said vessels shall be delivered to the said Henry Grinnell: *Provided*, That the United States shall not be liable to any claim for compensation in case of the loss, damage or deterioration of the said vessels, or either of them, from any cause, or in any manner whatever, nor be liable to any demand for the use or risk of the said vessels, or either of them.

MISCELLANY.

GERMANY.

The politics of central Europe remain involved in the greatest intricacy. Austria, Bavaria, Wirtemberg, and Saxony, with a German population of about 17,000,000, form a confederacy with a bias to the old order of things, and are laboring to restore the German Diet, of which Austria was the head. Hanover, Holstein, Luxemburg and Frankfort, and two or three minor powers, with a German population of about 3,000,000, are neutral; while Prussia, with the remainder of the German States, and a German population of 22,500,000, form the Parliament of Erfurt, and represent the cause of progress. This body consists of an Upper House of 95 members, of whom Prussia sends 40, and a Lower House of 224 members, of whom she sends 158.

Prussia, then, may be considered as the leader of the liberal movement in Europe, and great destinies might be before her, if the spirit of her people were not clogged by the indecision and lukewarmness of the Court. She might become the regenerator of the worn-out systems of the old world, a great republican monarchy, spreading free principles, slowly but surely. She would form the bulwark of civilization against the ominous advances of Russia. But the caution of the German character, their dread of change, the ambition of particular States, wishing each to aggrandize itself in this chaos of political elements, the evident hankering of the reigning families for a return of their old despotisms, and the diplomacy and gold of Russia entering every crevice, weakening, dividing, threatening, and we are compelled to form gloomier anticipations. We are reminded of the fears that oppressed society, when the star of Bonaparte was in thesascendant. An oriental despotism seemed then impending over Europe, with its sure consequences of a return to barbarism and national decay. The danger passed, for the "pear was not ripe." The power that then menaced civilization was the artificial strength of disease; its real danger now lies in the young and healthy vigor of barbarism.

The attitude of Russia becomes daily more menacing. Her demands are now more imperious than ever. At this moment an insurrection is raging in the Turkish province of Bosnia, stirred up by Russian wire-working, while her armies in the Danubian principalities are retained in full strength. The Greek Government is completely under her influence, and Austria is little else than a subject; and, in the north of central Europe, not a movement is made in which the hand of Russia is not seen or felt.

The causes that urge her forward in her career of conquest, are the same that impel us on this side of the Atlantic in our more pacific progress. As a consequence of the growth of population in new countries, the centres of commerce are constantly shifting. Those nations, into whose hands, from geographical or political advantages, the sceptre of trade passes, feel the impulse in an increased demand for labor and capital, while those it has left have of course a plethora of both. National energy is the aggregate of individual energy, and individual energy can only be called out by a field for exertion, and proper inducements. These, in new countries, are intense, and produce the best statesmen, the best generals, the best mechanics, the best laborers, and the best soldiers. Man for man, they are more than a match for nations where decay has produced lethargy. Who can beat a Russian in diplomacy? Who can out-general a Yankee in a bargain, — a sort of dung-hill diplomacy? Nelson's advice to his officers was significant, "When you meet a French frigate, lay her aboard; when you meet a Russian, out-manœuvre him, if you can."

Full occupation for the minds, the muscles, and the teeth of all classes, is the true source of a people's prosperity, of individual happiness, and the only safe foundation for republicanism. It is not hazarding too much to say that France, like the South of Europe, is past its zenith. Spain is far on the downward path; Italy is querelous with age; Greece is a paralytic old man; Egypt is galvanized for a moment into the semblance of life, and the Orient is dust and ashes. The republican movements that fill so many minds with hope, may be but the beginning of the end, and young Europe may yet find a rough step-parent in "Father Russia." For, from this quarter, when the pear is ripe, a hand will be put forth to pluck it. Exhausted by mutual

hostility or political convulsion, at some moment Germany may lie at the mercy of the invader. Then out leaps the savage of the Don; Tartar and Hun come swarming from their wilds, and, in groans and desolation, Europe tastes the lot she awarded to Poland. With its territory almost a continent in extent, its steadfast policy, its succession of vigorous rulers, its people uniting the science and energy of a growing civilization, with the enthusiasm of barbarism, Russia may readily become the incubus to brood into barrenness the plains of the eastern hemisphere. Not a Calmuck in shaggy beard and sheepskin, but believes that this is to be their mission. The Cossack looks for the time when he shall rein his horse on the shores of the Atlantic, and again bivouac on the heights around Paris.

We are blinded to these possibilities by the power and high civilization of middle Europe. Mere refinement is a poor defence against barbarian valor. The Turkish Tartar, when he stepped from Asia to Europe, found power and refinement, as well as luxury and license. The torpor of his iron grasp may have been a happy exchange for anarchy. When the social frame of a nation is worn out, when men are pushed helplessly by wretchedness into crime, or led into it as surely by the influences of vitiated society, then it should be and must be near its fall, and the hug of the Russian bear would be a milder fate than the lengthened miseries of inanition.

But Germany, we hope, has a happier fate before her than this. The intelligence of the people fits her for self-government. Their characteristic patience and stability would never run freedom into license, and should Prussia succeed in her efforts at forming a powerful and close confederacy, bringing to one centre the intense national spirit of the German race, it may be the dawning of a new day for Europe.

FRANCE.

The Paris elections have gone in favor of the Socialists. Eugene Sue, the Socialist candidate, received 128,071 votes, and M. Leclerc, the nominee of the government party, received 119,626, giving the former a majority of 8,445. The vote of the army was also Socialist by a large majority. This marked success on the part of the Red Republicans has excited much consternation in the capital. The distrust in the character of the President, as not the man to carry the country through the present crisis, the violent though feeble measures of the government, their capricious attempts at restraint of the press, incurring the odium without the advantage to themselves of the reality, have no doubt contributed to those gloomy results. In the character of the two candidates, the government would seem to have had a slight advantage; for Sue, leading the life of a Sybarite in his retreat in the country, denying himself no indulgence that refined sensuality could suggest, was a Socialist in nothing but his morality, while Leclerc was a staunch Republican, and had taken a part in the insurrection of June, 1848, on which occasion he had displayed the greatest heroism.

The alarm felt at this state of things in Paris, shows the influence that city has over the whole of France. It is France. French nationality must always have a focus, a visible and tangible centre where the national glory and self-laudation can shine with concentrated brilliancy. Centralization has always been the stumbling block for freedom in France. The federal element is wanting in their constitution, for no constitution can long contain what is wanting in the character of the citizen. This centrifugal force, which is found in the United States, in their origin from a number of colonies, and wide extent of country, creating sectional interests and consequently sectional feelings; which is found in England in individual self-reliance and in the stubborn battling of each class for its rights and immunities—contests that have been going on for centuries—and which Germany sees overdeveloped in its scores of principalities, is in France utterly deficient.

A proposition has lately been made to remove the seat of Government from Paris. But even if the members could force themselves to forego the pleasures and intrigues of the capital, Paris would be no less the metropolis and ruler of France. She is such, by virtue of the character of the French people, and not by act of any Legislative body.

War.—The following statistics were collected by a committee of the Legislature of this State. They present little of the pride, pomp and circumstance of glorious war.

"The New York regiment consisted of 805 men; of these the committee report:

Died in Mexico, or were killed in battle,	227
Discharged from disabilities, wounds, &c.,	226
Missing and deserted,	35
Died since their return,	56
Known to be living,	106
Leaving wholly unaccounted for,	155
Total,	805

Of those discharged in Mexico as above stated, in number 226, very few have been heard of. It is supposed that most of them died, being sick when discharged.

Of those known to be living, numbering 106, nearly all are broken down by disease, hardships, or wounds received in the campaign, and are unable to support themselves.

Of the 155 of whom we can learn nothing, we suppose the most have died, and many, doubtless, gone away, it may be, to California.

We have discovered 18 widows, who are all in a destitute condition, and about 20 children likewise situated. The case of Lieut. Boyle, of company C, is peculiarly touching. Soon after he left for the seat of war, his afflicted wife, broken-hearted, died, leaving five children. At the close of the war, Lieutenant Boyle returned, bereaved of his wife, and broken down in constitution. In a short time he died, leaving four children. Two of them are now in the orphan asylum, and two are now in New York.

Many and distressing have been the instances of suffering which have come under our knowledge among those who have reached their native land. Two have died, as we learn from correct authority, from actual starvation. Numbers have died in the hospital and alms-house, and, until quite recently, the misery of the relics of the first regiment of the New York volunteers has been comparatively unnoticed. We are glad to know, however, that lately a temporary fund, affording partial relief, has been established."

There is a great unwritten history of every war. When the last drum has beat, and the last cannon been fired, and national vanity rests content with its victims, then begins this silent struggle. Orphans and broken hearts are its conscripts. Its triumphal music is the wail of the nation over its dead. Never perhaps were these consequences so terrible as among our volunteers. From every town and village and neighborhood throughout the country, the volunteer system called away the flower of its youth. Lads, full of decision and courage, the stock to make men of, needing only years to become leaders among the people, sought their "destiny" on the plains of Mexico. They found it in the vomito, the bullet and the fever. The campaigner needs the power of endurance which mature age only can give, and its unsusceptibility to disease. We have the testimony of Napoleon, that while the young soldier could be led to the charge where older men would recoil, he still served mostly to crowd the hospitals and encumber the line of march. This experience was fatally sustained in the Mexican war. The great loss of life by which some of our victories were gained, was even less than the silent though constant loss from disease and exposure. But the carnage of the battle-field, or the lonely grave by the way-side, were the least of these horrors, for all men must bow at the feet of death. The watchful, anxious homes, looking in vain for those that left them, years since, in gladness; the old men, their gray hairs brought with sorrow to the grave, and the accursed lot of the orphan telling the tale twenty years hence, form a mournful sequel to this mournful pageant. The few that return, wounded, broken in constitution, tainted, many of them, with the vices of camps, find that their country, though at first intolerably vain of their glory, have begun to look at it more philosophically, and are by no means willing to pay a high price for so unsubstantial a commodity. Such details as the above may recall them to a feeling of humanity for the victims of a successful war.

Threatened Difficulties between France and England.—Diplomacy between France and England has, of late, been managed in such a way as to breed ill blood between the two countries. "London," says the European Times, "was yesterday in a state of feverish excitement. It was known on Thursday that the French ambassador, M. Drouyn de l'Huys, had left the British metropolis for Paris, on a day of all others when the courtesies of diplomacy were most strictly observed—namely, the anniversary of the Queen's birthday; and it was also known by the papers of the following morning, that the Russian ambassador was absent from the dinner party which Lord Palmerston gave to the ambassadors in honor of the event. These two circumstances combined, produced in political circles some uneasiness, in consequence of the turn which it was feared the Greek dispute had taken. Explanations in both houses of Parliament were accordingly sought for, and given by Lord Landsdowne in the Lords, and Lord Palmerston in the Commons. The former described the recall of the French ambassador as 'an event of importance,' but he subsequently denied that it was of 'grave importance,' and intimated that the French government required his presence in the National Assembly, to give such explanation as the case required. Lord Palmerston, judging from the few sentences which fell from him, seems to have treated the affair less seriously. 'I trust,' said the noble Viscount, 'that nothing can arise out of these circumstances likely to disturb the friendly relations between England and France.'

The Times of yesterday, which evinces the same fondness for the Foreign Secretary that a nameless personage is said to do for holy water, showed in a leading article that matters were far more alarmingly entangled than the 'explanations' of the previous night would induce the public to suppose. It is needless to inquire from whom the Times derives its information, but evident that the Foreign office is infested with traitors; and it seems to us most discreditable that a paper which wears the ministerial livery, and is literally in all other respects, the organ of the ministry, should, in its anxiety to stab a member of that ministry, who is obnoxious in its eyes, carry its personal vindictiveness to an extent which is really calculated to embarrass the relations between the two countries. The funds, which

are always the test of public feeling on these occasions, experienced a decided shock. Consuls, which stood the previous evening at 96 1-8, immediately declined 3-4 per cent., but they subsequently rallied, and closed at 95 to 95 1-8.

The explanation which Lord John Russell gave last night, in the House of Commons, does not throw much light on the matter, but, as far as it goes, it exhibits the soreness which the French government feels at what is evidently regarded as our cavalier treatment of its representative, the Baron de Gros, at Athens. Lord John stated that this would have been fully and satisfactorily cleared up, if the the Baron had remained at Athens three days longer. It is also clear, from the admission, somewhat reluctantly from the prime minister, that if Lord Palmerston had not in his possession at the time he gave his explanation the previous evening the letter from the French Secretary for Foreign Affairs, recalling M. Drouyn de l'Huys from London to Paris, and assigning as a reason the insult put upon the French government arising out of the Greek dispute, that the letter of recall had been nevertheless read to him.

It would be too much to say that the explanation of Lord Palmerston the previous night was disingenuous, for official explanations of the kind are often very enigmatical; but, certainly, the cool and composed manner in which he treated the subject, showed either that he thought the affair would 'blow over,' or that his own nerves were not easily shaken. An accomplished diplomatist requires the boldness of the lion and the cunning of the fox. Has Lord Palmerston both, or only one of these qualities?

The worst feature of this ugly business relates to the proceedings in the National Assembly on Thursday, where the announcement by the Foreign Secretary, that he had recalled M. Brouyn de l'Huys, because of the insult England had put upon France, produced the greatest possible excitement and delight, followed by cries of "bravo!" and the clapping of hands, and other demonstrations which showed how palatable the act was to the National Assembly. In this unseemly manifestation, the leading men of all parties in the Assembly are said to have joined. It is difficult to say, in the present position of Louis Napoleon, what part his necessities may compel him to act. The question will be speedily and amicably settled if the vindication of French honor be his object. But if ulterior ends are to be attempted, a quarrel arising out of circumstances in themselves trivial, may lead to results which are fearful to contemplate. We await the issue with hope, and without fear.

The advices received from Paris, announce not only the recall of M. Drouyn de l'Huys, the French Ambassador to this Government, but his actual arrival in Paris. Lord Normandy, our Ambassador at the French Court, has not left that city. It will be seen by General La Hitte's statement, that a charge d'affaires has been left in charge of the embassy in London, precisely as it was before the arrival of M. Brouyn de l'Huys. The tone of the Marquis of Lansdowne and Lord Palmerston, last night, did not warrant any alarm about the result. But that the sensibility of the French is deeply wounded, there is no doubt; and in the present critical state of Paris, and all France, it would be rash to predict that very grave results may not ensue.

It is very probable that the Greek question is made use of as a pretext for diverting the attention of the French people from the political questions which at present engross the attention of the Legislature, in the hope that an anticipated quarrel with England may gain favor for the French government with the troops and the people. This conjecture is strengthened by the fact that the announcement of the recall of the ambassador from London was received by the Conservatives in the French Assembly with frantic applause, whilst the members of the Left remained silent.

The following explanation was given in the Assembly on the 10th ult:—

The order of the day was the interpellations of M. Piscatory on the affairs of Greece.

General De La Hitte, minister of Foreign Affairs, ascended the Tribune and said—Gentlemen, in the sitting of Saturday last I had the honor of announcing to the Assembly, that, in consequence of the failure of our good officers in the negotiation pursued at Athens, the government of the republic had considered it its duty to apply to the English government for explanations. The reply which was given us not being such as we had a right to look for, considericg the good intelligence which existed between the two countries, the President of the Republic, after having taken the advice of his council, gave me orders to recall from London our ambassador. (A loud burst of cheering from the Right, clapping of hands, cries of "bravo, bravo;" renewed cheers, and clapping of hands from the same quarter. The Left all this time remained silent. The approbation continued at least five minutes.) In order to make the Assembly aware of the motives which actuated the government to come to this decision, I cannot do better than read to you the letter which I addressed M. Brouyn de l'Huys on this subject.

TO M. DROUYN DE L'HUYS, FRENCH AMBASSADOR AT LONDON.

PARIS, May 14, 1850.

Monsieur:—As I had the honor of an-

nouncing to you yesterday, the council has deliberated on the reply of the cabinet of London, which you had been directed to transmit to us. My preceding despatches must have caused you to anticipate the decision of the government of the republic. France, in a spirit of kindness and peace, had decided to interpose her good offices, for the purpose of terminating, on honorable conditions, the difference which had arisen between Great Britain and Greece. It had been agreed that the coercive measures already employed by England should be suspended during the course of the mediation, and that if an arangement, deemed fit to be accepted by the French mediator, should be refused by the British mediator, the latter should refer the matter to London, before again having recourse to force. We had received, on this latter point, the most formal promises, which, however, have not been observed. This deplorable consequence has resulted therefrom, that at the moment when a convention, negociated directly, and definitely agreed to between the cabinets of Paris and London, was on the point of arriving at Athens, where already the essential basis of it were known, Greece, attacked afresh by the naval forces of Great Britain, in spite of the energetic representations made by the French envoy, was obliged to accept, without discussion, the clauses of an *ultimatum* infinitely more rigorous (*bien autrement rigoureuses.*) On learning the strange result of our mediation, we desired to see in it only the effect of a misunderstanding.

We had hoped that the cabinet of London, like us, considering as of no effect (*non avenus*) the facts so much to be regretted by every one, and which had taken place only in consequence of the violation of an engagement entered into with us, would maintain the convention which had been agreed to. You had been charged to apply to it to do so; and that demand not having been acceded to, it has appeared to us that the prolongation of your sojourn is no longer compatible with the dignity of the republic.

The President has ordered me to direct you to return to France, after having accredited M. Mareschalchi as Charge d'Affaires. He has also directed me to express to you all the satisfaction which the government of the republic feel at the zeal, ability, spirit of conciliation, and firmness united, which you have always shown in the course of a negotiation, the non-success of which was not your fault.

You will be pleased to communicate to Lord Palmerston the present dispatch.

(Signed) LA HITTE.

(Loud cheers again burst out here as before.) Gentlemen (continued the Minister), I have laid on the table the documents connected with this negotiation. You will perceive, I am inclined to think, on perusing this voluminous collection, that the acts and intention of the government of the republic are not undeserving of your approbation. (Cheers.) I have to propose to you to order that the documents be printed.

The Assembly, being consulted, ordered the printing of the documents almost unanimously. Gen. Cavaignac, M. Gustave de Beaumont, and two or three other members of the *tiers parti*, stood up on the negative side of the vote.

When the Minister descended from the tribune, he was surrounded and complimented by a crowd of representatives, amongst whom were MM. Thiers, Admiral Dupetit-Thouars, General Changarnier, &c.

The sitting was then suspended for half an hour, amidst the utmost agitation; the members of the Right, assembling in the centre, discussing the communication made, whilst the Left remained impassive as before.

CRITICAL NOTICES.

Ireland as I saw it, the character, condition, and prospects of the People: By Wm. S. Balch: New York: G. P. Putnam, 1850.

The writer of the above titled book informs us in his introductory epistle, that he "travelled neither as philosopher, sage, or poet, but simply as a plain republican, curious to see, and anxious to learn." That is a good beginning. The set-out smacks of modesty, and, therefore, presents to a common sense reader, a pathway not usually found 'laid down' in the 'guide books' and 'books of travel,' of the *pseudo* philosophic voyageurs, didactic city seers, feminine journal compilers or sonneteering mountain climbers of the present day. When we take up a book of travels, we do not ask the writer of it to lay down a new code of laws for the people he is talking about. We want a truthful delineation—a faithful record of what he sees; the *people*, their state, condition, and character; the *cities*, their situation, commerce, &c. The *towns*, their markets; the *land*, its agriculture, mines, and resources; the *mountains* and *rivers*, their scenery and power. With these set before a reader truthfully, he will be able to judge of the actual state and government of the land, and needs no speculative instruction to guide him to a just judgment of its faults, failures, misery, weakness, strength, past folly or future prospects. We want facts. Facts are suggestive. Falsehood, though favorable at best only dazzles at first, and ends in confounding.

Apart from the natural beauty of Ireland, it did not present a very interesting field for an American traveller, after a wasting famine for the immediate years previous and the distracted state of the country about the time of Mr. Balche's tour. He went "without prejudice" and saw "more to approve in the character of the people than he expected," at the same time he laments their condition and justly condemns the working of the aristocratic institutions. "There are those in England" says our author, "who would tear the whole carcass in pieces at once and destroy it for ever; making the Emerald Isle a province, into which they might introduce colonies of their own wretched population. Such men seriously desire an occasion to justify a general onslaught and final extinction of the Irish nation, and talk seriously about it. But Heaven has reserved this country for some other end; if not for freedom and honor, to be, as at present, the manufactory of a race which is spreading itself, like the old Teutons, among all nations of the earth, for some purpose which shall hereafter be made manifest."

We trust that Ireland's manifestation shall be that of Freedom and Glory. Nationality can be crushed out of Ireland no more than it will be made extinct in Hungary or France, or Rome, or the Affghan land. For upholding that nationality and preaching the creed of Freedom, chief after chief may glut the scaffold or pine in prison den—chief after chief may fall—the martyrdom of Freedom's priesthood may be waged with Inquisitorial horrors, but Truth *will* prevail. The natural spring will force itself erect and pure through every obstacle. Despotism may smile graciously and affect ease but never can sleep without its armor:

> Lives of great men all remind us
> We can make our lives sublime;

And as the heroes of our day have received their inspiration from the Tells, Washingtons, and Emmetts of the by-gone, so shall the example and glory of the men of our era light some succeeding Kossuth, Mitchel, or Chere Singli, to the deliverance of their land. Hate to Tyranny cannot die out. The teachings of the "Young Ireland" will not be easily forgotten. In fact, its effect has had scarcely time to make itself manifest. Its oratory, enthusiasm and poetry cannot but fulfil its mission on a mind so susceptible, warm, and enthusiastic as the Irish. Mr. Balch and his travelling companions were in Dublin during the exciting movements in '48. The following reminiscence is interesting because it can be depended on. The author is in the court-yard of the castle "a sort of military palace, on a grand scale." He says:

"While gazing about, a young soldier came up to us, and commenced a conversation. Finding we were from America, he expressed himself very freely. He had not been long in the service, and was not well pleased with it, but necessity had compelled him to adopt the course to obtain a living. He asked us what we had heard of Mitchel's trial, and what was the prospect of acquittal. We told him we had heard nothing in particular, only there was much excitement in the streets. He said he hoped he would get clear, for he believed him an honest man, and a true lover of his country. We proceeded gradually, and finally asked him what he should do if there should be a rising of the people. He said, after some hesitation, he supposed he must fight. I did not press

the inquiry farther, for I saw, by his appearance, what his answers would be ; that his heart was for his country, which he loved, and, though compelled to it, he would reluctantly contend with his countrymen, and, therefore, he expressed an earnest hope that there would be no disturbance. He said the whole garrison was kept constantly in readiness for any emergency ; that every part of the castle was crowded with soldiers, and hundreds were quartered in private dwellings. Observing some one who appeared to be listening to our conversation, he turned and left us."

Their hills and their bogs, their oppressors and their misries, have taught them to be free. Many distinguished men in America are from Ireland. Her patriotic sons have served in the battles of most of the armies of the civilized world, and have distinguished themselves by the most heroic valor. The field of Waterloo, the height of Quebec, the Badajos, the walls of Toulouse and Salamanca, and more recently Monterey, Cerro Gordo, and Chapultepec, with a thousand others, have been stained with the warm blood of Irishmen.

The author's recollections of Dublin city at this time, are particularly interesting, especially the trial of John Mitchell, which is given at length.

Mr. Balch is a very agreeable companion, and might be more so, if he were not so exceedingly fond of running into logical discussions and speculations. He is violently opposed to the papistical doctrines, and quotes Scripture freely. His book is written in pleasing narrative style. Some of his descriptions are admirable, and none dry. At times, he has shown himseif a clear thinker, and his conclusions have been almost prophetic, *anticipating many succeeding events,* while at others they have been extremely erroneous. His pictures of beautiful scenery and old castles, are as exhilarating as his recollections of the misery he saw are horrifying and heart-rending. Altogether, the book is readable and instructive—though we cannot endorse all the authors opinions—and the impression left, is that one would wish he were contemplating the valley of the " Sweet Liffey," strolling across the beautiful bridges or gazing at the " elegant and massive" buildings in the "fine old city" of Dublin—taking an excursion to Killarney—Glengariff or Mongarton. Walking up the Mardyke outside of Cork, kissing the Blarney stone, or examining the many old ruins and castles of the feudal times, which Mr. Balch describes with much grace and effect. J. S.

Lays of Fatherland: By John Savage. New York: J. J. Redfield, Clinton Hall.

This little volume is by an enthusiastic young son of Erin, driven from that ill-fated country by the late troubles. Poets find their best stock in their sorrows, and the author wields his pen with skill and vigor against all kinds of oppression and ill-gotten power. To us, on this side of the Atlantic, such themes have only an ideal interest; tyrants and oppressors are known only in song, and our hatred of them, if we have any, is a kind of sentimentalism. But, to his countrymen, the author's verse will have a real living significance, and the book will commend itself to them by its fund of patriotic feeling and indignation. The author is still a young man, and these productions are to be judged of with this qualification. They are full of the national spirit and liveliness.

The Sacred Poets of England and America. From the Earliest to the Present Time. Edited by Rufus W. Griswold. Illustrated with fine Steel Engravings. A new improved edition. New York: D. Appleton & Co. 1850.

The first thing that strikes one on opening this truly elegant volume is a splendid line engraving, by Phillabrown, of Biedemann's picture of the Lamentations of Israel. It is, to our view, a perfect piece of art, both in design, in feeling, and execution. The volume itself is a selection of poems from those authors in our tongue, who have written hymns, prayers, and mystical pieces in verse ; an admirable design of the compiler, but defaced in the execution by some improprieties. Among the authors selected we find the name of Arthur Cleveland Coxe. Mr. Coxe may be a very good writer, but public opinion will not accord him a niche in the same temple with Milton and Spencer. Several other names, as it seems to us, might, with propriety, have been omitted.

Another ill feature in this work is the presence of several poems, which, professing to be religious are strictly amatory, and have no place in the sacred company in which we find them. We find, for example, the following from Spencer's " Heavenly Love":

Then shalt thou feel thy spirit so possest,
 And ravished with devouring great desire
Of his dear self, that shall thy feeble breast
 Inflame with love, and set thee all on fire,
 With burning zeal through every part entire,
That in no earthly thing thou shalt delight
 But in his sweet and amiable sight.

A poem of Drayton comes after in order. "Moses meeting the Daughters of Jethro," and the " Burning Bush,"—a pastoral, very strongly reminding the reader of Ovid :

Where the soft winds did mutually embrace
 In the cool arbors nature there had made,
Fanning their sweet breath gently in his face,
 Through the calm cincture of the amorous shade.

And again :

Whilst in the beauty of those godly dames,
 Wherein wise nature her own skill admires,
He feels those secret and unpiercing flames,
 Moved in fresh youth, and gotten in desires.

Carey, one of the most voluptuous of poets, figures in this collection, in his poem of " Pleasure," which begins with the line,—

Bewitching Syren! Golden rottenness!

Even in the three pages devoted to the Rev. John Norris, " author of numerous theological works," the space is occupied by poems amatory and Ovidean. One in the strain of a repentant de-

bauchee, and the other an address to a pretty mistress in heaven. Master Quarles, of quaint reputation, is here, among these amatory gentlemen. Witness the lines on the soul reconciled to God:

Oh, then it lives involved
In secret raptures; pants to be dissolved:
The royal offspring of a second birth
Sets ope to Heaven, and shuts the door to earth.
If love-sick Jove commanded clouds should hap
To rain such showers as quickened Danæ's lap;
Or dogs (far kinder than their purple master)
Should lick his sores, he laughs nor weeps the faster.

Verses of the above character have no place in a selection of sacred poetry. If they were carelessly let in, the compiler has neglected a duty. If they were put in to sugar the volume he has committed a fault.

We confess to be very much amused at a deliberate attempt of Mr. Griswold to foist the once notorious, but, we thought, long extinguished, Sir Richard Blackmore upon us as a sacred classic. This old gentleman, absolutely the weakest scribbler of his day, carried the art of writing nonsense to its height. Witness the following selection, from Mr. Griswold's volume, from a paraphrase of the 114th Psalm:

" Terror, the mountains did constrain
To lift themselves from off their base
And on their rocky roots to dance about the plain.
The little hills, astonished at the sight,
Flew to the mother mountains in a fright,
And did about them skip, as lambs
Run to and bleat about their trembling dams.
What ails thee, O, thou troubled sea,
That thou, with all thy watery troops, didst flee?
What ailed the Jordan? * * *
What did the lofty mountains ail? * * *
That they their station could not keep. *
But why do I demand a cause
Of your amazement, which deserves applause?

The rhymes of Sir Richard are a kind of extempore fustian, written off at an easy canter of the pen. Frailty is tempting to imitators. Let us try our hand at this rub-a-dub thunder of the anti-muse. A line a minute is our stint.

Praiseworthy mountains, on your toes to stand,
And skip, gyrating, round the wondering land!
The wondering sea, it was astonished too,
And set its waves to imitating you.
Amazement seized them; all their foamy caps
Went up like ruffles, and, with thunderous raps,
They thumped the shore, and swashed up all the sands,
Like thousand wash tubs, poured by thousand hands;
The thousand suds, which altogether pour,
Made a grand splash, and also a vast roar.
The sea was sick with so much wonder, and
Puked up its contents on the wondering land.
The land itself, half crazed with all this pother,—
What, with its mountains justling one another,—
What, with its hills all dancing on their toes,
And cataracts pouring from each hillock's nose,—
Shook with an ague, mixed of rage and woe,—

One is never at a loss for the rhyme in this sublime and studied style of verse, so here it comes, just at the wish]:

And from its shoulders 'gan waves, rocks and hills to throw,
Know you, my cozey mountains, what it was
That brought your skiey noddles to this pass?
It was that necromancer Blackmoor, who
Gave cramps to nature, and gave "fits" to you.
'Twas he, who, dining first, with fell design

[*Sir Richard dined first, in order to ensure a proper bathos in his lines.*]

Sat down, and mangled David, line by line;
And, mangling David, mangled nature too:
So, in the good old time the Christian flayed the Jew.

While our pen, heated with chase of syllable hung trembling over the beginning of another couplet, and Fancy, nodding on the edge of dreamland, had lost sight of her definitive goal, we felt or imagined we felt, a hearty slap on the back, and, turning with a start, brought our tender nose in contact with the big red one of a merry old friend, in whose twinkling eye shone the genius of satire. The ruby of the wine colored his cheek, and on his musky breath hung the savor of the last night's carouse.

Not a word passed. The pen hung frisking above the page, until, bursting through a stutter, the rubicund lips dictated the following:

Av—ast! you C—c—ritic; let Sir Richard in,
'Twere ill for us, if rhyming were a sin.
Even I, the god of merriment and drinking,
Blear-eyed Silenus, rhyme while I am winking.
Jolly my cups, my muse a merry hussy,
Her manners slack, her virtue not too fussy;
Yet god Apollo, when a little blue,
Laughs at her nonsense, and applauds it too.
All the gods rhyme, as well as each for's soul can,
From solemn Jupiter, to fustian Vulcan.
And swear I will, whate'er they be indicting,
They imitate Sir Richard in the writing.
Dan Jove, far-thundering in a phrensy fit,
By Cupid shafted, or by Hermes bit;
Tears up a forest, where, all pele mele,
Trees, rocks, wolves, elephants, and creatures scaly,
Winds, spouts and tornadoes, all jammed together,
Make vast confusion, (and disastrous weather,)—
These are Jove's verses, (and reverses too,)
To shock the Fates, and turn the Pareae blue.
All good works perish,—even the rolling spheres
Have their grand periods,—their Saturnian years;
But Chaos is immortal, and her name
Outlasts the last faint trumpetings of fame.
Then live, Sir Richard; dullness' illustration,
Folly's own child, and Chaos' near relation.
Observe how rhyming in a mood divine,
He bangs the world to ruin in a line.
Gods, trees, rocks, monarch, armies, rats and hail,
Tornadoes, elephants, and coats of mail;—
He mouths together, trope on trope he flings,
Turns upside down, and inside out, all things.

Grim Pluto is no bard, mayhap you'll think;
And yet even he makes verses in his drink:
Our grave Sir Richard, imitating then,
He sends *ennui* on all the tribes of men.

Tartarean fumes dispensing from his brain,—
All damned critics shake, and tortured poets plaine,
Old Erebus rumbles to his thunderous verse,
While horror's heaped on horror, curse on curse.
Byronic heat the long drawn torment spins;
He writes a pestilence, and then he grins.
He writes a song,—that's legal prostitution;—
A pastoral,—that's family confusion;
A fiery ode, that's conflagration sore;
An epic,—that's an everlasting bore.
What ere he writes, (Sir Richard still the model,)
He but indites the hell that's in his noddle.
Poetry is passion; passion knows no rule;
Love is the poet's lord, and Love's a fool:
Your dunce for aye inspired, is aye inditing;—
The love he writes from is the love of writing.
When watery Neptune sighs for Amphitrite,
To ease the mighty pain he too, must write,
The beach his paper, and the wave his quill,
A spumy stanza he throws off at will;
Foam follows foam along the yielding shore,
Each line obscures the line that went before.
(So, soft Sir Richard, rhyming best and worst,
The last line of each couplet drowns the first.)

The half sweet, half satirical voice of the rhymer ceased. I turned with a start, and there, instead of god Silenus, stood my good friend B. J., whose broad, red face I had mistaken, in the lapse of a reverie, for that of the god of mirth.

Iconographic Encyclopedia of Science, Literature and Art. Published by Rudolph Garrigue, No. 2 Barclay street, New York.

No. 8 of this celebrated work has been sent us by the publisher, and contains a series of valuable modern maps of European countries. German maps are the best in the world. Here are twenty-four highly finished maps for $1, certainly the cheapest atlas ever published. The letter-press is a treatise on Geology and Geognosy. No. 7 of the same work is a series of splendid anatomical plates, good for all practical purposes—twenty-plates for $1. This is, beyond all question, the cheapest engraving ever executed, considering its quality.

Conquest of Canada. By the author of "Hochelaga." 2 vols. Harper & Brothers, 82 Cliff st., N. Y. 1850.

These two volumes were intended for a complete and elaborate account of Canada, from the time of its first settlement to that of its conquest by the British. We have had no leisure to make a minute examination of them, and can only say that they are written in a flowing and agreeable style, with every attention to accuracy and picturesque effect. They contain also a large and full detail of the Geography, Natural History, and general features of the two Canadas.

Macaulay's History of England. From the last London edition. New York: Harper & Brothers.

The Harpers have just issued a small octavo cheap edition of Macaulay's History of England. We do not as yet observe any symptoms of decline in the popularity of this famous History.

Shakspeare's Dramatic Works.—Phillips, Samson & Co. are publishing a very splendid edition of Shakspeare's Dramatic Works, illustrated by ideal portraits of the Shakspeare Beauties, equal in effect and execution to the celebrated Byron Beauties of Finden. Notwithstanding the elegance of the executien the edition is a cheap one, only 25 cents the number, each number containing an entire play. This is the "Boston edition" proper, and is a complete library edition. A mere notice of the work is sufficient for the purpose; that is, of recommending it to readers of every class, as a complete and satisfactory edition. We have now fifteen of the numbers, and the publishers have undoubtedly succeded in the enterprise; at least they deserve to do so.

Latter Day Pamphets. Edited by THOMAS CARLYLE. New York: Harper & Brothers. Nos. 4 and 5. The new Downing Street, and the Stump Orator.

In "The New Downing Street," Mr. Carlyle makes his first appearance as a practical politician, and takes the field in favor of Sir Robert Peale to be the next Premier of England. Mr. Carlyle is neither reactionary nor radical. While he advocates reform, he nevertheless leans strongly toward the monarchy, and manifests but little faith in universal suffrage. In the pamphlet entitled "Stump Orator," he gives a great deal of general sound advice to the rising generation, and hurls his sarcasm against the peculiarly English trick of specchifying on all occasions. Had Mr. Carlyle been educated in America he could not have been more completely American than he is in his preference of active industry to every kind of merely literary or rhetorical industry: indeed we have observed for some time that he is becoming not only Americanized in his views of life and things in general, but absolutely Yankeefied.

Milman's Gibbon's Rome. Boston: Phillips, Samson & Co. 1850.

We take occasion to notice a second time this valuable republication of the most elegant of all Histories. The publishers of this series seem to have undertaken to issue none but first rate works. Every thing that we have seen from the press of Phillips, Samson & Co. indicates the possession, on their part, not only of great skill and large capital, but of literary taste and judgment in selection.

Literature of the Slavic Nations, with a Sketch of Popular Poetry. By TALVI. With a Preface by Edward Robinson, D. D., L. L. D. New York: George P. Putnam, Broadway.

A History of Bohemain, Crœation, Servian, Russian and Polish Literature, with very full extracts from the popular poetry of those nations. It is not probable that Professor Robinson would have issued any thing upon one of his favorite subjects that he did not esteem to be of the first order; and we accept this work from him, under the belief

that it is the best source of information on the literature of the Slavonic nations.

Prior's Works of Goldsmith: George P. Putnam, New York.

We notice the completion of this excellent edition of the works of Oliver Goldsmith. It is published in the same form and style with the new series of Irving's works. 4 vols., small octavo.

Standish, the Puritan. A tale of the American Revolution: By Eldred Grayson, Esq. New York: Harper & Brothers. 1850.

This work is dedicated to Louis Gaylord Clarke, Esq., the witty and agreeable editor of the Knickerbocker, to whom the author in his dedication gives some account of the origin of the work. The author says that his first recollections are fixed upon the scenes of our Revolution, as recounted by a grand-parent who served in the war, and whose two brothers were killed at the battle of Wyoming. From the characters and incidents thus imprinted on his memory he drew the materials for the present story. We forbear any criticism of the work until reading it. Turning the pages rapidly over, we discover a great variety of character and incident, narrated in a rapid and flowing style, but rather in the manner of a biography than of a novel.

Life of John Quincy Adams: By William H. Seward. Auburn: Derby, Miller & Co.

There is an extreme propriety in the publication of a life and eulogy of John Quincy Adams, by William H. Seward. These two men,—one, of the past, and his successor of the present generation,—stand as unmistakable and unquestioned representations of that species of republicanism, which is never content but with the entire liberty of every grade of humanity. Both, avowed and open antagonists of the institutions of the South; both, defenders of nationality, rather than of Federal union; both viewing politics from a point of view philosophical and progressive; both have earned for themselves the reputation of leading the extreme party of the North; a reputation confirmed upon them by passages and acts of their lives, in which there appears more, perhaps, of partizan heat and of sympathy with the people, than of the shrewdmess of guarded and ambitious statesmanship.

Dictionary of Scientific Terms: By Richard D. Hoblyn, A. M., Oxon. New York: Appleton, & Co. 1850.

All persons, who wish to cultivate an agreeable and intelligent power of conversation, should have at hand a convenient manual, or dictionary, of scientific terms. One of the most beautiful traits of conversation and writing is accuracy in the use of words, but it can be acquired only by constant reference to a dictionary. Let any person who thinks himself a tolerable master of the English language, but who is only slightly acquainted with the sciences, turn to this dictionary, and observe how many words are in constant use for scientific purposes, of which he himself knows nothing, but which, to know, would be a very great convenience, not to say an accomplishment.

The volume is a small octavo; cheap and convenient for reference.

Dictionary of Mechanics and Engineering. D. Appleton & Co., New York. 1850.

D. Appleton & Company continue to issue their splendid work upon various branches of engineering and mechanics. Nothing as minute and comprehensive as this work has yet appeared in America. A single number, which lies before us, has an elaborate engraving of some kind of machinery on almost every other page. The work is not got up for the mere amusement of a scientific curiosity, but is for the use and instruction of the practical machinist. Works of this kind have been published in England, but it is not probable that anything more complete than this has ap-appeared.

Moneypenny; or, the Heart of the World: a Romance of the Present Day: By Cornelius Matthews. De Witt & Davenport, New York.

A friend has promised us a critical notice of this work, which will give a true account of it. It embraces " The Adventures of a Gentleman in and about New York; Story of the Indian Girl; The Sempstress and the Poet; The Cheerful Newsboy; The Sharper and his Confederates; The Young Dandy and the Woman of Fashion," with various characters from the upper and lower " walks of life." It is very freely commended by the press.

Schmidt's & Zumpt's Classical Series: Cicero. Philadelphia: Lee & Blanchard.

We have fully noticed the edition of Quintius Curtius of this series. The present volume is uniform with that.

Cicero de Officiis. D. Appleton & Co., New York.

This edition of the morals of Cicero, one of the most excellent works of antiquity, and worthy, in its spirit, of a christian philosopher, is justly a favorite with scholars, as an initiatory book in teaching the elegancies of the Latin language. The edition is arranged, and the notes selected, by Professor Thacher of Yale College, an American scholar who completed his education in Germany, and who has since earned an enviable reputation as a Latinist.

The Annual of Scientific Discovery, or Year Book of Facts in Science and Arts: Edited by David A. Wells, of the Lawrence Scientific School, and George Bliss, Jun. Boston: Gould, Kendall & Lincoln. 1850.

This is intended to exhibit the most important discoveries and improvements made in many departments of the sciences and useful arts. It contains, also, some addenda of great value; such as a list of recent scientific publications; a classified list of patents; obituaries of eminent scientific

men, and an index of important papers, scientific reports, &c. No work that has been laid upon our table for the last month has proved more attractive than this annual. It is composed almost entirely of extracts from scientific journals and reports. It is a close printed volume of some 390 pages, small octavo. Nothing of consequence seems to have escaped the diligence of the editors. They have given us a very full account of the improvements in the electric telegraph, of the advances made in American Geology, and new facts in Natural History and Physiology.

Memoirs of a Hungarian Lady: By THERESA PULSZKY. With a Historical introduction by FRANCIS PULSZKY. Philadelphia: Lee & Blanchard. 1850.

The first third of this volume contains what we have desired to see—a history of Hungary, up to the present day, by an Hungarian. The memoirs of the lady, whose husband was engaged in the political movements for the liberation of his country, are full of political, and historical anecdotes, highly illustrative of the state of things in Hungary during the late revolution. Some portions of it are intensely interesting.

Household Words: a Weekly Journal, conducted by CHARLES DICKENS. George P. Putnam, New York. 1850.

Here we have an English weekly periodical got up, printed, and issued, in England, coming from the office of a New York publisher, as though it were an American work. A slip of paper, pasted on the date of the number, carries on it the name of the American publisher. This journal is not, properly, a journal, but is only a collection of stories, by Dickens and others, divided into weekly numbers, and has very much the air of a literary speculation. The printed matter in this pretended journal, as far as we have examined it, has no particular merit of any kind.

Linda; or, The Young Pilot of the Belle Creole. A Tale of Southern Life: By CAROLINE LEE HENTZ. Author of the prize story of "The Mob Cap," &c. Philadelphia: A Hart; late Carey & Hart. 1850.

Our recollections of the admirable story of "The Mob Cap" lead us to form great expectations of pleasure from this volume. The style of the narrative is extremely fine, the plot intricate, and full of character, and the denoument exquisitely pathetic.

The Village Notary; a Romance of Hungarian Life. Translated from the Hungarian of Baron Eotbos: By OTTO WENCKSTERN. With introductory remarks by FRANCIS PULSZKY. New York: D. Appleton & Co.

Here we have something decidedly new. An Hungarian novel of Hungarian life, by an Hungarian; and a biographical introduction, also by an Hungarian, written in English. To acquire a correct idea of the manners of Hungarian people, and of the political condition of that country, we have now, at least, two correct sources, as far as they go, in our literature,—the novel before us, and the life of the Hungarian lady already noticed.

Eldorado Adventures in the Path of Empire: By BAYARD TAYLOR. New York: George P. Putnam. 1850.

As a portion of this work of Mr. Taylor has been already published in a series of papers in the Tribune newspaper, we have only to acknowledge the favor of the publisher in sending us the volumes, and to say that the author has added many unpublished personal incidents and pictures of society in California, together with an account of his journey across Mexico, which form the most interesting part of the volumes. The Report of the Hon. Thos. Butler King, on Californian affairs, has been added as an appendix.

Memoirs of the House of Orleans: By W. COOKE TAYLOR, L. L. D. 2 vols. *Memoirs of the Court of Marie Antoinette:* By Madam CAMPAN. 2 vols. Philadelphia: Carey; late Carey & Hart. 1850.

The agents for these two works, Messrs. Stringer & Townsend, sent them, with a request that they might be fully noticed; but their value and importance entitles them to a full review, which will appear, if possible, in our August number.

An Essay on tke Opium Trade: By NATHAN ALLEN, M. D. Boston: John P. Jewett & Co. 1850.

In a previous number we have called the attention of our readers to a very interesting and valuable history of the Tea-Trade, by Gideon Nye, Jun., of which a third edition has been called for. The present pamphlet on the opium trade supplies what is omitted in Mr. Nye's work, in regard to the preservation of, and the commerce in, opium, and the mode and extent of its use in Asia. These two pamphlets, taken together, will teach us all that is necessary to be known regarding two of the most important branches of commerce. By this trade in opium the government of India pays its English and Sepoy army. The opium is purchased by the Chinese with specie. It is said that eight million pounds of opium will be brought to China this year. It seems a possible thing that, by the use of this drug, the empire of China may be completely corrupted and destroyed, as, in former ages, by other vices, other nations and empires have lost their independence, and, finally, their place upon the surface of the earth.

☞ *The titles of the above publications were selected for notice out of a much larger number sent us by the courtesy of publishers. To give a full and accurate account of every new publication, to satisfy either their authors, or the public, would occupy the Review of every month.*