

THE

PORTFOLIO



A Monthly Magazine,

CONDUCTED

BY OLIVER OLDSCHOOL, ESQ.

ASSISTED BY A CONFEDERACY OF MEN OF LETTERS.

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THE PORT FOLIO,

THIRD SERIES,

CONDUCTED BY OLIVER OLDSCHOOL, ESQ.

Various; that the mind
Of desultory man, studious of change,
And pleased with novelty, may be indulged.

COWPER.

VOL. VI.

DECEMBER, 1815.

NO. VI.

FOR THE PORT FOLIO.

NAVAL AND MILITARY CHRONICLE OF THE UNITED STATES.

THE following able and well written paper is from the Edinburgh Review for the month of November, 1814. As it bears the marks of an editorial article, it is probably from the pen of Mr. Jeffries, while he still retained, in all their freshness and force, the impressions he had received in his late visit to the United States. Although there are some parts of it which might be altered for the better, it is, notwithstanding, in the main, sound in principle, forcible in argument, correct in inference, and, we have reason to believe, by no means extravagant in the views which it presents of the importance of our future destinies as a nation. On this latter point perhaps it even falls below the truth.

We shall publish it as it is, only further remarking, by way of comment, that, although it might have done us, in several respects, as a people, much more complete justice than it has, it is, notwithstanding, liberal and magnanimous, and must be viewed as virtually one of the ablest and most satisfactory of replies to that nefarious tissue of calumnies on the American character, which appeared in a late number of the London Quarterly Review. It

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goes far towards persuading us that we did injustice to Mr. Jeffries in having suspected him as the author of a singular scrap relating to America, half slanderous, half eulogistic, which we published some months ago in this journal. If he did not write that article—and we are told that he has disavowed it in a letter to some of his connexions in this country—he will receive this paragraph, should it ever meet his eye, as an apology, and the best amends we can at present make, for the wrong we were led by misinformation to do him.

We wish it to be understood that we take no part in any political views, except in so far as they may be perfectly national, which this paper presents; and that we have been induced to retain them for no other reason but because the rejection of them would have unjustifiably mutilated, deformed, and weakened the article.

We shall only add, that we feel inclined to regard this production as a pledge from high authority, that the American name and nation will hereafter receive from foreign writers somewhat of the respect to which they are entitled. It would tend most essentially to promote a good understanding and perpetuate the existing harmony between the two countries, were Englishmen of liberal and enlightened minds to visit frequently the United States, observe with accuracy, and give correct reports of what they see and hear.

ED.

WAR WITH AMERICA.

We have delayed this article to the very last moment—in the hope that we might have been spared the pain of preparing it, by the pleasing intelligence of the cessation of that most lamentable and unnatural war to which it forces us to turn our attention. Without entertaining any extravagant ideas of that portion of human wisdom which is employed in governing the world, or making any romantic estimate of the justice and prudence of cabinets and public assemblies, we did think it improbable that a war, which both parties had entered upon with reluctance, should, by any management, be protracted for more than a year after all the objects for which it had been gone into had ceased to exist, and after both parties appeared to be convinced that no beneficial results could be expected from its continuance. Nor can we yet

believe that the infatuation which has already cost so much brave blood can be indulged much longer;—and while the uncertainty of the result seems to impose it upon us as a duty to call the attention of the country to the true character and inevitable consequences of the hostilities in which we are so unfortunately engaged, we go to the task with a fond and sanguine expectation, that what we have to say may lose the greater part of its interest even before it comes into the hands of our readers, and be recorded rather as a *memento* against future errors, than a protestation and appeal against an existing enormity. On the strength of this anticipation, we shall confine our remarks to as small a space as possible.

We are no admirers of the Americans—and no advocates for the policy they have pursued in the great crisis of European affairs. With these sentiments and settled impressions, however, we are far from thinking that they are a detestable people; or that we ought to pursue hostilities against them to our own injury and disgrace, for the mere gratification of our resentment. There are—we once hoped that by this time we might have used another tense—there are circumstances in the history of the two countries that prevent them from judging fairly of each other—and from which, if we suffer unjustly on the one hand, we may depend on it that they suffer at least as much on the other. It is impossible even to lay the foundation for a candid or impartial view of the present unhappy differences, without casting a glance back to their original source of alienation.

The war of the revolution, or of emancipation, as it is called in America—the violent rupture of the ties which had previously bound the two countries so closely together—necessarily left a certain degree of soreness upon both sides. At first sight it may appear that this should have been greatest on the part of England, and that we have a better apology than our opponents for the rancorous feelings which have been fostered too long by the less generous part of both nations. The truth, however, is otherwise;—for though those who are worsted in a contest generally retain the bitterest animosity, and the successful can best afford to be generous, yet in this particular instance the general rule was reversed, by two circumstances equally obvious and conclusive.

In the *first* place, the war was carried on in America, and not in England—and was not always carried on, we regret to say, in a spirit of magnanimous hostility; and, in the *second* place, that war which, even while it lasted, was little more than a tale of interest to the greater part of our population, and has since been effaced from our recollection by the still greater and more momentous contentions in which we have been involved, was the first and the last adventure of the insurgent colonies in the great game of battles. The leaders in that war were the founders of their being as a nation; and the events of it the steps by which they rose to independence. With them, therefore, it has always possessed an importance, and been connected with a weight of public feeling to which there was nothing parallel in this country; and while the remembrance of disasters and defeats sustained on the other side of the Atlantic, and never really felt but through the medium of taxes or gazettes, was likely to be speedily obliterated from our unviolated and opulent land, a very different impression might naturally be expected to survive the contest in that country, which had been the theatre of so many sanguinary scenes—whose fields and cities still bore the marks of devastation and rapine—whose whole population had been exposed to the horrors of rancorous hostility—whose national vanity has scarcely any other field of triumph but the story of our discomfiture—and whose *fasti* are consecrated to record our cruelties and defeats. In such a country, the bitterness of the struggle was of necessity far more deeply felt than in this, and therefore was more likely to be remembered; nor can it be reasonably denied, we think, that in spite of their success, the Americans had more apology for allowing hostile feelings to survive the close of the contention, than can be fairly pleaded for us.

The present war—whoever had the immediate blame of it, found us shamefully unprepared, and ridiculously sanguine and secure.—Our navy was to drive the pigmy fleets of America from the ocean, and to levy contributions along all her shores—while the very dread and terror of our hostility was expected to shake their unseasoned government to pieces—to effect a disunion of the states—in all likelihood a civil war, and perhaps the return of some of the revolted colonies to the dominion of the mother coun-

try!—Such were our expectations.—How they have been answered by events, is too painfully and universally known, to make it necessary for us to say any thing.—We have been worsted in most of our naval encounters, and baffled in most of our enterprises by land.—With a naval force on their coast exceeding that of the enemy in the proportion of ten to one, we have lost two out of three of all the sea-fights in which we have been engaged—and at least three times as many men as our opponent; while their privateers swarm unchecked round all our settlements, and even on the coasts of Europe, and have already made prize of more than seventeen hundred of our merchant vessels.—By land we were so shamefully unprovided, that had it not been for the gross mismanagement of the American commanders, they must have got possession of Montreal, and in all probability advanced to the walls of Quebec before the end of the first campaign;—and even when reinforced to an extent which could not possibly have been calculated on when the war began, it is but too well known that we have gained no substantial or permanent advantages—but have actually had to witness the incredible spectacle of a regular and well appointed army of British veterans retiring before little more than an equal force of American militia.

While these things were in progress, and while it was yet extremely doubtful whether Bonaparte was to retain the dominion of the continent; and whether the whole resources of England might not be required to maintain the cause of Europe on European ground, we again testified our desire, or our need of peace, by making a spontaneous proposal for an immediate negociation. This proposal was made in December, 1813, and was immediately acceded to on the part of the American government;—and the consequence has been the discussions that are still depending at Ghent.

At the time when this proposal was made, it certainly will not be pretended that we had any view to an increase of territory, or to any other thing than the adjustment of those questions as to neutral and maritime rights, which formed the whole original subject of contention; and as little can it be doubted that peace would have been instantly and joyfully accepted, had America been then disposed to withdraw her pretensions upon the points of search

and impressment, or to leave those and the other relative questions as to the law of blockade, to amicable and deliberate discussion. The great doubt and difficulty was, whether America would abandon any part of her pretensions; and whether we would consent to such modifications of our practice, as to lay a ground for immediate pacification. Before the commissioners met, however, all these difficulties seemed to be providentially removed; for peace was restored in Europe; and with the state of belligerent vanished all the grievances and all the pretensions of the neutral. As there was no longer to be any impressment at all, it became quite unnecessary to settle under what limitations impressment should take place out of the trading ships of a neutral;—and as all blockade, and prospect of blockade was abandoned, it was equally idle to define the conditions on which it should be enforced against third parties. It could scarcely be pretended, and could never for a moment be seriously believed in any quarter, that it could be of any use to settle these general questions, with a prospective view to future cases of war and neutrality, which all the world knew would make rules, or exceptions, suited to their own emergencies; and, at all events, it was obvious, that such a settlement upon abstract principles, would be gone about with much better hope of success in deliberate consultations to be entered into after the cessation of hostilities, than by the ruder logic of force. It was confidently anticipated, therefore, that America would consent to the *waiver* of all her neutral pretensions, and that the war would die a natural death upon the removal of all the objects and causes by which it had been excited. This anticipation, it appears, was fully realized on the part of America, who instructed her commissioners to allow all these points to lie over, and to let the secondary and relative hostilities which had arisen out of the wars in Europe cease with the wars which had occasioned them;—and we are now at war, because England will not agree to that proposal, but insists upon gaining certain advantages by the war, which she had not in contemplation when she herself first suggested the negotiation, and which, to all ordinary observers, she seems to have but a feeble prospect of obtaining by force.

What these advantages are, it is not necessary very minutely to explain. They amount, in one word, to a demand for a

cession of territory; and the war which is now going on is neither more nor less than a war for the conquest of that territory. By the treaty of 1783, the boundary line between the United States and Canada was settled with the utmost precision; and for the greater part it was made to run through the centre of the great chain of lakes, and their connecting waters, with a joint right of navigation to both parties. The territory of certain Indian tribes, who are now dignified with the name of our allies, is within the country then solemnly ceded to America, in so far as England had any power to cede it,—in the same way as the territory occupied by many other Indian tribes was included in the country then finally ceded to England. We now insist on the exclusive military occupation of all those waters—on a guarantee for the perpetual inviolability and independence of the territory of our Indian allies—and on the unqualified and absolute cession, without compensation, of a part of the state of Massachusetts, in order to establish a more convenient communication between Halifax and our settlement of New Brunswick—besides some smaller matters:—And we refuse to make peace unless these terms are complied with.

On the *justice* of these pretensions—on the fairness of our *causa belli*—we have scarcely a word to say, after we have again repeated that it is undeniably, and almost professedly, a *war of conquest* upon our part. The territory we now insist upon taking from America, was solemnly ceded and secured to her by the treaty of 1783, when we knew, or ought to have known as well as we do now, what was necessary for the security of the provinces we retained. The obligations of that treaty, we humbly conceive, are by no means annulled by the war which has intervened; because that war did not arise from any infraction of the treaty on the part of America, but from certain collisions of neutral and belligerent pretensions, which have since been settled and entirely taken away by the cessation of European hostilities, and which leave all the other rights and pretensions of both nations precisely on the same footing as before. But it is truly of no consequence whether the treaty of 1783 be supposed to be in force or not. At all events it is indisputable, that when we went to war with America on the subject of neutral commerce and belligerent impressment, the whole territory and subjects which we now insist upon

her giving up, were confessedly and exclusively hers, and formed a part of her legitimate and unquestioned dominion—no matter whether expressly recognised or guaranteed by treaty with us or not. It is as little to be denied, we think, that when she did go to war about neutral rights, she had, if not a just, at least a natural and colourable cause for so doing. It was not a war of mere depredation or conquest—an unprovoked and wanton aggression upon her part, for the gratification of cupidity or revenge—but an ordinary case of taking up arms for the redress of specific and considerable grievances, which we cannot deny to have existed; though we are of opinion, that she was not fully justified, in the circumstances of the case, in taking that way to redress them. After a short period of hostilities, attended with various success—certainly not with such decided advantages on our side as could have entitled us to dictate terms to the enemy, had the original subject of contention remained—the occasion of dissension is fortunately removed by the restoration of peace in Europe, and the consequent disappearance both of neutrals and belligerents. America, then, agrees to waive all further discussion of claims which are no longer to be asserted in practice; and England refuses to lay down her arms till she had got large portions of land and water from her antagonist. The war which goes on after this, we conceive, is just as clearly a war of mere conquest and aggression upon our part, as if we had first signed a peace on the accommodation of the only point that had occasioned the war—and next day declared war anew, for the avowed purpose of adding a part of her territory to our possessions.

The matter indeed seems scarcely to be disguised in the official statements of our commissioners. It is not in the way of indemnity for the past, or security for the future, that we demand these cessions. It is because the joint possession of the lakes is apt to excite a contest for naval superiority, and in order that we may have a direct communication between Halifax and New Brunswick. Pretexts like these—pretexts indeed of a much higher nature, have never been wanting to justify that most pernicious and most dangerous of all human crimes, the undertaking of a war of conquest; nor is there any other meaning in the general principle of maintaining the independence of all civilized go-

vernments, than that no pretext—nay, no *proof* of increased security and general advantage—shall be admitted as an apology for the invasion of one state by another, or the forcible dismemberment of an atom of her indisputed territory. It is upon this principle that civilized society depends for its very existence. It is by this alone that the strong are restrained, and the weak protected from oppression—by this, and by this only, that the substance or the names of public principle or occasional peace have ever been heard of among mankind.

The apology that is held out for our invasion of this principle, however, is not more hollow in itself than it is inconsistent with the very form of the invasion. We are the weakest of the two powers it seems in America;—and therefore, what?—why, we will take by force what is necessary to put us on a footing with our neighbour. This way of putting our case certainly lays us open to a very perplexing dilemma. If we are now in a condition to take our neighbour's territory in America by force, we surely cannot justify our taking it on the score that we are now too weak to have any chance in a contest against him;—or, if we are too weak to enter into such a contest, we certainly have no great chance of succeeding in depriving him of it by means of a war. The plea, however, is manifestly quite preposterous; and the consequence of admitting it would be, that after we had got what we now ask, we might ask more, till we were on a footing of perfect equality with our neighbour;—or, in other words, that mere inequality of force in neighbouring states, is a lawful and sufficient cause for their engaging in a war of conquest.

It is needless, however, to say more of the *justice* of our pretensions, when we have so much to say upon the inexpediency of pursuing them any further. If we had ever so just a title to the territory we are now fighting to acquire, we conceive it would be insanity to fight for such an object. We think it impossible that we should succeed in acquiring it—and altogether certain that we shall encounter disgrace and disaster in its pursuit.

The invasion of their territory will necessarily unite all America against us. Nothing but the most complete ignorance of their character can leave the least doubt upon that subject. They are

split, no doubt, into hostile factions—very rancorous and very abusive of each other;—but they are all zealous republicans, and all outrageously proud of their constitution, and vain of their country. This indeed is the ruling passion of all democracies; and it exists in America in a degree that is both offensive and ridiculous to strangers. In this point of view, nothing could be so unwise—to say nothing more of them—as our unmeaning marauding expeditions to Washington and Baltimore—which exasperated without weakening—and irritated all the passions of the nation, without even a tendency to diminish its resources—nay, which added directly to their force, both by the indignation and unanimity which they excited, and by teaching them to feel their own strength, and to despise an enemy, that, with all his preparation and animosity, could do them so little substantial mischief. The consequences, accordingly, were immediately apparent; and for the paltry and unworthy gratification of obliging the congress to assemble in a wooden shed, we gave confidence and popularity to the war party in that assembly, and tied up the tongues of those who might otherwise have thwarted their designs. This was before our projects of conquest were known in the country; and it affords a pretty sure augury of the effect of their promulgation. We have no doubt at all, that every man in America will be for a vigorous prosecution of the war, rather than submit to so great an indignity; and that though the adverse factions will still revile and accuse each other, sacrifices and efforts will be made for this purpose, of which scarcely any other people would be capable.

In the *next* place, what sort of a nation is it which we have thus united against us—and from whom, thus united, we propose, by main force, to wrest a part of their territory? It is a nation, in the first place, situated at the distance of three thousand miles from our shores, to which it probably costs us upwards of one hundred pounds to transport every man we are to employ in subduing them; a nation now consisting of *between eight and nine millions of souls*;*—a nation remarkable hardy, athle-

* By the last *census*, which was completed in 1810, the population was about seven millions. It must be increased near two millions since that time.

tic, and brave; in which every individual is armed, and in which, from the abundance of game and leisure, and the want of all game laws, every individual is an expert marksman before he is sixteen years of age;—a nation in which not only public feeling but political power has its chief depository in the body of the people, and in which the poor can therefore compel the rich to make any sacrifices, and partake any hardships, which they think necessary for the gratification of their vanity or hatred;—*the* nation, in short, which, with one third of its present population, without government or resources, and divided far more radically than it can ever be divided again, baffled all our efforts to retain an established authority over it; and drove us, after a sanguinary struggle, beyond those boundaries which, in the maturity of their strength, we now propose to repass by force.

In the *third* place, what are the circumstances of encouragement and good augury under which we think it reasonable to demand the exclusive possession of their lakes, and the cession of a part of their territory? Why, it is after being twice utterly routed on these lakes, and in the only considerable battles of which they have been the theatre;—or, in other words, after being almost entirely driven from the possession of those waters in which, before the war, we had an equal interest with them, and in which, we may still regain an equal interest, merely by making peace, and accepting their renunciation of all the pretensions in support of which they originally took up arms. A nation forced into an unjust war, has sometimes insisted on retaining a part of her conquests at its termination; but it is something new, we believe, for one who has lost ground in the quarrel, to insist on a cession of territory from her enemy—and to refuse a peace which reinvests her in all her former rights, unless this extraordinary pretension be yielded to. On land again, after having received reinforcements infinitely greater than we had any reason to expect could be afforded—after frightening a few defenceless towns, and defeating some regiments of militia—we have been repulsed from

Baltimore, and retreated from Plattsburgh; and are now retired into winter quarters with the loss of at least four or five thousand men, while the enemy is increasing every hour in skill, confidence, and numbers.

In what *can* such a contest issue, but in the utter discomfiture of a conquering or invading army. All the advantage was with us in the beginning—our numbers complete—our reputation high—our discipline perfect; while the enemy was raw and timid, and unwilling to venture in numbers within the hazard of the conflict. With all those advantages, a long campaign has just been closed with a series of disasters, and without any sensible progress towards the triumphs through which alone we can hope to force our hard terms on the adversary. Every hour our numbers are diminishing, while theirs are increasing; every hour they are improving in discipline, and consequently in enterprise and valour. The attacks at Washington and Baltimore have called out all the militia of the country, and filled the land from border to border with armed men;—while the repulse from the latter place, followed so soon by the disaster at Plattsburgh, have taught them their strength, and made them come forward with alacrity to share the honours of a contest, the result of which is no longer to be dreaded. More than one hundred and fifty thousand men are now in arms within the territories of the United States;—bad soldiers certainly at this moment, and unfit as yet to contend in pitched battles in the field—but quite fit, even now, to do murderous execution from behind a breastwork, and perfectly capable of acquiring that discipline and steadiness which a few campaigns will necessarily give them.

What, then, are our prospects for these approaching campaigns? If we are to carry our objects, we must reckon not only upon being able to drive the enemy from the lakes, and to destroy all their settlements on their borders, and on taking forcible possession of the territory we mean to keep, but, on so ruining the force, and breaking the spirit of the country, as to induce them to sue for peace on condition of our permanently keeping both the lakes and the territory. Is there

any man in his senses who looks to the condition of this country, and the condition of America, that expects *this* to be done?—or, if he does think it possible to be done, who can hesitate for a moment in saying, that it could only be done at a cost ten thousand times greater than the value of the object can justify? With an army of forty thousand men, and a suitable equipment of vessels transported in frame from Great Britain, we may, at an expense of twenty or thirty millions—we are convinced it cannot be at less—retrieve, in the course of next campaign, some of the disgraces and disasters which we have sustained in the last. With the loss of a fourth part of our troops, we may succeed in clearing our frontier of the enemy, and driving him back before us beyond the line to which we wish to advance our future boundary, and we may even succeed, after a pitiable carnage, in gaining possession of the lakes. —But does any man expect that the Americans will agree upon this, to let us keep what we have so dearly won; and submit to leave in the hands of an exasperated foe the key to some of the richest provinces of their country? No man can possibly expect it. The enemy knows that we cannot afford to send out twenty thousand men every year, nor to incur an additional expense of twenty millions, to maintain possession of a few barren acres on their borders. They will harass us, therefore, with continual attacks, and exhaust us with interminable marches, in the boundless wastes of their difficult and unfruitful country;—till, after distinguishing ourselves by prodigies of useless valour, and disgracing ourselves by acts of vindictive cruelty, the second American war ends, like the first, in the utter discomfiture and signal defeat of the rash and stubborn invaders. “Conquer three millions of freemen!” exclaimed lord Chatham with contempt and wonder at the infatuation which persisted so long in that first fatal contention; although we had then a settled and original possession of half the country—and the hearts of the other half were believed by many to be with us! And now we expect to conquer nine millions, when we have been driven from one part of the border, and have united the

hearts of the whole against us!—Nothing short of conquest, and complete prostration, can possibly gain for us the objects on which we are insisting; and no sane person, we imagine, believes that to be possible.

But suppose that it were possible, and that it were actually accomplished, what should we have gained?—we shall not say to compensate for the waste of blood and treasure which our success must have cost us—but with a view to that security for our Canadian dominions, which is held out as the object of the contest. The carnage, the sufferings, the disgrace which our success must necessarily have inflicted on the enemy, must excite a rancorous and incurable animosity in the breast of every citizen of the land; and if we are able, by main force, to maintain ourselves in possession of our new frontier, it may fairly be assumed that it will only be to force that we shall owe it. The most rooted hostility, the most eager thirst for revenge, will infallibly watch all our proceedings; and a greedy advantage will assuredly be taken of the first moment of negligence, or weakness, of external embarrassment or interior dissension, to repair the loss and retrieve the dishonour of so invidious a conquest. After such a conquest, therefore, we can never be secure for a moment, even under the appearance of the most complete pacification—but must continually maintain such a force as may be sufficient to repress the desperate attempts to which we must be continually liable. In our old frontier we should excite no such jealousy, and require no such costly precautions; and therefore we presume it can scarcely be doubted, that we should be more secure on the whole with that old frontier—and must lose more in the increased hostility of our neighbours, than we can possibly gain by this slight diminution of their resources.

Such, we think, would be the inevitable result of our success—even if the relative strength of the two countries were destined to remain at its present proportions. But it is impossible here to shut our eyes to a fact most material to the whole question.—America has doubled her population in little more

than eighteen years—and, from the state of her territory, is likely to go on nearly at the same rate for at least fifty years to come.—Long before that time, therefore, she must have a population of from thirty to forty millions—while in Canada, from the inferiority of the soil and climate, we can never reckon upon having more than two or three millions. Against such an enormous preponderance of force, if backed by mortified pride and vindictive resentment, it is evident that no succours that England could spare could enable this colony to make any resistance;—and long, indeed, before the disproportion has attained to this limit, not only our new boundary, but our whole transatlantic possessions must infallibly be swept away.—It is not easy, indeed, to see how Canada is ultimately to be protected against this monstrous force, by any frontier or by any policy;—but this, at all events, we take to be manifest, that she may be longest protected by that policy which most effectually conciliates the friendship and respect of her more powerful neighbour—and by that frontier which is most visibly guarded by the sanctity of justice and the charm of moderation. America, in fact, has no need of any accession to her territory—and will every day feel less and less jealousy of a weak and a peaceable neighbour. But if we now make aggressions upon her soil, we may be assured that, in the fulness of her strength, they will be repaid with interest;—if we wantonly sow the seeds of rancorous and inexorable hostility, we must expect to reap in due season the bitter and abundant harvest.

But truly it is too visionary to dwell thus at large upon the consequences of a success which we are obviously never destined to attain, and from the hope of which so many circumstances conspire at this moment to exclude us.—If there are any persons so insane as to dream at any time of conquests in America, is there nothing in the present situation of Europe that should admonish them that this is not the season when such visions can be safely indulged?—Is there nothing in the aspect of the blackening horizon before us—of the storms that are brewing in the south—and the east, that should induce us to look anxiously for the return of serenity in the west?—Who is there so sanguine as

to expect that Europe is to remain in peace for many years, or that England is not to be embroiled in the first and the last of her quarrels?—or, if that tremendous destiny may be avoided, who does not see that the best chance to avoid it, is to have a great disposable force ready to throw into the scale of the advocates of order and justice—to have our hands free, and our flanks disencumbered for the vital contest that we may yet have to sustain on our own shores?—For the sake of trying to gain a frontier a little more convenient for the insignificant province of Canada—for the sake of making an irreconcilable enemy of America, and pouring out oceans of blood, and heaps of treasure in a contest in which success can be attended with no glory, and defeat leads to aggravated disgrace—it is really worth while to desert our own cause, and that of Europe, at a moment so critical, as the present, and to send fifty ships and fifty thousand men to waste their strength in that obscure and subordinate contention?

But it is not merely with a view to the greater and nearer occasions of exertion which it threatens to present to this country, that the present situation of Europe should operate as a sedative to our zeal for hostilities in America. If Europe is again embroiled, America will be sure to find allies in these very hostilities;—and we have already experienced what it is to contend against American energy, backed by the skill and resources of an European auxiliary. The original cause of war with America, we ought to recollect, is one in which all the continental powers have at one time or another protested against our pretensions—and may be presumed indeed habitually to look upon them with no very favourable eye. To these pretensions America is now willing to submit, and thus to remove all occasion for their farther discussion;—but if we insist on going on with the war, her protest against them will of necessity be revived, and in all likelihood will soon find other abettors. How long does any one think we can reckon, in the present situation of Europe, on having to meet the Americans without any allies? And has our success, while they stood single-handed against us, been so very brilliant as to give us much hope of a favourable result when they are thus

strengthened and supported?—besides all this, the very existence of our quarrel with America is likely enough to embroil us in Europe, and to disturb, before its day, the nice and ticklish balance on which our tranquillity so visibly hangs.—We have declared the whole coast of the United States, with some trifling exceptions, in a state of blockade. Do we imagine that the maritime nations of Europe will quietly submit for any length of time to such an exclusion;—and if we capture a French or a Russian vessel trading towards the uninvested ports of that country, can we doubt for an instant that we shall have the question of neutral and belligerent rights, which it is now in our power to settle on terms of infinite advantage, to try under circumstances incalculably more unfavourable than any that ever occurred with America?

But supposing the state of Europe to be as encouraging as it is disheartening to the career of transatlantic conquest upon which we seem to have entered, is there nothing in the state of our *Finances* which should make us pause, before we thus plunge into wars of aggression and ambition?—We have just obtained a peace, or a breathing-time at least, in Europe—and we find ourselves burthened with a debt of which it requires the enormous sum of *thirty millions* sterling to pay the annual interest—and with establishments of various kinds, which require, even upon the supposition of universal peace, an expenditure of at least twenty millions more.—Are we in any condition, then, to embark in a new war—confessedly unnecessary for our security or honour—and comparatively insignificant in its objects, when it is apparent, that from the distance and the nature of the country in which it is to be waged, it will be incomparably more expensive than any other scheme of hostility that could possibly be devised of the same magnitude? Will the country, with all the silly and vulgar animosity it has been taught to feel against its American opponents, be indeed disposed to pay the property tax—and to see it increased to fifteen or twenty per cent. in order to have thousands upon thousands of her brave sons obscurely slain in an attempt, successful or unsuccessful, to get a better frontier for Canada, than we solemnly agreed to take in 1783? If it be

willing, is it able, to bear this enormous burden?—And at the moment when our manufacturers are in danger of being undersold by those of France and Germany, and our farmers by those of Poland, can it be thought a fit time to enter into such ambitious speculations, with the certainty of such tremendous expense, and so faint a prospect of ultimate success—success almost worthless when attained?

In such a situation of things, and where there is such an overwhelming preponderance of argument in favour of peace, it may be scarcely necessary to suggest, that we wilfully expose Canada itself to an immediate and most serious hazard, by this unjustifiable attempt to provide for its future security. If we make peace upon the advantageous terms that are offered, Canada is safe for the present; and as safe for the future as it has ever been since 1783—as safe, that is, as it was thought possible to make it, when that treaty was deliberately adjusted with a view to that object. If we go on with the war, however, and any one of the numerous casualties befall us, to which we are continually liable—and some of which, if the war is long protracted, must almost necessarily occur—Canada is gone from us—and gone irretrievably, and forever. One half of it is disaffected, and the other nearly indifferent.—Upper Canada is peopled almost entirely by settlers from the United States, who in their hearts must wish well to their countrymen and friends. Lower Canada—thanks to our preposterous policy—is still almost entirely French—and dislikes us only less than the Americans. If France should join with America, there could be but little dependence on their fidelity; as it is, there is notoriously none to be placed in their zeal. They will make no sacrifices, and no desperate efforts for a government, towards which they have never felt any cordiality; and if the country be once lost, they will risk no insurrections to recover it for English masters.

We shall conclude this part of the subject with the mention of one other most painful and most potent dissuasive from the farther prosecution of this disastrous war. Our armies will be thinned by unprecedented desertions in every campaign on the soil of America—and will melt away by inglorious dissolution,

adding to the force of the enemy, and detracting at once from our strength and our national character. Do not let it be said, that this is an imputation on the loyalty and honour of our army which it cannot possibly have merited. We appeal to facts that are notorious, and to principles of human nature that need no corroboration from particular instances. We think as highly of the valour and the worth of our soldiery as it is possible to think of any soldiery: but alas, it is not in the private ranks of a regular army—and, least of all, perhaps, in the ranks of war-worn veterans, who have campaigned in foreign lands till all domestic recollections are nearly worn out of them—that we are to look for refined notions of propriety, or the habit of resisting extraordinary temptations. It is to the extraordinary force of the temptation, and not to the previous corruption of its victims, that we ascribe this disaster. There are desertions from all armies, and large desertions from all armies that begin to be unsuccessful;—but, in a country where the deserter can hide and domesticate himself with those who resemble his countrymen, who speak his own language and display his own manners—in a country, above all, where wages are high and subsistence cheap, and where a common labourer may, in a short time, raise himself to the rank of a landed proprietor—the temptations to desert are such as the ordinary rate of virtue in that rank of life will rarely be able to resist. We know already, from documents that have been laid before the public, that the Americans boast of prodigious desertions having taken place from the British forces;—and the fact, when averred in parliament, met with nothing but an evasive answer from his majesty's ministers. We know also, that a proposition to encourage desertion, by holding out a large bribe at the public expense, was entertained in Congress; and although it was rejected as inconsistent with the principles of honourable hostility, we have little doubt that it will be renewed, if we should really proceed to enforce our demands of territory by an actual invasion of their soil;—nor do we see very well upon what grounds we should then be entitled to complain of it. Against a lawless invader—an invader for the avowed purposes of conquest—all arms are held to be lawful, and all

devices by which he can be resisted, praiseworthy. But, whether this additional seduction be resorted to or not, we greatly fear that many will be found to yield to the existing temptations—and that, after incurring prodigious and intolerable expense in transporting men to fight our melancholy battles in America, we shall find their ranks reduced by other agents than the sword or the pestilence, and their officers drooping with resentment and agony over their daily returns of those who are missing where there has been no battle;—and who are not only lost to their country, but gained by her exulting adversary.

We must now draw to the close of these observations; and indeed there is but one other point which we are anxious to bring before our readers. America is destined, at all events, to be a great and a powerful nation. In less than a century she must have a population of at least seventy or eighty millions. War cannot prevent, and, it appears by experience, can scarcely retard this natural multiplication. All these people will speak English; and, according to the most probable conjecture, will live under free governments, whether republican or monarchical, and will be industrious, well educated, and civilized. Within no very great distance of time, therefore—within a period to which those who are now entering life may easily survive, America will be one of the most powerful and important nations of the earth; and her friendship and commerce will be more valued, and of greater consequence, in all probability, than that of any one European state. England had—we even think that she still has—great and peculiar advantages for securing to herself this friendship and this commerce. A common origin—a common language—a common law—a common enjoyment of freedom—all seem to point them out to each other as natural friends and allies. What then shall we say of that short-sighted and fatal policy, that, for such an object as we have been endeavouring to expose, should sow the seeds of incurable hostility between two such countries—put rancour in the vessel of their peace, and fix in the deep foundations and venerable archives of their history, to which for centuries their eyes will be reverted, the monuments of English enmity and American valour, on the same conspicuous tablet—binding up to-

gether the sentiments of hate to England and love to America as counterparts of the same patriotic feeling—and mingling in indissoluble association the memory of all that is odious in our history, with all that is glorious in theirs? Even for the insignificant present, we lose more by the enmity of America than can be made up to us by the friendship of all the rest of the world. We lose the largest and most profitable market for our manufactures—and we train up a nation, destined to so vast an increase, to do without those commodities with which we alone can furnish them, and from the use of which nothing but a course of absolute hostility could have weaned them. But these present disadvantages, we confess, are trifling, compared with those which we forego for futurity: and when we consider that by a tone of genuine magnanimity, moderation, and cordiality, we might, at this very crisis, have laid the foundation of unspeakable wealth, comfort, and greatness to both countries, we own that it requires the recollection of all our prudent resolutions about coolness and conciliation, to restrain us from speaking of the contrast afforded by our actual conduct, in such terms as it might be spoken of;—as, if the occasion calls for it, we shall not fear to speak of it hereafter.

The Americans are not liked in this country; and we are not now going to recommend them as objects of our love. We must say, however, that they are not fairly judged of by their newspapers. The greater part of the polished and intelligent Americans appear little on the front of public life, and make no figure in her external history. But there are thousands of true republicans in that country, who, till lately, have never felt any thing towards England but the most cordial esteem and admiration; and to whom it has been the bitterest of all mortifications that she has at last disappointed their reliance on the generosity and magnanimity of her councils, belied their predictions of her liberality, and justified the execrations which the factious and malignant formerly levelled at her in vain. This is the party too, that is destined ultimately to take the lead in that country, when the increase of the population shall have lessened the demand for labour, and, by restoring the natural influence of wealth and intelligence, converted a nominal democracy into a virtual aristocracy.

cracy of property, talents and reputation; and this party, whom we might have so honourably conciliated, we first disgusted, by the humiliating spectacle of a potent British fleet battering down magnificent edifices unconnected with purposes of war, and then packing up some miserable hogsheads of tobacco, as the ransom or the plunder, we disdain to remember which, of a defenceless village, and afterwards roused to more serious indignation by an unprincipled demand for an integral part of their territory.

We have said enough, however—and more perhaps than enough—on this unpopular subject; for there is, or at least has been, till very lately, a disposition in the country to abet the government in its highest tone of defiance and hostility to America. While it was supposed that our maritime rights were at issue, this was natural—and it was laudable; nor shall the time ever come when we shall cease to applaud that spirit which is for hazarding all, rather than yielding one atom of the honour and dignity of England to foreign menace or violence. Since this question of our maritime rights, however, has been understood to be waived by America, we think we can perceive a gradual wakening of the public to a sense of the injustice and the danger of our pretensions. There are persons, no doubt,—and unfortunately neither few nor inconsiderable—to whom war is always desirable, and who may be expected to do what they can to make it perpetual. The tax-gatherers and contractors, and those who, in still higher stations, depend for power and influence on the appointment and multiplication of such offices, are naturally downcast at the prospect of a durable pacification;—and hail with joy, as they foment with industry, every symptom of national infatuation by which new contests, however hopeless and however sanguinary, may be brought upon the country. But the sound and disinterested part of the community—those who have to pay the taxes, and the contractor and the minister—ought, one would think, to have a very opposite feeling;—and it is to them that these observations are addressed—not to influence their passions, but to rouse their understandings, and to make one calm appeal to their judgment and candour from paltry prejudices and vulgar antipathies.

Why the Americans are disliked in this country, we have never been able to understand; for most certainly they resemble us far more than any other nation in the world. They are brave, and boastful, and national, and factious like ourselves;—about as polished as ninety-nine in one hundred of our own countrymen in the upper ranks—and at least as moral and well educated in the lower. Their virtues are such as we ought to admire—for they are those on which we value ourselves most highly: and their very faults seem to have some claim to our indulgence, since they are those with which we also are reproached by third parties. We see nothing then from which we can suppose this prevailing dislike of them to originate, but a secret grudge at them for having asserted, and manfully vindicated, their independence. This, however, is too unworthy a feeling to be avowed: and the very imputation of it should stimulate us to overcome the prejudices by which it is suggested. The example of the sovereign on this occasion, is fit for the imitation of his subjects. Though notoriously reluctant to part with this proud ornament of his crown, it is known that his majesty, when convinced of the necessity of the measure, made up his mind to it with that promptitude and decision which belong to his character—and which indicated themselves, long after, in the observation which we believe he was in the practice of addressing to every ambassador from the United States, at their first audience—"I was the last man in my kingdom, sir, to acknowledge your independence; and I shall be the last to call it in question!"

THE CONSTITUTIONS OF THE HELVETIC AND RHÆTIAN CONFEDERACIES; WITH A BRIEF HISTORY* OF THEIR ESTABLISHMENT.

THE ancient Helvetii were subdued by the Roman arms. The nation enjoyed some repose and prosperity under Vespasian and Titus; but it was nearly extirpated by the successive tribes of barbarians who assailed the Roman empire on every side. Helvetia became now an easy prey to adventurers; it was repopled by the Alemanni, the Franks, the Ostrogoths, and the Burgundians; from whom were descended the confederates of the thirteen cantons, their subjects and allies.

Helvetia belonged successively to the kingdom of the Franks and the kingdom of Burgundy. It was bequeathed by Rudolph III, the last of the Burgundian kings, to the emperor Henry II; under whose successor, Conrad the Franconian, all Helvetia owned the supremacy of the Germanic, or as it was then usually denominated, the Holy Roman empire. [1032.]

Conrad duke of Zæringen, one of the most powerful lords of Helvetia, was entrusted with the administration of that province as imperial vicegerent, which office continued in his family down to his last descendant.

Frederic II sat on the imperial throne when Berthold V, duke of Zæringen, was buried with his shield and helmet—the custom in those times when the last of a noble line was carried to his grave—and the immediate government of Helvetia reverted to the Germanic empire. [1218.]

This government was limited, however, by numerous subordinate but refractory authorities:—by many powerful counts, barons, and feudal lords, who, though they acknowledged the paramount authority of the emperor, yet availed themselves so dexterously of the distractions of the empire, as to become almost independent: by various richly endowed bishops, abbots, and convents, and by several cities, which having obtained the privilege of choosing their own magistrates, and various franchises, gradually rose to a level with the counts and prelates.

While the dukes of Zæringen were, under the supremacy of the empire, exerting their authority over the fairest part of

* Condensed from Planta's History, in 2 vols. 4to.

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Helvetia, there existed in the midst of it, a race so little known, that the abbot of Einsidlen, when he obtained grants in the region it occupied, found it practicable to conceal its very name from the emperor; thus precluding an accurate demarkation of the boundaries, and the limitation of future claims. This small tribe was no sooner noticed than it displayed the firmness and energy which it afterwards manifested on numberless occasions. Amidst gay meadows, at the foot of a lofty mountain, and not far from the lake of Lucern (called also the Forest lake) stood Schwitz, its capital burgh or village, from which all Helvetia has since derived its name and independence. The sides of the surrounding mountains are variegated with gay verdure, and the dusky hue of pine forests: several of their summits are bare rocks. This alternate mixture of dreary waste, of fertile lawns, of scattered dwellings, and peaceful flocks and shepherds wandering on the downy turf; the variety of glowing tints displayed by the sunbeams on the massy rocks, the splendour of the lake, the pureness of the air, the consciousness of security, derived not from artificial ramparts, but from the perpetual bulwarks of insurmountable precipices; the ease and freedom of a pastoral life; all tended to inspire this people with a contented cheerfulness and dauntless intrepidity. In their traditional songs they boasted of an absolute independence from time immemorial; and it is attested by records that they applied for and obtained the protection of the emperor. This distinction was peculiar to the Swiss, for so this particular people were called for a long period, until their name, along with their confederacy, became extended to all the inhabitants of Helvetia.

The Swiss dwelt for some time in scattered habitations throughout the woods and deserts of the Alps. At length when by a long period of progressive industry and population, a great part of the country had been cleared and fertilized, many new villages arose. The valleys of Schwitz, Uri, and Underwalden, all which open upon the Forest lake, became now by the increase of their religious and municipal institutions, in a manner unconnected, although to strangers they appeared as one state. At length this country was divided into three cantons, Schwitz, Uri, and Underwalden; so named from the valleys in which the peo-

ple dwelt. Except that their manners were softened by the precepts of christianity, and elevated by the chivalrous sentiments of the times, the Swiss might at this early period, be compared to the five Indian nations of Canada.

This people, the restorers of the freedom of Helvetia, had now continued long in a state of happy obscurity, unnoticed and unenvied, when Gerard of Froburg, abbot of Einsidlen, charged them before the emperor Henry V with having driven their cattle upon the lands belonging to his abbey. The limits, as we have already observed, had been inaccurately defined. Both parties refused to yield. A contest ensued. The prelate inflicted his spiritual censures, and summoned the people before the tribunal of the Suabian lords. The people paid no regard to his censures or his summons, deeming themselves amenable only to the imperial court. In this court, at Mentz, they were at length, sued by the abbot. They knew nothing of the grant; but they endeavoured to establish their claims by the testimony of their aged fathers. The Swiss were cast. They resolved notwithstanding, to maintain what they considered as their prescriptive right. Their contumacy passed for some time unnoticed; but the monks after an interval of thirty years, obtained from the emperor Conrad III, a positive decree that the people of Schwitz, whom this more immediately concerned, should without delay, under pain of incurring the imperial interdict, obey the sentence. The Schwitzers declared, "If the emperor, regardless of our long established right, and in contempt of the memory of our forefathers, pleases to grant away our Alps to the rapacious monks, what need we his protection? Henceforth let our right arm protect us." The indignant emperor put them under the ban of the empire. The bishop of Constance excommunicated them. But they feared neither the anger of the emperor nor the thunders of the Church. They were joined by Uri and Underwalden. They compelled their priests to officiate as usual; and they tended their cattle unaided and undaunted. The three cantons it appears had been long confederated; and their league was generally renewed every ten years.

Rudolph count of Hapsburg, who held considerable seignuries and possessions in Helvetia, obtained by free election the

office of advocate or protector* of Underwalden. He was also appointed by the emperor Otho IV, imperial commissary, or chief judge of the criminal judicature, over the three cantons. They accepted him reluctantly, and not until he had solemnly engaged to defend their rights and maintain their independence.

Thus were the Swiss, in the year when the last of the dukes of Zæringen died, and the great Rudolph of Hapsburgh was born, living prosperously, in peace, freedom, and federative union.

This illustrious founder of the fortunes of the house of Austria, was exalted from a simple count to an imperial throne; he conquered Austria and Stiria, extended his possessions on all sides, and died full of years and glory. He was succeeded in his hereditary and acquired dominions by his son Albert, a man of violent and unprincipled ambition, and of a gloomy, forbidding and tyrannical character.

The Swiss, as soon as they received the intelligence of Rudolph's death, and of the fearful prospect then before them, held an assembly of the whole nation, and renewed their ancient league in the following terms: "Know all men that we the people of the valley of Uri, of the community of Schwitz, and of the mountains of Underwalden, seeing the dangers of the times, have solemnly agreed and bound ourselves by oath, to aid and defend each other with all our might and main, with our lives and property, both within and beyond our boundaries, each at his own expense, and against every enemy whatever who shall attempt to molest us, either singly or collectively. This is our ancient compact. Whoever hath a lord, let him obey him according to his bounden duty. We have decreed to receive no magistrates in our valleys but such as are of our own country, and resident among us. Every difference among us shall be decided by our wisest men; and whoever shall reject their award, shall be compelled by the remainder of the community. Whoever shall wilfully commit a murder, shall suffer death; and he who shall attempt to screen the assassin from the hands of justice, shall be banished. An incendiary shall forfeit his franchise as a native; and whoever har-

* To the office of advocate or protector, much power and influence was annexed. The great lords were ever solicitous to obtain advocacies. Many even succeeded in making them hereditary.

bours him, shall repair the damage. Whoever robs or molests another, shall make full restitution out of the property he may possess among us. No one shall distrain without the sanction of a magistrate. Every man shall acknowledge the authority of one of the chief magistrates in either of the valleys. If in an intestine feud, one of the parties shall refuse to accede to a fair compromise, the people at large shall join the opposite party. This covenant, for our common welfare, shall, God willing, be perpetual." This is the oldest document of the Swiss confederacy. It is dated in the beginning of August 1291.

This compact, the groundwork of the Helvetic union, having justice for its foundation, peace for its object, and religion for its bond, was distinguished from most other political institutions, by its simplicity and inoffensive tendency. Pure, holy, and permanent as the ties which united the patriarchs in the golden age, this league continued unbroken and inviolate through near five centuries. Perfect harmony and unanimity have often enabled the cantons and their allies to co-operate with as much celerity and vigour, as if their joint resolves had been the decrees of a single chief.

The affections of the nobles and the cities of Helvetia, were alienated from Albert; and such were the general and rooted prejudices entertained against him, that Adolphus, count of Nassau, a prince of no decided superiority, and not Albert the powerful son of the late formidable monarch, was chosen to fill the vacant throne of Germany. The election however was contested. The cities of Berne and Zurich acknowledged and aided Adolphus. The Swiss, on receiving a charter of immunities from him, swore allegiance to his government. He was at length defeated by Albert, and slain in battle; and Albert was soon afterwards elected to the imperial throne, by the title of king of the Germans.* [A. D. 1298.]

* Before the year 1509, the heads of the empire were merely stiled *kings of the Germans, or Romans*, till they had been crowned by the pope, and thereby declared emperors. Maximilian I, in the year above-mentioned, obtained from pope Julius II, a formal dispensation, by virtue of which, he and his successors have ever since assumed the title of elected Roman emperors, without the ceremony of the coronation at Rome.

This event struck terror into all the people of the Alps who had sided with Adolphus. Deputies from the Swiss repaired to the new elected monarch at Strasburg; but they returned to their countrymen with the alarming answer, "that Albert meant soon to propose an alteration in their government."

Many lords upon this drew out their forces against Berne. The citizens, with the auxiliaries they had collected from their allies, marched out under the conduct of Ulrich of Erlach, a brave and experienced knight. They found the enemy advantageously posted on a hill called the *Donnerbüchel*, and spreading in formidable numbers over a plain near Wangen. Erlach sounded a charge: the bugle-horn suddenly re-echoed through the forest, and the freemen rushed with united and irresistible fury upon the foe, who was soon totally defeated: the whole body of his infantry was surrounded and taken; and the conquering bands headed by the valiant Erlach, entered Berne in triumph, and displayed to their exulting parents and emulating children, the trophies of their victory, the banner of the enemy, and numerous ranks of disarmed captives.

Albert soon afterwards advanced against Zurich; but finding that city amply prepared for a vigorous defence, whilst his own army was weak in numbers, and destitute of the necessary stores and implements for a seige, he received the deputies of the city with condescension, confirmed its privileges, and then entered its walls amidst the joyful acclamations of the burghers.

Having made various acquisitions of territories, advocacies, and other rights in Helvetia, and anxious to unite under his sovereign sway, all the districts that intervened between his hereditary dominions, and to rid himself of the control offered to his power by the franchises of the people, and the obstructive authority of their domestic magistrates, Albert sent the lords of Oxenstein and Lichtemberg to the valleys of Schwitz, Uri, and Unterwalden, with the following proposal: "You will do wisely both for yourselves and your posterity, if you will wholly commit yourselves to the protection and guidance of the royal house. The advocacies of all the abbeys which own estates and vassals among you, and all that Kyburg and Lenzburg once possessed in your valleys, you are well apprised, are now the undoubted property of the monarch;

and you must be aware that you cannot resist his numerous and well disciplined forces. He would willingly consider you as his favourite children. He is the grandson of the count of Lenzburg, your former advocate, and son to king Rudolph, a brave, powerful and victorious prince. The desire of Albert to receive you under his immediate patronage does not, you may be assured, proceed from any wish to possess your cattle, or to extort any part of your scanty property; but merely because he has heard from his father, and has learnt from the records of history, that you are a brave and loyal people. He loves brave men, and will pride himself in leading you to victory, in enriching you with the spoils of war, and promoting your welfare by all manner of profitable grants and privileges."

The nobles, freemen, and all the people of the valleys answered: "We well remember what a glorious leader and firm protector we had in the late king Rudolph, and we will ever acknowledge it to his posterity: but we are partial to the condition of our forefathers, and are desirous to continue in it; all we desire is that king Albert will confirm us in the enjoyment of it."

The king evaded granting them the confirmation they solicited. But he sent them as his commissaries or bailiffs, Herman Gesler and Berenger of Landenberg.

These rulers soon betrayed their tyrannical dispositions. Every trivial offence was punished by long and cruel imprisonment. The tolls were raised; and trade was impeded, and in many instances wholly prohibited. The people remonstrated in vain. Their oppressors committed injuries and outrages of every description; which at length produced a combination against them. In the night of the 19th of November, [1307.] Furst, Melchthal, and Stauffacher, with each ten associates, men of approved worth and valour, met in a field called Rutli, in a sequestered vale, and there resolved to assert the freedom they had inherited from their forefathers, and hand it down to their posterity untainted and undiminished. They determined that in this great enterprize none would forsake his friends, but that they would all live and die in the defence of the common cause; that the count of Hapsburg should be deprived of none of his lands or prerogatives, and that the bailiffs, their officers and attendants should not lose one drop of blood.

Thus fixed in their resolve, while each beheld and clasped his friend; while at this solemn hour they were wrapt in the contemplation that on their success depended the fate of their whole progeny; Furst, Melchthal, and Stauffacher held up their hands to heaven, and in the name of the Almighty, swore jointly and strenuously to maintain their rights. The thirty heard the oath with awe, and with uplifted hands attested the same God and all his saints, that they were firmly bent on offering up their lives for the defence of their injured liberty. They then agreed on their future proceedings; but for the present, each returned to his hamlet, observed profound secrecy, and tended his cattle.

Meanwhile the progress of wanton oppression put a period to the life and cruelties of the bailiff Gesler. He raised a hat on a pole at Uri to which he commanded all passengers to pay obeisance. William Tell, son-in-law to Furst, and one of the sworn friends of liberty, refused. He was seized, but escaped, and soon afterwards shot Gesler to death with an arrow.

In the following year the confederates attacked the bailiffs in their castles, overpowered and expelled them, but without shedding a drop of blood; and the Swiss once more confirmed by oath their ancient, and (as they have ever fondly named it) their perpetual league.

Albert was assassinated by his nephew;—Henry of Luxemburg was raised to the imperial throne; and at his death, a competition arose between Lewis of Bavaria, and Frederic of Austria, for the succession. [1312.] The Swiss, without hesitation, declared for Lewis. Duke Leopold, brother of Frederic, vowed vengeance against them for their opposition to his brother's claim. He thereupon prepared to invade the cantons, and declared that "he would trample the audacious rustics under his feet." Several armies were collected for this purpose. The duke himself, joined by many powerful nobles, and even by some unworthy burghers of the Helvetic cities, conducted the main army towards Zug. The Swiss meanwhile felt no dismay. Devoutly kneeling, they prayed to God, their sole monarch, and now their only refuge, to bless their efforts in defence of the rights he had conferred. They then marched forth thirteen hundred in number, and took post near Morgarten.

The enemy's force amounted to twelve thousand men. The 15th of October, of the year 1315 dawned. The sun darted its first rays on the shields and armour of the advancing hosts of Leopold. Their spears and helmets glistened from afar. The valiant confederates rushed down from the mountain and fell upon the invaders. With massy clubs they dashed in pieces the armour of the enemy. In less than three hours he was entirely defeated. The Swiss pursued him with great slaughter; and duke Leopold himself was with much difficulty rescued from the carnage by a peasant.

After this signal success, the three cantons held a meeting, and renewed and confirmed their ancient league, with these additional stipulations; "That all vassals should continue faithful to their lords, unless the lords should wrongfully molest the cantons, in which case defection would become a duty; that none of the confederates, either as individuals or as subordinate communities, should put themselves under the protection of, or accede to any treaty or negotiation with foreign princes or states, without the previous consent of the whole body: that no one banished for murder be restored without a like general assent: and lastly, that they and their posterity forever, should be firmly bound by the oath now taken, to aid and protect each other at all times, in all places and emergencies, with their lives and property, against all who should either actually violate, or merely attempt to injure any of the confederates, either singly or collectively."

The citizens of Lucern, molested by the house of Austria, and dreading the farther encroachments of its ambition, resolved, in order to secure their rights, to demand admission into the league of the Swiss confederates. These held a meeting, and without fear or hesitation, admitted Lucern into their union as a fourth canton. Neither of the contracting parties lost sight in this transaction of the dictates of justice. They confirmed the privileges and feudal prerogatives of the house of Austria. They also agreed, "that no one, as a confederate, be ever favoured, or any ways exonerated in judicial prosecutions; that every individual be, without exception, amenable to the magistrate of his district: that if in either of the cantons a man should be found guilty of a capital crime, official no-

tice thereof be given to the other cantons; and that, should the convict escape, none of the confederates should afford him either shelter or sustenance: that if (human nature being frail) a misunderstanding should ever arise between the three Swiss cantons, Lucern should, if it could not prevail by friendly expostulation, side with the two that shall be unanimous: that should any foreign or domestic foe ever disturb the peace of either of the four cantons, so as to induce its chief magistrate to declare that the intervention of the other cantons was become necessary, all the confederates should jointly assist in procuring redress; each exerting his utmost efforts, hazarding his life and property, and defraying all the expense he may incur in defending the common cause: and that should any confederate violate this sacred union, he shall be ever after considered as an outcast and a traitor."

A short war was the consequence of this treaty. The vassals and partisans of Austria committed depredations on the people of Lucern; but these, aided by their gallant confederates, obtained redress. At length the emperor agreed to an arbitration; and peace was restored to the four forest cantons, and all the countries with which they held intercourse. [1334.]

This year [1338] there was a general coalition between a multitude of exasperated nobles, aided by a considerable part of the forces of the Germanic empire, to subvert the city of Berne, which was then without a protector, and abandoned by most of its allies. Seven hundred lords, with crowned helmets, twelve hundred knights, in complete armour, about three thousand horse, and no less than fifteen thousand foot were now assembled against that city.

While its burghers were collecting from all parts, the baron of Kramburg, a late magistrate of Berne, hastened to the forest cantons, and represented to an assembly of the people that the freedom and very existence of their late allies and constant friends depended on the event of a single day, in which they would have to encounter the exorbitant power of an inveterate foe. The people answered, "dear lord of Kramburg, true friends appear in the hour of need: go tell your citizens that we will prove it to them." Messengers were immediately despatched across the lake; and nine hundred Swiss warriors marched to Berne.

Erlach, son of the renowned Ulrich of Erlach, who commanded at Donnerbuhel, was appointed by the Berners to the supreme command of their forces. Having summoned a council of war, he asked the leaders of the Swiss, "when shall the army march?" They answered, "immediately." He put the question, "How shall we fight?" They replied, "to the last drop of blood." The remainder of the day was spent in solemn worship, pious rows, and the distribution of alms.

At the midnight hour the signal was given to march. A priest led the van, bearing the consecrated host. It was moonlight. The aged fathers, the mothers, the wives and children, gazed on the departing columns, until woods and rising grounds concealed them from their sight. They then hastened to their churches and fell prostrate at their altars.

Battle of Laupen. On the 21st of June the confederate army arrived near Laupen. They attacked the enemy, and their victory was as complete as at the battle of Morgarten. The whole tract of country for several miles was strewn with dead bodies, with arms of all kinds, with eighty crowned helmets, and twenty-seven banners of different lords and cities.

Zuric admitted into the confederacy, as a fifth canton. 1351. This year Zuric was admitted into the Swiss confederacy by the following compact:—"We the cantons of Zuric, Lucern, Uri, Schwitz, and Underwalden do hereby enter into a firm and perpetual union.

We engage to assist each other with our lives and fortunes, against all who shall anywise attempt to injure us in our honour, property, or freedom: this we bind ourselves to perform, at all times, and in all places within the Aar, the Thur, the Rhine, and mount St. Gothard: whenever the council or community that calls for aid shall declare on oath, that the case is urgent, each canton shall, without evasion or delay, and at its own cost, send the demanded succour. Should one of the cantons be attacked unawares, all the confederates shall instantly assemble, and not lay down their arms until they have obtained redress. In great emergencies, such as a distant march or a long campaign, the cantons shall hold a congress at Einsidlen, and there deliberate on the measures to be pursued. The canton which shall summon the confederates to a siege, shall defray the expenses of the necessary implements;

this succour shall be yielded within the above mentioned limits; but should any one molest a confederate beyond those limits, and the offender be found on this side our boundaries, he shall be detained until he has made ample reparation. We the confederate cantons solemnly reserve all the rights of the holy Roman empire and its sovereign, and each of us his previous alliances: each canton may form new alliances, but not to the prejudice of the confederacy. We will jointly defend the burgomaster, the tribes, and the constitution of Zuric. Should (which heaven avert) any dissention arise between Zuric and the forest cantons, the city shall send two men of probity and wisdom, and the cantons two others to Einsidlen; and these four shall, on oath, decide the difference. Should their votes be equal, they shall choose a fifth confederate of any canton, and he shall have the casting vote. In order that this compact may have general and constant notoriety, it is hereby ordained, that it shall be renewed every ten years, or more frequently if required, and be confirmed by all of the age of sixteen and upwards: parts of this covenant may be altered or repealed, and additions may be made; but no alterations, nor yet the omission of a renewal, shall impair its validity; we being firmly resolved that this confederacy shall be perpetual, fixed, and inviolable."

In the year 1352 Glaris was admitted into the Glaris admitted into the confederacy as a sixth canton. It was agreed that "the duke and the lady abbess shall retain all their rights and revenues, and the country of Glaris all its liberties. We of Zuric, Uri, Schwitz, and Underwalden, will strenuously and with all our power maintain our friends of Glaris in the secure enjoyment of those liberties. We of Glaris will be ever ready to aid our confederates in all their wars; and at their desire, will accede to any alliance they may think proper to form with other states: to obviate all future dissentions, we of Glaris do promise that if any complaint of ours shall appear frivolous or groundless to our confederates, we will wave it without reluctance or delay. Should any man of Glaris arm against, or otherwise molest our confederates, singly or collectively, he shall be tried for his life by the magistrates of our own valley; and on conviction, his whole property shall be forfeited to the confederacy. In all differences that may arise, arbitrators shall be chosen by both parties, whose award

shall be decisive. We of Glaris shall enter into no alliance without the concurrence of our confederates."

Zug admitted. The next member admitted into the confederacy 1352. was the ancient town of Zug.

Berne enters into the confederacy. In the same auspicious year Berne was admitted as a confederate on the following terms: "The Swiss of

the three forest cantons shall be assisted by Berne, when and in whatever manner they shall require. And the cantons reciprocally engage to defend the city of Berne, its burghers, co-burghers, fiefs, mortgages, and all appurtenances: the Swiss when summoned, shall, without subsidy, march over mount Brunig into the vale of Unterseen: should this march not produce the desired effect, they will advance further, and Berne will pay to each man one groat tournois: the expenses of such wars as shall affect both parties, shall be borne in common; and expeditions into the Argau, whichever be the summoning party, shall be defrayed by both.* No subsidy shall be given, if, while either party is waging war in the Oberland, the other advances in the low lands against an enemy. We the Berners promise to assist Zurich and Lucern, whenever required by our Swiss confederates. We of Zurich and Lucern, promise that whenever Berne shall be attacked, and its council shall send to the Swiss cantons for succour, we will, at our own expense, immediately march to its assistance. Should a difference ever arise between Berne and the forest cantons, a congress shall be held at Kienholz: each party shall name two arbitrators; and should Berne be the complainant, its deputy shall choose one out of sixteen men proposed by the canton complained of; and these five shall decide according to the established laws and equity, and upon oath: should the complainant be one of three cantons, the same shall choose a senator of Berne as the fifth arbitrator. This league, reserving all previous alliances and privileges, shall be binding on us and our posterity forever."

The duke of Austria once more made war on the confederates. [1353.] He was joined by the emperor, and many princes spiritual and temporal of the empire. The emperor declared

* The dukes of Austria, the most powerful princes in the Argau, were then already considered as the hereditary enemies of this confederacy.

that the Swiss confederacy was null and void; and that members of the empire had no right to combine together without the consent of its supreme head. The Swiss answered to this effect: that they were a plain, artless people, who did not understand nice legal distinctions; but that they considered an oath as sacred; and that accordingly what they had once confirmed by oath, they were determined to maintain. The enemy advanced. Four thousand confederates were now besieged in Zurich by five times that number. The Swiss made many sallies. The emperor began to think himself in the wrong. The imperial army withdrew in disorder; and the confusion was greatly increased by their ceremonious contests concerning precedence. Austria was at length obliged to give up the contest, and agreed to a truce for eleven years.

In 1359, Gersau acceded to the confederacy. This sovereign state, consisting of less than five hundred males, continued to be a constituent part of the Helvetic body; and its interests were as anxiously consulted as those of the most powerful canton.

The undue influence of the clergy was restrained by an act or agreement, called the Priest's Ordinance: [1370] which declared, "That the people would strenuously maintain their laws against all foreign power, whether public or private, civil or ecclesiastical: that all persons dependent on the house of Austria, should, as long as they resided within the cantons, engage by an oath, more binding than any other oath, to promote the honour and welfare of the confederacy: that all appeals to foreign tribunals be strictly prohibited: that the clergy abstain from pronouncing in their own concerns, even in canonical matters, if they had any reference to temporalities; that every priest who shall transgress this ordinance, be debarred all the comforts of society, and declared out of the protection of the laws: that all the roads and avenues from the foaming bridge to the city of Zurich be kept perfectly open and secure for travellers of all descriptions; and that no one not duly authorized by his magistrates, dare to distrain or otherwise invade the property of another."

The Austrian delegates and mortgagees once more gave scope to their resentment against the nobles. War with the shepherds and burghers of the confederacy. The shepherds of Entlibuch were cruelly oppressed. Lucern received them into its

burghership. Thus began the war between the nobles, under the auspices of duke Leopold of Austria, and the confederates of all the cantons. The latter, knowing how warmly the neighbouring lords would espouse his cause, took and demolished several of their castles. [1386.]

Leopold upon this denounced vengeance against the Swiss cantons. The inveterate malevolence of the nobles now broke out so suddenly, that in twelve days the confederates saw themselves assailed by one hundred and sixty-seven sovereign princes or lords, most of whom were desirous to avenge the disgrace they or their fathers had experienced at Morgarten, Laupen, or other less celebrated encounters; all exulting in the firm persuasion of their irresistible force, but deeming the conquest too easy for the glory they were ambitious to acquire. The declarations of hostilities from different lords were sent to the confederates by twenty successive messengers, in hopes that repeated alarms would gradually depress their spirit.

The Swiss summoned all their confederates. Berne complained of exhausted funds; and objected that some months were yet wanting before the expiration of the eleven years truce they had concluded with Leopold. They therefore requested to be exempted from engaging in this war. The Swiss received this answer in mournful silence; and the annals of Berne were forever tarnished.

The duke advanced with his forces to the walls of Sempach. [9th July.] The confederates occupied the surrounding woods. They saw a numerous, well appointed host; each band led on by an illustrious baron. Among all the chiefs none was more conspicuous than duke Leopold, at that time thirty-five years of age; manly, high-minded, full of martial ardour, elate with former victories, revengeful, and eager for the combat. It was harvest time; his people reaped the corn: the nobles approached the walls of Sempach and upbraided the citizens. One of them held up a halter, and said, "this is for your avoyer:"* others demanded that breakfast should be sent out to the reapers: these were answered "the Swiss are preparing it."

* Chief magistrate.

The confederates drew up on an eminence under ^{Battle of Sempach.} cover of the wood. The duke was solicited not to expose himself, and admonished that the loss of a commander is often more ruinous than that of half his force: he replied with warmth, "Shall Leopold look on from afar, and see how his brave knights combat and die for him? Here in my country, and with my people, will I either conquer or perish."

The contracted line of the confederates consisted of about fifteen hundred men. Each band, under its proper banner, was commanded by the landamman of its valley, and the Lucerners by their avoyer; they were armed with short weapons; some held the halberds their fathers had wielded at Morgarten; several instead of shields, had small boards tied round their left arms. According to ancient custom, they knelt and implored the blessing of heaven. The nobles closed their helmets: the duke of Austria, conformably to the usages of chivalry, created knights on the field of battle: the sun stood high: the day was sultry.

The Swiss, after their devotion, ran with full speed and with loud clamour, seeking an opening where they might break the line, and spread havock on each side of them. But they were opposed by a solid range of shields as by a wall, and by the numberless points of spears, as by a thick fence of iron thorns. The knights, who had dismounted and left their horses with their servants, advanced with hideous rattle, and attempted to outflank and surround the assailants. The banner of Lucern was now, for a time, in imminent danger; the avoyer having been severely wounded, and several of the principal leaders slain. Anthony du Port, of the valley of Uri, cried out, "strike the poles of the spears; they are hollow!" this was effected; but the broken spears were immediately replaced by fresh ones, and Du Port himself perished in the conflict. The knights, owing to their unskilfulness, and the unwieldiness of their armour, found it impracticable to form the intended crescent; but they stood firm and unshaken.

The battle was at length decided by one heroic deed. Arnold of Winkelried, a knight of Underwalden, burst suddenly from the ranks; "I will open a passage, he cried, into the enemy's line. Provide for my wife and children, dear countrymen

and confederates;—honour my race.” He then threw himself instantly upon the enemy’s pikes, grasped as many of them as he could reach, buried them in his bosom, and being of a tall, corpulent stature, bore them to the ground with his own ponderous mass. His companions instantly rushed over his expiring body, and a close column forced itself into the broken ranks of the enemy. The pressure this occasioned, added to the intenseness of the heat, proved fatal to many knights, who fell without a wound. Fresh columns of the assailants availed themselves of this disorder, and the havoc became general. The servants of the nobles and knights, who had been left with the horses, perceiving from afar the consternation that prevailed, mounted, and consulted their own safety by flight. The banner of Austria sunk to the ground, together with its bearer. Ulric of Arburg raised it anew, and endeavoured to restore the fight, but he also was soon oppressed, and fell, exclaiming, “Help, Austria, help!” Duke Leopold ran to him, received the banner, now steeped in gore, from his dying hand, and once more waved it on high. The conflict at this moment became most fierce and obstinate. Numbers of combatants pressed round the duke; many of his illustrious companions fell near him: at length, all hope being at an end, he exclaimed, “I too will fall with honour.” He then rushed into the thickest of the enemy; he fell, and while, weighed down by his ponderous armour, he was struggling to raise himself, he was approached by a Swiss, who levelled a blow at him. Leopold called out “I am the duke of Austria:” but the Swiss slew him notwithstanding. The banneret of Friburg saw the disaster; he stood appalled: the banner dropped from his hand: he threw himself upon the corpse of his slaughtered sovereign to preserve it from insult, and there met his own fate.

The Austrian infantry now betook themselves to flight. The nobles called loudly for their horses; but their faithless servants had long since led them away. The triumph of the confederates was complete. Six hundred and fifty-six counts, lords, and knights, whose presence was wont to grace the court of Austria, were found among the slain. Among the leaders of the confederates fell Gundoldingen, the avoyer of Lucern. While he was bleeding to death, one of his townsmen approached him to learn his

dying request: he answered, “Tell our fellow citizens never to continue an avoyer longer than one year in office; tell them this is the last advice of Gundoldingen, who dies contented, wishing them repeated victories and a long series of prosperous years.”

The glorious victory of Sempach was followed ^{Battle of} by another gained over the Austrians and their auxilia- ^{Näfels.} ries at Näfels. [9th April, 1388.] By these victories the Swiss confederacy was firmly established. In 1389, Austria agreed to a truce of seven years.

The confederates some time afterwards framed an ordinance chiefly relating to military affairs, which was called the decree of Sempach. [10th July, 1393.] The following are its most important articles: “We, the eight Helvetic cantons, and the city and district of Soleure, agree to preserve peace and unanimity among ourselves and to uphold each other. All traders shall be protected in their persons and merchandise. Should any one in battle or at an attack be wounded, so as to be disabled from service, he shall nevertheless retain his station, and continue there amidst his companions until the conflict is terminated and danger is at an end. On no account must the field of battle be deserted: and (as an enemy has often rallied among the pillagers, and lately at Sempach the foe would have sustained greater losses had not our men been too eager after booty) no one shall betake himself to spoil until permitted by the commander: all the plunder taken shall be delivered to the commander, who shall make an equal distribution of it, according to the number of men from each canton. Since Almighty God has declared churches to be his habitations, and has been pleased to effect the salvation of mankind by means of a woman, it is our will and positive decree, that none of us shall break open, pillage, or burn a church or chapel, or any way insult or molest a woman: this law shall suffer no exception, unless when enemies and their property are secreted in sanctuaries, or when women by their clamours impede the progress of our forces. This we ordain, accept, and confirm on oath, at a general diet held at Zurich on the 10th of July, 1393.”

This ordinance formed the chief martial law of the Swiss nation.—The seven years truce was at the request of the duke of

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Austria prolonged for a further term of twenty years. [1394.] The Helvetic cities, under the auspices of the confederacy, now advanced rapidly in wealth and consequence. In a few years they acquired upwards of forty seigneuries from Austria and its vassals; some by voluntary surrender, but most of them by open purchase.

Friburg was admitted into the confederacy in 1403, and Appenzel in 1411. The truce or peace with Austria was extended to fifty years. [8th July, 1412.]

The Swiss confederacy was now fully established, and spread its benign influence over all Helvetia, and the Rhetian Alps.

(To be continued.)

FOR THE PORT FOLIO—THOUGHTS OF A HERMIT, NO. X.
ON NATIONAL DEBTS.

THE steady increase of the national debt of Great Britain has been long thought, by political writers of the first reputation, to lead to the most ruinous consequences. Some have predicted a national bankruptcy, and the final destruction of all public credit: others, civil commotions, and perhaps a revolution; and some in the continual accumulation of taxes, see the discouragement of industry, the decline of manufactures, and the gradual decay of national wealth and the power it supports. However firmly persuaded men may be of the disastrous issue of this system of borrowing and funding, all will agree that the present enormous amount of the debt, (now supposed to be upwards of one thousand millions) has greatly exceeded what was once thought its utmost possible limits. In spite of the increasing sum which is annually expended by the unproductive class of soldiers and sailors; of the taxes levied on every species of labour; and of the consequent addition to the price of all their commodities in foreign markets, the wealth, population, and resources of the country, have been steadily augmenting with the debt. So regularly indeed has the growth of the national power and riches kept pace with the increase of the pub-

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lic debt, that some few have not scrupled to impute to this very debt the prosperity of the nation.

The causes of this political phenomenon will deserve to be understood, not only as the subject concerns our own finances, which are so similarly circumstanced, but also as it respects the resources of a nation whose undivided hostility we have now to cope with, and whose power we are long destined to feel when she ceases to be an enemy.

A recurrence to the most undeniable principles of political economy may aid us in clearing the subject from the obscurity in which it seems to have been involved, and in ascertaining the immediate operation of public debts, their possible limits, and their probable effects.

The gross revenue of a nation is, in proportion to the goodness of its soil and climate—the number of its inhabitants—and their well directed industry.

This revenue is disposed of in the four following ways: 1. In furnishing the *necessary* subsistence to the men and animals employed in productive labour, and in keeping up the stock of its machinery. 2. In the *luxurious* consumption of individuals. 3. In the accumulation of merchandise and the precious metals, and in augmenting the productiveness and the facilities of labour. 4. In the expenditures of government.

The first of these portions is indispensable to the existence of society. In producing food and clothing, food and clothing are necessarily consumed. It is the excess of the production above the consumption which is the disposable fund from which the three last portions are drawn, that is to say: it is from this source that avarice can add to his stores; that luxury can procure gratification, and that government can derive its taxes.

Each of these three sharers of the national income, or *net* revenue, endeavour to appropriate as much as possible to itself; but by this very operation the share of the others is indirectly augmented. Thus the savings of one man often constitute the materials of another's luxury, and they always add to the fund from which the state draws its supplies. A part of the expenditure of the luxurious flows into the coffers of avarice, and a part

into the public treasury. Of the expenditure of government a large portion is employed in purchasing luxurious gratification to the individuals in its service, and by means of this consumption the parsimonious receive a share in the form of wages or mercantile profit.

Where the whole national wealth is in the hands of the citizens, as is commonly the case in modern times, the surplus income naturally flows into the second and third channels, as individuals are inclined to save or to spend. It is forced into the third only by the strong hand of government.

It seems abstractedly true that either of these three drains of the national income may absorb the whole. All beyond what is necessarily consumed in reproducing may be wasted in luxury—or laid up in some useful permanent form—or expended by the state in fleets and armies. But while men continue to be influenced by their passions, and government remains a costly piece of machinery, each one will come in for its share.

The parts which the frugal and the prodigal appropriate to themselves are the reservoir from which the government draws aid, by different expedients according to circumstances. This aid is sometimes voluntary, as by loans, which are made by the frugal class; and sometimes involuntary, in the form of taxes, which are levied on both classes.

There are two very different modes by which the government draws money from the community by taxation—one is by a direct contribution of a gross sum, according either to the capital or the income of each individual—the other is by an indirect and insensible contribution by each person according to his consumption.

Upon neither of these modes can government take more than a part, commonly a small part of the surplus income. Taxes upon consumption are productive only in proportion to individual waste: like Mongolfier's ingenious hydraulic machine for raising water by the force of its own current, there is a great deal wasted for the little that is raised. On the other hand, a tax either upon capital or income, if it be proportioned to the fortunes of individuals, must leave a large portion of the wealth of the community untouched; for though it takes more from a rich than a poor man, it

also leaves more. But if the tax were not to be so proportioned, but was to increase, *in its rate*, according to the wealth of each individual, it would create discontent and too much discourage industry. A man with a thousand a year, may pay ten or perhaps twenty times as much as he who has but an hundred a year; but if he were called upon to pay the whole excess of his income beyond that of the other, it would not only shock his ideas of justice, but be a death blow to his economy and exertion. With all the various gratifications which wealth can purchase—all the power and influence it gives in society, large numbers are found incapable of the exertion and self-denial necessary to obtain it. But what toil would be bestowed on the acquisition of wealth—what care in its preservation, if the government could reap the fruits of every man's labour?

Limited by these natural restraints to taxation, governments, which are generally neither very moderate in the formation of their plans, nor very good economists in their execution, often find themselves unable to raise as much money by taxes within the year, as will meet their purposed expenses. They therefore call in aid the capital which the industry and frugality of individuals had previously accumulated, and bargain with its proprietors to give them for so much as the public occasions require, a small sum every year thereafter, until it suits the state to return the sum borrowed. Thus have arisen national debts.

But since the same necessity which first existed is likely to recur occasionally, in all subsequent times, and since for each loan the government must provide the annual interest, every succeeding debt manifestly tends to occasion the contraction of new debts; as suppose the sum to be raised by loan to be ten millions, and the annual interest to be half a million, if the public necessities the following year remain the same, the sum then to be raised is, besides the ten millions, another half million for the interest on the loan of the preceding year; the third year two half millions must be raised in addition, and so on. Hence it is, that nations which have once resorted to borrowing have seldom or never extricated themselves from debts; but on the contrary, the amount of what they owe is steadily increasing.

The better to estimate the effects of a public debt, let us compare the actual state of the national wealth, under the existence of a debt, with what would have been its probable state if either the money had not been expended or it had been raised by taxes within the year:

First. If the money for which the debt was contracted, had never been expended by the government, it might seem to some, that the nation would have been so much the richer—that the money, being owned chiefly by the frugal and industrious class, would have been employed in augmenting the productiveness of labour; in the establishment of manufactures; in improving the lands, and making solid additions to the wealth of the nation. Without doubt a part of it would have been thus beneficially employed, but a part would also have been lent to individuals who would have spent it as unprofitably as the public did. A large portion of landed proprietors have been always observed to live beyond their incomes, while a majority of merchants and tradesmen are disposed to accumulate. It is this latter class who are the principal lenders to the government, and whose money, secured by mortgage, would often minister to the pleasures and ostentation of the country gentleman, if it did not find the public a better customer. In the view of an economist it can make no difference whether the national capital be annihilated by gentlemen of the army and navy, or in the pleasures of the turf and the chase—whether it be consumed by horses and hounds, or in the “pomp and circumstance” of war.

It is to be recollected that the actual cost of the public expenditures to the nation, consists not in the nominal amount of the money laid out, but in the real diminution of its useful commodities—the produce of its land and labour; and this must be either by increasing the consumption, or diminishing the productive labour of the nation.

As to increased consumption—the same men who constitute the army and navy, (the principal drains of the public revenue) would have in some other way procured a subsistence, if they had not been taken into the service of the government, and have consumed food and clothing precisely as they now do. And though the aggregate of their consumption may be greater than if they

had remained at home, the difference bears an inconsiderable proportion to the whole amount consumed.

As to diminished production—it is certain that a large portion of those who are in the pay of government, if they had not been thus employed would have been engaged in profitable industry; but many are also taken from the idle classes, and so far as this is the case, the employment of them does not lessen the national revenue. Most of the officers are of this description, and no inconsiderable part of the soldiers have been drawn from the least industrious portion of the community.

From the preceding views it would seem that the public expenditures do not operate on the national wealth so much by increasing consumption as by lessening production, and consequently that they tend much more to check the further increase of riches, than to make the nation poorer.

Secondly. If the money procured by loan had been raised by taxes within the year. The cost of the national expenditure we have seen is so much food, clothing, and other useful commodities consumed by the soldiers, sailors, and other persons in the service of the government. The national income is therefore diminished in the same degree, whether the money expended by the state be procured in the one way or the other. The difference then of the two modes of raising supplies, as to their immediate effects on the national capital, is rather apparent than real. They both draw from the same fund the surplus income of the nation, though from different classes of those who hold it. They both draw too the same amount, and in the same time.

Assimilating a nation to an individual it is commonly said to *anticipate* its revenue. But as the capital actually consumed is the food, clothing, and stores of its servants and agents, and these are the product of the current year, when we apply this expression to the government, we mean a very different anticipation from that of an individual who borrows on the credit of his future income, or if we use the term in the same sense than we distinguish the government from the nation.

But though the *direct* loss to the nation is the same in either of the above modes of providing for the public exigencies, there

may be a considerable difference in their indirect effects on the public industry and prosperity. Although they take the same sum from the same general fund, they may not equally affect the residue of that fund.

Raising money by taxes tends most to lessen consumption. Those who live upon stated incomes, are compelled to practice economy in proportion as their expenses are increased by taxes. The prodigal who spend all that they have the means of spending must necessarily endeavour to retrench their expenses to the same amount that they contribute to the public revenue, and what they do from necessity, the frugal do from choice. Though sugar, for example, is now selling in the United States at double the price it commonly bore in peace, there are thousands of families who have so lessened their consumption of that article that they expend very little more in the purchase of it than they formerly did. Now so far as taxes diminish consumption, they merely commute one species of waste for another. Government expends in this unproductive employment what private consumers would have expended in that. Taxes also in some degree stimulate to industry by making more labour necessary for a bare subsistence. Arthur Young observes that the poorer classes in England are always more industrious when the price of provisions is high; for the price of labour not rising immediately, in no other way can they meet the increased difficulty of earning the means of support.

But on the other hand the raising money by loans most favours private accumulation: though, as we have seen, some but increase their expense by reason of the forbearance of the state, others are enabled through that forbearance to augment the national wealth by improving their own; and as the thrifty class exceed the prodigal, according to Adam Smith, the sum thus saved would be employed in still further augmenting the products and improving the productive faculties of the nation. If it were proposed to every individual in the United States, either to pay his proportional part of the public expense, or the annual interest on the same amount, how many even of prudent, thrifty, calculating men would consider themselves gainers by choosing the latter. Now it is precisely this option which takes place in a public loan. Those who prefer advancing any part of the money the public oc-

casions require, may do so, by a loan to the government; and those who prefer retaining their money in their own hands, may do so on paying, in the form of taxes, their quota of interest.

Loans, indeed, produce the same effects as taxes, though not to the same extent. Thus, a part of the money lent to government, if it had remained in the hands of the proprietors, would have been lent to individuals who would have spent it, and thus far they, like taxes, merely substitute one species of unprofitable consumption for another; and a part would have been vested in the employment of productive labour, in establishing manufactories, making roads and canals, reclaiming marshes and the like, if its holders had not found in the public a ready and liberal borrower; and thus far loans as well as taxes are unfriendly to private accumulation. Taxes make every one poorer, but with many they balance that effect by superinducing greater industry and economy. Loans make no one immediately poorer, but prevent many from becoming richer. Loans are most exhausting to the nation, and least so to individuals: taxes press most upon individuals and least upon the nation. Loans draw altogether from the most idle and unproductive funds of the community: taxes draw indiscriminately from the active and inactive capital—from profitable enterprise and wasteful luxury.

As it is more easy to governments to raise money by loans than by taxes, because they are less felt by the people, they have been objected to, on account of the greater temptation they afford to nations to engage in wars and waste the wealth of the community; and it is said that the public should show some of the same sort of caution with regard to loans that some self-doubting individuals manifest, who prefer a landed, to a mortgaged estate, not because it is more profitable, but because they cannot so easily spend it. But however the practice of borrowing may encourage the strong propensity of governments to incur expense, this objection to loans is perhaps compensated by their also furnishing a very good criterion of the ability of the nation to bear that expense. Loans are made from the surplus capital which the industry and frugality of individuals had accumulated over and above their voluntary consumption; and the rate of interest at which they can be made, shows the degree of the redundancy, and how far the national

stock admits of reduction. If the rate of interest be high, then there is no more capital than can be beneficially employed; and a part must be withdrawn from productive labour to defray the unproductive expenses of government. But if the rate of interest be low, it is proportionably an indication of redundancy. As animals of the sleeping tribe are able to bear the want of food in winter according to the degree of fatness they have previously acquired; so nations are able to bear the unproductive state of war in proportion to the amount of capital they have previously accumulated. But taxes, on the other hand, may be so high as to impair the future sources of revenue, and not merely to reduce the national income to less than it would otherwise have been, but even to less than it was the year before. In that case they begin the career of national impoverishment and decay. Nor are the loud complaints which their pressure produces always an effectual check against this mischievous excess.

Upon the whole, then, it appears that funded debts are at least as little likely to impoverish the nation as taxes to the same amount, since the mischief lies rather in the expenditure of the national wealth, than in the mode in which that expenditure is met. And that however they may, by the demand of a perpetual interest, diminish individual comfort and enjoyment, yet as they expend within the year a part of the product of that year, or of preceding years, they can never exhaust the resources of a nation which retains its industry. They evince the strength derived from former opulence, rather than afford indications of *future* weakness. If they prove past extravagance, they also prove correspondent wealth. They show, in short, that the nation has been just as able to lend as it was tempted to borrow.

Let us now inquire into the limits of national debts. As every loan is followed by the payment of an annual interest, which is raised by taxes, these must increase in proportion to the debt; so that in a certain number of years, if there be the same annual loan, the taxes to be annually raised for the payment of interest amounts to the sum that has been annually borrowed. As if there be a loan of ten millions each year, the interest at five per cent. on the whole sum borrowed will be also ten millions in twenty years. If the interest be six per cent the same result will take place in sixteen years; if at eight per cent. in twelve and a half years.

The burthen of taxes is not therefore avoided by the system of borrowing; it is merely postponed: and though somewhat in the rear, they march at the same accelerated rate to which we have seen that national debts manifestly tend. Thus at this time the money raised by taxes to pay the public creditors of Great Britain would be considerably more than sufficient to defray the whole annual charge of the government if there had been no debt. The utmost limits to taxation then prescribe the utmost limits to the debt.

It must however be recollected that the very debt which increases the burthen of tax, increases the ability of the nation to bear that additional burthen. Thus, if the annual tax be augmented ten millions for the purpose of paying the interest on the debt, the income of the individuals who receive this interest has also been increased to the same amount: always supposing, however, that the debt is due to citizens, for when it is due abroad the income of the nation is so much the less by the amount of the interest. Now since the class of public creditors is as much richer as the rest of the community is poorer, by reason of the public debt, the surplus income of the nation, supposing private industry and frugality to continue unchanged, remains the same, notwithstanding the debt; and may of course be reached by taxes in one form if not in another. Thus if taxes on consumption are found inadequate, a tax on income may be resorted to; and if that should still prove insufficient, a tax on capital may supply the deficiency.

But although the taxes occasioned by the public debt do not affect the revenue of the whole community, they may very differently affect the individual members according to the distribution of the debt. Thus, let us suppose, in the first place, that every man contributed to the loan in proportion to his property and that he was taxed in the same ratio, then the money he would be entitled to receive in the way of interest would be precisely equal to that he would be compelled to pay in the way of tax; and having as much to draw from the treasury, as he has to pay into it, he is virtually relieved from any tax at all, and has of course the same ability to make further contributions to the state, as if the public debt were extinguished. But let us now suppose that the whole public debt, and consequently the interest, was payable to a single creditor: in that case,

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although he would be better able, by reason of the interest, to discharge his quota of interest, the rest of the community would not; and the whole of the interest, except his proportion, would augment the burthen of the others. It would therefore seem that the inconvenient pressure of a public debt upon individuals is in proportion to the inequality of its distribution, and that if it were divided among all the citizens according to the rate they were severally taxed, loans would differ in no respect from taxes to the same amount, and might continue to increase the amount of the debt *ad infinitum*.

But this equal distribution does not and never can exist: for the public creditors every where comprehend but a small proportion of the community: and the inequality has a strong tendency to diminish the aggregate amount of private industry and frugality, the two great sources of national wealth, and thus to create a check, *the only check*, on the further increase of the public debt. The revenue drawn from the interest on the national debt adds the body of stockholders to the unproductive class of soldiers and sailors. It also perpetuates the means of individual luxury, and thus both by increasing consumption and lessening production, it tends to lessen the general income.

Nor is it only in this way that an overgrown debt may produce deleterious effects to the national prosperity. It discourages foreign commerce, by burthening all exports with the numerous taxes which must necessarily enter into its price. Books, for example, with which we used to be altogether supplied from England, have gradually become so dear in this country, that we now import them only to an inconsiderable amount. The same burthensome taxes induce many of the inhabitants to remove to countries where they are required to give a smaller portion of their income to the state, and are able to purchase more with the residue.

It is from these obvious tendencies of the enormous and still increasing debt of Great Britain, that almost every writer who has speculated on the subject for the last fifty years, has predicted the most ruinous consequences; but they seem not distinctly to have perceived that the mischiefs they apprehended always give no very doubtful indications of their approach; that whatever may be

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the highest point to which their debt could mount, facts plainly showed, was far from being yet reached—and that it might be stopped and kept stationary, with as much safety and ease when at its acme, as during the first steps of its progress. The injurious operation of a public debt is indeed gradual and slow; and perhaps after all, though a nation with a permanent debt is constantly drawing nearer to the limits of its credit, it can never finally reach them; like certain lines of mathematicians which, though constantly approximating, yet can never touch.

Great Britain now pays above 30,000,000*l.* annually to the holders of her debt: a sum more than three times the amount of her whole revenue fifty years ago, and sufficient to maintain thirty thousand families in idleness, at the no very meagre rate of a thousand pounds sterling a year. Yet notwithstanding this enormous expenditure, she at present supports a greater military and naval force, than at any former period. It would therefore follow that in spite of the seeming inducements to idleness and luxury afforded by the immense revenue paid to the public creditors, either productive labour has so augmented, or private expense has so declined, as still to create an additional surplus for the government. The following considerations seem to explain a result which the most discerning would have once thought impossible, and which is by many yet a matter of wonder.

1. Every successive loan lessens the value not only of the capital then lent, but of all former stock, for it is followed by new taxes to pay the interest, which taxes fall upon the stockholder in common with every other class of the community. Thus, suppose a public creditor entitled to receive 100*l.* per annum, as the interest of his stock: if by means of taxes on income or consumption, in consequence of a new loan, 10*l.* per annum is drawn from the stockholder, it is the same thing as if the interest had been reduced from 5 to $4\frac{1}{2}$ per cent. and consequently (so long as the principal remains unpaid) as if his claim on the government had been reduced from 100*l.* to 90*l.*

2. The continual increase of taxes has the same effect as the depreciation of money. When articles of necessary and universal consumption are taxed as in England, the labouring class, who must necessarily earn the means of subsistence, are compelled to rise in

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their wages: and a rise in the price of labour must raise the price of every thing else. A growing public debt, therefore, is not only always drawing something from the creditor, but it renders the residue of his claim of less value; of course he is less and less able to indulge in idleness and luxury by means of the income he derives from the public.

3. The stockholders do not add to the idle class according to their numerical amount, because much of the public debt is held by those who would have been just as idle if the debt had never existed, and much is held by those who are still engaged in useful and profitable employment. The regularity and certainty of the income derived from the public funds, have also a favourable effect on private expense, and in some degree, perhaps, stimulate to industry.

4. But the chief cause of the ability of Great Britain to bear the increased burthen of her expense is to be found in her internal improvement. During the growth of her public debt her subjects have been continually abridging the operations of manufacture, so that now one hand often can do what formerly required three or four. More perhaps than two thousand miles of canal navigation have, within a little more than half a century, saved the labour of men and horses to the amount of several millions a year. Lands formerly waste have been brought into cultivation, and the mode of cultivation itself has undergone prodigious improvement. Materials the most common and worthless have been converted into articles of use and ornament. The beauty and solidity of their fabrics have so increased that they have commanded a ready sale in foreign markets at an advanced price. In short, every mode by which the useful products of a nation can be augmented, the avarice, the love of pleasure, the ingenuity, and too often the necessities of individuals have conspired to effect. Their united operation have been sufficient not only to repair the extensive waste made by the government, but in spite of that waste to make the whole annual income still exceed the whole annual public and private expenditure.

It must also be recollected that the real amount of the debt is less than its nominal amount. A part is held, not by private creditors, but by the commissioners of the sinking fund, who have

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from time to time made purchases of the public stock. Perhaps one fifth part* is now held by the commissioners; in which case, it is precisely the same thing (saving the comparatively small trouble and expense of paying and receiving) as if one fifth of the debt was extinguished.

Let us here consider the nature and operation of this fund on the national debt. It has been the practice in Great Britain within the last twenty-five years, to appropriate a portion of every new loan to the sinking fund, so that this portion, at compound interest, would redeem the sum borrowed in something less than forty years. Every new debt thus professes to be accompanied with the means of its own extinguishment. But this result is founded on the suppositions that the sinking fund will be suffered to go on uninterrupted and undiminished by the government, and that the price of stock will continue unchanged—neither of which are practically true. The sinking fund affords a resource too convenient and tempting in times of emergency for the ministers to forego; and its profits are of course occasionally diverted from the payment of the principal of the old debt, to the payment of the interest which accrues on new loans. As to the price of stock, the purchases made by the commissioners of the sinking fund have a direct tendency to raise it, both by increasing the quantity of capital in the country, and by diminishing its field of profitable employment.

Notwithstanding these practical difficulties in the way of the theoretical operation of sinking funds, they are useful institutions. Their purchases are indeed nothing but a mode of paying the public creditors; but the mode has this recommendation, that it pays them according to their several occasions and necessities, giving the preference to those who will take the least for their debts, and it profits by whatsoever depreciation public stock may undergo; thus affording facility to the payment of old debts, as the difficulty of contracting new loans is increased. This however is the sum total of their advantage, for as to any *peculiar*

* I regret that on this as well as other occasions, for want of access to the latest documents respecting the finances of Great Britain, I am obliged to resort to conjecture: but in the discussion of principles, perfect accuracy in quantities is of minor importance.

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benefit they afford, by enabling the public to receive compound interest, it is all an illusion, since the government by punctually paying interest to its creditors, at short periods, does in fact *borrow* as well as *lend* at compound interest. A sinking fund, in short, is like the fly-wheel in mechanics: it gives regularity and equability indeed to the machine, but it is so far from increasing the momentum, that it, by the force expended in its own motion, in a small degree impairs it.

Let us now suppose, that by the successive purchases of stock by the managers of the sinking fund, or in any other mode, the national debt was completely extinguished, what would be the consequences?

A part of the capital returned to the community, would seek profitable employment in the construction of roads and canals; thus remunerating the proprietors by the tolls in lieu of the interest they formerly received from the government, and benefitting the class which pays the tolls still more than that which receives them. A part would be used to augment individual comfort and enjoyment. A part would be employed in extending foreign commerce by lowering the rate of profit. And a part would probably be transferred to other countries where capital being less abundant, would yield higher profits. These several tendencies of so great an amount of redundant capital, thus compelled to seek new employment, are sufficiently obvious; but the precise result of their combined operation, depending upon the time and manner in which the capital was returned, and an infinite number of contingent circumstances, experience alone could determine.

It has been the principal object of the preceding examination to show that public debts merely evince how much the nation has been able to spare of her former products for the use of the government; and that the ability of a state to borrow, furnishes conclusive evidence that there is a surplus of production over consumption. But however gratifying this view of the subject may be to the mere economist and politician, who coldly regards a nation as a merchant's counting-house, and considers no other profit or loss but what appears in the ledger, it must not be forgotten by the philanthropist, that though there may be a great national surplus, it may be in the hands of a comparatively small

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number, and that the increased economy and exertion necessary to counterbalance the impoverishing tendency of the debt may fall upon those who are least able to bear it. While in this case the result may be the same as to the *wealth* of the nation, there is a wide and melancholy difference as to the sum of its individual *happiness*. The surplus may be in the hands of a few thousand landholders and capitalists, while millions, thrown into the class of parish paupers, are consigned to the lowest state of wretchedness and civil degradation.

From the propositions which have been herein discussed, the following political corollaries seem plainly deducible.

A nation is no more the poorer for the payment of the interest on its debt, than it is the richer for its stock. It merely causes a transfer of a portion of its wealth from one part of the community to another. As the moisture which is raised by evaporation from the whole surface of the earth is distributed irregularly in rain: but the quantities of each are precisely equal.

Loans made by citizens, are always derived from the surplus of the general income over the general expenditure; and whatsoever may be the amount of this surplus, if individual industry and economy continue undiminished, this surplus also continues the same, whether the debt be a large or a small one.

National debts do not necessarily lessen the quantum of private industry or economy. They have a tendency to diminish these qualities with the public creditors; and to increase them with every other class. If the increase in the one case is equal to the diminution in the other, then is the ability of the nation to borrow equal to what it formerly was; if greater, greater; and if less, less.

Supposing individual industry and expense to continue the same, the public debt may be annually augmented *ad infinitum*.

The greater the amount of the debt, the more difficult in practice is the displacement of capital it creates.

Whatever may be the effect of the public debt on the industry and economy of the nation, this effect is unequivocally manifested by the comparative state of its population, its exports, its facility of borrowing, and its public expenditures.

As the money lent to the government is always taken from the excess of the annual revenue of the community above its annual consumption, and this excess is the fund of taxation as well as loans, a nation is always able to *pay* as long as it is able to *borrow*, and the ability to effect the one will always increase the ability to effect the other.

As the public credit will decline with the national solvency, there is a natural check to the exhausting of the public credit, which will compel the government either to lessen its expense, or to keep it stationary.

If from a sudden diminution of prosperity or any other cause public credit was so to decline as to produce a confusion in public affairs, or even a change in the government, the nation would be in fact neither richer nor poorer: while the proprietors of the public debt would be deprived of the incomes they received in the way of interest, the community at large would be gainers to the same amount, which they might use either in public improvements, or spend in additional gratifications; or finally the equilibrium may be restored, by their relaxing their industry when less impelled by the strong stimulus of necessity.

And lastly, so far as public debts stimulate to greater exertions of economy, labour, or skill, they may not only not impair, but even improve the present and future wealth of the nation: but so far as they intercept that which would be vested in the means of abridging and facilitating productive labour, they do impair it: and that in compelling those to work who would otherwise be idle, they are in a small degree favourable to human happiness, but in making the labouring class, which is far more numerous, poorer, and in lessening the enjoyments of the middling classes, they in a much higher degree diminish it.

CRITICISM.—FOR THE PORT FOLIO.

AMERICAN JURISPRUDENCE, written and published at Washington, being a few reflections suggested on reading "Wheaton on Captures." Pamphlet, pp. 52, 8vo.

LOWLY and unassuming as the title of this pamphlet is, if we may venture to believe that, in matters of mind, there exists al-

ways and necessarily a resemblance between parent and offspring, we pronounce it the production of no common intellect. Without pretending to decide on the soundness, in every point, of the doctrine which it maintains, we find it marked in most parts with a vigour of conception, and a force of argument, as often as the writer attempts to argue, which, wherever it may be read, will secure to it the respect of the reflecting and the intelligent. If we mistake not it is a publication, which, small as it is, will excite much attention, and perhaps no inconsiderable share of discussion, both here and in countries beyond the Atlantic. As far as it may become known—and we apprehend its circulation will not be very limited—a lively sensation it will certainly produce in the breast of every American and of every Englishman who are respectively devoted to their native soil.

In his estimate of the comparative force and cultivation of the intellect of the New and of the Old World, we are of opinion that our author has fallen short of the truth. From facts within our own knowledge we feel an assurance, that not only in the science of jurisprudence, but in every branch of knowledge and every department of art to which, from motives of necessity, interest, or ambition, the mind of America has been intensely and perseveringly applied, it has manifested, to say the least, an entire equality with the mind of Europe, both in native strength and acquired information. To the professions of physic and divinity we might safely have recourse for examples in confirmation of this position. In no country on earth are diseases, even those of the most complicated character and Herculean mould, combatted with more skill and effect; nor is the pulpit graced with more eloquence and piety, than in the United States. The physicians and divines of Europe exceed, perhaps, those of America in classical learning and the science of books; but, if we may be permitted to judge from the issue of things—and we know of no other basis so solid on which to found a satisfactory decision—they possess no superiority over them in the knowledge of those great practical truths that constitute the essence of both professions. In the skilful and vigorous application of these truths, it might, we think, were the occasion a suitable one, be made clearly to appear, that they fall beneath them. American physicians practise with the

same spirit and much in the same style and manner that American seamen fight—take deadly aim at the enemy they encounter, and rarely throw away a single shot. With much less of parade preparatory to the battle, they deal also, we think, much less in *brutum fulmen* during its continuance than the physicians of other countries.

Of the comparative amelioration of the codes of jurisprudence, civil, criminal, and commercial, in this country and in Great Britain, since the epoch of our independence, we leave to gentlemen of the law to judge. Our own studies have not been such as to qualify us seriously to engage in the inquiry. From all we have been able, however, to learn on the subject, we can have no hesitation in believing, that, touching this point, the United States has eminently the advantage. Nor do we think it probable that the warmest advocate for the excellence of English law will hazard the maintenance of the contrary opinion. The simple fact—for we have been told it is a fact—that several late improved British statutes are modelled after some that had been previously enacted in the United States, amounts to an acknowledgment by parliament itself, that the legislatures of this country have taken the lead of them in practical jurisprudence: and it is practice alone that can adequately test the soundness of laws and the wisdom of lawgivers. Indeed being situated in a section of the globe where there is less of precedent and authority to trammel us, and, of course, a fairer field for the exercise of observation, judgment, and experience, in adapting laws to the principles of our nature and the changes of circumstances, it follows almost as a matter of necessity that we must make improvements in the science of legislation.

Our author has endeavoured to make it appear, that the jurisprudence of England is in no degree benefitted by the custom which there prevails of the gentlemen of the law confining themselves exclusively to one branch of the profession.

This opinion, although contrary, as we believe, to that which usually obtains in relation to such cases, appears to us to rest on ground that is tenable. So pliable and elastic is the human mind, that, to a very great extent, it conforms with certainty and adapts itself with ease to the character and dimensions of the subject in the contemplation and pursuit of which it is steadily engaged. It

is thus that great occasions make great men, and great dangers intrepid men, the intellect and the spirit rising and swelling with the magnitude of the conjuncture; while the reverse of this is known to be no less true. Take two youths of equal talents, equal industry, and equal perseverance: place one in a narrow, and the other in an extended sphere of enterprise and action; and let them remain there till the meridian of life. The former will have become perfectly master of his duty, and will be found scrupulously correct in all his transactions: but the efforts of his mind will be feeble and sickly, and his ideas as restricted and undignified as his station. He will be in fact a common, if not in the true sense of the word, a little man. But essentially different will be the character of the latter: he will be, perhaps, somewhat less orderly than he whose case we have just considered; but vastly superior in every thing relating to action, elevation, and strength. The port of his mind will be lofty, its march vigorous and firm, its touch masculine, and all its views expanded and liberal. As far as the original texture of his intellect may admit, he will have become a great and an efficient man.

Nature abounds in analogies confirmatory of this truth. The well-born child that, till its third or fourth year, is much confined within the walls of a nursery, is greatly inferior in strength of muscle and boldness of spirit to the hardy little rustic that, from the period at which it can first walk, ranges freely over its paternal domain. The favourite bird that is imprisoned within a cage, has neither the vigour of wing nor the compass of note with its fellow that enjoys the freedom of the forest. Nor can the individual who, though given to reflection and versed in books, has never crossed the limits of the parish in which he was born, have his mind so expanded and liberalized, invigorated and stocked, as he who, other circumstances being alike, has added the advantages of travel to the study of letters.

In like manner, as we are inclined to believe, the gentleman of the forum, who circumscribes his studies and his practice within a single branch of his profession, however accurate and dexterous he may become in transacting the business appertaining to that particular sphere, must exhibit, in the main, an intellect much less amply endowed and invigorated than he who, possessing equal advantages from nature, has enriched his mind, and

made a trial of its strength, in every various department of the law. Besides, not to speak confidently on a subject with which we profess but a very limited acquaintance, we do suppose that there exists between the several branches of legal science, such an intercommunity in relation to matter and principle, that a knowledge of one contributes not a little towards a knowledge of the rest—much more, that a knowledge of all confers signal advantages in the practice of either. It is thus that the several kinds of troops of which an army is composed, riflemen and musketry, cavalry and artillery, light horse and heavy horse, although differing from each other in their discipline, as well as in the particular descriptions of service for which they are more especially intended, may all, by the arrangement of an able commander, be brought to act, in the same engagement, with harmonious and terrible effect on an enemy. Thus, also, the gentleman who wishes to enrich and ornament his walks and shrubbery with the indigenous plants of his own country, if he confine his researches to his immediate neighbourhood, will find his collection scanty and defective; but, by drawing also on the growth of other and more distant districts, his pleasure grounds may become a repository of all that is valuable, elegant, and rare.

But, respectable as is the manifestation of intellect made in this pamphlet, its moral qualities constitute by far its highest recommendation. Unembittered by party animosities, free from the poison of local jealousies, and unpolluted by foreign partialities, it is restricted by no narrownesses, sullied by no illiberalities, and is in soul and feature purely American. Breathing a firm and manly spirit, replete with sentiments lofty and free, independent and perfectly correct, and, hallowed throughout by a love of country, it will be found in unison with the loyal and well-regulated American heart, and cannot fail to command the approbation of the liberal and the patriotic in every part of the world to which it may find its way.

But the faults of our author, as well as his excellencies, claim our attention: for it is our wish, no less than our duty, to render justice and nothing more. His pamphlet, we are persuaded, is a hasty production. It is the rapid emptyings of the mind of a man of parts and acquirements, who thinks strongly and combines with

facility; but who, if we may judge from his diction, is much more accustomed to speak than to write. The style, if not tumid, is at least redundant and unfinished, and, from the use of words in a manner and under a signification not warranted by the science of lexicography, in many places incorrect. If the language, issuing, as we believe it does, from a high source, falls occasionally with the fluency and force of a mountain torrent, it has the misfortune to exhibit also not a little of its abruptness and irregularity.

Our author is of opinion that, to use his own language, "the law mind of the United States has, from adequate causes, been already accelerated and matured into as much force and discipline as it is likely to reach in any more distant period of the country's advancement."

On this point we are apprehensive that he has fallen into an error. Bright and elevated as is at present the rising forensic sun of our country, it has not attained its full meridian. Splendours more rich and radiant are yet in store for it, as it proceeds in its course. Greece and Rome were many centuries before they produced, the one a Demosthenes, the other a Cicero: and we should think more humbly than we do of the destinies of our country, did we not believe that it will be her lot hereafter to dazzle the world with a similar luminary; an event which has not yet occurred to shed lustre on her annals. The pre-eminence of the continent of America over every other quarter of the globe in the magnificence of its outline and the grandeur of its features—unequalled lakes and rivers, forests and mountains—with the excellence of its climates, the fertility of its soil, and the inexhaustibility of its mines of the precious metals—these considerations conjoined furnish a foundation of belief, by no means chimerical, that it is also destined to exhibit, in time, a decided superiority over other regions, in the intellect of its inhabitants. Be this hypothesis, however, true or false, still must we regard the event we are considering as likely to occur. Mind is very peculiarly the result of surrounding circumstances: and we feel assured that, with the lapse of years, circumstances will not fail to arise calculated to elevate even the "law mind" of America to a higher pitch than it has hitherto attained. A more crowded population will increase the number of chances for the appearance in our country of some superior genius: a more extended and substantial elementary

education will lay a broader and firmer basis for future greatness: with the multiplication of candidates for fame, competition will necessarily become more spirited and ardent: weightier occasions, higher rewards, and stronger motives of ambition will prove more powerful incentives to exertion and industry: the whole community will arrive at perfect maturity, a state of things that never fails to exercise an ameliorating influence over the individuals who compose it: the sun of a real Augustan age will, for many years, shine on America, rearing to perfection the talents of her children, as it has heretofore done in relation to several of the countries of Europe: these, and other circumstances of perhaps inferior moment, will concur hereafter to impart to the intellect of the United States an elevation and a splendour which will not only be strongly and most felicitously felt in the learned professions, the walks of science, and the departments of art, but will diffuse a cheering, ornamental, and invigorating influence through every avenue of refined life.

But we are, perhaps, doing injustice to our author in so long deferring to lay before our readers a few extracts from his pamphlet, to serve as a specimen of his style and manner.

In contrasting the bold and hardy independence of the American bar with the subserviency of the British tribunals of justice to the influence of parliament and the authority of the crown, he expresses himself as follows:

But he who has carefully surveyed the spirit of our own in contrast with that of British jurisprudence, deceives himself if he supposes that it mounts no higher in a disdainful exemption from all extraneous impression. Taking the remark in its genuine meaning, we are called upon to *invert* it before we can arrive at the bold anomaly which sits upon the stern portals of American justice. Here the courts are always in fact *interfering* with the government! Pass but an embargo law; pass but an act for the enlistment of minors; let the legislature venture to abolish a court, or touch with only the pressure of a hair the supposed rights of the citizen, and you will soon see what a storm will be raised about the ears of their supposed sovereign authority. Sometimes too, in its own way, it will rage terribly. The merchant, or the master, or the judge, or the citizen, declares he is aggrieved. The lawyers meet. They ponder, they deliberate, they analyze; they investigate; finally they denounce. Or, it may be, that they denounce first, and do all the rest afterwards. Then approaches a scene of high expectation.

We behold crowded lobbies, witness a palpitating array of judges, and barristers, and by-standers. The selected advocate rises, the motive to his duty is momentous, a crisis has arrived, posterity may be implicated in the decision; this is the exordium; and then—with a scrutinizing severity of critical examination, tasking the deepest stores of acquired learning and drawing upon the powers of an invention sharpened by patriotic or by unworthy passions, he proceeds to lay open the incompatibility of the exercise of the delegated trust with the limits and injunctions of the constitutional charter. If he be successful, as sometimes happens, away goes the act of congress or the act of assembly with all its virtues or all its blunders upon its head. The representatives of the people complain, but what follows? They submit to the defeat; or, roused by the discomfiture, are invoked anew to review their work, supplying its oversights, filling up its defects, and making it proof in short against the well directed, the bold, the ceaseless shocks of these terrible legal battering rams. The Constitution with captain Hull in her, did not come down upon the Gurriere in a spirit of more daring and triumphant energy than the Philadelphia or New-York lawyers will sometimes do upon a statute that happens to run a little amiss!

We do not say these things in any political feeling. We merely say them because they are so. We refer to them in illustration of some of the haughty and intractable features of American jurisprudence, and as marking in this respect certainly an opposition to the genius of the British. Looking upon the good and the bad, we are inclined to approve and admire such occasional bursts of intellectual and forensic rebellion, as having their seat in the very soul of liberty, and as better assuagers of the public uneasiness than any which monarchies can resort to in seasons of alarm; the more especially when co-operating with a press wholly exempt as to political matters, not only from previous, but (by the habits of the country) even all subsequent interposition. If they do sometimes embarrass they may in the long run do good, and, considering the complicated counterbalancings under which the machine of our freedom as it grows more vast and more magnificent is to work, contribute their subsidiary aid to the safety, the happiness, and the grandeur of the republic. The same providence which permits the lightning to rive the single oak, or blast the solitary traveller, freshens through its instrumentality the general atmosphere into purity and health.

He attempts, in a passage which we shall quote, to illustrate and establish by example, the narrowing and debilitating effect which an exclusive confinement to the study and practice of one branch of the law produces on the mind of a reporter of cases.

Endeavouring to divest ourselves as far as possible of the national feeling, we candidly think, that the English lawyers, taken in the bulk, bear up

on them, in the comparison with our own, something of the stamp of this rigidly exclusive occupation of the faculties.

Open, at random, a volume of Burrow or of East, and then do the same with one of Dallas or Cranch. We declare, that, to us, there seem in the general discussions of the former, a certain stiffness; nearly every thing appears to turn upon the memory; the argument is a statement, accurate if you will, but scarcely any thing in most instances beyond a naked statement, of the cases decided upon the same point, nicely fixed off in chronological order. The work, shall we add, appears to wind up like that of the mechanic, who has been less deeply engaged in thinking than in keeping to the rules of the trade. In those of the latter it strikes us that there is more freedom; more fulness; more learning poured out; more illustration borrowed from the whole science; more trials of the mind's strength in the higher province of reasoning; and, mixed with no dearth of authorities from the books, a more frequent mounting up to principles.

These are only opinions. We would by no means be understood as asserting them with any dogmatic confidence. The English have their's upon all subjects, and no doubt will upon this. There can be no harm in having and expressing ours. Those who do not think our way of accounting for them good, will not agree with us. It lately seemed strange, and to some inexplicable, that we should keep vanquishing their frigates, and their sloop of war, and their squadrons, with scarcely an exception, wherever we happened to find them; and yet so was the fact. Now, as their jurisprudence has been as long and is as justly their boast as their navy, who knows, if we could only get impartial arbiters, but that this country of their own peopling, might also be thought in danger of tearing from them some of the laurels of the law? We leave others to talk about the causes or effects of the war, and for ourselves have nothing more to do with its events than barely to try if we can draw from them some remote but possibly not imperceptible analogies to mix with our speculations. Humbly supposing that we have gone near towards surpassing them in the one line, we do not know that it ought wholly to shock belief should any one be bold enough to dream of our falling into the same unexpected sort of sacrilege in another!

We shall conclude with our author's contrast between the characters of sir William Scott, judge of the high court of admiralty of England, and the honourable John Marshall, chief justice of the United States. Touching the correctness of the delineation we do not profess ourselves competent to judge, the character of sir William being very little known to us; but it is executed in a descriptive and forcible style.

There is, indeed, at the present day in England a judge, perhaps their first, of the volumes containing whose decisions it has been said in the British house of commons, "that they were no less valuable to the classical reader than to the student of law by perpetuating the style in which the judgments of the court were delivered."* A man he is of dazzling mind. Born, we believe, a miller's son, he can talk of giving a *rusticum judicium*. Yet, surely, no judge upon the face of the earth was ever farther from having rendered such a one. His intellect is so polished that it has been called transparent. Some of his pages are as if diamond sparks were on them. When he deals in wit, it is like a sun-beam and gone as quick. But so much the worse; we pity the more the suitor, or the poor vice-admiralty judge, it may happen to hit. Abundant learning is also his. We must say of him, that if he wants qualities necessary to consummate the fame of a great judge, he has others which perhaps no judge ever possessed before, or in the same degree. It was said, "How sweet an Ovid was in Murray lost." But the judge we speak of is an Ariel. He holds a judicial wand. Touching the scales with it they at once look even, no matter what preponderance an instant before. How can such a judge be truly great? One day, in the midst of some of those beautiful little judicial aphorisms the web of which he can weave so fine, he declares "that astutia does not belong to a court." The next "that humanity is but its second virtue, justice being forever the first." The third that it is "monstrous to suppose that because one nation falls in to guilt others are let loose from the morality of public law." But a frost comes on the fourth! Certain retaliating orders are laid upon his desk, that shrine which no foreign touch ought ever to pollute. Unlike an illustrious British judge who has just returned from India, the pliant spirit bows obedience. Instead of the dignity of his mind upholding the independence of justice, its subtlety is enlisted to show that on her majestic form no violation was imprinted. In one breath admitting that the rescript of the throne was the rule of his decision, he strives in the next to hide the consciousness of judicial obeisance. In an argument where the utmost attenuation of thought is drawn out into corresponding exilities of expression, he labours with abortive yet splendid ingenuity to show, that justice and such rescripts must ever be in harmonious union. So spake not the Holts and the Hales! No doubt it is a keen, and an exquisite, and a suple mind. It can enchain its listeners. Leaving its strength, it can disport in its gambols; it can exhale its sweets. But is it, can it be great? Where is the lofty port when it can thus bend? Acknowledging its confinement within royal orders, can it hold, in true keeping, the divine attribute it was sworn to cherish unsullied? It is impossible.

There graces the first seat of judicial magistracy in this country a man of another stamp, and exhibiting different aspects of excellence. Venerable and dignified, laborious and intuitive, common law, chancery law, and adm-

* Lord Henry Petty, speaking of Robinson's Reports.

ralty law each make their demands upon his profound, his discriminating, and his well stored mind. Universal in his attainments in legal science, prompt and patient, courteous and firm, he fills up, by a combination of rare endowments, the measure of his difficult, his extensive, and his responsible duties; responsible not to the dictates of an executive, but, moving in a sphere of true independence, responsible to his conscience, to his country, and to his God. What a grand, and to a mind exalted and virtuous, what an awful sphere? How independent, how responsible! Vain would it be for us to expect to do justice to the full orb'd merit with which he moves in it. Bred up in a state rich in great names, counting her Washingtons, her Jeffersons, her Madisons, he long sustained a career of the highest reputation at the bar. Passing to the bench of the supreme court of the United States, he carried to its duties a mind matured by experience, and invigorated by long, daily, and successful toil. In the voluminous state of our jurisprudence, every portion of which is occasionally brought under his review, and in the novelties of our political state, often does it happen that questions are brought before him where the path is untrodden, where neither the book-case nor the record exist to guide, and where the elementary writer himself glimmers dimly. It is upon such occasions that he pierces what is dark, examines what is remote, separates what is entangled, and draws down analogies from the fountain of first principles. Seizing with a large grasp what few other minds at first see, he embodies his comprehensive and distinct conceptions in language not sarcastic, but suited to the gravity and to the solemnity of the temple around him; thus he is found always with masterly ability, and most frequently with conviction, to lay open and elucidate the difficult subject. If there be any applicable learning, to a mind so formed, so furnished, and so trained, it is reasonable to think that it will be at hand. Where there is none, the fertile deductions of its own independent vigour and clearness stand in the place of learning, and will become learning to those who are to live after him. His country alternately a neutral and a beligerent, again and again is he called upon to expound the volume of national law, to explore its intricate passages, to mark its nicest limitations. Upon such occasions, as well as upon the entire body of commercial law so copiously in the last resort intermingled with his adjudications, his recorded opinions will best make known to the world the penetration of his views, the extent of his knowledge, and the solidity of his judgment. They are a national treasure. Posterity will read in them as well the rule of conduct, as the monuments of a genius that would have done honour to any age or to any country. Such is the sketch we would attempt of the judicial character of the chief justice of our country. That country is on a swift wing to greatness and to glory. To the world at large the early day of her jurisprudence may remain unknown until then; but then it will break into light, and his name, like the Portesques and the Cokes of the early day of Eng-

land, fill perhaps even a wider region from the less local foundations upon which it will rest. Let the courts of England boast of Sir William Scott. Those of America will boast of John Marshall.

On the whole, this pamphlet, although we think it too limited fully to elucidate the subject of which it treats, is notwithstanding recommended as a work containing no inconsiderable amount of relevant and important matter, and well calculated, therefore, to excite interest whilst it communicates instruction. C.

FOR THE PORT FOLIO.

SOME ACCOUNT OF AN ORIGINAL PICTURE OF ADMIRAL SIR WILLIAM PENN.

THERE is an original portrait of the famous admiral, sir WILLIAM PENN, now in the possession of one of the descendants of the late Dr. Benjamin Franklin, in the city of Philadelphia. It is painted on board, and represents the admiral as a middle-aged man, attired in the habit usually worn about the middle of the seventeenth century. As a painting, this portrait possesses no great merit: the fine arts having been greatly depressed in England, during the fanatical times in which it must have been painted, it has consequently something of the puritanical cast. But as it is, doubtless, an *original* picture—and propably the *only* one extant—of that celebrated man, it is an interesting curiosity to the *virtuoso*;—more especially so, to a *Pennsylvanian*; as sir William Penn was father of that truly great man, who founded the now important *state* which bears his name.

The circumstances which relate to the introduction of this picture into Pennsylvania, are somewhat curious, and deserve to be known. The facts are these—Towards the close of the year 1759, Dr. Franklin, together with his son, the late governor Franklin of New Jersey, visited Scotland. While in that country, the doctor received particular attentions from the celebrated Henry Home, lord Kames—a character well known in the literary world; with whom he then passed some days, at his lordship's country-seat in the shire of Berwick. From this commencement of their personal acquaintance with each other, an epistolary correspondence subsisted between lord Kames and the doctor, until a

PICTURE OF ADMIRAL PENN.

few years before the death of the former, which occurred in the year 1782; when his lordship was in the eighty-seventh year of his age.

It appears, that some time prior to the year 1760, lord Kames had offered to Dr. Franklin the loan of Penn's picture: for in a letter to his lordship from the doctor, written from London on the 3d of January, in that year, he refers to this offer. It will appear, however, by the doctor's letter, that he had conceived the picture to be a portrait of William Penn, *the founder of Pennsylvania*;—perhaps, from lord Kames having only mentioned it as being "*Penn's picture*," without designating him as *admiral Penn*. That part of the doctor's letter which relates to this subject, is in these words:

"Your lordship's kind offer of *Penn's picture* is extremely obliging. But, were it certainly *his* picture, it would be too valuable a curiosity for me to think of accepting it. *I should only desire leave to take a copy of it.* I could wish to know the history of the picture before it came into your hands, and the grounds for supposing it *his*. I have at present some doubt about it: first, because the primitive quakers* used to declare against pictures as a vain expense: a man's suffering his portrait to be taken, was condemned as pride; and I think to this day it is very little practised among them. Then, it is on *board*; and I imagine the practice of painting portraits on boards did not come down so low as to Penn's time; but of this I am not certain. My other reason is, an anecdote I have heard; viz: that when old lord Cobham was adorning his gardens at Stowe, with the busts of famous men, he made inquiry of the family for a picture of *William Penn*, in order to get a bust formed from it; but could find none: that Sylvanus Bevan, an old quaker apothecary, remarkable for the notice he takes of countenances, and a *knack*† he has of *cutting in*

* *Admiral Penn's* religious creed was very unlike *quakerism*.

† The publisher of the letter above quoted, makes here, (in a note,) this just remark; "sure, *carving* in this *extraordinary* manner, *portraits in ivory*, is something more than a *knack*."—Dr. Franklin could not, most assuredly, have been ignorant, that the well executed medallion of William Penn, as large as the life, (and which, if the recollection of the writer of this article be correct, is in *demè-relievo*), now in the public library in Philadelphia, was done from a bust by Sylvanus Bevan. The head of the noble statue of Penn, at the Pennsylvania hospital, was modelled from the same bust:

PICTURE OF ADMIRAL PENN.

ivory, strong likenesses of persons he has once seen, hearing of lord Cobham's desire, set himself to recollect Penn's face, with which he had been well acquainted, and cut a little bust of him in ivory, which he sent to lord Cobham, without any letter or notice that it was Penn's. But my lord, who had personally known Penn, on seeing it immediately cried out, "whence came this? It is William Penn himself!" and from this little bust, the large one in the gardens was formed—I doubt, too, whether the whisker was not quite out of use, at the time when Penn must have been of the age appearing on the face of that picture. And yet, notwithstanding these reasons, I am not without some hope that it may be his, because I know some eminent quakers have their pictures drawn, and deposited with trusty friends; and I also know that there is extant, at Philadelphia, a very good picture of Mrs. Penn, his last wife. After all, I own I have a strong desire to be satisfied concerning this picture; and as Bevan is yet living here, and many other old quakers that remember William Penn, who died but in 1718, I would wish to have it sent me, carefully packed in a box, by the wagon, (for I would not trust it by sea,) that I may obtain their opinion. The charges I shall very cheerfully pay; and if it proves to be Penn's picture, I shall be greatly obliged to your lordship for leave to take a copy of it, and *will carefully return the original.*"*

It is very evident, from the whole tenor of the foregoing extract, that doctor Franklin imagined this picture, before he saw it, to be a portrait of William Penn, the founder of Pennsylvania: and it is even possible that lord Kames himself, who, probably,

and a fine medal was also struck from that model, before the American revolution—all of them are said to be strong likenesses. A pretty good engraving of the same illustrious man was likewise made, before the revolution, copied from a drawing of Du Simitiere taken from the medallion just mentioned.

* The following note refers to this part of the letter, in lord Woodhouselee's *Memoirs of the Life of Lord Kames*; viz.—"The picture here mentioned was sent to Dr. Franklin, according to his wish, and it was never returned.—It proved to be the portrait of *admiral Penn*; not *our William Penn's*, as the doctor supposed it to be; and *perhaps*, the doctor had obtained lord Kames's permission to retain it.

had never seen any likeness of *the great legislator*—thought that the portrait then in his possession was his. But, certainly it is not: it is wholly unlike him.

There is, however, no reason whatever for doubting that *this* picture is a portrait,—and an *original*, too,—of *admiral Penn*.* It is, therefore, an object of some interest to the curious, as has been already observed.

If this painting were the property of some one of our public institutions, it would be considered, in such a situation, as a valuable deposit:—the possessor may, perhaps, contemplate such a disposition of it, at a future day. But if this ought not to be reasonably expected; especially, if the gentleman now possessing the picture should think himself under any obligation to restore it to the family of the late lord Kames, it may be hoped, that some public-spirited artist, of celebrity (either painter or engraver,) in Philadelphia, will be induced to copy it with the permission of the present owner.

A PENNSYLVANIAN.

Lancaster, October 5, 1815.

VARIETY.—FOR THE PORT FOLIO.

MR. OLDSCHOOL,

I THINK I am safe in stating, that the best and most dignified measure of English poetry, whether in rhyme or blank verse, was heretofore considered to be the line of ten feet or syllables. In this it is, that Dryden has displayed his “long resounding march and energy divine;” and in this it is, that Pope has exemplified whatever of grace, of harmony and majesty, English versification is susceptible. In blank verse, Milton, Thomson, Young, and Armstrong, have also illustrated its strength and beauty.

* Sir William Penn was born in the year 1621, at the city of Bristol in England. At the age of twenty-one, he became a captain in the navy, at twenty-three, he was rear-admiral of Ireland; and he was made vice-admiral of England, at thirty-one, and general in the first Dutch war, at thirty-two. At the age of forty-three, he was appointed great captain-commander, under the duke of York.—This brave and distinguished sea officer died in 1670, at the age of forty-nine years; and was interred at Bristol, in that noble Gothic edifice, the church of St. Mary Radcliffe.

Before the time of Walter Scott and the songsters of the modern school, no poet composing in any other numbers, could have obtained a primary rank. He would never have been placed on the summit of Parnassus, and could have aspired to no more than a secondary character. He might be called a light and pleasing poet, but never a great or sublime one. But how far this interdiction to such a versifier was right, I will not take upon me to decide. Modern taste, indeed, seems to more than question its justice.

That my assertion, however, of its having been until the present age, our heroic measure, is correct, may be collected from the circumstance of all our most celebrated poets having adopted it. To Dryden and Pope, in rhyme, may be added the names of Young, Addison, Prior, Rowe, &c. and in later times, those of Goldsmith, Johnson, Hayley, &c. In long and serious poems it was always used, and deemed indispensable; witness Dryden's and Pitt's Virgil, Pope's Homer, Rowe's Lucan, Hoole's Tasso, Mickel's Camoens, Sotheby's translation of the Georgics, Addison's Campaign, Prior's Solomon, Young's Last Day and Universal Passion, Goldsmith's Traveller and Deserted Village, Johnson's London, Hayley's Poem on History.—What figure would these have made in the broken and uneven numbers of Scott? Still this gentleman (in spite of all, a poet) pertinaciously adheres to them, and in so doing, probably consults his reputation. His hitherto ambling movements, in which he may not unaptly be compared to a horse not yet broke to his gaits, but jumbling together, or using in quick succession, the trot, the pace, and the canter, have probably impaired his capacity for fine action, still to speak in horseman's phrase. He may therefore be utterly unable to assume, with any prospect of success, the epic march. Lord Byron, however, has got into it, as I perceive from the criticism with quotations, in a late Port Folio, on his Lara. The measure though has character, and to a nice ear is susceptible of great variety, and consequently has its degrees of elegance. Young's manner, for instance, in his rhyme, is neither that of Pope nor Dryden. Prior too has his peculiarity: so has Rowe, and so has Goldsmith. Johnson and Hayley in their happiest efforts, are Pope all over. This cannot be said of lord Byron, whose diction

is not that of the versifiers distinguished for ease and smoothness of numbers. It is somewhat harsh, stiff, and quaint; nevertheless it is forcible, and apparently well adapted to poetical portraiture. It frequently brings out a complete feature at a stroke. But it is not original, nor equal in harmony or variety to the model on which I suppose it to have been formed; that is, Rowe's translation of the *Pharsalia*. That the reader may judge for himself how far I am right in my conjecture, I will set before him, passages from the first book of the *Pharsalia*, in which Pompey and Cæsar are characterized. After these are read, let them be compared with the character of Lara and his page, by lord Byron.

Thee Pompey thy past deeds by turns infest,
And jealous glory burns within thy breast;
Thy fam'd Piratic laurel seems to fade
Beneath successful Cæsar's rising shade;
His Gallic wreaths thou viewest with anxious eyes
Above thy naval crowns triumphant rise.
Thee Cæsar thy long labours past incite,
Thy use of war, and custom of the fight:
While bold ambition prompts thee in the race,
And bids thy courage scorn a second place.
Superior pow'r fierce faction's dearest care,
One could not brook, and one disdain'd to share.
Justly to name the better cause, were hard,
Whilst greatest names for either side declar'd.
Victorious Cæsar by the gods was crown'd,
The vanquish'd party was by Cato own'd.
Nor came the rivals equal to the field;
One to increasing years began to yield,
Old age came creeping in the peaceful gown,
And civil functions weigh'd the soldier down;
Disus'd to arms, he turn'd him to the laws,
And pleas'd himself with popular applause;
With gifts and lib'ral bounty sought for fame,
And lov'd to hear the vulgar shout his name;
Still seem'd he to possess, and fill his place;
But stood the shadow of what once he was.

But Cæsar's greatness, and his strength, were more
Than past renown and antiquated power;
'Twas not the fame of what he once had been,
Or tales in old records and annals seen;

But 'twas a valour, restless, unconfined,
Which no success could sate, nor limits bind;
'Twas shame, a soldier's shame untaught to yield,
And blush for nothing but an ill fought field;
Fierce in his hopes he was nor knew to stay,
Where vengeance or ambition led the way;
Still prodigal of war whene'er withstood,
Nor spar'd to stain the guilty sword with blood;
Urging advantage he improv'd all odds,
And made the most of fortune and the gods;
Pleas'd to o'erturn whate'er withheld his prize,
And saw the ruin with rejoicing eyes.

Now, but a line or two taken at random, to show the similarity of lord Byron's manner and cadence. Speaking of the page, he says,

Light was his form, and darkly delicate
That brow whereon his native sun had sate,
But had not mark'd though in his beams he grew,
The cheek where oft the hidden blush shone through;
Yet not such blush as mounts when health would show
All the heart's hue in that delighted glow;
But 'twas a hectic tint of secret care
That for a burning moment fevered there, &c.

D. R.

July 17, 1815.

I HAVE already observed in speaking of fashion, that even war was not exempt from its overwhelming influence. And this, is no less exemplified in the sublime than in the minutiae of the man-slaying art; in its comprehensive policy and designs, than in its petty tactics and details, its pride, its pomp, and showy circumstance. To be convinced of the all-powerful dominion of mode over these accessories to military science, requires not the study of history. It only needs the employment of our eyes.

To trace it then from the dawn of Voltaire's fourth and greatest historical age, *La Siecle de Louis quatorze*, let us advert to the portrait of the vicomte de Turenne as given in the volume which details the campaigns of this great captain. We shall find the figure, the half length of it at least which appears, clad in armour, over

which a broad band or bib descends from the chin to the chest, covering in that part, a sash, which obliquely embraces the body from the right shoulder to the left haunch. Unfortunately, that all-important part of the military costume, the head covering, is omitted in the portrait, fully disclosing the ample and luxuriant locks of the mareschal, carefully parted on the top of the forehead and loosely descending in flowing ringlets on either shoulder, much in the manner of our great father Adam's, in Milton's *Paradise Lost*. The upper lip is decorated with a thin mustache, and a small tuft is also left about the middle of the lower one. Such, if there be truth in the graphical art, was the warlike form of the "godlike Turenne," who, by order of Louis the fourteenth, carried fire and sword into the Palatinate;* and not very different from it, probably, was that of the grand Condé, and those of the Walsteins, the Mercys, the Picolomines and Montecucullis of that martial age.

Turning from this *effigies* to that of the great duke of Marlborough, we find it also completely enveloped in armour, with a rapier suspended to the thigh, and an ample sash bound round the waist, but without a bib or tucker beneath the chin. Neither does any thing like a mustache or a whisker encroach upon the fair surface of the "human face divine." In place of the flowing locks of Turenne, the head of the duke is encompassed with a venerably majestic tie-wig, whose widely diffused curls, after gracefully embracing the temples and cheeks, "close their long glories" about the neck and shoulders. The figure, like that of the vicomte's, is unhappily not exhibited in a *sub dio* equipment; but the right hand, resting on a helmet placed on a table, sufficiently indicates what that would be: although it must be confessed, that a helmet and a perriwig seems to be but an incongruous sort of association, and such a one as we may confidently assume, was

* It is insinuated by some French writer, that though Turenne, as a soldier, was obliged to obey orders, he was not obliged to remain in command. And such was the fashionable mode of thinking in America, at the beginning of the revolution. Lord Effingham had given colour to it by laying down his commission; and, in the simplicity of our hearts, we publicly called upon Howe to do the same. The duties of soldiery are now better understood.

"never dreamt of in the philosophy" of the helmeted warriors of Homer's time. Thus, nevertheless, is this pink of the military men of his day depicted; and, in like guise, no doubt, did also figure his colleagues Eugene and D'Auverquerque, as well as the Tallards and the Marsins, and the Villarses, the Villeroy and Vendomes, of the opposing armies of France. An epigram of Voltaire upon an officer whose hair had been carried away by a cannon ball, is so exactly in point and confirmatory of my position, that I cannot forbear citing the conclusion of it:

On pretend que Cesar, le phenix des guerriers,
N'ayant plus de cheveux se coiffa de lauriers.
Cet ornement est beau, mais n'est plus de ce monde.

Si Cesar nous etait rendu,
Et q'en servant Louis il eut ete tondu
Il n'y gagnerait q'une peruque blonde.

That is, if Cæsar, restored to us, had been a warrior of the day, and shorn in the service of Louis, instead of the laurels with which he covered his baldness, his meed would have merely been a well powdered perriwig.

It ought, however, to be observed here, that there were exceptions to the mode, the most illustrious of which was found in the person of Charles the twelfth of Sweden. This mad hero of the north, disdained the use of the effeminate peruke, instead of which, he wore his own hair, miscrably thinly-stuck, as we are told, upon the pericranium, and displaying a truly royal altitude of forehead. But whether or not the example of the Swede, had any tendency to repudiate the peruke, it gradually lost its consequence, and not long afterwards was wholly laid aside, together with the use of armour, if this indeed was actually worn by Marlborough, or only gratuitously bestowed upon him by his painter, as I am inclined to believe, as a fancy or emblematic dress.

In a score or two of years after this, the military men of Europe, began to cherish with fond sedulity a luxuriant growth of hair, rising above the forehead in a well-pomatumed and well-powdered toupee, and descending from the nape behind either *en queue* or *ramilie* to the lowest region of the back. When equipped for the field, the hairy structure cemented with flour and grease was surmounted by a smartly cocked hat, whose forward projecting

bluff, turned well to the left, brought the right side of the triangular coiffure almost in front, nearly resting upon the nose (if aquiline all the better) and covering the right eyebrow; while the left, from the elevation of the beaver in that part, was fully displayed. If to this you add a sash and gorget (the insignia of duty) you have the outline of your gay, irresistible, lady-killing officer of the middle of the last century.

Such was the fashion, such, in part, the pride and pomp of the plumed troops, and the big war, in the time of the Braddocks, the Wolfes, and the Montcalms; and which reached with little or no variation to the era of our revolution. Need it be noted that whiskers then were not; and that your young soldier thought he could look fierce enough without them? Need it be mentioned, that the hair was sometimes boxed, that is, twisted or platted behind, turned up to the top of the head and there fastened by a comb or string; and need it be observed, that the coats, except of the light troops, were generally long, and the corners of each skirt hooked together, so as to bring into an uniform view the white linings, and take off a little the appearance of heaviness and incumbrance.

But how gothic, how clumsy, how paltry all this, when compared to the close-cropped hair, the capeless, the lappelless *just-a-courts* or round-a-bout of Buonaparte! The towering, tall-plumed chapeau, indeed, with its wide-spread corners drooping to the shoulders, seems not strictly in unison with the simplicity of the crop and round-a-bout. Still, no doubt, it is vastly becoming, military, and imposing; though to the disgrace of the taste of former time, even up to that of the revolution, it must be confessed, it would have been condemned as a ridiculous, swaggering piece of furniture, and consigned to the theatrical wardrobe, for the exclusive use of such *dramatis persona* as your captain Flashes, your major Sturgeons, your Daredevils, your Noll Bluffs and ancient Pistols.

The toilet unquestionably ranks high in the cluster of circumstances, that, in the language of Othello, tend to make ambition virtue. Nor is its influence only felt in relation to the person of the hero. Custom has assigned it an equally important duty, in the performance of which it operated by reaction. My allusion is to those ornaments of the fair, which take their

name either from that of the warrior himself, or the place become immortal from his splendid achievement—the Nelson such a thing, the Trafalgar such a thing, for instance. Nor let it be supposed that this is but a fashion of yesterday. Our ancestors, I am sometimes tempted to believe, were almost as wise and politic as ourselves; and who knows but the Grecian ladies at the time of the Trojan war, might have worn their Achilles this, their Ajax that, and their Diomed t'other thing! The first historical notice, however, of the custom which I recollect to have met with, was a compliment paid to the officers of the French army at the battle of Steinkirk, where the duke de Luxembourg had the good fortune to repel an unexpected night attack of William the third. Upon this occasion, we are told, the Parisian ladies adopted ornaments called Steinkirks, formed upon the model of the carelessly tied on cravats of the hastily dressed officers. Milliners and others employed in female decoration, are too sharp-sighted to their interest, not to profit by like devices when the occasion offers; and hence the continuance and probable perpetuation of a custom, stimulating no less to martial deeds, than

The Dorian mood
Of flutes and soft recorders; such as rais'd
To height of noblest temper, heroes old
Arming to battle; and instead of rage
Deliberate valour breath'd, firm and unmov'd
With dread of death, to flight or foul retreat.

From these influences of fashion in minor points, I had contemplated to pass to those of greater magnitude; but having already vented so much verbiage on this part of the subject, the other is reserved for a separate discussion.

INCOLA MUNDI.

The Poet's Creation.

WE doubt much whether an artist of abilities could in any way prepare a more curious and interesting gallery of paintings than by representing on canvass, in a suitable style, the various allegorical and other figures of their own creation, which the fancy of distinguished poets has from time to time imaged forth in their writings.

VARIETY.

For the amusement of our readers, we shall here throw together a few of those descriptive passages which might furnish excellent matter for the pencil of a painter engaged in the formation of such a gallery.

Picture of the Fury Alecto, drawn by Virgil, translated by Dryden.

Smear'd as she was with black Gorgonian blood,
The fury sprang above the Stygian flood:
And on her wicker wings, sublime through night,
She to the Latian palace took her flight;
There sought the queen's apartment, stood before
The peaceful threshold, and besieged the door—
From her black bloody locks the fury shakes
Her darling plague, the favourite of her snakes:
With her full force she threw the pois'nous dart,
And fix'd it deep within Amata's heart.

Figure of Fame, by the same writers.

Fame, the great ill, from small beginnings grows—
Swift from the first and every moment brings
New vigour to her flight, new pinions to her wings.
Soon grows the pigmy to gigantic size;
Her feet on earth, her forehead in the skies—
Swift is her walk, more swift her winged haste—
A monstrous phantom, horrible and vast.
As many plumes as raise her lofty flight,
So many piercing eyes enlarge her sight:
Millions of opening mouths to Fame belong;
And every mouth is furnish'd with a tongue;
And round with listening ears the plague is hung.

Figure of Despair, by Spenser.

The darksome cave they enter, where they find
That cursed man, low sitting on the ground,
Musing full sadly in his sullen mind;
His greasy locks, long growing and unbound
Disorder'd hung about his shoulders round,
And hid his face; through which his hollow eye
Look'd deadly dull, and stared as astound;
His raw cheek bones, through penury and pine,
Were shrunk into his jaws, as he did never dine.

VARIETY.

His garment, nought but many ragged clouts,
With thorns together pin'd and patched was,
The which his naked sides he wrapped abouts:
And him besides there lay upon the grass
A dreary corse, whose life away did pass,
All wallow'd in his own yet lukewarm blood,
That from his wound yet welled fresh, alas!
In which a rusty knife fast fixed stood,
And made an open passage for the gushing flood.

Picture of the "Spirit of the Cape," by Camoens.

I spoke, when rising through the darken'd air,
Appall'd we saw a hideous phantom glare;
High and enormous o'er the flood he tower'd
And thwart our way with sullen aspect lour'd:
An earthly paleness o'er his cheeks was spread,
Erect uprose his hair of wither'd red;
Writhing to speak, his sable lips disclose,
Sharp and disjoint'd, his gnashing teeth's blue rows;
His haggard beard flow'd quivering on the wind,
Revenge and horror in his mien combin'd;
His clouded front, by withering lightnings scar'd
The inward anguish of his soul declar'd.
His red eyes glowing, from their dusky caves
Shot livid fires: far echoing o'er the waves
His voice resounded, as the cavern'd shore
With hollow groan repeats the tempest's roar.
——the while, with visage ghastly wan,
His black lips trembling, thus the fiend began.

Figure of the Demon of War, by Barlow.

Columbus turn'd; when, rolling to the shore,
Swells o'er the seas an undulating roar;
Slow, dark, portentous, as the meteors sweep,
And curtain black the illimitable deep,
High stalks from surge to surge a demon form,
That howls through heaven, and breathes a billowing storm.
His head is hung with clouds; his giant hand
Flings a blue flame far fleckering to the land;
His blood-stained limbs drip carnage as he strides,
And taint with gory glume the staggering tides;
Like two red suns his quivering eye-balls glare
His mouth disgorges all the stores of war.

VARIETY.

Pikes, muskets, mortars, guns, and globes of fire,
 And lighted bombs, that fusing trails expire.
 Perch'd on his helmet, two twin sisters rode,
 The favourite offspring of the murderous God,
 Famine and Pestilence; whom whilom bore,
 His wife, grim Discord, on Trinacria's shore;
 When first their Cyclop sons, from Etna's forge
 Fill'd his foul magazine, his gaping gorge:
 Then earth convulsive groan'd, high shriek'd the air,
 And Hell, in gratulation, call'd him War.

The figure of Atlas, by the same.

'tis Atlas thron'd sublime,
 Great brother guardian of old Afric's clime;
 High o'er his coast he rears his frowning form,
 O'erlooks and calms his sky-borne fields of storm,
 Flings off the clouds that round his shoulders hung,
 And breaks from clogs of ice his trembling tongue;
 While far through space with rage and grief he glares,
 Heaves his hoar-head, and shakes the heaven he bears.

To these we shall only add,

Dante's picture of Fraud.

A saint-like face the latent fiend conceal'd,
 But the foul form her genuine race revealed,
 Though half immers'd within the sound:
 Thick sable plumes her shoulders broad array'd,
 Her nether shape a serpent train display'd,
 In many a gorgeous volume roll'd around:

and

Milton's well-known pictures of Sin and Death.

Sin.

Seeming woman to the waist, and fair,
 But ending foul in many a scaly fold
 Voluminous and vast, a serpent arm'd
 With mortal sting—

Death.

—black as night,
 Fierce as ten furies, terrible as hell,
 And shook a dreadful dart.

VARIETY.

In looking over these extracts our readers will have an opportunity of comparing with each other some of the finest passages of descriptive poetry in the English language. If a Shakespeare gallery be regarded as an object of taste and attraction, a gallery of the poets in general ought to be much more so.

ON THE DANGER OF BEING A WIT.

I WAS vastly pleased with some observations I lately came across on this subject. He who professes wit, said the writer, is in general so delighted with the praise and attention it procures, that he will suffer no consideration of propriety or charity to keep it within bounds; to raise the loudest laugh, and keep the table in a roar of merriment is his only object.

It cannot be denied, that this must be gratifying to a young man of lively parts, a warm imagination, and ambitious of fame; but in the delight of such enjoyments, he ought to recollect, in every large company, there are selfish, ill-natured people, who from envy, or for worse purposes, will not fail to circulate a joke which, perhaps, first originated from harmless levity; but which, diffused by these retailers of scandal, may render the object of it ridiculous for life, and ruin him forever as a commercial or professional man: for him at whom we have long laughed we shall soon despise.

A striking instance of this species of misapplication occurs in the life of Swift; who, conceiving an aversion against the political opinions of serjeant Bettesworth, a lawyer of abilities and reputation in the reign of queen Anne, made a rhyme to his name which attached an unconquerable ridicule to it, and by the barrister's own confession in the house of commons, deprived him of practice to the value of one thousand pounds a year.

Calling on the dean, Bettesworth threatened to chastise him, which the lampoon certainly deserved: yet Swift, of all party zealots the most malignant, pretended to make an outcry on the occasion, as if it was not he himself that had given the first blow.

Another common failing with men of wit, is that they are perpetually tempted to wander from matter of fact; so many little additions to, or deviations from it appear necessary to *varnish the tale*, that they become gradually reconciled to falsehood, forget that

the law of truth is, or ought to be inviolable and sacred, and at last consider the excellence of a story, as a sufficient apology for its being wholly unfounded.

But let us see whither these pursuits will lead. The enemies the wit has created (for no man likes to be made a joke of) and the provocations he receives sour his temper and exasperate his passions; anger gets the better of prudence, and he degenerates into a bully, a duelist, a satyrst or a cynic: the talent which first made him a public favourite, now estranges him from the common benefits of society, and he becomes a living proof that even in this life, judgments are prepared for the scorner.

Since I am upon this subject, Mr. Editor, I will relate in addition an anecdote in point, and which is well known in England to be true.—Warton lost his election to the headship of Trinity college, Oxford, by an indiscreet indulgence of his wit. As one of the fellows of that society, by no means remarkable for wisdom, was reading prayers, he came to that verse in the Psalms, "Lord thou knowest my simpleness."—"Why," said Warton, "that is known to every body." When the headship was vacant, Warton asked his friend for his vote, which happened to be the casting one.—"No, no," replied he, "I am not so simple as that;" and Warton lost his election. Such is the curse of wit!—Yet who is he that would not accept it with all its inconveniencies and hazards?

THOUGHTS ON DEATH.

MILTON has very judiciously represented the father of mankind, as seized with horror and astonishment at the sight of death, represented to him on the mount of Vision. For surely nothing can so much disturb the passions, or perplex the intellects of man, as a disruption of his union with visible nature, a separation from every thing that has hitherto engaged or delighted him; a change not only of the place, but the manner of his being: an entrance into a state, not simply unknown, but which perhaps he has not faculties to know, an immediate and perceptible communication with the Supreme Being, and what is above all distressful and alarming, the final sentence, and unalterable allotment.

Yet we, whom the shortness of life has made acquainted with mortality, can, without emotion, see generations of men pass away, are at leisure to establish modes of sorrow, to adjust the ceremonials of death, look upon funeral pomp as a circumstance in which we have no concern, and turn away from it to trifles and amusements without dejection of look, or inquietude of spirit.

It is indeed apparent from the constitution of the world, that there must be a time for other thoughts; and a perpetual meditation upon the last hour, however it may become the solitude of a monastery, is inconsistent with the duties of common life. But surely the remembrance of death ought to predominate in our minds as an habitual and settled principle, always operating, though not always perceived; and our attention wanders so far from our own condition, as not to be recalled and fixed by the sight of an event which must soon, we know not how soon, happen likewise to ourselves, and of which though we cannot appoint the time, we may secure the consequence.

Yet, though every instance of death may justly awaken our fears, and quicken our vigilance, it seldom happens that we are much alarmed, unless some close connexion is broken, some scheme frustrated, or some hope defeated. There are many, therefore, who seem to live without any reflection on the end of life, because they are wholly involved within themselves, and look on others as unworthy their notice, without any expectation of receiving, or intention of bestowing good.

It is indeed impossible without some mortification of that desire which every man feels of being remembered and lamented, to behold how little concern is caused by the eternal departure even of those who have passed their lives with public honours, and been distinguished by superior qualities, or extraordinary performances. It is not possible to be regarded with tenderness, except by a few. That merit which gives reputation and renown diffuses its influence to a wide compass, but acts weakly in every single breast: it is placed at a distance from common spectators, and shines like one of the remote stars, of which the light reaches us, but not the heat. The wit, the hero, the philosopher, whom either their tempers, or their fortunes have hindered from intimate relations, or tender intercourses, die often without any other effect,

than that of adding a new topic to the conversation of the day, and impress none with any fresh conviction of the fragility of our nature, because none had any particular interest in their lives, or were united to them by a reciprocation of benefits and endearments.

Thus we find it often happens, that they who, in their lives have excited applause, and attracted admiration, are at length laid in the dust without the common honour of a stone; because by those excellencies with which many have been delighted, none have been obliged; and though they had many to celebrate them, they had none to love them.

Custom so far regulates the sentiments at least of common minds, that men may be generally observed to grow less tender as they advance in age; and he who, when life was new, melted at the loss of every companion, can, in time, look without concern upon the grave into which his last friend was thrown, and into which he himself is ready to fall; not because he is more willing to die than formerly, but because he is more familiar with the death of others, and therefore not alarmed so far as to consider how much nearer he approaches to his end. But this is tamely to submit to the tyranny of accident, and to suffer our reason to lie useless. Every funeral may be justly considered as a summons to prepare for that state, into which it is a proof that we must sometime enter, and a summons more hard and piercing, as the event of which it warns us is at less distance. To neglect at any time making preparations for death, is to sleep on our post at a siege; but to omit it in old age, is to sleep during an attack.

It has always seemed to me one of the most striking passages in the Visions of Quevedo, where he stigmatizes those as fools who complain that they failed of happiness by sudden death. "How, says he, can death be sudden to a being who always knew that he must die, and that the time of his death was uncertain?"

Since there are not wanting admonitions of our mortality to preserve it active in our minds, nothing can more properly renew the impression, than the examples which every day supplies; and as the great incentives to virtue is the reflection that we must die, it may be useful to accustom ourselves, whenever we see a funeral,

to consider how soon we may be added to the number of those whose probation is past, and whose happiness or misery shall endure forever.

The following letter from lord Bolingbroke to Pope, is not to be found, at least we have not been able to discover it in any collection of the letters, published in the works of the authors contemporary with these great men. It is an original, and exhibits a lively specimen of the style of the noble author; and unfolds his sentiments on the depravity of mankind, and his opinion of the poetry of Addison.

DEAR POPE,

I do not know how it is, but the air of Twickenham agrees with me considerably better than a residence in town; and I find a greater share of satisfaction at the bottom of your little garden, than ever I experienced in the bustle of a court. Possibly this may proceed from a proper estimation of your worth, and a just opinion of all the ambitious coronets, or fawning sycophants I was once surrounded with. Certain it is, however, the dignity of human nature lessens my notions of things, according to the knowledge I have of mankind; and the more intimate I become with the generality of people, the greater occasion I have to despise them. The felon at the bar, and the judge upon the bench, are stimulated by the same motives, though they act in different capacities; for the one but plunders through a hope of gain: and let me ask, if the other would take any pains in the administration of justice, without a reasonable gratuity for his labour.

This you will say may be carrying things too far, and possibly it may be so—yet, though a particular instance or two may be brought to contradict an observation of this kind, they can by no means be produced as arguments against universal depravity. I am greatly pleased with a remark which Swift made a few days ago in a conversation which we had on this subject:—I need not tell you how sour the dean is in his sentiments of the world;—but I think the following declaration is not more distinguished for its severity than supported by its justice: "Were we, said he, to make a nice examination into the actions of every man, we should find

one half of the world to be rogues, and the other half to be block-heads. The latter half may be divided into two classes—the good-natured blockhead, and the sensible; the one, through an easiness of temper, is always liable to be ill used; the other, through an excess of vanity, is frequently exposed to be wretched. Mutual confidence and real friendship are very pretty words, but seldom carry any meaning; no man will entertain an opinion of another, which is opposite to his own interest; and a nod from a great man, or a smile from a strumpet, will set a couple of block-heads by the ears, who, a moment before, would have ventured their lives for each others reputation!”

Lord Peterborough dined with me yesterday. I have a high idea of the goodness of this nobleman's heart, though it may be brought as a proof against my favourite system; but he is of a turn so excessively romantic, that I cannot be equally prejudiced in favour of his understanding. I have no notion of a man's perpetually exposing himself to unnecessary dangers for the mere sake of being talked of; or through a ridiculous thirst for military glory, venturing a life which should be preserved for the service of his prince and the interest of his country. My motive for saying this is neither founded upon pique, nor directed by ill-nature. My lord is a man for whom I have a most perfect regard, and my esteem alone is the reason why I may be so extremely sensible of his errors.

I saw Addison this morning—somehow or other, Pope, I can by no means think that man an excellent poet: his prose is very well—but there is a heaviness about his versification which is totally inconsistent with elegance and spirit, and which though it may, in the thoughts of some people, carry much judgment, is in my opinion a proof of very little genius. I am far, you know, from being fond of eternal epithets in poetry, or endless endeavours at sublimity of expression; but I would have it exalted a little above prose in the most humble species, and carry an air of some dignity and importance.

Trivial as the remark may appear, it is very well for a boy of fourteen who was reading Cato, and coming to that part which is so highly celebrated by some of the author's friends,

“So the pure limpid stream when foul with stains;”

the lad burst into a fit of laughing, and cried, here is a bull—whoever thought that a stream could be pure and limpid, yet at the same time foul with stains? I could not help joining the laugh at the archness of the boy's observation, though the criticism might seem too low for judgments of more experience and maturity. But why do I entertain a fellow of your abilities in this manner, who are so greatly a superior master of the subject. I am somewhat fond of scribbling, and become trifling for the sake of spinning out a letter.—If possible, I shall take an airing down your way on Saturday, and pray let me have a little leg of lamb, with some spinnach and plain butter, to regale on. Where I dine in town, they starve me with luxury; and I have sat at many a table where I had not a bit of any thing to eat, because I had too much of every thing. You and I can go down to the bottom of the garden, and manage a bottle or two of that excellent ale after dinner, and enjoy what you are good-naturedly pleased to call

“The feast of reason, and the flow of soul.”

Farewell, dear Pope, and believe me to be your own

BOLINGBROKE.

SUPERIORITY OF SHAKSPEARE'S DESCRIPTION OF NIGHT.

Mr. Oldschool,

In an old shattered British publication which I have long had lying by me, and from which I have heretofore extracted some very interesting pieces for your Port Folio, I extract the following:

CR.

Of all the topics on which the poets, ancient and modern, have exercised their imaginations, and vied, as it were, with each other, for the victory, there is not one that has been more generally or more successfully attempted than the description of the night. Homer and Apollonius among the Greek, Virgil and Statius among the Roman writers, seem to have put forth all their strength on this favourite point; and have each found their several admirers, who have weighed and adjusted their several pretensions with a scrupulous exactness. Great as their merits are, I

shall, with the leave of the critics, venture to assert that they have all been eclipsed, in this one article, by the poets of our own language. The copy of Homer's night-piece has received some delicate touches and exquisite heightenings from the pencil of Pope, which render it superior to the original; and Shakspeare's dreadful description in Macbeth (not to mention the pleasingly picturesque one in Milton) infinitely excels all that have preceded it, as being an assemblage of the most striking images perhaps that nature itself can afford, or poetic fancy can form.

MACBETH alone.

"Now o'er one half the world
Nature seems dead, and wicked dreams abuse
The curtain'd sleep; now Witchcraft celebrates
Pale Hecate's offerings, and wither'd Murder
(Alarm'd by his sentinel, the wolf,
Whose howl's his watch) thus with his stealthy pace,
With Tarquin's ravishing strides, towards his design
Moves like a ghost.*"

This is truly a *night of horror*. We see here one half the globe buried in the profoundest sleep, except the three great enemies of mankind, *lust*, *witchcraft*, and *murder*; and them, too, waking only to perpetrate their deeds of darkness. *We shudder whilst we read*. We look round, affrighted and alarmed, expecting every moment to see the assassin's dagger lifted against us. The additional horror which Mr. Garrick's inimitably awful pronunciation breathed over this soliloquy, the last time I heard him repeat it, threw me into this train of thinking, and occasioned me, at my return home, to turn to the several descriptions before alluded to, and to some other celebrated ones of our English authors. Among these, none, I think, approaches so near to the merit of Shakspeare's as that of Marston, his cotemporary, in the opening of his tragedy called Antonio's Revenge.

* The picture by young Leslie now exhibited in the _____ and designed from this passage, produces upon the fancy effects little less powerful than the lines themselves. Seldom has the witchery of that poet been better seconded by the pencil of the artist. *We shudder while we look at it.*

CR.

PIERO solus.

'Tis yet dead night: yet all the earth is cloucht
In the dull, leaden hand of snoring Sleep.
No breath disturbs the quiet of the air;
No spirit moves upon the breast of earth,
Save howling dogs, night crows, and screech owls;
Save meagre ghosts, Piero, and black thoughts.

My edition of this play is of the year 1602: it is certain therefore that Shakspeare had read it, before he wrote his Macbeth; in all likelihood had played a part in it, since we learn from Langbaine (catalogue of Dramatic authors, article MARSTON) that all Marston's pieces had been performed and "approved by the audience at Blackfriars." It is, however, very observable, that although this description consists of so many just and natural images, and is worked up with such strength and propriety of diction, with some of the most expressive and characteristic epithets in the English language; yet such is the originality of Shakspeare's genius, that he has not copied even a single image (for the ghost is introduced only by way of simile,) nor adopted more than one epithet in his own description, and that too has been considerably improved in his hands, by the manner in which he has applied it. Marston confines his ideas to the night alone, and this, by a bold metaphor, he represents as being actually *dead*. Shakspeare, with a much bolder flight of fancy, extends the epithet to Nature herself; but at the same time with the strictest attention to propriety and truth, qualifies its force by the verb he makes use of. "*Nature seems DEAD*." Dryden, struck with the beauty and forcibleness of this image, has transplanted it into that well-known description in the conquest of Mexico:

"All things are hush'd as *Nature's* self lay *dead*;

where it constitutes the principal figure in the piece; being equally just and noble in itself, and rising still higher in estimation from a comparison with the many *conceits* and affected prettinesses that appear in the succeeding lines:

The mountains seem to nod their drowsy heads;
The little birds in dreams their songs repeat,
And sleeping flow'rs beneath the night-dew sweat.

There is another description of night which has been much and deservedly admired; I mean that of Lee in his *Theodocius*: but had one of the critics, who has noticed it,* known how greatly it is indebted to Marston's for its principal beauties, he would not probably have passed over the old bard without allowing him his due proportion of the praise.

"Tis night, *dead night*, and weary Nature lies
So fast, as if she never were to rise;
No breath of wind now whispers through the trees,
No noise at land, nor murmur in the seas:
Lean wolves forget to *howl* at Night's pale noon,
No wakeful dogs bark at the silent moon
Nor bay the ghosts that glide with horror by,
To view the caverns where their bodies lie:
The ravens perch, and no presages give
Nor to the windows of the dying cleave;
The owls forget to scream, no midnight sound
Calls drowsy Echo from the hollow ground;
In vaults the walking fires extinguished lie
The stars, heaven's sentry, wink, and seem to die.

Almost every image is evidently taken from Marston; that of the stars, which are quaintly termed *heaven's sentry*, is from a passage of the old poet, no less quaint, in the same scene with his description of the night:

—Von horrid scouts
That *sentinel* swart night.

It is, however, somewhat surprising that Lee, when he was copying should omit the finest image of the whole—*black thoughts*—especially as it would so admirably have suited the temper and situation of Varones's mind, at the time the poet puts these beautiful lines into his mouth, which is just before he destroys himself.

The sixth scene of the first act of *Macbeth* begins with a short dialogue between the king and Banquo, which, though very beautiful, is hardly noticed by any but the judicious few, in perusal. The king, on a visit to *Macbeth*, has just arrived with his attendants at the gate of the castle of *Inverness*, and, struck with the beauties of its situation, says—

This castle hath a pleasant seat; the air
Nimble and sweetly recommends itself
Unto our gentle senses.

* Trapp, in his notes on the 4th book of the *Æneid*.

BANQUO — This guest of summer,
The temple-haunting martlet, does approve,
By his lov'd mansionry, that the heaven's breath
Smells wooingly here: no jetty frieze,
Buttress, nor coigne of vantage, but this bird
Hath made his pendant bed, and procreant cradle:
Where they most breed and haunt, I have observ'd,
The air is delicate.

Sir Joshua, whose authority as a critic and philosopher is considered by the learned as little less absolute than as an artist, has left the following judicious remarks upon this little passage:

"The short dialogue between Duncan and Banquo, whilst they are approaching the gates of *Macbeth's* castle, has always appeared to me a striking instance of what in painting is termed *repose*. Their conversation very naturally turns upon the beauty of its situation, and the pleasantness of the air; and Banquo, observing the martlet's nests in every recess of the cornice, remarks, that where those birds must breed and haunt, the air is delicate. The subject of this quiet and easy conversation gives that repose so necessary to the mind after the tumultuous bustle of the preceding scenes, and perfectly contrasts the scene of horror that immediately succeeds." It seems as if Shakspeare asked himself, what is a prince likely to say to his attendants on such an occasion? whereas the modern writers seem, on the contrary, to be always searching for new thoughts, such as would never occur to men in the situation which is represented.—This also is frequently the practice of Homer, who, from the midst of battles and horrors, relieves and refreshes the mind of the reader by introducing some quiet rural image, or picture of familiar domestic life."

ANECDOTE.

One of the most servile and active coadjutors of the sanguinary Coilet d'Herbois, during the dreadful period of his proconsulship at Lyons, was an actor of the name of *Fusil*, who became afterwards, by appointment, a performer at the "Theatre de la Republique," at Paris. During the reign of carnage and terror, the Parisians were compelled to endure this ruffian's appearance with silent indignation; but no sooner was the storm passed over their heads, than they seized a signal opportunity to testify their just abhorrence of so execrable a wretch.

One evening, after the performance of the first piece, a paper was thrown on the stage, which the audience were given to understand consisted of a copy of verses entitled "*Le Reveil du Peuple*"—(the rousing of the people.) With tumultuous vociferations, the spectators demanded that Fusil should come forward and make known the contents of the paper. Appalled and unnerved by the sudden outcry, Fusil hesitated to obey the summons, nor could be induced to make his expiatory *debut*, till the uproar increased to so alarming a pitch as to threaten the most fatal consequences. When his trembling hands had unfolded the scroll, on a sudden the universal silence which had ensued upon his appearance was broken by loud cries of "take a taper in your hand, that is the manner after which public penance is performed!"—Fusil was forced to comply. He then began to read aloud the famous "*Reveil du Peuple*," which was so universally sung after the downfall of Robespierre. Upon reciting the stanza,

Quelle est cette lenteur barbare?
Hate toi, peuple souverain!
De rendre aux antres du Tenare
Ces buveurs du sang humain!

the theatre was rent with shouts of "encore! encore!"—repeat the sentence, monster! and Fusil's quivering lips again pronounced the fatal lines. He then continued

Souffrez vous q'une horde atroce,
Et d'assassins, et de brigands
Souille de leur souffle feroce
Le territoire des vivans?

The audience now imagined that he had undergone ample humiliation, and insisted upon the appearance of two other jacobin performers, but they were not to be found. Their deservedly esteemed Talmathen came forward—Not *you*, not *you*—*you* are no jacobin! shouted the spectators—*you* are no ruffian—*you* are a true *patriot*!—But his hearing a cry raised which seemed to question his real attachment to the principles he professed, pathetically exclaimed, "citizens, citizens! *all my friends died on the scaffold*." From every part of the theatre this short but mournful allusion to recent events was received with groans and sighs and tears: not a person present but seemed to feel that he had lost a father or a brother, a consort or a friend.

INDIAN ELOQUENCE.

The following speech of the chief BIG ELK, is worthy of preservation in the history of American eloquence. For the high-minded feeling and compass of intellect which it exhibits, we doubt if it be surpassed by any morsel of the kind that has been placed on record—the celebrated speech of Logan not excepted.

That our readers may examine and compare at their leisure, and to the more advantage, these two specimens of Indian eloquence, we publish them together.

"On the night of the 14th July, the Black Buffalo, principal chief of the Teton tribe of Indians, departed this life at Portage Des Sioux. The succeeding day he was solemnly interred with the honours of war. Robert Wash, Esq. secretary to the commissioners, has furnished the following speech, delivered over the grave by the BIG ELK, Maha chief. It is truly eloquent, and is literally given."—*Edit. West Journal*.

BIG ELK'S SPEECH.

Do not grieve. Misfortunes will happen to the wisest and best men. Death will come, and always comes out of season. It is the command of the Great Spirit, and all nations and people must obey. What is past and cannot be prevented, should not be grieved for. Be not discouraged or displeased, then, that in visiting your father here you have lost your chief. A misfortune of this kind may never again befall you; but this would have attended you perhaps at your own village. Five times have I visited this land and never returned with sorrow or pain. Misfortunes do not flourish particularly in our path. They grow every where. (*Addressing himself to governor Edwards and Col Miller*.) What a misfortune for me that I could not have died this day, instead of the chief that lies before us. The trifling loss my nation would have sustained in my death, would have been doubly paid for, by the honours of my burial.—They would have wiped off every thing like regret. Instead of being covered with a cloud of sorrow, my warriors would have felt the sunshine of joy in their hearts. To me it would have been a most glorious occurrence. Hereafter, when I die at home, instead of a noble grave and a grand proces-

sion, the rolling music and the thundering cannon, with a flag waving at my head—I shall be wrapped in a robe, (an old robe perhaps) and hoisted on a slender scaffold to the whistling winds, soon to be blown to the earth—my flesh to be devoured by the wolves, and my bones rattled on the plain by the wild beasts.

(Addresses himself to Col. Miller.)

CHIEF OF THE SOLDIERS,
Your labours have not been in vain. Your attention shall not be forgotten. My nation shall know the respect that is paid over the dead.—When I return I will echo the sound of your guns.

SPEECH OF LOGAN.

I APPEAL to any white man to say, if ever he entered Logan's cabin hungry, and he gave him not meat: if ever he came cold and naked, and he clothed him not. During the course of the last long and bloody war, Logan remained idle in his cabin, an advocate for peace. Such was my love for the whites, that my countrymen pointed as they passed, and said, 'Logan is the friend of white men.' I had even thought to have lived with you, but for the injuries of one man. Colonel Cresap, the last spring, in cold blood, and unprovoked, murdered all the relations of Logan, not even sparing my women and children. There runs not a drop of my blood in the veins of any living creature. This called on me for revenge. I have sought it: I have killed many: I have fully glutted my vengeance: for my country I rejoice at the beams of peace. But do not harbour a thought that mine is the joy of fear. Logan never felt fear. He will not turn on his heel to save his life. Who is there to mourn for Logan?—Not one.

EXPERIMENTS MADE WITH THE LARGE BURNING-GLASS OF
DICKINSON COLLEGE, UNDER THE DIRECTION OF PROFES-
SOR COOPER.

This lens was purchased by the trustees of Dickinson college from the son of the late Dr. Priestley. It was made by the same Mr. Parker of Fleet-street, London, who constructed the celebrated burning-glass sent, among other presents, to the em-

peror of China; and which was esteemed the most powerful ingenuity and perseverance had produced. The burning-glass of Dickinson college may be considered as one of the best in the United States. It is made of flint glass, and compounded of two lenses, both double convex, of solid glass.

The diameter of the large lens is in the frame $16\frac{1}{2}$ inches.
surface exposed, $15\frac{1}{2}$

Its thickness at the centre, $1\frac{5}{10}$ inches.
at the edge, $\frac{4}{10}$ ths of an inch.

Its focal distance, 2 feet $11\frac{3}{10}$ inches.

The diameter of the small lens is $6\frac{1}{4}$ inches.

Its focal distance, 1 foot $5\frac{1}{2}$ inches.

Both glasses are fixed in a wooden frame, which turns on a pivot and slides on a brass bow, and can be moved with ease horizontally or perpendicularly. The smaller lens is placed at such a distance from the large one as that the diameter of a cone of rays falling on the small lens is equal to the diameter of the small lens.

Substances fused, with their weight and time of fusion.

Fahrenheit's thermometer at eighty-six degrees in the sun, and seventy-four degrees in the shade.

Silver—7 gr. melted in two seconds.

Copper—22 gr. melted in thirty seconds.

Bar iron—18 gr. partly melted in five minutes.

Antimony—25 gr. melted instantaneously.

Flint glass—5 gr. melted in forty seconds.

Green glass—6 gr. melted in thirty-five seconds.

Fahrenheit's thermometer at one hundred and one degrees in the sun, eighty-six in the shade.

Crystal of limestone—in four minutes partly reduced to lime.

Glass coloured by gold—in thirty seconds ran into a beautiful globule of variegated colours.

Blue clay from Jersey—6 gr. in one minute melted and ran into a globule.

Asbestos—became instantaneously red hot, but not otherwise affected.

Clay and lime—in equal proportions instantaneously melted into a glass globule.

Lime and quartz—3 gr. each, melted in thirty seconds.

Clay, quartz, and lime—3 gr. each, in thirty-five seconds melted into a glass.

Mica—in ten seconds partly melted.

Precious serpentine—in two minutes changed in colour and reduced in weight.

Platina in grains—in five minutes agglutinated into a mass.

Iron filings—in three seconds partly melted.

Red lead and charcoal—in ten seconds the lead reduced to its metallic state.

Pyrites or sulphate of iron—the sulphur driven off and the iron reduced to the metallic state, which was proved by the magnet attracting it.

Porcelain clay from Armstrong county, Penn. in five minutes partly changed its colour.

A cork, suspended in a decanter of clear water, was slightly charred.

All the above substances were placed on charcoal when exposed to the lens.

Carlisle, September 20, 1815.

H.

ORIGINAL POETRY.—FOR THE PORT FOLIO.

MR OLDSCHOOL,

Among the many candidates for regal dignity, I have ventured to establish one upon the throne, who, in point of dominion, has certainly a right to be elevated to that distinguished situation. The "Water King," and "Fire-King," and "Erl-King," by monk Lewis, The "Ale-King,"—the "French King," by the allies, and above all the host of "Kings," by Bonaparte, are in my opinion no more entitled to their stations on the score of power, than the new monarch whom I now submit to your attention.

THE AVARICE KING.

Who is he with the golden wand,
And eyes of diamonds bright,
With mines of riches in either hand,
And around his head an emerald band,
And his teeth of chrystal white?

'Tis the Avarice King in his brilliant form,

'Tis the lord of the Burning-hill,

He rides on the lightning amid the storm,

And his heart is cold, though his hand be warm,

When the flashes glance at his will.

His throne is formed of the ruby red,

And the marble white and fair,

And the pearls that glisten around his head,

Are the bright sparkling tears by Beauty shed,

Preserved in triumph there.

And a glittering temple flashes high,

Where orange jacinths shine,

And the amethyst, and the sapphire vie,

With the jasper, agate, and porphyry,

And emerald laurels twine.

But who is he with the face of wo,

And the hollow, blood-shot eye,

Which glances on all, as if man were his foe,

And red matted hair, interspersed with the snow,

Of many a year gone by?

'Tis the Avarice King in his mortal form,

'Tis the lord of the Burning-hill,

But Want has palsied his fleshless arm,

And his soul is torn by the canker-worm,

And his heart is cold and chill.

But his hand is warm, though his heart be cold

As he presses the miser's brow,

And sweet are the golden tales that are told,

And bright are the mines of wealth they unfold,

And rich the streams that flow.

But the swelling form of the speckled toad,

Or the rattlesnake's hiss in the ear,

Or the foetid horrors of Death's abode,

Or the slimy trace of the earth-worm's road,

Or the midnight groan of fear,

Are not so dread to the noble soul,
As the sound of the monster's voice,
For the softest songs of melody roll,
And the miser bends to the dark control
Of the idol god of his choice.

"See ye the temple that flashes high
On top of the Burning-hill,
Where the amethyst and the sapphire vie,
And a million gems of the purest die,
Obedient to thy will.

"And see ye not the sun that shines,
And glitters in endless day;
'Tis the purest topaz of Indian mines,
And the gemmy wreath that round it twines,
Must guide thee on thy way.

"And sparkles not on thy dazzled sight
Yon soft, transparent rill?
For every drop is a diamond bright,
And every diamond a fire to light
Thy steps to the Burning-hill.

"Then haste away to the Burning-hill,
The rocks and the precipice brave,
E'er the winter of age thy blood shall chill,
And Death bid the pulse of thy heart be still,
And thy form be laid in the grave.

"The slaves of the Avarice King shall guide
Thy footsteps on the way,
And frugal Penury be thy bride,
And Poverty cheer thee side by side,
Throughout the live-long day."

Thus he breathes in the miser's ear,
But poison lives in his breath,
And the miser's veins are chill'd with fear,
And the thoughts of danger are ever near,
But afar the thoughts of death.

He follows along the narrow road
(Where all but Wo is still,
And the groans of the starving freeze the blood,)
To abandon the altar of Nature's God,
For the king of the Burning-hill.

But the feeble limbs of the traveller bend,
The temple glitters in vain,
For the storms of Want and Hunger descend
And the burning fires of Madness rend
The chaos of his brain.

And now the storms of Winter grind
The relicts of his form,
His bones are bleached by the passing wind,
And within his scull the lizard doth find
A refuge from the storm.

FREDERICK.

THE SURPRISE.

WHEN Strephon went a wooing
To Molly of the vale,
Like turtle-doves a cooing,
They warbled love's soft tale.

'Twas love, and duck, and deary,
My darling and my dove,
Fond Strephon thought his Mary
A loving wife would prove.

And now the courtship ended,
To church he led his bride;
So gallantly attended,
He chuckled in his pride.

Then all was joy and feasting,
All merry glee and dance,
With bride and bridegroom jesting
In wink or sidelong glance.

Week roll'd on week away,
Till time began to shew,

ORIGINAL POETRY.

Poor Strephon in dismay,
His rib a very shrew.

Then deary, duck, and darling,
Are lost in Streph and Moll,
And sometimes when they're snarling,
Less gentle names they call.

A prey to melancholy,
Their sullen lives they jog,
For Strephon and his Molly
Now fight like cat and dog.

— QUEVEDO.

— RONDEAU.

Love, begone thou silly wight,
What have I with thee to do,
See'st thou not my locks are white,
Think you me a tool for you.

Tell me not of Rosa's eyes,
Of Emma's pouting lips so sweet,
Of Anna's soul entrancing sighs,
Her Venus form and locks of jet.

Though starry bright are Rosa's eyes,
And every charm in Anna meet,
Those brittle toys no more I prize,
I've found them all a very cheat.

Hence away thou teasing sprite,
I'll have naught with thee to do,
See, foolish boy, my locks are white;
I'm no plaything child for you.

— QUEVEDO.

— A PASTORAL ELEGY.

DEDICATED TO THE MEMORY OF MISS E. W.
SWEET Schuylkill, thy soft moaning stream
Responds to our heart-rending wo,
Oh, melted in Memory's dream,
Our tears with thy waters shall flow.

ORIGINAL POETRY.

Flow'ry banks by warm Friendship endear'd
How oft on thy margin we've stray'd,
Then verdant and bright ye appeared,
But now every beauty shall fade.

Oh then with what pleasure we heard,
Her converse, that angels might hear,
From her heart's pure recess flow'd each word,
Which remembrance now seals with a tear.

For gone is the virtuous maid,
The pride of thy village* has fled,
Its charms are in sadness array'd,
Sweet Emily sleeps with the dead.

Oh Death! could pure Innocence save,
Could Mind from thy grasp the maid keep,
Could Friendship preserve from the grave,
Thou could'st not have doom'd us to weep.

Devoid of all guile was her heart,
Her soul by soft feeling refined,
Her words could persuasion impart,
With manners so gentle and kind.

And bright in her mild beaming eyes,
The soul of devotion still shone—
That soul which was form'd in the skies
To its Father in Heaven hath flown.

And her's was the dignified mind,
Every action discretion portrayed,
In wit by chaste feeling refined,
How few could compare with the maid.

As an angel of pity she seem'd
To mourn with the child of distress,
And her eye with sweet joy ever beam'd
A sorrowing victim to bless.

Soft peace be with those she has left,
May that God who directed the dart
Yield them comfort, of comfort bereft,
Resignation, blest Heaven impart.

* Norristown, the place of her residence and death in 1807.

ORIGINAL POETRY.

But why should e'en Friendship deplore
Her flight from that valley of tears,
To those regions where sorrow no more
Can wound with afflictions and fears.

Oh world! how unfit are thy ways
For the sensitive soul to pursue,
Oh ever deception betrays
The heart that to nature is true.

Then happy, dull Grave's thy release
From Life's disappointments and woes,
Since in thy still mansions of peace,
Each wearied heart sleeps in repose.

But, Grave, can thy prison confine
Immortality's child in thy chains?
No—rais'd to her Sire divine,
A saint the sweet Emily reigns.

SYDNEY.

SONG.

Air—"I have lov'd thee."

Fare-thee-well, thy injured lover
Flies, to see thee ne'er again;
Far through distant climes a rover,
Seeking peace yet finding pain.
Near thee every thought is sadness,
By thy chilling looks oppress,
Yet in leaving thee is madness,
Death alone can give me rest.
Death can only yield alarm
To those belov'd, who dearly love,
For broken hearts it has a charm,
To mine a balm it soon shall prove.
And though by thee the wound was given,
By thee thus doom'd to early death,
For thee I'll raise my prayers to heaven,
And bless thee with my latest breath.

SYDNEY.

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of the present number of The Port Folio, was unavoi-
dable. An uniformity will be strictly observed hereafter.

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