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THE

UNITED STATES

MAGAZINE

AND

DEMOCRATIC REVIEW.

OCTOBER—1838.

WASHINGTON, D. C.

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LANGTREE & O'SULLIVAN.

No. 10.

ADVERTISING SHEET

OF THE

UNITED STATES MAGAZINE AND DEMOCRATIC REVIEW.

With a view to render the large and [illegible] general circulation of the UNITED STATES MAGAZINE AND DEMOCRATIC REVIEW available for general advertising, a [illegible] of sixteen pages will be published with each number, and advertisements will be inserted at the following rates:

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SOUTH-WESTERN STATES—
NORTH AND SOUTH CAROLINA AND GEORGIA—
VIRGINIA—Robert Morris.
MISSISSIPPI—
NEW YORK.—James Watson.

NOTICE TO EDITORS.

We are indebted to many friends in this and other lands throughout the United States for having published the prospectus of the UNITED STATES MAGAZINE AND DEMOCRATIC REVIEW, and otherwise favoured the work. In every instance where the fact was ascertained, the Review has been sent, as promised. But, though every care was taken, instances of neglect may have occurred, in consequence of such papers not having been received at this office, and we will be obliged by having our attention directed to any such case, that the oversight may be remedied.

THE

UNITED STATES MAGAZINE

AND

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☞ THIS NUMBER CONTAINS SEVEN SHEETS, OR ONE HUNDRED AND TWELVE PAGES.

The Democratic Review to its Readers.

One year is now complete since the issuing of the First Number of the Democratic Review, in October, 1837.

In endeavouring to establish a literary journal of American democracy, and in conducting it thus far under disadvantages which will be readily appreciated, it is deeply gratifying to feel that the attempt,—for as yet in all the great elements that should constitute a leading journal, we are free to say that it is but an attempt—has been received in a manner of unprecedented kindness and liberality by the public. Through the entire South it has found nothing but friends. Equally cordial has been its reception through the West and the Northwest. In addition to other modes of manifestation, letters innumerable from all quarters have poured in upon us the strongest encouragement to perseverance; the warmest approbation of our principles and objects, and of the spirit in which they have been advocated and pursued; and frequent assurances of a beneficial influence on the tone of public opinion already sensible in the respective local spheres of observation from which these assurances proceed. In many and gratifying instances, political opponents have also extended to the Democratic Review a liberality of attention and candor of judgment, which we cannot but feel to be even more honorable to themselves than flattering to it. And although we should have had just cause to suspect the soundness of our own principles, and the value of our own labors for their promotion, if it had entirely escaped that indiscriminate bitterness and rancor of party spirit, which is one of the worst plagues with which our country is afflicted, yet the instances in which that spirit has made the Democratic Review its object have, in frequency, so far fallen short of the expectation with which we voluntarily assumed the position, so peculiarly calculated to arouse its hostility, that they have not been able to constitute any drawback to the gratification derived from the generous kindness of friends, and of so many candid and liberal adversaries.

For the many cases in which, in various parts of the country, it has been made the subject of public testimonials of a very flattering character, at popular meetings, by resolutions of approval and encouragement, we feel bound here to offer the general acknowledgement of our warmly grateful sense of the kindness, on the part of subscribers and friends, in which such favors have had their origin. We feel, however, particularly impelled to notice a Resolution, in reference to this work, which has just reached us, as a part of the proceedings of the recent great Democratic Convention at Worcester, Massachusetts. The consciousness that exertion is appreciated and approved is the highest stimulus to its energies; and while we are more fully sensible than any of our critics, how far we have as yet been from presenting the most favorable results of our plan and intentions, such a voluntary and unexpected testimonial as this cannot fail to furnish to all the contributors to the pages of the Democratic Review the most inspiriting incentive to their future labors. We trust that no party unkindness will find fault with the indulgence of an honest pride, in preserving here the record of the testimonial to the performance of our undertaking, contained in the resolution alluded to,—happy as we are to refer to our contributors, as justly their due, all that might seem personally complimentary in its terms:

"*Resolved*, That among other instances of this recent employment of the Press in the cause of the People, this Convention notice with pleasure, that the confidence reposed in advance in the truly national periodical which a previous Convention recommended to the Democracy of Massachusetts, has been amply justified by the vigorous logic, the wit, the fancy, and the diversified knowledge, which have enabled the Democratic Review not only to take high rank in our periodical literature, but as the organ of a sound political philosophy, worthy of the spirit of the age, to illustrate and defend the great cause of Equality against Privilege."

Washington, D. C., *October* 1, 1838.

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RADICALISM.

The purpose of this paper is not to discuss the tenets designated under this title, but to show the absurdity of the alarm which they excite, or which it is pretended they justify. This may seem to be a work of supererogation. It is, indeed, hard to believe that any man of sense can entertain serious apprehensions upon this score. In the midst of the difficulties in which we are involved, and the real dangers by which we are threatened, to be frightened by such visionary evils indicates a very whimsical imagination, or, at least, a morbidly sensitive nature. By politicians we are aware the topic is used as a mere bugbear, or rather as a hackneyed electioneering theme. Writers who lack originality of thought, or ingenuity of reason, find this a very convenient subject for declamation. Deprive them of their slang (we cannot find a better word, though a coarse one,) about *Loco-Focoism*, *Fanny-Wrightism*, *Agrarianism*, and they would be very much at a loss. It would be almost a pity to cut them off from this fertile resource. But we should not calculate too strongly upon human reason. In the long run, in an enlightened community, its dictates will always prevail, and the "sober second thought of the people," in the philosophical language of President Van Buren, is perhaps "never wrong." But in the passion or delusion of the moment, evils may be inflicted which time cannot repair; and there are some maladies of sudden origin which are incurable. The very pertinacity with which political partisans, who, although they may want wisdom, are seldom without its bastard substitute, cunning, insist upon those topics is a proof that they are not without their effect. *Spargere ambiguas voces*, is a more effectual method of propagating alarms, than by bringing definite charges, or specific accusations. Suspicion is more hurtful than actual crimination; its very indefiniteness gives scope to the suggestions and fears of the susceptible imagination. We should never

altogether despise such appeals or prejudices, however irrational or absurd. The French revolution, according to Madame de Stael, was made by words. We cite the sentence for its apposite point, rather than for the truth of its application to the great political earthquake which shook European society to its foundation.

Now we happen to know, from actual observation, that the charge against the Democratic party of holding anti-social doctrines, and opinions subversive of the rights of property, has done much to prejudice it in the minds of many worthy and sensible persons. There is in every community a large class of men, and they form a most valuable portion of the population, who are averse to *ultraism* in every shape. Satisfied with their condition, they prefer the *status quo*, and are unwilling to sacrifice positive benefits to speculative ameliorations. All that they ask is tranquillity; that they may follow their pursuits, and enjoy domestic happiness, and the fruits of their industry, without molestation. They reverse the sentiment of the old Roman who preferred hazardous liberty (*libertas periculosa*) to the calm of slavery. Such persons are not to be contemned. Their influence in the community is salutary. They check the extravagance of more ardent spirits. They form the regulator of the political machine. They are the drag on the wheel of state. Their *vis inertiæ* gives stability to social institutions. They are the breakwater which stays the flood of popular commotion. Without them, we should, perhaps, be too prone to speculative changes; too ready to embark upon the ocean of untried experiment. Among this class, from temperament and mind, we do not count ourselves; nevertheless we know how to value it, and even to respect its prejudices. It is fortunate that we do not all think and feel alike. It takes many kind of people, says the vulgar adage, to make up a world. It is for the benefit of society that it contains adverse and contending elements. This keeps up a healthy, vigorous action; this prevents that lethargic stagnation, which is more than any thing else, unfavorable to its efficiency and improvement. *Discors concordia* is the law of the moral as well as of the physical world. It is chiefly amongst this class of persons that the apprehensions of which we have spoken, have been propagated with the greatest success. Secluded in their habits and ideas, and isolated from the tumultuous existence of cities, the ferment of political effervescence is brought to their ears, magnified by distance, like the "sound of many waters." The roar of faction and the turmoil of political agitation are swelled by the gale which bears them along, until the retired mansion and the quiet hamlet are "frightened from their propriety." All this is so different from their tranquil existence,—jars so harshly upon the uniformity of their pursuits and habits,—that they feel uneasy and disturbed, nay, anxious and alarmed for the consequences. It is to these, and these

only, whose apprehensions are unfeigned, whose patriotism is undoubted, whose very prejudices are respectable, that we intend to address a few desultory and unpretending observations.

In the first place we must observe, that a great party should not be considered responsible for the opinions of all its members. This will be conceded without hesitation. "How foolish," exclaimed Charles V., "to expect all men to think alike, when the most cunning workman cannot make two watches go exactly together." We cite the substance of the sentiment. Admitting that some members of a party which comprises two-thirds of a great nation, hold irrational opinions, what does this prove? Certainly not that the essential and recognized doctrines of that party are wrong, and should be abandoned. Would it not be hard to charge the Federal party with holding principles utterly adverse to liberty, or with the design of overturning our republican institutions, because some of its members, and a goodly number, too, are at heart, if not confessedly, monarchists? Shall we take the opinions of the modern Sydney, as the Federal creed, or visit upon all, the doubts of Hamilton and the sneers of Morris? This would hardly be fair. We maintain, indeed, that the doctrines of Federalism are anti-republican in their tendencies; but it would scarcely be generous to assume or to assert, that they are so in the intentions of all those who hold them. In grave discussions, let us abandon the exaggeration of newspaper polemics, and both give and claim justice. Yet we hear every day the extravagances attributed to a few, ascribed to the whole body of the Republican party; and those who frankly adopt the opinions of Jefferson and of Madison, the philosopher and sage of American liberty, stigmatized by the most opprobrious epithets, and calumniated by the most ungenerous imputations.

It is a remark of Chateaubriand, that in a country where all men write and speak, we must make up our minds to hear patiently a great deal of nonsense. The human mind, in its infinite modifications, is prone to exaggerations and extravagancies; it has its day dreams, and its waking visions, its optical illusions, and spectral hallucinations. The most unsound theories are often the most plausible; sophistry is often more specious than truth. Talent and integrity are not always effectual guards against the approaches of falsehood; they do but lend strength and zeal to the seductions of error. Clear perception of truth is rarer than the ingenious defence of fallacy. It is more difficult to think justly than with brilliancy. Common sense is, after all, the most uncommon sense. To reason well is a rarer faculty than to reason much. For one man, whose deductions are uniformly sound, you will meet with a hundred whose opinions are striking in statement, and happy in expression. This world is one vast academy of Laputa, and that satire of the misanthropist has been drawn from truth. The race of projectors,

visionaries, and experimenters, is the most numerous, and will never be extinct. Where the reason is weak, and the imagination lively, there is no end to the abortive progeny of schemes and speculations. The mind teems with these "crotchets and maggots of the brain," like the "equivocal generation" of the slime deposited by the river of Egypt. We have but to look at the Patent Office for the exemplification of this, in mechanics. There is not a madhouse which has not some votary to the quadrature of the circle, the ascertainment of the longitude, or the discovery of perpetual motion. Throughout the civilized world there are constantly thousands who waste their whole substance, and exhaust their whole lives, in the effort to attain utterly unattainable ends. There are men who can scarcely creep, who are ever trying to invent means to fly. There is no end to the *deliramenta* of the human mind. There is no limit to the more than Chinese puzzles of the intellect. Why, then, should we object to a little theory in politics, or be surprised that human ingenuity or inventiveness should also take this direction? It is a subject which rises in importance above all others; which includes all others in its settlement. It is that which concerns the well-being, the improvement, the property, nay, the very lives of men. It is one which daily comes home to our "business and bosoms." The science of government is paramount to all others. It determines the character, the prosperity, the existence of nations, as well as of individuals. Without good government there is no security of possession, no protection of law, no permanency of enjoyment, no activity of industry, no developement of the faculties and capabilities of human nature. Shallow minds, we know, disparage the science of politics as one of impracticable speculations, and cite with ignorant exultation the famous couplet of Pope—

> For forms of government let fools contest;
> Whate'er is best administered is best;

as if the poet seriously entertained the belief, that all the modifications of social polity were equally good and that an essentially bad government could be so administered, in the long run, as to promote the highest prosperity of a people. One of this class of declaimers was once citing the remark of Fox, that he who caused two blades of grass to grow where but one grew before, was a greater benefactor to mankind, than the whole race of statesmen and politicians. "What would your two blades of grass avail you in Turkey," was the prompt reply. We make these observations to show that nothing is so well calculated to interest and excite the human mind as political speculations.

Nor should we think too lightly of this spirit of inquiry even in its extravagancies and aberrations. There are doubtless many discoveries to make in political science, as there are without question,

many evils to be eradicated or at least mitigated in the social state. This spirit of investigation does not exist in vain, and is not, or will not be, without its fruits. The visions of the last age, have become the realities of this, and opinions which are now deemed absurd and impracticable, may to-morrow be adopted with success. There was a time, and that not far back, when religious tolerance was deemed a heresy in politics as in religion, and the separation of Church and State, the complete freedom of the conscience from legal fetters, is a very modern doctrine, and even now but partially adopted. Let us hear all sides, and listen patiently to all opinions. Truth will be winnowed by discussion from the chaff of error, and what is good and sound will abide for the instruction and benefit of those who are to come after us. Let the fullest scope be given to human inquiry, even should it to a certain extent shake the admitted belief, and unsettle the existing ideas of men. The attempt to fetter it but gives importance to error, and the force of resiliency to heresy. Much yet remains to be learned and done. There are still mysteries to be unravelled, and problems to be solved. We cannot feel much respect for him who can sit down and fold his hands in contentment with what has been achieved. It is true that in every state of society much evil will exist, much suffering will be inevitable. There will always be pangs which "neither kings nor laws can cure." At all times men have, and in all times they will, suffer many evils and oppressions. He who thinks that institutions can be contrived, which shall achieve the perfect happiness of mankind, is wofully mistaken, or rather labors under a fond delusion. It is the lot of human nature to suffer. "Man that is born of a woman hath but a short time to live, and is full of trouble." But let not these melancholy reflections deter us from unwearying efforts to meliorate the condition of humanity. Much can be accomplished, to which that which has already been done cannot compare in magnitude. There are all around us refreshing indications of progress and improvement, and who will limit the march of improvement? A spirit of inquiry has been aroused throughout the civilized world, which is directed to the social amelioration of man. When Beccaria first published his work against excessive pains and penaltics, the idea of abolishing capital punishment, for even minor offences, was deemed preposterous. Now there are flourishing States, where it has been wholly abandoned and with advantage. There was a time, and that not far back, when, in the words of a late writer, to *rot* in a jail for debt, was something more than a mere figure of speech. Now the public attention which has been turned seriously to the condition of prisons, has rendered them more efficient by reforming their abuses; and the abolition of incarceration for debt has become a popular idea, having even been partially determined upon in a country, where the

horrors of the Fleet and the Marshalsea have acquired a painful and odious celebrity which will be enduring as our language.

We cite these few illustrations out of many which might be adduced. No man of a philanthropic spirit can look around him without seeing countless evils which it would be his earnest desire to mitigate or extirpate. There are hideous ulcers on the social body, which require the caustic and the knife of the political surgeon,—*ense recidenda.* By day and by night the voice of lamentation is heard upon earth and ascendeth to heaven. Cruelty, oppression, injustice, are yet rife in every land under the sun. What man who sympathizes with humanity, can traverse the streets of a crowded city, without having his feelings harrowed by scenes of the most revolting misery and injustice. He sees the palace confronted with the hovel; he witnesses superfluous wealth in actual contact with utter destitution. One man sits down to an Apician banquet, while another perishes at his threshold for the want of a crust of bread. "One treads upon the carpets of Persia or of Turkey, and burns the perfumes of the East in his vaulted halls," while another dies on a dunghill. On the one hand riotous opulence, on the other abject misery; here the child of poverty driven to crime by the desperation of want; there the minions of luxury stimulated to vice by the very satiety of pleasure. We do not say that all these things can be remedied; that these evils may be entirely cured; that the inequalities of fortune and the causes of vice and misery may be utterly extirpated. But we do say, that the man who can look and reflect on these things with indifference or without a yearning desire, if possible, to remedy, or at least palliate them, is of a soulless and heartless nature. There is, then, much justification for those who are striving for social ameliorations which even if unattainable are humane in the intention, and desirable in the end; nor should we lightly discourage that spirit which busies itself in philanthropic speculations.*

* Let those who sneer at political philanthropy read the following extract from a late French work, a Treatise upon the Education of Mothers of Families, by M. Aimé Martin. "The great misfortune of our villages is the degradation of women by the labors which belong to men. In their early infancy they drive the flocks and gather the harvest. While young girls, an instinct of coquetry, and the foresight of their mothers, banish them from the ruder fatigues of agriculture; but as soon as they are married every thing is changed; they abandon the house and follow their husbands into the fields. You see them bent to the earth like machines, or loaded with enormous burdens like beasts. There are provinces in France (I do not mean Africa) where they are attached to the plough like the ox and the ass. Then their skin becomes wrinkled, their features become masculine, and they fall into a premature decrepitude more hideous than that of old age. But while they are performing the labors of the woman, (those labors which soften all others) they remain unknown or neglected. Nothing can be more dirty and more unhealthy than the interior of a cottage. Often, hens, ducks, and hogs dispute the possession of its damp soil. The door opens into the mud, and the windows, when there are any, open upon the dungheap.

But we deem it even fortunate for our republican system, and for the interests of freedom, that some ardent spirits exist who carry their ideas to the verge of extravagance. They invigorate and preserve the sacred flame which otherwise might become dim, or even extinct. Their enthusiasm animates those whose devotion might become sluggish from their absorption in sordid pursuits and material occupations. Their too ardent zeal serves as a check to restrain and counterbalance the opposite tendency to anti-liberal opinions which, under every form of government. exists in the very nature of many men. These opposing impulses, like the centripetal and centrifugal forces, keep the body politic in its true and invariable orbit. If one man is a leveller in opinion, another is a monarchist in feeling, so that there is a counterbalancing weight on the other side. But it is chiefly upon the more sluggish mass of their own party that these radical democrats exert a salutary influence. Let justice be done to those who are stigmatized by the title of *Loco-Focos*. Reviled as they have been, and made a very by-word by ignorant scoffers, the doctrines which they have

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"Here it is, however, in a mudhole, like that of a savage, in the midst of the grunting of animals, and their offensive exhalations, that every evening, two human beings come to rest themselves from their fatigues. Here, no one welcomes them; nothing agreeable meets their eyes; the table is empty and the hearth is cold. And here, too, other labors await the woman; and before thinking of her husband's supper, and the care of her children, she must attend to the stable, and give food to the beasts.

"What a difference would there be if, abandoning to man the rude labors of the earth, and confining her own to the interior of the house, the woman, by her graceful foresight, had prepared every thing for the hour of return. The blaze would sparkle on the hearth; on the table, polished by her hands, would smoke the nutritious soup, and the high pyramids of chestnuts and potatoes bursting invitingly from their skins. The good housewife would then never be seen by her husband but in the midst of abundance, and surrounded by the smiling flock of her children. Thus, a genteel and easy life would become the life of a villager. But nothing gives him the idea of such happiness; he is ignorant of comfort, the charm of caresses, and even the power of love. His children tremble before him; his wife dreads the vigor of his arm. The adversary, and not the protector, of these feeble beings, he knows no law but force. The last reason of the peasant, in his cabin as well as the fields, is generally the weight of his fist.

"If we are asked for examples, we will cite whole provinces, the richest as well as the poorest, of France. Perigord, where the women grovel in a state of dirt and degradation, which re-acts upon the whole family—Picardy and Limousin, where repulsed to the last degree as an inferior race, they serve their husbands at the table without ever placing themselves at their sides—Crisse, where they are mere machines, beasts of burden and labor—Lower Brittany, finally, where the men, women, and children, reduced to an almost savage state, pell mell in the same mud, eat the same black corn in the same manger with their sheep and swine. Every where the degradation of the woman is the proof of the brutality of the man. And every where the brutalization of the man is the re-action of the degradation of the woman. Such is the situation of the peasantry in almost the whole of civilized Europe."

And this is in *la belle France*, the land of gallantry; the renowned realm of chivalry! We think there is some room for improvement yet.

maintained, through evil report, are generally sound, and their practice, with perhaps slight exceptions, would make the world, happier and better. They are democrats in earnest; and their opinions, when freed from the exaggeration of passion, are those of enlightened philosophy. Their political doctrines are those of Jefferson, of Taylor, and of Madison; their financial opinions, those of all the accredited writers upon political economy. We have seen nothing in their proceedings, their speeches, and their resolutions, which, when fairly understood, with proper allowances, should excite the apprehensions of the most sober-minded republican. We speak now of what *we* have heard and read. They have been attacked by hard names and offensive calumnies; but their errors have not been pointed out, nor their reasons refuted. Their doctrine is simply that of equal rights; they are opposed to those monopolies and exclusive privileges which all must admit are at variance with the fundamental principles of our Government. They wish to encroach upon no man's rights, to seize upon no man's property; but they insist upon a clear field and no favor. They wish to secure to industry its just reward; to the mouth of labor, the bread which its hands have earned. They feel that there is no security for honorable toil under the fluctuations of a vicious paper currency, which a distinguished Senator, the head and ornament of the Federal party, has happily described to be the most successful of all inventions "to fatten the rich man's field with the sweat of the poor man's brow." They see that practices and privileges have been permitted to grow up under our system, contradictory to its letter, and at war with its spirit. They know that our institutions have not been suffered to work out those results which they should and can produce. They feel that the word of promise has been kept to the ear, but broken to the sense. They insist upon all the consequences which can fairly be educed from the principles which are at the foundation of democratic liberty. With these convictions and feelings, is it astonishing that they should express themselves with earnestness, and in the heat of the conflict, as all men are prone to do, sometimes exaggerate their opinions? Is it surprising that the voice of passion should sometimes swell above that of reason, when they hear the most absurd opinions and infamous designs falsely ascribed to them by their oppressors, who, under this cloud of obloquy, would not only debar them from the recovery of their lost rights, but even add fresh manacles to their fettered limbs? Surely not. And if ever they should, in the frenzy of desperation, realize the pretended apprehensions of their cold-hearted calumniators, who would be to blame, but those who, having first robbed them of their birth-right, outrage their feelings by adding insult to injury? But there is no fear of this. They will not fail to reconquer their rights by more pacific measures.

It has been attempted to attach much odium to the, so called, radical democrats for holding the doctrine of the revocability of charters. For this they have been called robbers and violators of the public faith. These are hard words, and should not be applied for slight causes. It is not our intention, in this paper, either to maintain or to combat the doctrine. Our purpose will be simply to show, that irrational and anti-social as it may appear, (to use one of the cant phrases of the day,) it is not original with these much vilified politicians, but has been held by men who would give authority and do honor to any opinion. It is well known to have been a leading doctrine in the creed of Mr. Jefferson, who was wont indignantly to exclaim "Can the dead bind the living?" It is recorded in every page of the profound works of John Taylor of Caroline, who treated the opposite opinion as both shocking to common sense and incompatible with the first principles of political freedom. It is recorded by a distinguished gentleman, that Mr. Madison, a short period before his death, spoke of this question as at least one of difficulty and doubt. The common fallacy, that a consideration in the shape of a bonus converts a charter into an inviolable contract, as if the essential character of a great political question could be altered by the intentional addition of something foreign and adscititious, we regard as infinitely more absurd than almost any doctrine attributed to the Loco-Focos. If the converse of the opinion held by them could find no more specious grounds, the solution of the problem would not present much difficulty. In England, the Whig or Liberal party have always held, and sometimes carried into effect, the doctrine which is called radical with us. The debates on the East India and Bank questions, particularly the speeches of Mr. Fox, will be found ample vouchers for this statement. Lately, in the British Parliament, the discussion of the abolition of the Negro Apprenticeship raised a similar question, and it is singular to observe the almost unanimity with which it was maintained that a great political and moral measure, affecting such extensive rights and interests, could not be regarded in the narrow point of view of a mere contract. This consideration, it was alleged, might give an equitable claim for compensation, but by no means fetter the hands of Parliament. We may mention, also, that the American politicians who take this view of the charter question, have been most unfairly treated. They have been accused of intending confiscation and robbery, and the fact has been studiously concealed that they have uniformly contemplated, not only a return of the bonus, when a consideration has been paid, but even a reasonable allowance for the damages or loss that may be inflicted by the revocation of the privilege. It may be stated further, that in those cases where the State, in granting bank charters especially, has reserved the right of revocation, the stock has not been considered

less desirable, or the investment less safe. There is an entire reliance upon the public faith and honor, and the only effect of the precaution, which is certainly a salutary one, is to put the companies upon their good behaviour. We repeat, it has not been our intention here to discuss this question, or take part with either side, but merely to show that the opinion of the popular party is not quite so irrational, so unsustained by high authority, or so novel, as is commonly supposed. On the subject of chartered immunities it may be well to observe, that even in Great Britain the Tory Lord Liverpool, when Premier, declared in his place in Parliament, that the day of monopolies had gone by. This was Loco-Focoism in high places, indeed.

We now come to the greatest *humbug* of all, to employ a term which seems to be stereotyped upon the lips of our adversaries, we mean the panic about *agrarianism.* We find it very hard to believe that any body can feel serious apprehensions on this score. The community doctrine is so absurd, and its execution so impracticable, that to make it an object of serious refutation, is to give it too much importance. It is an impossible theory. The agrarians of Rome, from whom we have the name, were not agrarians in the modern sense of the word. They did not demand a general division of property, but the restoration of the public domain to those to whom it had originally belonged; who had won it by their valor, and from whom it had been fraudulently alienated. It was for the recovery, not the destruction, of property that the Gracchi strove; it was in defence of the *vested rights* of original possession that they perished. The ancient agrarians, then, were anti-agrarian as the word is now understood. In fact no attempts upon a large scale have ever been made to carry out this speculation, except in the Utopia of Sir Thomas More, or some other founder of imaginary commonwealths. In the popular commotions of ignorant ages, the general spoil has been sometimes held out as a stimulus to an infuriated mob, but never, we imagine, as a principle of permanent political organization. In that furious insurrection of the common people in France, known as La Jacquerie, and in some other popular outbreaks, some vague ideas of the kind may have prevailed, but the unreasoned chronicles which we have of these remote events, do not enable us to estimate with accuracy their causes or their objects. One thing seems to be clear, that they were sudden outbreaks of the poorer sort of people, excited by accidental perhaps slight causes, against long and grievous oppressions. The obsequious chroniclers tell the tale of power reeking with triumph. We should like to hear both sides. If ever there was a revolution which gave birth to the wildest phantasies and the most visionary projects, it was that of France. All the elements and materials of the political fabric, were thrown back

into chaos. No prejudice however hoary with antiquity was spared, no opinion however fortified by authority was respected; no right however legalized by the sanction of ages was sacred—save that of property. Neither religion nor morals was unviolated by the thorough-going reformers of this terrible epoch; the sacred bond of marriage, that strongest ligament of human society, was rudely torn asunder. Titanlike, they scaled the very heavens with impious defiance. Yet the sanctity of possession was respected; and if the estates of men were often cruelly confiscated and for trivial reasons, it was never on the ground that all men at all times were equally entitled to property in the earth, in its fruits, and those of industry. That which withstood a Marat, a Robespierre, and a Danton, has not much to fear from "Slamm, Bang & Co." The fact is that property is the foundation of civilized society, as marriage is of domestic morals. To talk about society without the basis of individual possession, is to talk about morality without the existence of the conjugal tie. In the wildest state man has property in his implements of war and of the chase: while yet nomadic he recognizes individual right in his horses and cattle; and civilized society, from its most incipient agricultural condition, is as much an aggregation of possessions as of individuals or families.

The fallacy at the foundation of the community doctrine is this, that it contemplates the earth without taking into view the additional value bestowed upon it by the industry of man. Without the improvement which labor has bestowed upon it, this world would be a barren waste or a rank wilderness. What were the possession of a continent, without the application of agriculture and the arts? It is labor which gives nearly all its value to the earth; the industry of man which does much more for him, than all the bounties of nature. It is the opinion of some political economists, De Tracy among the rest, that all value is derived from labor, and no one will deny, that it proceeds chiefly from that source. To talk, then, about the original and indefeasible right of all men to the earth is to forget the fact, that it owes its wealth and its worth to the industry of man, which is chiefly stimulated by, nay, which would not have been exerted without the existence of individual possession. There can certainly be no universal claim by nature or original right, to houses and furniture, and manufactured products, and the improvement of agriculture, even if it were conceded, as it regards the mere soil, which would not however, be very desirable without the labor by which it has been cultivated and adorned. Now, it is only individual possession, and the right of testamentary transmission of property, which has induced or can impel men to make those untiring exertions which have converted the rude gifts of nature into the products of subsistence, the means of comfort, the commodities of luxury, and the refinements of civilization.

Even, then, conceding the original right of every one to the earth, as it came from the hands of the Creator, this has, ever since the origin of human society been merged by silent and irresistible compact into the more important and indispensable privileges of individual possession. This is the oldest and highest of all prescriptive titles. What is the state of man by nature, it is hard to say. All our speculations and reasonings must regard him as a gregarious animal, and have reference to the social state in which he has existed from the earliest traditions, and which alone comes within the purview of political science.

But it is rather too late in the day to proclaim these trite truisms. It is vain, too, to vindicate them, because people who do not at once recognize their conclusions, are not to be addressed by reason. The community doctrine has not the poor merit of originality or even novelty. It has always been a seductive idea, when sincerely entertained, to weak and amiable minds. The speculations of the ancient philosophy are full of it; and if early christianity, fresh from the precepts of its divine founder, "had all things in common," the practicability of the doctrine in the present age of the world, seems incompatible with the erring instincts of humanity. The anabaptists of Germany and other sects attempted it on a small scale and in a modified shape, but with poor success. Among these are the Moravians. We know not how their political *microcosm* has fared in Germany, but in this country, they have been already compelled to abandon, in a great measure, the principle. The example of the Shakers will scarcely be appealed to for its support, since it would furnish an equally strong argument for the possibility of eradicating the strongest of the natural instincts. This brings to mind an anecdote of one of the popes, who when told by a cardinal with a dismal face, that a sect whose principal tenet was the injunction of celibacy had sprung up, and threatened the very existence of the hierarchy, coolly observed, "don't be alarmed, *senza amore non si riusce*, without love it is impossible to succeed." The wild theories of St. Simonianism were almost too extravagant for apprehension, and too ephemeral for notice. The homely experiment of Rapp, and the more philosophical scheme of Owen, have terminated, the one in litigation, the other in abandonment. Folly, like dulness, never dies. As long as the world lasts these projects will be revived by the dupers or the duped, only to perish and be born again. They are founded upon an appeal to undying principles and feelings in human nature. These might be easily indicated and illustrated, but we have not time nor space for the task. Human commonwealths must be constructed with different materials from "the ants' republic and the realm of bees."

If agrarianism be an universal absurdity, how much more is it so in this country, where land is so cheap, and many millions of un-

appropriated territory render possession so accessible to all. Even the accumulated wages of labor soon consolidate themselves into property of some kind, and it is rare to meet with a man who is not, has not been, or will not be, the owner of land or a house. In such circumstances men find it much easier, as it is more natural, to acquire property than to make war upon it. That the imputation is peculiarly unjust, as applied to the democratic party, is obvious from the fact, that its strength lies chiefly in the yeomanry of the country, who are almost to a man property holders; while the opposite influence has always been most potent in cities, where the class of mere proletaries is chiefly to be found. Again, to show that the tendency is rather in the opposite direction, or the danger from the other quarter, it must have struck every one, that as soon as the Opposition succeeded in propagating extensively the belief that the Administration was hostile to the rights of property, it was left in a minority, and it is only recovering its predominance by dint of disproving the accusation. We would ask, too, whether the republican leaders are, from character and position, more open to the imputation of being adverse to order, industry, and property, than other members of the community? Look, for example, at the present Administration, and acknowledge if it be possible to find men who, from their habits, principles, and possessions, present stronger guarantees against the suspicion of holding these wild and anti-social opinions?

But we must bring this discussion to a close. It is the more useless, because the imputation of agrarianism to any fragment, even, of the republican party, is false as it is ridiculous. We have yet to see the democrat who deserves the title. The accusation is unfounded, gratuitous, calumnious. The allegation is not made with sincerity. Why labor to convince those who have no convictions? The republican creed is clear and simple. It is the retention of as much individual liberty as is consistent with the security of each and the general harmony. It respects the persons, the rights, the property, nay, the very prejudices, of all. It legislates not for individuals or classes, but for the whole. It recognises no political distinction or superiority. It leaves to men the control of their own actions and pursuits, in as far as they do not encroach upon the rights of others. The tastes, the habits, the fashions of the citizen, it does not interfere with, much less attempt to regulate or enforce. It permits society to arrange itself by its own volitions, and leaves the associations of its members to their respective elective affinities. It recognises no exclusive privileges, no selfish monopolies; but embraces all with indiscriminate protection. The democratic creed may be summed up in this brief formula. As little government as possible; that little emanating from, and controlled by, the people; and uniform in its application to all.

PAPINEAU.

BY MISS A. D. WOODBRIDGE.

"The charges against me are all of one kind, that I have pushed the principles of justice and benevolence too far,—further than a cautious policy would warrant; and further than the opinions of many would go along with me. In every accident which may happen through life—in pain, in sorrow, in depression, and distress—I will call to mind this accusation, and be comforted."—EDMUND BURKE.

Ay! let the mean, the grov'ling, brand thy name!
'Twill swell thy lofty triumph. Such may bow
Like supple reed before the breath of power,
But though it whispered round thee bland and sweet,
Thou wouldst not heed the tempter.—Then it came
As with a tempest's rush on thee and thine,
But all unmoved thou didst abide the shock.
On honor's rock thy soul was rifted deep,
And storm might howl around, but ne'er o'erthrow.
Unwavering champion of thy country's cause,
Shrink never from thy high and glorious task,
Till free, self-governed, from the stranger's thrall
Released, a young Republic shall arise,
Star-crowned, amid the nations, and shall hail
With praise and blessing her tried patriot's name.
Still at the altar of blest Freedom stand,—
Fearless and spotless, its high minister,—
And tend the sacred fire thy hand hath lit,
Till it shall flame to heaven, that beacon-light,
Kindling with its own glow each patriot heart.
What though a cloud now hides it from the view
Of the proud "Sons of Liberty," still they feel
'Tis all undimm'd and pure, and yet shall guide
To free and equal rights.

That altar's fire!
Each patriot shall guard it—all who love
Justice and mercy press to heap the pile,—
And earth's nobility, who will not bow
Opinion's neck beneath the foot of power,
Shall stir the flame. And may it not be fann'd
By woman's feeble breath, since in her heart
Full many a chord thrills deeply at thy name!

ALBANY, 12*th February*, 1838.

THAYENDANEGEA.*

PRE-EMINENT among the Indians of the United States, during the whole period of our colonial history, were the confederated tribes of the Mohawks, Oneidas, Cayugas, Onondagas, and Senecas, by the French commonly called the Iroquois, and by the English the Five Nations, and afterwards, the Six Nations, in consequence of the accession of the Tuscaroras to the league.

When the French entered Canada, they found these Indians where Montreal now stands, and engaged in war with a neighboring tribe called the Adisondocs. This war continued, with sundry vicissitudes, until the Iroquois proved at length victorious, and the power of the Adisondocs was completely broken; but meanwhile the Iroquois saw fit, or perhaps were compelled by the operations of the French, to recede along the St. Lawrence towards Lake Ontario, by reason of which that part of the river St. Lawrence bore the name of *Iroquois*, preserved in the treaty of 1783, in the definition of the boundaries of the United States on the side of Canada. Establishing the seat of their power in the region of the Lakes Ontario and Erie, the Iroquois drove before them the less energetic, or less powerful bands which previously occupied the country, and spread themselves or their authority and influence south and west over an extensive territory, which now comprehends New York, Western Pennsylvania, and most of Ohio. This great movement of the Iroquois, displacing the tribes immediately in contact with them, which tribes again pressed upon, and displaced, others beyond, diffused far and wide a knowledge of the warlike bands whose advance originated the general disturbance of preëxisting relations. Among the remotest Indians of New England, the Mohawk was a name of terror. The fugitive Hurons and Ottowas bore the name and the fame of the Iroquois inland to the Sioux of the Upper Mississippi. But that, which above all other things distinguished the Five Nations, and which, probably, more than their superiority in courage and prowess, enabled them to overpower so many hostile tribes, was their political organization. In general, the Indians of North America have been so utterly savage as not to possess enough either of municipal or political organization to enable them to act together efficiently for any length of time, as tribes; and still less have their scattered bands been capable of as-

* Life of Joseph Brandt—Thayendanegea, including the Indian war of the American Revolution. By William L. Stone, 2 vols. 8vo. New York. Published by George Dearborn & Co. 1838.

sociating together permanently in great masses, for objects either of defence or of conquest, in opposition to a common foe. Occasionally, and for temporary objects, they have been held in league awhile, by the talents of a Pontiac, or a Tecumseh; but these have been exceptions to the general rule. The Senecas, Onondagas, Mohawks, Oneidas, and Cayugas, on the contrary, exhibited the rudiments of a well constituted and stable confederacy, each tribe having its own separate usages and interior government, but all, for a long period, conducting great undertakings in concert, for the common good. From union they derived the strength and spirit by and through which they vanquished or overawed the other Indian tribes; and in the same way they secured and retained the respect of the Europeans of New York and of Canada, with whom, by their geographical position, they were perpetually brought in contact. At a very early date, they became the allies of the English of New York against their common enemy, the French of Canada; and were, of course, active in the border wars of the northern frontier; and thus they continued, until the war of independence, which divided their friends, divided them, and led to the dissolution, in effect, of their confederacy, and the downfall of their power.

Thayendanegea, by birth a Mohawk, and of the tribe which, by the custom of the Six Nations, usually furnished the war-chief, had borne arms in the French and Indian wars, and other frontier transactions prior to the Revolution; and when the war of the Revolution broke out, sided with the English, and served them efficiently in the numerous incursions and detached conflicts of which our northwestern settlements were the scene for nearly twenty years. We say *twenty* years; for neither the hostilities of the Indians, nor indeed those of Great Britain, ceased until Wayne's victory subdued and humbled the former, and compelled the latter to surrender the frontier posts which, in violation of the treaty of Paris, she had so long retained, and to desist for a while from open machinations against our peace. During this period, then, Thayendanegea, as principal chief of the Mohawks, and of such others of the Six Nations as adhered to the same cause, was the active and indefatigable ally of England, and enemy of the United States; and his name, coupled with so many reminiscences of savage cruelty, of which he was the real or supposed instigator and agent, has descended to our times invested with a bad eminence of peculiar infamy.

It is distinctive of the North American savages to follow usages of war at once cowardly and ferocious; to prowl around the solitary house, and massacre its defenceless inmates; to shun fair encounters in the open field; to burn, destroy, and lay waste, in sheer vindictiveness, or wanton malice; to slaughter women and children with unrelenting blood-thirstiness; and to glory in carrying off the

scalps of sucking babes, equally as those of manful opponents won in the heat of battle. Now that these things have passed away from our own doors—from the immediate neighbourhood of so large a part of the population of the United States—much sickly sentimentality is wasted upon the men whose only pride is in the perpetration of such deeds; and whom, thus far, neither persuasion nor example has been able to reclaim from their inveterate habits of dissolute idleness in time of peace, and unmitigated barbarism in time of war.

As the leader of some of the fierce bands armed against us by Great Britain at that period, Thayendanegea, we repeat, by his English name of Brandt, has come down to us, in the histories of that day, and in the tales of border tradition, the object of execration, and of horror. Notoriously and unquestionably, he was a commissioned leader of the Indian auxiliaries of Great Britain, commanding a portion of those troops the mere employment of which at all was justly stigmatized then, and ever since, as deeply disgraceful to the mother country. He was known to have been present, as war-chief of the Mokawks, in numerous scenes of massacre and carnage. In his case, as in that of other commanders, common fame, whether rightfully or not, held him responsible for the savage acts of his savage followers. All the contemporaneous accounts concurred in imputing to him the traits of character common to his race and his position; or as Mr. Stone himself says: "In the meagre sketches of his life hitherto published, although an occasional redeeming virtue has been allowed by some, anecdotes of treachery and blood have been introduced, to sustain the imputed disposition of relentless ferocity;" and we may add, that with all the light that Mr. Stone, a most friendly biographer, and the family of the subject, have been able to throw upon the question, too many of those "anecdotes of treachery and blood" are, in point of fact, undenied, and undeniable. And Campbell, in the well remembered passage of Gertrude of Wyoming, has expressed the ideas concerning Thayendanegea, handed down to us by our fathers. Outalissi, the Oneida chief, speaks:

> "'But this is not the time,'—he started up,
> And smote his breast with woe-denouncing hand,—
> 'This is no time to fill the joyous cup;—
> 'The Mammoth comes,—the foe, the monster Brandt,
> 'With all his howling, desolating, band;—
> 'These eyes have seen their blade, and burning pine,
> 'Awake at once and silence half your land.—
> 'Red is the cup they drink, but not with wine:
> 'Awake, O wretch! to night, or see no morrow shine!
> 'Scorning to wield the hatchet for his tribe,
> ''Gainst Brandt himself I went to battle forth:
> 'Accursed Brandt!'"

This notorious personage is the subject of Mr. Stone's work, or rather, in the execution of the original purpose of preserving the memory of the great number of interesting events, of which the Indian country of New York, and especially the valley of the Mohawk, was the theatre, Mr. Stone adopted the plan of associating the history of those events with an account of the life of Thayendanegea. Though called the 'Life of Joseph Brandt,' it is, therefore, a much more extensive and important work; including, in part, as the title page indicates, 'the border wars of the American Revolution, and sketches of the Indian campaigns of Generals Harman, St. Clair, and Wayne, and other matters connected with the Indian relations of the United States and Great Britain.' Indeed, these 'other matters'—other, that is, than the life of Brandt—occupy the chief part of the work, and are of the greatest value, and the more permanent historical interest; and we should have been better pleased with the work, if Thayendanegea had been a less prominent figure in the piece. He was, it is true, the most conspicuous Indian of that time, and that section of the country; he performed the acts of blood proper to such an auxiliary; but his condition was that of a simple captain, as he himself states, (vol. ii. pp. 408,) in the British service; he played a secondary and subordinate part in the great drama, of which he is here made the hero; and he is thus lifted into an apparent position of relative importance, altogether undeserved by him, or any other of the savage instruments of the vengeance of England against her revolted colonies.

We object, in general, to the posthumous canonization, which a misdirected sympathy, as we think, and erroneous impression of the facts, is so prone to bestow on every savage, who like Thayendanegea, or Oseola, happens to distinguish himself by peculiar ferocity or activity, against our own people, and our own blood. And, in the particular case before us, we see that the effect of making Thayendanegea the hero of a work of this magnitude, has been to seduce Mr. Stone into an over-estimate of the personal character of Brandt, and of his importance in history. Thus it is, we conceive, that much ingenuity and acuteness are expended, in several instances, in the attempt, on the one side, to disclose the mind, or the hand of Thayendanegea, and to do him honor, in connection with great affairs, wherein his participation is either purely conjectural or imaginary, and wholly subordinate; and, on the other, to free him from the generally received imputation of odium in reference to smaller events within his appropriate scope and sphere. This we think to have been a fault of arrangement or plan, which, though it may not impair the general interest of the work, and may, perhaps, add to it, is nevertheless a defect, because it is injurious to symmetry of design, and because it introduces questionable facts,

and still more questionable conclusions, into a book whose value and attractiveness will give to it an extensive currency, and which, from the novelty and original sources of much of its contents, will possess great intrinsic historical importance.

At the same time, Mr. Stone has explored successfully, a rich and productive mine of facts. The valley of the Mohawk, and the contiguous country west of it, was the seat of the Five Nations. There the French and English so often met, negotiated, and made war. There it was that the Five Nations, the Romans of the new world, as Caldero grandiloquently calls them, displayed their eloquence and their bravery, elicited by the conflicting relations of their European neighbours of Canada and New York. There, in the long contest of the Revolution, and in the Indian wars which followed, were manifested all the traits of courage, hardihood, perseverance, enterprise, intelligence, and patriotism, which distinguished our own forefathers; and the sagacity, fortitude, physical endurance, fierceness, and blood-guiltiness, of the savages around them. Vindictive expeditions of the expatriated tories, wasting with fire and sword the country they had abandoned; operations of the inhabitants for the defence of their homes, and the support of their independence; and all the vicissitudes of battle, captivity, and thrilling adventure, belong to the local history of that region. In addition to which, during the Revolution, it was the scene of many, among the most remarkable acts and brilliant enterprises, on a large scale, of the national forces of England and of the United Colonies. All these things render the tract of country in question, peculiarly rich in historical incident. Mr. Stone having spent some of his early years in the valley of the Mohawk, in the midst of localities marked by such interesting events, and of those who had acted and suffered in them, was prompted, in the process of time, to conceive the idea of collecting and preserving the papers, letters, and fleeting recollections, appertaining to the past, ere they should pass into oblivion with the generation in whose possession, or memory, those original elements of history subsisted; and the present work, covering only the latter part of the period of his researches, is the result of that design; a life of Sir William Johnson, the celebrated English agent among the Indians of New York, being promised, which shall narrate the events of the former part of that period, anterior to the Revolutionary war.

In the prosecution of this task, the author, in addition to the matter previously in print, has had the use of a great mass of manuscript materials, consisting of journals, letters, and other papers, of many of the distinguished men of that day, including those of General James Clinton, of General Gansevoort, of Sir William Johnson, and of Brandt himself, preserved by his family in Canada.

Connected with the local history, which Mr. Stone has derived from the sources indicated, or from the communications of living persons, he has introduced from time to time sketches of the general history of the Revolution. While the effect of this may have been to render the contents somewhat multifarious, it has given the work a more diversified interest, by means of the great variety of incident and of personal adventure which it brings to relieve the graver events of war and policy.

Without entering into all these topics, which the limits of an Article like the present forbid, and reserving the liberty of recurring again, in a future Second Article, to this interesting work, we will endeavour to throw together, in a continuous narrative, the principal traits in the life and character of Thayendanegea.

Mr. Stone labours to show that Thayendanegea was a full-blooded Mohawk, and the son of a Sachem; whose name, as communicated to him by the chief's family, was Teho-wagh-wen-ga-ragh-kwin. This reputed father is said to have died in the infancy of his son; and the mother having afterwards married an Indian called Brandt, her son grew up with the name of Joseph Brandt. The old popular tradition, however, made him a half-blood. His being the grandson of one of the Mohawk chiefs who visited England in 1710, proves nothing as to his father, because the chieftaincy in that tribe descends through the female exclusively. The point is not important except as bearing upon the capacity of the Indian for cultivation and improvement in the arts of civilized life; it being notorious that very many of those Indians, at the present time, who have risen above the mass are half-breeds. Who Teho-wagh-wen-ga-ragh-kwin was, does not distinctly appear. Mr. Stone *conjectures* that he may be the same person with a Mohawk Indian frequently mentioned in Sir William Johnson's papers, as an intimate of his, by the name of Nickus Brant; and yet he informs us that the tradition in the family of Thayendanegea corresponds with the received idea, that he derived the name of Brandt, not from his own father, but from his mother's second husband. On the whole, little on this point is certain, except that he was born in 1742, of a Mohawk woman, the daughter, perhaps, of a Sachem, and that his mother returned from a distant expedition among the Miamis and Wyandots of the Ohio, with two infant children, one of them Thayendanegea, and the other a daughter commonly called Molly Brandt, whom Sir William Johnson afterwards took into his family as his wife, though probably without a formal marriage. This connection laid the foundation of the fortunes of Thayendanegea. Sir William Johnson became his patron, employed him frequently in military and civil business among the Indians, caused him to be placed at the Moor charity school in Lebanon, Connecticut, under the charge of Dr. Wheelock, and thus prepared him, by education, employments, as-

sociation with the English, and his own countenance, to rise in due time to be head chief of the Mohawks.

We first hear of Thayendanegea in the field, at the age of thirteen, under Sir William Johnson, at the battle of Lake George in 1755; and again, in the Niagara campaign in 1759. Between this time and the year 1762, but for how long precisely does not appear, he was at the Moor school in Lebanon. In 1762 we find him acting as interpreter, with Mr. Smith, a missionary among the Mohawks. In 1763, he accompanied an expedition against Pontiac, and the Indians of the upper lakes. During the long interval of peace which followed the conquest of Canada by the English, occasional notices occur of Thayendanegea, residing at Canajoharie, one of the castles of his tribe, and greatly esteemed by the missionaries and other English who visited the Mohawk country, for his comparative cultivation, his decent life, his adoption of christianity, and his endeavors to civilize and convert his countrymen. He continued, also, in frequent association with Sir William Johnson and his family; and after the death of Sir William, in 1774, he became the secretary of Colonel Guy Johnson, the son-in-law of Sir William, and his successor in the post of English superintendent of the Indians of New York.

When the troubles between Great Britain and the Colonies began, and the spirit of resistance to the measures of the mother country spread from Massachusetts to the other Colonies, the Whigs of western New York found themselves in a peculiar trying and critical position. They were surrounded by Indians, and in the midst of them were many loyalists, some of whom, the Johnsons especially, possessed great influence. Sir William had enjoyed much personal popularity as well as official power. His son, Sir John Johnson, his sons-in-law, Colonel Guy Johnson and Colonel Daniel Claus, had succeeded to his estates, his rank, and his official employments; for while Guy Johnson was made Indian agent, Sir John obtained his father's commission of brigadier-general of the militia. They were actively supported by the Butlers, another family of great wealth and influence in their neighbourhood. Both parties, whigs and loyalists, looked with anxiety to the future movements of the Indians, and endeavoured to gain their good will. The Oneidas and Tuscaroras, it soon appeared, were favorably disposed towards the Colonies, under the influence of their celebrated missionary, Mr. Kirkland; or at least would not take up arms in behalf of England. But the Mohawks, part of which tribe lived in Canada, the Cayugas, and many others of the Indians of the Six Nations, sided with Great Britain. Among the circumstances, which led to this, the public relation of the Johnsons to the Indians, and the habitual deference they had thus acquired, was undoubtedly the principal one; but another was the alliance of the

family with the Mohawks, through Molly Brandt, the wife of Sir William—in all but the forms of law—and through her brother, Thayendanegea. Aided by the latter, Colonel Johnson intrigued continually with the Indians, in anticipation of war, and when the war commenced, he, with Colonel John Butler, his son Walter N. Butler, and Thayendanegea, retired into Canada to raise forces. Thayendanegea assisted at several Indian councils in the course of this period; and finally, at a council held in Montreal, in July, 1775, at which Generals Carleton and Haldimand were present, he, at their instigation, together with a large number of chiefs and warriors who accompanied him, enlisted in good earnest in the war against the Colonies.

We pause a moment only to remark, that it was the anxious wish, and endeavour of the Continental Congress, as it was of the United States at a subsequent period, that neither English nor Americans should enlist the Indians in their contests. Congress exhorted the Indians to stand neuter, and to continue their ordinary pursuits, without engaging for, or against, either party. This humane purpose was defeated by England, who set the example of arousing the savages against us; and notwithstanding numerous efforts on our part to produce a different state of things, has persisted from that day to this in her unhallowed policy, to the destruction of the Indians themselves, and the perpetual dishonor of the English name.

Previously to actually taking the field, however, Thayendanegea visited England, early in the year 1776; but for what precise object, does not appear. Having returned, he was present, it would seem, at the affair of the Cedars, in May, 1776; for though he is not mentioned by any of the old books as active in that affair, yet he is known to have been of the party of Indians engaged there, because, after the surrender of Major Sherburne, he exerted himself to aid in saving the life of Captain McKinstry, one of the American prisoners. In the following year, Thayendanegea led a band of Indians across the country to the Susquehannah; and had an interview with General Herkimer, at Unadilla; but, without committing any serious hostilities, drew off his men to Oswego, where Sir John Johnson, and Colonel John Butler, were concentrating a force of Indians and Tories. This was an ominous conjunction. Neither the officers nor the men of the regular British army, had, in general, any inducement to carry on the contest otherwise than according to the ordinary usages of war. But the Indians employed by them were Indians still—savages, in spirit and conduct. And the refugee English, compelled to abandon their property and their homes, in consequence of their loyalty or their attachment to Great Britain, many of them irritated by insults as well

as by losses and by exile, carried into the war the fierce passions of men seeking for personal vengeance.

The forces at Oswego were destined to advance upon the Mohawk country, under Colonel St. Leger, simultaneously with the march of General Burgoyne, by Lake Champlain, and to form a junction with the latter at Albany. Scouting parties of the Indians preceded St. Leger. The Six Nations were now divided, and in arms, some for one party, and some for the other, and the great council fire in the Onondaga country was extinguished. St. Leger laid siege to Fort Schuyler. The Provincials, upon learning the approach of the Royalists, prepared to meet them; and the consequence was the battle of Oriskany, fought on the sixth of August, 1777, in which, after a desperate engagement, the Provincials remained masters of the field, though with the loss of their brave commander, General Herkimer, and many of his followers. Thayendanegea commanded the Mohawk and other British Indians in this battle, and they suffered severely. Colonel St. Leger continued to press the siege of Fort Schuyler, however, for several weeks, when he was obliged, by intelligence of the alleged advance of a large body of troops, under General Arnold, to retreat from before Fort Schuyler, and endeavour to join the main army by another route.

While the defeat and surrender of General Burgoyne, in October, broke the power of the British on this side of the St. Lawrence and the lakes, and freed the country from hostile expeditions on a great scale, the inhabitants suffered the more from the partisan incursions of the vindictive Indians and Tories. During the residue of the war, Thayendanegea and his Indians, often, in conjunction with the Butlers, were, year after year, perpetually engaged in harassing the western settlements of New York and Pennsylvania. What Mr. Stone says of his operations in 1778, will apply to the subsequent years.

"Wherever a blow could be struck to any advantage, Joseph Brandt was sure to be there. Frequently, moreover, were there instances in which individuals, and even whole families in the outskirts of the settlements, disappeared, without any knowledge on the part of those who were left, that an enemy had been near them. The smoking ruins of their dwellings, the charred bones of the dead, were the only testimonials of the cause of the catastrophe, until the return of a captive, or the disclosures of some prisoner taken from the foe, furnished more definite information."

Mr. Stone adds: "But there is no good evidence that Brandt was himself a participator in secret murders, or attacks upon isolated individuals or families." This remark is a singular sequel to "the charred bones" and "the smoking ruins," and the other evidences of midnight massacre, just before described. If Thayendanegea is to have all the honors of being "The Great Captain of the Six Nations," and if, in that capacity, he for years *conducted* a

war of massacre, private vengeance, and midnight pillage, it avails little to show that here and there, he rescued a prisoner from the hatchets of his Mohawks. Nor are we to abstain from condemning him, and wait until women and children, massacred in their beds, or burnt in the conflagration of their dwellings, shall arise from the grave to bear witness against their murderers, and to give "good evidence that Brandt was himself a participator." Our author himself says: "Wherever a blow could be struck to any advantage, Joseph Brandt was sure to be there." Very well. When did his Mohawks ever strike *any blow* voluntarily except from ambush, or in midnight surprises, with peaceful cultivators, and helpless women massacred or made captive, and burning hamlets and villages to mark the presence of the savage foe? Thayendanegea, we cheerfully admit, was superior to the rest of his tribe in cultivation, and in civilized tastes and tendencies, and various well authenticated instances of his humanity are adduced by Mr. Stone; but it is impossible for the "Captain of the Six Nations," their war-chief in all the operations of the war, to shake from his skirts the guilt of the long series of enormities perpetrated by them in New York and Pennsylvania.

We have not space to go over the particulars of all these frontier outrages, or do more, for the most part, than simply to enumerate them, dwelling only on two or three of the most important.

Early in 1778, Thayendanegea burned and wasted the settlement of Springfield, at the head of the Otsego Lake.

In July of the same year, Colonel John Butler led a band of Tories and Indians against the settlements in the Valley of Wyoming, beat the Provincial troops who opposed him, reduced Fort Wyoming, and, regardless of the articles of capitulation with the garrison, by which he stipulated to leave the settlers and their property unmolested, suffered the valley to be laid waste, the dwellings to be destroyed by fire, and the inhabitants, men, women, and children, such as escaped massacre, to be led into captivity, or driven off to perish miserably in the woods or swamps. This is the fearful tragedy of Wyoming, transmitted to us by history and poetry, as one of the most infamous and daring deeds of border warfare on record.

It is the generally received account, in all the books of history, British and American, that Brandt was associated in this affair with Colonel Butler, the ostensible leader of the expedition. This, however, Mr. Stone strenuously denies, affirming that "he was many miles distant at the time," in proof of which, he refers to the declaration of Thayendanegea himself, and "the uniform testimony of the British officers engaged in that expedition." We should have been glad to see this matter a little more fully explained. *Where* was Thayendanegea at the time? How engaged? Who

are the British officers referred to by Mr. Stone, as the compurgators of Brandt? Only one of them, a Mr. Frey, is mentioned by name. John Brandt, a son of Joseph, visited England in 1822, and with honorable filial piety strove, in correspondence with Mr. Campbell, to vindicate the memory of his father from the imputations connected with this matter, which the poem of Gertrude of Wyoming had disseminated wherever the English language is read. It is singular that neither the letter of John Brant, nor the documents he laid before Mr. Campbell, are given to us. We discover their unsatisfactory nature from Mr. Campbell's reply. He says: "I rose from perusing the papers you submitted to me, certainly with an altered impression of his (Thayendanegea's) character. The evidence afforded induces me to believe that he often strove to mitigate the cruelty of Indian warfare. Lastly, *you affirm* that he was *not within many miles* of the spot *where the battle* which decided the fate of Wyoming *took place*, and, from *your offer of reference* to living witnesses, I cannot but admit the assertion." We ask again, how many miles off was he *when the battle was fought?* Where was he AFTER the battle was fought, the next and the following days, when the Indians and Tories ravaged the valley, and drove the inhabitants to perish in the mountains? Who are the "living witnesses" of his absence from the battle, even? When Gordon, Ramsay, Belsham, Adolphus, and, as Mr. Stone candidly admits, "every written history of this battle extant, not even excepting the last revised edition of the Life of Washington by Chief Justice Marshall;" when all these old accounts concur in representing Brandt to have accompanied this expedition, the evidence should be very full, and very circumstantial, to establish the contrary "in the face of every historical authority." We confess to be not very well satisfied as to the *whereabout* and the occupation of the Mohawk chief, the man always present "wherever a blow could be struck to advantage," on this occasion, when his Indians were reaping such a plentiful harvest of blood and plunder among the blazing rafters of Wyoming. We need to see more evidence on the subject.

However this may be, we find Thayendanegea, in the course of the same summer, actively engaged in ravaging the Mohawk valley signalizing himself by the total destruction, especially, of the populous settlements of German Flats, though the inhabitants, receiving timely warning, fled before him, and took refuge in Forts Dayton and Herkimer. And in November of the same year, a party of Indians and Tories, led by Brandt and by Walter N. Butler, the son of Colonel John Butler, fell upon the settlement of Cherry Valley, and repeated, point for point, the tragedy of Wyoming. The village was burnt to the ground, whole families massacred in cold blood, and all who survived the tomahawk and the brand, were

made captive, though most of the women and children were afterwards released. There is evidence that Brandt saved *one woman's life* in the course of the affair; but whether he or Butler is to be held chiefly accountable for the barbarities perpetrated by the Indians, was disputed between them. Butler's friends ascribed them to Brandt. Butler himself said, in a letter to General Schuyler, 'I have done every thing in my power to restrain the fury of the Indians from hurting women and children, or killing the prisoners who fell into our hands. I look upon it beneath the character of a soldier to wage a war with women and children.' Nay, in another letter, addressed to General Clinton, he undertakes to say that both he, and his father, Colonel John Butler, were innocent of the commission of any cruelties, *either at Wyoming, or Cherry Valley.*

The truth is, the employment of Indians in the war at all, was the fundamental wrong, for which the English Government is responsible to past and future generations. We may concede, for the argument's sake, that Brandt was as well disposed as the Butlers, Johnsons, and other refugees, his associates; and that is conceding much; for, in addition to being a refugee loyalist equally with them, he was an Indian, having the passions and sentiments of an Indian, how much soever humanized by long association with the English. And Mr. Stone himself relates that, in after life, when still more cultivated and refined by habits of peace and by society, Thayendanegea justified and defended the Indian usages of warfare. Why then seek to free him from responsibility for outrages which he led on the Indians to perform, and *which he thought it right to perform?*

To illustrate this, we shall give the next of Thayendanegea's achievements in Mr. Stone's own words. The village of Minisink being left without protection, except by its own people,

"Captain Brandt determined to make a descent upon it, for the purpose of taking both plunder and prisoners. Accordingly, on the twentieth of July, (1779,) or rather during the night of the nineteenth, *the crafty Mohawk stole upon the slumbering town*, &c. Such was the silence of their approach, that *several houses were already in flames when the inhabitants awoke to their situation.* Thus surprised, and wholly unprepared, all who could escape fled in consternation, leaving the invaders to riot upon the spoil, &c."

This attack upon, and destruction of, Minisink, professedly planned and carried through by Thayendanegea, differ in magnitude only, not in principle, from the affairs of Wyoming and Cherry Valley. It was followed, a few days afterwards, by a battle between the Indians and a party of militia from Goshen, in which the latter were defeated and nearly all killed, many in the fight, and many others in cold blood after it was over. Brandt tomahawked Colonel Wisner, one of the prisoners, with his own hand, for the purpose, as he himself has since explained it, of *putting the wounded officer out of pain*; which our author de-

scribes as "a savage exhibition of humanity." We think it was a very savage way of manifesting benevolence.

In the same year, Thayendanegea was in the battle of Newtown, where General Sullivan defeated the British and their Indian allies, commanded by the Butlers and the Johnsons.

The ravages of the Indians continued in 1780. Thayendanegea himself fell upon, and destroyed, the village of Canajoharie; and later in the year accompanied Sir John Johnson in a robber's expedition against the Schoharie settlements.

But we sicken of all these horrors of savage rapacity and vengeance. From their winter-quarters at Niagara and Oswego, Brandt and his Indians, and the Tories, their worthy companions, continued their course of incursions into the back settlements of New York, burning, pillaging, and slaying, until the depopulation of the country, or their own losses, stayed their hands, and the approach of peace put an end, in that quarter, to their bloody vocation.

When the treaty of peace came out, the Mohawks, and other Indian allies of Great Britain, were disappointed to find that it contained no stipulation in their behalf. England had used them for her benefit, not for theirs. "Notwithstanding their constancy, their valor, the readiness with which they had spilt their blood, and the distinguished services of their great captain, Thayendanegea,"—that is, to say, notwithstanding the alacrity with which, at the instigation and under the orders of Great Britain, they had, for eight years, dedicated themselves to a life of robbery, massacre, and midnight conflagration,—notwithstanding "the distinguished services!" of Thayendanegea, as the "great captain" of a band of outlaws and assassins,—they discovered, as it was right they should, that they must either abandon their old homes, or remain at the mercy of the people whose habitations and kinsfolk they had plundered and murdered. Of course, the Mohawks gladly accepted permission to occupy a tract of country on the Grand River of Lake Erie, ready to be again employed by England, when occasion should arrive, in savage inroads, against the frontier settlements of the United States.

This concession of land was originally made by General Haldimand, immediately after the conclusion of the war. Brandt and his people contended that it was a grant in fee, and that the Mohawks were to be treated not only as the owners of the soil, but as an independent nation. This, of course, the Canadian Government could not, and did not, allow; it having been a fundamental policy of England, at all times, to consider the Indians as dependent tribes subject to their power, and as holding only a possessory use in the soil. Any other view of the subject would have been fatal to the peace and sovereignty of the country. But while England adhered to this policy in Canada, as she had always done in the

other colonies before their separation, she spared no exertion to spirit on the Indians of the United States, especially those Indians of the Six Nations who remained in New York, and the various Indians of the northwest, to insist on having all the country northwest of the river Ohio yielded up to them in full sovereignty by the United States.

To accomplish this object, Great Britain, notwithstanding the treaty of peace, retained the frontier posts along the St. Lawrence, and the lakes, and thus had ample facilities to inflame the hostility of the Indians; and from the close of the revolutionary war, until Wayne's treaty of Greenville, a period of ten years, her intrigues among the Indians left no peace to our western settlements. Harmand's defeat, that of St. Clair, and Wayne's victory, are the great events which mark that sorrowful period. In the numerous councils of the confederated hostile Indians, Thayendanegea was generally present, sometimes the advocate of peace, at others of war, but contributing efficiently to keep alive the agitation of the Indians. In 1792, he visited Philadelphia, invited by our Government to a council there, in the hope that he might be persuaded to cease altogether from hostility to the United States, and even to quit the service of Great Britain. He was an object of curiosity and interest to our people, on his journey to the seat of Government, like Blackhawk, Oseola, and other Indians, in proportion to the injury they have done us; but the settlers in the Mohawk Valley could not so soon forget the wrongs they had suffered at his hands; and were with great difficulty withheld from taking his life. He rejected the overtures of our Government, except so far as to undertake a specific mission to the Miamis. Nay, though supposed, or professing, to be friendly to peace, he, and his Mohawks, it now appears on the testimony of his family, were actually in the field at the battle of the Miamis; or, as Mr. Stone says, "one of the master spirits against whom he (St. Clair) contended, and by whom he was signally defeated, was none other than Joseph Brandt." Indeed, his favorite object, for which, in part, he visited England in 1785, had been to combine all the northwestern Indians in a permanent confederacy, under the protection of the English Government.

We consider the facts and documents in relation to this period of our history, as among the most important parts of this work. It contains an abundance of authentic original evidence, of the most conclusive character, in illustration of the fact, so dishonorable to her, that England was secretly at the bottom of the Indian wars of that period. We have not space, as we wish we had, to exhibit the correspondence of Governor Simcoe, Major Matthews, Sir John Johnson, and other Canadian officers, bearing on this subject. We will adduce one thing only, as an example. In the spring of 1794, Governor Clinton, of New York, transmitted to General Washing-

ton, an alleged speech of Lord Dorchester to the Indians, manifestly hostile to the United States, and totally incompatible with the neutral relations of the two nations. Chief Justice Marshall, in the Life of Washington, denies the authenticity of this speech; and Mr. Sparks seems to follow his opinion. Mr. Stone settles the question. He had in his possession, among the papers entrusted to him by Brandt's family, a certified manuscript copy of the speech, preserved by Brandt himself. Other facts of the same class, which his work contains, are invaluable, in their bearing upon our past and present relations with Great Britain.

With the defeat of the Indians by General Wayne, and the treaty of Greenville, the military career of Thayendanegea terminated. He passed the remaining twelve years of his life in Canada, excepting a second visit to the United States, in which, as before, he was pursued by the vengeance of those who had suffered in the Revolution by his followers, and narrowly escaped being the victim of their matured and well founded hatred. In Canada, he laboured for the civilization and improvement of his people; and his efforts to establish among them the institutions of religion deserve commendation. He himself procured much of the ordinary cultivation and acquirement belonging to civilized life, as evinced by his speeches, and by his letters. But notwithstanding his endeavours to civilize his people, nay, partly in consequence of his plans to introduce white settlers among them, he encountered some difficulties and complaints on their part. He was accused of peculation; but apparently without good cause. At one time his opponents succeeded, under the guidance and advice of the Seneca Chief, Red Jacket, in having him deposed from the chieftainship, by a council of the Six Nations. But he was afterwards restored at another and a fuller council; and on the whole, he seems to have retained, and deservedly, the respect of the Indians and Canadians, until the end of his life.

A few years before his death, Thayendanegea removed his own residence to the head of Lake Ontario, and died there in 1807, at the age of sixty-four, his third wife, Catharine Brandt, surviving him. In 1795, his eldest son, Isaac, a man of reckless and dissolute life, struck at his father in a fit of intoxication, and in the sudden heat of the affray Brandt drew his knife, and gave the son a blow on the head, of which he died. Though Brandt was acquitted, by the public opinion of the English, as well as of the Mohawks, of the guilt of premeditated murder, in this affair, yet the circumstances were characteristic of the spirit and the impulses of the Indian race. Other children survived him; and his youngest son, John Brandt, the correspondent of Mr. Campbell, was designated by his mother, herself the daughter of a head chief, to succeed his father as chieftain of the Mohawks. John Brandt was a

well educated man, served actively in the war of 1812, in company with others of his family and tribe, and in 1832 was elected a member of the Parliament of Upper Canada. His election was disputed by his competitor, and set aside on the ground that many of the electors who held lands in the Mohawk country, under Indian leases, were not freeholders. And in the same year he died of the cholera, leaving the succession to an infant son of his sister, Mrs. Kerr.

Having, in the course of this Article, expressed our opinion of some of the leading traits in the life and conduct of Thayendanegea, we have a few words of general explanation to add. He was, undoubtedly, a person of very considerable natural abilities, cultivated by education and circumstances, superior to the rest of his tribe in all respects, a sagacious and brave partisan officer, a man of general intelligence and respectability, free from many of the vices of character which usually belong to those of his race, and possessed of many of the qualities which distinguish the civilized man. That he was Indian still, in the basis of his character, and that in those military events of the revolutionary times, which alone have given him celebrity, he carried on war as an Indian, we fully believe; and to a mere partisan officer, the captain of a band of savages, though in general spirit, or individual cases, he shewed himself more merciful than his followers, we cannot concede the honors of a great man or a hero, any more than to Sir John Johnson, John Butler, or Walter N. Butler, the companions of his marauding expeditions in New York and Pennsylvania.

If we regard him as an Indian, and compare him with such men as Pontiac or Tecumseh, we must place him on a lower scale of native intellectual eminence. If we compare him with English or Americans, we cannot perceive any cause to elevate him, as a man, above other military men of the same subordinate rank. The high-sounding names of chief, noble, and king, which are so liberally applied to the head men among the North American Indians, lead to most erroneous conceptions of the true relations of things. In 1763, the Mohawks were computed to muster one hundred and sixty warriors; in 1776, three hundred warriors, representing at most, one thousand, or fifteen hundred souls. We can readily estimate the political weight of the selectmen, or even the chief citizens, of a little village of fifteen hundred souls of our own race or people; and if he were a good man in his station we should honor him as such, and not otherwise. And why think better of the head man of a little Mohawk village or tribe? Again—if that chief citizen of one of our own towns rose to the rank of colonel of a regiment of six hundred, eight hundred, or one thousand men, and performed good service in that capacity according to his lights for eight years, it would be doing all possible (and more than true) justice to the

character and services of Thayendanegea, to place the latter on the same level with the former.

We comprehend why an Indian is, by those unaccustomed to the sight, sought after as a spectacle, a rarity, a show; but when we sit down calmly to estimate the character of a man, we must measure him by the general standard of humanity, and not allow ourselves to fall into the error of imagining, that because he is of Indian blood, in part or in whole, he is therefore wiser or greater, than the men of our own nobler Anglo-Norman race. The general presumption is the reverse always. And instead of wondering that Thayendanegea, brought up from boyhood under the eye and favor of Sir William Johnson, and habitually associated with Englishmen for so many years, should have acquired a tincture of the knowledge and tastes of civilization, the marvel would have been if he had failed to acquire it, as the marvel now is, that the great body of the Indians have so long remained utterly impervious to all the elevating influences of christianity, and of the European arts and mind. Doubtless the Indians have suffered in contact with us; but they have suffered, because of their own inherent vices of character and condition, such as their obstinate idleness and apathy, and their want of, and revulsion from all political institutions,—infinitely the rather than by reason of any fault of ours. It is our misfortune, quite as well as theirs, that they cling so tenaciously to their native degradation.

In conclusion, we heartily recommend this work to the patronage of the reading public, as replete with entertainment and instruction, and entitled to a place in every well stored library.

FAREWELL TO A RURAL RESIDENCE.

BY MRS. L. H. SIGOURNEY.

How beautiful it stands,
  Behind its elm-tree's screen,
With pure and Attic cornice crowned,
  All graceful and serene.
Most sweet, yet sad, it is,
  Upon yon scene to gaze,
And list its inborn melody,
  The voice of other days.

For there, as many a year
Its varied chart unrolled
I hid me in those quiet shades,
And called the joys of old.
I called them, and they came,
Where vernal buds appeared,
Or where the vine-clad summer-bower
Its temple-roof upreared.

Or where the o'er-arching grove
Spread forth its copses green,
While eye-bright, and asclepias reared
Their untrained stalks between,—
And the squirrel from the bough
Its broken nuts let fall,
And the merry, merry little birds
Sang at his festival.

Yon old, forsaken nests
Returning spring shall cheer,
And thence the unfledged robin send
His greeting wild and clear,—
And from yon clustering vine
That wreathes the casement round,
The humming-bird's unresting wing,
Send forth a whirring sound,—

And where alternate springs
The lilac's purple spire,
Fast by its snowy sister's side,
Or where, with wings of fire,
The kingly oriole glancing went
Amid the foliage rare,
Shall many a group of children tread,—
But mine will not be there.

Fain would I know what forms
The mastery here shall keep,
What mother in my nursery fair
Rock her young babes to sleep;—

Yet blessings on the hallowed spot,
Though here no more I stray,
And blessings on the stranger-babes
Who in those halls shall play.

Heaven bless you too, my plants,
And every parent-bird,
That here, among the nested boughs,
Above its young hath stirred,—
I kiss your trunks, ye ancient trees,
That often o'er my head
The blossoms of your flowery spring
In fragrant showers have shed.

Thou too, of changeful mood,
I thank thee, sounding stream,
That blent thine echo with my thought,
Or woke my musing dream,—
I kneel upon the verdant turf,
For sure my thanks are due,
To moss-cup, and to clover-leaf,
That gave me draughts of dew.

To each perennial flower,
Old tenants of the spot,
The broad-leafed lily of the vale,
And the meek forget-me-not,—
To every daisy's dappled brow,
To every violet blue,
Thanks!—thanks!—may each returning year
Your changeless bloom renew.

Praise to our Father God,—
High praise in solemn lay—
Alike for what his hand hath given,
And what it takes away,—
And to some other loving heart
May all this beauty be
The dear retreat, the Eden-home,
It long hath been to me.

HARTFORD, CONN., *Thursday, June 21st*, 1838.

MEXICO AND TEXAS.*

The publications at the bottom of this page, relative to the campaign in Texas, are from three of the most influential of the Mexican leaders on that memorable occasion, and appeared almost simultaneously. They are all calculated to throw a light upon the transactions of the period in question, and important on account of the various official documents by which they are illustrated; but there are circumstances that give to the first of these pamphlets a peculiar interest. This contains a plain, unvarnished, and soldier-like exposition of the events of the campaign, and, among others, of the massacre of Fanning and his unhappy companions in Goliad, the whole odium of which dark affair is shown to attach solely to Santa Anna. This aroused the hero of Tampico in his quiet retreat of Manga de Clavo, near Vera Cruz, which he characterizes in his pamphlet as "el termino di mi carrera publica" (the termination of his public career.) Some, however, there were, sceptic enough to doubt the sincerity of this declaration, and the appearance of General Urrea's Diary has shown the reasonableness of such a surmise. Had General Santa Anna really considered his public career as terminated, and been as philosophically indifferent to the future, as he has professed to be, Urrea's pamphlet would have raised no emotion in his bosom. Such, however, was not the case. No sooner did the publication make its appearance, than Santa Anna and his partisans make every effort to suppress it, and so effectually have they succeeded in doing it, that the copy before us was obtained only by a happy manœuvre. This fact will lead the reader to conclude that, in spite of all Santa Anna's protestations to the contrary, he is not so indifferent to public opinion, as he would fain have the world believe, and that, consequently, he may, as yet, be induced to recal the assertion, "that his public career is closed."

* Diario Militar del General Jose Urrea, durante la Primera Campana de Tejas.—*Victoria de Durango*, 1838.

(Military Diary of General Jos. Urrea, during the first Texas Campaign.)

Manifesto que de sus Operaciones en la Campana de Tejas, y en su Cautiverio dirige a sus conciudadanos, el General Antonio Lopez de Santa Anna—*Vera Cruz*, 1837.

(Manifesto of operations in the Campaign in Texas, and of his captivity, addressed to his fellow-citizens by General Antonio Lopez de Santa Anna.)

Esposician de los operaciones en la Campana de Tejas, del General D. Vicente Filisola.—*Mejico*, 1837.

(Exposition of operations in the Campaign of Texas, by General D. Vincent Filisola.)

Among other insinuations thrown out by that party against General Urrea, there was one calculated to cast considerable odium upon his character, and which he found himself called upon to repel. It was more than hinted, that he was, in a great measure, responsible for the massacre of Fanning and his followers in Goliad; and one of the principal objects of his pamphlet is to clear himself of this aspersion. With this view, the General has given a detailed and very candid account of this painful affair, of real value as materials of history. This part of his work will not fail to be regarded with deep interest, particularly by every American reader. By the production of these authentic documents a double act of justice is rendered,—to General Urrea, in the first place, and after him, to the Mexican soldiery, in general, whose character for honor and humanity was unsparingly visited at the time. In the simple and soldier-like statement here made, General Urrea will be found to have fully exculpated himself from any participation in this horrid affair, and to have satisfactorily shown that the whole odium of this most infamous and cold-blooded massacre falls upon Santa Anna.

We shall at once proceed to give such extracts from General Urrea's Diary as bear upon this subject, appending thereto the official papers, upon which depends the authentication of his statements. The work being, as remarked above, not accessible to the public, we are aware that the most copious extracts our limits will permit will prove acceptable to our readers, none of whom can fail to feel an interest more or less deep, in the subject to which they relate.

Early in January, 1835, General Urrea marched with his division from Durango, and joined the President and Commander-in-Chief, General Lopez de Santa Anna, at Saltillo. There arrangements were made for opening the campaign in Texas, and Urrea received orders to march upon Matamoros, and join some bodies of troops that were there awaiting him. On the first of February he reached that city, where he quartered till the eighteenth; when, receiving information that three hundred Texans were advancing to the banks of the Rio Bravo, he marched in the direction of the enemy, his forces consisting of three hundred and twenty foot, and three hundred and thirty horse, with one four-pounder. On the twentieth, he passed the Rio Colorado; as he advanced northward, the weather grew more severe; on the twenty-sixth, they were overtaken by a heavy hail-storm, and the night was so intensely cold, that six soldiers perished on the route. On the twenty-seventh, at three in the morning, they arrived at San Patricio. Here we must allow the General to tell his own story:

"At half-past three in the morning, an attack was made upon the enemy, in the midst of a heavy fall of rain; and though they defended themselves vigorously, the gate was forced, seventeen were found dead, and twenty-four made prisoners, and a standard, and ammunitions of different kinds, fell into our hands. Not a single one of the inhabitants suffered any detriment. At six in the morning, Captain Pretalia

came in with eight prisoners; he had attacked a part of the enemy in their retreat, and left several dead on the field. I received information of the approach of a Dr. Grant, and sent out scouts to reconnoitre. I also learned that Colonel Fanning held the Fort of Goliad, with more than six hundred men, and nine pieces of artillery.

28 and 29. Halted in San Patricio without any thing remarkable occurring. State of the force under my command, one hundred and ninety foot, and one hundred and eighty-three horse.

March 1. Still in San Patricio, where information reached me, that Dr. Grant was on his way back from Rio Bravo, with a party of about fifty chosen riflemen. I started at night-fall, with eighty dragoons, in pursuit of him. A strong north-wind was blowing, and the cold excessive, I therefore determined to wait for the enemy at Aguadula, ten leagues distant from San Patricio, by which place he would necessarily pass. I divided my troop into ten parts, and placed them in ambush.

2. Between eight and nine in the morning, Grant came past and was attacked and routed by the parties, who were commanded by myself and Colonel Garay. Grant and forty-one of his riflemen remained dead on the field, and six men were taken prisoners, with their arms, amunition, and horses. I countermarched upon San Patricio, and sent off nine scouts in the direction of Goliad.

3 to 6. In San Patricio, receiving information from Goliad, and exercising the troops daily.

7. In San Patricio, where I was joined by the forces for which I had sent to Matamoros.

8. Had information that the enemy had put himself in motion to attack San Patricio, and marched in the night to meet him, with three hundred men, and the four-pounder. At ten leagues distance, upon the road to Goliad, I put myself in ambush, waiting the enemy.

9. In ambush, upon the stream De las Ratas.

10. Received notice that the enemy had changed their plan, and were preparing to march, with four hundred men, to succour those of their party besieged by our army, in the Fortress of the Alamo. Countermarched to San Patricio, and ordered the cavalry to attack the former on their march.

11. In San Patricio.

12. Received a reply from the General-in-Chief to my despatch, in which I had announced the taking of the said post, and the defeat of Grant.

13. Marched upon Goliad, and learned on the route, that the enemy had advanced a strong detachment to occupy the Port of Còpano, and that they had halted in the Mission of Refugio. Sent on Captain Pretalia with a company, with orders to form a diversion till my coming up. Chose out one hundred horse, and one hundred and eighty foot, and with the four-pounder, continued the march during the night, leaving the remainder of the troops encamped on the stream Aranzazu.

14. At daybreak, I arrived at the said Mission, where I found Captain Pretalia in face of the enemy, who had entrenched themselves in the church. The moment they observed me they set fire to the houses in the vicinity. I carefully reconnoitred the point, and being convinced that I must sacrifice many men, the place being capable of an effective defence, I immediately decided upon investing it, and upon harrassing the enemy all that day and the following night, in order to surprise them at the next break of day. But the startling accounts brought us by the inhabitants, of the robberies and outrages committed on their persons and property, excited the indignation of the officers and soldiers to such a degree, that, availing myself of an occasion in which eighty men were sent out to fetch water and forage, within gunshot of the parapets, I sent a party of foot, and another of horse, to keep up a running fire, in order to draw the rest of the enemy out of their entrenchment; but the eighty men immediately withdrew within their lines. My officers and soldiers showed the greatest eagerness to attack them, and wishing to take advantage of the enthusiasm of the moment, I at once decided, and ordered a column of infantry to charge, sustained by the fire of the cannon, which I had brought near enough to batter down

the door of the church. With the cavalry on their flank, they advanced in such good order and with such success as to come within ten paces of the cemetery, without having one single man wounded. The enemy, though at first confounded by the movement, opened a lively fire upon our infantry, the greater part of whom being recruits from Yucatan, could not sustain it, and fell back, nor could my exertions avail to bring them forward again; and their native officers, who, a few moments before, had been all boasting and arrogance, disappeared in the most critical moment. These soldiers, with few exceptions, do not understand Spanish, and the officers, unacquainted with their *patois*, found it difficult to make them understand the word of command. The infantry having fallen back upon a house and court-yards situated at fifteen or twenty paces from the church, I ordered a part of the cavalry to alight, in order to inspirit them by their example; but all would not do. The cavalry, alone, was unequal to carry the place. The moment was urgent; and I ordered a retreat, which, however, could not be effected with the order that disciplined troops would have maintained. In the meantime, the four-pounder had been brought to within twenty paces of the door of the cemetery, and my valiant dragoons brought it off in safety. The night came on dark and rainy, and the enemy, unwilling to try the hazard of a second attack, left their entrenchments, and took the road to Goliad, under cover of the darkness. My troops were greatly fatigued; they had been on the march for several days in succession, and during the whole of this day had been without food.

15. At daybreak, I found the church deserted by the enemy, and took possession of the post; the enemy had left six of their wounded, and some families of settlers, as well as some Mexicans whom they had forced to join their ranks. I despatched the whole of my disposable cavalry in pursuit of the enemy, with whom they had a brisk skirmish, taking thirty-one prisoners, and leaving sixteen of their number dead on the field.

16. Leaving the wounded to the care of Colonel Vara, I marched, with two hundred foot and horse, upon Goliad, sending a reconnoitring party in advance, who took fourteen prisoners, and intercepted a courier from Fanning." [*See Document, No.* 1.]

The information contained in this intercepted letter determined General Urrea to make an effort to cut off the communication with Victoria; he spent the seventeenth and eighteenth in attempts to effect it, and on the nineteenth came up with Fanning's troop. He had received information of the approach of Colonel Morales from Bejar, with three pieces of artillery and five hundred men, to join him that day. Upon the strength of this assurance, he determined to attack Fanning, though in an advantageous position, and backed by nine pieces of artillery. At half-past one in the day the attack began, and was for a long time sustained with equal vigor on both sides. Fanning and his gallant crew fought with a spirit, bravery, and determination, worthy of a better fate, and poured in their grape and musket shot so effectually, as to baffle all the skill of the Mexican General, who, however, persevered in the attack, under hope of the opportune arrival of the reinforcement in question. But his hopes were disappointed; Morales had missed the track; and when on the point of sinking under the heavy fire of the Texans, Urrea, with great courage and address, threw himself into the front line, and ordered a general charge at the point of the bayonet, which was not without its effect, and served in part to turn the

fortune of the day. Night closed in, and both parties retired within their lines, mutually worn out with the toils of the day. Thus ended the nineteenth of March. The events of the twentieth we must allow General Urrea himself to detail:

"*March* 20. At day break I reconnoitred the enemy's position, and found it the same as that of the night previous, having however, strengthened his entrenchments by several carts and wagons, as well as by the bodies of a number of dead horses and oxen. I gave orders to form, immediately after refreshing the troop; at half past six, the reinforcement, which, as I have said, had lost its way, came up and joined us; they had with them one twelve, and two four-pounders, as well as a howitzer, which I had directed to be brought. I formed a battery at a hundred and seventy paces from the enemy, supported by the companies of the Caçadores. I gave orders that the remainder of the infantry should form a column, which was to advance upon the left of our battery, the moment it opened fire. The instant the fire was opened, and the movement I had ordered was taking place, the enemy, without offering any resistance, raised the white flag. I immediately ordered the firing to cease, and despatched Lieutenant Colonel Holsinger, and my adjutant D. José Gonzales, to learn the enemy's intention. The former soon returned, stating that they proposed to capitulate. My reply simply was, that I could accede to nothing else than an unconditional surrender, and Señors Morales and Salas hastened to communicate the same to the enemy's commissioners, who had already come forth from their entrenchments. Some communications passed; but desirous to terminate the affair as promptly as possible, I repaired to the spot, and repeated to the head of the deputation the impossibility on my part, to accede to any other thing than a surrender on the terms I had already proposed, feeling obliged to refuse subscribing the capitulation in three articles, for which they asked. [*See Document, No.* 2.] Then turning to Fanning and his companions, in presence of Señors Morales, Salas, Holsinger and others, I definitely replied: "If you are willing to surrender at discretion, the thing is concluded; if otherwise, I will return to my post, and the attack shall continue." Painful to me as was this reply, and desirous as I might have felt to offer them the guaranties which humanity might have prescribed, it was not within the limit of my powers; had it been so, I should have guarantied their lives at least, on the spot. Fanning was a respectable man, and a man of courage, a quality reciprocally prized by soldiers in the field. His manners conciliated my esteem, and had it been in my power to save him, as well as his companions, I should have felt gratified in so doing. All the assurance I could make him was, that I would interpose in his behalf with the General-in-Chief, which I accordingly did in a letter from Guadalupe.

"After my ultimatum, the leaders of the enemy's forces conferred together, and the result of their deliberations was to surrender on the terms proposed. They at the same time gave orders to those under their command to come forth from their breast-work. and pile their arms. Nine pieces of artillery, three standards, more than a thousand muskets, a quantity of pistols, rifles, and dirks, of superior quality, a number of wagons, and a considerable quantity of provisions, together with about four hundred prisoners, remained in the hands of the army, among whom were ninety seven wounded, Fanning, and others of the leading men, being among the number. I gave orders that the whole of them, with their baggage, should march to Goliad, guarded by two hundred infantry, and that such of the wounded as were unable to proceed should be conveyed in carts, wagons, and other vehicles found in the enemy's camp. Twenty seven of their dead, of the day previous, were interred, together with eleven of our own. We had forty-nine soldiers wounded, and five officers, among whom was Captain Ballasteros, severely. By a communication from Col. Garay, I had learned that he had taken possession of Fort Goliad, where he found eight pieces of artillery, which the enemy had not been able to carry off. On quitting this place, they had set fire to the houses on their route, the more effectually to cover their retreat. Having arranged every thing for the safe conveyance of the prisoners to Goliad, I

took up my march for Victoria, with the greatest part of the infantry, all the disposable cavalry, and one four-pounder. My object was to possess myself of it, as well as of Guadalupe, before the enemy should arrive there. I halted during the night at Coleto, ten miles distant from that post.

21. At daybreak I continued my march, and at seven o'clock took possession of Guadalupe Victoria.

22. I marched, with two hundred foot and fifty horse, to a mountain pass, called Las Juntas. Here I met with four men from Ward's company, who were in search of provisions, and from them I learned that the whole band was in ambush in a neighbouring wood. I immediately surrounded it, and sent in one of the prisoners to announce to his leader and companions, that unless they surrendered at discretion they would all be cut to pieces. Mr. Ward, known under the title of their colonel, desired to speak with me, and after a few minutes' conversation, he, with his troop of one hundred men, surrendered at discretion. I passed the night on the spot, and on the following morning proceeded with the prisoners, their arms and a quantity of provisions, to Victoria.

23. In this place I received advice that eighty-two of the enemy had surrendered in Còpano, with all their arms, ammunition and provisions.

24. 27. These days were passed in necessary regulations, in refitting the troops, and in the care of the sick and wounded. On the twenty-fifth, I sent Ward and his companions to Goliad. On the twenty-seventh between nine and ten o'clock in the morning, I received a communication from Lieut. Col. Portilla, military commandant of Goliad, informing me that he had received an order from His Excellency the Commander-in-Chief, to shoot all the prisoners there, and that he had resolved to comply with the same. The order in question was received by Portilla at seven o'clock on the evening of the twenty-sixth; he communicated it to me the same date, but necessarily it only came to my knowledge after the execution had taken place. Every individual in my division was confounded at the news; all was amazement and consternation. I was no less struck to the heart than my companions in arms, who stood there the witnesses of my sorrow: let one of those present at that painful moment deny the fact. More than a hundred and fifty of those who fortunately remained with me, escaped this catastrophe, consisting of those who had surrendered at Còpano, together with the surgeons and young men whom I had placed to tend on the hospitals, whose services, as well as those of many others of the prisoners, were very important to the army.

The melancholy event of which I here speak has caused a more than ordinary sensation, not only among my own countrymen, but among strangers the most distant from us. Nor have those been wanting who would fix the fearful responsibility upon me, although nothing could be more clear and unequivocal than my conduct in regard to this horrid transaction.

The subjoined Documents [*See No.* 3.] contain the orders sent me by the General-in-Chief relative to the fate reserved for the prisoners; orders which always appeared to me harsh and overstrained, even though they were the forced result of the barbarous and atrocious decree which declared those to be pirates whom at the same time it sought to subdue as citizens of the republic: strange contradiction! the fruit of that disorder by which this epoch is characterized.

I was anxious to avoid so serious a responsibility, and with this view I delivered various orders to Lieutenant Colonel Portilla, empowering him to employ the prisoners in the rebuilding of Goliad, and from that time I proposed to augment their number, hoping that such augmentation might lead to the saving of the whole; not, however, that I ever dreamed, that in cold blood, and without any urgent necessity, the dreadful spectacle would be exhibited of a massacre, repugnant to the laws of war, and an outrage to the enlightened character of the age. Nothing could be more painful to me than the idea of sacrificing so many gallant men, and particularly the amiable, spirited, and soldier-like Fanning. They certainly surrendered in the full confidence that Mexican generosity would not be sterile in their regard; they assuredly did so,

or otherwise they would have resisted to the last, and sold their lives as dearly as possible. I was alive to all the horror and disgrace of such a sacrifice, and did not fail to exert all my influence with the General-in-Chief to engage him to save them from the threatened carnage, and more especially Fanning; but all I obtained from his Excellency was a serious reply, stating that a cruel sense of duty compelled him to follow out the orders of the Government, and ratifying his previous orders. [*See Documents, Nos.* 5 *and* 6.] Thinking no doubt that I should compromise between my feelings and my sense of duty, and that I should thereby expose him to the accusations of his enemies, he communicated these orders directly to the Commandant of Goliad, inclosing me the contents of his letter [*See Document No.* 4.]: What was done by the Commandant will appear by an extract which is given from his Diary [*See No.* 5, *below*]; in this, as well as in his communications [*See No.* 6. *and* 7.], the reasons are given that determined him in the painful position in which he was straitened, and the conflicting feelings with which he had to contend. And yet, even after the lamentable occurrence, I received a letter from the General-in-Chief, of the date of the twenty-sixth, in which he says: "I say nothing with respect to your prisoners, having already stated my opinion as to the fate they ought to undergo, having been taken with arms in their hands."

According to the exposition here given, and bearing in mind that while this tragic scene was enacting in Goliad, I was in Guadalupe Victoria, where I received notice of the same, what could I do to prevent it? and more especially as the fatal order for carrying it into effect was communicated directly to the commandant of the place? To require me to have arrested the fatal blow would be to exact an impossibility, and, at all events, an act of intrepid insubordination, which the stoutest-hearted among us are not always in a situation, and in a tone of mind, to run the risk of committing.

Should an attempt be made to convict me in another quarter, by asking, why I did not guarantee the lives of those unhappy men, when it was in my power, by granting them a capitulation, when they surrendered to me in Perdido? My reply would be, that it was not within the scope of my powers to do so, nor would it have been honorable to the arms of the nation, or to myself. Again, I should have rendered myself liable to a court-martial, for so doing, inasmuch as having, on that day, the advantage of the enemy, both in numbers and position, I could admit of no other proposition than that of surrendering at discretion, or trying the fortune of the field. I feel conscious of having acted, in this affair, in such a manner as duty demanded, and of which the result was not in my power. As to those who have presumed to say that I offered guarantees to the party surrendering to me, they have said so without any knowledge of the facts.

Note by General Urrea.—Since writing the above, the "Manifesto" of General Santa Anna has fallen into my hands. A very important error, in page 49, has surprised me not a little. In my official account of the surrender of Fanning, I had these words—"Lo está igualmente el gefe, Fanning, sus compañeros, y mas de trescientos soldados, *que se titulaban*" [there also is the leader, Fanning, his companions, and more than three hundred soldiers, *as they style themselves:*] instead of the words, *que se titulaban*, it stands, in the General's pamphlet "que capitularon"—*who capitulated.* This error is singular, as giving an entire new character to the transaction, and I feel myself called upon to clear it up, as otherwise it would be naturally inferred from the tenor of the words, that I had actually made a capitulation with the prisoners at Perdido. I am willing to believe that there was no bad faith in the alteration of the phrase, and that it was a mere blunder, either of the copyist, or the compositor.

The perusal of the above extracts, and of the documents by which they are accompanied, will, we think, serve to convince every impartial reader, that on Santa Anna, and on him alone, devolves the odium of the massacre of Fanning and his companions

in arms. A curiosity will naturally be felt to see Santa Anna's own explanation of the affair, and we are happy to be able to give it in his own words, from his 'Manifesto,' which now lies before us, dated from his country-seat, Manga de Clavo, near Vera Cruz. It is not our wish to prejudice the mind of the reader, but were we called upon to state our impression of the grounds on which he has rested his justification, we should say that they are any thing but satisfactory. But let the reader judge for himself:

"This last event [the surrender and execution of Fanning and his followers] has been productive of much evil to myself, and it is, therefore, necessary that I should make a short digression respecting it. To avoid repetition, I make this observation once for all—the war of Texas was not only just on the part of Mexico, but imperatively called for by the undisguised character of the hostility which provoked it. It is notorious that the soldiers of Travis in the Alamo, those of Fanning in Perdido, the riflemen of Dr. Grant, and Houston himself and the troops of San Jacinto, came, with very few exceptions, from New Orleans, and other points of the neighbouring Republic, exclusively to support the rebellion in Texas, having had no previous relation with the colonists or their enterprises.

"Certain Mexicans, partisans of the former system, were led honestly to believe that the sole result of lighting the flames of war in the Texas would be a political change, in unison with their own opinions: a terrible lesson, and a subject of eternal remorse to those whom ambition led to so deplorable a result as that of perilling the integrity of their country's territory!

"This country was soon invaded, not by a nation recognized as such, coming to vindicate rights positive or supposed, nor yet by Mexicans, led away by a political fanaticism to defend or attack the public administration of their country; no, it was invaded by men hurried on by the lust of conquest, with rights far less apparent and plausible than those of Cortes and Pizarro. As for those who raised the standard of revolt throughout the immense space which Mexico possesses from Bejar to the Sabine, what name shall I give them, how treat them? The laws, ever in vigor, and whose strict observance the Government earnestly enforces, term them pirates and banditti; and the nations of the world would never have forgiven Mexico, had she treated such men with the respect which is due only to the honorable, the upright, the respecters of the rights of nations. Till then I had enjoyed among my fellow-citizens the reputation preferable in my mind to that of a brave man—the reputation of being humane after victories won. So completely unfortunate was I destined to become, that even the solitary virtue which my bitterest enemies never denied me, is now disputed. I am represented as more ferocious than the tiger, I who was ambitious to be distinguished by nothing so much as by my clemency, in a country that yields to no other in humane and generous feeling. The execution of Fanning and his followers is the ground on which they accuse me of having been barbarous and sanguinary. I would appeal to such of my fellow-citizens as have exercised the office of judges in criminal matters; they will bear witness how often my convulsed and faltering hand has signed the sentence of death, while my tears have blotted the paper. The law commands, and to the magistrate belongs not its examination, but its execution; and if in the application of the civil code a philosophical indulgence can never be admitted, how much less can it be allowed to mingle in the councils of a General in the field! The prisoners at Goliad stood condemned by the law, by a universal law, by the right of self-protection, which every nation and every individual enjoys. They did not surrender under the form of capitulation, as General Urrea has shown, how then could I turn the sword of justice from their heads, without directing it against my own? Let it be said (though I confess that such is not my opinion) that the law is unjust; yet to impute the homicide to the mere instrument, and not to the hand that directs it, can there be a greater blind-

ness? The prisoners were in the highest degree embarrassing to the commandant of Goliad; before taking to flight they had set fire to the place; nothing was left us but the church in which to house the sick and wounded; the sole security of the garrison consisted in perpetual vigilance, being greatly inferior in number to the prisoners; our provisions were barely sufficient for our own people; we were without cavalry to conduct them as far as Matamoros. All these considerations urged by the commandant of the place weighed heavily on my mind, and tended to bias my resolution. Perhaps for these considerations alone, these prisoners would have been led to execution by the armies of more civilized Europe, and in a war of nation against nation; nor would it have been the first example of a sacrifice of this stamp to the imperious laws of necessity and self-preservation. Should I have balanced between my duty and my inclination, and have pardoned those unhappy men, what should I have done but trample upon the law, arrogating to myself the invidious attribute of sovereignty, and at the same time exposing that detachment to a ready surprise, which, in their desperation, these prisoners might have attempted. But then the death of those unfortunate men cannot be excused. It has been said that a capitulation was made; and although the conduct of General Urrea contradicts the assertion, I addressed the Supreme Government on the subject, begging that an inquiry might be instituted, to show that neither officially nor confidentially was any knowledge of the same communicated to me; that had such been the case, though General Urrea had no power to grant it, I should have been induced, on the score of humanity, to appeal to the sovereign pity of Congress, to deliver Fanning and his soldiers from death. With less motive, and taking advantage of their medical skill, several doctors were saved from death, as well as forty prisoners who were employed in the construction of different useful things. In fine, eighty-six men taken in Còpano, were saved, I having drawn up a statement, that it appeared certain that they never made use of their arms, nor had committed any depredation, though taken with arms in their hands; and having submitted the same to Congress, I entreated their clemency. It has also been asserted that those prisoners were executed in a cruel manner; on this point I have also requested that an inquiry should be made; as for myself, I cannot be responsible for the manner in which the commandant at Goliad executed the law. One thing is certain, that in my prison I was guarded by some of those who had escaped from the firing, which was directed without order or concert, and that I was cruelly treated by them, and that on more than one occasion they proceeded so far as to threaten to assassinate me; as it was, they excited against me the most ferocious feeling, and were once on the point of hurrying me away to be executed on the same spot in Goliad where the others suffered. What contributed to influence this bad feeling, were the pamphlets circulated in the capital, some apparently worthy of belief, in which it was affirmed as a fact, that Fanning had effected a capitulation, which was violated by my orders. I rely entirely upon the good sense and good feeling of my fellow-citizens, and feel assured that, as heretofore they have always seen me humane and generous, they will not change their opinion on account of an order with which I could not dispense, without trampling on a law, the observance of which the Government had just inculcated by a definitive circular. From a desire to lessen, if possible, what might have been regarded as harsh in that law, I wrote to consult with the Government; the answer to which fell into the hands of the enemy, thus obliging me to adopt a course the more painful to me, as I have always had a horror against blood spilt out of battle."

The above is the only extract from Santa Anna's 'Manifesto,' of which our present limits will admit; but his exposition of the motives that led him to Washington is so remarkable in itself, and the results of that visit so nearly concern us, and form so curious a chapter in the history of the Texan affair, that we are induced to make it the subject of another article. We know from the very

best authority, that Santa Anna did not rush unadvisedly upon the evil, which he labours, but with so little effect, to explain away. He was remonstrated with by his principal officers, but more particularly by his friend and relative, General Cos, who, in return for his frankness, was repaid with insolence and abuse. They represented to him all the consequences of the cruel, strange, and most impolitic step he was about to take. They endeavoured to show him, that, though the Government had, in the first instance, put forth a manifesto strongly worded and highly colored, in order to meet the exigencies of the time, and act as an argument *in terrorem*, yet that it must necessarily have contemplated such modifications as were suited to new circumstances that might arise; and they besought him to consult the Government before he proceeded to extremities. It has been observed that "when the mind is made up, any argument will suffice;" and acting under such a bias, Santa Anna endeavoured to silence all remonstrance by an appeal to the letter of the manifesto, by urging the plea of a scarcity of provisions, and insisting on the risk of leaving so considerable body of men in his rear, guarded only by a handful of men, whose services were required for other objects; in a word, by affecting to regard 'the insurgents' as beyond the pale of all civilized institutions.

The general conduct of Sr. Portilla, under the trying circumstances in which he was placed, claims the attention of every friend of humanity; but there is one circumstance in particular which should not be allowed to pass unnoticed. The reader will not have failed to observe the very general and indefinite character of the order sent to him by Santa Anna, as given below [*No. IV.*] It is so indefinite indeed, that the good Commandant of Goliad is uncertain what to do, he hesitates for a moment, and at last decides according to the humane dictates of his heart; but so very uncertain is he as to the tenor and spirit of the order of his Commander-in-Chief, that he still feels it prudent to call upon Gen. Urrea to save his responsibility in the affair. Nothing can more strongly bespeak the recklessness of Santa Anna in this dark affair, than the above fact. So intent is he upon avenging the wrongs of his country upon "these detestable delinquents," as he qualifies the prisoners of Goliad, and so strongly does he identify them with the objects of his personal vengeance, that he stops to make no discrimination, no distinction between men taken in arms and prisoners who surrendered unarmed; and a literal interpretation of his sweeping orders would have hurried into eternity nearly a hundred human beings more, in addition to the four hundred and forty-five victims massacred in cold blood! A subordinate officer has actually to calculate the extent and qualify the meaning of an order from his Commander-in-Chief; on his interpretation of the document, and the discretion exercised by him, depend the lives of nearly a hundred Americans. Happily,

however, he has a heart more humanized than his superior, and the humanity of the man triumphs over the sterner duty of the soldier.

We make a closing remark. The perpetrator of the foul deed in question journeyed from the scene of his guilt in the Texas, through our southern States, to the city of Washington. He passed through portions of the Union, not the most immaculate in their reputation, as far as a love of good order and a reverence for the laws are concerned, and yet his progress was unmarked not only by any act of outrage, but by any marked violation of propriety. The reflections to which this fact will naturally give rise may not be flattering to the ci-devant hero of Tampico, but they will be very grateful to the heart of every American who loves his country, and who augurs in this good spirit an advance of civilization, and a natural and indwelling spirit of humanity, which no untoward circumstances can destroy.

DOCUMENTS REFERRED TO IN GENERAL URREA'S DIARY.

No. I.

Intercepted dispatch of Fanning to Col. Haton.

From Strong Defiance, *March* 14, 1836.

To Col. A. C. Haton: Yours of yesterday I received late in the evening. Join me as early as possible with your two hundred men. In spite of every obstacle, I shall immediately march upon Victoria, in compliance with the orders of General Houston. Bring with you all the cattle, horses, mules, and other things you can. If we are not attacked here, we may be on our march. Never will we be wanting to the honor of the Texian arms, which have been so brilliantly wielded by the hands of those who have fallen voluntary victims in her cause. Send this very night the wagons and baggage of which I stand in need. Remain firm to the principles that have led us to Texas. Be our war-cry, Texas and Liberty—victory or death—Travis and his rescue! Yours most truly,

W. Fanning.

No. II.

Surrender of the forces found in Goliad, under the orders of Mr. J. W. Fanning.

Article 1. The Mexican troops having planted their artillery at the distance of one hundred and seventy paces, and having opened their fire, we raised the white flag, and instantly there came Colonels Morales and Holzinger, and to them we proposed to surrender at discretion, on the terms they should judge suitable.

Article 2. That the wounded, and that the commander, Fanning, be treated with all possible consideration, it being proposed that we should lay down our arms.

Article 3. That all the detachment shall be treated as prisoners of war, and placed at the disposal of the Supreme Government.

The Plain on the Colete, between Guadalupe and Bahia, March 20, 1836.

B. C. Wallace More, *Colonel.*

J. M. Chadwick, *Adjutant.*

Approved: J. W. Fanning, *Commander.*

Added by General Urrea.

"When the enemy raised the white flag, I sent to inform their leader that I could admit of no other terms than those of surrendering at discretion, without any modification whatever, as agreed upon through the medium of these gentlemen, leaders of the party, therein named; nor can the other requests made by the subscribers to that surrender be received. Such was the declaration I before made, which must be complied with, since neither can I, nor ought I, to grant any other thing."

JOSE URREA."

—

No. III.

In a series of orders from the Commander-in-Chief, is the following:

"In respect to the prisoners of whom you speak in your last communication, you must not fail to bear in mind the circular of the Supreme Government, in which it is declared, that foreigners invading the Republic, and taken with arms in their hands, shall be judged and treated as pirates; and as, in my view of the matter, every Mexican guilty of the crime of joining these adventurers loses the rights of a citizen by his unnatural conduct, the five Mexican prisoners whom you have taken ought also to suffer as traitors.

GENERAL QUARTERS, BEJAR, *March* 3*d*, 1836.

ANTONIO LOPEZ DE SANTA ANNA.

TO GENERAL URREA, *Commander of the Division of Operations upon Goliad.*

In a private letter, of the same date, addressed to me by the same, is the following paragraph:

"In regard to the foreigners who make war, and those unnatural Mexicans who have joined their cause, you will remark that what I have stated to you officially is in accordance with the former provisions of the Supreme Government. An example is necessary, in order that those adventurers may be duly warned, and the nation be delivered from the ills she is daily doomed to suffer.

—

No. IV.

ARMY OF OPERATIONS.

Under date of the present, I have stated to the commandant of the post of Goliad, as follows:

By a communication made to me by Col. D. F. Garay, of that place, I am informed that there have been sent to you by General Urrea two hundred and thirty-four prisoners, taken in the action of Encinal del Perdido, on the nineteenth and twentieth of the present month; and as the Supreme Government has ordered that foreigners taken with arms in their hands, making war upon the nation, shall be treated as pirates, I have been surprised that the circular of the said Supreme Government has not been fully complied with in this particular: I, therefore, order that you should give immediate effect to the said ordinance in respect to all those foreigners who have yielded to the force of arms, having had the audacity to come and insult the Republic, to devastate with fire and sword, as has been the case in Goliad, causing vast detriment to our citizens; in a word, shedding the precious blood of Mexican citizens whose only crime has been their fidelity to their country. I trust that, in reply to this, you will inform me that public vengeance has been satisfied by the punishment of such detestable delinquents. I transcribe the said decree of the Government for your guidance, and that you may strictly fulfil the same, in the zealous hope that, for the future, the provisions of the Supreme Government will not, for a moment, be infringed.

HEAD QUARTERS, BEJAR, *March* 23, 1836.

ANTONIO LOPEZ DE SANTA ANNA.

TO GENERAL URREA, *&c., &c.*

No. V.

Extract from the Diary of Lieutenant Colonel Portilla.

March 24, 1836.—In compliance with the orders of General Urrea, I set about rebuilding the place, beginning with the barracks, the prisoners working all day, those excepted who bear the character of officers. Their leader, Fanning, took his meal with me to-day, (beef and a bottle of wine.) He drank to the health of General Urrea. I returned him my thanks, and responded to his toast by drinking "The Country of the Mexicans." This same day arrived Colonel De La Vara, with twenty dragoons and thirty foot, of Yucatan, bringing in eighty prisoners, who had disembarked at Còpano, and were made prisoners.

March 26.—At seven in the evening, arrived a courier extraordinary from Bejar, from his Excellency General Santa Anna, notifying to me that the whole of the prisoners who had surrendered by force of arms were immediately to be shot, [*en el momento se pasen por las armas*] with regulations as to the manner in which it was to be executed. (The original of this communication I have preserved.) I deferred it, for both myself and Col. Garay, to whom I communicated it, thought of nothing less than of such a thing. At eight the same evening, came a courier extraordinary from Guadalupe, from General Urrea, who said to me, among other things, "treat the prisoners with consideration, and particularly their leader, Fanning. Let them be employed in repairing the houses, and in erecting quarters, and serve out to them a portion of the rations which you will receive from the Mission of Refugio." How cruel is my state of uncertainty, my mind vacillating between these conflicting orders! I passed the whole night restless and uneasy in mind.

March 27.—At daybreak I came to a determination to fulfil the orders of his Excellency the Commander-in-Chief, considering him as the superior I ought to obey. I gave orders for the whole garrison to form, and awaken the prisoners, (four hundred and forty-five in number) who were still asleep. (I ordered the eighty of this class who had come from Còpano, to be separated from the rest, inasmuch as their fate demanded consideration, because, when invading our territory, they were not taken with arms in their hands.) We formed ourselves into three divisions—the first, under the orders of the First Adjutant, D. Augustin Alcerrica; the second, under those of Captain Luis Balderas; and the third, of Captain Antonio Ramirez; to these officers I entrusted the execution of the order of the Supreme Government, and of the General-in-Chief. It was executed. A great struggle of feelings among the officers and soldiers—a profound silence! Sad at heart, I wrote to Gen. Urrea, expressing my regret at having been concerned in so painful an affair. I also sent off an official account of what I had done, to the General-in-Chief. The eighty prisoners of Còpano are still alive, and I asked for instructions from the General-in-Chief as to what was to be done with them."

Division of Operations, *District of Goliad.*

In compliance with the definitive orders of his Excellency the General-in-Chief, which I received direct, to-morrow morning, at four o'clock, the prisoners sent by you to this fortress will be shot. I have not ventured to execute the same sentence on those who surrendered to Colonel Vara, at Còpano, being unacquainted with the particular circumstances of their surrender; and I trust you will be pleased to take upon yourself to save my responsibility in this regard, by informing me what I am to do with them.

Goliad, *March* 26, 1836. J. N. de Portilla.

To D. Jose Urrea, *General of Division.*

—

Goliad, *March* 27.

My Dear General: I feel very much distressed at what has occurred here; a scene enacted in cold blood having passed before my eyes, which has filled me with

horror. All I can say is, that my duty as a soldier, and what I owe to my country, must be my guarantee. My dear General, by you was I sent here; you thought proper so to do, and I remain here in entire conformity to your wishes. I came, as you know, voluntarily with these poor Indians to coöperate, to the best of my humble means, for my country's good. No man is required to do more than is within the scope of his abilities; and both they and myself have doubtless been placed here as competent to the purposes you had in view. I repeat it, that I am perfectly willing to do any thing, save and excepting the work of a public executioner, by receiving orders to put more persons to death. And yet, being but a subordinate officer, it is my duty to do what is commanded me, even though repugnant to my feelings.

I am, General, your devoted and sincere friend,

To General D. Jose Urrea. J. N. de la Portilla.

SONG.

MY GALLANT STEED.

Away, my gallant steed, away,
Freer and fleeter still thy spring!
A mood that may not brook delay
Thy master's breast is fevering.
Of spur to urge thy panting side
Thou hast in sooth but little need,
Or rein the rapid way to guide
Thou 'st sped so oft, my gallant steed!

That bosom's every thought and prayer,
Full well thou know'st where still they dwell—
Lightly as winged thing of air,
Good steed, oh, thither bear him well!
A spirit still impels him on,
Be swift as spirit's flight thy speed,—
And well, thy loyal service done,
Shalt thou repose, my gallant steed!

No moonbeam on our lonely path
Sheds gently down her silvery light,
And dark the tempest's howling wrath
O'erclouds the star-gemmed brow of night:
But little or of chill or storm
Hath that fond bosom thought or heed,
While still the flame can light and warm,
That burns within, my gallant steed!

ALL THE TALENTS.

A PETER-PINDARIC ODE.

Our worthy friends, the Fed-
-Erals, Whigs, Natives, Nationals, or Biddle men,
Or whatsoever other name
May enter in the head
Of W-bb, or Philip H-ne, their latest sponsors,
As worth their while to claim,
As giving them another chance to diddle men,
With the belief,
From time to time, that they are not the same
As they were once, sirs,
But that they have turned over a new leaf,
And have entirely done, sirs,
With all their old ideas of aristocracy;
And if the dear democracy,
Whom they are sorry they so oft have cheated,
Will but forget how they 've before been treated,
And just consent,
Good-naturedly to give their votes
To the old wolves in their new sheepskin coats,
Believing them sincerely penitent,
And take them once more into favor,
To try them on their new behaviour,—
Indeed upon
Their word of hon-
-Or, they shall ne'er have reason to repent.

I'm no great stickler
For titles, nor disposed to be particular,
And if it please all
To be their own godfathers and godmothers,
They may be whale or weazle,
Webb-footed bird or beast, *Wise*-acre, Whig,
Or any others
Beginning with W
Little or big.
When you enjoy the perfume of the rose,
You needn't let it trouble you,
That it were called a stinkweed if it chose.
Nor if a ———
Should happen to get drunk,
And undertake to call itself a civet,
And on its affidavit swear,
With as unblushing a complexion
As a Whig challenged vote at an election,

It was entirely changed in form and feature,
And by that name smelled marvellously sweeter,
Are you bound to believe it!

A truce, though, with such 'odorous comparisons,'
And to return to where our Ode begins,——
These modest "Outs"
—I trust that that generic name will cover all,
Whether they're Webster's, Clay's, or Harrison's,
Stretching like one wide blanket over all
Those oddly mixed bed-fellows—(I've my doubts
Whether, with all their knack at turning,
They'll ever turn *that* name to that of "Ins,"
For which they've been so long and fondly yearning)
These modest *Outs*, I say,
Will not be satisfied, Sir,
With claiming all the piety,
Decency, learning, money, and sobriety,
Of which it is well known they've the monopoly,
But they insist besides, Sir,
That by the grace of God, they properly,
With an inalienable right and title,
Or a possession which they chose to call so,
Own, very nearly, if not quite, "All
The Talents" also!

There's an old saw in the democratic creed,
That *honesty's the only policy*—
It oft has served us well in hour of need!
And if the Whigs would but reflect a minute,
They, also, might the folly see,
Of any other principle;
But still, somehow, the deuce is in it!
All their experience has not made them sensible
Of this plain proposition.
For, whether from obliquity of vision,
Or love of opposition
To any thing a democrat may say,
—Although I grieve to hurt, in
The least, their feelings—it is very certain
They never have been able yet to see
This simple truth exactly in that way;
But giving it just the reversing twist,
They always will insist,
That *policy's the only honesty!*

But as, however,
We still profess to stand by the old maxim,
In the old-fashioned way, and to endeavour
To prove it, too, our acts in;
We must at least be honest, as I've said, it
Being in the long run
The only horse it 's safe to bet upon.

And therefore we should fairly give them credit
For that superiority
Of 'talents' which they really do possess,
And in a very high degree.
We give the very D—— his due,
And therefore I must honestly confess,
I cannot see
Why we should not to Whiggery too!

'Tis undeniable, then,
And I've no disposition to deny 't,
They do exhibit every day,
'*Talents*' to which we can make no pretension,
Nor urge a shadow of a claim or right
Of competition with them in that way;—
This we must frankly yield without contention.
Indeed were I to claim
A little for our party to the same,
I should be liable, then,
To the unpleasant charge of being a stretcher, in
My statements,—in one word, of Fletchering.
And though that is a name that 's toasted
At Whig carousals with much flat-
-Tering honor, yet, such is the odd notion, Sir,
That from the ninth commandment I have got,
I 'd just as lief be roasted,
Or jump into the ocean, Sir,
When 'boiling like a pot,'
As have my name associated with that!

Imprimis, then, there 's no denying
The marvellous 'talent' that they have for *lying!*
For certainly the fact is,
That this accomplishment they daily practise
Upon a scale that 's really quite sublime;
And so exhaustless the variety
Of their newspaper lies is,
—Lies of all shapes, complexions, sorts, and sizes,
New-vamped and polished up from time to time—
That they would stuff
The stomach of an ostrich to satiety,
And sometimes fairly turn it—they 're so tough!
Though it is said to be so fond
Of flints, knives, nails, and such like bagatelles.
And then as for their speeches,—from a B-ll's,
Down to the dirty dribblings of a B-nd,
I dare not undertake to speak!
'Twould take a week,
Nor would a volume be enough,
To do them justice in this point of view,
Which I should feel in honor bound to do.
To tell a handsome thumper

Requires some genius, I would have you know,
Nailing it neatly with a second plumper,
—Which is the rule,
When challenged on the first one (if you go
To Mr. Fl-tch-r, he will tell you so.)
But just to speak the simple, stupid truth,
Why, that, forsooth,
Any mere Pottawottamie* or fool
Can do, without ever having been to school.
To exercise this 'talent,' then, with spirit
Is the Whig politician's greatest merit.

Kindred to this are several minor ones,—
Such as the 'talent' they display for *puffing*;
Making their shallowest speakers finer ones
Than all the greatest names of ancient story;
Forever vaunting
Each of their 'youthful prodigies,'
Who haply may display
Some fluent 'talent' in the H. R. for *ranting*,
With due proportion mixed with that of *canting*,
(Unconscious of the silly figure he
Is cutting) as the new Demosthenes
Of our blest land and day,
The glory and the pride of Whiggery.
The poor '*youth*' stuffing
With such absurd conceit of his own glory,
That on the first occasion
He gets a little flurried at a dinner,
Or Champagne celebration,
The unlucky sinner
Before high heaven such tricks fantastic plays
With his unruly tongue,
And through his lion's skin so loudly brays,
As to become excessively ridiculous;
Makes his own friends ashamed a whole month after,
And furnishes material to tickle us
With Loco-Foco laughter
For twice as long.

Such, too, their well-known 'talent,' Sir, for *bragging*,
Which they display
In fifty ways—from Mr. Cl—,
On all occasions dragging
In, by the head and shoulders, some bold boast,
(Even at the courteous table,
Where one should be a gentleman, if able,
Coolly condoling with his host,
That he so soon must look
For other lodging-rooms at K-nd-rh-k,

* The latest Whig name for a 'huge-pawed' democratic farmer.

While *he* will rule the roast
In the White House by fair Potomac's side,)
From bold bluff Harry of Kentucky,
Whose gallant skill at "*Brag*"'s his highest pride,
(In which I hope he is more lucky,
Besides not playing off the same 'odd tricks'
As in the gambling of his politics)
Down to the puniest whipster of the press,
In his report
Of every election "VICTORY!"
And matters of that sort,
This 'talent' also we must needs confess,
In a remarkable degree,
They certainly possess.

Nor ought I to omit their 'talent,'
Drawn from the same illustrious example,
For *swearing*,—in a style so bluff and gallant,
When they would be particularly polite,
'Tis really charming quite!
I dare not give a sample,
For fear that it might shock the Muse's ear,
Who does not often hear
Such 'winged words' by Helicon's old mountain,
Nor fair Castalia's fountain,
Where she is wont to roam.
She might indeed be scared away,
And not return to me for many a day,
Were she to hear me say,
"G—— d—— you, Ma'am, go home!"

And *à-propos* of swearing—there's no saying
What are the limits to their versatility,
For they possess no less ability
In the congenial 'talent,' too, of *praying*.
'Tis said that Mr. Cl—, at the next session,
Intends to run for chaplain; should he try it, he
Will surely be elected, for in piety
—We can't refuse in candor the confession—
His speeches beat the parson's prayers all hollow,
—To make up for their plent-
-Iful deficiency of argument.
And then he may,
Oh, happy Mr. Cl—!
Repeat his prayers in public every day;
And for variety,
"G—— d——" the Speaker in the H. R. one day,
And preach a sermon there the next, if Sunday
Should chance to follow.
Besides having many an occasion,
Well worth the trying,

Over the woes of this benighted nation,
To whom it will be very edifying,
Of showing off his 'talent,' too, for *crying*.
So, therefore, worthy Mr. Slicer,
On next "First Monday,"
You'll not attempt to be,
A candidate for your old chaplaincy,
If you take my advice, Sir.

Among their other 'talents' is
Another yet in which the balance is,
Beyond dispute, all on their side,
—I mean in *fisticuffing*,
In which they justly take a gentlemanly pride.
Witness, oh B-ddl-, D—n-ng, B-ll, and C-mpb-ll,
And M—ry, who didst get thy *quantum suff:* in
Less than no time,—
Or, (if from Mr. Cl— it be no crime
An 'elegant extract' just for once to borrow)
In good plain English, didst get pummelled d—— well.
I hope thou hast recovered from thy bruises,
And that no longer, man,
(The Muse yet weeps at the sad tale of sorrow!)
Thy countenance of twenty different hues is!
Being a stronger man,
(Strong, I should think, as half a dozen oxen)
And clearly, too, a better hand at boxing,
Thy brother Whig, in mauling thee so sadly,
Did use thee very badly,
—Especially as Sunday morning
Upon the "Honorable" House was dawning—
And though a Loco-Foco I would gladly
Have seen him put the stocks in.

Nor with the fist
Alone are they accomplished thus in dealing,—
They have an equal 'talent' with the *Pist-*
Ol, when they can
Inflame their chivalry with the safe feeling
That 'tis an unarmed man
With whom they have to do,
—Especially if he's gray-headed too—
Oh, then these gallant Hotspurs of young Whiggery
Can bring him up before them in Commit-
-Tee— sitting as his judges—
Call him a rascal, knave, and rogue, Sir—
Ill treat him
In style which I must really call atrocity—
And if a hair's-breadth more than they'll permit,
—So quick are they upon the trigger—he
His elbow nudges,
They'll shoot him like a dog, Sir,—

And such the ardor of their brave ferocity,
I shouldn't be surprised if then they'd eat him!

In fact, Sir, this is,
A favorite 'talent,' that of *bullying*,
Which they do sometimes truly in
A very gallant style—when fortune sends
One who will meekly bear it
In the true Christian spirit
Which when one cheek is smote the other lends.
But if the attempt, Sir, misses,
And he turns round with unexpected spunk, and
Treats them as Gh-ls-n did, or D-nc-n,
Oh, then the word "quick, march—right about face!" is,
—For circumstances vastly alter cases.

And now I'm thinking,
It cannot to the Whigs be quite agreeable
(And they are not a few
That take delight in the Democratic Review)
To listen thus to their own praises
Presented in so many different phases,
Which must, if any thing could be able,
Tinge with a blush of modesty their phizzes,—
I say, I'm thinking,
That after covering them with so much glory
As she has done already, this is
A fit place for the Muse to fold her wing.
And therefore she will close the category
Of 'talents' which she has essayed to sing,
(Unworthily I know, though *con amore*)
With one which—there's no blinking
The sad acknowledgment—they beat us hollow in,
—I mean in *drinking*.
Why, some of their late feats in swallowing
Were done on so magnificent a scale,
I know the Muse would wholly fail
Were she to dare the high attempt of following
Out the sublimity of the "great occasion,"
Whether in lyric song or prose narration,
And therefore she knocks under,
Quite overpowered with admiring wonder,
With this advice by way of peroration—
When you invite a set to dine
Of pious pilgrims who have such a nice sense
Of conscience for the temperance of the people,
As to forbid the issuing of a licence
On a small scale to tipple,—
Provide your wine
—If you would not be drunk, Sir, out of house and
Home—by the *thousand!*

THE INDIAN SUMMER.

To a resident in New England the very name of Indian Summer calls up so many essentially poetic images, that it is difficult to approach the subject without permitting the thoughts to run riot over the fairy scenes which that season presents; and we marvel not that it has suggested to the muse of America some of her most brilliant effusions: for it would require no great effort of the imagination to perceive in its balmy and buoyant air a portion of that *divinus afflatus* of which the old poets spake.

But it is our object at present to describe the Indian Summer in sober prose, for the benefit of those readers, both in the Old World and the New, whose good fortune it has never been to become eye-witnesses of its beauties; and we must therefore strive, like the Cumæan Sybil,

—Magnum pectore excussisse deum—

and confine ourselves as far as may be to plain matters of fact.

The temperature of the last two years, owing to the proximity of Halley's Comet, or to some other cause not yet explained, has differed so materially from the average of previous observations, that the meteorological tables published during that time, supply us with no accurate data for our present investigation. It will be sufficient therefore to state in general terms, that from the end of August to the end of September, the thermometer announces a gradual and constant diminution of heat; but that in the early part of October a strange interruption occurs to the progressive fall of the mercury, and when in the natural course of events we should be led to anticipate a still farther increase of cold, we are surprised to perceive, that for two or three weeks successively, with a few slight exceptions, an elevation of temperature is experienced, to a degree greater in many cases than the average of the first week of September,—sometimes as great as the mean of the month of August.

This seeming anomaly of Nature is not peculiar to the American continent. A brief season of heat immediately preceding the rigors of winter is observed in all, or nearly all, the northern countries of Europe and Asia, variously designated as "the latter" or "second summer," the "after-heat," the "summer-close," and many other like terms in which the same idea is embodied, differing only with the idioms of the various languages in which they occur. In America, however, that season is marked with features so distinct from those which characterize it in other countries, as to entitle it to a separate consideration. In the Old World indeed it is accompanied

with few distinguishing phenomena, beyond the mildness and softness of the air, which from the gradually increasing obliquity of the sun's rays at that period of the year we should so little expect to occur. But with us the "after-heat" is attended with circumstances of no common interest and beauty. In New England especially it is a rich and glorious season, in which Nature would seem struggling to withdraw attention from the decay which is stealing upon her, by the increased gorgeousness of her apparel, and the spring-like youthfulness of her voice and air; hiding moreover those defects which she cannot otherwise conceal, by a thin veil of mild and smoky haze, which

> "——Softens down the hoar austerity
> Of rugged desolation, and fills up
> Anew the gaps——"

which increasing infirmity has begun to reveal upon her countenance.

The most peculiar characteristic of this Second Summer consists in the wonderful and beautiful change which takes place in the forest. This feature, however, though it continues throughout the whole of the Indian Summer's brief reign, begins, strictly speaking, to develope itself at an earlier period. The first sharp frosts which occur about the latter end of September, or the beginning of October, are the agents by which this change is effected, and it is not uncommon to behold the leaves of a whole forest, with the exception of the Evergreens, passing in a single night from their natural color to every possible shade of yellow, brown and crimson. The sap becomes frozen during the night, generally by a deposite of hoar frost on the leaves, but the alteration of color does not take place until the following morning, when, as the sun rises, the frozen sap is melted. The dense white vapor which rolls lazily away from the forest, as the morning advances, reveals the sudden change. At the withdrawing of that curtain the Oak shows its deeply lobed leaves transmuted to a pale brown, a chocolate brown, or a deep crimson, inclining to what painters term Indian red. The Birch and the Willow appear of a pale straw color, sometimes mingled with a slight tinge of brown, and sometimes retaining a mixture of the original green. The Wild Poplar—the Aspen—exhibits its unquiet leaves of a yellow tint, approaching occasionally to orange, and fawn color. The Elm, bright yellow, or pale brown. The Sycamore changes to a clear, bright brown. But perhaps the Maple contributes more largely to the dying glories of the forest, than any other of its children. Its broad leaves flash forth upon the sight robed in every intermediate hue, from bright orange to the deepest scarlet; while the clustering berries of the Ash, of a paler shade of red, and the crimson leaves of the Shumach and some other trees, blend, with a fine middle tint, the Oak's more sombre pink, and the Maple's brilliant hues. These many colors, mixed up with the dif-

ferent shades of green which the extensive family of Evergreens display, present a coup-d'œil which must be seen to be fully appreciated. On canvass it is impossible, though the attempt has frequently been made, to convey a correct idea of such a scene; and the most glowing verbal description does not, and cannot, succeed in placing it, in all its strange beauty, before the mental eye of one who has not looked upon the reality.

Where the forest occupies a gently ascending slope, revealing to the eye the tops of the various trees rising above each other in almost imperceptible gradation, this display of Nature's handy-work is beheld in the greatest perfection. The effect is still further heightened if the sun is just beginning to sink behind the hill which is covered by the forest. His oblique rays, passing through the differently tinted leaves, wonderfully enhance their brilliancy, and the spectator is startled at times, as the more gaudily colored trees rustle and quiver in the light wind, with the idea that the forest is on fire.

This change of the leaf occurs, as we have already stated, about the latter end of September or the beginning of October. The consequent beauty of the forest continues, however, until the early part of November, though the leaves are liable to fall from the first moment that the frost has affected them, and many do indeed fall daily, especially from the more isolated trees. Where the forest is dense they are more protected from the wind, and the progress of destruction is consequently slower, but by the middle of November almost all the deciduous trees are dismantled, and stand, if we may misquote the poet,

With all their *fading* honors thick *around* them.

The Oak, however, is an exception. Sturdily does he resist the spoliation of the wintry blasts, and retains his leaves until the winter is far advanced. In fact, it is not unusual to behold "the monarch of the woods" respectably clothed in a suit of sober brown as late as March or April,—emblem of the decayed gentleman struggling against the blasts of adverse fortune, and supporting, almost to the last, a decent exterior.

It is generally admitted that this beautiful feature of the autumn landscape is peculiar to the American continent, and several reasons are given to account for the fact. The frost undoubtedly acts upon the forests in other northern countries as it does in this, inasmuch as those forests, like our own, undergo "the change of leaf." But the European trees do not exhibit, in their change, that almost infinite and gaudy variety of tint which is so remarkable in America. In England, and probably throughout the continent of Europe, a sombre brown and yellow are the prevailing colors; the Oak, the Chesnut, and the Beech, assuming the former tinge, and nearly all the other forest trees fading to a pale, or a brownish yellow, after

the frost has attacked their leaves. The American forest is principally indebted to the presence of the Oak and the Maple for its distinctive feature, and it is probable that these two children of the woods are of a different species from the European. The English poet who so minutely describes every change and characteristic of the varied year, makes no allusion to any other than a gloomy and sombre change of the leaf, and thus speaks of the universal *brownness* of the autumn in England:

> "But see, the fading, many-coloured woods,
> Shade deep'ning over shade, the country round
> Imbrown, a crowded umbrage, dusk and dun,
> Of every hue, from wan-declining green
> To sooty dark."—

It is evident that such a description would present a very incorrect idea of the American forests during the continuance of the Indian Summer. With us the brighter hues predominate; yellow, orange, crimson, and scarlet, blend beautifully into each other, the brown merely serving as the medium, or half tint, to make the harmony of color complete.

Scarcely has nature become enveloped in this gorgeous winding sheet, when the other characteristics of the Indian Summer begin to develope themselves. The temperature of the atmosphere during the hours of sunshine becomes milder than it has been for weeks before. There is a balmy and voluptuous softness and stillness in the air, resembling the early days of June. There is not wind enough to shake from the trees the leaves which hang from their branches by so feeble a tenure. A thin, smoky haze floats over the whole face of nature, softening and blending distant objects, and, combined with the tints of the neighbouring forests, giving a warmth of tone and coloring to the whole landscape. The surface of the ground also partakes of the hues of the woods. The fallen leaves, scattered about in rich profusion, as thickly as those "which strew the brooks in Valombrosa," form, in spots where the wind which showered them down was thrown into eddies, a variegated robe to conceal the withered grass and the decaying flowers. The sun, though pale in the meridian height, at his setting is tinged with a ruby gleam, which is reflected from the windows, and which suffuses every object on which it is thrown. The moon also wears a blush as she rises, and the planets which hang in the flushing west wear a more golden aspect than is their wont.

During this brief return of a genial and serene atmosphere, if a few mild nights successively occur, it is not unusual to behold the young Birch trees, which are amongst the first to yield up their leafy treasures, bursting their newly formed buds, and making a second, though fruitless, effort to clothe themselves with green. It

rarely happens, however, that more than three or four nights pass consecutively without frost, so that the young and tender leaves can only just unfold themselves and die. The first cold night breeze nips the untimely birth, and they fall upon the decaying remains of their predecessors.

It would seem that the soft, hazy calm which characterizes our late autumn, or Indian Summer, is not altogether unknown in Europe. Thompson, in describing those phenomena which, as he says, "give the season in its *latest* view," seems to allude to such a feature in the English autumn:

> Meantime, light shadowing all, a sober calm
> Fleeces unbounded ether, whose least wave
> Stands tremulous, uncertain where to turn
> The gentle current, while illumined wide
> The dewy skirted clouds imbibe the sun,
> And through their lucid veil his softened force
> Shed o'er the peaceful world."

From the description of the season we turn to the question, what are the causes which produce this phenomenon? We believe that no satisfactory reason has ever been advanced to account for the existence of the Indian Summer, and until we have made further advances in Natural Science, it is to be feared that the subject must remain amongst the "res incognitæ." The most probable hypothesis which has yet been hazarded is to the following effect. It is well known that water, when passing into the form of ice, gives out a large quantity of its latent heat. In the high northern latitudes visited by Parry and Ross it appears that the winter commences in the beginning of September, and that throughout the whole of that month the process of congelation proceeds with great activity. It is reasonable to suppose, therefore, from the immense amount of ice formed during that period, that the quantity of heat thrown into the atmosphere during the month of September must be sufficient to exert a very powerful and perceptible effect upon the temperature of the air in countries lying south of the Arctic Circle, especially as the northerly winds prevail at that season.

The only objection which can be argued against such an hypothesis is drawn from the fact that heated air always has a tendency to ascend, whilst the colder and heavier air rushes in to supply its place. It is argued, therefore, that the heat arising from the formation of northern ice would rise to the upper regions of the atmosphere, before it could reach the latitude of the United States. Yet this objection is not so forcible as it may at first sight appear. Even supposing that the heat given out in the process of congelation in the north frigid zone does rise, still it is not lost, nor can it rise to any great height, because the more elevated strata of the atmosphere are always intensely cold; and ere the warm air which rises

from the surface of the earth can mingle with that above it, it must part with its heat to the lower strata of air through which it passes, so that the greatest degree of heat must always remain in the middle or under currents of the atmosphere, and must therefore be capable of affecting the temperature of the countries over which it floats.

But besides this there is always a tide of heated air rising from the equatorial regions, and flowing North and South. If, then, during the month of September there be a similar tide rising from the North Polar Sea, and flowing towards the equator, these tides must meet somewhere near the forty-fifth parallel of latitude; and at that point there would be a pressure and condensation of the air above, which must cause a part at least of the heat to descend; and this pressure of the upper strata of the atmosphere, whilst it would afford a partial solution to the increase of heat during the Indian Summer, would also account for the calmness, the softness, and the dryness of the air so prevalent at that season.

In connection with the hypothesis above referred to, we may adduce another fact which will perhaps aid us in investigating the causes which produce the Indian Summer. From observations made on the thermometer in mines, it appears that there is a periodical revolution of temperature at a depth of thirty or forty feet beneath the surface of the earth; the maximum of heat occurring about the middle of October, and the minimum about the middle of April. Earth being a bad conductor of heat, especially when it is dry, the process by which the maximum is attained at that depth must necessarily be very slow. The direct action of the sun's rays, in warming the earth, does not probably extend to more than four or five feet; but the upper stratum being once warmed communicates its temperature slowly to that which lies immediately beneath it, and that to the next, and so on progressively. The upper surface of the soil is kept at a high temperature by the immediate influence of the sun, probably until the end of August, though the process of transmitting the heat from the higher to the lower strata is still going on below, and continues until the middle of October, even after the surface of the ground has become quite cool to the depth of a foot or more. During the month of September it is probable that the temperature of the soil at the surface remains stationary, or nearly so; but after that period—that is, when the air becomes colder than the ground—there must be a gradual giving out of this accumulated heat into the atmosphere, during the month of October, and in fact until the snow and the ice prevent its further disengagement. This must, to a certain degree, have the effect of rendering the air at that period of the year warmer than it would be without such a counterbalancing provision of nature; and although it is avowedly insufficient to produce all the elevation of

temperature experienced during the Indian Summer, it may still be a powerful auxiliary with other causes in producing that phenomenon.

Other causes doubtless exist; but those to which we have adverted in this paper are the most probable that we are yet acquainted with. The subject does not admit of demonstration, and in this case, perhaps, he is the most scientific who can give the keenest guess. The true origin of the season which we have attempted to describe, like that of the aboriginal race whose name it bears, will, in all likelihood, ever remain in obscurity.

J. H. C.

Dorchester, Mass.

INSCRIPTION

ON THE DOOR OF A GAMING HOUSE.

Il est trois portes à cet autre,
  L' Espoir, l' Infamie, et la Mort.
Par la première on y entre,
  Par les deux autres on en sort.

IMITATION.

Here fickle Fortune holds her court,
And to the mansion crowds resort,
  Her golden smile to win;
One gate admits the eager bands,
And Hope, the portress, smiling stands,
  To let the strangers in.

To lead them forth two gates appear,
But say! what forms are stationed there,
  The purpose to attend!
At one Dishonor still abides,
And at the other Death presides,
  The gamester's only friend.

SONNETS.

I.

THE COTTAGE BIBLE.*

I stood beneath a humblest hovel's roof,
Though scarce a shelter from the sudden storm,—
Wretched and cold and frail, and far aloof
From human dwelling; nor did other form
Of life appear, save one old withered crone,
Childless and friendless there who dwelt alone,—
Alone with Squalor and pale Misery,
While Hunger gaunt looked forth from her dim eye.
"Good mother, fate hath hardly dealt with thee!"
"Oh, no!"—and pointing to a sheltered nook,
Before unnoticed,—"I have still that Book!"
Upon my cheek then might that old crone see
A blush and tear of penitence and shame,—
—I went a humbler man, and wiser, than I came.

II.

TO MY MOTHER.

Purest and loveliest of earthly mould—
Again to that dear bosom am I press'd
That gave me life! Blessed be thou, thrice-bless'd!
While thus thy shielding arms thy child enfold,
I feel as in some sanctuary shrine,
Where nought of ill or sorrow may have power
To vex this passion-wasted heart of mine,
Or mar the holy peace of this sweet hour.
Nor life alone to thee my being owes,—
For thou hast been an angel-guide from heaven
To my weak spirit,—and whate'er it knows
Of beauty, truth, or good, from thine was given!
Oh, let the sacred tears these lines that blot
Speak the deep language which my feeble words may not!

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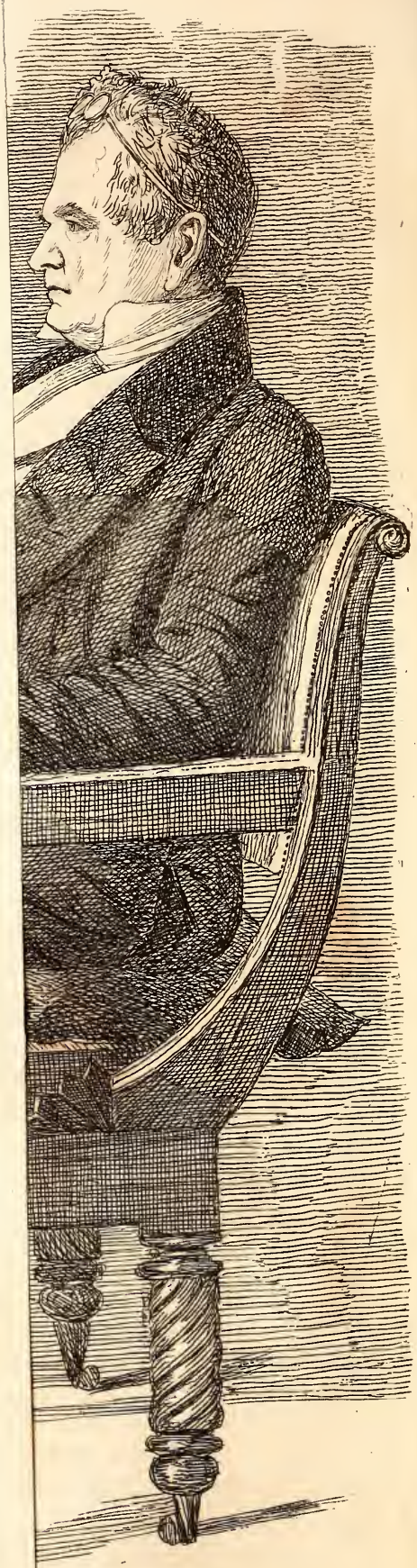
* A recent incident.



Felix Grundy

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POLITICAL PORTRAITS WITH PEN AND PENCIL.

(No. X.)

FELIX GRUNDY.

Though the recent appointment of Mr. Grundy to the eminent post of Attorney General of the United States, has brought him prominently before the country, as a high executive officer, and a distinguished professional man, yet he needed not that to place him in the series of our Political Portraits. A life now advanced beyond three-score years, with a reputation never sullied—a consistency so marked as to secure the constant confidence of those with whom he has acted, and to make him an honored guide as well as trusted champion of the Democratic cause—an unflinching support, while war was raging, of the honor of his country, a never tiring exertion to procure and sustain the success of her arms, and a ready and cordial eloquence to cheer on the patriot—in peace, constantly turning the opportunities of public place to the introduction and promotion of laws distinguished by a spirit of wise philanthropy, or calculated to extend, diffuse, and equalize, the benefit of our institutions in every part of our vast confederacy—these acts, and such conduct, long observed and known, would entitle him, without any distinction of place, to be included among those men on the incidents of whose lives their fellow-citizens love to dwell. A regard for consistent and faithful public servants is one of the most striking traits of American Democracy. Of the fickleness attributed to popular approbation in other countries, we have assuredly experienced but little, and the occasion is scarcely to be found, in which the Democratic party of the United States has deserted those who have been true to its principles. In most instances—perhaps without an exception, in every instance—where those have lost its support who at one time stood high in its confidence, the change is to be traced to the recantation of declared opinions, to the ardor of ill-timed and importunate ambition, to the false calculations of vanity unwisely over-rating individual importance, or to the foolish freaks of personal rivalry and jealousy. Such causes have too often separated from the Democratic party some of its ablest members, and justly deprived them of the honors they coveted. These would have been easily won by consistent and disinterested exertion for the public welfare, and a forbearing and quiet reliance on that popular approval, which is sure

to be cheerfully conferred, sooner or later, on those by whom it is deserved. The truth of this is established by our political history from the earliest times of the Republic down to the present—from the days of Jefferson to those of the subject of this notice—and it ought, if properly weighed, to impress on the mind and conduct of every public man a useful lesson of forbearance, consistency, and ready but not selfish devotion in the service of his country.

Felix Grundy is a native of Virginia, having been born among the mountains of Berkley county, on the eleventh of September, 1777. His father had settled in that remote region, which was still subject to the ravages of the Indians, shortly after his emigration from England. Not long after the birth of this son, he penetrated yet farther to the West, and finally fixed his residence, about the year 1780, in Kentucky. This State which then formed the western portion of Virginia, was suffering under all the severities of Indian hostility; and during the closing years of the Revolutionary war, there were few of the brave settlers in its scarcely penetrated forests, who had not witnessed the uplifted and bloody tomahawk of the savage. It was not till the end of 1782 that the cessation of hostilities with England allowed an effective force to be sent to the western country. This, with the rapid increase of population, soon enabled the hardy pioneers to check the outrages of their wily foe. "I was too young," said Mr. Grundy, in an eloquent speech delivered in the Senate not long since, when some observations recalled the early history of western adventure—"I was too young to participate in these dangers and difficulties, but I can remember when death was in almost every bush, and every thicket concealed an ambuscade. If I am asked to trace my memory back and name the first indelible impression it received, it would be the sight of my eldest brother bleeding and dying under the wounds inflicted by the tomahawk and scalping knife. Another, and another, went in the same way! I have seen a widowed mother plundered of her whole property in a single night; from affluence and ease reduced to poverty in a moment, and compelled to labor with her own hands to support and educate her last and favorite son—him who now addresses you!" "Sir," said Mr. Grundy, addressing the Vice-President, in the course of the same speech, and looking round upon his associates in the Senate, "Sir, the ancient sufferings of the West were great. I know it. I need turn to no document to teach me what they were. They are written upon my memory—a part of them upon my heart. Those of us who are here are but the remnant—the wreck of large families lost in effecting the early settlement of the West. As I look around, I see the monuments of former suffering and woe—ask my colleague (General Desha) what he remembers? He will tell you that while his father was in pursuit of one party of Indians, another

band came and murdered two of his brothers. Inquire of yonder gentleman from Arkansas (Governor Pope) what became of his brother-in-law, Oldham? He will tell you that he went out to battle but never returned. Ask that Representative from Kentucky, (Mr. Wickliffe) where is his uncle, the gallant Hardin? He will answer that he was intrepid enough to carry a flag of truce to the hostile savages; they would not recognize the protection which the flag of peace threw around him, and he was slain. If I turn to my old classmate and friend, (Mr. Rowan) now a grave and potent Senator, I am reminded of a mother's courage and intrepidity, in the son whom she rescued from savage hands, when in the very grasp of death."

Among the hardships and sufferings of a school like this, bravery, independence, self-reliance, caution and wisdom, are imbibed, even in boyish days. From these harsh but useful lessons, were derived the traits which have since continued to characterize the man. A desire strongly displayed, as youth grew upon him, for instruction of a kind less rude—a marked fondness for books and study—was with difficulty gratified by his widowed mother. Her own slender resources, added to the few means of education which Kentucky could then afford, obliged her to become herself the principal instructor of her child in his earlier years; and not until the establishment of a school at Bardstown, by Dr. James Priestley, could she secure the liberal education which she so ardently wished him to enjoy. Among his fellow students were several persons who have since become eminently distinguished in the West, both in professional and political life. No one of these surpassed, and but few equalled him in the literary standing he attained.

The first intention of Mr. Grundy's mother was that he should be educated for the medical profession, but a talent for debate, evinced when at school, and his own subsequent wishes, ultimately led to the selection of the law. He pursued his legal studies under the direction of George Nicholas, then the most celebrated counsellor in Kentucky, and a statesman whose name is connected with the vigorous support of Democratic measures and principles—especially on the permanent division between the two great parties which took place shortly after. A personal friendship was cemented by similarity of opinion on public measures—*idem velle et sentire de republica*—and until the death of his venerable preceptor, Mr. Grundy enjoyed the benefit of his wisdom, and participated in his warmest affections. His admission to the Kentucky bar occurred about 1797.

His entrance on a professional career was speedily followed by his appearance in political life. In 1799 a Convention was called for the purpose of revising the Constitution of Kentucky. To this body he was elected a delegate from Washington county,

where he resided. He was a frequent, and proved himself to be, an able debater. The principal point towards which his exertions were directed, was the establishment, by the fundamental law, of a system of circuit courts throughout the State. It was not, however, deemed an advisable measure at that time, by the Convention, but the Legislature were authorized by a clause in the Constitution to establish such courts, subordinate to the supreme appellate tribunal, as they should in future deem expedient.

With the adjournment of the Convention, Mr. Grundy's public services did not terminate. He was soon after elected a representative in the General Assembly, and continued to be a member of that body by successive reëlections until November, 1806. The measure he principally exerted himself to carry, was the establishment of the circuit court system which he had failed to induce the Convention to adopt. He was satisfied that this was the only plan for securing uniformity of judicial decision and practice, bringing justice promptly and frequently to every man's door, and giving to all the citizens equal participation in the learning and ability of the principal judges. For several sessions he pursued his favorite measure with various but never complete success, until in the year 1802 it was adopted by a large vote of both Houses. Even this, however, proved insufficient. It was negatived by the Governor, and returned to the Legislature with the reasons of his disapproval. These were again discussed; but the views of Mr. Grundy were ultimately sustained, and the measure became a law by a constitutional majority of both Houses. Another subject which occupied his attention, as much almost as the previous one, and during the greater part of time when he was in the Assembly, was the protection of actual settlers who had purchased public lands from the State. The system of sales on credit, the injurious consequences of which, both to those who bought and those who sold, had not at that time been fully developed, had been adopted in Kentucky. The necessary result was, that there were numbers of settlers who, having devoted their means to reclaiming their lands from the wilderness, were unable to meet the payments due to the State, and were thus subjected to the loss of their hard-earned property. Frequent efforts to enforce the forfeiture of these lands were opposed by Mr. Grundy, and he was mainly instrumental in the adoption of a course of judicious and liberal indulgence. The year 1802 was marked by an interesting occurrence in his legislative career. He was engaged for several days in a debate conducted with great animation and ability, almost exclusively between Mr. Clay and himself. A law had been passed to incorporate an insurance company, of which the avowed object was to insure boats and cargoes on the Ohio and Mississippi. Into this law a clause was introduced which, after authorizing the corporation to receive and assign bonds, bills, and notes, in the course

of its business, declared that "such notes as were payable to bearer might be assigned by delivery." Under this provision, the company assumed the right to exercise banking powers. As soon as this assumption was known, Mr. Grundy introduced a bill to repeal the law; it became the subject of a warm debate between him and Mr. Clay; and finally, after six days discussion, passed the House and subsequently the Senate. The Governor, however, refusing his approval, it was returned to the House, where it again passed, after renewed debate. It failed in the Senate, the second time, for want of a constitutional majority. In this indirect manner was the first bank established in Kentucky.

In the autumn of 1806 Mr. Grundy was appointed a judge of the Court of Appeals; and in March following, on the removal of Judge Todd to the Supreme Court of the United States, he became his successor as Chief Justice of the State. The inadequate salary of the office, however, and the little attention he had been able to give to his professional business or private affairs, while engaged in the pursuits of public life, induced him, in the year 1808, to resign his office and to devote himself exclusively to his profession. Believing that he could do this with more success in Tennessee, and especially that absence from Kentucky would effectually withdraw him from public life, he removed to Nashville, which became from that time the place of his permanent residence. In his professional exertions he met with the distinguished success due to his ability and legal acquirements. His practice became lucrative and extensive. His services were constantly demanded in the adjoining States; and he stood, by general consent, among the most prominent members of the Western bar. The love of political life was not, however, extinguished. The controversy, rapidly tending to a war, between America and England, enlisted his patriotic feelings, and roused his scarcely dormant desire again to participate in public affairs. When, therefore, in 1811, his Democratic fellow-citizens selected him as a candidate for Congress, he did not refuse the offer, which resulted in his almost unanimous election.

Mr. Grundy took his seat in the House of Representatives on the fourth of November, 1811, being the commencement of the first session of the twelfth Congress. It was a proof of the high reputation which he brought with him to Washington, that he was immediately placed by the Speaker on the Committee of Foreign Relations—a body to whom, it was well known, would be peculiarly intrusted the consideration of the vital topics then pending between this country and Great Britain, and which, in fact, seemed already to involve the question of peace or war. His feelings on that subject were candidly and fully made known. He seized an early occasion, and in his first speech declared, that unless Great Britain would rescind or satisfactorily modify her Orders in Council,

and abandon entirely the impressment of American seamen, he was in favor of a declaration of war. These opinions, boldly avowed, and sustained with his usual and impressive eloquence, were cheerfully hailed by those who believed the time for decisive measures had arrived, as assuring in their support the hearty coöperation of the West. But they drew down upon him, in a corresponding degree, the displeasure of those who were opposed to such a course; and he was soon selected as a special object of abuse and calumny by the Federal newspapers. He had not, however, been trained in that hardy school of public service through which we have seen him pass, to be affected by such attacks. Finding, from day to day, that no mode of redress was left but "to oppose force to force in defence of our national rights," he strenuously advocated, both in the Committee and in the House, at an early period of the session, the bill, which eventually passed, to raise an additional military force. When, on the first of June, 1812, the Message of the President recommending war was referred to the Committee of Foreign Relations, he cordially united in the able report by which that recommendation was justified; and during the sessions with closed doors, in which it was for several days warmly, and even violently, discussed, he was among the principal of those by whom it was eloquently and successfully vindicated. He met with a just reward in the feelings of his constituents. They sustained him, not only with the voice of unanimous approbation, but by their prompt and gallant actions. They proved themselves ready on the instant to uphold with their arms the measures of which their representative was the advocate.

Mr. Grundy continued in Congress during the three following sessions, embracing the principal portion of the war. The absorbing topics of discussion throughout this period, were the various bills of necessity, introduced to raise funds by loans and taxation, for its prosecution, and to increase and strengthen the Army and Navy. There was scarcely a debate on these subjects in which he did not participate. He had voted for the war, as, in his opinion, just and indispensable to the honor of the country. He was, therefore, in favor of prosecuting it with vigor. Every matured measure of offence or defence found in him a willing, ready, and able friend; and when it became necessary to resort to extensive taxation, he, without hestitation, voted for and advocated, the whole system as proposed by the Committee of Ways and Means. It was against measures such as these that the partisan spirit of the Federal Opposition was principally directed. They knew that without men and money the war could not be successfully maintained. They believed that its failure must overwhelm its champions with popular indignation and disgrace. There were those among them with whom the love of country was a feeling

less strong than dislike to those in place. Partisans so reckless deemed it no disgrace to adopt every measure in their power to prevent the enlistment of men, or the filling of government loans. Actuated by this spirit, they did not hesitate, in some portions of the Union, to proclaim as foes to their country all who lent their money at this time of need to the National Treasury; and instances were not wanting of their being denounced from the sacred desk as enemies of God and man. Mr. Grundy, in one of his speeches, while advocating the justice of the war, took occasion, especially, to notice this highly unpatriotic conduct. After reviewing the series of measures, adopted for the avowed purpose of discouraging enlistments and preventing loans to the Government, he exposed, in forcible language, the real guilt of such proceedings. "They," said he, in concluding his remarks, "who discourage enlistments, or use their influence to prevent loans to the Government, are, in my judgment, guilty of *moral treason*. By such conduct they are weakening the arm of their country and strengthening that of the enemy, more effectually than if they were at once to pass over and place themselves in his ranks to fight against their countrymen. It is true, the Constitution and laws will not punish them, but they must, and will receive the decided condemnation of every patriot." Language such as this drew down upon him the undivided odium of those who had pursued the course he so unequivocally reprobated. He became the constant theme of their anathemas, and it may not be uninteresting to record one, from among the many specimens that might be found, of the manner in which his manly exposition of their covert hostility to their country was denounced.

"What," writes one of these reckless partisans, "if we now lend them money? They will not make peace. They will still hanker for Canada. They will still assemble forces and shed blood on our western frontier. Mere pride, if nothing else, would make them do it. The motives which first brought on the war will still continue it, if money can be had. But some say—will you let the country become bankrupt? No, the country will never become bankrupt. But pray do not prevent the abusers of their trust becoming bankrupt. Do not prevent them from becoming odious to the public and replaced by better men. Any Federalist who lends money to Government must go and shake hands with JAMES MADISON, and claim fellowship with FELIX GRUNDY. Let him no more call himself a Federalist and friend to his country. HE WILL BE CALLED BY OTHERS INFAMOUS."

Against language such as this Mr. Grundy found an ample shield in the increased affection and confidence which he obtained among his Republican friends, but especially among his own high-spirited constituents. The latter had been from the first the brave and

gallant supporters of the war. The army was filled with volunteers from among them, and it was in allusion to their readiness every where to serve their country that he remarked in reply to an assertion of the right of the militia not to pass beyond the limits of the United States, "that his constituents had never studied geographical boundaries when contending against the enemies of their country; and that it was enough for them to know where the foe was to be found, in order to assert their constitutional right to meet him."

From the time Mr. Grundy left Congress until the year 1829, he took no direct part in public affairs with the exception of serving for a few sessions as a member of the Legislature of Tennessee. He was indeed occasionally employed in temporary official trusts in which his services were sought on account of his ability and high integrity; and among these, ought to be particularly mentioned, the settlement he effected of the boundary line with Kentucky, which had long been a subject of fierce and threatening controversy and repeated though unsuccessful negotiation. But during these fifteen years his professional duties and the nurture and education of his children formed his principal and favorite employment; and he had every reason to be gratified in the high legal reputation and successful practice he continued to enjoy—and not less in the happiness and freedom from misfortune which attended his domestic life.

In 1829, on the resignation of Mr. Eaton as a Senator in Congress, Mr. Grundy was elected his successor and took his seat in the Senate on the seventh of December. His term expiring on the fourth of March, 1833, he was reëlected for the succeeding six years; and has continued a member of that body until lately placed by Mr. Van Buren in his cabinet, as Attorney General of the United States. Throughout this period he held a distinguished rank as an able debater and judicious counsellor. To the firm support which his strong and unchanged Democratic opinions would naturally have induced him to give to the administration of General Jackson, he added that confidence in his wisdom, and that warm personal regard, which had grown up and were cemented by an intimate association of more than twenty years. When the Senate rung with the fierce denunciations of his political foes and rivals, upon the removal of the public money from the Bank of the United States, Mr. Grundy not only supported that measure by unanswerable views of its policy and justice, but vindicated the motives and character of the President with all the warmth and spirit of ancient friendship.

Few debates involving important public principles occurred, during the nine years he was in the Senate, without his participation in them. He sustained the right of the Executive to remove persons from office, as one founded on a fair construction of the Constitution, and practised without question for forty years; but in so

doing he did not recognise a mere difference of political opinions, unaccompanied by the abuse of official power or influence, as affording a just ground for its exercise. In the repeated discussions to which the tariff of 1828 gave rise, he seized every occasion to express his opposition to that measure. His opinion was, that the power to impose duties on imports could not be rightfully used for the purpose of protecting domestic manufactures, except to the extent of the selection of particular objects for taxation within the limits of the revenue actually necessary for legitimate purposes. When the events connected with this subject assumed their serious aspect in 1833, he used all means to effect the passage of the Compromise Bill, was a member of the committee by whom it was remodelled, and was among those who were most instrumental in warding off the shock threatened by a conflict between the general confederacy and a single State. Upon all measures connected with the abolition of slavery he has acted with the same republican spirit, and evinced the same anxious desire to preserve unimpaired the well settled compromises of the Constitution.

While in the Senate Mr. Grundy successively held the prominent posts of Chairman of the Committees on Post Offices and on the Judiciary. The former proved to be a place of great labor and responsibility, and required an examination into the whole history and business of the Post Office Department, accompanied with elaborate and voluminous reports. That branch of the Executive had never been previously organized on the principles of strict accountability which existed in the others; and the result of these investigations was, to place it upon the same footing, by a law matured in 1836, of equal benefit to the Department and the community. As Chairman of the Committee on the Judiciary, he introduced and carried through many important bills. Two of them particularly deserve notice. The first, was to extend to the new States the circuit courts of which they had never yet enjoyed the advantages, and thus give to their laws, institutions and practice, the consideration in the decisions of the Supreme Court, only to be obtained by having their own judges on its bench. The other, was a bill violently resisted, but successfully vindicated and at last triumphantly carried, of which the object was to prevent institutions chartered by Congress from issuing notes after their charter had expired; it was intended not only to prevent such an abuse of trust for the future, but to stop, as it effectually did, the unjustifiable conduct of the Bank of the United States chartered by Pennsylvania, in flooding the country with irresponsible notes originally made on the faith and under the guarantee of an act of Congress.

The close of Mr. Grundy's legislative career was marked by a philanthropic act whose usefulness, it is to be hoped, will be widely felt; he introduced, at the late session of Congress, a bill which

was subsequently passed, with little alteration, to secure the lives of passengers on board of steamboats; its provisions were carefully considered and it cannot be doubted that, if properly carried into effect, they will tend to check the great and apparently increasing disregard for the security of human lives from this cause.

On the first of September, 1838, he became Attorney General of the United States, being the first time he ever received an appointment under the General Government; and, with the exception of his very brief term on the bench of the Supreme Court of Kentucky, the only occasion in a long course of public life, on which he has held an office not derived immediately from the suffrages of his constituents.

In person Mr. Grundy is of the usual height, and his countenance though marked by a mild and bland expression, is full of intelligence. His conversation is characterized by easy humor and his manners are simple and unaffected. Though not of a disposition to permit difference in political sentiments to affect his private intercourse, he is yet remarkable for his own consistency and firmness in adhering to those principles which he adopted in the outset of public life. Commencing as a Republican of the old school he has so continued without deviation; and no circumstances, however trying, have induced him to waver from his early faith. As a Senator he always felt that pride of place, justifiable in one who had so entirely achieved a prominent position by his own exertions, and although in wit and sarcasm he had no superior, yet he has never been found to indulge in remarks unsuited to the high theatre in which he acted so conspicuous a part. Never did he degrade the elevated body of which he was a member by language that could not fail to lower it in public estimation. He eloquently and conclusively vindicated, on more than one occasion, the majority of which he was a part, from the imputation of a disregard for its independence and honor; and he defended the Senate itself from the charge that it could be ever lost to the manly assertion of its own rights. It was during one of these debates that he concluded a very able speech, of which unfortunately there is no report, by the following language illustrative of these opinions—which we quote, by the way, rather as the sentiment of the speaker, than as exactly our own opinion. "If," said he, "the time shall come when the Goddess of Liberty can find no resting place in the Executive mansion; when the spirit of faction shall expel her from the other end of the Capitol—yet she will still linger about this chamber unwilling to be gone; and if at last, she shall be compelled to take her final flight, the parting impress of her feet will be found upon that dome which overshadows the American Senate."

THE EXILE.

As, wearily, upon a lonely strand,
Whose rugged front the ocean billow laves,
Wanders an Exile from a distant land,—
Far o'er that wild infinity of waves
Sending his soul's sad flight, as though its wing,
Dove-like, some leaf of hope back to its ark might bring;—

As on that orb which, setting now to him,
Sheds on his own loved home its dawning ray,
Through the thick film of tears his eyes that dim,
His yearning gaze still lingers—ah, who may
Measure or tell the gathered griefs of years
From the heart's bitterest depth o'erflowing in those tears!

No voice comes to him o'er the waste of waves,
But the wild dashing of the unresting surge,
And that dim moan from ocean's mystic caves
Forever echoing like a solemn dirge,
As though of thousand spirit-voices swelling,
Far down below, to chaunt the drowning seaman's knelling.

No voice like those dear tones, by love's lip spoken,
Whose memories yet murmur on his ear,—
No imaged word or smile—no sign—no token—
With one bright beam that aching gloom to cheer—
How like an angel's visit might it bless,
To soothe and nerve his spirit's fainting weariness!

Nor voice nor sign!—and is he then forgot,
So soon, so utterly, so lightly, there
Whither 'mid all the anguish of its lot,
As to the heaven of mortal hope and prayer,
His faithful heart still sends its deep, sad yearning,—
Like a slow fire within his wasted bosom burning!

The breeze which round his throbbing brow is playing,
As it would gently cool its aching fever,
Late round that heart's far, blessed home was straying,
Where still its thoughts, its prayers, are hovering ever—
Does not the Spirit of the Zephyr bring
One thought, one prayer, for him, upon its viewless wing?

He may not know—and what is hope's frail trust,
For human heart on it alone to lean!
For aye too often, trampled in the dust,
Bleeding and pierced, hath such fond heart been seen,
Which rested for its very life, alas,
Upon that quivering reed—that trembling spear of glass!

Mightiest and frailest thing of mortal birth
Art thou, oh Love!—for though thou oft canst scorn
Like the proud oak the blast that shakes the earth,
Too oft the flower whose loveliness the morn
Hath smiled upon—whose blight eve weeps to see,
In gentlest tears of dew—were fitter type of thee.

The absent--the proscribed—the unmentioned—how
Should woman's tempted heart yet cling to him,
Unfettered in its faith by bond or vow!
For, ah, time hath a subtle power to dim
Those hues of fancy which the fair young Hours
Of love's communion weave from summer's brightest flowers.

Peace, murmurer!—nor let one wild doubt dare
Blaspheme the holiness of woman's love,—
Which when most tried and tempted most can bear,
Its immortality of truth to prove,—
Brightest the glow-worm's ray in darkest night,
And shall the cloud e'er quench the star's heav'n-kindled light!

Yet still, ah, who can chide, that many an hour
His weary spirit flag and faint—surrendered,
As in a nightmare spell, to the dark power
Of that despair of hope deferred engendered,—
And as through dreary mists his sad steps go,
The lamp that guides their way burn sometime dim and low!

Not ever thus—ofttimes it flames on high,
All earth and heaven with its own glory flushing,
As the young dawn, from its far-radiant eye,
O'er darkest cloud can shed its own bright blushing,—
Oh, not of earth that light—and ever may
The etherial love that fired, still feed the sacred ray!

Oh, fearless then and free his spirit goes,
Proudly as soars the eagle toward the sun,
And o'er its own earth-sullied darkness glows
A glory from the light it looks upon;
Fair smiles its hope, and nerves its flagging will,
Its weary lot to bear, unbent, unbroken still.

A power art thou of more than mortal birth,
—I know thee now—oh Love!—that canst inspire
Thus gloriously a spirit of the earth,
As with the breathing of a heavenly fire,
With thine own essence—gentle, fair, and pure,
Fearless to dare and trust, and mighty to endure.

Thine is a power, within the torpid spirit,
To quicken into life each slumbering seed
That from its heaven-birth it doth inherit,
Bidding it spring to glorious word and deed,—
And aye in proud aspiring fix its eye
On all that's great and good, true, beautiful, and high.

Thine, like a scroll to bid the darkness flee,
O'er the fair face of earth and nature dwelling,—
Each gloomy doubt, each low despondency,
Each base desire, each demon passion, quelling,—
And to the heav'n-touched eye all things disclosing
Bright in the light of love and harmony reposing.

Thus as despair or hope alternate sway
The hours of that sad Exile slow and long,
In low wild wailings breathes his lyre's lay,
Or proud and soaring swells its loftier song—
Ah, when to its loved home shall fate restore
That banished heart, and sadness sway the lyre no more!

THE DUKE OF REICHSTADT.*

M. De Montbel's life of the younger Napoleon is certainly one of the curiosities of literature. That a minister of Charles the Tenth, exiled with that unlucky monarch from his native country, should employ the leisure of his banishment in Austria in composing a memoir of *the Son of the Man* who raised his towering empire on the overthrow of the Bourbon kingdom, is one of those curious results of the vicissitudes of fortune which are continually proving that history is more incredible than romance. With familiarity unrestrained, indeed encouraged, and with access to the best and most authentic sources and materials of information, M. De Montbel also had a subject rich in the sympathies, the glories, and the mysterious realities, of the extraordinary offspring of the most wonderful man and marriage of modern times. And he handles his subject with a fervor, delicacy, and pathos, that heighten its intrinsic attractions. Of the regal and Austrian coloring of his portrait we may beware, while it is difficult to resist the touches of domestic love and goodness that abound in it. But making due allowances for the influences under which he compiled this highly interesting memoir, it is but justice to acknowledge, that the well-beloved object of so much tenderness, hope, and panegyric, was one of the most remarkable and promising youths of any age or country. With such principles, personal merits, education, family, and popular alliances, it is difficult to imagine what might have been his destiny, had but health and a good constitution been united with his other preëminent advantages. Whether a frail body was undermined and consumed by the workings of an imprisoned spirit, that cancer of the soul, even while surrounded and sustained by the utmost personal kindness and affection, it is impossible to say. But we may conceive how a youth of ambitious and thoughtful temper, passionately alive to his immense father's overwhelming renown, yet conscientious, dutiful, and grateful to his Austrian kindred,—while burning to distinguish his devotion to Napoleon's memory, languishing and dying on the very proscenium of the vast theatre of his utmost triumphs,—we may well conceive that the susceptibilities of such a son, so situated, might wear and waste and wither a stouter frame, and bring the ill-starred Duke of Reichstadt's young hairs with sorrow to a premature grave.

The French Revolution of 1830, could not fail to stir up every drop of French blood in the body of a youth just then of an age for romantic enthusiasm, noble action, and love of country. We

* Le Duc de Reichstadt, par M. de Montbel, ancien ministre du Roi Charles X. Paris, 1832.

all know how it excited even the sober and thinking people of this remote region. It reached America in the beginning of September, and must needs have roused the long dormant hopes of the surviving male head of the Bonaparte family (having resided for fifteen years, in philosophical retirement, on the banks of the Delaware) to see it restored if not to the throne, at least to the country of the French, with the heir of Napoleon at their head, and his respectable uncle the protector of the young Astyanax,—as his father called him on the memorable occasion of his leaving Paris. But on the twentieth of the same month, the tidings of the Revolution were followed by accounts of the proclamation of the Duke of Orleans as King of the French. Joseph Bonaparte's letter to the Chamber of Deputies was nevertheless sent to France, reclaiming the right of his nephew to the crown; and there is no doubt that young Napoleon himself, his grandfather the Emperor of Austria, and Prince Metternich, as is sufficiently disclosed in M. De Montbel's work, contemplated with solicitude the reëstablishment of the Duke of Reichstadt, not only as the rightful, but the most acceptable and desirable occupant, by whatever title, of the vacant supreme authority of France. There was a strong Bonaparte party then, much more so than is supposed; and the Republicans were ready to act with them for the restoration of Napoleon the Second. General Lafayette's great influence was exerted with Louis Philippe so far, at least, as to prevail on him to recall the Bonaparte family to their homes and possessions in France, which Louis Philippe promised to do, so soon as it could be settled with the several foreign powers with whom the banishment of the Bonapartes was stipulated by treaties. To this effect we believe General Lafayette wrote to the Count of Survilliers (Joseph Bonaparte,) with many expressions of kindness and goodwill. The General vindicated his agency in the choice of the Duke of Orleans; but he wrote in the strongest terms of respect for Joseph. It was the opinion of many Americans, as well as French, having good opportunities, and well qualified to form a correct judgment, that if he would, as guardian of his nephew, without any claim of personal right, throw himself on the grateful recollections of the French, they would sustain the young Napoleon's claims to the French throne, and hold it for him till the Austrian Government permitted him to seek it in person; which it was believed the Emperor and Prince Metternich would allow, if it could be undertaken with probability of success. M. De Montbel gives the Austrian version of this affair in the fifth chapter of his work; a version composed after the exigency. But there is a French version, too, and perhaps even a transatlantic one. A personage visited Vienna, M. De Montbel informs us, whose name, celebrated in the annals of the Revolution and of the Empire, is blended with all the epochs of the history of French political

convulsions, commissioned with positive propositions in favor of the Duke of Reichstadt, under cover of a totally different mission; and his communications were listened to, but with a cool composure which disconcerted his projects. Prince Metternich asked for guaranties, and so forth. It matters little now to develope this intervention, since the object of it is no more, and was not then put forward with French alacrity, but held back with German procrastination, till too late.

There can be no doubt that Joseph Bonaparte was much urged and encouraged to make the attempt, by credible representations which impressed on him the *duty* of affording those who were anxious to restore his family an opportunity of doing so. The Orleanists were then considered the weakest party in France; the Napoleonists the strongest; and the Henriquists the next strong:—the Republicans, with very little force, owing to the fears of a reign of terror, and, moreover, willing to unite with the Napoleonists. It was deemed best by the opponents of the Orleans dynasty, to suffer the movement to be purely popular and spontaneous, to avoid all conspiracy and secret contrivance, and leave to events their natural developement.

On the twentieth July, 1832, Joseph Bonaparte sailed from Philadelphia for England, where he arrived on the sixteenth August. Two days after his departure, the Duke of Reichstadt died, and tidings of his death was the first intelligence his uncle received on landing at Liverpool. After three years residence in England, he returned to America, arriving at Philadelphia on the eighteenth October, 1835. On the first July, 1836, he sailed from New York on his return to England; and has resided in or near London ever since,—but intending, however, it is understood, to reëstablish himself finally, next spring, at his estate, called Point Breeze, on the Delaware, near Bordentown, New Jersey. It is said that Napoleon, after his last abdication, when contemplating America as his place of retreat, (before he gave himself up to the English), designated to his brother, on the map, this spot, as that which he (the Emperor) would prefer in this country,—between the two principal cities, on a large river, in the midst of every rural, and near every city, accommodation. There, surrounded by the memorials of his much cherished brother, the Count of Survilliers, has long lived with all the gratification of respect in philosophical retirement.

From the time Napoleon united the imperial diadem of France to the iron crown of Italy, three memorable campaigns saw him triumph successively in the capitals of Austria and Prussia. The victories of Ulm and Austerlitz, of Jena and Friedland, of Eckmuhl and Wagram, dictated the treaties of Tilsit, Presburg, and Vienna. Austria and Prussia were forced, trembling, to submit to the mutilation of their territories, and the terrible alliance of the

conqueror. After a thousand years existence, the ancient Germanic Empire was utterly crushed; Napoleon distributed the fragments among kings of his own creation, princes henceforward his vassals, his tributaries, and whom he subdued entirely to his will, by creating himself protector of the Confederation of the Rhine. Mediator of the Confederation of Switzerland, he stripped her of her liberty, her resources, and her soldiers. His brothers, adorned with the title of kings, served him as prefects to govern Spain, Naples, Westphalia, Holland. He recalled kings and kingdoms at pleasure. His immense empire, extending from the shores of the Baltic to the Pyrenees, numbered among its towns, Rome, Hamburg, Lubeck, and Amsterdam. Forty-two millions of men bore the name of Frenchmen; an equal number obeyed his sword. An heir was wanting to this formidable inheritance. Born of a Revolution whose whole religion consisted in hatred of kings, the triumphant soldier demanded the daughter of the Czars, and his pride presented Maria Louisa to France as the most splendid, the noblest of his trophies. The Revolution also was conquered.

At her accession to the throne of Napoleon, the young Empress was received with acclamation and homage; sumptuous and brilliant festivals succeeded one another; when their splendor was obscured and suddenly interrupted by one of those sinister accidents which, like the mysterious and terrible characters at the feast of Belshazzar, reveal the truth of a frightful future to the fears of nations.

A rapid fire devours the brilliant but fragile edifice in which the Prince of Schwarzenberg had surrounded the newly married couple with all Austria and Europe furnished of illustrious—all France had that was powerful. The joyous music of the dance is suddenly interrupted by cries of terror, of anguish, and despair. A female torn from the flames throws herself into them again—a mother seeking her daughter among the numerous victims,—the edifice falls to the earth—Pauline De Schwarzenberg is no more: young, amiable, beautiful, she is snatched from the tenderness of her noble husband, of her young family, of that cherished daughter for whom she had sacrificed herself, in striving to save her from a danger she no longer suffered.

People again saw those fatal omens of a terrible conclusion which darkened the nuptials of Marie Antoinette; they seemed to foresee the still more awful conflagration which, setting fire to the world, would break out between France and Austria. Napoleon and Schwarzenberg would meet, but henceforward elsewhere than at festivals. This passing impression, however, was soon effaced in the great movement of prosperity and power. How, indeed, could they believe in catastrophes? What struggle was to be feared at the sight of such power? What enemy were they to dread?

Besides, of what could Napoleon be ambitious? What did there remain for him to ask of fortune?

The confinement of Maria Louisa was extremely painful. It might be said that the child was averse to entering a world where he was only to appear for an instant to surrender his young destiny to all the caprices of fortune.

It was eight o'clock in the morning; a hundred and one guns announced tumultuously to the capital that an heir was born to the ruler of Europe; couriers set off in every direction to announce this great event to the cities of the Empire, and to all the foreign courts. With a rapidity till then unexampled, four days after the birth of the King of Rome, M. de Tettenborn, aid-de-camp to the Prince of Schwarzenberg, arrived at Vienna, bearing the news to the Emperor.

Napoleon, in the exultation of his joy, hastened to show his son to the Princes of his family, to the Ministers of the Powers, to the Dignitaries of the Crown, to the State Corporations, admitted to present their homage to him.

On this solemn occasion the Senate neglected not to renew the oft repeated assurances of its immoveable fidelity to Napoleon; and its President might believe in the truth of the predictions which he addressed to the Prince in the following words:

"Your people salute, with unanimous acclamation, this new star which has just risen in the horizon of France, and whose first ray dissipates the very last of the shadows of future darkness. Providence, sire, who has so visibly conducted your high destinies in giving us this first-born of the Empire, desires to teach the world that there will descend from you a race of heroes not less lasting than the glory of your name and the institutions of your genius.

"Suffer, sire, that on this day the Senate mingle its dearest sentiments with the first of its duties, and that we separate not our respectful tenderness for the son of the great Napoleon, from the holy obligations which attach us to the heirs of the monarchy; as also that, in the homage we have just presented to your majesty, we do not sever the humble offering of our love for your sacred person, from the tribute of our profound respect and our immoveable fidelity."

Such were some of the pompous, the imposing, and the ominous circumstances that attended the birth of young Napoleon.

From this abridgment of M. de Montbel's rather florid preface, we proceed to lay before the reader a biographical and characteristic outline, formed by merely translated detachments of his work, in such arrangements as may serve to depict the noble youth whose birth, character, habits, principles, life, and death, it is our object to present,—omitting the great events of his father's career, with some of whose closing scenes M. de Montbel enlarges his biography

of the son. Familiar as they are to every one, we need not repeat them, nor suffer more than a mere transient view of the mother to intercept the picture of the son, whom we wish to exhibit by himself. America has this remarkable local interest in the Bonaparte and Bourbon epics and episodes. The reigning King of the French, with his two brothers, was here some time. The British Government agreed with Bonaparte, in 1802, to send Louis the Eighteenth, Charles the Tenth, and all their family and followers, to Canada, and keep them there. Napoleon's plan, in 1815, was to make this country his residence; and his brother, coming here at that time, has been among us almost ever since.

On the fifth of September the Emperor was on the confines of Moscow making preparations for the battle of Borodino, giving orders for that great action which was to begin at daybreak,—surrounded by the chiefs of his army, who were receiving his instructions. Suddenly Count Bausset, prefect of the palace, arrives at the camp, sent there by Maria Louisa to deliver to him the portrait of the King of Rome. At this news all preparations are suspended. In the impatience of his joy he orders the picture to be unpacked and placed without delay in his tent.

It was painted with great talent by Gerard,—the young prince represented reclining in his cradle,—a sceptre and the globe for his rattle. Napoleon contemplated with transport the features of his son. He called the officers of his household and the generals who awaited his orders, that they might share the satisfaction which filled his heart. "Do you believe, gentlemen," said he, "if my son were fifteen there would be nothing but his likeness among so many brave men?" A moment afterwards he added, "this portrait is really admirable;—I am charmed with it!"

He would have it placed outside of his tent on a chair, that all the officers and soldiers of his guard might look at it, and find in it further motives for renewed inspirations of courage for the great action that was to take place the next day. The portrait remained thus all day exposed to the eager looks of the soldiers. It was afterwards placed in Napoleon's chamber in the Kremlin.

We pass now to Napoleon's abdication and the departure of the Empress and her son for Austria.

The twenty-ninth of March Maria Louisa left the Tuileries to repair to Rambouillet, a royal castle destined to witness other misfortunes. When they attempted to take the young prince to his mother, who was waiting for him, to set out, he made unusual resistance, cried, screamed, his little hands seized the draperies of his apartment—"I will not," said he, "leave the palace!" Mr. de Canisi, the officer on duty, had to help Madame de Montesquieu carry him to the carriage. An instinct of repugnance to this jour-

ney, the funeral of his political death, seemed to be revealed to the young prince.

After this he was established at Vienna. The time had come when his already active intelligence demanded the care of a connected, methodical, and gradually developed education. The Emperor of Austria was to confide this education, so delicate in many respects, to a man whose existence and character would justify the wisdom of his choice. At Maria Louisa's request he designated Count Maurice de Dietrichstein, of one of the most illustrious families of the Empire, and who united great nobleness of sentiments, and the elevation of a truly loyal character, with extensive and various information. By his high social position, and universally acknowledged qualities, Count Dietrichstein merited the confidence of the monarch. Such a choice proved the importance the Emperor attached to the trust he thought he could only place in such worthy hands.

M. Welli, together with M. Boos, head gardener at Schœnbrunn, was chosen to accompany the commission to St. Helena. M. Welli was a scholar versed in the natural sciences, diligent in his labors, and consequently quite incapable of intriguing. At the moment of departure, however, M. Boos, the friend of Madame Marchand, mother of the first valet-de-chambre of Napoleon, and attached to the immediate service of the young prince, charged Welli with a letter and small package directed to her son. The package inclosed, she said, a lock of his hair, which she begged him to give privately to Marchand, lest he should be deprived by the Governor's severity of this remembrance of his mother's tenderness.

When the expedition was within view of St. Helena, Baron Stürmer gave advice and orders to his suite conformably to the instructions he had received: he warned them that no letter or package was to be given directly to the French on the Island; that every thing was to be trusted to him, to be sent through the indispensable mediation of the Governor. He consequently ordered them to tell of every thing they had in their possession. Welli, fearing to disoblige M. Boos by breaking his promise, was silent, and when landed easily succeeded in giving Marchand the package which his mother sent him; on which occasion the Emperor Napoleon had another fête like that of the picture.

The intimacy immediately established between the Emperor of Austria and the young prince was touching. A secret instinct seemed to inform the child that his whole future existence was to be sheltered under the protection of his grandfather. The Emperor experienced the deep interest which a being so near to him must necessarily inspire, who though so young was the sport of an inconceivable destiny; they never left one another. A play-

house, suited to the child's age, was fixed in the Emperor's apartment, who witnessed with delight the skill, the agility, and the transports of his merriment. The young duke penetrated even to the cabinet, where a monarch, one of the most skilful lawyers of his kingdom, was in the practice of himself determining, after careful and considerate examination, the petitions his subjects presented to him, at audiences granted, without difficulty, to the humblest inhabitants of the Empire. The presence of the young prince was a relief amid these grave labors. His conversation interested his grandfather. The child spoke with entire confidence, for he was sure of receiving answers adapted to his understanding, and explanations made with that benevolent feeling which gives them so much attraction for all auditors.

No difference was made between the Duke of Reichstadt and the young Archdukes of the family; he received the same care and the same proofs of tenderness; at court the same honours were paid him.

Besides the signs of intelligence that the young prince gave, he manifested also steadiness and skill, as was remarked in several instances. The Italian General, Pino, had given the Emperor a young lion, recently taken from its dam. Too weak to be dangerous, it used to play with the goats in one of the parks of the menagerie of Schœnbrunn, and drew public attention. People went to see and caress it like a playful dog. One day the Emperor, accompanied by his children and the young prince, went to see it; the youngest of the Archduchesses seemed alarmed, not at this animal, but at one of the goats which ran towards her in a threatening manner. "Do'nt be afraid," said the child, skilfully seizing the goat by the horns, "I will prevent its approaching." "See," said the Emperor, smiling, "he is very young, but he already knows how to take hold of a dilemma."

In the year 1819, the Persian Ambassador, Mirza Abul Hassan Chan, made his entry into Vienna, and placed at the feet of the Emperor and Empress the presents his sovereign sent them. Among these precious objects, which consisted mostly of cashmeres, was the picture of a Persian Monarch richly framed with a greenish Chinese stone, a voluminous manuscript of the poet Feth Ali, composed of forty thousand distichs, and entitled the *Book of the King of Kings*, in imitation of the famous poem of Ferdussi; and above all the scimitar of Timur, celebrated in Europe under the name of Tamerlane. Abul Hassan, then Ambassador, now Prime Minister, of Persia, was a man of intelligence and information, but having many peculiarities of behaviour, and especially an extreme assurance. He had visited several European Courts. At London, Lawrence had taken his picture for the King of England; finding that painter at Vienna, he hastened to visit him at his workshop, accom-

panied by M. de Hammer, the Court Interpreter. The Duke of Reichstadt being curious to see the Persian, went to Lawrence's at the same time. Abul Hassan was presented to him, and immediately began to converse in English with Count Dietrichstein, giving vent to all the petulant vivacity of his character. Struck by his strange and noisy manner, the young duke, who was then eight years old, said very gravely :—"That is a lively Persian; my presence does not seem to impose the least restraint on him."

At this age the child was remarkably handsome; he spoke with ease and with the accent peculiar to Parisians. We delighted to hear him express in the *naif* language of his age very just thoughts and observations. It was necessary he should be early accustomed to the German tongue: he would hear it constantly spoken around him; he ought to understand what was said in his presence, and profit by such means of instruction. But when we tried to make him pronounce some German words he made determined and desperate resistance; as if in speaking that language, he feared he was abdicating his title of Frenchman. Considering his age he kept for a long time to this resolution, which, however, eventually yielded; when he learnt German with wonderful facility, and soon spoke it in the Imperial family. It was truly a pleasure to superintend the ready labor of his young imagination. His very faults showed quick intelligence and deep reflection. He reasoned by analogy and ingenious etymological observations. There was very early in his young head a reasoning power highly interesting to perceive.

From this time he manifested his different characteristics—kind to inferiors, amiable to his governors, but without much display of attachment. He obeyed from conviction, but always began by trying resistance. He liked to be striking.

It was evident he generally thought much more than he said. A temper which might have rendered him deceitful was to be subdued, and we succeeded by dint of assiduous care and with difficulty. He received our reprimands with firmness; but whatever displeasure they gave him, never bore any ill-will. He always finished by agreeing to the justice of what was represented to him. When during the day there had been a coolness between us, owing to some severe lesson, that evening on taking leave he was always the first to offer a friendly hand, begging us to pardon him, and forget his faults.

There was one distinct feature in his character; he could not bear to be deceived; he likewise disliked tales and fables. Morality could not persuade him in that way; he was invincible to such narration: it is false, he would say, what then can it be good for?

His extreme curiosity as to his past situation, his father's history, his actual existence, and the causes of his fall, embarrassed us every

day: evasive answers could not satisfy him, while it was a punishment for us; at last the Emperor arrived. We hastened to impart to him the questions the child constantly put to us, begging him to give orders respecting them. The Emperor answered:—"Truth is to be the basis of the prince's education; you are to answer freely all his questions; that is the best and the only way to quiet his imagination, and inspire him with that confidence which you require in order to guide him." At first he interrogated us with eargerness and surprising affluence of ideas. Being authorized to answer him, we did it with great freedom. As the Emperor had foreseen, after a few days he was satisfied with this kind of conversation, and then he became calmer and more reserved on the subject. What seems incredible is, that at no age, and under no circumstances, did we ever hear him express a regret as to his former situation; but, as already said, his words were far from revealing all the secrets of his soul. Afterwards we saw that he appreciated the faults his father committed, but never uttered one word about them.

The news of the death of Napoleon was brought to Vienna by a courier of Messrs. Rothschild. Count Dietrichstein had been obliged to go to Wurtzburg. The Emperor commissioned me to announce this mournful event to the young prince, who had just attained his tenth year. It was on the twenty-second of July, at Schœnbrunn; in the same place, on the same day, where he himself, eleven years after, expired, that I informed him of the close of his father's existence; he wept bitterly, and his grief lasted several days. M. de Foresti, said he to me, my father, when he died, little thought that I should receive from you such affectionate care and so many proofs of attachment. The prince alluded to a circumstance in my life which I had related to him, in the campaign of 1809. Being taken prisoner at Ratisbon, I was conducted, with several other Austrian officers, into the Emperor Napoleon's presence, when he was on horseback surrounded by his numerous staff, among whom were several marshals, and he was very much agitated.

We continued to occupy the prince with the study of modern languages and literature. He had during sometime a skilful professor, Mr. Podevin, of whom death robbed us before the close of this part of his education. With him he studied deeply the French classics, analyzed and appreciated them in their most perfect works. He had cultivated his memory by learning many fragments of the Henriad, the tragedies of Racine and Corneille. The masculine genius of Corneille struck him, though in general he was insensible to the charms of poetry. He loved nothing but truth and elevated thoughts; and could not understand the merit of mere harmony of expression, or the powerful attraction of a well turned rhyme.

Among French authors he preferred La Bruyère, whose Characteristics he read and pondered much, admiring the depth of his observations, which predilection belonged essentially to the tone of his mind. Distrustful, perhaps because of his position, which he judged with discernment, he scrutinized men, he knew how to interrogate and examine them. His opinions were generally severe; but we were often obliged to acknowledge the truth and justness of his remarks. The prince also occupied himself attentively and successfully with German literature. Among the poets, he preferred Gœthe and Schiller. His taste led him to read with interest the voluminous writings of Schmidt, Müller, and our celebrated historians.

Endowed with great dexterity in bodily exercises he was active and skilful in all games with children of his age, especially the young Archduke Francis, who was his usual companion. He was accustomed, when very young, to ride on horseback, and acquired great skill in that exercise, of which he was very fond.

His decided taste for a military life induced his grandfather to yield to his wish to wear a uniform; even before he attained his seventh year he wore the dress of a soldier. He studied tactics with zeal and application; and when to reward him for his good conduct and exactness in evolutions, the insignia of the rank of sergeant was bestowed on him, his joy was excessive, he ran and boasted to his young friends of the promotion he had gained by his merit, and he afterwards passed through the grades of the military hierarchy and learnt in them the minutest details of service.

He was always averse to being treated like a child. I remember to have heard an anecdote on this subject that shows his disposition. Every spring the Emperor gave a fête in the magnificent greenhouses he had built near his palace. Here in the midst of all the riches of the vegetable world, tables were spread around at which were seated the Empress and the ladies she had invited, the men moving about on the space that separated them from the flowers by which they were surrounded. The Duke of Reichstadt had just attained his twelfth year. The remarkable growth which proved so fatal to him had not appeared; but the beauty of his features was distinguished. The Empress called him to her, and caressing him desired to place him among the ladies, but he blushed and refused to sit down, saying very gravely, "my place should be among the men."

He was always so remarkable for thought, that properly speaking he had no childhood. Living with persons older than himself, he seemed to take pleasure in their conversation. Without being at all extraordinary in early youth, his intelligence was nevertheless precocious; his repartee was as quick as it was just; he expressed himself with precision, and in terms remarkable for their propriety

and elegance. Thoroughly acquainted with the theories of the French and German languages, he wrote generally with purity and finish, but sometimes in a negligent style that affected even his orthography, and which was in direct contradiction to his real information and extensive and assiduous reading.

The Emperor, busied with the moral developement of his grandson, confided the care of initiating him into the policy and philosophy of history to the man, who, by his long experience, elevated station, and great information, was best calculated to fulfil the wishes of the monarch. Prince de Metternich was charged to give to the Duke of Reichstadt an exact and complete history of Napoleon.

He was at all times surrounded by numerous and active conspiracies. It was therefore necessary to keep him from contact with persons whose intentions were suspicious. This watchfulness, of which he was aware, and the motives for which he fully appreciated, was necessary for many reasons. Otherwise we may suppose how many intriguing men would have profited by such facility to display for their own advantage their officious zeal and crooked counsels. What is not allowed to any prince, could not be tolerated for the Duke of Reichstadt. In several instances when talking of the great memory of Napoleon, his personal situation, his future existence, and the efforts that would be made to draw him into political parties and movements, he said to the Emperor and Prince Metternich,—"The aim of my life is, not to be unworthy of my father's glory. I shall consider that I attain this high aim if, as much as in me lies, I succeed in appropriating to myself some of his fine qualities, endeavouring to avoid the rocks on which they wrecked him. I should fail in the duties which his memory imposes on me, if I become the sport of faction, and the tool of intriguers,—the son of Napoleon can never condescend to play the part of an adventurer."

The first impression this wonderful young man made on me greatly surpassed the favorable idea which, according to common opinion I had formed of his capacity. I did not expect to find, in such extreme youth, penetration and solidity of character in so great a degree. It was my happiness to inspire him with as much confidence as he created interest and attachment in me; in talking to me, he seemed to wish to open his heart, and he explained his present feeling by saying, that I was the man of his choice. From the beginning of our relationship I endeavoured to give him frank and sincere advice, and afterwards lost no opportunity of telling him of his faults. I reproached him with levity, as opposed to his usual severe sense of right,—a common want of application to things of which he did not think. I told him that one of the most useful and indispensable studies for him, was early to accustom himself to conquer his desires, and that he should remove all obstacles that

might impede the complete developement of his intellectual faculties. He was grateful to me for this advice, and seemed disposed to profit by it.

"What remembrance have they of my father in Egypt?" said he to me.

"They think of him as a meteor that passed dazzlingly over the country."

"I can suppose such an opinion on the part of Ibrahim and Mehemet Ali, whose elevated mind was capable of forming such a judgment,—but the people who had to support the miseries of war are they not resentful?"

"Since then the enmity to Napoleon has given way to other enmities: there only remains a great admiration for his memory. The hatred between the Turks and Arabs is so active that present suffering has quite destroyed the memory of what was undergone at another time."

"I can understand that explanation; but in general the multitude considers a great man as it looks at a fine picture, without being able to give an account of what constitutes its merit; consequently the traces left in their memory are quickly effaced. It is only superior minds that can judge, appreciate and remember great men."

The habitual topic of our conversation was his military studies. Plutarch was a favorite author; he had thought of his writings, and loved to talk to me of the great men of antiquity, whom he judged with remarkable discernment. The solid and creative talent of Cæsar he preferred to the dazzling triumphs of Alexander; but of all great captains he most admired Hannibal.

"You have," said I to him, "a noble course before you. Austria is your adopted country, you may by your talents prepare yourself to be of great future service to her." He answered in these remarkable words. "I know it as well as you: I must not think of troubling France; I will not be an adventurer; I am not to be the tool and sport of liberalism. To tread in the footsteps of Prince Eugene of Savoy, would be a noble ambition for me; but how prepare myself for such a part? how attain such a height?—I wish to have around me men whose talents and experience will furnish me the means of completing such an honorable course."

The Revolution of 1830 had a great effect on the Duke of Reichstadt, and created in his mind an agitation and ferment that it was difficult for him to overcome. At the moment when recent and confused news of events at Paris left the result doubtful, and allowed us to believe in the possibility of the revolution, his first impulse was to say with vivacity, "I wish the Emperor would allow me to march with troops to the aid of King Charles X." I have this fact from two persons nearly related to the Prince, both in an elevated social position, holding, nevertheless, directly opposite political

opinions. But in the position and at the age of the Duke of Reichstadt, his opinions on this subject would not be consistent; they changed and succeeded one another with a rapidity that saddened and exhausted him.

The warlike preparations to which the Revolution had every where given rise, the conversation of military men who expected soon to enter upon a campaign, the newspapers and public speakers assuming from day to day a more threatening aspect, acted strongly upon his youthful imagination. Desire to take an active part in an approaching war was a passion which, increasing with the fluctuations of his mind, brought him often to a state of the most painful distraction.

"To be a soldier, and inactive whilst all around me is in motion, that," said he, "would be a shocking situation; on the other hand to take part in a war of aggression against France! what would be thought of me? But victory alone settles men's opinions; success is the essential condition of popularity as well as glory. I will only bear arms in case France attacks Austria; my duty would then be to defend my adopted country." A moment afterward, he said to me with great emotion,—"and yet the will of my father imposes on me a duty that must govern all the actions of my life."

In the private circles and at the court balls he was regarded with great interest. His situation attracted general notice, his wit, his easy conversation, the vivacity of his repartees, the elegance of his dress and manners, his graceful figure, the beauty of his features, secured him marked success. The women towards whom in general he was amiable and gallant, were always attentive to him. He confided to me that his heart was prepossessed with the charms and lively intelligence of a young and beautiful woman, the Countess ———, whom he had met several times at court, whose conversation had interested him, and who appeared flattered by his attentions. I saw how dangerous for him was a passion which would not only distract him from his labors and his duties, but might expose him to a reputation for levity which it was important to prevent. I told him so; he listened with interest; and after several relapses, of which he frankly told me, he completely conquered a passion which might have placed him in a mortifying and embarrassing situation, and in many respects could not fail of being fatal to him.

Marshal Marmont being at Vienna towards the end of the year 1830, Count Dietrichstein informed him of the Prince's wish to see him, and that he might meet him that evening at a ball at the English Ambassador's. The Marshal went there, and saw the Duke, who was eagerly seeking him. Count Dietrichstein told the Marshal he would present him to the Prince, whom they approached immediately.

"Marshal," said the Duke of Reichstadt, "I cannot tell you what pleasure it gives me to see one of the most illustrious generals who fought under my father's orders; you particularly, who were his aid-de-camp in his first campaigns; you were with him in Italy, you followed him to Egypt and Germany. I have studied his history with deep attention, and have many questions to ask you, concerning facts about which I wish to be enlightened." "I am at your orders, my Lord," replied the Marshal. During this time every eye was attentive, all wishing to listen to a conversation they could not overhear, but in which the Prince appeared very animated, and the Marshal much moved. Curiosity was roused from the beginning; every one desired to witness the public meeting between the son of Napoleon and one of the most distinguished officers of his army, and what effect the conversation of the ancient companion in arms of his father would have on the young Prince.

Taking advantage of a movement in the ball room, the Marshal left the Duke for an instant, and approaching Prince Metternich, informed him of his question, saying that, before he answered, he wanted to be sure that he complied with the wishes of the Emperor.

"Marshal," said the Prince to him, "the wishes of the Emperor are, that the Duke of Reichstadt should know the truth; to conceal it from him would be impolitic, and, I think, even criminal."

At the Prince's request the Marshal's conversations were changed into lectures on the military theory of Napoleon's campaigns. They took place regularly, and without interruption, for three months. The youth listened to them with lively interest, his eyes sparkling with intelligence; in his penetrating look the Marshal discovered the eyes and soul of Napoleon. He followed him with insatiable avidity. His remarks were just and concise, his questions showed a quick apprehension, but he made them rarely, for he avoided interrupting instructions which absorbed all his faculties. Whenever an appeal was made to his memory it was found infallible, as well as his judgment. His correctness attached him particularly to the first campaigns of Napoleon, which also served as the foundation for the Marshal's lessons.

According to the custom of the members of the Imperial family, who devote themselves to military service, the Duke of Reichstadt had passed through all the lower ranks; he had thus learnt all military details with a zeal it was constantly necessary to moderate, that it might not be hurtful to his studies.

The fifteenth June, 1831, he was named Lieutenant-Colonel, and took the command of a battalion of Hungarian infantry, of Giulay, then in garrison at Vienna. He entered on his new duties with great ardor. Polite, kind, anticipating the officers' wishes, behaving to them more like their companion than their Prince, he soon exercised over them an influence which he knew how to gain over all

who surrounded him. His whole life passed in the study of theories, manœuvring in the field and in the barracks.

I admire his military passion and intelligence, said Count Hartmann to me; but from the fourth day of his command his voice was hoarse, at which I was not surprised, for that effect is common on all who are not in the habit of commanding a long line, even the most robust. Consequently I did not think I ought to prevent his continuing in the service. At this time there were no perceptible signs of disease, though undoubtedly even then he bore the germs of the terrible malady under which he finally sunk. Some slight and frequent attacks of cough, the continuation of his hoarseness and weakness after fatigue, seemed to me evident signs of a constitution that required attentive watching and constant care; but the Prince persisted in attributing his debility to not being accustomed to much bodily exercise. Activity alone, said he, can cure the evil caused by too long and uninterrupted application to sedentary pursuits. With incredible strength of character, he carefully concealed every indication of phthisical indisposition, so much did he fear that the knowledge of his real situation would decide his return to a peaceful and quiet life.

In the spring of 1831 the Prince entered on his military career. From that time he rejected all my advice; I was only the spectator of an unmeasured zeal and unlimited eagerness for his new pursuits. From that time he thought he was only to listen to the passion which dragged on his feeble body through privations and labors entirely beyond his strength. He would have thought it disgraceful and cowardly to complain when under arms. Besides, in his eyes I had wronged him by retarding his military career. He feared my observations might again interrupt it. And though in all our social relations he treated me with extreme kindness, as his physician he never told me a word of truth. I could not induce him to try again the muriatic baths and mineral waters, that had been so useful to him the year before. He had not time, he said.

Several times I found him in his barracks overcome with fatigue. One day particularly, I found him lying on a sofa exhausted, almost fainting, and unable then to deny the distressing state to which he was reduced. "I owe a grudge," said he, "to this miserable body that cannot follow the will of my soul." "It is, indeed, unfortunate," said I, "that your Highness cannot change your body as you do your horses when they are fatigued. But I implore you, my Lord, to remember that you have an iron soul in a crystal body, and that a wilful abuse of it cannot fail of being fatal to you."

His life then was wasting away. He slept scarcely four hours, though naturally he required much sleep; he eat scarcely any thing, His whole existence was centred in riding and military exercise. He took no rest. His height increased; he became gradually

thinner, and his complexion of a livid hue. To my questions he always answered "I am perfectly well."

One day we were talking on the important subject of religion; he spoke of it in a touching manner. The sophistry of certain works, and the conduct of some individuals, had cast a shadow of doubt over his mind; but his soul was religious. If he spoke of his doubts it was as a man who feels the necessity of attacking and conquering them. I had published an account of my travels in the Holy Land. He grew warm while talking of these biblical remembrances, and his heart, usually so firm, seemed like metal in a state of fusion, which becomes malleable against its nature.

"My reading," said he,—"and some examples I have had under my eyes,—have thrown me into uncertainty. The sight of minute practice carried to excess, sometimes to superstition, and moreover at variance in the same individuals with their moral conduct, has had an unhappy effect on me. But my father, after the example of every legislator who preceded him, has loudly proclaimed that religion is the indispensable foundation of every social edifice. What is so necessary to human society must be right. This appealed to my reason: and what an appeal to my heart, when religious reflections are continually in my intimate acquaintance with the Emperor! With him religion is not merely a word on his lips, but a thought in his soul. It is the vital principle, the effect of which is constantly seen. Whether he prays, or speaks, or acts, I always find in him the same deeply religious man. This constant sight has happily spoken to me in a way I understand. I have understood, I have felt, all that is sublime in religion being able to enlighten one amidst the uncertainty and darkness that surround him."

M. de Prokesch told me that on the thirteenth of January, 1832, he found him agitated; he had been invited to a ball at Marshal Maison's, and was vexed about it. "I have asked the Emperor," said he, "if it is necessary I should go: he allows me to do as I please. I have no reason to complain of the Marshal, but it is impossible that decently I should be at Louis Philippe's Ambassador's, at the very time when he is issuing against me a decree of exile and proscription. There would be an inconsistency in such a situation which might shock all who witnessed it, and which undoubtedly would injure me seriously."

The Duke of Reichstadt, vexed at being deprived of his military avocations, tried to conceal his sufferings; he was firmly resolved not to be sick, and though he had entire confidence in the talents of Doctor Malfettis, and honored him with his affections, he endeavoured by his answers to get rid of his attentions, and refused to submit to the prescriptions that had been so salutary to him."

The doctor, in his vexation, said to him one day, "as a good and and amiable Prince, I have for you the truest affection, but I do not

like you as a patient." "And I," said the Prince, "love you as a man of learning and intelligence, but you know I hate physic."

The Princes of the Imperial family are obliged to receive the viaticum in the presence of the Court. It was feared to inform the Duke of Reichstadt that the time had come for him to fulfil this last duty. The Court prelate Michel Wagner, who had instructed him while a child, did not feel able to propose it to him. The Archduchess Sophia, who had given the young Prince so many proofs of tender and affectionate interest, took upon herself to conceal this terrible truth from him by persuading him to unite their prayers, he for his cure, she for her approaching accouchement. The ceremony was performed in the midst of a sad and numerous assembly, who were present at the sacrifice, though the Prince was not aware of it. What a sight! the union of these two members of the Imperial family at the foot of the altar; one pale, exhausted, almost expiring, receiving the sacrament of death when hardly on the threshold of life; the Archduchess, in all the brilliancy of beauty, youth, and maternity, preparing herself by this religious act to consecrate the birth of her second child. It was of a deeply touching character, the reflection which thus united in one prayer life and death, the cradle and the tomb.

The Prince grew perceptibly weaker and worse every day; he was sometimes carried to an enclosure in the gardens of Schœnbrunn, and there placed on a balcony that projected from his apartment, that he might enjoy the air which his lacerated breast now breathed with great difficulty. Soon he could not leave his bed. He was in that state fluctuating between hope and despair, which is the characteristic symptom of his complaint; but when he spoke to us of his approaching death, it was with the immoveable firmness of a brave man.

On the evening of the twenty-first of July, Doctor Malfettis informed us that he feared the worst the following night. Baron Moll never left his chamber, but unknown to him, for he could not bear any one should stay with him at night. For some time he seemed to be dying. Towards half past three he raised himself on his couch, and exclaimed, "I am sinking! I am sinking!" (Ich gehe unter) Baron Moll and his valet de chambre took him in their arms, and tried to calm him. "Mother! mother!" were his last words. Hoping that it was only a passing weakness, Baron Moll hesitated to send for the Archduchess; but when he saw the Prince's feature becoming fixed and deathlike, he trusted him to the valet, and ran to call the grandmaitresse of Maria Louise and the Archduke Francis, whom the Prince had asked to be with him in his last moments. Maria Louise thought herself able to stand by her expiring son, but she fell kneeling at his bedside. The Duke of Reichstadt could not speak; his dimmed eye fixed on his mother

tried to express to her the feelings his lips had not life to utter. The prelate then pointing towards Heaven, he raised his eyes in answer to the thought. At eight minutes past five he expired without a struggle, in the same chamber which the triumphant Napoleon had occupied, in the same place where, for the last time dictating peace as a conqueror, he slept amid all the illusions of victory, promising himself a glorious marriage and the eternity of his dynasty. It was the twenty-second July the anniversary of the act which had given to the Duke of Reichstadt his last name and title, the anniversary of the day on which the Prince learnt at Schœnbrunn the death of Napoleon.

On the coffin was the following inscription:

"To the memory of Joseph François Charles, Duke of Reichstadt, son of Napoleon, Emperor of the French, and of the Archduchess Maria Louisa of Austria, born at Paris, twentieth March, 1812, saluted in his cradle by the title of King of Rome. In the flower of his youth, and endowed with every fine quality of mind and body, of an imposing stature, noble and agreeable features, elegant in his language, remarkable for his military information and aptitude, he was attacked with a phthisis and died in the Emperor's castle at Schœnbrunn near Vienna, the twenty-second July, 1832."

Unfortunate Prince, when in agony you slowly approached the tomb, you exclaimed, "so young alas! must I end a useless and obscure life? My birth and my death—they are my history." Ah! your life did not close without fame, though deprived of the perilous honors of power, the terrible brilliancy of battles, without great events, but not great qualities. Your existence furnishes, by its contrast with the prodigious life of your father, one of the most eloquent pages of history, perhaps the most worthy of our meditations. That being is not extinguished without glory which learns how to conquer the love and regrets of the Imperial family, and of a people whom the author of your being crushed under the power of his victories. The lamentations of the people of Vienna escorting to the tomb of the Czars the coffin of the son of Napoleon, is a noble funeral oration. The tears shed at your funeral are preferable to those drawn by victory: for victory draws more than tears.

If, to give the world one of its sublimest lessons, heaven chose that your premature end should be the termination of a great sacrifice, at least it took care to adorn the victim with such high qualities and precious gifts, as rendered him worthy of the oblation, and consecrated him forever in the memory of mankind.

CONGRESSIONAL HISTORY.

THE SECOND SESSION OF THE TWENTY-FIFTH CONGRESS.

(*From Dec.* 4, 1837, *to July* 9, 1838.)

GENERAL PRELIMINARY REMARKS.

After an interval of little more than six weeks, since the adjournment of the "Extra Session" (to the history of which, as given at length in former numbers of the Democratic Review, the reader is referred) Congress reassembled, to hold its regular session, on Monday, the fourth of December, 1838. Such pains were taken in our History of the Extra Session to illustrate the respective relations subsisting between the different parties in that body, as the representatives of corresponding parties in the country, that we consider it unnecessary for us to refer again to that subject. Those relations could not within that interval undergo any material change. Some difference, however, was perceptible, and deserves to be noted, in the degree of developement attained by those principles which were in action, that were of a progressive nature, to mould and sway the relations of parties.

The general *rêsumê* of the history of the Extra Session may be thus concisely summed up. The coalition between the Whig Opposition and the fractional Conservative schism from the Democratic ranks, had decidedly, though not decisively, defeated the Administration in the House of Representatives, while the ascendency of the latter was paramount in the Senate. This collision of sentiment between the two bodies necessarily neutralized all action on the great question of the future fiscal system to be adopted for the Federal Government; and was able to produce no other legislative result than an immediate provision for the suddenly exhausted condition of the Treasury, by the Treasury Notes Bill, and the Fourth Instalment Postponement Bill.—This had, in truth, been the main purpose for which the Extra Session had been convened, and thus all its contemplated object had been attained. The main question, that of the Independence of the Treasury, was one of such magnitude, involving considerations reaching so far and so deep, that it was perhaps scarcely to be regretted, even by the Administration itself, that it did not receive an immediate decisive disposition at the first heat of the contest. Even had it been able to carry through its great measure, however in the present case it might not have been amenable to censure, yet certainly, as a precedent, such rapid precipitation—in advance of the completion of that thorough sifting and digestion of the subject through the popular mind on which alone such important legislation ought to be founded—might not have been entirely unexceptionable. We do not mean to imply any censure upon the Democratic party for the powerful and active effort which it did make to carry it through. Their profound and earnest conviction of the soundness of the principles on which they were proceeding—the sudden practical abrogation of all the existing legislative provisions for the management of the Treasury, effected by the universal bank suspension—the propriety of placing that on a basis of legislation which must otherwise rest solely on the dangerous ground of Executive responsibility, with the apparent necessity of an option between alternatives of which the Sub-Treasury was the only one tolerable to them—and the importance of the object of quieting once for all the wild agitation of the public mind, which in the existing state of convulsion and distress was the greatest of evils—these were the motives which would seem amply to justify the effort made to push the measure through the Extra Session. But still, since it did not prove successful, it appears, by the light which the subsequent progress of events has cast upon the subject, on the whole, decidedly a

matter for satisfaction, even to the best friends of the Administration and its policy, that the action of Congress at that Session took exactly the direction which it did. Practically the Independence of the Treasury was complete, by virtue of the existing laws, at least so long as the suspension should continue, of which it was impossible for any sagacity to foresee the precise period. The subject underwent the most thorough sifting and illustration that discussion could bestow upon it. Of that discussion we presented a digested summary in our former History, which was prepared with the most elaborate care, and of which we are not aware that any party has attempted to impugn the fidelity or fairness. It will form an era in the annals of parliamentary debating. It is not likely that the present generation will ever again witness such another grand pitched battle of opposing intellectual forces. The issue presented by the President's opening MESSAGE—immediately accepted by the unanimous shout of denunciation with which it was received by the Opposition—and then thus argued and advocated through the whole term of the Session—was thus made up, and submitted to the popular judgment, for its mature deliberation and ultimate decision. How long that latter process might take to consummate itself, could not be anticipated. To be healthy and sound, it must necessarily be slow; and it was generally understood and declared by the friends of the Administration, that they referred the question forward to the Presidential contest of 1840, and should not consider any intermediate expressions of popular sentiment against it, as the final judgment on the issue tendered and made up. Delay in legislation on great national interests is rarely an evil. It is, on the contrary, in the vast majority of cases an unmixed good. And even if the policy of the Independent Treasury be supposed to possess all the merits which its warmest advocates could claim—merits which they insist will speedily demonstrate themselves by experience, beyond the reach of opposition or question, if only permitted to go into practical effect—yet it is better, in all points of view, that the argumentative demonstration, to the full satisfaction of the popular judgment, should precede this illustration of experience, rather than follow it. If such is destined to be the course of things, if the Administration is destined to prevail on this vital question—to the overthrow, which would be almost the annihilation, of the great party which now constitutes its Opposition—it will afterwards be able to carry its policy into full effect under much more advantageous auspices for its own success, than if it had succeeded, by a happy and vigorous energy, in carrying the measure through at an earlier stage of the contest; when its practical operation must have been seriously embarrassed, by that opposition which now has to expend itself in that abstract discussion from which nothing but good can result to the cause of truth. This, then, is the sense in which we have remarked that the defeat of the measure at the Extra Session was not regarded with any very deep dissatisfaction —still less with surprise—by many of its most enlightened and reflecting friends; while there was a general agreement of opinion that such defeat was better than an indecisive half-way compromise.

Both parties, then, came to the Second Session prepared to renew with undiminished spirit and resolution the contest of which the first essay had resulted, as we have seen, in a *drawn game*. In the mean time a deep agitation was fermenting in the public mind in all sections of the Union. The breach of the Conservative schism was widening sensibly every day; and as the true character of that movement was developing itself—namely, as so imbittered and irreconcileable a difference of principle as to convert secession into decided desertion—a portion of the Conservatives were evidently passing over to an entire amalgamation with the Whig party, while the tendency of another portion was backward toward their former position in the main body of the Democratic party. On the other hand, the seed thrown broadcast through the State-Rights party of the South, by that portion of the old Opposition of which Mr. Calhoun may be regarded as the representative, was evidently beginning to germinate, with the prospect of producing as its fruit the accession of the entire South, in mass, to the support,

eventually, of the financial policy of the Administration. The bulk of the Democratic party at the North and in all sections of the Union, notwithstanding the Conservative secession, and notwithstanding the wavering of a great number who seemed panic-stricken and paralyzed into inactivity, received the Message of the Extra Session with acclamation, and appeared to enter with the most lively zeal on the support of the principles and policy there held forth. But the autumn elections which happened to fall upon that peculiar juncture went, with few exceptions, strongly against the Administration. The overwhelming defeat which it sustained in the State of New York, in particular, was a staggering blow, from which the Opposition, and no inconsiderable portion of its own friends, appeared to believe that it could never recover. The former were observed to be stimulated to the highest point of confidence and enthusiasm; while, though the latter declared their own confidence of ultimate triumph to be unbroken and unshaken,—and in fact, instead of attempting to retrace their steps, maintained an unflinching front, and pressed resolutely forward in urging their arguments and appeals upon the people,—yet they were, unquestionably, in a very delicate and critical position; and it is scarcely to be doubted, that there was, among large portions of them, no little fear and trembling in the midst of their ranks, as there was much manifest uncertainty, and relaxation of that party organization and unanimity so essential to effectual combined action. Such was, in general terms, the state of things on the re-assembling of Congress in the halls of the Capitol, as before stated, on Monday, the fourth of December, 1837.

THE SENATE.

ELECTION OF CHAPLAIN. DEATH OF SENATOR KENT, OF MARYLAND. STANDING COMMITTEES.

A quorum of both bodies having appeared in their places on the first day, the announcement of that fact being duly interchanged between the two, and communicated to the President, the Message of the latter was sent down, as usual, on the following day, at twelve o'clock. Before proceeding to give an account of it, two or three circumstances may be here noticed, viz: the reëlection of the Rev. Mr. Slicer to the chaplaincy of the Senate for the session, without opposition; and the announcement to the Senate of the death of one of its members, which had occurred within the interval since the adjournment of the Extra Session, Governor KENT, of Maryland, who had met with a sudden death, from an accident, on the twenty-fourth ultimo, at the age of sixty-nine. In the absence of the surviving Senator from that State, the customary announcement was made by Mr. CLAY, of Kentucky; who paid a feeling and touching tribute to the solid and sterling virtues of the deceased, both in his public and private character, the justice of which all parties could not but be prompt to acknowledge. The loss of Governor Kent from the Committee on the District of Columbia, of which he had been Chairman, was felt with an especial regret by the inhabitants of the District, of which he had always proved himself the firm and zealous friend. The Legislature of Maryland not assembling till the last week in December, it was not till the fifth of January that Governor Kent's vacant seat was filled by a successor of the same political views, CHARLES MERRICK, Esq.

On the subject of the appointment of the Committees, a slight discussion arose, on Wednesday, out of a motion by Mr. GRUNDY, that the Committees should be appointed by the Chair, instead of by ballot, according to the existing rule. It was, however, generally acquiesced in, for the convenience of the present occasion, to save time, and the Chair having the advantage of the election by ballot in September as a guide to his appointments. It will be remembered that the present rule had its origin at the commencement of Mr. Van Buren's Vice Presidency, when there was a strong majority in the body, of adverse political sentiments. The former practice had been that the Vice President left his seat vacant for a few days at the beginning and close of each session, to give the Senate an opportunity of electing a temporary Chairman representing the political complexion of

the majority, on whom that duty devolved. In the present case the known accordance of views between the Vice President and the majority obviated all objection of that nature to the course which was adopted. The Committees were accordingly announced from the Chair on the following day, as follows,—the first named on each being, of course, its Chairman:

On Foreign Relations.—Messrs. Buchanan, Tallmadge, Clay, of Kentucky, Rives, and King.

On Finance—Messrs. Wright, Webster, Nicholas, Benton, and Hubbard.

On Commerce.—Messrs. King, of Alabama, Davis, Brown, Ruggles, and Norvell.

On Indian Affairs.—Messrs. White, Sevier, Tipton, Linn, and Swift.

On Manufactures.—Messrs. Niles, Buchanan, Preston, Strange, and Pierce.

On Public Lands.—Messrs. Walker, Fulton, Clay, of Alabama, Allen, and Prentiss.

On Private Land Claims.—Messrs. Linn, Sevier, Bayard, Mouton, and Lyon.

On Post Office and Post Roads.—Messrs. Robinson, Grundy, Knight, Brown, and Niles.

On Claims.—Messrs. Hubbard, Tipton, Crittenden, Spence, and Young.

On Revolutionary Claims.—Messrs. Brown, White, Crittenden, Norvell, and Smith, of Connecticut.

On the Judiciary.—Messrs. Grundy, Morris, Wall, Clayton, and Strange.

On Naval Affairs.—Messrs. Rives, Southard, Tallmadge, Cuthbert, and Williams.

On Agriculture.—Messrs. Smith, of Connecticut, Spence, Linn, McKean, and Black.

On Military Affairs.—Messrs. Benton, Preston, Tipton, Wall, and Allen.

On Militia.—Messrs. Wall, Swift, Clay, of Alabama, Mouton, and Smith, of Indiana.

On Patents and Patent Office.—Messrs. Ruggles, Strange, Davis, Prentiss, and Robinson.

On Roads and Canals.—Messrs. Tipton, McKean, Nicholas, Young, and Lyon.

On Pensions.—Messrs. Morris, Prentiss, Pierce, Roane, and Williams.

On the District of Columbia.—Messrs. Roane, Williams, Nicholas, Spence, and Bayard.

To audit and control the Contingent Expenses of the Senate.—Messrs. McKean, Fulton, and Black.

On Engrossed Bills.—Messrs. Clay, of Ala., Smith, of Indiana, and Norvell.

On the following Monday the following members were appointed upon the *Library* Committee: Messrs. Robbins, Allen, and Wall.

THE MESSAGE.

This being the first general Message by the present Executive, was looked to with much interest, although, of course, not of the same nature or degree with that to which peculiar circumstances, before explained, gave rise in the case of the Extra Session. It was a lucid and able document. Of the *Foreign Relations* of the country it exhibited, on the whole, a very satisfactory view. It paid a well deserved tribute of acknowledgment to the skilful efficiency which had conducted our foreign relations throughout the late administration; adjusting very nearly all outstanding claims and subjects of difficulty; and restoring to the mercantile community of this country many millions of which they had long been deprived, in the way of indemnities for old spoliations on our commerce,—and that in the happiest manner, without compromising, on any occasion, the honor or peace of the country. The President noticed, with great satisfaction, the friendly spirit which subsisted, in a greater degree than at any former period of our history, on the part of the people of the two countries, between the United States and Great Britain; while he expressed himself in very decided language in relation to the outstanding controversy of the Northeastern Boundary Question,—regretting that half a century had not brought that question any nearer to a decisive settlement than it was at its outset, in the treaty of 1783. He said that it had now become "imperative," in the course of things, that it should be "put at rest." The present state of the case was, that the British Goverment appeared to have conceived the conviction that a conventional line must be adopted, from the impossibility of ascertaining the true one, according to the description contained in the treaty. Though this opinion was never entertained on our part, yet the earnest desire to terminate satisfactorily this dispute, had prompted the proposition of a certain conventional line, if the consent of the States interested could be obtained, to which the reply of the British Government was now daily expected.

With all the other European powers the most friendly relations and intercourse subsist. Owing to the distraction and fiscal embarrassments of civil war, the last instalment of interest of the debt due under the convention with the Queen of Spain has not been paid. It was also to be regretted that our commerce with Cuba and Porto Rico still labored under heavy restrictions, the only effect of which is to benefit the navigation of other countries at the expense of both the United States and Spain. In relation to Portugal he had to regret the continuance by that country of discriminating duties on Ame-

rican commerce—contrary to the impression under which the act of July fourth, 1836, on our part, suspending those on Portuguese commerce, had been passed. So far as Portuguese tonnage was concerned, the President had revived (by proclamation of eleventh October last) the discriminating duties before charged, by virtue of the act of May twenty-fifth, 1832. With respect to Portuguese produce, the terms of the act of July fourth, 1836, left the Executive no such discretionary power, and it became his duty to suggest the subject to the attention of Congress for whatever further legislation it might deem expedient.

With respect to the South American States, the unsettled condition in which they were all constantly involved, caused delays in the adjustment of our various claims upon them, of which there appeared no early prospect of a termination, except in the case of New Grenada, Venezuela, and Ecuador, which have recently formed a convention to ascertain and adjust claims upon the Republic of Columbia, which they formerly composed. An advantageous commercial treaty with the Peru-Bolivian Confederation, now waited only the ratification of that Government.

The relations with Mexico presented a very unsatisfactory aspect. Referring to the action of the late Executive and the late Congress on the subject, (the latter having directed that another formal and final demand should be made for redress for the many causes of complaint subsisting) the President stated that he had sent a special messenger to make such demand. It was made on the twentieth July. An answer on the twenty-ninth July, stated that the different cases would be immediately taken up, considered in a spirit of liberal justice, and the answers upon them successively communicated through the Mexican Minister here. Since that time a Minister has arrived, bringing assurances of a most earnest desire on the part of that Government to adjust all the difficulties in a satisfactory manner. Having felt a peculiar anxiety in the case of Mexico to restore harmony to the relations between the two countries, the President regretted that the performance had hitherto been so widely disproportionate to the hopes excited by these assurances,—the details of which were herewith communicated to Congress, the subject being returned, with regret, into its hands, (the Executive having done all that lay within its competency) "to decide upon the time, mode, and measure of redress,"—confident that its decisions would be characterized by moderation and justice.

The Message then proceeded to our internal concerns.

After presenting a brief general view of the state of the national finances, and referring to the report of the Secretary of the Treasury for ampler details, the President then proceeded to bring again before Congress the subject of the fiscal system to be adopted for the future custody and disbursement of the federal revenue. He declared his views to coincide fully with the adverse opinions already expressed by both branches of Congress against either a National Bank or a revival of the Deposite Bank system; and renewed the recommendation of the Independent Treasury, with the separation of all connection between it and the banking institutions of the States, on grounds of mutual interest, disavowing any hostility in the proposed policy to them or their rights. In relation to the special deposite plan which had been suggested, he thought a discretionary power might advantageously be vested in the Executive officers to use the banks in that way; the absence of the feature of compulsion, and the interdiction of the use of the public funds for banking purposes, obviating some of the greatest objections to the connection, and securing one of the principal ends of the proposed divorce, though it would still fall short of his very decided convictions of the true public policy on this very important subject. In the course of this part of his Message, noticing the importance of the element of public opinion in our system of government, he alluded to the elections which had recently been held in various sections of the country, though they had in general been for State, and not for federal, purposes. As this portion of the Message has been made a subject of frequent and severe attack upon the President, as improperly and insultingly charging the people of the States referred to, with corruption under the influence of bank bribery and power, the duty of strict and just impartiality which we impose on ourselves requires, as the most proper course, the quotation of his exact language, without further remark or commentary. It was as follows:

"You will, I am confident, yield to their results the respect due to every expression of the public voice. Desiring, however, to arrive at truth, and a just view of the subject in all its bearings, you will at the same time remember, that questions of far deeper and more immediate local interest, than the fiscal plans of the National Treasury, were involved in those elections. Above all, we cannot overlook the striking fact, that there were at the time in those States more than one hundred and sixty millions of bank capital, of which large portions were subject to actual forfeiture—other large portions upheld only by special and limited legislative indulgences—and most of it, if not all, to a greater or less extent, dependent for a continuance of its corporate existence upon the will of the

State Legislatures to be then chosen. Apprised of this circumstance, you will judge, whether it is not most probable that the peculiar condition of that vast interest in these respects, the extent to which it has been spread through all the ramifications of society, its direct connection with the then pending elections, and the feelings it was calculated to infuse into the canvass, have exercised a far greater influence over the result, than any which could possibly have been produced by a conflict of opinion in respect to a question in the administration of the General Government, more remote and far less important in its bearings upon that interest."

He next called the attention of Congress to the mode in which the Pennsylvania Bank of the United States had discharged, and was discharging, the trust which had been conferred upon it by its charter, of winding up the affairs of the late National Bank, in re-issuing the notes of the old bank, received by it for the purpose of being cancelled. These notes having had their origin under the charter from the Federal Government, from which they derived a national character and credit, both from their receivability for public dues, and from the participation of the Government in their issue as a large stockholder, he suggested whether it was not a duty of the Government to inquire into such an abuse of the charter which it had granted, and which permitted the use of the corporate name for two years, (now nearly expired) for the sole purpose of winding up all outstanding concerns. Such a course never having been anticipated, was not provided for by any penalty in the charter, nor was there any general law in existence for the prevention of similar acts for the future.

He then proceeded to the subject of the *Public Lands*, referring to the accompanying Report of the Commissioner of the General Land Office. He presented a brief general view of the existing land system, the operation of which had produced thus far the result, of the sale of about seventy millions acres, for the most part for actual settlement, the increase of the Western population from sixty thousand souls in 1800, to about three millions and a half, the creation of nine independent States, with a large contribution for the general benefit of the Union from the proceeds of these sales. The system, then, on the whole, worked well, and ought not to be disturbed in its general principles, although some modifications might be rendered proper by the progress of events and circumstances, and by the demands of public opinion, for the purpose of more fully carrying out the original intention of the system; which, although it looked to the revenue from the sales as an important object for the common benefit, yet certainly had chiefly in view the object of filling the new States and Territories with an industrious and independent agricultural population.—The most important of these modifications, propositions for which have already occupied much of the time of Congress, is, the graduation of the price of the public lands. At present, all being sold at the uniform price of a dollar and a quarter an acre, large tracts remain unsold, and would always so continue, so long as, by removal farther west, choice lands could be purchased at the minimum price. This scattered the population in detached points and strips, instead of spreading it uniformly over the face of the country, creating a vast extent of sparsely settled frontier to be protected by the military force of the Government against the Indian tribes. This state of things was plainly objectionable in various points of view. The remedy had often been proposed, of graduating the price of the inferior lands by the simple measure of the length of time they should remain unsold, after being offered in the market. This had met with much opposition, and was objectionable in several respects. But might not a compromise be adjusted between the conflicting opinions on the subject? He suggested the plan of an actual valuation of the lands in the old districts which have remained long unsold; and the classification of them into two or more rates below the present minimum price, with the restriction of sales to limited quantities. He suggested also the consolidation of some of the land districts, with the reduction of the persons employed, there being but little remaining to do in some of the districts,—looking forward also to the time when, in some of the States, all the refuse and unsold land might be ceded to the States, for a just equivalent, and all the machinery of the federal land offices withdrawn, as a consummation much to be desired by all who take a comprehensive view of our system, and believe that one of its greatest excellences consists in interfering as little as possible with the internal concerns of the States.

This modification of the system would operate beneficially in another point of view. It would remove the principal inducement to any excuse for intrusions on the public land, with the view of getting the benefit of future preëmption laws. The past practice has been reprehensible in this respect. The laws against intrusion have proved in practice inoperative; and successive preëmption laws have passed, as from time to time the accumulation of such settlers has forced the subject on the attention of Congress. The laws ought either to be enforced or abrogated. The practice of holding out a premium to the infraction of the laws, by

the inducement of the example, from time to time repeated, of legalizing them afterwards, is plainly indefensible. By the proposed graduation of price, the present excuses for such intrusions will be removed, which appear to present so strong an appeal to public favor on the part of those who only occupy the waste lands of the wilderness for actual cultivation, with the view of paying for them as soon as brought into market. The laws against intrusion will then be easy of execution, no longer conflicting with public sentiment. At the same time, in reasonable and liberal justice to those who have been led by the uniform course of former legislation to settle on the public lands with the view to future preëmption, be recommended the passage of one more law in their favor, in connection with the proposed improvement in the system, the operation of which was to obviate the necessity of hereafter passing any more of the kind. There was no objection to this course, on the ground of the interests of the public treasury, inasmuch as the past experience has shown that, since the introduction of the system of cash payments in 1820, the nett revenue from the public auction sales had not averaged over six cents an acre more than the minimum Government price. While recommending extreme care in the provisions of the law, to guard against the abuse of its intention and object, he especially suggested, that 'under no circumstances was it considered expedient to authorize floating claims in any shape.'

Referring then to the Report of the Secretary of War, he recommended such an increase of the Army, as was pointed out by recent experience, as not only the most economical course, but necessary for the discharge of the duties devolving on it; renewing also the repeated recommendations of his predecessor for the increase of the corps both of military and topographical engineers. He also directed attention to the plan recommended by the Secretary of War, for the organization of volunteer corps, and the instruction of militia officers, throughout the country, with the view of placing its general militia on a more efficient footing than at present. He also recommended the establishment of a national foundry for cannon for the Army and Navy; a manufactory for gunpowder; and a manufactory of small arms west of the Alleghany mountains.

Proceeding then to the subject of the removal of the Indians to the west of the Mississippi, which policy (having been begun in 1804 by Mr. Jefferson, and by uniform continuance ever since adopted as the settled policy of the country) had now nearly reached its consummation, he stated that thus far it had been attended with the happiest results, for the best interests of all parties concerned. Stipulations for emigration had been made with all now remaining east of the Mississippi, excepting a few minor tribes; with all, or nearly all, of whom they would doubtless be entered into during the course of the present year. The Secretary of War would soon present a plan of military organization for the western frontier, for the double objects of the protection of our own population, and that of the Indians, according to the guarantees of our agreements with them.

The state of the Navy was satisfactory and efficient, and he suggested the provision of a home squadron for the protection of commerce on our extensive coast. He noticed the important services rendered to our navigation by the officers engaged in the coast survey, and invited the attention of Congress to the various suggestions of the Secretary for the improvement of the service.

The condition of the Post Office Department was in a very high degree satisfactory. The mail routes cover an extent of about one hundred and forty-two thousand eight hundred and seventy-seven miles, being an increase of about thirty-seven thousand one hundred and three miles within the last two years. The annual transportation of these is about thirty-six million two hundred and twenty-eight thousand nine hundred and sixty-two miles, being an increase of about ten million three hundred and fifty-nine thousand four hundred and seventy-six miles within the same period. The number of post offices has been increased from ten thousand seven hundred and seventy to twelve thousand and ninety-nine. A general zeal and fidelity pervaded the service. The revenue of the Department for the year ending thirtieth June last, was four million one hundred and thirty-seven thousand and fifty-six dollars, and the liabilities accruing within the same time three million three hundred and eighty thousand eight hundred and forty-seven dollars. Increase of revenue over the preceding year, seven hundred and eight thousand one hundred and sixty-six dollars.

He recommended the extension to all officers intrusted with the collection and disbursement of the public money, of the principle applied to all the most important of those in the civil service, viz. the renewal of bonds with good securities at the expiration of every four years;—also a change of the period of terminating the fiscal year from the first of October to the first of April; and the passage of a law for the prevention of steamboat casualties, by severe provisions connected with their cus-

tom-house papers; and concluded with especially commending to the liberal attention of Congress the interests of the District of Columbia, and a thorough and a careful revision of its local government, which has heretofore been very oppressively and unjustly neglected.

Of the voluminous documents accompanying the Message, exhibiting in detail the condition and action of all the different departments of the Government, an account cannot be expected here, as they would swell the bulk of this general historical view of the Session to an entirely unsuitable extent. To all interested in detailed inquiries into any particular subjects, they are, of course, easily accesssible.

THE ANNUAL TREASURY REPORT.

1. The first section of this document, treating "of the revenue and expenditures," exhibited the following general state of the public finances:

The total balance in the Treasury January first, 1837, - - - -	$45,968,523 86	
Receipts of first three quarters of the present year,	15,144,916 00	
Receipts of the fourth quarter (including the issue of four millions three hundred thousand dollars of Treasury notes) estimated at - - - -	8,355,065 00	
Making an aggregate of	$69,468,504 86	
Expenditures of the first three quarters, - -	25,418,916 57	
Expenditures of the last quarter estimated at -	9,862,445 00	
Balance in the Treasury on first January, 1838,	34,187,143 29	
Of this the twenty-eight millions on deposite with the States; three millions and a half in the old deposite banks: one million one hundred thousand dollars of old unavailable funds; and about four hundred thousand dollars—make an aggregate of present unavailable funds, of about - - - -	33,101 654 97	
Leaving an available balance on first January, 1838, applicable to general purposes, of - -	1,085,498 32	
Amount of unsatisfied outstanding appropriations, after deducting what will go to the surplus fund, - - -	14,141,643	

2. The amount of "public debt" remaining unclaimed and undischarged is,

Of the funded debt, principal and interest, - -	327,75 791
Of the unfunded debt -	36,932 40
3. The receipts of the year 1838, including the estimated unavailable balance on hand of $1,085,498, are estimated at	33,045,285
The new appropriations asked for are - -	20,523,249
The permanent appropriations under former acts are - - - -	2,262,000
Expected excess of appropriations beyond the estimates submitted, -	1,000,000
Outstanding appropriations, - - - -	14,141,644
Aggregate of appropriations chargeable to the year 1839, - - -	37,926,892
Probable amount of actual expenditures, - -	26,926,892
For redemption of Treasury notes, - - -	8,000,000
Making an aggregate of -	31,926,892
Being less than the estimated receipts, by - -	1,118,393

In the present state of the country, however, it was added that a very great uncertainty must rest upon these estimates, and a reduction of appropriations was suggested, as fast as compatible with the public interests.

4. The fourth section of the Report related to the "exports and imports of 1837."

The amount of exports were ascertained and estimated to have been -	$116,906,060
Of these, there were of domestic origin, - -	95,183,199
Of foreign origin, - -	21,722,861
This was a diminution in the former, of - -	11,733,481
And in the latter, of only	23,409

The great decrease of the former was occasioned by the fall in the price of cotton last spring, while the large amount of foreign products reëxported, in proportion to the imports, was caused by the double object of obtaining the drawback on many of them in specie, and of discharging the foreign debt abroad.

The value of imports for the year was - -	140,852,980
Being a diminution from the preceding year, of -	49,127,055

During the last quarter of the year the imports did not exceed $22,829,611. Yet even of these there were reëxported not less than $6,052, 524. The domestic exports of that quarter did not exceed $13,105,510, making the aggregate $3,533,313 less than the imports during the same quarter. This shows that

though a large amount of stocks, &c., were exported, yet the reduction of the foreign debt during that quarter was not so great as some have supposed.

For a series of past years the average excess of our exportations of grain over the small quantity imported has been about six millions of dollars. During the past year, however, the exports have fallen off nearly a million, while the imports have risen to four and a half millions. This change of five or six millions in our imports and exports of grain, in connection with the prices attendant upon the late revulsion, was alone adequate to affect very seriously the pecuniary difficulties of the country. It is estimated that the annual cost of grain for consumption to our population cannot be less than about a hundred and twenty-four millions. The rise of price during the past year (from neglect of agriculture, unfavorable season, and expansion of the paper currency) having averaged quite eighty per cent., must have increased the cost of bread alone a hundred millions, which, upon the half of the population that do not raise their own grain, would be equivalent to a clear tax of fifty millions.

There was much highly interesting and useful matter embraced in the next two sections of the Report, explanatory of the fiscal history of the past year, and the estimates for the next, on which we do not feel at liberty, in our restricted limits, here to dwell. Among other points, we may mention, that he anticipated the possibility that a much larger amount of Treasury notes, than above estimated, might be returned upon the Treasury, causing a corresponding deficiency, unless the prohibition to reissue them during the year be removed. He also expressed the belief that the ordinary expenses of the Government can be brought down to the level of about seventeen millions of dollars; remarking that the charges on the Treasury above that average, for the last two years, have been chiefly composed of the unusual appropriations for public works, (made in consequence of the redundant revenue,) for the extinction of Indian titles, and for Indian emigration, for the grants to the District of Columbia, and for the expenses of the Florida war.

7. The next section related to the banks, and the collection, keeping and disbursement of the public revenue. He alluded, in general terms, to the serious defects in the banking system in existence in the country, and gave some valuable details in relation to the condition of the banks in the different sections of the country; for which we can only refer the reader, interested in the subject, to the Report itself, and the accompanying documents, which were very voluminous. He renewed the recommendations of the last Report in relation to the reorganization of the fiscal system of the Government; connecting therewith, both the feature of receiving payment in advance for the public lands at points to be designated by the Department, and the extension of the warehouse system, with the payment for duties when goods are taken out for consumption. And the Report (one of the most valuable that has issued from the Department, as condensing a vast amount of useful information, and important views, developed in a lucid and forcible manner) concluded with a variety of miscellaneous matters of minor concern, to which it is not necessary here to advert.

It ought not to be omitted here to mention, that an unusually large number of reports were, from time to time, submitted to either House of Congress from the Treasury Department, during the course of the Session, elicited by various resolutions of inquiry, evincing, in a very signal manner, the faithful, comprehensive, and industrious talent which animated its administration.

DISTRICT CURRENCY BILL.

The first skirmish, of any importance, that took place between the two parties in the Senate, was on a Bill reported by the Committee on Finance, as early as the second Wednesday of the Session (Dec. 13) for the suppression of the currency of small notes, or 'shin-plasters,' within the District of Columbia. On Monday a resolution had been adopted, on motion of Mr. Benton, referring the subject to this Committee. On the succeeding Tuesday (Dec. 19) a further bill for the reform of the currency of the District was reported, revoking the charters of such banks as should not have resumed specie payments by the first of May next. These measures, proposed by the Committee peculiarly considered as representing the views of the dominant party in the body, on the great subject dividing the country, had of course their point of view of general bearing, of vastly greater importance than that of their local action on the District itself. It was rather as a precedent and example, to exert a moral influence on public opinion abroad throughout the States, than for the sole purpose of local legislation, that the Committee thus early brought in these bills, the provisions of which were severe, and couched in strong language. The second was not taken up till a late day in the Session, and will be suitably noticed below. The former was taken up on Thursday; and on that day, Friday, and the succeeding Tuesday, elicited a very warm and spirited debate. Being precisely the same that had passed the Senate at the late Session, little opposition

was anticipated to it at the present. It was attacked, however, with great severity, especially by Mr. Clay, of Ky. The Administration was denounced as having plunged the currency of the country into its present wretched state by its long series of wild and destructive experiments. It was urged that in the absence of all sound circulating medium for the minor purposes of common business, created by the faults of this vicious policy, these substitutes were not to be dispensed with, without intolerable inconvenience to all classes, and especially the poorer orders of population; and that while the adjoining States tolerated them, it would be an abuse of the local jurisdiction of Congress to legislate with such severity against them. The committee was assailed, both by Mr. Clay and Mr. Preston, with a torrent of scornful sarcasm, for such "picayune legislation"—such petty and contemptible applications to the great evils of the times, which the former gentleman repeatedly insisted were only to be remedied through the agency of a powerful National Bank.

The bill, the Committee, and the Administration, did not lack defenders; and the speeches took a pretty wide range, in discussing the general merits of the great party contest in progress, being extended to the merits of the suspension, and to the question of an early resumption, of specie payments, and the duty of legislation to act on the banks with a compulsory process, instead of following the example of some of the States, and leaving the subject virtually to their own discretion and honesty. The principal speakers were Messrs. Benton, Niles, Young, Wright, Brown, and Buchanan. It was strongly insisted that there was no necessity for the circulation of this worthless description of paper; that even the argument by which it had at first been defended, viz. the rate of foreign exchange creating a high premium on specie for exportation, had now ceased to exist, the foreign exchanges having now sunk to two or three per cent. below par. That it was only necessary to create a demand for specie—especially of the smaller denominations, which were never the subjects of exportation,—by expelling its paper substitutes, to insure a full supply; and that in those parts of the country where they had been discountenanced by the law and public opinion, there was an ample circulation of silver change for common use. The indefinite continuance of the bank suspension was severely denounced. It was insisted that there was no necessity for the banks of one community to wait for the general concurrence of all the rest to return to the plain path of their duty. There was no other difficulty in the way to prevent the really sound and solvent banks from resuming specie payments, but their own timidity in shrinking from a bold and determined effort. For the District it was proposed that, on the resumption by its banks, the circulation of the paper of other banks that should not follow their example should be prevented, by such severe penal restrictions as should be adequate to the object; the effect of which would be to relieve them from the competition of foreign irredeemable paper, and to make the resumption for the District a perfectly safe and easy operation,—affording at the same time an example which needed only to be followed by other States to secure an early general resumption. It was urged that the great increase in the stock of specie in the country, under the policy of General Jackson's administration, having been for the last five years not less than twelve millions annually, had placed the country in a position to ride comparatively harmlessly through the storm of the present convulsion; that the resumption (for the solvent and honest banks) must be a safe and speedy process, in spite of every exertion that might proceed from the United States Bank interest, to arrest or embarrass it. The policy now pursued, of *indefinite postponement* of all energetic action (illustrated by the proceedings of the recent bank convention in New York,) was strongly reprobated; and while on the one side it was argued, that Congress had no right to use the District as a crucible for financial experimenting, to verify its own abstract theories, it was on the other hand strongly urged, that Congress ought to lose no time in exerting its only legitimate action upon the States, by the moral influence of its example in dealing with the banking institutions under its own immediate jurisdiction.

In relation to the attacks upon the Committee, they were met with the fact that the present bill was, *verbatim et literatim*, the same with that which had passed the Senate without opposition, at the late Session; and also by retorting the inconsistency of the double charge brought against it. At one time its bill was treated with most mortifying contempt,—as a mouse unworthy of the laborious parturition of the mountain,—as a miserable, splenetic measure, operative only to oppress the petty hucksters of the markets, and the poor beggars in the streets of the District. At another the Committee was arraigned for having acted with undue precipitation in the absence of two of its members, (Messrs. Webster and Nicholas) who had not yet taken their seats in the Senate; while, at the same time, it was remarked by the Chairman of the Committee, the bill was

not deemed so insignificant, but that it was able to open the batteries of the Opposition, and draw out their hottest and heaviest fire.

Some amendments were made in the details of the bill, on the motion of Mr. Smith, of Indiana, affecting only the mode of its action, by making it somewhat less sharp and summary, and by depriving the informer, if appearing as a prosecuting witness, of participation in the fines and penalties imposed for the issuing or circulation of bills of less denomination than five dollars. A motion, by Mr. Preston, to refer the subject to the Committee on the District, failed by a large vote.

The only vote of which it is material to record the Yeas and Nays, was on Mr. Clay's motion (on Thursday, December twenty-first,) to postpone the whole subject till next year; which was lost, by Yeas 14, Nays 27. (See Table of Yeas and Nays, No. 1.)

The bill was finally passed on Tuesday, December twenty-sixth, only one vote (Mr. Swift) being recorded against it, and the votes of several Senators who had opposed it violently, and made it the ground of severe attack on the Committee, and on the Administration, being recorded in its favor, including Mr. Clay, of Kentucky.

The other Bill in relation to the currency of the District, requiring the banks to resume specie payments on the first of May, which had been designed to go hand in hand with the Bill for the suppression of small notes, was not immediately taken up; and, other topics of greater magnitutde arising to occupy the attention of the Senate, was not taken up until the eighth of May, when the lapse of time had so far rendered its proposed action useless (as the charters of all the banks were to expire in a very short time, and on their renewal it would be for the Senate to impose such conditions as it might think proper) that Mr. Wright, who introduced the Bill, himself moved to lay it on the table; which was done as matter of course. The action of the Senate on the renewal of the charters will be given below in its proper place.

SLAVERY.

The subject of slavery was introduced on the eighteenth of December, on the presentation, by Mr. Wall, of a petition from some ladies of New Jersey, praying for its immediate abolition in the District of Columbia; and this circumstance, even at this early period, was sufficient to bring on a general and animated discussion of this inflammable topic, and proved the precursor to one of the most exciting and interesting debates of the Session.

Mr. Wall having moved to lay the petition on the table, Mr. Hubbard moved to lay that motion on the table, in accordance with the manner of disposing of these petitions which had been acted upon for the last two sessions. This formulary, however, of getting rid of a class of petitions, which constituted a large proportion of all that were presented to the body, did not exist without strong dissatisfaction on the part of several Senators from non-slaveholding States; and the present occasion, being the first which presented itself, was chosen by Mr. Morris, to test the matter, by calling for the yeas and nays. Mr. Clay, of Ky., wished the motion withdrawn for a moment. It was evident, he said, that the subject of slavery in the District of Columbia was extending itself in the public mind, and daily engaging more and more of the public attention. From the course of Congress in relation to this subject, it had become a question whether abolition had not been mixed up with other matters in some of the States; such, for instance, as the inviolability of the sacred right of petition. Many, no doubt, signed these petitions, who were not abolitionists, but who thought they were contending for a great constitutional right. Under such circumstances, would it not be better to endeavor to allay the excitement, and to calm down and tranquillize the public mind? He suggested the propriety of referring the whole matter to the Committee for the District of Columbia, who might give the entire subject a serious and dispassionate investigation; and who, in their report, might present it in all its bearings, in such a manner, to the citizens of the non-slaveholding States, as would tend to insure harmony and amity in all parts of the Union.

Mr. Calhoun, who had that day taken his seat, assumed at once decided ground against the proposition. He knew the origin of this feeling—it lay deeper than was supposed, and he foresaw to what it was tending. It grew out of a spirit of fanaticism, which was daily increasing, and which, if not met at the threshold, would dissolve the Union. He opposed all reporting, all conciliation, all temporizing, and invoked every man from the South to stand by him in putting down this growing evil.

The debate was continued throughout the day, by Messrs. Swift, Roane, Prentiss, Niles, Strange, Davis, King, of Alabama, Hubbard, Rives, Pierce, Grundy, and Buchanan. The discussion principally turned upon the right of petition, which, it was maintained by the Senators from the non-slaveholding States, taking the ground assumed by Mr. Clay, should be preserved inviolate. To receive a petition and immediately reject its prayer,

it was contended, was trifling with the rights of the North, was substantially a refusal to receive the petitions, and consequently a denial of the right to petition. The change of form which had been more recently introduced,—of a motion to receive immediately followed by a motion to lay that motion on the table—had the same effect, to the plain common sense of the people, and was creating a flame throughout the North that would kindle up the whole public mind. The question of *reception*, moreover, it was urged, could not be again reopened after the deliberate decision to which the Senate had come two years before, when the whole ground was minutely debated, and the right of all such petitions to be received decisively established by a very large majority. It was admitted that abolition principles were widely extending at the North, and the course suggested to the Senate would incalculably increase them; but as the people generally, were averse to any interference with Southern interests, and unalterably attached to the permanence of the Union, there was every reason to believe that a sound, candid, and strong report, setting forth the reasons against abolishing slavery in the District, would have much effect in quieting the prevalent excitement on the subject. To the objection of Southerners, it was stated that this was not viewed at the North so much as a question of politics, as of conscience, of morals, of propriety, and it would be by arguments addressed to their reason only, that the people of the North could ever be induced to refrain from agitating the subject.

On the part of the Southern speakers it was contended, that the question before the Senate presented a limit to the right of petition. The people had occluded themselves by the sacred compromises of the Constitution, from bringing this subject before Congress as one of ordinary legislation. It was absurd to say that there were no limits to the right of petition. The respectful terms in which they were required to be couched, constituted a limit. Were a petition to be presented praying that each State should be represented by one, instead of two Senators, would it not be scouted by every member of the body as going far beyond the terms or spirit of their association. The right of petition, as secured by the Constitution, was intended to redress all grievances within the pale of the law and the Constitution; but not to subvert either. The South was banded, as one man, to resent and resist all approach to abolition. It was folly to suppose that receiving their petitions, and having a report made, would quiet the excitement. It had been tried two years ago in the House, when an elaborate report, from Mr. Pinckney's Committee, composed chiefly of northern men, had been prepared, and yet it was confessed that the excitement was increased. To shut the door at once to them, was the only course left. Once, these petitions might have been received; but it was no longer safe to do so. For the sake of peace, the South had then, without opposition, consented to their reception; but the agitation having only been increased, it now behooved them to retrace their steps, and to refuse every approach to argument on the subject. Discussion in Congress only encouraged the abolitionists to proceed; and the course proposed by Mr. Clay, was, most of all, calculated to produce an excitement. It was idle to hope for a change in the public opinion of the North; the principles of abolition were interwoven with its political condition; and as the great mass of Northern people believed that this Southern institution was radically wrong, it was impossible to prevent abolition exerting a control over the political parties of the North. Commencing with the lowest grades of society, it was working upwards, and would spread until it would drive from public life every man opposed to its doctrines. To the apparent reasonableness of receiving, considering, discussing, and deciding upon these petitions, it was urged that such a course would only tend to make Congress an arena for abolition discussions.

The animated and powerful discussion of which we have thus briefly touched the points, was protracted to a late hour, when Mr. Hubbard renewed the motion to lay the motion to receive the petitions on the table; which was decided in the affirmative, by a vote of 25 to 20. (See Table of Yeas and Nays, No. 2.)

The debate of the eighteenth had taken a range so wide, and assumed an importance so unexpected, that it led, on the following day, to a regular discussion of the whole subject of slavery, in which the Southern interest, with those gentlemen from other parts of the Union who believed that all legislative action on this exciting topic should be avoided as only tending to create discord and agitation, united to force from the Senate such a decisive expression of opinion as would suffice, in their judgment, to discountenance effectually all future interference with the matter.

Vermont Resolutions.

The presentation, by Mr. Swift, of a strong memorial and resolutions from the Legislature of Vermont, in relation to Texas, and slavery in the District of Columbia, furnished this occasion, which it was long foreseen must soon come in the Senate.

These elaborate resolutions, which pro-

duced such important consequences, were adopted by the Senate and House of Representatives of Vermont, on the report of a Committee to which had been referred various memorials praying the interference of the State Legislature, to declare that Congress possessed the constitutional power to abolish slavery, and the slave trade, within the District of Columbia, and in the Territories of the Union; to prohibit the slave trade between the States and that it ought immediately to exercise that power; and urging a legislative protest against the admission of Texas into the Union. The report, or preamble, after questioning the power of Congress to admit an *independent* State into the Union, and qualifying the precedents that might be drawn from the cases of Louisiana and Florida, went on to state that there were other objections against the annexation of Texas, which seemed insurmountable to the Committee. These were: that the state of Mexico, from which Texas had been torn by violence, had adopted, and carried out in her political organization, sentiments which, it seemed to the committee, lie at the foundation of all just government, and which were thus happily expressed in the Constitution of Vermont, "All men are born equally free and independent, and have certain natural and inalienable rights, among which are the enjoying of life and liberty; acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety." Under the influence of such principles, Mexico, in a manner that had won her the augmented respect of the civilized world, had abolished the system of slavery, which had attached to her during her colonial dependence on Spain. That Texas, on the contrary, had no sooner separated from Mexico than she showed an utter disregard of those principles, and of the just respect of the great body of Christian nations, by adopting, and indissolubly connecting with her political system, the unconditional and perpetual enslavement of a portion of the human family.

Against every form of oppression, Vermont had, at all times, borne honorable testimony; and it would be inconsistent, and prove that she had somewhat cooled in the fervor of her love for liberty, were she to consent to be drawn into fraternal bonds with a people, who, beyond any yet known in modern times, have made the most deliberate and heartless assault on human freedom. They drew an additional reason against the annexation of Texas from the avowed object urged by its advocates, that it would add to, and confirm the slaveholding interest in the management of our government, which the anarchy and disorder that prevailed at the South—the overthrow of the proper legal and constitutional barriers for the security of the citizen, and the seeming want of power in the proper authorities to reëstablish them—the illegal and unpunished outrages inflicted upon citizens, and to which they are still exposed, for an honorable advocacy of liberty and condemnation of slavery no less honorable, or from a suspicion that the one was honored and the other detested. These, and other fearful sacrifices of important interests of the North, demanded by the South to be offered up for the security of her peculiar institutions—the surrender that she asks of the freedom of speech—the liberty of the press—the right of petition—united to inspire the Committee with a well founded apprehension that the additional weight which the annexation of Texas would give to the slaveholding interest in our political organization would, in all probability, soon lead either to a dissolution of the Union, or to the political degradation of the free States, and eventually to the overthrow of their common liberties. Wherefore, the Committee recommended the adoption of resolutions:

1st. Instructing the Vermont delegation in Congress to use their influence against the annexation of Texas to the Union.

2d. Solemnly protesting, in the name of Vermont, against such annexation in any form.

3d. Protesting against the admission into the Union of any State whose Constitution tolerates domestic slavery.

4th. That Congress possesses the power to abolish slavery, and the slave trade, in the District of Columbia, and in the Territories of the United States.

5th. That Congress possesses the power to prohibit the slave trade between the States.

6th. Directing the Vermont delegation to present the resolutions to their respective Houses of Congress, and to use their influence to have the same carried into effect.

The report and resolutions were all adopted, and accordingly presented by Mr. Swift.

The reading of these resolutions having excited considerable attention, Mr. King, of Alabama, characterized the document as an infamous libel and insult on the South. If it be, said this gentleman, so deep a disgrace to receive into this Union, a State tolerating slavery, how can this Union continue as it is? Coming from a slave State, he should not have objected to the reception of even such a memorial, if it had been couched in proper terms. As it was, he should vote against its reception. Mr. Swift, having maintained that the document was the result of no party

effort, but the united voice of Vermont, embodied by its Legislature, would not consent to such treatment of it, and objected strongly to the propriety of censuring him for yielding due obedience to instructions emanating from an authority so high. Mr. Calhoun deemed the aspect of affairs occasioned by the presentation of a paper of this character of momentous importance. He was not aware that these resolutions had been passed by the Legislature of Vermont; but he had long foreseen that such a time as the present would come. It had arrived; and on this moment it was to be determined whether this blessed Union was to be dissolved, or whether we were to continue as a united and happy people. He would not permit the matter to be dropped. Vermont had struck a deep and dangerous blow into the vitals of our Confederacy; but as he was not now prepared for that resolute line of action which he was unalterably resolved on adopting, he should move that the memorial be laid on the table, pledging himself not to oppose the Senator from Vermont in calling it up again. After a somewhat acrimonious discussion, Mr. Swift withdrew his memorial, and gave notice that he would again introduce it at an early day.

Mr. Calhoun's Resolutions.

On the twenty-seventh Mr. Calhoun submitted the following resolutions:

"1. *Resolved*, That, in the adoption of the Federal Constitution, the States adopting the same acted severally as free, independent, and sovereign States; and that each, for itself, by its own voluntary assent, entered the Union with the view to its increased security against all dangers, *domestic*, as well as foreign, and the more perfect and secure enjoyment of its advantages, natural, political, and social.

"2. *Resolved*, That in delegating a portion of their powers to be exercised by the Federal Government, the States retained, severally, the exclusive and sole right over their own domestic institutions and police, and are alone responsible for them; and that any intermeddling of any one or more States, or a combination of their citizens, with the domestic institutions and police of the others, on any ground, or under any pretext whatever, political, moral, or religious, with the view to their alteration or subversion, is an assumption of superiority not warranted by the Constitution, insulting to the States interfered with, tending to endanger their domestic peace and tranquillity, subversive of the objects for which the Constitution was formed, and, by necessary consequence, tending to weaken and destroy the Union itself.

"3. *Resolved*, That this Government was instituted and adopted by the several States of this Union as a common agent, in order to carry into effect the powers which they had delegated by the Constitution for their mutual security and prosperity; and that, in fulfilment of this high and sacred trust, this Government is bound so to exercise its powers as to give, as far as may be practicable, increased stability and security to the domestic institutions of the States that compose the Union; and that it is the solemn duty of the Government to resist all attempts, by one portion of the Union, to use it as an instrument to attack the domestic institutions of another, or to weaken or destroy such institutions, instead of strengthening and upholding them, as it is in duty bound to do.

"4. *Resolved*, That domestic slavery, as it exists in the southern and western States of this Union, composes an important part of their domestic institutions, inherited from their ancestors, and existing at the adoption of the Constitution, by which it is recognised as constituting an essential element in the distribution of its powers among the States; and that no change of opinion or feeling, on the part of the other States of the Union in relation to it, can justify them, or their citizens, in open systematic attacks thereon, with the view to its overthrow; and that all such attacks are in manifest violation of the mutual and solemn pledge, to protect and defend each other, given by the States respectively, on entering into the constitutional compact which formed the Union, and, as such, are a manifest breach of faith, and a violation of the most solemn obligations, moral and religious.

"5. *Resolved*. That the intermeddling of any State, or States, or their citizens, to abolish slavery in this District, or any of the Territories, on the ground, or under the pretext, that it is immoral, or sinful, or the passage of any act or measure of Congress with that view, would be a direct and dangerous attack on the institutions of all the slaveholding States.

"6. *Resolved*, That the union of these States rests on the equality of rights and advantages among its members; and that whatever destroys that equality tends to destroy the Union itself; and that it is the solemn duty of all, and more especially of this body, which represents the States in their corporate capacity, to resist all attempts to discriminate between the States in extending the benefits of the Government to the several portions of the Union; and that to refuse to extend to the southern and western States any advantage which would tend to strengthen or render them more secure, or increase their limits or population, by the annexation of new territory or States, on the assumption, or under the pretext, that the institution of

slavery, as it exists among them, is immoral, or sinful, or otherwise obnoxious, would be contrary to that equality of rights and advantages which the Constitution was intended to secure alike to all the members of the Union, and would, in effect, disfranchise the slaveholding States, withholding from them the advantages, while it subjected them to the burdens, of the Government."

These resolutions, on their presentation, occasioned a contrariety of opinion between their mover and his colleague, Mr. Preston, who, althou h he declared his sentiments on the subject to be in unison with Mr. Calhoun's, nevertheless considered that the time had gone by when legislation, by means of resolutions, would be sufficient to meet the wishes of the country on a subject so vitally important. The Senate, he stated, was aware that it had been his intention, and was so still, to bring the matter forward in some more forcible and effective form, at a future day. Mr. Calhoun, however, persisted in bringing it to the issue. He said this was a brief and direct mode of reaching the subject, and as these resolutions contained the whole gist of the controversy, he saw no occasion for any further delay. The usual course of printing was therefore permitted without any further remark; but on the following day, when they were called up for action, another and more strenuous attempt was made by Southern gentlemen to induce their withdrawal. Mr. Preston, with much earnestness, deprecated such a course. He did not think this the way to meet the question. What effect would abstract propositions of this nature produce? We had them in the decalogue, but did they prevent crime? The South should present one unbroken phalanx on this matter, and not permit it to be discussed in any form whatever. Mr. Strange took the same view of the question. The South always lost ground by discussion, and he wished to avoid it from the very bottom of his soul. The *spirit* of the resolutions could not be objected to, but the discussion was injurious. It could not fail to be protracted, nor the South to be a sufferer. Can any abstract propositions afford her a stronger defence than she had already in the Constitution? She would therefore gain by resting simply on her rights, and by avoiding every thing like discussion of their morality and propriety. Mr. Calhoun, however, persisted in urging action upon the resolutions, which spoke definitely, to all points, and for themselves. He wished it to be considered as a test question, and, if adopted, these resolutions must have a salutary effect upon the public mind, and a strong vote in their favor could not fail in its tendency to restore that mutual confidence in the great interests of the country, so much to be desired. They were, therefore, postponed, by consent, to Wednesday, the third of January.

In the mean time on the twenty-eighth of December, Mr. Norvell had submitted a series of resolutions, which possessing the same general tendency and object as Mr. Calhoun's, it will not be necessary to notice further; and on the twenty-ninth, Mr. Morris offered others of an antagonist character to those already presented, and for which he wished them to be adopted as an amendment. These resolutions embodied the views and opinions of the abolitionists on the great question at issue between them and the South. And their mover stated, on presenting them, that he felt it incumbent to enter the lists even single-handed with Mr. Calhoun for the purpose of protecting the right of petition, the freedom of speech, and the liberty of the press. As forming an important link in these proceedings, we give them entire. They took Mr. Calhoun, for the moment aback—he had expected, he said, some trifling opposition, but nothing in the light of the present movement. In these resolutions the Senate had a specimen of the doctrine in fair colors. They contained the creed of the abolitionists fully developed, and from this he had little hope that his desire to promote the harmony of the Union would be gratified.

Resolutions of Mr. Morris.

"1. *Resolved*, That, in the formation of the Federal Constitution, the States acted in their sovereign capacities; but the adoption of the same was by the people of the several States, by their agents, specially elected for that purpose; and the people of the several States, by their own free and voluntary assent, entered into the compact of union, proposedin the Constitution, with the view to "form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity;" and that the means of attaining all those important objects are fully provided for in the Constitution itself.

"2. *Resolved*, That the people of the several States, in delegating a portion of their power to the Federal Government, which they had formerly exercised by their own Legislatures, severally retained the exclusive and sole right over their domestic institutions, which they had not, by the Constitution, granted to the Federal Government; and they reserved to individuals, and to the States in their sovereign character, the full liberty of speech and the press, to discuss the domestic institutions of any of the States, whether political, moral, or religious; and that it

would be the exercise of unauthorised power on the part of this Government, or that of any of the States, to attempt to restrain the same; and that any endeavour to do so would be insulting to the people and the States so interfered with, for each State alone has the power to punish individuals for the abuse of this liberty within their own jurisdiction; and whenever one State shall attempt to make criminal, acts done by citizens in another State, which are lawful in the State where done, the necessary consequence would be to weaken the bonds of our Union.

"3. *Resolved*, That this Government was adopted by the people of the several States of this Union as a common agent, to carry into effect the powers which they had delegated by the Constitution; and, in fulfilment of this high and sacred trust, this Government is bound so to exercise its powers as not to interfere with the reserved rights of the States over their own domestic institutions; and it is the duty of this Government to refrain from any attempt, however remote, to operate on the liberty of speech and the press, as secured to the citizens of each State by the Constitution and laws thereof; that the United States are bound to secure to each State a republican form of government, and to protect each of them against invasion or domestic violence; and for no other purpose can Congress interfere with the internal policy of a State.

"4. *Resolved*, That domestic slavery, as it exists in the southern and western States, is a moral and political evil; and that its existence, at the time of the adoption of the Constitution, is not recognised by that instrument as an essential element in the exercise of its powers over the several States; and no change of feeling, on the part of any of the States, can justify them or their citizens in open and systematic attacks on the right of petition, the freedom of speech, or the liberty of the press, with a view to silence either, on any subject whatever; and that all such attacks are manifest violations of the mutual and solemn pledge to protect and defend each other, and, as such, are a manifest breach of faith, and a violation of the most solemn obligations, both political, moral, and religious.

"5. *Resolved*, That it is the indisputable right of any State, or any citizen thereof, as well as an indispensable duty, to endeavour, by all legal and constitutional means, to abolish whatever is immoral and sinful; and that Congress alone possess the power to abolish slavery and the slave trade in this District, or any of the Territories of the United States; and the right of petition, of speech, and of the press, to accomplish this object, is not to be questioned; and that an act of Congress, on this subject, would be within its constitutional powers.

"6. *Resolved*, That the union of these States rests upon the virtue and intelligence of the citizens, in supporting the Constitution of the United States, and not upon any supposed advantages it may afford to any particular State; and that it is the solemn duty of all, more especially of this body, which represents the States in their sovereign character, to resist all attempts to discriminate between the States; and that it would be unwise, unjust, and contrary to the Constitution, to annex any new Territory or State to this confederacy, with the view to the advantage of any State, or its peculiar domestic institutions; that such an attempt would be contrary to that equality of rights which it was one object of the Constitution to secure alike to all the States; and, if done to favor the slaveholding States, for the purpose of giving to those States a preponderance this Government, would, in effect, be to establish slavery in all the States.

"7. *Resolved*, That to regulate commerce among the several States is an express power granted by the Constitution to the United States; that, in the exercise of this power, Congress may rightfully prohibit any article, though made property by the laws of a State, from being used in such commerce, if the same would be detrimental to the general welfare.

"8. *Resolved*, That Congress have possessed the power, since the year 1808, to prohibit the importation of persons into any State as articles of commerce or merchandise.

"9. *Resolved*, That the political condition of the people within the District of Columbia is subject to State regulation; and that Congress, in the exercise of its legislative powers over the District, are bound by the will of their constituents in the same manner as when legislating for the people of the United States generally.

"10. *Resolved*, That this Government was founded and has been sustained by the force of public opinion; and that the free and full exercise of that opinion is absolutely necessary for its healthful action; and that every system which will not bear the test of public investigation is at war with its fundamental principles; and that any proceedings, on the part of those who administer the Government of the United States, or any of the States, or any citizens thereof, which are intended or calculated to make disreputable the free and full exercise of the thoughts and opinions of any portion of our citizens, on any subject connected with the political, moral, or religious institutions of our country, whether expressed by petitions to Congress or otherwise, by attaching to the

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to the support of our friends.

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UNITED STATES MAGAZINE

AND

DEMOCRATIC REVIEW.

It has long been apparent to many of the reflecting members of the Democratic Party of the United States, that a periodical for the advocacy and diffusion of their political principles, similar to those in such active and influential operation in England, would be a *desideratum* of great importance to supply—a periodical which should unite with the attractions of a sound and vigorous literature, a political character capable of giving efficient support to the doctrines and measures of that party, now maintained by a large majority of the people. Discussing the great questions of polity before the country, expounding and advocating the Democratic doctrine through the most able pens that that party can furnish, in articles of greater length, more condensed force, more elaborate research, and more elevated tone, than is possible for the newspaper press, a Magazine of this character becomes an instrument of inappreciable value for the enlightenment and formation of public opinion, and for the support of the principles which it advocates. By these means, by thus explaining and defending the measures of the great Democratic Party, and by always furnishing to the public a clear and powerful commentary upon those complex questions of policy and party which so frequently distract the country, and upon which, imperfectly understood as they often are by friends, and misrepresented and distorted as they never fail to be by political opponents, it is of the utmost importance that the public should be fully and rightly informed, it is hoped that the periodical in question may be made to exert a beneficial, rational, and lasting influence on the public mind.

Other considerations, which cannot be too highly appreciated, will render the establishment and success of the proposed Magazine of very great importance.

In the mighty struggle of antagonist principles which is now going on in society, the Democratic Party of the United States stands committed to the world as the depository and exemplar of those cardinal doctrines of political faith with which the *cause of the People* in every age and country is identified. Chiefly from the want of a convenient means of concentrating the intellectual energies of its disciples, this party has hitherto been almost wholly unrepresented in the republic of letters, while the views and policy of its opposing creeds are daily advocated, by the ablest and most commanding efforts of genius and learning.

In the UNITED STATES MAGAZINE the attempt will be made to remove this reproach.

Co-ordinate with this main design of the United States Magazine, no care nor cost will be spared to render it, in a *literary* point of view, honorable to the country, and fit to cope in vigor of rivalry with its European competitors. Viewing the English language as the noble heritage and common birthright of all who speak the tongue of Milton and Shakspeare, it will be the uniform object of its conductors to present only the finest productions in the various branches of literature, that can be procured; and to diffuse the benefit of correct models of taste and worthy execution.

In this department the exclusiveness of party, which is inseparable from the political department of such a work, will have no place. Here we all stand on a neutral ground of equality and reciprocity, where those universal principles of taste to which we are all alike subject, will alone be recognised as the common law. Our political principles cannot be compromised, but our common literature it will be our common pride to cherish and extend, with a liberality of feeling unbiased by parnal or minor views.

As the United States Magazine is founded on the broadest basis which the means and influence of the Democratic Party in the United States can present, it is intended to render it in every respect a thoroughly NATIONAL WORK; not merely designed for ephemeral interest and attraction, but to continue of permanent historical value. With this view, a considerable portion of each number will be appropriated to the following subjects, in addition to the general features referred to above:

A general summary of Political and of Domestic intelligence, digested in the order of the States, comprising all the authentic important facts of the preceding month.

General Literary Intelligence, Domestic and Foreign.

General Scientific Intelligence, including Agricultural Improvements; a notice of all new Patents, &c.

A condensed account of all new works of Improvement throughout the Union.

Military and Naval News, Promotions, Changes, Movements, &c.

Foreign Intelligence.

Biographical obituary notices of distinguished persons.

After the close of each session of Congress, an extra or an enlarged number will be published, containing a general review and history of its proceedings, a condensed abstract of important official documents, and the acts of the session.

Advantage will also be taken of the means concentrated in this establishment from all quarters of the Union, to collect and digest such extensive statistical observations on all the most important interests of the country as cannot fail to prove of very great value.

This portion of the work will be separately paged, so as to admit of binding by itself, and will be furnished with a copious index, so that the United States Magazine will also constitute a COMPLETE ANNUAL REGISTER, on a scale unattempted before, and of very great importance *to all classes*, not only as affording a current and combined view, from month to month, of the subjects which it will comprise, but also for record and reference through future years; the value of which will increase with the duration of the work.

Although in its political character the United States Magazine addresses its claims to support particularly to the Democratic Party, it is hoped that its other features referred to above—independently of the desirable object of becoming acquainted with the doctrines of an opponent thus advocated—will recommend it to a liberal and candid support from all parties, and from the large class of no party.

To promote the popular objects in view, and relying upon the united support of the Democratic Party, as well as from others, the price of subscription is fixed at the low rate of *five dollars* per annum; while in mechanical arrangements, and in size, quantity of matter, &c. the United States Magazine will be placed on a par at least with the leading monthlies of England. The whole will form three large octavo volumes each year.

The subscription will be in all cases payable in advance, or (for the first year only) *six* dollars on the delivery of the third number. The absolute necessity of this rule in such an establishment will be obvious to all.

In return for a remittance of $50, eleven copies will be sent; for $100, twenty-three copies. The certificate of postmaster of the remittance of a sum of money, will be sufficient receipt: all dangers of the mail being at the risk of the Publishers.

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