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ART. I.—EAST INDIA, AND THE OPIUM TRADE.

IN the course of a few months, the fate of the British expedition against China will be decided. We think that a slight examination will be sufficient to induce every man whose feelings are not warped by national prejudice, to conclude that, however artfully the pleadings may be constructed, and however adroitly extraneous interests may be interwoven, the question at issue is, whether China shall be allowed the right of admitting into her ports the articles which she requires for home consumption, and of rejecting such as she may think injurious. In what way are the British possessions in India likely to be affected by the operations of the Chinese expedition? In what way is the attitude which the British government has lately assumed towards the Celestial court, induced by the relations which exist between the Indian colonies and the mother country? There can be very little doubt that, on the one hand, a discomfiture before Canton would materially shake the British establishment on the Carnatic, while the defeat of a Chinese army, and the humiliation of the imperial authority, would be the consummation of a system which would erect over the Asiatic continent the paramount authority of the English queen. But we believe that the connection which exists between the commercial relations of the East India Company, and the position which Great Britain has assumed towards the Chinese government, is far less distinctly understood. We think that it can be shown, that through the immense salaries and the inveterate *absenteeism* of the dependents of the East India Company, upwards of £6,000,000 sterling are annually transported from India to Great Britain; that the balance is still further depressed by the unequal operation of revenue laws which were framed for the exclusive protection of home manufactures, and through which the exportations of Indian productions have annually decreased, till now they are unable to meet the liabilities under which the country is placed through the exhaustion of its colonial establishment; that, also, the English government, in order to place in the hands of the debtor colonies sufficient assets to enable them to pay the demands against them, has encouraged to an immense extent the production of opium, under the hopes

that it may elsewhere find a successful market ; and that, finally, as a last resort, it has sent out a fleet against China, in order to open her ports to a drug which it would demoralize her inhabitants to receive, but whose free importation is necessary to preserve the equilibrium of the colonial trade of Great Britain. India has only one method by which she can pay the demands of the mother country against her. The looms of the Decan have ceased ; the muslins which at one time princes would have spent treasures to purchase, are outbid by English manufactures ; and opium is the sole production which India can export, without interfering with the commercial interests of the East India Company. But in what way can opium be made useful to the English merchant ? It would meet but little patronage in his own country, and on what other can he successfully palm it ? We believe that it was as far back as the close of the last century, that it was suggested by a member of the East India board of control, in his examination before parliament, that through the medium of opium, which the Chinese were even then observed to consume with avidity, the exchanges against China could be reduced, and an article of exportation procured, which might easily balance the great importation of tea which must necessarily exist. We have seen how successfully the hint has been acted on. There is a whole province in the north of British India which is purple with poppy fields, and in 1836 alone, (the returns of which year are the latest which we have at hand,) the number of chests which entered Canton was 27,111, whose value is estimated to be equal, at least, to \$17,904,248. The Chinese government protested and legislated ; Commissioner Lin was forced over the heads of degraded mandarins, to enforce the revenue laws at the scene of action ; but Commissioner Lin has found his vigilance entirely unsuccessful, and a British fleet are now seconding the demand of British merchants, that the drug by whose means they are to maintain the balance of their trade, should be allowed to poison the air which is breathed by his Celestial majesty's subjects.

It is our object at present to examine the character of the British government in India, to review the means by which it obtained the ascendancy over the country which it sways, and to consider the probable operation of the relations to which we have just alluded. To those who have considered the history of our own colonial dependence, the features of the East Indian vice royalty must, after a little acquaintance, lose the foreign coloring that at first hangs over them. Great Britain founded her empire in India, it is true, by direct inoculation, while here the seed was cast upon the naked ground ; but in both cases a system of culture was adopted which could rear the plant till its fruit was ready for the harvest. But in India, the complicated machinery of a commercial establishment, has been involved with the civil government. The court of directors, who may be said to represent the commercial interests of the company, consists of twenty-four members, who are chosen as the direct representatives of the proprietors themselves, and bear to them the same relation as exists between the directors of a bank and its stockholders. They have the right of proposing to the board of control, which is the representative in fact of the civil government, all such measures as they may think necessary for the welfare of their Asiatic subjects, and which, without their consent thus previously announced, would want the solemnity of laws. They are invested also with the exclusive supervision of the trade between the countries. Such is at least the theory of the powers which*

are given by charter to the Proprietors and Directors of the East India Company, but as from the distance between the sphere of operation, and the point where their consultations are held, great obstructions must necessarily lie in the way of that prompt and secret action which the government of so vast and unsettled a country as India must require, they have gradually yielded one after one of their prerogatives into the hand of the governor-general, who is thus invested with vice-regal authority over the empire in which his dominion is seated. A company of merchants in Leadenhall street found themselves, very naturally, inadequate for the municipal regulation of a country half a hemisphere distant, and they have consequently surrendered to their agents their proconsular power, which gives them, in fact, privileges more extensive than those which are possessed by the king of Great Britain, on his native shores. The control over peace and war, the regulation of-commerce, the prerogative of pardon, the supervision of justice, the patronage of government in a country where blue-book is a library in itself, the privilege of drawing bills of exchange on the company at home, which bear on their face negotiability, are powers which, centred as they are in the hands of a single individual, contribute to endow him, during the time of his administration, with authority which is, for all material purposes, supreme. It would seem as if the board of directors, after a few attempts at police legislation across the ocean, on a system so extensive that it would require magnetic powers to perfect it, had grown sick of their office, and by a single shuffle of their cards had tossed their whole authority into the hands of a dignitary who had before been only the most conspicuous among their servants. It is true that they have hung around him a few gilded manacles, which he may rattle on his arms as he stalks about in the plenitude of his sway, but such baubles have been always pleasing to the most despotic monarchs, for nothing can be more grateful to the man who feels that if his plans succeed, their whole credit will remain with him, than to know that in the case of their failure, their ignominy can be shifted in other hands. The governor-general is assisted by a council of state, consisting of five members, who have the right of expressing their opinions on all subjects that are presented for executive action, of recording their sentiments on their merits, and in case of their determined opposition to any measure which may be laid before them, of postponing its operation for forty-eight hours. If after that period the governor-general persists in his plan, he is able to carry it into execution. It is not difficult to see that under such a charter it would be impossible for the council to lay a serious restraint on the hands of the executive; nor indeed, as we shall afterwards see, do the peculiar exigencies of the empire require so much that its government should be one of caution and of reserve, as that its measures should be promptly and vigorously enforced. The civil authority of the company has under such arrangements been almost entirely transferred into the hands of the colonial administration. In the course of a few years longer, their ancient privileges and their splendid emoluments will have vanished; and their banking-house, which was once the scene where the fate of Asia was decided, will be gradually deserted, till a few superannuated clerks will be all that will remain to tell the story of its former grandeur.

It was through an accident which has afterwards afforded a theme of much romance, that the company's authority in India was established. A physician named Boughton, having accompanied a British envoy from the

factory at Surat to the court of the Great Mogul of Agra, succeeded in recovering from a fatal illness the daughter and heir of that great potentate. The ordinary course of events in so generous a climate would have been, we should think, to have raised the successful practitioner to the throne which he saved from an early fall; but the maxims of trade seem to have crept as far as the palace of the Great Mogul, and instead of raising Dr. Boughton at once to royal honors, the grateful father thought it more expedient to endow him with the privilege of trading wherever he liked throughout the Mogul empire. We are sorry to say that the physician was devoid of those romantic considerations which should have induced him to have retained for ever so touching a keepsake, for it seems that no sooner had he left the court, than, to the horror of his royal benefactor, he sold his charter to the East India Company, who immediately took advantage of it by erecting, in 1656, on the banks of the Hoogly, on the spot where Calcutta now stands, the trading-house that was to form the centre of a future empire.

Could the merchants who were present at its erection have looked beyond its site, they would have seen a country which was at once the most vast and the most fertile that had ever been inhabited by a civilized nation. They would have seen to the north the lofty limits of the Himmelayahs, while far to the south were stretched along the Arabian Sea, the mountains of Gaut, confining the rich and beautiful coasts of Cutch and of Belochistan. To the south lay Bengal, purple with poppy fields, and by them stood the Ganges, with its crooked roots coiled round the spot where their settlement was planted. If they had been pointed to the vast tract of Chinese Tartary, swathed around the centre of Asia like a belt which it would take a degree of latitude to measure, and had been then turned farther to the west, where the golden gates of the capitol of Persia were opened before them; and had then been told that over the vast region upon which their eye wandered, they should soon bear sway, that their children should be nobles, and their servants nabobs, they would probably have shrunk from such perilous honors, and would have drawn their heads back again within the limits of their trading-house, to nestle in quiet in the comfort of unmolested gain. Fraud and violence! The field was red with blood, and the council chamber tangled with snares; and if they could have anticipated the sad temptations into which their probity might be seduced by their avarice, and the misery and the bloodshed that would follow, they might have been contented to traffic with a Hindoo prince, or to higggle with a Chinese mandarin. We do not charge on the British authorities the deliberate conception of those measures of deceit which were afterwards perpetrated by their agents. They were brought about by the supposed necessity which was induced by the perfidy of the chiefs who opposed them. We must in the first place remember the relative positions of the combatants, and reflect that the army of the one was vast, though imperfectly disciplined, while against it was opposed a handful of foreign troops whose polished armor could scarcely compensate for their inferior size. In 1756, a dispute took place between the English factory in Bengal, and the nabob of that country, which was the cause of that horrible Calcutta massacre, which afforded the English so admirable a plea for the vengeance which they determined to wreak. If Clive wanted provocation for the conquest he was about to make, there it was. He was at Madras at the time, at the head of nine hundred men; but with

that intuitive sagacity which marked him even in the hours of his most fearful onsets, he marched to Calcutta, before the native forces could awake from the sleep into which their gluttoned cruelty had cast them. An army of 20,000 Indians tottered out to meet him, but like puppets in an assaulted show-box, they were annihilated in the shock.

But it was not at the threshold of the palace that Clive could rest. There arose a civil war between the pretenders to the Bengal throne, and in order to settle the disputes which by a little concession they could have extinguished, the rival candidates called in the assistance of an arbitrator, who at a blow drove them together from their prey. The British general found all Bengal looking on with indifference at the tournament in which their leaders were engaged; and while the few native troops who entered into the contest were ranged on the side of Meer Jaffier, Surajee, who boasted an equal title to the crown, found that through the aid of the remnant of the French army, he was more than a match for his rival. The wild but splendid game that had been chalked out by Dupleiss on the Asiatic peninsula, had then been pushed to desperation, and it was a final and desperate move, that the civil disturbances in Bengal were fomented, and the claims of Surajee had been supported by the remains of that celebrated army which had once claimed the continent as its prize. Clive soon determined on the policy which was most congenial to his interest. Though his original troops were rather weakened than reinforced by their victories, and though his native allies thought it presumptuous in them to buckle themselves arm to arm with heroes whose prowess bore about it marks of inspiration, he marched directly against the French and Indian army of 60,000 drilled soldiers, and so tumultuously defeated them that their cannon was left in many cases on the field before the slow torch had touched their powder. The old Jugurthian tactics were renewed. Meer Jaffier was placed on the Bengal throne more firmly than any of his ancestors, because he was placed there as a column on the capital of which his allies had erected a sovereignty so ponderous, that if he flinched, he would be crushed beneath its weight. He became, at the best, the mesne tenant of the kingdom of which he had once possessed the absolute fee, and he found that Clive was a lord paramount, who would exact from him the minutest homage, as well as the most enormous rent. The sum of twenty millions of rupees were drawn from him as a tribute for assistance which he would have willingly dispensed with; and he found, after he had held the sceptre a little while, that his allies claimed it as their prerogative to appoint his successor, and ultimately to supersede himself.

The Dutch troops, who had for some time past played a conspicuous part in the Carnatic, made an ineffectual effort to regain their lost position. Clive succeeded by dint of manœuvres, which, unfortunately for his character, he was very much addicted to, in buying from the emperor of Delhi through an annual stipend, which, at the time it was granted, was not meant to be persevered in, his feudal sovereignty over the province of Bengal. Nothing now remained for the company to effect, than by the aid of a few more easily purchased victories, to dethrone the surrounding nabobs, and to huddle them together in an asylum, as the pensioned dependents of the British crown. The governor-general, for to that rank Clive had been elevated, had officially proclaimed the incapacity of the reigning princes for the province of government, and argued therefore that it was his duty, as self-constituted overseer of the plantations which

he had ransacked, to draw away from them their remaining authority, and to assume for himself the equitable direction of their affairs. It would have been more conformable to precedent to have formally sued out a writ of chancery for the committing the custody of the refractory nabobs to a special committee, who should be appointed directly by the government who had humbled them ; but as Lord Clive was unwilling to pass through the labyrinth of so tedious a procedure, he cut at once the chain which kept up the semblance of national authority, and in ten years after the first English victory, the ancient principalities of Hindoostan were demolished.

In the year 1785, when Warren Hastings was withdrawn from the post of governor-general, in which he succeeded Clive, to play the victim in the most splendid instance of ineffectual prosecution on record, the British arms had made conquests in the south of India, as extensive as those which they had previously achieved in the north. The provinces of Guntoor and the Circars had been wrested from the viceroy of Deccan ; who, though nominally the subject of the Great Mogul, had been, till the hour of his final overthrow, the independent ruler of ten millions of people. We shall not detail the means by which the conquests of Warren Hastings were effected. They are written in words that cannot easily be washed away. Forty years ago, he was acquitted after a trial the longest and the most harassing in history ; but he was acquitted because, as the disgrace which he had already suffered had brought him close to his grave, it seemed an unnecessary exertion of public justice to hurry him to a violent and ignominious death ; because, secondly, his friends had been committed on a national scale, as the widows and the fatherless whom he had robbed had been the princes of an ancient though plundered empire ; and because, finally, he had come with empty pockets through the treasures which he had collected for his masters, without having undergone the accusation of having peculated for anybody but for themselves.

It is probable that the subsequent administration would willingly have extricated themselves from the tortuous policy that had been adopted by Clive and Hastings, but it was more easy to weave the snares which they had invented, than to drop them after they had lost their use. Like the South American buffalo hunters, they had careered over the plains of India with lasso in hand, in pursuit of the objects of their chase, but as their victims had grown alert under the experience, and had become accustomed to its exercise, they found it difficult to hit upon any scheme which they could manage so well, which would not be easily eluded. We think that had Lord Clive pressed his conquests with that singleness of purpose which in his greatest difficulties he displayed, he would have planted his standard more strongly, for it would have been propped up by the respect of the conquered people. But the rudest nation among them could not but see through the flimsy veil that was flung before their eyes. It became with them the consummation of art, to cast back on the face of the deceiver, the snares which he had constructed for their own detention. They had been traitors themselves from the beginning, and they were not so much enraged at being temporarily defeated, as at being entirely out-duped. But had it not been for their extraordinary good fortune in the selection of a chief, and for the occasional assistance of the French revolutionary government, the insurgent tribes would have been one by one annihilated, before they could have had the opportunity to have consolidated their strength. Hyder Ali had been in his boyhood a camel-

driver; and among the wild and warlike tribes who hover over the sands of Arabia, he had caught his habits and his principles. Implacable hatred to England, devotion to whatever could oppose her, had become the cardinal passion in his breast, and he stood by the camp-fires of the Indian council like Scipio in the Roman senate, in urging, summer and winter, the destruction of their successful enemy.

The crusade against the usurping nation, the delivery of the brahminical city from their profane hands; the second destruction of Calcutta, became the objects to which for years his energies had been directed. He had been able, even in his own short lifetime, to span the history of the English conquests in India, and as each fresh inch of ground had been snatched away, he had steeled himself anew for the task of indiscriminating revenge which he was meditating. Supported by France, he marched suddenly against Madras, which was then the centre of the British forces, and so unexpected and vigorous was his onset, that it shook to its roots the youthful empire of Bengal. Accepting from the revolutionary convention the title of French Citizen, he held in the one hand the Jacobin cap and the liberty pole; while in the other, he brandished the bloody sword and the loaded sceptre which the absolute princes of his own land had wielded. The Sultan of Mysore hung out of his prison-castle a bloody banner, on which he had written the epithets which were borne by the most sanguinary levellers of the reign of terror.

When the Marquis Wellesley heard that Tippoo Saib, who had, on the death of his father, Hyder Ali, succeeded to the command of his army and treasures, had marshalled together his forces, and had concentrated the scattered energies of the Mahratta chiefs, he saw with that plain sagacity which formed his chief characteristic, that on the event of the approaching struggle hung the destiny of the east. The viceroy of Deccan, who had for some time fluctuated between the councils of the French and English residents, had at last unfurled his colors, and was just on the eve of taking the field with the tricolored cockade perched on the crest of his mussulman's turban, when he was startled by the charge music of the British trumpets. The baked meats which he had prepared for the funeral ceremonies of his enemies, were served up as the wedding feast which adorned the nuptials into which he found himself rather unwillingly dragged. The troops which he had equipped to lead against Calcutta, were turned about, and found themselves marching against the Mahratta chiefs. Tippoo Saib had seen too many examples of English gallantry, to doubt the manner in which the new alliance had been achieved, or the object for which it had been contracted; but it is said that when he saw the Hindoo and the English soldiers mingled rank by rank, he rode anxiously around the camp, and extorted again from the swarthy chiefs that token of wild allegiance which can alone afford to them the solemnity of an oath. The naked arms of the Indian captains, the blood drawn from their veins, the solemn incantations which were sung around them by their priests, the strange charms which their magic required, and the uncertain hour which had been chosen to invoke them, were fitted to impress on the superstitious minds of those who joined in the ceremony, the awful stability of their engagements. It was under the command of Colonel Arthur Wellesley that the British troops stormed Seringapatam. The black-hole of Calcutta, we have said, was the overture to those terrible scenes of violence and fraud which desolated for half a century the Carnatic: it

is certain that in the siege of Seringapatam, though the tragedy may have not been completed, that the catastrophe occurred which formed the *morale* of its plot. The Calcutta massacre was then avenged with a fierceness far more akin to poetic justice than to natural equity. Tippoo Saib was slain, and of the Mahratta captains not one escaped to the mountains, and by their defeat and death, a territory of more than 50,000 square miles was passed into the hands of the British government. Within a year, the Mogul empire was virtually dissolved, and in the south, the provinces of Coimbatore, Canara, Wynaad, and Tanjore, with Meradabad, Rohilcund, Doab, and Allahabad in the north, were added to the company's possessions.

The eastern subjects of the British queen amount now to upwards of two hundred millions in number. The inhabitants of Bengal, of Agra, of Madras, and of Bombay, who constitute one half of the whole number, are placed under the immediate direction of the governor-general and his council, while the remaining provinces, though they retain the paraphernalia of their ancient princes, and profess to be nominally subject to them alone, are under the feudal dominion of the British authorities. Their princes are subsidized by the company's funds; and as the only title by which they are able to excite the loyalty of their subjects consists in the degree in which they preserve the memory of their ancestors' grandeur, they find that their importance rises and falls precisely in the proportion in which they are inflated by the all-powerful assistance of the British treasury. Taking the subsidized provinces in view, the country over which the authority of the governor-general is recognised amounts to 1,250,000 square miles. It contains within its limits the most fertile portion of the earth, and one that is fitted above all others for the seat of a vast and splendid empire; for while its surface is so broken by vast and gigantic mountains as to afford a climate for every production, from the sugar-cane and the rice-plant of the torrid zone to the coarse grain of the arctics, it is so intersected by rivers as to open its most remote and sheltered recesses to the commercial requisitions which they are so well calculated to excite. The Indus, the Jumna, the Ganges, and the Burrampooter, are navigable for 1,500 miles above their mouths, and the two last pour into the Bay of Bengal each hour a flood of water amounting to a billion of cubic feet. The city of Calcutta, though a century ago it consisted of little more than a nest of trading cities,* contains now a

* Count Bjornstjerna, in the valuable work which he has lately published on the statistics of British India, has stated, that before the English settlement was founded, the spot on which Calcutta now stands was a desert. We do not wish to dispute his authority on so slender a basis as that which is presented by a German legend-writer, but if we mistake not, the particulars relating to the foundation of Calcutta, are laid down with peculiar distinctness by Arnt, in his life of the Emperor Pai-wai. Were it not for the corroborating circumstances which are presented in the earlier adventures of Romulus and Remus, it would be a matter of some question whether the youthful exploits of that illustrious potentate were not so extravagant as to render his whole existence mythological. He had been stolen when an infant, by a troop of apes, from the woods which formed his play-ground, and might probably have lived among them in a state of congenial association till his days were spent, had he not been caught by a Punch-exhibiter, who was on the look-out for monsters to deck his show-board. Pai-wai became remarkable for the adroitness with which he united the man and the beast,

million of inhabitants; while Delhi, Benares, and Poonah, which were under the ancient dynasty the Cathedral cities of India, and which have been for ages the centre of its literature and of its religion, though from their insulated position and their sacred character they are unable to enter into the whirl of trade, contain undiminished the population which a century ago placed them beyond the capitals of Europe. There are also towns which, though like Madras and Bombay they have been looked upon, from their sea-board and exposed situation, as rather the funnels through which the refuse of the empire must pass, than the treasuries in which its wealth is secreted, have already reached a point of commercial splendor which has passed that of Carthage and of Venice at their most successful era. Kings, whose vassals spread over lands as broad as Europe, and are as numerous as those which the pope could command at the summit of his temporal career, have laid down their ancient crowns, and placed themselves in a crescent around the throne of the English viceroy, while he exerts over them that distant, though sovereign sway, which brings them as distinctly within his supervision, as if they were the clerks in the company's counting-room. We do not wonder that the old dynasty of diplomatists were dumbfounded at the British conquests, and advised their masters that the spirits who had lately taken possession of the Asiatic peninsula, were tenfold worse than those who had previously inhabited it. Where was the magic with which Leadenhall street bound winds and waves? The secret of the success of the East India Company must be sought for a little further than in the genius of a particular general, or the temerity of a peculiar troop. It arose from the unconquerable determination of the commercial spirit of the day, which, through the cumbrous agency of its shipmasters and its agents, was able to break a spell against which the power of the crusaders had been blunted.

Such is the history and the character of the British possessions in India. Their outline can be easily transferred, because it is itself composed of a few bold and sudden strokes, which have laid down, in the course of a few years, a system which, under other auspices, it would have caused ages to erect. The merchants and bankers of the East India Company found no time for philanthropic legislation. Their object was to *gain*; for the state of gain to themselves, followed as it must necessarily be in the conquered country by those blessings which Christianity and civilization would procure, they felt must be advantageous to those they were to deal with. It

and was carried, before his human development had entirely explained away the presumption of his apish origin, to the court of the Great Mogul, whose superannuated mother he so much tickled, as to induce her to purchase him as a pet. But Pai-wai began to put away childish things, and became remarkable in the course of a few years as the most adroit warrior in India; so that he was advanced from regiment to regiment, till he became, in fact, commander-in-chief. One step only was to be taken. The Mogul had an only child, who was a daughter; and as the Mogul laws were very particular as to who should attain the crown, they enacted that in such a contingency, the heiress of the royal race should be given in marriage to the warrior who should, in open tournament, throttle a Bengal tiger. General Pai-wai's early habits well fitted him for such an encounter; and after the more princely competitors in the royal raffle had been vanquished, he entered into the lists, and succeeded, by his personal agility, to the throne of the Moguls. To him is to be attributed the rise of the city of Calcutta, as well as the general renovation of Indian institutions.

is the fashion to sneer at the spirit of calculation which inspired their efforts, and which forms the master agent of our age, and of our country; but, even in its worst phases, is it not much purer than the passions for conquest and for proselytism, which have formerly been the wings on which civilization has travelled? The wisdom of Providence may make use of the inferior workings of nature to effect its largest schemes. The imbecility of an emperor or the rebellion of a priest, have been made the means of the renovation of the generation to which they belonged. The indefatigable ambition of the commercial spirit of the age,—a spirit which, in itself, is of a far more lofty nature than those which in other periods have swept and garnished the temple in which they operated,—has been the means of extending to limits before impenetrable the blessings of the creed which we profess. Who would have thought of establishing a mission in the heart of China before a trading-house had been there erected? Through the medium of the extended machinery of commerce, the contribution which is collected here from the weekly savings of a Sunday-school is carried from port to port, transmuted from shape to shape, till at last the same degree of weight which it originally could have borne on its native shores, it bears perhaps more than a year afterwards in the country where it was destined to operate. The impulse that is given to the cause on the most feeble of our distant settlements, rolls gradually through the whole medium of transportation, till, like the motion which is given to a stream of level water at its remotest extremity, it swells along till it rests on its farthest shore. The wind that carried the first ship to India carried also the seeds of future renovation to that vast though fallen empire. We believe that, had the efforts of the merchants of the day been left to themselves; had they not been shackled by the restrictive operation of acts of parliament which were meant confessedly for the aggrandizement of Great Britain at the expense of her new dependent; had not the privilege of trading across the Cape of Good Hope been wrung from the hands of those who had assisted most firmly in its prosecution, and vested with a company of mercantile speculators; those great and crying evils under which India now suffers would never have been forced into existence. The constant drain which, since the first conquest of Clive, has been carried on, has succeeded in impoverishing a country which was once, in fact, more abundant than all others with the precious metals, as well as with the most valuable articles of trade. A transient consideration of the difference between the ancient method of taxation and that which was adopted by the action of the board of control, is sufficient to show to what extent the influence of the civil government was exerted to extract from its colonial establishment whatever could be torn from its jaws. Under the old economy, the country was cut up into villages, which included within their limits, like our own New England towns, not only collections of closely built houses which usually go by that name, but also the farms and the pastures necessary for their complete support. Each village was an empire in itself; for, as it contained within its limits the tools and the workmen necessary for the supply of every want, and as trades, being hereditary, were in no danger of falling into decay from the fluctuations of the market, it found itself able to live on, like the bear is sometimes said to do after his ribs have become well stocked with fat, upon the resources which it carries in its own recesses. The principal man in the village, the lord of the manor, to adopt the old English designa-

tion, was called the *potail*, under whom, but in a rank above the ordinary laborers, were placed the local police, the village astrologer, the register, the poet, and the dancing girl. "So deep is the principle of this association," says Dr. Murray, "and so strong the feeling of the rights connected with it, that it has remained unaffected by all the storms of revolution which have passed over India. Even after the inhabitants of a village have been obliged to flee from the devastation of a successful invading army, they have never failed, on the return of peace, to seek their native spots, and have been allowed without controversy to resume their occupancy." Under such circumstances, it became most convenient to the native emperors, when they wished to levy a tax, to intrust its collection to the heads of the villages themselves, who became responsible in person for the raising of the sum which, on consultation with the lord, they should judge to be most eligible. The *zemindars*, as they were sometimes called, came to be looked on at last as land proprietors, burdened with a heavy land tax, and held their titles by a tenure very similar to that which existed in England, by mesne tenants, before the statute *quia emptores*, or in Pennsylvania at present, by the holders of ground rents. But, under the dashing system of plunder that was practised by the military adventurers who rushed to the spoil of an empire so famous for its wealth, the villages were farmed out as the reward of services in the battle field, and such exhausting exactions were made, that plains which were at one time waving with corn, were converted into jungles which formed the spot for a general reunion of the wild beasts who before had prowled around the fastnesses of the country. In the dreadful famine of 1770, one third of the inhabitants are said to have perished. The efforts, under Lord Cornwallis, to reorganize the ancient economy, though they undoubtedly were built on the wisest councils, came too late to establish the quiet and the confidence which had formerly reigned. Although, as it is said, the land taxes were no longer shifted with the avarice of the temporary owner, yet they were placed on too high a scale; and as the *zemindars* were unable to meet the demands upon them, they were sold out in open market, and were too often succeeded by speculators, who, having no permanent interest in the land, impoverished both estate and tenants by the unjustifiable measures by which they raised the sum required. The soil became weaker and weaker; and, as before long the domestic treasures of the peasantry, and even their public idols, had been melted down to meet the taxes to be raised, they found themselves in a little while both stripped of the income of their lands and the capital by which they were to produce it.

It is a very difficult matter, as may be collected from what we have just stated, to estimate the amount of property which is annually transported from India to Great Britain. Mr. Burke, in his speech on the first East India Bill, said that he could look around the benches before him, and drop his eye on the swarthy faces, and the gilded chains of speculators, who had brought home with them, after an Asiatic campaign, the wealth of princes. The revenue drawn indirectly from India, even at the present day, is stated by a writer whom we have already alluded to, and who certainly was not inclined to overrate the amount, to be equal to £6,500,000; "a sum," he states, "which would in the end completely ruin this colony, (or, more properly speaking, drain it of its bullion,) if it were remitted in that form, but such is not the case; it comes to England in the following

manner: East India opium is sent to China, and is there exchanged for tea; this is taken to England, and covers all the bills of exchange." It can be shown, indeed, with very little difficulty, that the productions of India have become so diminished, through the oppressive operation both of the colonial government and of the English revenue laws, that the English planter, and the East India Company itself, are obliged to resort to the cultivation of opium as the source from which their salaries are to be drawn. England has, by her own folly, so circumscribed the amount of the domestic productions of her Indian possessions, that in order to reap from them the usual revenue, she is obliged to have recourse, first to raising among them a new and poisonous drug, and secondly, to forcing it down the throats of the Chinese, to make it marketable. The coffee fields and the spice valleys of the Carnatic still exist, but they exist but in a wild resemblance of their ancient beauty, for the injurious duties which have been laid upon their exportation have turned the laborer from their cultivation. The import duty on coffee from India is nine pence a pound; on that from the West Indies, only six pence; the duty on a cwt. of sugar is thirty-two shillings, which, together with the freight, adds two hundred per cent to the original price, while when from America the duty is only twenty-four shillings; and on an arrack, the difference is still greater. The demand for pepper, which was once a chief article of exportation, has now diminished one half, though its price has fallen, since 1814, from a shilling to three pence per pound. Before 1814, also, the value of Indian muslins which were annually exported, amounted to two millions sterling; while now the exportation has ceased, and the muslins of Dacca, the most exquisite, it is said, ever woven, have become so much neglected, that the art by which they were constructed is said to be now forgotten. English cloth stands in the place of native manufactures, and the very article which once formed the principal production of India herself, has become the chief source of her debt to the mother country. Between 1814 and 1818 the value of goods carried past the Cape of Good Hope, from east to west, averaged at between £8,000,000 and £9,000,000 sterling; while, since 1822, it has fallen to between £5,000,000 and £6,000,000; that is to say, 33½ per cent. The distress of the landholders, to which we have just alluded, was not confined to themselves; for between 1831 and 1833, bankruptcies occurred in India to the enormous sum of £15,000,000 sterling.

It is not our province at present to inquire how far India may be able to bear the strain which is laid upon her, or how far Great Britain may press it with impunity. There is a point at which the mildest disposition becomes desperate. National wrongs may be slowly realized, but when at last their measure is full, a national outburst will avenge them. Such considerations, sharpened by the vivid recollection of colonies in this hemisphere who shook off the yoke on reasons of a less urgent character than those which may be in India advanced, have probably been sufficient to awaken so far the anxiety of the home government, as to induce it to select the opium plant as a medium for equalizing the exchanges, and restoring to India some portion of her ancient trade. We can fancy the avidity with which a scheme so plausible was pounced upon by the directors of the East India Company. They employed themselves, at once, with planting a province with poppies. One little obstacle remained, before the plans were perfected, by which they could place in the hands of India assets sufficient to liquidate the demands which they had against her,

and that was, that the party by whom the new-fledged production was to be bought, signified resolutely their determination not to purchase it. The East India Company became urgent, as their salaries became due, and, since in the country from whence they were to be drawn there was nothing to satisfy them, that plentiful crops of opium should not only be raised, but that they should find a market where they could answer the purpose of their production. Where should the drug be landed? They could not think of taking it home with them, for a heavy duty would have at once been clapped on it; they could not induce the ports of the continent to admit it, not only because it was a poison, but because it was a dead weight in the market; and, as a necessary resource, the growing taste and the commercial ignorance of the Chinese was hit upon as the medium by which the new production was to be disposed of. Commissioner Lin was forced over the heads of conniving mandarins, to check, if possible, by his presence at Canton, the further entrance of a drug which imperial enactments had already in vain opposed. The amount imported, arrived in 1836, as we have already stated, was 27,111 chests, whose market price was \$17,904,248, and in 1837, from the amount in port at the time the seizure took place, the importation is said to have doubled. It was not because through its means the advantages which had been already possessed by their own monopoly of tea would be more than cancelled, that the Chinese authorities protested against its introduction; but because, in their closely settled and half-civilized people, it produced a devastation the most disastrous and the most confusing. The negotiations which preceded the final concussion have been already narrated in this journal so fully, that we do not feel ourselves at present at liberty to advert to them; but is not the conclusion that was there drawn, that the conduct of Great Britain was in defiance both of the rights of China and of the law of nations, fully justified by the circumstances which had then already occurred, and those which have afterwards followed? We do not wish to underrate the efforts which have been already made through missionaries and schoolmasters, on the part of the home government, to improve the condition both of the Indian subjects and their neighbors. But is it not probable that by grasping at too great a sovereignty it may lose what is already in its possession? Is it not the only safe and honorable conduct that can now be pursued by Great Britain, to retrace her steps, and, by the repeal of the restrictions on East India trade, and the taxes on East India landholders, to establish once more the ancient basis on which the eastern commerce rested? She may rest assured that, supported on such crazy crutches as that which the forced introduction of opium into the market affords, her trade can never retain its supremacy. She may be assured, also, if she is so weak as to meditate the reduction of China as a province, that the wisest wish of her worst enemies is, that she should be gorged with a conquered continent till she falls asleep in a stupor. The northern nations would again spring forth from the secret cells in which, since the Roman empire was feasted on, they have slumbered, and hover around in breathless haste, lest they should be anticipated in their plunder. We trust that through the sturdy wisdom which has borne England so far above the wave, those terrible though necessary consequences, which must follow a course of undue aggrandizement, will be checked. We cannot but hope that as the China war may be pursued from mistaken notions of insulted pride, that after those

imaginary reprisals are made, which in such cases are necessary to heal the breach, that the British squadron will withdraw, leaving the Commissioner Lin still possessed of full authority to enforce his Celestial majesty's prohibitory decrees.

ART. II.—A GENERAL BANKRUPT LAW.

"But ships are but boards, sailors but men: there be land rats and water rats, water thieves and land thieves; I mean, pirates; and then, there is the peril of waters, winds, and rocks."—SHAKESPEARE.

THE subject of a general bankrupt law is one of very grave importance, and is naturally exciting a lively interest among business men. The meeting of congress has led to a more animated discussion of the general policy of such a law.

The Merchants' Magazine, addressing itself to reading and thinking men of all pursuits, yet peculiarly identified with the feelings and interests of traders, may properly be expected to lend its aid to an enlightened discussion of this difficult but important branch of commercial policy. We say commercial policy, because bankrupt laws, although not always confined exclusively to those who are engaged in trade, are nevertheless most needed by, and are mainly designed for, that class of men.

Bankrupt and insolvent laws, and laws allowing imprisonment for debt, were unknown to the common law. They are artificial regulations, originating in an artificial state of society. They were unknown to the simplicity of primitive institutions and habits. When human wants were few and simple; when men watched the flock, or tilled the soil, or followed the chase for a subsistence, any thing like an extended system of credit, or hazardous enterprise, involving great risks and ruinous losses, was unknown. It was not till mankind emerged from barbarism into civilization, and from natural to artificial wants, and thus passed to the pursuits of commerce, that the necessity for such laws was felt or existed. They are the natural product of commercial pursuits. The reasons are obvious. Commercial pursuits are, generally, more hazardous than any other branch of industry in which labor and capital can be invested. Commerce borrows and lends; commerce is a factor; she is also a common carrier. That which she buys and sells is subject to great and sudden fluctuations in value, involving immense losses to buyer and seller. That which she carries is often borne on a proverbially unstable element. While the possessions of the agriculturist are as stable as the "firm-set earth" which he cultivates, those of the merchant are embarked upon the treacherous seas, with nothing but a frail, and perhaps rotten plank, between untold treasures and the fathomless depths below.

Bankrupt and insolvent laws are predicated upon the two ideas of fraud and misfortune; the former of which is coerced and punished, and the latter relieved.

Those who take pleasure in investigating first causes will find matter for much curious speculation in the fact that, for the last thirty-seven years, indeed, with the exception of three years, from the adoption of the federal

constitution, we have had no national bankrupt law. No commercial country, at all comparable with the United States in the extent of its commerce, has been without such laws within the last century.

And the fact seems still more singular, when the condition of our country and the characteristics of our people are considered. Our country is comparatively new; the mass of its population are born to toil; there are vast resources to develop, and numerous hands for their development, with but a scanty supply of the necessary pecuniary means. The consequences are, that the less settled and newest parts of the country are indebted to the older and more populous sections for the loan of these pecuniary means; while the whole country, the old and new parts, in different degrees, are indebted for pecuniary aid to the capitalists of Europe. Credit, as a system, has therefore long, and to a very wide extent, existed among us. The American people are proverbially enterprising; and a facility in obtaining credit, co-operating with a temperament active and sanguine, constantly tempts to enterprises of peculiar hazard, and oft-times singularly disastrous in their results. These losses fall heavily on individuals; but the ardent and enterprising spirit which encounters great labors and hazards for the sake of probable, sometimes only possible success, is, no doubt, the cause of our unparalleled growth and prosperity.

De Tocqueville says, that the American is "the cheapest and the quickest trader in the world." Speaking of the enterprising and vigorous character of the Americans, the same author, (in the first part of his "Democracy in America," p. 403,) says, "The European sailor navigates with prudence; he only sets sail when the weather is favorable; if an unforeseen accident befalls him, he puts into port; at night, he furls a portion of his canvass; and when the whitening billows intimate the vicinity of land, he checks his way, and takes an observation of the sun. But the American neglects these precautions, and braves these dangers. He weighs anchor in the midst of tempestuous gales; by night and by day he spreads his sheets to the wind; he repairs as he goes along such damage as his vessel may have sustained from the storm; and when he at last approaches the term of his voyage, he darts onward to the shore as if he already descried a port. The Americans are often shipwrecked, but no trader crosses the seas so rapidly. And as they perform the same distance in a shorter time, they can perform it at a cheaper rate.

"The European touches several times at different ports in the course of a long voyage; he loses a good deal of precious time in making the harbor, or in waiting for a favorable wind to leave it; and he pays daily dues to be allowed to remain there. The American starts from Boston to go to purchase tea in China; he arrives at Canton, stays there a few days, and then returns. In less than two years he has sailed as far as the entire circumference of the globe, and he has seen land but once. It is true that during a voyage of eight or ten months he has drunk brackish water, and lived upon salt meat; that he has been in a continual contest with the sea, with disease, and with a tedious existence; but, upon his return, he can sell a pound of tea for a halfpenny less than the English merchant, and his purpose is accomplished.

"I cannot better explain my meaning than by saying that the Americans affect a sort of heroism in their manner of trading. But the European merchant will always find it very difficult to imitate his American competitor, who, in adopting the system which I have just

described, follows not only a calculation of his gain, but an impulse of his nature."

The same celebrated author, in the second part of his "Democracy in America," again adverts to the peculiarity of our condition and habits. "In the United States," says he, "fortunes are lost and regained without difficulty; the country is boundless, and its resources inexhaustible. The people have all the wants and cravings of a growing creature; and whatever be their efforts, they are always surrounded by more than they can appropriate. It is not the ruin of a few individuals, which may be soon repaired, but the inactivity and sloth of the community at large, which would be fatal to such a people. Boldness of enterprise is the foremost cause of its rapid progress, its strength, and its greatness. Commercial business is there like a vast lottery, by which a small number of men continually lose, but the state is always a gainer; such a people ought, therefore, to encourage and do honor to boldness in commercial speculations. But any bold speculation risks the fortune of the speculator, and of all those who put their trust in him. The Americans, who make a virtue of commercial temerity, have no right, in any case, to brand with disgrace those who practise it."

These are the opinions of a writer of large views, and a truly philosophical spirit; and that they are not dictated by hostile feelings to either our people or institutions, is proved by the following passage, quoted from the same work:—

"Nations, as well as men, almost always betray the most prominent features of their future destiny in their earliest years. When I contemplate the ardor with which the Anglo-Americans prosecute commercial enterprise, the advantages which befriend them, and the success of their undertakings, I cannot refrain from believing that they will one day become the first maritime power of the globe. They are born to rule the seas, as the Romans were to conquer the world."

That a people so situated, and possessing such peculiarities of character, should have remained so long without provision, by a general bankrupt law, for the reverses naturally resulting from such condition and character, is truly extraordinary; and it will be still more extraordinary if the teachings of both philosophy and experience, on this subject, shall continue to be unheeded.

We propose to present to the readers of the Merchants' Magazine some of the prominent reasons which seem to urge upon Congress the passage of a general bankrupt law. It will be seen that our object does not embrace the proposal of a plan, or the discussion of the details of such a law. At most, we can only state the principles, and the prominent and essential features of such a law as is, in our judgment, imperatively demanded by the condition and wants of the country.

What are bankrupt and insolvent laws? Has congress the constitutional power to pass bankrupt and insolvent laws? Is it expedient to pass a general bankrupt law immediately? To the discussion of these questions we invite attention. First: What are bankrupt and insolvent laws? This question may be answered by definition, and by historical references. They have existed in most commercial nations. The *cessio bonorum* of the civil law bears some resemblance to the English, and still closer resemblance to the French bankrupt laws; but under that system the person, and not the future acquisitions, of the debtor was discharged.

The *cessio bonorum* probably furnished the hint from which most of the modern systems of bankruptcy were derived.

The word bankrupt is supposed to be derived from *bancus*, a bench, and *ruptus*, broken, in allusion to the benches formerly used by the money-lenders in Italy, which were broken in case of their failure.

The first of the English bankrupt statutes was enacted in the time of Henry VIII. That first and imperfect draft has been greatly improved by subsequent statutes. A minute history of English legislation on the subject of bankruptcies and insolvencies would show that it is one of great inherent difficulties; and that the skill of the most experienced statesmen and astute lawyers has been baffled in the attempt to overcome those difficulties. Indeed, the English bankrupt statutes have changed as often as the chameleon changes his hues, or Proteus his shapes.

The statutes of the late and present reigns have greatly improved the English system.

"Bankrupt and insolvent laws," says Chancellor Kent, (2 Com. 388,) "are intended to secure the application of the effects of the debtor to the payment of his debts, and then to relieve him from the weight of them."

Dishonest debtors will not voluntarily, and unfortunate debtors cannot, pay their debts. Against the former class the creditor needs protection; while the latter class needs protection against the creditor. If no debtors were dishonest, and no creditors cruel, there would be comparatively little necessity for bankrupt laws. Such laws are designed to protect the creditor from fraud, and the debtor from oppression. From the dishonest debtor they wrest the property which he misapplies or craftily conceals from his creditors; and from the unfeeling and oppressive creditor they snatch the iron rod with which he smites his honest but unfortunate debtor. They give to the creditor a satisfaction of his demands to the extent of the debtor's property; and they give to the debtor a release of his person and future acquisitions from the burden of his past obligations.

Has congress power to pass bankrupt and insolvent laws?

The 8th section of article 1st of the constitution declares that congress "shall have power to establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States."

The power to establish "uniform" bankrupt laws throughout the Union, was deemed by the framers of the constitution to be so essential, that (as appears by the journals of the convention) nine states voted for the above clause, and only one against it. Its necessity seemed so undoubted, as to be almost unanimously conceded. Mr. Madison appears to have preserved a very faithful record of the debates of the convention, but the Madison Papers contain no trace of any discussion of this section. And its necessity appears to have been equally conceded out of and in the convention. The published debates of the state conventions do not question the necessity or policy of this constitutional grant of power to congress; and the distinguished authors of the *Federalist* dismissed the subject with a single sentence. "The power of establishing uniform laws of bankruptcy," says Mr. Madison, in the 42d number of the *Federalist*, "is so intimately connected with the regulation of commerce, and will prevent so many frauds where the parties or their property may lie, or be removed into different states, the expediency of it seems not likely to be drawn in question."

An attempt has been made to limit the powers of congress, under the

clause of the constitution above cited, to the establishment of bankrupt laws, to the exclusion of insolvent laws. For this distinction there is no authority, either in the terms used, or the reasons for conferring the power. The two species of laws are not sufficiently distinct to enable us to say of any particular provision that it necessarily belonged to a bankrupt law and not to an insolvent law, or *vice versa*. Our colonial legislation, and the European legislation, before the adoption of the constitution, had blended the systems together in such a manner as to make it impossible by any analysis to separate and designate with perfect precision the essential elements of each. We are, undoubtedly, bound to construe the terms of the constitution according to their natural and obvious import. Assuming, then, that the term "bankruptcies" was used by the framers of the constitution according to its then general acceptance, we have no authority for saying that it did not include "insolvencies." But the want of authority for this distinction is more apparent, when we pass from the terms in which the power is granted, to consider the objects for which it was conferred. "If," says Chief Justice Marshall, in his masterly opinion in the celebrated case of *Gibbon vs. Ogden*, "if, from the imperfection of human language, there should be serious doubts respecting the extent of any given power, it is a well settled rule that the objects for which it was given, especially when those objects are expressed in the instrument itself, should have great influence in the construction."

The general *object* for which the power to pass bankrupt laws, and various other enumerated powers were given, was commercial regulation. Many of the powers expressly conferred on the federal government by the constitution, would be entirely useless and impotent, unless we regard, as the framers regarded commerce, as one of the great purposes for the promotion of which we became one people under one constitutional government. That bankrupt laws are commercial regulations there is no doubt. That for all purposes of commercial regulations we are, and were intended to be one people, there is just as little doubt. The want of this perfect identity for commercial purposes was one of the most radical defects of the confederation; and the pressure of this evil led to the *commercial* convention, out of which originated the convention of the framers of the constitution. Every state in the Union trades with every other state in the Union. As a consequence, the citizens of every state in the Union are debtors and creditors to the citizens of every other state in the Union. There are therefore obligations to be enforced and discharged in each and against each. Is it not obvious that the rule by which these obligations are to be enforced and discharged, should be uniform? The people of Albany, New York, and Buffalo, are, in this respect, one people under one rule. Should not the people of New York, Philadelphia, Boston, Cincinnati, and New Orleans, be equally one people for every purpose relating to the enforcement and discharge of these obligations? If one rule in one city, and a different rule in another city, in the state of New York, would be inconvenient, why is not one rule for one state, and another rule for another state, equally inconvenient? Of course, reference is here had, not to the modes of procedure in the courts, but to the ultimate right to have the obligation enforced or discharged. The fluctuating and conflicting legislation of the different states, produces endless uncertainty and confusion in the laws of debtor and creditor. The New York merchant, trading with twenty-nine states and territories, instead of having

one uniform rule, which he can readily understand, and the changes of which he can easily observe, must look to the statute books of twenty-nine state and territorial legislatures, to understand the laws by which his debts may be enforced or their obligation discharged. And he is not only to understand the rules to-day, but to understand them to-morrow, as they may be changed by the fluctuations of caprice and experiment.

This was an evil which had been sorely felt under the confederation, and which was well understood, and designed to be remedied when the constitution was framed and adopted. It will thus be seen that the evil to be remedied, was a fluctuating rule for the enforcement and discharge of pecuniary obligations. Do bankruptcies affect the relations of debtor and creditor? So do insolvencies equally affect those relations. What reason, then, is there for distinguishing between bankrupts and insolvents, and including the power to reach the former, and excluding the power to reach the latter, from the constitution? Does not the distinction show a narrow and quibbling mind? Is it not unworthy the enlarged and comprehensive intellect of the jurist and statesman?

The term used, and the object to be accomplished, are both sufficiently comprehensive to establish the power of congress over the whole subject of bankruptcies and insolvencies beyond all question.

But we have not only the force of general reasoning against this distinction. Legislative and judicial authority are equally against it. Congress, in passing a bankrupt law in 1800, did not recognise the distinction. The Supreme Court of the United States, in the case of *Sturges vs. Crowninshield*, declared that it was impossible to distinguish between bankrupt and insolvent laws.

Chancellor Kent, a most distinguished authority, says, "It is difficult to discriminate with accuracy between bankrupt and insolvent laws; and therefore a bankrupt law may contain those regulations which are generally found in insolvent laws, and an insolvent law may contain those which are common to a bankrupt law." Chancellor Kent cites the opinion of Chief Justice Marshall to the same effect.

Another most erudite jurist, Mr. Justice Story, says, (3 Com. on Const. p. 10,) "What laws are to be deemed bankrupt laws within the meaning of the constitution, has been a matter of much forensic discussion and argument. Attempts have been made to distinguish between bankrupt laws and insolvent laws. For example, it has been said, that laws which merely liberate the person of the debtor, are insolvent laws, and those which discharge the contract, are bankrupt laws. But it would be very difficult to sustain this distinction by any uniformity of laws at home or abroad. In some of the states, laws known as insolvent laws, discharge the person only; in others, they discharge the contract. And if congress were to pass a bankrupt act, which should discharge the person only of the bankrupt, and leave his future acquisitions liable to his creditors, there would be great difficulty in saying that such an act was not, in the sense of the constitution, a bankrupt act, and so within the powers of congress. Again, it has been said, that insolvent laws act on imprisoned debtors only at their own instance; and bankrupt laws only at the instance of creditors. But, however true this may have been in past time, as the actual course of English legislation, it is not true, and never was true, as a distinction in colonial legislation. In England it was an accident in the system, and not a material ground to discriminate who were to be deemed in

a legal sense insolvents or bankrupts. And if an act of congress should be passed which should authorize a commission of bankruptcy to issue at the instance of the debtor, no court would on this account be warranted in saying, that the act was unconstitutional, and the commission a nullity. It is believed that no laws ever were passed in America by the colonies or states, which had the technical denomination of "bankrupt laws." But insolvent laws, quite coextensive with the English bankrupt system in their operations and objects, have not been unfrequent in colonial and state legislation. No distinction was ever practically, or even theoretically attempted to be made between bankruptcies and insolvencies. And an historical review of the colonial and state legislation will abundantly show, that a bankrupt law may contain those regulations which are generally found in insolvent laws, and that an insolvent law may contain those which are common to bankrupt laws."

We think the power of congress over the whole subject abundantly established, both by general reasoning and authority.

Is it expedient to pass a general bankrupt law immediately ?

It has already been stated that the incorporation of the clause into the constitution, giving congress power to pass bankrupt laws, produced no discussion ; that its necessity was obvious and generally conceded.

One of the reasons for such necessity was stated to be the conflicting legislation of the states. The soundness of that reason has been approved by experience. The evil apprehended was not a temporary evil. It existed then, it exists now, and it will continue to exist as long as commercial intercourse between the states continues, or until congress exercises the power with which it is clothed by the constitution.

If the reasons for conferring the power upon congress were obvious, the reasons for exercising that power seem to be equally obvious.

Some powers, from their very nature, such as declaring war and making treaties, for example, are only to be exercised occasionally. Other powers, such as belong to peace, and concern the daily affairs and pursuits of a people, are to be exercised constantly. Or, to speak more accurately, those regulations which concern the daily intercourse and relations of men, must be permanent and not temporary or occasional. Commercial regulations, especially, are expected to be continuing. Bankrupt laws concern the relations of debtor and creditor ; and so long as those relations continue, the necessity for such laws must exist. Wherever the constitution sees an evil, and confers a power to remedy that evil, the exercise of that power should be co-extensive with the evil to be remedied. The evils to remedy which the power to pass uniform bankrupt laws was conferred, have continued to exist, in different degrees, ever since the adoption of the constitution ; and yet, with a brief exception, that power has laid dormant from that day to this. Does the federal government discharge its duties to the states and the people of the Union, while it thus continues to neglect the exercise of this important power ?

The omission of congress to exercise this power, is one of the most extraordinary and inexplicable circumstances in the history of federal legislation.

In 1800, a bankrupt law was passed, limited in duration to the period of five years ; but two years before it had expired by its own limitation, it was repealed. Judge Story, in his commentaries on the constitution, speaking of this law, uses the following emphatic language : " The excel-

lent system, then put into operation, was repealed before it had any fair trial, upon grounds generally believed to be wholly beside its merits, and from causes more easily understood than deliberately vindicated."

Since the repeal of this first and only bankrupt law ever passed by congress, repeated but unsuccessful attempts have been made to induce congress to exercise its constitutional power over the subject. Such an attempt was made in 1818, and Mr. Hopkinson, in supporting the bill reported, said, that he considered the bankruptcy clause in the constitution "as a declaration of the will of the people, that congress should act on this subject at least so far as to establish an uniform rule. It binds us to no system, it is true, but it does enjoin on us most impressively to provide some one which shall be uniform in its operations on the different states, giving a certain known rule, and preventing those numerous and obvious evils that must arise from various and conflicting systems in the different states, by which the relation between debtor and creditor, so interesting to all classes of our citizens, must forever be changing, be imperfectly understood, and be daily producing inequality and injustice between the creditors and debtors residing in the different states. Mr. H. insisted that when the several states parted with this power, it was only to attain that uniformity of system, which could be established only by the general government; and that the states, having surrendered the power for this purpose, had a fair claim on the general government not to disappoint this expectation; but to apply the power to the uses intended by the grant of it."

Mr. Mills, on the same occasion, said, "It is enough for me to find the power 'to establish uniform laws on the subject of bankruptcies throughout the United States,' expressly delegated to congress by that instrument, and to satisfy myself that the exigencies of the country require its exercise, to appreciate the weight of this obligation. Too long, already, has this delegation of authority remained a mere dead letter in that compact; and too long have those for whose benefit it was introduced, called upon you to give it life, and energy, and action."

In 1826, another ineffectual attempt was made in congress to pass a bankrupt law. The lamented Hayne supported the bill reported to congress in a speech of commanding ability. He said, "The first question which presents itself for consideration, is, *the necessity of a bankrupt law*. It is asked 'whether the laws of the states, on this subject, are not adequate to the object?' I answer, decidedly and unequivocally, that there exists the most pressing necessity for now establishing 'uniform laws on the subject of bankruptcies throughout the United States;' and that the laws of the states, on this subject, are inefficient, unjust, and ruinous in their operation. There now exists, in the several states of this Union, upwards of *twenty distinct systems of bankruptcy, or insolvency*, each differing from all the rest, in almost every provision intended to give security to the creditor, or relief to the debtor; differing in every thing which touches the rights and remedies of the one, or the duties and liabilities of the other.

"By the laws of some of the states, debtors cannot be arrested, either on mesne or final process; by others, personal property may be held in defiance of creditors; while, by others, real estate cannot be touched. In some instances, executions are suspended; in others, the courts of justice are closed, or, which is the same thing, delays are sanctioned which

amount to a denial of justice. In some states a few creditors in the immediate neighborhood are suffered, by attachment or other legal proceedings, (often the result of collusion with the debtor,) to secure to themselves the whole estate of an insolvent. In several states, persons arrested for debt are permitted to swear out, as it is called, after a notice of a few days; while, in other states, they are required to lay in jail three or four months.

"In some instances the relief extended is confined to the discharge of the debtor from arrest, in the particular suit; in others, from arrest in all suits; and in some few cases the attempt has been made to release him from all future liability on existing contracts.

"These various systems, unequal and inconsistent as they must be admitted to be, are rendered still more objectionable by being perpetually fluctuating. It was the opinion of one of the ablest judges that ever sat on the English bench, or any other bench, that it was better for the community 'that a rule should be certain, than that it should be just;' for the obvious reason that we can shape our conduct or our contracts, in reference to any known and settled rule, so as to avoid its injurious effects; but when the rule is uncertain, we cannot avoid falling under its operation.

"We are told that it was felt as a grievance by the Roman people, that the tyrant should write his laws 'in a small character, and hang them upon high pillars,' so that it was difficult to read them; but that grievance would have been rendered still more intolerable, if the inscriptions had been varied with the rising and setting of the sun.

"Not a year, hardly a month, passes by, which does not witness numerous, and, in many instances, radical changes in the insolvent systems of the several states. It is found utterly impracticable to conform to them, or to guard against them. It defies the wisdom of the bench, or the learning of the bar, to give certainty or consistency to a system of laws, upon which twenty-four different legislatures are constantly acting, and almost daily innovating, a system which changes with a rapidity which deceives the mental vision, and leaves us in the grossest ignorance.

"Sir, this whole country is filled with unfortunate debtors, who owe their failure to such causes. I have no hesitation in declaring it to be my firm belief and settled conviction, founded on some personal knowledge, and information derived from those well acquainted with the subject, and worthy of entire confidence, that, from these causes, there is a mass of talent, industry—aye, sir, and virtue too—in our country, idle and useless; and that their number is daily and rapidly increasing. Thousands of individuals, who, in the commercial vicissitudes of the last twenty years, have become bankrupt—sometimes from fraud, oftener from imprudence, but more frequently from misfortune—are now struggling out a miserable existence, a burden to their friends and to their country. They live without hope, and will die without regret.

"I confess I felt my confidence in the wisdom of this provision of the constitution strengthened and confirmed, when I discovered that it had been introduced by John Rutledge, and had received the unequivocal sanction of James Madison. In a number of the 'Federalist,' written by that distinguished statesman, speaking of this particular provision of the constitution, he says, 'Uniform laws on the subject of bankruptcy will prevent so many frauds, that the expediency of it seems not likely to be called in

question.' Sir, we are wiser than our ancestors; that which they designed to 'prevent frauds,' we pronounce to be the most fruitful source of frauds. A proposition which seemed to them so clear, that it was 'not likely to be called in question,' we have for twenty years rejected as unworthy even of a trial. It may be, Mr. President, that I am bigoted in my reverence for the authors of this constitution; but I am free to confess that I distrust my own judgment when I find it leading me to discard their precepts, or to reject their injunctions."

Mr. Justice Story says, in his Commentaries, "It cannot but be matter of regret that a power so salutary should have hitherto remained a mere dead letter. It is extraordinary, that a commercial nation, spreading its enterprise through the whole world, and possessing such an infinitely varied internal trade, reaching almost to every cottage in the most distant states, should voluntarily surrender up a system which has elsewhere enjoyed such general favor, as the best security of creditors against fraud, and the best protection of debtors against oppression."

We have thus quoted, somewhat at large, the views of distinguished men, both in and out of congress, to show that the policy of bankrupt laws is not trivial or temporary. The reasons which at different periods have been urged, in favor of the action of congress on this vitally important subject, have lost none of their force; the duty of the general government, none of its sacred and imperative obligation; and the evils caused by the omission of congress to act, none of their malignity.

The omission of congress to perform its constitutional duty on this subject, is fraught with ruinous consequences to both debtor and creditor.

To the creditor, because of the uncertainty, delay, and expense of his remedies against his debtors; the obstacle thrown in his way both by the individual and the law; and the unjust preferences frequently given to classes of debts, and to resident over non-resident or foreign creditors, and again to foreign over resident creditors.

To the debtor, because his discharge is limited, however great the misfortunes which have pressed him down, and however full and honest the surrender of all his property to his creditors. At most, he can only be discharged from the debts contracted in the state where he resides; and his person and his future acquisitions cease to be exempt from liability, the moment he passes the boundary of the state under whose limited law he obtained his discharge.

The policy, on the part of the state, of enforcing pecuniary obligations, is undoubted; and the measure of the policy is the measure of the duty. The common weal in this, as in every other respect, is the end of the social state; and the laws which regulate the relations of debtor and creditor must be moulded by the exigencies of that common weal.

The principle upon which political society enforces pecuniary obligations is this: individuals have surrendered the right to enforce these obligations for themselves, upon the implied undertaking of society to enforce them. Hence the political duty to enforce these obligations is imperative, and limited only by considerations relating to the general good. It will be seen that the duty is not unqualified. One broad exception to the general rule is, that society does not enforce mere *moral obligations* to pay money, although the individuals might have enforced such obligations in a state of nature. There are numerous other exceptions; for example, the contracts of married women, and minors, and contracts not evidenced by writing,

and contracts expiring under the statutes of limitation, are not enforced, although the natural and moral obligations of those contracts may be perfect. Society does not, therefore, strictly enforce all the natural rights of individuals. Why not? Because it governs itself by considerations of expediency; because the good of the few must yield to the good of the many.

In its elementary character, what is a bankrupt law? Simply a declaration, by the supreme law-making power of the state, defining the extent to which, and the mode in which, under certain circumstances, it will enforce pecuniary obligations.

Such a law as is now asked for will enforce pecuniary obligations to the extent of the honest debtor's property, and refuse to enforce them beyond that extent. A bankrupt law does not extinguish obligations, but only declares that society will not, under certain circumstances, lend its aid to enforce them. The obligation to pay a debt remains upon the conscience; the record of it is preserved in heaven; but the coercive power of the law is withheld, because its exercise would inflict a wound upon the state.

That the subject is difficult, and that the best law must be imperfect, is no reason why an effort should not be made to meet the exigencies of the times. All judicious legislation is difficult. All human laws are imperfect. If these were sufficient reasons against legislation, the wheels of government would stand still; indeed, government itself would soon come to an end.

All such general objections against a national bankrupt law go with equal force against any bankrupt law. Against all such reasons we appeal to the great teachers, time and experience. No country that has tried bankrupt laws has ever abandoned them. The greatest commercial nation in the world, England, has had a bankrupt system for over three centuries, and still adheres to it.

The position of the general government in this matter, has been that of the dog in the manger. It would not act itself nor allow the states to act.

The states are not responsible for the suffering and crime caused by the inadequacy of our bankrupt laws. Their powers over the subject are limited, and they have performed their duty to the people to the extent of their constitutional ability. Their action has necessarily been independent of each other, and has produced confusion. They have evinced their desire that congress should exercise its functions, by themselves doing all on that subject authorized by the constitution.

The inaction of congress has been the ground of just complaint on the part of the states. "The commissioners appointed to revise the civil code of Pennsylvania, (see note to 2 Kent's Com. p. 396,) in their report, in January, 1835, complain in strong terms of the existing state of things. Congress will not exert their constitutional power, and pass a bankrupt law; and no state can pass a bankrupt or insolvent law, except so far as regards their own citizens; and even then, only in relation to contracts made after the passage of the law. Foreign creditors, and creditors in other states, cannot be barred, while state creditors may be. The former preserve a perpetual lien on after acquired property, except so far as the statutes of limitation interpose. State bankrupt and insolvent laws cannot be cherished under such inequalities."

The objection, that bankrupt laws induce rashness and carelessness,

undoubtedly has force, but not so much as some suppose. Few would covet the name of a bankrupt; fewer still the process by which he obtains his discharge. We cannot imagine that a live eel ever considers the process of being skinned a pleasant one; and that by which the bankrupt is denuded is very similar. Even if the objection were more weighty than it really is, it applies to the future rather than the past. It furnishes no reason why those whose misfortunes have made them a burden to themselves and to society, should not be restored to hope and usefulness. We respect those who urge this objection in good faith, because it indicates a disposition to look beyond a mere personal interest, and to take a large view of things; but we must still be excused from regarding it as a weighty objection against a general bankrupt law.

The attempt to pass a bankrupt law at the last session of congress, although not successful, was not defeated on its merits. The bill passed the senate, and was lost in the house at the close of the session, probably for want of time to reconcile minor differences as to details.

Never, since the adoption of the constitution, has the necessity for a general bankrupt law been so urgent as now. The last ten years have witnessed the most extraordinary events. The country, at one time, seemed to be towering in the eagle flight of prosperity, but has since fallen, with broken pinions, to the earth. Thousands have been stricken down by the delusions of speculation and the revulsions of trade. Capital invested in legitimate and illegitimate enterprise has perished in each. The coasts of commercial life are thick strewn with the spars and hulls of many a sad shipwreck. Men of immense wealth have been, by a stroke, reduced from affluence to want. The last rays of the setting sun lingered upon palaces which, at the dawn of the morning, lay in smouldering ruins; and so, and as suddenly, passed from the grasp of the enterprising man of business, the acquisitions of years of toil, leaving him the bitter heritage of poverty. Some have fallen, like Lucifer, "never to rise again." The spring of their activity is broken. Mercantile character, delicate as a woman's chastity, which a breath of dishonor may smirch and sully forever, is irrecoverably lost.

But the brave and the craven have fallen on the same field. While some are lost to honor, many have preserved "the whiteness of their souls." They have not fallen by their own unskilfulness, but have been crushed by the fall of others.

To refuse to enact a bankrupt law, is to deprive such men of hope. As to them, you strike the credit system out of existence. The insolvent debtor looks out upon the broad highways of life, upon the land and upon the ocean, thronged with his fellow-men, winning fame and fortune, and enjoying that greatest of human powers, the power of doing good. The multitude press on; occasionally an individual falls, or is struck down, but the mass of human life presses forward in triumph. But the unfortunate debtor looks on without hope. True, his mental and physical powers are unimpaired, but he is excluded from the glorious field of honorable competition. His doom is that of Tantalus—he is tormented with a raging thirst; the cool and limpid waters in which he is immersed, gush and sparkle about him; he cannot drink, but must perish.

Such a man has few objects for which to desire life. Perhaps, possessed of a fine taste, and accustomed to its gratification, he is doomed to bleak walls and a hard crust. Is he well? poverty is his guest. Is he

sick? no fee tempts the physician to cross his cheerless door-stone. He recovers, or dies, as fate or Providence decrees. He is tempted to commit suicide, and his only escape (dreadful alternative!) is from suicide into insanity.

For what purpose all this waste of life? What has this man done that he should be so doomed? Nothing. A night of fire in the crowded city, or of tempest on the wide ocean, has annihilated his property, and made him a bankrupt and a beggar. This man's crime was misfortune; his punishment is worse than the deadliest ever inflicted upon the leprosed felon.

Who oppose the passage of a general bankrupt law? Men whose hearts have long since petrified and become stone. Such men opposed the abolishment of that disgrace to a civilized age and a Christian people—imprisonment for debt. Such men think the utter ruin of the bankrupt is "so nominated in the bond," and the dearly-prized "pound of flesh," and the example of the unrelenting Shylock, are longer remembered than the "quality of mercy" with which the stern Jew was entreated. Such men were born an age too late. Time was when the debtor fell under the keen edge of the criminal code. The Roman law gave the body of the living debtor to be hacked to pieces and divided among his creditors. And in more modern times, among a Christian people, the cold walls of a prison, and exposure in the public stocks, with the debtor's cap as a badge of infamy, have been thought appropriate consolations for the unfortunate. Even in our own day, we have seen the corpse of a no less distinguished benefactor than Sheridan, seized in its coffin and grave-clothes, for debt, and *the cold flesh* of the lamented dead redeemed from the iron gripe of the creditor by the contributions of charity.

Who desire the passage of a general bankrupt law? Two hundred thousand bankrupts; their wives, who have shared with them the bitter cup of affliction; their children, who have borne privation without a murmur, but who shrink from an imputed stain upon a father's name. Two millions of direct sufferers lift up imploring hands to congress. And plead they alone? No; we will not insult the American people by believing it. Millions of their thinking and humane fellow-citizens join with the sufferers, and demand that the power which the humanity of our fathers incorporated in the constitution, shall not remain a dead letter.

Shall the unfortunate appeal to congress for succor in vain? They are our fellow-citizens. The constitution is their constitution; the powers which it confers upon congress were conferred for their benefit. They ask a parental government to exercise its powers parentally. In the language of scripture, "the blessings of those who were ready to perish" will descend upon those who bring succor to the afflicted in this the hour of their greatest extremity.

Put not a freeman's energies in fetters; do not bury the living. The state needs all her children. There is room and verge enough for all. There are resources for development to give employment to all hands, heads, and hearts. In this boundless and glorious land of ours, let no honest face be bowed with shame or despair. Wherever human energies can be exerted, in the workshop, on the broad prairie, in the dim forest, in cultivated fields, or on the boundless ocean, let the contented, vigorous, and hopeful energies of American industry and enterprise be put forth. Let there be freedom in its best and broadest sense for all. Let the un-

fortunate debtor have a FUTURE. Make not his o'erflowing cup of sorrow more bitter ; but in a trustful spirit, with a generous faith in our fellow-man, let us put the prize in his view, and bid him forth with hope, to run as the victor runneth his race.

We commend this cause to the real statesmen of the country. We believe that our institutions have produced statesmen of enlarged and generous minds, who entertain just views of greatness, and seek that enduring fame which, in the language of a great magistrate, "is not run after," but which "follows" the honest exertion of eminent abilities in the service of one's country.

To such, we say, the auspicious opportunity to render your country momentous service, and to win for yourselves the veneration of the wise and good, is now before you. Let not the golden opportunity elude your grasp. Leave to meaner capacities, and to vulgar tastes, the gilded trappings of office, and the ephemeral applause, the "mouth honor," of political conventicles. Disdain to be the man of a faction ; let your country be your party. Be not with the ignoble class,

"Who narrow their mind,
And to party give up what was meant for mankind."

Rather be ranked with the Romillys and Broughams of the old world, and let a nation's enlightened laws be your history and your monuments.

ART. III.—TURKEY, EGYPT, AND MEHEMET ALI.

THE warlike elements which have been for some time gathering in the eastern world, at one time menacing the peace of Europe, are at length marshalled in an attitude so imposing and formidable, as to threaten Mohammed Ali, the Napoleon of the east, as he has been called, with the loss of a part, if not the whole, of his extensive dominions. This sovereign of Egypt, and master of Syria, as our readers already know, has spurned the power of the Turkish sultan, thrown off the Ottoman yoke, and assumed absolute unqualified independence.

The tribute claimed at Constantinople has been discontinued, the resources of Egypt no longer taxed to support a foreign tyrant, and the strength of the Porte, weakened by a succession of wars, and by the assaults of European powers, has been impotent to enforce obedience on the part of his rebellious pasha ; who, supported by the native strength of Egypt, cast his defiance in the teeth of the sultan, refusing for some time past to acknowledge him, even as a nominal master.

Supreme in the land of the Pharaohs, maintaining his sovereignty too by the will of his subjects, and grasping Syria with a firm steady hand, Mohammed Ali, little apprehensive of rebellion within, and no longer fearing the Ottoman power, has for many years been carrying out his favorite plans of European civilization for the improvement of his country, when England and Russia, Prussia and Austria, linking their mighty arms, send forth their armies and their fleets, threatening to war against him, until Egypt, the cradle of the arts, and the nurse of early science, and Syria, filled with its thrice holy places, clasping in its boundaries the

ancient Palestine, shall acknowledge the arbitrary despot of the Turks for their master.

It is at all times a sublime and awful sight to see great nations preparing for warfare; but how infinitely more so is it when four of the most mighty powers on earth arm themselves to avenge the quarrel of another, upon a nation from which they have never received the slightest provocation or injury! How vast is the responsibility they assume, and of what importance is it that the quarrel they undertake should be righteous! An appeal to arms is the most solemn act which men in their political capacity can exercise, and this should only be adopted when all else fails, and then only when the cause is just and holy. And is this crusade against Mohammed Ali just? or is it unjust? Let us proceed to examine, and in this examination will be necessarily embraced an inquiry into the social and political condition of Egypt, as well previous to, as during the time of his administration. For if since his sovereignty commenced, the condition of the people has been ameliorated and improved—if they enjoy milder and better laws, and if the laws are more wisely and justly administered than before, his moral rights to continue in the high station to which his talents, perseverance, and bravery have elevated him, is too firmly settled to be shaken; and to sustain his title, vested in him by the Egyptian nation, the self-evident and undeniable proposition, that the right of revolution, and of choosing its ruler is inherent in every people, need not be stated.

There is no country on earth, whose ancient power and glory, whose former greatness in all that ennoble the human race, entitle it to a higher rank among the nations of the globe than Egypt. In the infancy of Greece, the only nation in Europe that makes any pretensions to antiquity, the land of the Pharaohs was an old country; and in the days of Moses, its people were proverbial for their wisdom and learning, and were particularly revered by the Syrian tribes, by whom they were regarded with wonder and admiration. Nations that now are most conspicuous for their knowledge and power, and which, in modern times, have wielded the mightiest influence, had not entered upon the first stage of their incipient career, when the inhabitants of Thebes and Memphis were brilliantly progressing in civilization and the arts, were investigating the laws which control the machinery and motion of the heavenly bodies, and by the aid of a vast research combined with learned ingenuity, were bringing to light and analyzing the most hidden sciences. Far beyond the records of the earliest civil history, the system of Egyptian government was uniform and settled, and its political fabric fixed upon wise and permanent principles. Surrounding nations slumbered in darkness, their people enslaved, their monarchs tyrants; while Egypt, with her enlightened laws, combined with the cultivation of the sciences, shone a blaze of light, her inhabitants in the enjoyment of many political blessings, her kings the patrons of the arts, and the promoters of learning. Years rolled on, and the knowledge amassed along the Nile, was disseminated abroad, and Phenicia, the first to set the example of commercial intercourse to the rude colonies scattered along the northern coast of the Mediterranean Sea, became the medium through which the learning of the Egyptians was communicated to the ancestors of those to whom Greece owes its ancient greatness, and its imperishable fame. Later still, and yet three thousand years ago, Sesostris, king of Egypt, styled in history the conqueror of the

world, overran a large portion of Asia and Africa, and even carried his victorious arms into the confines of Europe, subduing large and powerful kingdoms, and making them tributary and subordinate to the nation over which he reigned. More than five hundred years elapsed, and Egypt, under the successors of this monarch, or controlled by an oligarchy of twelve governors, maintained its supremacy among the kingdoms of the earth, when its independence was destroyed by Persian arms; and as a province of Persia, or of the Roman empire, it remained for centuries, until its conquest by the Saracens, led on by Amru, a follower of Mahommed, and one of the most politic and warlike of the believers of the great prophet. At the close of the twelfth century, the renowned Saladin ascended the throne of the Pharaohs. The battles which he fought with the mailed crusaders, who at successive periods endeavored to wrest the holy city from the grasp of the infidels, the mighty resistance which their combined forces, amounting to three hundred thousand warriors, met with before the walls of Ptolemais, better known by its modern name of Acre, and his fierce encounters with the lion-hearted king of England, have given him an imperishable name; while his encouragement of literature and schools, which, amid the clash of arms, and the din of contest, he did not forget to promote, added a mild lustre to his reign. It was under this monarch that the foundation was laid for the ultimate sway of the Mamlouks; and as we shall find it necessary, in the course of our article, to mention this remarkable class of men, we will here notice their origin.

As was often done in former ages, Saladin, in reality a usurper, who did not place entire reliance upon the loyalty of his native troops, encircled his person with a band of foreigners, composed of slaves, purchased or made captives in the provinces bordering on the southern shores of the Caspian Sea. This body-guard, whose descendants subsequently, and for a long space of time ruled the destinies of Egypt, were called Mamlouks. The introduction of these men, by successive monarchs, was continued upon a large scale. Their power was increased, and many new privileges were conferred upon such of their number as distinguished themselves in the field, until they made themselves so formidable by their military prowess, as to bid defiance to the reigning power, which Ibeg, one of their number, at length usurped; and the Mamlouk dynasty swayed the affairs of Egypt, during a period of one hundred and twenty years. It was then doomed to expire, and another usurper, springing from a new class of slaves, laid the foundation for a new race of kings. Of the many young men annually taken by force, or purchased and brought into Egypt, numbers came from that portion of Western Asia now denominated Circassia. These were distributed throughout the country in forts, and were called Borghites, or garrison troops, to distinguish them from those who served in the field. Boreck, one of their captains, a man eminently wise and brave, supported by their strength, which had increased even more rapidly than that of the Mamlouks, finally seized the sovereign power, and thus established a second dynasty of slaves, which was perpetuated until the conquest of Egypt by the Turks, in 1517, when it was reduced by their victorious arms to the condition of mere province.

We have thus hastily and very briefly reviewed some of the prominent revolutions which the government of Egypt underwent for centuries down to the period of its subjection to the Ottoman Porte; and our object in

doing this, has been as well to show the declining power of its native inhabitants, the intellectual darkness which gradually stole over a people once so enlightened, and the growing facility with which a powerful and ambitious man, particularly the head of a fierce band of warriors, could leap into the throne, and for a time at least, wield the destinies of this distracted nation, as to present the vast, and apparently the insurmountable difficulties to be overcome in rebuilding its political fabric upon the wise and firm basis, which, in the earliest ages, had so eminently distinguished Egypt from the other nations of the earth. Every successive generation had for many centuries multiplied the numbers and power of the Mamlouks and Borghites, while the strength and influence of the native Egyptians were continually weakened; and while the latter were gradually deprived of all participation in administering the more important departments of the government, foreigners, whom their ancestors had originally introduced as slaves, had unriveted their chains, until they finally trod upon the necks of their former masters.

While this devoted country was thus groaning under the successive horrors of despotism and anarchy, no improvement in the condition of its miserable population could have been expected. Confusion and chaos reigned throughout every portion of its political organization. Every department of its civil administration was swayed by dark-minded, blood-thirsty tyrants, whose sole object was the acquisition of power, which was in part accomplished by wrenching from the defenceless beings over whom they ruled enormous taxes, enforcing payment at the point of the sword. Throughout the vast extent of this land, possessing as rich a soil as any of which the world could boast, its native inhabitants were loaded with the accumulated evils of cruel exactions and the most abject poverty. Oppressions of every nature were heaped upon them, and until they could again rise to their legitimate position as rulers, no improvement in their laws, no advancement in the scale of that progressive civilization which was gradually spreading over the nations of Europe, could have been anticipated with the slightest degree of hope or confidence; and, when the Turks, after many fierce and bloody battles, had finally completed their conquest of the land of the pyramids, it seemed in little danger of being worse governed by them than it had been, for ages previous, by its domestic usurpers.

But in tracing its history from that period down to the time Mohammed Ali became invested with its sovereignty, marking, as we glance along, a space of some three hundred years, the numerous tyrants that rapidly succeeded each other in the government of the conquered province, causing by their cruelties, internal convulsions, intestine wars—ending, perhaps, in hurling one ruler from his seat, and exalting a rival despot in his place, whose power would soon disappear before the swords of a faction mightier than his own,—we cannot but perceive that these have been as gloomy, if not the darkest, and most dreary ages in the annals of Egyptian history. And for the purpose of clearly presenting the broad and just foundation upon which the claims of Mohammed to the government of Egypt are based, we trust that our readers will not be wearied if, in enforcing our views upon this point, we notice the leading events which characterized the rule of the Sublime Porte over its subordinate province, from the period of its conquest down to the appointment of the present pasha. This we promise to accomplish with all possible brevity; and, although the condition of Egypt, as we have described it under the

sway of the Mamlouks and Borghites, discloses a picture extremely revolting, yet the main features presented in the government of its Turkish masters are still more disgusting and horrible. In examining this branch of our subject, it will appear that the sultan has never, except perhaps during short periods, exercised more than a mere nominal sovereignty over the nation which he now calls upon the great powers of Europe to assist in subjecting to his sway; but, that its government has, in fact, been administered by viceroys, elevated by intrigue or open armed power, leading oftentimes to bloodshed, who, through the influence of a weighty name, and supported by numerous military adherents, have violently seized upon the sovereignty, maintaining it by the sword, and in open defiance of the Turkish monarch.

As the form of government established in Egypt by the Turks was somewhat peculiar, its general outline may not be uninteresting. It consisted of a divan or council, composed of the heads or commanders of the seven military bodies, over which the pasha or viceroy always presided. Twenty-four beys, composed at first mostly, and afterwards entirely, of Mamlouks, presided over as many provinces or districts, into which the nation was divided; and from these were chosen the remaining grand officers of the nation, consisting of the sheik el belled, or governor of Grand Cairo; the janizary aga, or commander of the janizaries; the defturder, or accountant-general; the emir el hadgi, or conductor of the caravan; the emir el said, or governor of Upper Egypt; and the sheik el beklim, or governor of the sheirfs.

It was during the sixteenth century, and when Soliman the First, of Turkey, was involved in war with the great European powers, that the beys of Egypt began to exercise a power which, in a short time, rendered them too formidable to be successfully resisted. Intrusted as they then were with the collection of the revenues of their respective districts, it was in their power to levy them promptly, and, if necessary, with severity; to delay their collection for a ruinous length of time, or even to remit them altogether. Placed in control of the very source from whence the government derived its support and maintained its military establishment, the pasha and the members of the divan assiduously courted their favor; while they, in turn, ministered to the rapacity of the divan and its head, until, by a silent and gradual acquisition of power, they had, in a short time, obtained the almost unlimited control of public affairs. Whenever a vacancy occurred in the head of a province, the most influential bey had his favorite Mamlouk appointed to fill it; and in this manner, the most powerful of these chiefs, grasping fresh patronage at every stride, secured a still greater share in administering the government, until, at length, the Mamlouks became, as they had formerly been, the only efficient soldiers in the state. Seizing upon circumstances like these, and rising step by step to the consummation of his wishes, veiling his designs until they were ripe for execution, and concealing his object until strong enough to grasp and retain it, Ibrahim, one of the veteran colonels of the janizaries, succeeded, about the middle of the last century, in making himself master of Egypt. By lavishing presents upon the officers and soldiers of his corps, he had endeared them to him, until they were devotedly attached to his interests; and, when Rodoan, the most powerful of the Azab colonels, espoused his cause, his political ascendancy was rendered complete. Compared with the power of Ibrahim Bey, that of the pasha dwindled into

insignificance; his authority was utterly disregarded; that of the sultan was treated with contempt; while the daring and rebellious bey, independent of all earthly sovereigns, relying only upon his fierce warriors, wielded the absolute government of Egypt. At his death, eight Mamlouk beys, who were his enfranchised slaves, united, and after slaying Rodoan, assumed the administration of the government, which they managed through the influence of a cabal, and for the period of ten years maintained their independence, defying the Sublime Porte, and inflicting upon the poor natives all the miseries of a wretched and most cruel government.

At the expiration of this time, Ali Bey, one of their number, gained the superiority of his rivals, and made himself master of the whole country. The history of this remarkable personage, who, throughout his eventful career, disclosed the most brilliant and striking traits of character, was extraordinary. He was the son of a Circassian peasant, and after being bought or captured as a slave, was taken to Grand Cairo by a Jew, who gave him to the celebrated Ibrahim. His new master, whose quick perception early discovered the talents possessed by his young slave, bestowed upon him the usual education possessed by the higher order of Mamlouks; which, at that period, consisted of the most finished horsemanship, combined with the ready use of the carbine, pistol, and sabre; expertness in throwing the lance; and sometimes, a little reading and writing. In all the exercises of arms he displayed such activity and fire as speedily distinguished him from all his companions, and obtained for him the appellation of *Djeudali*, or *Madcap*. Upon arriving at manhood, he was enfranchised by his indulgent master; appointed one of the twenty-four beys; and, at the death of his powerful patron, he united with the eight beys we have mentioned, and was the principal instrument in precipitating Rodoan from his elevation. After this was accomplished, and while preparing plans for future aggrandizement, his rising power and growing influence excited the envy and fears of rival usurpers, who united against him; when, to escape beyond the reach of the fierce elements that were gathering for his destruction, he left the country, and retired into voluntary exile.

Two years had elapsed, and his name was half forgotten, save by a chosen band of his most faithful followers, when he suddenly appeared in Grand Cairo; slew four of the most powerful beys, banished four others, and from that moment became the head and front of the dominant party. The pasha he immediately expelled, grasped the supreme power, refused to pay the annual tribute, bid defiance to the Turkish sultan, and assumed the high prerogative of coining money in his own name. The Sublime Porte, at that time engaged in the affairs of Poland, and fearful of the vast and lawless pretensions of Russia, which the latter, backed and supported by its giant strength, was putting forth, found it impossible to recover even a nominal sovereignty over the land of the pyramids; and, despairing to effect the subjugation of its mighty vassal by force, the usual methods of Turkish tyranny, poison and the bowstring, were secretly attempted, which Ali, ever watchful and vigilant, contrived to turn with deadly effect against those who bore them. Firmly seated upon the throne he had so successfully usurped, he equipped a strong fleet in the Red Sea, and took possession of Mecca and Djidda; at the latter of which places it was his intention to establish the emporium of Indian commerce, and thus supersede the necessity of a voyage by the Cape of Good Hope.

The more effectually to consummate this noble purpose, he, in 1771, turned his arms against the Turkish power in Syria, marched sixty thousand men into that country, under the command of Mohammed Bey, his friend, and fought a grand pitched battle with the Turks, in which the Mamlouks were victorious. But the ambitious plans of Ali were thwarted by the treachery of his general; who, bribed by the sultan's gold, commenced a shameful retreat; leaving behind him, in his precipitate flight, his principal military stores, and heavy artillery. After turning his back upon the plains of Syria, no obstacle arrested him until he presented himself before his astounded master in Grand Cairo; who, remembering the former valuable services of his treacherous subject, inflicted upon him no other punishment than that of banishing him to the provinces. There he collected around him numbers of the discontented Mamlouks, until at length his followers swelled into a formidable army; and, determined to be revenged upon the author of his disgrace, and aided in no slight degree by the assistance and encouragement he received from the Ottoman Porte, he marched to the neighborhood of Grand Cairo, where a fiercer battle was fought, in which Ali, after being terribly defeated, fled into Syria. There, with the assistance of Daher, his old ally, he drew around him a small band of warriors, with which he attacked the Turkish army that was marching to seize him; and although it was more than three times the number of his own, the fortunate star, which but once in his life had deserted him, returned, and so furious were the charges he made, that his enemies were put to flight. Elated with his success, and resolved to recover the sovereignty of Egypt, he determined to retrace his steps, and once more try his fortune with Mohammed on the field of battle. Russia, at that time as willing to assist in wresting Egypt from the grasp of the sultan, as she now appears anxious to assist him in retaining it, offered to assist Ali in regaining the throne; promising him the aid of both soldiers and money. But he had grown impatient; and, contrary to the advice of his friends, refused to delay his expedition until the arrival of those resources; but, placing himself at the head of his troops, marched into the Egyptian territory, where he was met by an army under one of Mohammed's generals, by whom he was defeated, taken prisoner, and afterwards murdered; and thus ended the career of the most remarkable man, with the exception of its present sovereign, who has appeared in Egypt for centuries, and who had long engaged the attention of the politicians of Europe, by whom he was looked upon as an individual likely to produce a beneficial revolution in the distracted country over which he reigned.

The short rule of Mohammed was marked by horrid atrocities. He pretended the most servile submission to the Porte, and sent the long delayed tribute to Constantinople, while he was, in reality, the unlimited and despotic master of Egypt, with power as absolute as that claimed by his predecessor. To revenge himself upon Daher, who, as we before remarked, had been the friend, and at one time the protector of Ali, Mohammed resolved to march into Syria; and, having obtained the permission of the Porte for that purpose, he at once proceeded upon the expedition, and in a short time commenced the siege of Jaffa. A treaty having been concluded between him and those commanding the forces in defence of the town, in violation of its provisions, and taking advantage of the security into which the inhabitants were lulled, he rushed in with his army, and by his orders the entire population, consisting of men, women, and

children, were indiscriminately butchered; and not content with the perpetration of this horrid barbarity, he caused an immense pyramid, composed of the heads of his victims, to be erected in commemoration of his victory. Leaving this bloody scene, he advanced to Acre, and demanded that all the immense wealth of the city should be delivered to him, under pain of the massacre of its inhabitants, together with the numerous European merchants who resided there; and this fearful alternative would have been enforced by him, had not his sudden death prevented its execution, and caused the immediate return of his army to Egypt, being led back by Mourad, his favorite general.

The death of this tyrant, who, throughout his bloody career, had displayed the ferocity of a robber, the rapacity of a plunderer, and the baseness and ingratitude of a traitor, opened the way for new scenes of anarchy and bloodshed, in the choice of a successor. The moment his death was known at Grand Cairo, Ibrahim Bey, one of his freedmen, endeavored to grasp the vacant sovereignty; but in this he was opposed by Mourad, who, more warlike and powerful than his rival, disputed his pretensions with the sword; when the former, fearing to risk his throne in a contest with the fierce Mamlouk, consented to share it with him, and they reigned together. This joint administration, while it could not be more cruel than that by which it had been preceded, fostered the spirit of anarchy, which reigned in fearful triumph throughout the entire country, and in a short time excited the jealousies of the beys, two of whom, Hassan and Ishmael, of the house of the renowned Ali, armed their followers, collected their adherents, took the field against the double head of their nation, fought one long and bloody battle, and sustained a terrible defeat, amounting almost to annihilation.

But the harmony which had induced the rivals to arm against their common enemy, disappeared with their destruction. Each placed himself at the head of a fierce and powerful party; each in turn fled from Cairo into Upper Egypt; and when at length their armies were drawn up in sight of each other, and a few hours would have decided which was to sway the destinies of Egypt, a negotiation was opened, a treaty was formed between them, friendship was restored, they again mounted their throne, and renewed their tyrannical government.

In 1786, the sultan resolved to assert his long lost sovereignty over Egypt, and for that purpose sent Hassan Pasha with 25,000 men, who landed at Alexandria in July, and at Mentorbes was met by Mourad at the head of his Mamlouks. Here a terrible conflict ensued; but the ground was so soft, that the Mamlouk horsemen, sinking deep into the earth at every step, formed no match for the Turkish infantry; by whom, after a dreadful slaughter, they were routed in every direction. Cairo opened its gates to the victorious pasha, who continued his march into Upper Egypt, in pursuit of the beys, with whom he at length made a treaty, by which the Mamlouks were guaranteed the possession of the entire country, from Barbieh to the frontiers of Nubia, on condition of relinquishing the remainder.

After accomplishing this, the Turkish pasha returned to Cairo, where he ruled with moderation and wisdom, until 1790, when he was carried off by the plague. At his death, the sultan endeavored to continue his authority over the Egyptian territory; but the fierce Mourad and the wily Ibrahim, returned from their exile, seized upon the supreme power, turned

their weapons against all who opposed them, armed their numerous adherents, and bid defiance to the Porte and his authority. From that time, until 1798, they exercised the most despotic sway over this devoted nation; and at that period, as our readers well know, Napoleon landed at Alexandria. Continuing his march, he reached Imbaba, a small village about seven miles from the great pyramids; when the Mamlouks, who there awaited his approach, charged upon his army, but were terribly beaten, and precipitately fled.

The result of this expedition to the French is well known. Bonaparte crossed into Syria, reduced Elarish and Jaffa, and opened his trenches before the important city of Acre, from whence he was soon compelled to retreat with the loss of a large portion of his choicest troops.

This invasion of Egypt by the French, accomplished, in the end, that which the sultan had been impotent to achieve. England, fearful that France contemplated the conquest of Syria and Egypt, and the mastery of the Mediterranean and the Red Sea, that she might control this great highway to India, resolved to thwart her views; and for this purpose sent a strong naval and land force to co-operate with the Turks in Egypt. On the 21st of March, eighteen hundred French were defeated near Alexandria, and the city taken by the English and Turkish forces; and Egypt was once more compelled to acknowledge the sultan as its master; who agreed that as the Mamlouks had assisted in destroying Napoleon's army, they should retain their former rights, on condition of paying the annual tribute, maintaining allegiance to him, and acknowledging the authority of his pasha as viceroy of the nation. This they consented to observe, and the beys, who were thus pardoned for their former rebellious conduct, accepted an invitation of the capitan pasha to visit the Turkish camp. There they were entertained with the utmost apparent hospitality; every attention was lavished upon them; costly amusements were provided for their gratification, and no expense spared to render their stay pleasant and agreeable. But beneath all this show of kindness the Mamlouks suspected treachery, and communicated their suspicions to General Hutchinson, commanding the British army, who silenced them by pledging his word that they were unfounded. Nothing took place during their stay which furnished the least foundation for their fears; and in a short time they were again invited by the pasha to visit his camp. This, like the other, was accepted by the rough Mamlouks, and the same pleasures and amusements were provided for them as before. But a terrible tragedy, planned by the sultan, who was determined to destroy their power at a blow, awaited them. They were invited, in company with the pasha, to proceed upon a sailing party. They had proceeded a short distance from the shore, when a small cutter swiftly pursued and soon overtook them, containing an individual who professed to be the bearer of despatches from the sultan to his pasha. The latter stepped into the cutter, on pretence of reading them more at leisure, and fell astern, while the beys were propelled swiftly onward. They had not proceeded far before several large heavy armed ships were seen approaching; and when escape was hopeless, they saw the inevitable destruction which awaited them. A deadly fire was soon opened upon them from the frigates, and with such effect, that nearly all were slain; a few only escaping to bear the tale of Turkish treachery to their fierce companions in the provinces.

After the consummation of this hellish act, Mahommed Kusrouf, a

Georgian by birth, and once a slave, was appointed pasha ; whose weakness of mind, indecision of character, suspicious and tyrannical disposition, rendered his administration more destructive to the liberties, the happiness, and true interests of the miserable inhabitants, than any with which Egypt had been cursed and desolated for many years.

It was during the rule of this pasha, that Mohammed Ali, now so prominent among the sovereigns of the earth, first distinguished himself, and by his talents and bravery, commanded the admiration of his countrymen. This celebrated individual was born about the year 1769, is now 71 years of age, and still retains, in a wonderful degree, the mental vigor of his youth. He is a native of Cavalla, a small town in Roumelia, a district of Albania. Losing his father at a very early age, he was taken under the protection of the governor of the place, by whom he was provided for and educated. The bravery and impetuosity, and what was still more remarkable, the great skill and judgment for which he was distinguished, even in extreme youth, excited the admiration, and not unfrequently the astonishment of all who knew him. One instance will illustrate his character in these respects with peculiar force. When he was but thirteen years old, the inhabitants of a neighboring village refused to pay his protector the accustomed tribute. The moment he heard of their disaffection, he exclaimed, "Give me a dozen troopers, and a good horse, and I will engage to get the impost." A fleet steed was furnished, which he mounted, and placing himself at the head of nine soldiers, soon reached the village. Most of the inhabitants were absent in the fields, and he at once proceeded to the mosque, and demanded to see four of the principal men of the place, who, supposing him to be the bearer of some amicable proposition from the governor, appeared before him. These, by his orders, were instantly seized and carried away, and although pursued by a host of the enraged inhabitants, he threatened them with the instant destruction of their chiefs if they molested him ; and they were rapidly borne off to the governor, who, having them in his power, compelled the prompt payment of the tribute, which was never afterwards refused or withheld.

This bold and daring act made him celebrated throughout the country ; and the reputation he acquired procured him a wealthy wife, a relation of the governor ; and, having a taste for commerce, he embarked a portion of her riches in the tobacco trade, by which he rapidly amassed a large fortune. But his peaceful pursuits in no degree quenched the warlike ardor that burned within him, ready to burst forth upon the first occasion. A fierce robber, who headed a powerful band of well-armed followers, had long committed depredations throughout the district, defying all the attempts that were made to take or destroy him. At length, so universally was he feared that none could be found bold enough to attack him ; and Mohammed Ali, whose daring spirit nothing could intimidate, with a little handful of soldiers, met the bandit leader near an old ruined dwelling, accompanied by a few of his followers ; and under pretence of effecting some compromise, they entered it alone, when Ali struck him dead at a single blow, cut off his head, and threw the bloody trunk out of the window. This act, while it relieved the district from the scourge which had so long infested it, spread the fame of Mohammed far and wide ; and upon the invasion of the French, he was placed at the head of three hundred troops, and made a captain in the regular army. He then applied him-

self with the utmost intensity to the study of French tactics, and endeavored to obtain a thorough acquaintance with the suggestions so earnestly enforced by Napoleon, on the importance of the regeneration of Egypt. His conduct in the field attracted the marked attention of the Turkish commander, by whom he was recommended to the governor of Cairo, and in a short time he was appointed to command one great division of the grand army; and when the Georgian pasha we have mentioned, actuated by motives of revenge, resolved upon the massacre of the Mamlouks, he enjoyed the rank of second in command of the forces sent against them. This expedition proved most disastrous to the Turks, who were met by the Mamlouks, and dreadfully defeated; and whether this result was attributable to the fault of Ali or his commanding officer, or to the superiority of their fierce enemies, certain it is that he was accused of misconduct and disaffection, and was ordered into exile. The moment he learned this, he placed himself at the head of his division, and refused to leave Cairo until his troops were paid. This alarmed the pasha, who instantly opened its gates, and admitted Taher Pasha, at the head of his Albanian guards, for the purpose of keeping Ali in check. In doing this, he sealed his own destruction. The Albanians were no less clamorous for their pay, which had long been withheld from them; and growing furious, they attacked the palace, expelled the pasha and his household, and invested Taher Pasha with the viceroyalty of Egypt.

The horrid barbarities perpetrated by this new ruler, terminated his reign in twenty-two days, and the actual government of the country reverted to the Mamlouks, under the veteran Ibrahim, Osman Bardissy, and Mohammed Ali. The sultan, whose mandates had long been disregarded, sent a pasha of distinguished rank to control the affairs of Egypt; but the beys, who were high in the ascendant, revenged the treachery inflicted upon their order when on their sailing excursion, by putting him to death. This indignity offered to his authority, the sultan was impotent to avenge; and the rule of the Mamlouks continued, until Ali, who was not one of their number, fearing they might attempt his destruction, succeeded in embroiling Bardissy, who was hot-headed and violent, with his associate beys, and in the confusion that reigned, attacked him with his own hand, drove him from the capital, and reinstated the exiled pasha.

The plans of Ali were at this time hardly matured, although the more prominent lines of his future policy were nearly completed. His object in restoring the expelled pasha, was to conciliate the Porte, until his vast scheme should be ripe for execution, when he could safely throw off the mask and embark upon the accomplishment of his grand and long-cherished project of civilizing and regenerating Egypt.

The views he entertained were at length suspected by the sultan, who, in 1804, issued orders requiring his immediate return to the country, with his Albanians. In answer to his mandates, Ali urged the power of the Mamlouks, the fierce hostility they breathed towards the authority of the Sublime Porte, intimated that the state of Egypt was too unsettled to permit his departure with safety to the interests of the nation, and absolutely refused to obey. To attempt his forcible expulsion was out of the question; but, firmly resolved to accomplish his purpose, the sultan, in the year following, sent a firman to Grand Cairo, conferring upon the powerful chief of the Albanians the appointment of pasha of Djidda, and of the port of Mecca, on the eastern shore of the Red Sea. Perceiving the ob-

ject of his nominal master at a glance, the aspiring Ali declined to accept the proffered honor; and his army, incensed at the efforts made to banish their brave general, became seditious and violent; and, as he alone was able to calm the rising tempest, and rule the furious elements which again threatened Egypt with the horrors of civil warfare, the pretext for his continuing in Cairo daily strengthened. The pasha, a mere puppet in his hands, to whom he owed his restoration and the gaudy trappings of office, without the shadow of its power, could not enforce the will of his master, and Ali continued to remain in his stronghold. But the grand act of the drama, in which he played the principal part, was yet to appear. His skill and bravery as a general had warmly attached the army to his interests, and being a native-born Egyptian, and the natural enemy of the Mamlouks, to whom, for centuries, the people had owed the greatest portion of their miseries and their degradation, he was greatly endeared to them; and, by universal acclamation, he was entreated to assume the title and duties of viceroy. This he at first refused; but it was the consummation of his brightest hopes, and a little persuasion induced him to mount the throne of the Pharaohs. The pasha, again deprived of his seat, called in the aid of the Mamlouks, to assist in hurling Ali from his place; and, while making preparations to take the field with his dangerous allies, he received orders from the sultan to deliver up the citadel, and leave Cairo. But the Mamlouks, resolved upon the destruction of their powerful enemy, refused to abandon the field. They attacked the viceroy with their whole strength, were dreadfully beaten, and retreated with the loss of so many slain as to render their number no longer formidable.

The result of this battle inspired the sultan with many apprehensions; who, determined that no one interest should predominate in Egypt, and ever treacherous and cruel in the means he employed to effect his purposes, sent his capitan pasha to that country, with secret orders to assist the Mamlouk beys in dethroning Ali and recovering their authority. On the arrival of this envoy, Ali was ordered to appear before him. This he refused to do; and the Porte, finding him too firmly seated in power to be shaken, directed his capitan pasha to make the best terms with him he could, and then to leave him in possession of the vicerealty. This was accordingly done, and soon after, he was voluntarily confirmed in his high office by the Ottoman Porte; and, Elfy Bey and Bardissy, two of the most powerful of the Mamlouk beys, dying about that time, he found himself undisputed master of Egypt.

Having traced the political revolutions which, until this period, had for centuries distracted the land of the Pharaohs, and having proved, as we promised, that these revolutions have been equally if not more violent and destructive, since the conquest of the Turks, and that the sovereignty of the grand seignior has generally existed but in name, we need hardly inform our readers that when Mohammed Ali commenced his reign, the condition of the country was wretched almost beyond description. Anarchy reigned in every department of the government; the laws, such as existed, were disregarded; and the privileges of the humble and weak were trampled upon by those whom nature or circumstances had rendered more powerful. The barbarities of the Mamlouks had reduced the lower classes to the most pitiable state of slavery, while their property was seized and appropriated by these military robbers, with the utmost impunity. Security of person or of property was unknown, justice was no longer administered,

and the social relations of life were openly violated. The soldiers were mutinous and undisciplined, with no feelings of attachment for the country, upon the resources of which they preyed; and entertaining for the miserable natives hatred and contempt, they were ever ready, for the purpose of plunder, to create civil wars, or to hoist the standard of rebellion. The financial department was wretchedly managed, and the most cruel extortions were practised in wrenching from the inhabitants the taxes necessary to create a revenue. Agriculture was neglected, and those who followed it often saw the crops they had toiled long and hard to rear, seized and borne off by bands of armed depredators. Commerce was almost unknown, and the few engaged in it were liable to be stripped of their merchandise by robbers and soldiers. The darkest ignorance prevailed throughout the entire nation, and the land which had cradled the arts and sciences in their earliest existence, which had been the first, and once the only home of learning and refinement, was shrouded in lamentable ignorance. The religion of the "true believers" was alone acknowledged, while the "dog of a Christian" was hated, spurned with contempt, spit upon, the memory of his Saviour reviled, and his most sacred feelings outraged by the haughty mussulman.

No sooner was the sway of Mohammed Ali firmly established over Egypt, than his grand theory for its regeneration was introduced, and his first project, and one too which will confer a lasting honor upon his name, was to repress the power of the Mamlouks, by forming an army for the national defence, composed entirely of the native population. Many powerful obstacles were to be overcome in doing this, not the least of which was to destroy the influence of the most prominent among the Mamlouk beys, who had ever opposed the introduction and employment of any as soldiers except their own followers. This was a matter of no little difficulty, and yet one which the viceroy determined to accomplish. The objections to the employment of these barbarians were insuperable. The natives regarded them with hatred and fear, and any attempt to have formed a large army, composed in part of each, and commanded by native and Mamlouk chiefs, would have been impracticable and dangerous. The expense alone of maintaining the latter and their followers was enormous, and furnished, besides the more powerful considerations of public safety, strong reasons for ceasing to employ them. The sum required for their support did not fall below a million and a half of pounds sterling per annum,—more, during some years, than the entire revenue of Egypt,—and the wretched Fellahs, or cultivators of the soil, were compelled to pay heavy taxes to maintain these military tyrants, upon whose fickle will the tenure of their lands generally depended. The most weighty arguments urged the immediate destruction of the Mamlouks, *as a political body* at least; and as they were in open arms against Mohammed Ali, his own safety, and the completion of the plans he had formed for the improvement of his native land, depended upon the utter annihilation of their power. Placing himself at the head of his troops, he pursued their retreating forces into Upper Egypt, and there engaged a large body of them, which he defeated, and was preparing to reduce their strength still more, when his plans were frustrated by the commencement of hostilities between Great Britain and the Ottoman Porte. Returning from this expedition in 1807, he found Alexandria in possession of an English army, composed of five thousand men, under General Fraser. These he in-

stantly attacked and routed with considerable loss, which may afford some explanation for the animosity with which the "Bull family," who do not easily forget a sound drubbing, regard him.

Having thus rid the country of its foreign invaders, he again directed his attention towards exterminating the Mamlouks, whose power he effectually crushed, by destroying the most noted of their number in 1811. This accomplished, he bent his whole energies to the improvement of his army, which, as we have already stated, he was resolved should consist of native Egyptians, who would feel an interest in supporting his authority. To collect the materials for a strong military establishment was an easy task; but to discipline them in the European manner, which he was determined to do, was fraught with difficulties almost insurmountable. The army, long composed of Mamlouks, who knew no subordination, was in a great measure exchanged for Arabs and peasantry, equally averse to order, and quite as difficult to train. The first attempt that was made to introduce the European discipline among them, resulted in consequences so seriously affecting his safety, that a man of less perseverance and boldness would have given up the scheme in despair. Some French, who had deserted from Napoleon's army during his expedition into Egypt, were employed by Mohammed to instruct his forces, who commenced drilling them with a severity and strictness which at once exasperated the feelings of the soldiery, and inspired them with the utmost hatred towards the new system. Their disaffection soon broke out into open rebellion. The subordinate officers were assassinated on parade; and, on the 4th of August, 1815, a day previously fixed upon for that purpose, the soldiers assembled in large bodies, cast aside all restraint, and, after murdering such of the officers as they could find near Cairo, they marched into the city with the avowed object of plundering it and destroying Mohammed Ali; who, upon learning of their revolt, sent five hundred muskets to the Franks, to enable them to make a defence, and then found means to elude his pursuers until evening, when he was escorted by his loyal guards to the citadel. In the morning he issued a proclamation, offering a general amnesty to all such as would return to their duty, and promising to discontinue a system which had so speedily fallen into odium and reproach. This had the desired effect, and they again submitted to his authority, and promised obedience.

Notwithstanding all that had taken place to retard his favorite purpose of disciplining his army in the European style, he by no means relinquished it; and, under the superintendence of Colonel Selves, a Frenchman, now commonly known as Soliman Pasha, his object was at length triumphantly accomplished. This officer selected from the body-guard of Mohammed Ali between three and four hundred Mamlouks, young, strong, and active, who were placed under his command, and sent into Syene, in the southern confines of Upper Egypt, and placed into complete isolation. They were there taught in the several branches of military tactics, closely drilled, and strictly disciplined; and, although they several times attempted the life of their instructor, he at last inspired them with an ardent desire to become acquainted with European exercises. As they gradually acquired a knowledge of them, some were more expert than others, until the desire of excelling each other prompted them to an untiring application to their studies, and ended in forming them into a model battalion which furnished the frame-work for all the troops subsequently enlisted.

Having thus far succeeded, the prejudices which had at first so strongly existed among the soldiery against the strict military discipline of enlightened nations, wore away, and it was soon introduced into the whole of the regular army. This the viceroy continued to strengthen, until, in 1835, it consisted of 92,640 men, well disciplined, well clothed, and better paid, than in almost any nation on the continent of Europe. The natives, many of whom were forced into the service, at first disliked their situation, and looked upon the rigid drilling they underwent with the utmost abhorrence; but the liberal pay they received soon reconciled them, and the severe discipline to which they were subjected was no longer esteemed a hardship. Besides, no one could be punished without being first tried and found guilty by a court martial; and whenever an officer violated his duty, or forgot his character, Mohammed Ali never pretended to interfere, but referred the matter to be settled according to the rules of justice by the same tribunal. By pursuing this enlightened course, so different from the military despotism which had for centuries prevailed throughout Egypt, he in a short time secured the confidence of the army, and strongly attached to his interests both men and officers.

To complete the grand military system of the pasha, he has founded several military schools, in which the youth of the nation, without distinction of classes, are instructed in mathematics, fortifications, gunnery, foreign languages, and in the military tactics practised in the nations of Europe. A large military college has been long established in Cairo, where, besides masters in the various branches of sciences and art, which are deemed subservient to the profession of the soldier, there are professors of the Arabic, Turkish, and French languages, and of arithmetic and botany. Many years since, this college contained fourteen hundred boys, and subsequently the number has increased rather than diminished.

Besides the vast expense of these military institutions, the pasha has, at great cost, rendered himself almost independent of foreign artisans, by establishing an extensive arsenal at Cairo, where cannon are moulded and cast, muskets fabricated, and gunpowder manufactured in great abundance.

In his anxiety to improve the condition of his land forces, he has not neglected to create a navy. The efforts he has made to strengthen this arm of the national defence, have been extraordinary, and his success, which has been remarkable, he owes principally to M. Bresson, a French naval officer, who, in 1815, commanded a frigate at Rochfort, when Napoleon formed the design of fleeing to the United States. This officer, who was much attached to the emperor, fitted up for that purpose a merchant vessel, called *La Madeline*, and prepared a place for his reception, composed of casks lined with mattresses, and communicating internally. The emperor's valuables were embarked by piecemeal, and when all was secured, he changed his intention. The *La Madeline* sailed, and arrived safe in America; while Napoleon found a prison and a grave in St. Helena. The loyalty of M. Bresson to his old master offended the French government. He was compelled to leave his native land, and fled to Egypt, where he has long enjoyed, in reality, though not in name, the command of the pasha's navy.

Although the first great object of Mohammed Ali has been to create an army and navy for the purpose of maintaining his rule with steadiness

and energy, it has been but the initiatory step—the entering wedge, as it were—towards the completion of his enlarged plans for the regeneration of Egypt. Every measure calculated to enlighten and benefit his people, he has been far in advance of his age in promoting. Numerous schools have been established throughout his dominions, and his influence and revenue have both been lavished upon their support. He at first experienced many difficulties in procuring foreign teachers; but he has overcome these by adopting the scheme of sending young men of talent to Italy, France, and England, to study the latest inventions and improvements of those enlightened nations. Several years since, a number of these visited London, and other parts of Great Britain, where they made themselves acquainted with many mechanical pursuits and useful arts; and besides, a number of others, who prosecuted their studies in Genoa and Leghorn, about forty were at one time stationed in Paris, where, in addition to the study of the severer sciences, they acquired no mean acquaintance with the polite and elegant literature of the Europeans. A school of anatomy, besides the many other institutions for the promotion of useful knowledge, has been recently established by him on a large scale; and although he has procured wax subjects from Italy, many human subjects have been found necessary; and notwithstanding the horror and indignation which this innovation creates in the minds of the mussulmen, the pasha has continued and improved this college, until, for some time, it has ranked high, even when compared with those of a similar character in Europe. Lithographic and printing presses have been introduced into Grand Cairo, his capital; and a number of works upon historical and scientific subjects, besides some on naval and military tactics, have issued from them. The newest and most important inventions have been imported by him from France and England, the most rare and costly apparatus have been procured, and the mysteries of gas, steam, and lithography, with their attendant advantages, have long formed the subjects of ordinary study in the Egyptian capital.

The extreme liberality with which all religious denominations are tolerated throughout the dominions of the pasha, is a noble illustration of the enlightened views he entertains, and furnishes a striking contrast to the cruel and selfish policy which has guided many European rulers in their attempts to chain the consciences of their subjects; and this tolerance is the more remarkable, as he is professedly a Mahomedan, a part of whose creed it is, to heap oppressions upon the Christian. And while this furnishes a strong proof of the enlarged and statesmanlike policy which leads him to overstep the miserable and petty prejudices of one sect, to promote the good of a great nation, it has rendered him unpopular in the eyes of many of his countrymen, who, viewing his liberal and enlightened measures through the medium of their long-cherished superstition and bigotry, regard him as a Turk only among themselves, and charge him with indifference to the religion and interests of the mussulmen.

The cultivation of the soil of Egypt, which, owing to the bountiful depositions of the Nile, has long been known as the richest of the globe, has under his reign been greatly encouraged. At the commencement of it, the Mamlouks were the principal landholders in the nation; and the miserable Fellahs, who, as we have before stated, were much oppressed by them, were compelled to work their grounds, receiving for their labor a reward so small as barely to support existence. Mohammed Ali, to de-

stroy the power of these military barbarians, has, in most instances, compelled them to accept a settled income for life, in payment of their immense estates, the management of which, through his numerous agents, he has assumed; and the products are taken by him of the cultivators, not only of these estates, but of many others, at a fixed price, stored in warehouses, and afterwards sold at a profit, or used for his army. Although some writers have condemned this system, as arbitrary and unreasonable, yet certain it is, that until these agencies for the purchase of agricultural commodities were established, the peasantry never cultivated more than the extortions of the Mamlouks, or their own necessities absolutely required, while since they have thus found a ready market for their produce, it has stimulated them to increased exertions.

Besides the ordinary crops usually raised for the consumption of man, cotton, which, in Egypt, owes its origin to mere accident, has long been extensively cultivated. In the garden of a Turk called Mako, M. Imuel, a Frenchman, first discovered a plant of this tree, which he afterwards propagated with great skill and success. This was not the coarse kind previously grown in that country, but was of a very superior quality, equal to the best grown in the United States; and as long since as 1823, so abundant was the crop, that 50,000 bales remained, after supplying the countries bordering on the Mediterranean.

Grounds which have been neglected for ages, the pasha has long been engaged in preparing for the cultivation of cotton, by digging out old canals and excavating new ones, for the purpose of irrigation; and as this crop is not exposed on the borders of the Nile to the frosts and heavy rains which often injure it in less temperate climates, should the same wise and mild rule continue in Egypt, which has distinguished the career of its present sovereign, the benefits of the cotton to its people, will, in a few years, be almost incalculable.

Besides this important branch of domestic wealth, great attention has been bestowed upon the cultivation of silk, and upon that of indigo, safflower, and hennah, so useful in the process of dyeing and calico printing. In the ancient land of Goshen, now called the Valley of the Tumulant, the pasha, a number of years ago, planted a colony of five hundred Syrians, who have since cultivated the mulberry, and reared the silkworm on an immense scale; while in the beautiful province of Fayowm, the vine and olive are again cultivated in the same perfection, which, under the genial clime of Egypt, they anciently enjoyed.

If, under the reign of Mohammed Ali, agriculture has improved, manufactures have started into life, and increased to a degree still more wonderful, particularly those for the creation of cotton fabrics. A number of years since, M. Imuel, whom we have before mentioned, erected at Bou-lake, near Cairo, a splendid establishment, equal in its structure to the finest European manufactory, for spinning, weaving, dyeing, and printing cotton goods; the machinery for which was modelled after that of Rouen or Manchester, and was propelled principally by steam, while for the purpose of artificial light, gas was employed. In the travels of Mr. Webster, another large cotton manufactory, established at Siout, is mentioned, of which he says, "It was established some six years ago, and gives employment to eight hundred men and boys, who earn ten, fifteen, twenty, or thirty paras, and sometimes three piasters. Little boys of seven or eight, were seen in all parts of the process. The Arab boys are singularly ac-

tive and intelligent looking. They work with an air of sharpness which is quite remarkable—a sort of style and flourish which shows a full comprehension of what they are about. They appear much quicker than English boys of the same age. Young girls were once tried in the factory work, but were found to be of no service. The manager and sub-manager accompanied us round with great pleasure. Cotton factories are by no means uncommon in Egypt.”

Mohammed Ali, having so vastly promoted agriculture and manufactures, it would have been strange indeed had he neglected so important an element of power, national prosperity, and greatness, as the commerce of his country; and we accordingly find him, for many years back, not only promoting it by his influence, but personally interested, and actually engaged in commercial enterprises; for besides the internal traffic carried on by him, of purchasing, through his agents, of the manufacturer and agriculturist the products of their labor, he has, even in the speculations of foreign trade, claimed, in many instances, the right of taking a share with the merchant, so far at least, as to advance funds and enjoy a portion of the profits; although it is said that he claims a sovereign's prerogative, of withdrawing from them if they prove unfortunate; or at most, that he will consider himself, in such case, merely a special or limited partner in the transactions, and liable only to the extent of the sum he ventures.

The recovery of the trade, which, previous to his reign, had been long withdrawn from Egypt, on account of the barbarism of its government, has for many years been the favorite object of the pasha, and of the politicians of Alexandria, and his efforts to recover the eastern trade, towards the accomplishment of which he has directed his powerful energies, have been crowned with great success. He has, for a number of years, supplied the states on the shores of the Mediterranean with ivory, coffee, hides, myrrh, rhinoceros-horn, ostrich-feathers, sal-ammoniac, senna, tamarinds, incense, balsam, Mecca gum-arabic, gum-copal, sulphur, musk, gold-dust, besides many other articles which we have not the space to enumerate.

An extensive intercourse is carried on with the countries south and west, by means of caravans. Those from Abyssinia travel a northern route, through the deserts on the eastern bank of the Nile as far as Esneh, bringing with them ivory, ostrich-feathers, gum, etc., and carrying away woollen dresses, cotton and linen stuffs, venetian glass manufactures, blue shawls, and other articles of use or luxury. The Alabde and Bicharis tribes visit the same place, where they purchase metals, utensils, and grain, in return for which they give camels, gum, and charcoal, the last of which they make from the acacia tree, together with vast quantities of senna, obtained by them in the mountains between the Red Sea and the Nile, where it grows spontaneously and in abundance.

The amount of goods imported from Europe into the dominions of the pasha, is considerable, and for a long period has been annually increasing. We have not room to mention even a few of the most important of these articles, which usually pay an impost duty, when brought directly from the place of manufacture, of three per cent, while Turkish commodities, entered at Alexandria, pay five per cent, and at Boulak are charged four per cent; and for all goods brought from the interior, the comparatively enormous duty of nine per cent is exacted.

To Europe, the export duty is three per cent; to Turkey, on either

side of the Hellespont, five per cent; while cargoes sent by the Red Sea, usually pay a duty of ten per cent.

In his commercial regulations, the pasha has generally been guided by the liberal and enlightened policy which has been pursued by maritime nations of modern times; and although he may have carried his system of monopoly beyond what would in all cases have been strictly justifiable, yet, as we are aware of no complaints against him on this score, except those preferred by the English newspapers, we do not feel disposed to give them much weight, particularly as the whole British press is now arrayed against him—not to mention that the “Bull family” are eternally grumbling about commercial restrictions, while of commercial privileges they never fail to get the lion’s share.

To create facilities for internal communication between different parts of his dominions, the pasha has, by indefatigable exertions, opened many ancient canals which had been closed up by the accumulated rubbish of centuries, and has excavated a number of new ones, the most extensive and splendid of which, and the only one we have room to mention, is the cut connecting the harbor of Alexandria with the Nile, near Fouah, a magnificent and costly work, forty-eight miles long, ninety feet broad, and eighteen in depth; through which the whole produce of the country can at all times be transported, without interruption.

The grand inducement by which the pasha was first led to commence this undertaking, reflects upon him the highest praise. In the winter of 1817, a great scarcity of grain prevailed throughout Europe, while, as in the days of Pharaoh, the prolific soil of Egypt yielded abundance, and more than three hundred ships flocked there for supplies; but, owing to the bar at the mouth of the Nile, near Rosetta, and the tempestuous weather along the coast, the grain could not be conveyed to Alexandria, and the vessels were, in most instances, compelled to leave in ballast, or with half cargoes, which occasioned immense losses to the owners and merchants engaged in the unfortunate enterprise. It was then that the foreign merchants, and particularly the French, urged upon the pasha the importance of the canal we have mentioned, and he at once resolved upon its construction. For this purpose, all the laboring classes of Lower Egypt were ordered out, who received a month’s pay in advance. Like the ancient Roman legions, each district and every village performed an allotted extent of work, and the inhabitants, under their respective chiefs, stretched along the entire line of the canal, numbering at one time more than two hundred and fifty thousand men. With this vast army of laborers, the whole excavation was completed in little more than six weeks, and they then returned to their homes. In the autumn, a few thousand were again employed during a short time, in facing parts of the banks, and in making the whole navigable for vessels of considerable burden; and, on the 17th of December, 1819, it was opened with great pomp, and has already been of incalculable benefit to Egypt, and to the merchants of Europe.

It has been asserted by some late writers, that twenty thousand laborers fell victims to the urgency of the pasha in completing this work; but this has been contradicted by others of at least equal authority, and in a great measure is unquestionably untrue, and particularly so far as it applies exclusively to the workmen, it is a gross exaggeration; for the principal mortality which prevailed must have fallen upon the women and

children, who, as in patriarchal times, followed the males; and to what extent may be inferred from the fact that when, several years ago, a military conscription of twelve thousand recruits was made, the number that appeared in the camp, including all ages and both sexes, exceeded seventy thousand, many of whom suffered the greatest privations before they could return to their homes.

The brief notice we have now completed, of the many truly wise changes, which, under the administration of Mohammed Ali, have been effected throughout Egypt, will, we trust, enable our readers to form a tolerable idea of the condition of its people. Peace and security have long prevailed there to a degree unsurpassed even in the most enlightened European nations, and this assertion is supported by Mr. Carne, who, at page 288 of "*Recollections of the East*," remarks, "that the firm and decisive character of Mohammed is in nothing more visible than in the perfect security and quietness that reign throughout his dominions. The traveller there dreams no more of violence than he would do in any town throughout Scotland or Wales; from the capital to the cataracts every man's hand is at peace with him, and he may ramble along the banks of the Nile with as entire an ease and *abandon* as on those of his native rivers, or in his own garden at home."

From this cheering picture, which the measures of Mohammed Ali for the regeneration of the land of the Pharaohs have created, we must now turn and endeavor to portray, clearly and concisely, the origin and history of the fierce controversy now raging between him and the Sublime Porte. To the sovereignty of the latter he has never bowed, and the customary tribute demanded by the sultan, amounting to about ninety thousand pounds per annum, has often been withheld, and when paid, has seldom been forwarded to Constantinople with the least regard to punctuality. The superiority of the Porte, when acknowledged by Mohammed Ali, has been but in name, and even this nominal vassalship he has often repudiated.

For the commencement of open hostilities between them, we shall go back to 1832. It was then that Ibrahim Pasha, the son of the viceroy, who had determined upon extending his rule over Syria, then under the control of the sultan, was ordered by his father to march into that country, which he did at the head of a well-appointed force of forty battalions of infantry, eight regiments of horse, and four thousand Bedouin Arabs, to serve at the outposts, besides a train of artillery of sixty pieces; supported by five sail of the line, to attend them on the coast. This vast force was directed against the Turkish army, which, after several minor defeats, was routed at Konieh, in one grand engagement; and so effectually too, that, as is represented by the Duke of Ragusa, in his Travels, (better known as Marshal Marmont, one of Napoleon's generals,) hardly ten Turks remained throughout the entire country. The miserable inhabitants, long accustomed to the pillage of the Turkish soldiery, were gratified with the discipline of the Egyptian army; and counting the pasha as a liberator and protector, at once joined him against their former rapacious and cruel masters; and in 1833, he found himself absolute ruler of all Syria, and was almost on the point of openly declaring himself independent sovereign of Egypt, Syria, and the Arabian peninsula.

The Sultan, highly incensed at his presumption, threatened to commence hostilities against him; but the great strength of his enemy, and the in-

terference of European powers, calmed the ire of the imperial Turk, and Mohammed Ali was, by treaty, suffered to enjoy the quiet possession of the land he had conquered.

In 1837, the latter, who, to carry on the war he was then prosecuting in Arabia, and to arm his own territories, was compelled to maintain an immense army, offered the sultan a large tribute if he would consent that the sovereignty of Egypt and Syria should continue hereditary in his family. This was refused, and the sway of Egypt alone offered, which at once broke off the negotiation. In 1838, the foreign consuls were informed by the pasha that in future he should pay no tribute to the Porte, and that he considered himself independent sovereign of Egypt, Arabia, and Syria. Both then prepared for war, but the foreign ambassadors interfered, and proceedings were delayed; and the former was, after much persuasion, induced to pay seven hundred and fifty thousand dollars, that being a portion of the tribute which had long been due. In 1839, the Turkish monarch again assumed a belligerent attitude, and resolved to head his army in person, and march into Egypt. The Russian, French, and English ambassadors endeavored to dissuade him, and he in answer assured them of his pacific intentions; in violation of which, he sent a heavy reinforcement of men into Asia, and stationed them near the confines of Syria, and a fleet of twenty-seven ships was ordered to prepare for sailing.

It was at this juncture that the French government offered its mediation to the Porte, which was rejected; and about the same period the foreign consuls, who waited on Mohammed Ali to urge upon him the importance of peace, were told by him, that he had conquered Egypt, Arabia, Sennaar, and Syria with the sword, and he would preserve them by the sword; and that if the fleet of the sultan attacked his own, he would take the command of it in person, and try the chances of war. Heavy levies of men were ordered by him, amounting to fifty thousand; besides which, the Egyptian army in Syria, under the command of his son Ibrahim, numbered eighty thousand men, thirty thousand of which were stationed at Aleppo, and a powerful reserve at Damascus.

In the early part of the spring of 1839, both parties appeared to be more pacifically disposed. On the 21st of April, however, all prospect of an amicable settlement of their difficulties was destroyed by the movement of a heavy column of the Turkish army, which crossed the Euphrates at Bir, and commenced skirmishing with the Egyptian force concentrated near Aleppo. This was followed in the summer by the publication of an imperial decree, made by the Sublime Porte, declaring the powers of Mohammed Ali and his son forever at an end, and appointing Hafiz Pasha in the place of the former, as viceroy of Egypt. This officer at once took the command of the Turkish army in Syria, and on the 23d of June the two armies met at Nezils, where a fierce engagement ensued, in which Ibrahim was victorious. On the 8th of July following, the news of this battle reached Constantinople, spreading additional gloom throughout the Turkish capital, the inhabitants of which were then mourning the death of their sultan, Mahmoud, who had expired on the 1st of July, in the fifty-fifth year of his age and the thirty-first of his reign.

The new sultan immediately ordered the army in Syria to suspend hostilities, and directed the fleet, which had not then left the Bosphorus, consisting of twenty-seven vessels, and two steamboats, with twelve thousand

men on board, not to sail; but the capitan pasha, Ahmet Fenzi Pasha, who did not like his young master or his ministers, threatened to join Mohammed Ali, and with the whole Turkish fleet sailed for Alexandria, where he arrived on the fourteenth of July, and placed it at the disposal of the pasha.

Alarmed at the loss of his navy, the sultan offered to Mohammed the hereditary government of Egypt if he would restore it, which the latter refused to do unless he was guaranteed the government of all the provinces then under his control; in addition to which, he demanded that Kusrouf Pasha, grand vizier of the empire, should be deprived of his office. It will be remembered that this was the same individual who was deposed from the sovereignty of Egypt by the Mamlouks, reinstated by Mohammed, and by him again deposed, when he saw fit to mount the throne of the Pharaohs, nearly forty years ago; since which period a deadly enmity had subsisted between them. To this proposition the Porte refused to accede; and, soon after, Russia, Prussia, Austria, France, and England, offered their intervention to the latter, which was accepted.

The ambassadors of these great powers then submitted a proposition to Mohammed, in the name of the sultan, offering him the hereditary government of Egypt, and the pashalic of Syria, to be held subordinate to the Porte, from which the cities of Damascus and Aleppo were to be excepted; in return for which he was to destroy the fortifications of Taurus, and the Euphrates, and restore the Turkish fleet. His answer to the allied powers was prompt and explicit. He demanded Egypt, hereditary and independent; the hereditary government of Syria, which he offered to hold as a feudatory of the Porte, together with the discharge of Kusrouf Pasha from the Turkish councils.

Many negotiations then ensued, but Mohammed remained firm, and refused to reduce his claims. Another proposition was at length made him by the allied powers, in which the French government refused to join, by which he was offered, in addition to the hereditary government of Egypt, the pashalic of Acre, except the town of Acre, which he had strongly fortified, to continue during his life. This was instantly rejected; and France, insisting that it was unjust, after the victory of Nezils, to deprive him of half the province of Syria, of which he was possessed by previous treaty, declared that although they would use their influence to induce his acceptance of any proposal based upon the broad principles of right, yet that any of a contrary nature they should resist. This, which was in May last, at once separated the ambassador of the French from those of the other powers, and on the fifteenth of July a treaty was formed between Great Britain, Austria, Russia, and Prussia, in which the French government was not requested to join, and concerning the terms of which it was kept in profound ignorance, consisting of two distinct acts; one containing the solemn engagement of these four powers to furnish to the grand sultan the aid necessary to maintain the integrity and independence of the Ottoman empire; the other detailing the terms upon which the controversy between Mohammed Ali and the Porte could be finally adjusted. Although we have already extended this paper far beyond the limits we had intended, yet the treaty is so important that we here present both parts entire.

ART. I. His highness the sultan, being agreed with their majesties the queen of the United Kingdom of Great Britain and Ireland, the emperor

of Austria, king of Hungary and Bohemia, the king of Prussia, and the emperor of all the Russias, on the conditions of the arrangement which it is the intention of his highness to allow to Mehemet Ali—conditions which will be found specified in the separate act hereto annexed—their majesties engage themselves to act with perfect accord, and to unite their efforts to determine Mehemet Ali to conform to this arrangement, each of the high contracting parties reserving to itself to co-operate to this end with the means of action which each of them can dispose of.

II. If the pasha of Egypt should refuse to adhere to the said arrangement, which shall be communicated to him by the sultan, with the concurrence of their said majesties, the latter engage to take, at the requisition of the sultan, the measures concerted and agreed on between them, for the end of putting this arrangement into execution ; in the mean time the sultan, having invited his allies to join him to assist in interrupting the communication by sea between Egypt and Syria, and to prevent the expedition of troops, horses, arms, ammunition, and munitions of war of all kinds from one part of these provinces to the other, their majesties the queen of the United Kingdom of Great Britain and Ireland, the emperor of Austria, king of Hungary and Bohemia, engage to give immediately to this effect the necessary orders to the commanders of the naval forces in the Mediterranean ; their said majesties promising, moreover, that the commanders of their squadrons, according to the means of which they can dispose, shall give, in the name of the alliance, all and every assistance in their power to those subjects of the sultan who may manifest their fidelity and obedience to their sultan.

III. If Mehemet Ali, after having refused to submit to the conditions of the arrangement above mentioned, should direct his forces by land or sea towards Constantinople, the high contracting parties, on the requisition made by the sultan to their representatives at Constantinople, are all agreed in such case to answer the invitation of that sovereign, and to provide for the defence of his throne, by means of a co-operation concerted in common for the purpose of putting the two straits of the Bosphorus and the Dardanelles, as well as the capital of the Ottoman empire, secure against all aggression. It is likewise agreed, the forces which, in consequence of such attempt, receive the destination above indicated, shall remain employed as long as their presence be required by the sultan ; and when his highness shall judge their presence has ceased to be necessary, the said forces shall retire simultaneously, and enter respectively into the Black Sea and the Mediterranean.

IV. It is always distinctly understood that the co-operation mentioned in the preceding article, and destined to place temporarily the straits of the Dardanelles, and of the Bosphorus, and the Ottoman capital, under the safeguard of the high contracting parties, against all aggression of Mehemet Ali, shall not be considered but as a measure exceptional, adopted at the express desire of the sultan, and solely for his defence. But it is agreed that this measure will derogate in nothing to the ancient law of the Ottoman empire, in virtue of which it has been in all times prohibited to vessels of war of foreign powers to enter into the straits of the Dardanelles and the Bosphorus ; and the sultan, on his part, declares by the present act, that, with the exception of the eventuality above mentioned, he has the firm resolve to maintain for the future the principle invariably established as the ancient regulation of his empire, and as long as the

Porte is at peace, not to admit any foreign vessel of war into the straits of the Bosphorus and Dardanelles. On the other part, their majesties the queen of the United Kingdom of Great Britain and Ireland, the emperor of Austria, king of Hungary and Bohemia, the king of Prussia, and the emperor of all the Russias, engage to respect that determination of the sultan, and to conform to the principle above declared.

I. His highness promises to accord to Mehemet Ali, for him and for his descendants in line direct, the administration of the pashalic of Egypt; and his highness promises, moreover, to accord to Mehemet Ali during his life, with the title of pasha of Acre, and the command of the fortress of St. Jean d'Acre, the administration of the southern part of Syria, of which the limits are designed by the following line of demarcation: This line drawn from the Cape Ras-el-Nakhora, on the shores of the Mediterranean, extending from thence directly to the mouth of the river Seisaban, northern extremity of the Tiberias, along the western coast of the said lake, following the right bank of the river Jordan and the western coast of the Dead Sea, extending from thence in a right line as far as the Red Sea, and resting on the northern point of the Gulf d'Akaber, and following the western coast of the Gulf d'Akaber and the eastern coast of the Gulf of Suez, as far as Suez. Nevertheless, the sultan in making these offers attaches to them the condition that Mehemet Ali accepts them within the space of ten days after the communication has been made to him at Alexandria, by an agent of his highness; and that at the same time Mehemet Ali deposits in the hands of that agent the necessary orders to the commanders of his forces by sea and land to retire immediately from Arabia, and all the holy cities therein situated, from the island of Candia, the district of Adana, and all the other parts of the Ottoman empire which are not comprised in the limits of Egypt, and in that of the pashalic of Acre, such as they are above designed.

II. If, within the space of ten days above fixed, Mehemet Ali does not accept the said arrangement, the sultan will then withdraw the offer of the life administration of the pashalic of Acre; but his highness will still consent to accord to Mehemet Ali, for him and his descendants in line direct, the administration of the pashalic of Egypt, provided that this offer be accepted in the space of ten days following; that is to say, in the space of twenty days, counting from the date of the communication made to him, and provided that he also deposits in the hands of the agent of the sultan the necessary instructions to his commanders, by land and by sea, to retire immediately within the limits and within the ports of the pashalic of Egypt.

III. The annual tribute to be paid the sultan by Mehemet Ali, shall be proportioned, more or less, to the territory of which the latter will obtain the administration, according as he accepts the first or the second ultimatum.

IV. It is moreover expressly understood that in the first as well as in the second ultimatum, Mehemet Ali (before the expiration of the term fixed of ten or twenty days) shall be bound to send back the Turkish fleet, with the crews and armaments, to the care of the Turkish authority, who shall be charged to receive them—the commanders of the allied squadrons assisting at this restoration (remise.) It is understood that in any case, Mehemet Ali cannot charge in account, nor deduct from the tribute payable to the sultan, the expenses of keeping up the Ottoman fleet during the time that it has remained in an Egyptian port.

V. All the treaties and all the laws of the Ottoman empire shall be applicable to Egypt and the pashalic of Acre, such as it be above designed, as well as to every other part of the Ottoman empire; but the sultan consents that on condition of the regular payment of tribute above-mentioned, Mehemet Ali and his descendants shall levy imposts in the name of the sultan, and as the delegate of his highness in the provinces of which the administration is to be to him confided. It is further understood, that on the condition of receiving the above taxes and imposts, Mehemet Ali and his descendants shall provide for all the expenses of the civil and military administration of the said provinces.

VI. The land and sea forces which the pasha of Egypt and of Acre may maintain, shall form part of the forces of the Ottoman empire, and shall always be considered as kept up for the service of the state.

VII. The present separate act shall bear the same force and value as if it were inserted word for word in the convention of this day. It shall be ratified, and the ratification exchanged at London, the same time with those of the said convention.

The ultimatum contained in this treaty was transmitted to Mohammed Ali, and received his immediate and unqualified dissent. On the 26th of August, at ten in the morning, Riphath Bey, representative of the sultan, accompanied by the consuls of the four powers, waited upon him at his palace, to inform him that the ten days had expired, and to desire his answer. They were hardly seated in his presence, when he exclaimed, "I know what you want: my answer is still the same; God will judge between us." And when the representative of the Porte endeavored to make a remark, he was interrupted by the viceroy, who told him it was useless to say any thing.

Soon afterwards, Commodore Napier, commanding the British fleet, which had been provided in the Mediterranean to aid the sultan, appeared off Beyrout, the most important seaport town in all Syria, and issued an inflammatory proclamation, calling upon the inhabitants to rise in the cause of the sultan, and assist in destroying the power of Mehemet Ali. This, however, produced little if any effect; and soon afterwards, Beyrout was bombarded, and reduced to a heap of ruins by British guns; and so entirely was it destroyed, that the American consul residing there, was compelled to procure a guide to point out to him the place of his former residence.

By the last eastern advices, it appears that Mohammed has been formally deposed by the sultan, and that some slight skirmishing and one or two minor engagements have taken place between the troops of the allies, and those of Mohammed in Syria, in which the former were victorious; and that the forces of the latter and the Syrians had become disaffected, and were revolting against him; but as these accounts spring almost invariably from English prints and British correspondents, but little reliance can be placed upon them.

The results which may eventually flow from these combined operations against the Egyptian sovereign, it is impossible to anticipate. That the unmeasurable power linked to destroy him, cannot be resisted by his single strength, there can be but little doubt; and that France will be led to espouse his cause, is, at present, judging from the pacific tone of the French king at the opening of the chambers, highly improbable. If, then, the great nations who were parties to the quadruple treaty, send against him

their powerful armies, this old man, who, from the dawning of manhood, has been striving to elevate Egypt to a place among the enlightened and independent kingdoms of the earth, must be driven from his possessions in Syria—from his Arabian provinces, and finally, perhaps, from the land of the pyramids; unless he dies beneath their ruins, in battling for its independence.

What a strange moral scene does this contest present! The land of the holy cities, which the armies of all Christian Europe once marched forth to wrest from the sway of the infidels, is now protected in their grasp, by the united strength of four of the most powerful and enlightened nations on the globe; and instead of supporting the authority of Mohammed Ali, who, as we have before remarked, although a Mahomedan in name, has ever suffered the free and unrestricted toleration of all religious denominations throughout his dominions, they have solemnly contracted to establish the intolerant and bigoted sway of the imperial Turk! And how is this interference by foreign powers with the internal affairs of the Ottoman empire justified? Simply by alleging their anxiety to preserve its integrity; by which is meant, the integral portions of which it is composed; and in this manner to consolidate its strength and preserve the balance of power in Europe.

The balance of power, like the balance of trade, is a subject which, being somewhat difficult to explain, and still more so to understand, admits of many interpretations; but we should feel much indebted to Lord Palmerston, if he would, from his high place, proclaim to the world by what process this balance will be maintained, or the power of the Porte increased by adding Egypt in Africa, and Syria in Asia, to its territories. In neither of these countries could the authority of the sultan be upheld without the presence of immense armies, which must inevitably tend to weaken the strength of his empire in Europe, by the withdrawal of large bodies of troops; thus destroying the very balance of power, which England, Russia, Austria, and Prussia, profess to be so desirous to maintain. Nor do we believe, that were the allied powers to force Mohammed Ali from the last league of territory he possesses, and instal the sultan as master of Egypt and Syria in his stead, that the latter could retain them without the aid of foreign armies for any length of time; and that foreign aid is sometimes dangerous, even when tendered under the mask of friendship, we need only remind the royal Turk of the fate of Poland.

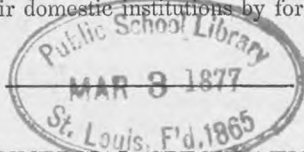
Russia, Prussia, and Austria, three of the powers now so solicitous for the welfare of his empire, in 1773 divided among them more than four thousand German leagues of Polish territory. In 1793, a second partition was made, in which Russia shared more than four thousand miles, and Prussia, besides the Hanseatic cities, and Dantzic and Thom, more than one thousand miles of territory; and, in 1795, this devoted kingdom expired, by a third division among the three unholy allies, who never for a moment left their prey until all, to the very carcase, was devoured. The necessity of preserving the balance of power in Europe was then disregarded, or weighed but as a feather in the balance against the acquisition of territory and power. And enlightened England then looked quietly on and saw a Christian nation gradually disappear, until it was finally blotted from the map of Europe by imperial spoilers, without lifting her voice to defeat the unrighteous measure. But the moment the empire of an infidel is threatened, she loudly asserts the principle, that

the balance of power must be maintained, and at once sends forth her fleets and armies upon the mission. In these two cases, however, there is in one respect a wide difference. The rapacious robbers that seized Poland were powerful—Mohammed Ali is comparatively weak; and although the "Bull family" have never been wanting in bravery, yet their bellowing has usually been gentle when directed against nations more powerful than their own; while the British lion is made to roar terrifically whenever a weaker enemy is to be overcome.

There is one principle asserted by the allied powers in this national controversy, which is of vast importance to the whole world. It is the right to interfere with the internal affairs of an independent power, and to put down by armed force any attempts the people may make to shake off the government which really or nominally is extended over them.

We hold this to be unholy and tyrannical, and calculated to fasten despotic rulers upon nations which would otherwise rise up and hurl them from their thrones. Egypt and Syria are both claimed as provinces of the sultan, in neither of which is he able to maintain his supremacy; and although in the former country, at least, the people themselves, the native Egyptians, have shaken off his authority, and by their united will, universally expressed, and supported and executed by the sword, have elevated Mohammed Ali to the sovereignty, which he has enjoyed for a period of nearly forty years, the armies of four great powers unite to deprive him of it, and to place over the inhabitants a foreign despot whom they regard with hatred and detestation.

Nothing is plainer than the right of every people to change its government, which any interference of this kind utterly destroys; and whenever several powerful nations join in forcibly preventing it, or in maintaining the sway of any power over provinces it cannot control, every prospect for improvement in the condition of countries thus interfered with is at an end. The territories of all nations would be preserved entire, and their governments, no matter how destructive to the interests of the governed, would forever remain untouched: while the principle, in its legitimate bearing, would utterly annihilate the right of conquest; as we presume, the allied powers would not in one breath deny the inherent privilege of a people to revolutionize and alter their government, or change their ruler; and in the next, acknowledge the right of a foreign power to overturn their domestic institutions by force and violence.



COMMERCIAL SPECULATION.

Competition seldom fails speedily to render an adventure that might have been originally safe, extremely hazardous. If a commodity happen to be at an unusually low price in any particular market, it will rise the moment that different buyers appear; and supposing, on the other hand, that it is fetching an unusually high price, it will fall, perhaps far below the cost, as soon as supplies begin to be poured in by different merchants. Whatever, therefore, may be the success of those who originate a speculation, those who enter into it at an advanced period, are almost sure to lose.

ART. IV.—THE COAL BUSINESS OF THE UNITED STATES.*

WHEN we look at the uses to which fire is applied; when we consider how much it contributes to the comfort of man, either directly by affording warmth or in preparing his food, or indirectly in the scientific or manufacturing arts; when we reflect that without this important agent, most of the mechanical arts would be useless; that steam could not be generated; that tin, lead, copper, and iron—and, indeed, nearly all the metals—would be unknown, we cannot but acknowledge that to this ethereal element civilized society is indebted for the greatest portion of its superiority over savage life.

So important is its agency upon our destiny, that, in some countries, it has been worshipped as a deity, and in the Grecian mythology its introduction among men was attributed to the daring theft of Prometheus; and so much did the sire of gods resent the conferring this vast power upon man, that the punishment of its author was destined to be eternal, and terrible, in sublime horror, above all the retributive punishments of paganism. In the early stages of society the readiest means of obtaining fuel were furnished from the forest. Wood is not only excellent as fuel, but it is easy of access, and was, of course, first resorted to. As society advanced, wood became scarce, and it was wanted for so many purposes, that it was a desirable object to provide some other substances to be used as fuel.

Even in the United States, boundless as the forest seems, there is a deficiency of wood in certain portions of the country. In the old states men are beginning to estimate trees rather as timber than fuel, and the time is rapidly passing away, in all parts of the Union, when it is deemed that the best mode of disposing of the noble trees that grace the American woods is to turn them into ashes. On the sea-coast, that time has long since past, and for many years the community has been anxiously seeking some substitute for the rapidly diminishing forest.

Such is, in fact, the natural progress of society. A dense population, except in tropical climates, cannot be supplied with fuel from the annual growth of the soil, and the mode in which a substance, containing in a concentrated form the means of producing fire, is stored away in the earth for the use of man in the advanced stages of society, affords a striking proof of the wisdom and beneficence of that Power which created this planet and its inhabitants.

Although coal is now universally used in England, it is only about two centuries since it came into general use, and it was not known at the time of the conquest. In the borough laws promulgated in 1140, privileges are granted to those who supply towns with fuel, i. e. wood, turf, and peat. No allusion is made to coal, and it is not until nearly a century afterwards, or about six hundred years ago, that any mention is made of coal as a fuel. Pius II., who visited England in the fifteenth century, speaks of it as given for fuel to the poor beggars by the monks.

In China it was, however, known much earlier; and Marco Paulo, who wrote in the thirteenth century, speaks of it as then used in the province

* A lecture delivered before the American Institute, by J. Blunt, Esq.; now first published in the Merchants' Magazine.

of Cathay, for fuel. The descriptions, both of Pope Pius and Marco Paulo, obviously show that its use for such purposes was a matter of wonder to them, and prove that it was not known to the nations of the continent.

At the end of the sixteenth century, in the reign of James the First, of England, its use in making iron was not known in Scotland. It may, therefore, be regarded as a modern discovery; and to its general application to the mechanical and manufacturing arts, may be fairly attributed their great advancement within the two last centuries. The present importance of the coal business in Great Britain may be estimated by the number of persons employed in it, amounting to 150,000, and furnishing 21,000,000 tons of coal, for the annual consumption of the island.

There are seven kinds of British coal. The first is known as Newcastle or Sunderland coal, being of a fat, bituminous quality, melting, when heated, to a mass, and caking, and producing but little ashes. This coal is also found in Scotland. The general character of Scotch coal is different. It is of two kinds; the rock coal, which burns to a good cinder, and produces but little ashes; and the splent or stone coal, which is slaty, and burns freely, with considerable smoke. It is found in very regular strata, like slate. The fourth kind is cannal or parrot coal, which is very light and inflammable, burning very freely, with light ashes. The fifth kind is culm coal, which is not easily ignited, emits neither smoke nor flame, but burns a long time, with a heat like anthracite or charcoal. It does not cake, nor produce much ashes. The sixth kind is jet, which is like the cannal coal, except that it breaks in the direction of the grain, whereas cannal coal breaks in any direction, and is of uniform texture. Jet is found in detached masses, and not in strata. The last is anthracite.

Many curious speculations have been made as to the origin and nature of coal, whether mineral or vegetable. The wonderful sagacity and industry of modern geologists have, however, solved these doubts, and at the same time have thrown much light upon the construction of the earth, and its general adaptation to the present uses of man. From the examination of fossil remains, and of the strata in which they are found, conclusions approaching to demonstration have been drawn, both as to the natural history of the globe and the modifications or revolutions which its surface has undergone. In penetrating the earth in low lands or intervalles to a great depth, we come to horizontal strata, composed of various substances and abounding with marine productions. Every portion of the earth, every continent, every large island exhibits this phenomenon.

We are consequently brought to the conclusion that the sea has at some period covered the earth, and that it must have remained there for a long time in a tranquil state, in order to account for the formation of deposits so extensive and so solid.

What was the previous state of the universe at that sublimely mysterious period, when, in the language of inspiration, "the earth was without form and void, and darkness was upon the face of the deep," must be left to conjecture.

It has been supposed that in the first stages of creation the material universe was in a gaseous, watery state, and that when the principle of gravitation was by omnipotent power imparted to matter, or, as expressed in scripture, "the spirit of God moved upon the face of the waters," the parts began to cohere and arrange themselves in an order somewhat re-

sembling that which now exists; the more dense or heavier particles falling to the centre in strata, then the water, and finally the atmosphere, gradually growing more rarified until it became difficult to draw the line between the outer regions of atmospheric air and pure ether. In the first moments of existence, the struggle between the rays of the sun and the dense vapors still floating in the atmosphere, must have seemed doubtful, and the first stage of creation might well refer to that process which divided the light from the darkness, while the second would as naturally relate to the gradual precipitation of the waters from the atmosphere, or "the division of the waters which were under the firmament, from the waters which were above the firmament."

Then commenced the precipitation of those extensive horizontal strata, from which the opinion is derived that the waters at one period covered the earth.

Above these strata are to be found the inclined or vertical strata, which form the ridges of the secondary mountains. These strata, however, do not rest on the horizontal strata, but come up from beneath, as if they had broken through by some mighty convulsion, elevating their heads above the deep to form the dry land, while the receding waters were gathered together in the seas which contained them.

From the position of these inclined strata, it is evident that the earth has been subjected to one or more internal convulsions of a volcanic character, which have produced these seeming irregularities, and elevated these strata so as to bring them within the reach, to be made serviceable to the uses of the intelligent beings that were to inhabit its surface. It is also equally evident from the absence of all remains of organized matter in these strata, that those convulsions occurred before the creation of animate nature. Indeed, the heat of the globe during these convulsive throes, of which there is abundant evidence, would of itself have prevented the existence of organized life.

From the abundance of the remains of marine animals found in the strata through which the inclined strata have been forced, we may fairly infer that the first productions of creative wisdom were the inhabitants of the sea and the aquatic plants.

During the early stages of their existence, they were exposed to volcanic eruptions, which, by the sudden imparting of heat to the water, or by noxious gases or bituminous mud, must have destroyed myriads of the inhabitants of the sea, and thus have contributed to the rapid formation of the strata where their remains are now found attended with the clearest evidence of the manner of their destruction. No small portion of the present surface of the earth is formed from the remains of the population of the ancient seas, which are heaped up into stupendous monuments of the work of mortality during the first stages of creation.

The vegetation of this period was as simple as the contemporaneous classes of animals. The latter, except the fishes, were without vertebræ, and the plants were of the simplest character, and generally of the cryptogamous order. The fossils of the carboniferous period indicate the existence of ferns, grasses, plants similar to horsetails, and vascular vegetables of a gigantic character, and proving their development in a climate of much higher temperature than now prevails even in the tropics, and in an atmosphere surcharged with carbonic acid gas. Their growth would be rapid under such circumstances beyond any idea which can now be

formed of vegetation, and the absorption of carbon by the plants from the air, would be a process essential to prepare it for the respiration of mammiferous animals.

It would be difficult for one so superficially acquainted with geology to describe accurately the different periods when these various classes of animals and vegetables occupied the earth.

It is sufficient to know that marine productions preceded those of the land; and the antiquity of the formations in which vegetables of the first periods of creation are found, prove that on the land life began in the vegetable kingdom. Above these, and sometimes mingled with them, are found the fossil remains of birds and quadrupeds.

In the transition series are found those strata which are designated as the carboniferous order, or great coal-formation. The coal strata are formed of carbon, obviously produced from the remains of plants of antediluvian growth. They often consist of thin layers of vegetable remains, distinctly to be traced by the eye. In some mines, by the fall of the coal roof, a display is made of vegetable forms impressed upon the stone, some of species now extinct, and all bearing marks of the grace and beauty which characterize the works of nature.

A spectator of one of the Bohemian mines, describes them as if he had been transported by enchantment into the forests of another world. He beholds (as he declares) trees of forms and characters now unknown upon the surface of the earth, presented to his senses almost in the beauty and vigor of their primeval life; their scaly stems and bending branches, with their delicate apparatus of foliage, are all spread forth before him, little impaired by the lapse of countless ages, and bearing faithful records of extinct systems of vegetation which began and terminated in times of which these relics are the infallible historians.

The coal strata alternate with indurated clay, sandstone, limestone, and strata of rich argillaceous iron ore, or iron stones. The limestone beds which form the foundation, are full of the remains of marine animals, while the fresh-water shells in the upper regions of the series, show that the more recent strata were deposited from fresh or brackish water.

It is also ascertained that one general principle prevailed throughout the successive periods of the secondary and tertiary formations, ever operating to maintain upon the earth the greatest amount of life consistent with its capacity to supply nutriment.

The connection between the vegetable and the insect tribes is so constant and immediate, that we may infer that so great a mass of plants as that preserved in coal strata must have been productive of countless swarms of insects, and the provision made for restraining the classes consuming herbs within due bounds, through the agency of carnivorous classes, would lead us to expect that during this period the latter classes would be found of extraordinary power and rapacity. This expectation is realized in the fossil remains of the great carnivorous class of spiders and scorpions which is found in the coal formation, fully establishing their existence at that early period, and that the vegetation provided for the support of the insect tribes they made their prey, must have been abundant beyond any idea now entertained of the rapidity of vegetable growth.

The vegetable remains found in the coal fields appear to have been deposited in the vicinity of tracts of dry land containing fresh-water lakes and mountains, and to belong to species found in climates of high temper-

nature. The strata, although in a great degree horizontal, are often arranged in basins, which appear to have been gradually filled up by carbonaceous deposits brought by successive tides or floods of water.

The anthracite, in general, is so completely mineralized as to present no traces of vegetable origin; but in some bituminous strata there are found layers of vegetables converted into true mineral coal, preserving, when separated, perfect impressions of leaves and other parts of plants, and leaving no doubt that all coal is derived from the same source.

It remains for us to inquire how this mass of vegetable matter came to be deposited in strata within the reach of man, to be preserved as it were for his use and comfort, after the surface should be stripped by the increased demand of the wood which serves for fuel in the early stages of society.

In hazarding a conjecture concerning a process so enveloped in the darkness of antiquity, occurring in a period whose history is preserved only in fossil remains, it would be presumptuous to dogmatize.

It may be permitted, however, to remark, that so large a mass of vegetable remains could scarcely be preserved except by some process involving their contemporaneous destruction. The successive deposits of plants of periodical growth would have been attended with decay and decomposition, which would have unfitted them for the purposes to which they are now applied. Nor can it be supposed that one annual growth of plants upon the surface would suffice to supply a mass equal to the strata of coal beneath.

We must, therefore, infer that the productions of a much larger superficies than the extent of the coal field have been brought together by some agent, and that the deposit has then taken place. From the position of the vegetable remains and their perfect preservation, we may fairly conclude that they have been collected through the agency of water; and it is not unreasonable to infer that the same fluid that held them in a state of suspension, acted as a current in tearing them from the surface of the globe. That such a current has at some former period swept over the earth with stupendous force, we have too many proofs to permit us to doubt. It is equally clear that this current has flowed from east to west, excavating the valleys which run through the chains of lofty mountains, scooping out the deep gulfs and bays, and dividing the islands from the adjacent continents; that it has ploughed up the channels of the Red Sea and Mediterranean in its mighty effort to find a passage between Africa and Asia, while the great indentation formed by the Gulf of Mexico attests the action of the same current in its endeavor to divide South from North America. Other proofs might be accumulated as to the existence and course of this current, but my limits compel me to make a suggestion as to its cause.

It will be readily conceded that upon the approach of any large body to the earth, a strong influence would be exerted upon the fluid parts of this planet by the attractive power of the approximating body.

In the case of the tides, that influence is now daily manifested by the heaping up of the waters on that side of the earth next to the moon, and a similar result is produced at the antipodes. When the sun and moon are on the same side of the earth, the effect is increased, and when they are in opposition, it is diminished. A nearer approach of a smaller heavenly body would produce a greater effect, and this influence would

be augmented in proportion to the diminution of the distance. By the very near approach of one of these bodies, as of a comet, the water would be heaped up on that side, by the force of attraction, to the height of several thousand feet; and being held there by that power, the earth, by revolving on her axis, would pass its surface through this heap of water, and thus create a current moving from east to west of nearly a thousand miles an hour. Such a current, as we may readily imagine, would strip the surface, not only of the plants, but would plough up the soil itself, mixing the whole in chaotic confusion.

A current like this is a sufficiently powerful agent to have produced most of the extraordinary changes upon the face of the earth, which have baffled the skill of many geological observers. We need no longer wonder that rocks of gigantic size are found transported to great distance from their primitive seats; we need not wonder that the two great continents are nearly severed by the force of the diluvian tides; we need not perplex our imaginations to find out a cause for the appearance of the southeastern shores of the two great continents, which look as if the current, as it subsided, had worn away the solid shores almost to points.

Skepticism can here find not only evidence of a deluge, but a cause powerful enough to produce one. With these proofs of the existence, in former days, of mighty diluvian currents sweeping over the earth, from east to west; with the tradition of a great deluge recorded in sacred writ; it is not a little remarkable that circumstances to which I am about to allude strongly tend to show that the most extraordinary comet that has appeared in the days of modern astronomy, must have been, about the time ordinarily assigned for the Mosaic deluge, within the limits of our solar system. I refer to the comet of 1680, a luminary of remarkable size, with a train extending from the zenith to the horizon, and illuminating the whole heavens with its light, and which at the time of its appearance perplexed all Europe with supernatural fears.

The orbit of this comet was calculated by Halley, and the time of its periodical return was found to be from 575 to 576 years. Modern history has verified the accuracy of this calculation, by recording the appearances of this comet in former times, i. e. in 1106, in 531, and again forty-four years before Christ, at the time of the death of Cæsar.

An anterior appearance of a remarkable comet is recorded in the Sibylline books, as occurring in the year 618, or 574 years before the one above mentioned. Here authentic history is silent; but in the year 1193, or shortly after the siege of Troy, Grecian mythology informs us, that one of the Pleiades, unable to witness the misfortunes of that city, abandoned the zodiac, and fled to conceal herself at the pole, with dishevelled hair; and that, at a fitting period, she would return to affright mankind. This fable plainly alludes to a remarkable comet, and its appearance at that era being the ascertained time for the return of the comet of Halley, justifies us in concluding that it refers to that comet. Another fable of Arabic origin indicates a still earlier appearance of this wandering star. According to their historians, the star Canope or Sokiél had espoused the constellation Orion, whom the Arabians designate as a female. By some misadventure, Canope wounded his wife; and, overcome with grief, he abandoned his place in the zodiac, and traversing the heavenly field, hid himself near the southern pole.

This tale is represented as occurring in 1766 before the Christian era,

or 574 years before the disappearance of the lost Pleiad; and the next anterior periodical return of this extraordinary comet would carry it back to the era ordinarily assigned for the Mosaic deluge. It may certainly be that these two events have no connection with each other. The chronology of the deluge is not very correctly ascertained, nor is the periodical return of this comet to be regarded as fixed within one or more years. Stars with such eccentric orbits, and traversing such immense regions of space, are liable to be affected in their course by the attraction of the planets whose orbits they pass.

Still, with all these allowances, the coincidence is remarkable, and the results which must have been caused by such an approximation, and of which the evidences are to be found in every coal bed, in all our valleys, in the deep gulfs and bays, and in the shape of the continents, afford some reason to conclude that this coincidence did occur, and that it was intended to accomplish the great purposes of infinite wisdom. Whether this conjecture as to the cause of the universal deluge be well founded or not, is not, however, so important to my present purpose. Other evidence exists, presenting the strongest internal force, that such a deluge did occur, and that it was accompanied with a current of the character here described.

In subsiding, it would happen that, as the earth passed through the heap of waters, the large basins formed by the great north and south ranges of mountains would be filled with water surcharged with mineral and vegetable deposits, which would fall to the bottom of these basins, as the waters flowed off through the valleys and lower declivities of the mountain ridges. Time would be afforded after the great diluvial tide had passed, before the revolution of the earth again filled the basin, for a large quantity of the water to run off, and for masses of matter, held in suspension, to be deposited; the heavier particles falling first, and the vegetable remains, saturated with mineral and bituminous substances, next. Another and another tide following, another and another series of deposits would be made, until the cause of the high diluvial tides, passing beyond the influence of attraction, the agitation of the ocean would cease, and the deposits would begin to assume consistency and solidity, and to form part of the outer strata of the earth.

The important uses of coal, in administering to the wants of society, give to us all a direct interest in the geological events of those early stages of creation. The most ancient period to which its origin can be traced, was among the swamps and marshes of the primeval earth, where it existed in the form of stately ferns, and gigantic plants of the cryptogamous class. We next find it torn from the surface of the mighty diluvian current that swept over the earth, mingling its vegetable productions in chaotic disorder, with all the looser portions of its surface.

Upon the subsiding of the flood, these plants sunk, saturated, to the bottom of their present basins; and, after a long course of ages and chemical changes, they became converted into enduring beds of coal, which, in these latter days, have proved the sources of heat, and light, and wealth to the human race. It converts the barren stone into a metal that gives to man the mastery over all the elements which form the materials of his mechanical industry. It is in the mill, and in the workshop. It warms his domestic hearth, and prepares his food. It spins, it weaves, it ploughs, it prints, it carries, it draws, it lifts, it forges. In the form of gas, it furnishes his

apartments with brilliant light, and gives a respite to the persecuted leviathan of the deep. It takes the road; and the iron horse, with centuple force, dashes by with a train of enormous weight, and with a speed which outstrips the fleetest race-horse. It appears upon the water; sails are furled, the boatman reposes on his oars, and the rivers and lakes are made to convey passengers and their goods with certainty and speed. The current of the Mississippi is no longer an obstacle to the ascending trade of that fertile valley. The ocean is no more faithless and uncertain. It has been bridged by steam, and the force of the waves and the power of the storm, terrible as they have been throughout time to those who go down in ships to the great deep, are shorn of their terrors and deprived of their destroying energy, by the power created by this useful material.

Among the most remarkable coal fields, or basins, we may class that formed between the Alleghany and Rocky Mountains, and drained by the Mississippi; and it would be difficult to imagine any large tract where the shape of the country is better calculated for the preservation of large diluvial deposits, of the carboniferous order, than the great valley lying west of the Alleghany Mountains.

From the superficial examination which has been bestowed upon this coal field, and the numerous specimens of coal found in all directions, we may safely conclude that there is stored up, in that region, a greater mass of fuel, in the concentrated form of coal, than is to be found in all Europe; probably greater than is afforded in all other parts of the ancient world.

In Great Britain, (distinguished as that island has been for mineral riches, and great as have been the effects resulting from their development,) inconsiderable, indeed, are the carboniferous deposits, when compared with those which break through the eastern face of the Alleghanies, on the Susquehanna, and spread themselves in one broad field of mineral wealth through the immense valleys of the Ohio and Mississippi.

The coal fields are found in almost every part of this vast tract of country. They exist in Alabama. In Virginia they have been worked for many years. In Cumberland, on the Potomac, extensive mines of bituminous coal are found near the Chesapeake canal, which have lately commanded great attention. At Blossburg, in Tioga county, a large mine is now worked, from which the Erie canal boats are receiving 200 tons per day. At Tonawanda, on the east side of the same mountain, there are coal strata, which I have examined, five feet thick, and which are worked for the use of the vicinity. Other mines are found in Jefferson and Clearfield counties, near Olean, which seem to be provided for the supply of the western part of this state. It is, however, on the western side of the Alleghany range, that the great coal field is to be found; there it extends in broad and almost uninterrupted strata, as if the great mass of vegetable remains of the antediluvian world had been swept before the mighty current, until they found a shelter in the eddies formed by the projecting ridge of the Alleghanies, and were there stored up for the use of the enterprising people now occupying this highly favored country.

The field of bituminous coal is not even now fully explored. It is, however, found almost everywhere, and generally easy of access; often in mountains, and so situated that the mines can be drained without machinery into the natural water-courses of the country.

It has not yet been discovered in New York, nor in New England; but the examinations there have not been sufficiently exact to warrant the conclusion that those states are without coal deposits, and the appearance of the carboniferous strata in Nova Scotia, where coal of excellent quality is obtained from the Sidney and Pictou mines, affords strong evidence that the causes which produced the great Alleghany coal field operated over the whole tract of country, from Alabama to Cape Breton.

In Rhode Island and in Massachusetts, near Worcester and Taunton, anthracite coal is found; and although this species of coal is more completely mineralized, it is obviously produced by similar causes. The great anthracite coal beds of Pennsylvania appear to the east of the great bituminous coal field, and afford some ground to believe that the great coal strata on the eastern side were first formed, and being less protected from the current, became more completely mineralized. Hitherto the anthracite coal, being of more easy access, has come into more general use, and the rapid increase of that trade is a striking proof of the growing importance of this branch of national industry.

In 1820, this article was first made known; and 365 tons were brought to market. In 1826, the consumption had increased to 48,000 tons, and last year it was augmented to 845,000 tons.

The bituminous coal business has scarcely yet commenced. In Virginia, it is true that bituminous mines were long since opened; but the trade has been carried on in an easy, careless, unenterprising manner, so characteristic of that venerable commonwealth, that we can scarcely wonder that it has grown into the currency of a proverb, that "Old Virginny never tires." The sensation of fatigue is rather produced in the observer of her movements.

The amount of bituminous coal consumed in the west, at Pittsburgh and other places, is great, but the source of supply is so near at hand, that it can scarcely be yet enumerated among the branches of internal trade.

In this state the business has been lately commenced. A railroad forty miles in length was recently completed, connecting the Chemung canal at Corning with the Blossburg mines in Pennsylvania. When I was there, in August, the railroad was just put in operation; the wharf, where the coal was transferred from the cars to the canal boats, was not finished; the streets of a future city were still crowded with stumps and the trees of the forest; the work, however, was going on with vigor; stores and dwelling-houses were building; a church and schoolhouse, and an iron foundry, were completed. The locomotives, with their trains of coal cars, were arriving twice a day, bringing 100 tons of coal to be discharged into the canal boats, and the men were then employed in landing another locomotive, in order to increase the force on the road.*

In the enterprise might be plainly traced the commencement of a new internal trade of great importance. On the northwestern base of the Alleghany bordering on the Erie railroad, and approaching near to the termination of the Genesee valley, the Chemung and Chenango canals, are bituminous coal mines, which are of indescribable importance to the

* At Blossburg, there are several coal companies, all of whom are entitled to use the road; each coal company furnishing its own cars, brake-men, &c., and the railroad company furnishing the road and motive power. The Arbon Coal Company has made four drifts into the mountain, each of sufficient capacity to yield 250 tons daily. It has

state. In those mines, the coal strata alternate with limestone, fire clay, and iron stone, in layers. Here are destined to be great iron works, upon which we must mainly rely for our supply of that great necessary of life.

The demand for iron is daily increasing, and that so rapidly as to make it difficult to say from what quarter the demand can be supplied.

In 1740, the amount of iron made in England and Wales was but 17,000 tons. In 1796, it had increased to 125,000 tons; and when, in 1820, it had increased to 400,000, and in 1830 to 700,000 tons, some doubt began to be expressed whether the sources of this enormous supply might not be exhausted. What must be the apprehension of these doubters when they find the annual consumption more than doubled, it having last year come up to the enormous amount of 1,512,000 tons! In France, it amounted to 600,000 tons, and the total amount made in Europe is 3,000,000 tons. In the United States, the amount now made annually is about 250,000 tons; but it is fast increasing.

It is in reference to iron that the consideration of this topic becomes extremely interesting in a national point of view. The yearly importation of iron into the United States, in bars or pigs, or in massive articles, amounts to near \$5,000,000, and the manufactured articles on that material, to a much larger sum. Nearly \$400,000 are required for our railroads, and the demand from that quarter must increase. But our attention is scarcely directed to that subject. We have been too much occupied with commerce and agriculture. We have just begun to inquire into our mineral wealth, and already a process has been discovered by which anthracite coal is used in smelting iron, and its cost of production is reduced 40 per cent; and we are enabled to use pig iron of greater weight as a substitute for bar iron for railroads.

Those acquainted with the subject assert that in the Cumberland district the facilities for manufacturing iron with bituminous coal are so great, that it can be afforded for from \$12 to \$15 per ton, or much less than the price of iron in Europe.

The bituminous coal in the United States, except the Virginia and Ohio, is much heavier than that of Europe. The Blosburg, the Pennsylvania, and the Tennessee coal, all exceed in weight a ton to the cubic yard; and that in Bedford county (Penn.) exceeds it by 629 lbs.

None of the European coals weigh a ton. The anthracite, too, are all heavier than those of Europe.

With coal of so excellent a quality, and so abundant in quantity, a new feature is developed in the character and resources of the United States.

also 100 coal cars, each carrying 3½ tons. Already 230 tons have been delivered in one day, and the force employed there is constantly increasing. The weight of the Blosburg coal is as follows;

	Density.	Weight per cubic yard.
		Tons. lbs.
Johnson Run,.....	1.493.....	1 0280
Bear Creek,.....	1.000.....	1 0122
New Hope Run,.....	1.429.....	1 0173
Cool Run,.....	1.371.....	1 0073

It contains 75.4 per cent carbon,
 16.4 " bitumen,
 8.2 " ashes and earthy matter.

imagination can scarcely grasp the extent of power and prosperity to which this republic is destined to advance.

When we consider how much has been achieved by England, by the agency of coal upon iron and steam, when we reflect that machinery equivalent to the labor of nearly 400,000,000 men is now moved in that country by this substance, that by and through that labor she maintained her fleets and armies, and was enabled for a quarter of a century to withstand the united energies of revolutionary France, backed by her dependent continental allies, and directed by the genius of Napoleon, and finally to plant the red cross in triumph upon the walls of Paris, and to dictate the terms of peace to Europe—when we look at the importance of that little island among civilized powers, at the influence she has exerted and is exerting upon the world, and perceive how much of that power is owing to the wealth created by the combined force of coal, iron, and steam, we are amazed at its influence upon the fortunes and destinies of mankind.

In this country that influence is beginning to exert itself; and we have ill read the signs of the times if it is not destined to exert a mighty force upon the fortunes of the United States. The internal improvement of the country, the providing the means of bringing its produce to market, and of intercommunication between different portions of the Union, the advancement of the manufacturing arts, the development of its resources, all depend upon the combined influence of these important agents; and if we would promote the permanent improvement of our species, no better mode can be devised than to encourage, by all proper means, the working of our coal and iron mines. Under a judicious and economical system, we may then see the great channels of intercommunication between the states furnished with the improved modes of intercourse; the distant parts of the Union really made one country, by bringing them within a few days' travel; the arts and sciences of the old world transported to the new; our machinery increased and perfected until its power is equivalent to that of England; and the country rich and prosperous, and, under the guidance of patriotism and intelligence, moving onward in that career of glory and greatness which is marked out as it were by the finger of divine Providence.

ART. V.—IMPRISONMENT FOR DEBT.

WE purpose briefly in this article to state the present condition of the law of arrest in the state of New York. Our attention has been recently called to the subject by the presentment, by a grand jury, of the city prison; and our sympathies excited by the fact that some thirty persons are said to be now confined there for debt, herding with accused and convicted felons. The law of imprisonment for debt has few advocates at the present time; few, at least, among those professing to be friends of justice or humanity. In the third volume of Bancroft's "History of the United States," will be found the following beautiful tribute to James Oglethorpe, the founder of the colony of Georgia, and we would beg leave to call the attention of the people of that state to it, if the barbarous law of imprisonment for debt still stands upon her statute book unrepcaled. It

is a slight departure from the narrow compass of our article, but the beauty of the extract will, we think, justify us with the reader.

"In the days when protection of property was avowed to be the end of government, the gallows was set up as the penalty for a petty theft; and each year, in Great Britain, at least four thousand unhappy men were immured in prison for the misfortunes of poverty. A small debt exposed to a perpetuity of imprisonment; one indiscreet contract doomed the miserable dupe to life-long confinement. The subject won the attention of James Oglethorpe, a member of the British parliament, a man of an heroic mind, and a merciful disposition; hardly thirty years of age, and yet full of experience; who had been disciplined alike in the schools of learning and action; an hereditary loyalist; in his boyhood, commissioned during the power of Bolingbroke; a pupil of the university of Oxford; a volunteer in the family of Prince Eugene; present at the siege of Belgrade, and in the brilliant campaign against the Turks, on the Danube. *To him, in the annals of legislative philanthropy, the honor is due of having first resolved to redress the griefs that had so long been immured and locked up from the public gaze; to lighten the lot of debtors.* Touched with the sorrows which the walls of a prison could not hide from his merciful eye, he searched into the gloomy horrors of jails,—

'Where sickness pines, where thirst and hunger burn,
And poor *misfortune* feels the lash of vice.'

"In 1728, he invoked the interference of the English parliament, and, as a commissioner for inquiring into the state of the jails of the kingdom, his benevolent zeal persevered till, from extreme misery, he restored to light and freedom multitudes who, by long confinement for debt, were strangers and helpless in the country of their birth. He did more. For them and for persecuted Protestants, he planned an asylum and a new destiny in America, where former poverty would be no reproach, and where the simplicity of piety could indulge the spirit of devotion without fear of persecution from men who hated the rebuke of its example."

Such was the founder of the colony of Georgia; such the first distinguished advocate of that great cause of humanity—the abolishing of imprisonment for debt. How would his brow have been clouded with sorrow, could he have extended his vision into futurity; could he have looked along down the line of more than a hundred years, and seen during all that time imprisonment for debt enforced in the land which he might almost be said to have aided in creating; could he have heard the lamentations and groaning of the crushed and broken-hearted debtors and their suffering families, whose misfortunes were their only crime, which, during that century, have been uttered, and the account of which has been recorded in the high chancery of heaven!

But, thanks be to God, we have fallen on better times. If the evil has not been entirely removed, it has, at least, been greatly modified; and we trust that, ere long, in this state, it will forever cease. In 1831, an act was passed by the legislature, abolishing imprisonment for debt, where citizens of this state were the debtors, except in cases of fraud. Under that law, citizens of other states could still be arrested in New York, unless they came into the state for the purpose of becoming citizens, and had been, at the time of service of process, residents in the state for at least thirty days. For this law we are chiefly indebted to our philan-

thropic fellow-citizen, Silas M. Stillwell, Esq. But there was still a difficulty. In the United States courts, imprisonment for debt was allowed, and citizens who were unfortunate enough to owe debts of five hundred dollars and upwards to citizens of other states, were still liable to arrest, by process issuing out of the courts of the United States. In 1839, a law was passed by congress, first introduced into the United States senate by the Hon. N. P. Talmadge, making the proceedings and process of the the United States courts, in relation to imprisonment for debt, conform to the then existing laws of the separate states; that is, allowing imprisonment in those cases where the laws of the states in which the United States courts were held allowed it, and abolishing where abolished by states. During the last session of the legislature of New York, the exception of non-resident debtors was stricken out; and the empire state erased from her statute book the remnant of that law which is at once a relic and a memento of a barbarous age. A jubilee was proclaimed, and it was fondly hoped that misfortune and crime would be no longer punished alike, at least, in our glorious state. Many strangers, who had been deterred by the fear of imprisonment, came to visit us; and some, who came to settle their affairs with their creditors, found themselves, soon after their arrival, immured within the walls of a prison. The barbed iron still clings to the body politic, as if rusted there by the use of ages. The law of the United States conformed to the law of the state, as it existed in 1839, when the arrest of non-resident debtors was allowed; and, as many of the debtors to New York, residing in other states, are indebted in sums exceeding five hundred dollars, they are still liable to arrest, upon process issuing out of the United States court.

A law has recently been introduced, and, we trust, will soon be passed by congress, amending the law of 1839, and making it conform to the present state laws, and to future state legislation. When that law shall have passed, then, indeed, may we rejoice here; and when, to crown all, a general bankrupt law shall be passed, then shall we rejoice seven-fold more; then the year of jubilee will have come; then the ransomed will go free, and shouts of thanksgiving and of joy will ascend from a million of lips!

ART. VI.—LAWS RELATIVE TO DEBTOR AND CREDITOR.

NUMBER VII.

NEW YORK.

PROCESS—PROVISIONS.

IN this state process is commenced by summons or original writ against corporations, by *capias ad respondendum* against persons not privileged from arrest, and by declaration. By a recent law, no person can be imprisoned on any civil process issued out of a court of law, or on any execution issued out of a court of equity, on any suit instituted for the recovery of a sum of money, on any suit instituted upon any judgment or decree founded on contract, or for the non-performance of any contract, excepting in cases of proceedings for contempt, to enforce civil remedies or action for fines and penalties. Actions *ex delicto* are bailable; and *trover*, *trespass*, and *replevin*, are bailable, as of course. *Trespass* for injuries

to the person, and trespass on the case, are bailable, by a special order. Certain persons are privileged from arrest, although the cause of action is bailable. Among these are ambassadors, public ministers, except consuls and their domestic servants, non-commissioned officers, privates, seamen, musicians, and marines, in the service of the United States. Persons sued in *autre droit*, or their representative character, as heirs, executors, administrators, and assigns, and trustees, unless they have incurred a personal obligation to pay the debt or demand. Married women, in actions *ex delicto*. All females in action *ex contractu*. All persons sued on recognizances of bail, or on bail and replevin bonds, or on any other bond in which a surety shall have been joined, taken in the course of judicial proceedings, or by virtue of any statute. Corporations in their corporate character. Persons discharged under any insolvent law, upon any cause of action accruing previous to the execution of an assessment of their estate under such law. Defendants who have before been holden to bail for the same cause of action, unless the first arrest has not been available to the plaintiff, and it can be made to appear that the second suit is not vexatious. Persons who possess temporary privileges from arrest, are senators and representatives in congress, during their attendance at the session of their respective houses, and in going to and returning from the same, except in cases of treason, felony, and breach of the peace. Officers of both houses of the legislature, while in actual attendance thereon. Attorneys, counsellors, and solicitors, during their actual and necessary attendance on the courts. All other officers of courts of record, during the actual sitting of the courts of which they are officers, except when sued with other persons. Witnesses. Persons belonging to the militia, while in service. Electors entitled to vote at election, during the pendency of such election.

PROPERTY EXEMPT FROM EXECUTION.

The following property, when owned by any person being a householder, is exempt from levy and sale under an execution; and such articles thereof as are moveable shall continue so exempt while the family of such person, or any of them, may be removing from one place of residence to another. All spinning-wheels, weaving looms, and stoves, put up or kept for use, in any dwelling-house. The family bible, family pictures, and school-books used in the family of such person, and books not exceeding the value of fifty dollars, which are kept and used as a part of the family library. A seat or pew occupied by such person or his family in any house of public worship. All sheep, to the number of ten, with their fleeces, and the yarn or cloth manufactured from the same. One cow, two swine, and the necessary food for them. All necessary pork, beef, fish, flour, and vegetables, actually provided for family use, and necessary for the use of the family for sixty days. All necessary wearing apparel, beds, bedsteads, and bedding, for such person and his family. Arms and accoutrements, required by law to be kept by such person. Necessary cooking utensils, one table, six chairs, six knives and forks, six plates, six tea-cups and saucers, one sugar-dish, one milk-pot, one tea-pot and six spoons, one crane and its appendages, one pair of andirons and a shovel and tongs, the tools and implements of any mechanic necessary to the carrying on of his trade, not exceeding twenty-five dollars in value.

JAIL LIMITS.

It is provided that the jail limits shall not exceed five hundred acres in extent, and all that part of the city and county of New York lying south of the northerly line of Fourteenth street, is the jail limits of the city and county.

FALSE PRETENCES.

Every person who, with intent to cheat or defraud another, shall designedly, by color of any false token or writing, or by any other false pretence, obtain the signature of any person to any written instrument, or obtain from any person any money, personal property, or valuable thing, upon conviction thereof shall be punished by imprisonment in a state prison not exceeding three years, or in a county jail not exceeding one year; or by a fine not exceeding three times the value of the money, property, or thing so obtained, or by both such fine and imprisonment.

DEEDS.

Every grant in fee, or of a freehold estate, must be subscribed and sealed by the person from whom the estate is intended to pass, or his lawful agent; and if not duly acknowledged previous to its delivery, according to the provisions of the third chapter of this act, its execution and delivery shall be attested by at least one witness; or if not so attested, it shall not take effect against a purchaser or encumbrancer until so acknowledged. A grant of real estate can only take effect from the time of its delivery. Every conveyance of real estate within this state hereafter made, shall be recorded in the office of the clerk of the county where such estate is situated; and such conveyance, if not recorded, is void, as against a bona fide purchaser, whose deed shall be first recorded. Every deed conveying real estate, which by any other instrument in writing shall appear to have been intended only as a security in the nature of a mortgage, though it be an absolute conveyance in terms, shall be considered as a mortgage, and the person for whose benefit such deed shall be made, shall not derive any advantage from the recording the same, unless every writing operating as a defeasance of the same, or explanatory of its being designed to have the effect only of a mortgage or conditional deed, be also recorded therewith, and at the same time. Every conveyance of real estate situated without this state, heretofore made, or hereafter made, and which shall be acknowledged or proved in the manner prescribed by the laws of this state in relation to conveyances of land within this state, may be read in evidence in any court, without further proof thereof, in the same manner, and with the same effect, as if such conveyance related to real estate within this state, and all conveyances of lands duly authenticated according to the laws of such states, may be read in evidence in the courts thereof.

WILLS.

All persons, except idiots, persons of unsound mind, married women, and infants, may devise their real estate by a last will and testament, according to the provisions of this title. Such devise may be made to any person capable by law of holding such estate; but no devise to a corporation is valid, unless the corporation is specially empowered by its charter to take such estate. All devises of real estate to an alien, or a person not capa-

ble of holding property, are invalid. When any real estate shall be devised by will, any executor or devisee may prove it before a surrogate. It must be signed and sealed with proper witnesses; and if it shall appear that the will is duly executed, the will and testament must be recorded in a book to be provided by the surrogate, and the record thereof shall be signed and certified by him. Every such will must have a certificate of such proof endorsed thereon, signed by the surrogate and attested by his seal of office, and may be read in evidence without further proof thereof. The exemplification of the record of any last will and testament proved before the judge of the former court of probate, and recorded in his office before the first day of January, 1785, under the seal of the officer in whose custody such record is, shall be received in evidence in all cases after it shall have been made to appear that diligent and fruitless search has been made for the original will. All male persons of the age of eighteen years, and of sound mind, may make their will of personal estate in writing; and every female who is not married, and is of the age of sixteen years, may also make their will. No nuncupative or unwritten will bequeathing personal estate shall be valid, unless made by a soldier in actual service, or by a mariner at sea. It is required that a will shall be subscribed by the testator at the end of the will, and in the presence of two attesting witnesses, each of whom is required to sign his name as a witness at the end of the will, and at the request of the testator, the instruments being always subject to revocation.

STATUTE OF LIMITATIONS.

Actions founded in contract under seal, excepting those which are brought upon the judgment or decree of some court of record of the United States, or of a court of one of the states, all actions upon judgment rendered in any court not being a court of record, actions of debt for rent, not reserved by some instrument under seal, actions of account, assumpsit, or on the case, founded on any contract or liability expressed or implied, actions for trespass upon land, actions for taking, injuring, or detaining any goods or chattels, including the action of replevin, actions for trespass upon land, all special actions on the case for criminal conversation, for libels, or for any other injury to the person or rights of any, except such as are specified in the two next sections, must be commenced within six years after the cause of such action accrued. Actions for slandering the character or title of any person, or for words spoken by which special damage is sustained, must be brought within two years after the cause of such action accrued; and all actions for false imprisonment, and for assault and battery, must be commenced within four years after the cause of action accrued. In all actions of debt, account, or assumpsit, brought to recover any balance due upon a mutual, open, and current account, the cause of action shall be deemed to have accrued from the time of the last item proved in such account; and if any person entitled to bring an action as aforesaid, shall be of unsound mind, of non-age, imprisoned on a criminal charge, or in execution under the sentence of a criminal court, for a term less than his natural life, or if a feme covert, these persons shall have the liberty to bring such actions within the respective times in this article limited, after such disability is removed.

FOREIGN ATTACHMENT.

Whenever a person, not being an inhabitant of the state, shall secretly depart therefrom, with intent to defraud his creditors, or to avoid the service of civil process, or shall keep himself concealed with the like intent, application for an attachment may be made to the circuit judges, supreme court commissioners, first judges of county courts, and to any other judge of said court of the degree of counsellor at law in the Supreme Court; and, if made in the city of Schenectady, the mayor thereof. Such application may be made by any creditor within this state or out of it, or by his personal representatives, having a demand against such debtor personally, or upon a judgment or decree rendered in this state, amounting to one hundred dollars or upwards, or by any two such creditors having such demands to the amount of one hundred and fifty dollars, or by any three or more creditors whose demands amount to two hundred dollars or upwards; and upon such application, the goods of the said creditor, real and personal, may be attached, and all his books and accounts, vouchers and papers, relating to the property, debts, credits, and effects of such creditor, and may hold them to respond to the judgment.

COURTS.

All justices of the peace, elected in any town in the state, or appointed for any city in which special courts are not established by law, are possessed of necessary powers that are possessed by courts of record. Their original jurisdiction extends to actions of debt, covenant, and assumpsit, wherein the debt or demand due, or the damages claimed, does not exceed fifty dollars; to actions of trespass, and trespass on the case, not exceeding the same amount; to actions for penalties under the statute, not exceeding fifty dollars; all actions commenced by attachment, wherein the debt or damages claimed do not exceed one hundred dollars; and to take and enter judgment on the confession of a defendant, to an amount not exceeding two hundred and fifty dollars: but they have no jurisdiction in cases where the title to land shall in any wise come in question, nor in matters of account where the sum total of the accounts of both parties shall exceed four hundred dollars. Actions before justices must be brought in the town or the next town, where the plaintiff or defendant resides, excepting in cases of absconding debtors, when the action may be brought where the property of such absconding debtor lies; and all actions before justices are commenced by summons, warrant, or attachment.

Courts of Common Pleas.—It is provided that a court of common pleas shall be established in every county of the state, which shall possess the power to hear, try, and determine, according to law, all local actions arising within the county for which such court shall be held, and all transitory actions, although the same may not have arisen within such county; to grant new trials; to hear and determine appeals from justices' courts in cases and in the manner prescribed by law to exercise the power and jurisdiction conferred upon them by the laws of the state. The judges of the county courts of each of the counties of this state, (the city and county of New York excepted,) or any three of them, shall have the power to hold the courts of common pleas in their respective counties, and any three of the judges of the county courts of each of the counties of this state, except the county of New York, shall have the power to hold courts of

general sessions in their respective counties. The courts of common pleas possess jurisdiction in all controversies relating to lands in their respective counties, and in personal actions, to an unlimited amount. They may stay executions on judgments of justices of the peace, and set them aside.

Circuit Courts.—The state of New York is divided into eight circuits, corresponding with the eight senatorial districts in the extent of their territory, and the numbers by which they are designated. In each of these circuits a circuit court is established, and they have the power to try all such issues, and to take all such inquests, by default or otherwise, as are to be tried or taken in the said circuit courts respectively; to record all nonsuits and defaults before them; and to return all proceedings had before them into the Supreme Court, or the court directing the same. Each of the circuit judges has the power of a justice of the Supreme Court at chambers, and in the trial of issues joined in the Supreme Court, and in courts of oyer and terminer and general jail delivery.

Supreme Court.—This court possesses the powers and exercises the jurisdiction which was formerly exercised by the Supreme Court of the Colony of New York, with the exceptions, additions, and limitations created and imposed by the constitution of this state. There are four several terms of this court annually, namely, on the first Monday of January, May, and July, and third Monday of October. Its jurisdiction extends to all legal claims and demands exceeding twenty-five dollars.

BILLS OF EXCHANGE.

The common damages to be allowed and paid upon the usual protests for non-payment of bills of exchange, drawn and negotiated in this state, are as follows:—if such bill shall have been drawn upon any person or persons in the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Ohio, and Delaware, Maryland, or Virginia, or in the District of Columbia, three dollars upon the hundred upon the principal sum specified in such bill. If such bill shall have been drawn upon any person or persons at any place in either of the states of North Carolina, South Carolina, Georgia, Kentucky, or Tennessee, five dollars upon the hundred upon the principal sum specified in the bill. If any such bill be drawn upon any person in any other state or territory of the United States, or at any other place on this continent north of the equator, or in any British or other foreign possessions in the West Indies, or elsewhere in the western Atlantic ocean, ten dollars upon a hundred upon the principal sum specified in the bill. Such damages are in lieu of interest, charges of protest, and all other charges incurred, previous to and at the time of giving notice of non-payment. When bills of exchange are protested for non-acceptance, the same amount of damages is allowed.

INSOLVENCY.

Insolvent debtors may be discharged from their debts, on executing an assignment of all their estate, for the benefit of their creditors. The petition for his discharge must be signed by him, and by as many of his creditors residing within the United States as have debts, in good faith, owing to them by such debtor, and amounting, at least, to two-thirds of all debts owing by him to creditors residing within the United States. This peti-

tion must be accompanied by an affidavit stating the sum specified therein, and annexed to the name of the petitioner subscribed to such petition, is justly due to him or will become due to him at some future time, to be specified therein; and also the nature of the demand, and that he nor any person to his use, has received payment of any part of the said sum; and also, by a schedule containing a particular account of the condition of his property: and upon such insolvent's producing a certificate, under the hands and seals of the assignees, that such assignment has been made and duly recorded, he shall be granted a discharge from his debts and from imprisonment.

There are certain prescribed proceedings in order to compel assignments by debtors imprisoned in civil cases, as well as voluntary assignments to exonerate from imprisonment, and certain general rules for the regulation of trustees and assignees, a particular knowledge of which may be obtained from the statutes.

MORTGAGES AND ASSIGNMENTS.

It is established that no sale or assignment of goods and chattels, as mortgage or security, or upon any condition whatever, is valid, unless such assignment is accompanied by an immediate delivery, with an actual and continued change of possession, or unless the mortgage or a true copy thereof is filed in the following manner:—if the mortgagor is a resident of the city of New York, the mortgage or copy must be filed in the register's office; if in any other city or town, where the county clerk's office is kept, then at such office; and in other towns, at the office of the town clerk. Such mortgages of personal property become void unless they are renewed within thirty days before the expiration of a year from the filing thereof. All assignments of property to trustees, for benefit of creditors, must be recorded in the office of the clerk of the county where the assignment has been made.

JUDGMENT AND EXECUTION.

All judgments that are rendered in any court of record, bind the real estate of the debtor from the time the judgment is docketed, and all that he may acquire at any time thereafter, which real estate may be taken in execution and sold at auction. But unless the execution be levied within ten years, the lien thus created ceases. The record of the judgment must be entered up by the clerk of the court, who is required to note the day and hour of entering the docket, as well as other necessary particulars and these records, are kept open for inspection. All personal property of a debtor within the jurisdiction of an officer, is bound from the moment the officer receives the writ of execution, and priority is determined by the time of the delivery of the execution to the officer; and when goods or chattels are taken in execution, notice of the sale must be given six days successively previous to the time of sale, by fastening up printed or written advertisements in three public places in the town where such public sale is had. In cases where the debt or damages do not exceed two hundred and fifty dollars, justices of the peace may enter a judgment by confession of the debtor. In such cases, the debtor must be present and sign the confession; and if the judgment be over fifty dollars, the confession must be accompanied by the affidavit, both of the creditor and debtor, that the sum confessed by the debtor is justly and honestly

due the creditor, and that the confession is not made with a view to defraud any creditor, and execution may be stayed for such time as the parties may agree. When the judgment exceeds twenty-five dollars, the justice is required to send up a transcript of the judgment that is filed in the office of the county clerk. This judgment is docketed and entered in a book kept for that purpose; and from the time of the entry, the judgment becomes a lien upon all the real estate of the debtor in the county, in the same manner as if it had been rendered in the Court of Common Pleas.

MERCANTILE LAW DEPARTMENT.

REPORTS, DECISIONS, &c.

1. ACTION ON A GUARANTEE—2. ACTION FOR FREIGHT—3. ILLEGALITY OF FACTORS PLEDGING NOTES RECEIVED FOR GOODS SOLD BY THEM—4. FACTORS SELLING GOODS TO REFUND THEMSELVES FOR THE DUTIES THEY PAID—5. COMMON CARRIERS.

ACTION ON A GUARANTEE.

1. In the United States Circuit Court, December 12th, Judge Thompson and Betts presiding, an action on a guarantee was brought by Bell & Grant vs. Matthias Bruen. The amount claimed, 26,650 dollars.

It appeared that in the year 1831, W. H. Thorn, of New York, wrote to Bell & Grant, of London, to open a credit for him with the house of Archibus & Co., of Marseilles, and that Bell & Grant acceded to his request. Thorn was at this time connected with the house of G. W. & H. Bruen, of this city; and shortly after he and Bell & Grant agreed to open the credit for him as above stated, the defendant wrote to Bell & Grant the following letter:

"New York, 23d April, 1831.

"Messrs. Bell & Grant, London:

"Dear Sirs:—Our mutual friend, Mr. W. H. Thorn, has informed me that he has credit for £2000, given by you in his favor, with Messrs. Archibus & Co., to give facilities to his business in Marseilles. In expressing my obligations to you for the continuance of your friendship to this gentlemen, I take occasion to state that you may consider that, as well as any and every other credit you may open in his favor, as being under my guarantee.

"I am, dear Sir, your friend and servant, MATTHIAS BRUEN."

In reply to this, Messrs. Bell & Grant wrote a letter to Mr. Bruen, of which the following is an extract:

"London, 14th June, 1831.

"Matthias Bruen, Esq., New York:

"We are in receipt of your favor of the 23d of April, guarantying the credit opened in behalf of Mr. W. H. Thorn, with Messrs. Archibus & Co., of Marseilles, for £2000, for the purpose of facilitating his business in that place, and moreover desiring us to consider, as under your guarantee also, all credits existing, or that we hereafter open for said friend, of which we take due note; and we trust that Mr. Thorn, as well as your good self, will have every reason to be satisfied with the confidence which we feel a pleasure in assigning to both of you."

After the receipt of the defendant's letter, Bell & Grant, under the supposition that the defendant intended by his letter to guaranty all credits which they should open for Thorn, did open credits for him with houses at Gibraltar, Smyrna, and other places, by which they became responsible for him to the amount of 26,650 dollars, which amount they now claimed of the defendant.

The defence rested mainly on the ground that the defendant's guarantee re-

ferred solely to the credit of £2000, which the plaintiffs opened for Thorn with the house of Archibus, and could not be construed so broadly as to be a guarantee for all credits which the plaintiffs might open for him anywhere else.

Judge Thompson charged the jury. The court wish to hear further arguments on this question, because they have, during the whole of the trial, entertained very grave and serious doubts respecting the right of the plaintiffs to recover under this guarantee. But on a further examination of the case, we may possibly come to a different conclusion. As, however, we are now strongly of opinion that the plaintiffs cannot recover, we think we are bound to so charge the jury. The court will not now fully enter into the reasons on which they decide, as the case is to be more fully considered; but we will observe that the cases referred to on the part of the plaintiffs, do not apply in any one instance to the question which arises in this case. The question is, has it a continuing guarantee; and as far as that, the court gives it the construction that it has a continuing guarantee. But whether it has a continuing guarantee, and to extend to all the world, is a different question. The words of the letter do not admit that construction. Although it may be fairly considered a continuing guarantee as regards the business at Marseilles, yet it does not bear the construction that it is a continuing guarantee as regards every house in every part of the world. The letter speaks only of Archibus and Co., and does not contain one word which may not refer to that company. In the first instance, the guarantee was for 2000 pounds, and in the defendant's letter he said he would extend it to every credit given to Thorn. But by whom? Naturally and obviously only by those whom the letter mentions, Archibus and Co. But the plaintiffs give it a construction to mean every house in the world. That is not a fair construction. We therefore think that the letter means a continuing guarantee, but not to extend to all the world, and that it would be unreasonable to give it such an application. There must be, therefore, a verdict for the defendant. Verdict for defendant.

ACTION FOR FREIGHT.

2. In the Supreme Court of the State of New York, an action was brought by James Jenkins vs. Benjamin F. Dawson, to recover the freight of 343 barrels and 43 hogsheads of sugar, consigned to the defendant.

The plaintiff is the captain of the schooner Outesier, and arrived here with the sugar in question in February, 1840; payment of the freight was demanded, and refused, on the ground of a set-off.

It appeared that a Mr. Whittaker chartered the vessel, and the defendant subsequently received a bill of exchange of his upon Paris, from their correspondent in Liverpool, which was not paid; they therefore claimed that amount as a set-off to the freight. The court held that the defence was untenable, and the jury, under direction, rendered a verdict for the plaintiff—\$586 35. Mr. Bushnell, for the plaintiff. Mr. Watson, for the defendant.

ILLEGALITY OF FACTORS PLEDGING NOTES RECEIVED FOR GOODS SOLD BY THEM.

3. In the Supreme Court of the State of New York, Judge Jones and Oakley presiding, in the case of Wm. McDonald and others vs. Thomas Stalker, a decision in an action of trover was rendered, for two promissory notes, under the following circumstances:

In July, 1839, the plaintiffs, who reside at Baltimore, consigned teas to Gillespie & Edwards of New York city, for sale, who sold a quantity of the teas in two parcels at different periods, and took two promissory notes at six months in payment; one of them being a note for 439 dollars, and the other for 2,000 dollars. The balance of the teas were sold in August, 1839, and Gillespie & Edwards furnished the plaintiffs with an account of the sales, and informed them that they had received in payment the two notes above mentioned, which they would hold subject to the plaintiffs' orders. In reply to this communication, the plaintiffs wrote to Gillespie & Edwards to send on the notes to them, but Gillespie & Edwards still retained them. In October following the defend-

ant obtained from Gillespie & Edwards, in payment of goods, their note for 2037 dollars, which he put into the Leather Manufacturers' Bank for collection, and on the day this note became due, Gillespie & Edwards applied to him to withdraw their note from the Bank, and as collateral security for its payment, they give him the two notes which they had obtained for the plaintiffs' teas. The defendant subsequently applied to them for payment of their note, and not being able to pay it, they authorized him to dispose of the other two notes, and pay himself their note with the proceeds. The defendant accordingly got the note for 439 dollars discounted, and the other note for 2,000 dollars he sold, at their instance, for 1,500 dollars, so that the produce of these notes did not fully pay the note of Gillespie & Edwards. After the notes were so disposed of, the plaintiffs demanded them of Gillespie & Edwards, who informed them how they had disposed of them to the defendant, and the plaintiffs brought an action of trover against him to recover them.

On this state of facts, the Court said,—The question is, can the defendant keep those two notes, which were given to him by the plaintiffs' factors, as security for the factor's own note. A factor may sell the goods of his principal and take notes for them in his own name, and may faithfully pass away such notes, and if the person to whom he gives them, takes them in good faith and gives a valuable consideration for them, the notes are valid in the hands of the person so taking them, and the principal cannot under such circumstances reclaim them from the person to whom the factor had paid them. But a factor cannot pledge the goods of his principal, or the notes that he takes for his debt, and the principal can recover the notes passed under such circumstances, from whoever the factor gave them to, as security for his, the factor's, own debt.

The Court therefore ordered judgment for the plaintiffs.

FACTORS SELLING GOODS TO REFUND THEMSELVES FOR THE DUTIES THEY PAID.

4. In the Supreme Court of New York, a full bench,—Julius Reese vs. Theodore Meyer and A. W. Hupeden.—The plaintiff consigned goods to the defendants for sale, with instructions not to sell them except at a profit on the invoice price. Notwithstanding their directions, the defendants put up the goods at auction, and sold them below the price limited by the owners, which was very low in comparison to their value. The defendants alleged that a correspondence took place between them and the plaintiff, in which he relinquished his first order and gave them discretionary power to sell the goods, and also that they had advanced money to pay duties, and had a right to sell the goods to repay themselves.

The Court said the alleged correspondence contained nothing by which the plaintiff departed from his first instructions; and that before they sold the goods, they were bound to inform the plaintiff that it was impracticable to sell at his prices, and to demand payment for the duties which they had advanced. They were bound to give him notice before they sold the goods, and not having done so, were liable in damages, which must be the limit fixed by him for the sale of the goods. The Court, therefore, ordered judgment for the plaintiff for the value of the goods as stated in the plaintiff's invoice.

COMMON CARRIERS.

5. The liabilities of steamboats as common carriers, are thus laid down by Judge Ware, of the Maine District Court, in the case of Boney vs. the steamboat *Huntress*:

The owners of a steamboat employed in carrying passengers and merchandise between port and port, are responsible to shippers of goods as common carriers.

Common carriers must at their peril deliver goods which they carry, to the right persons, and if they make a wrong delivery they will be responsible for any loss which may be thereby occasioned.

It is the duty of the owners of goods to have them properly marked, and to present them to the carrier or his servants to have them entered in their books;

and if he neglects to do it, and there is a misdelivery and loss in consequence without any fault of the carrier, he must bear the loss.

But the carrier is not discharged from all responsibility as to the delivery by such neglect, but if there is a wrong delivery or a loss through any want of reasonable caution on the part of the carrier or his servants, he will be responsible.—

THE BOOK TRADE.

1. *Exchange and Cotton Trade between England and the United States, containing proforma accounts on Cotton purchased in the principal markets of the Union, and shipped to Liverpool, with Tables showing the cost of Cotton at Liverpool, and the nett proceeds of Liverpool quotations, and calculations of exchange operations between New York and the South, and between London and the United States.* By J. F. ENTZ. New York: E. B. Clayton. 8vo. pp. —. 1840.

This appears to be a very valuable work to those engaged in mercantile business, connected with the exchange and cotton trade of the country. The compiler would seem to have performed all that he has promised in his title page, if we are to judge from the care with which the statistical tables, comprising the body of his work, have been framed. We have a further voucher for their accuracy in the fact that his materials have been collected from actual shipments, and from statements that have been made from authentic sources. Being a practical merchant, and a resident of Charleston, one of the principal cotton marts of the country, his habits of mind enable him to appreciate the subject, and to do it justice in the task which he has performed. He has presented us a statement of the precise cost of cotton shipped to Liverpool from six different American cotton markets, besides other facts, that show the dealer in this staple the actual condition of the trade in foreign marts, and thus enable him most advantageously to shape his enterprises in this department of trade, whether in purchase or shipment. We hope that he may be duly rewarded for his enterprise and industry. We have copied several of the exchange tables, which will be found in the appropriate department of this Magazine.

2. *Lives of the most eminent French Writers.* By Mrs. SHELLEY and others. In two volumes. Philadelphia: Lea & Blanchard. 12mo. pp. 373—343. 1840.

This is a work that we heartily welcome to the already vast stock of our literature. It treats of a subject which has been hidden from the great mass of the American mind in a foreign tongue. A particular account of the distinguished characters who have from time to time figured in *La belle France*, a country that has been distinguished for the choicest ornaments of literature, who formerly furnished as prominent attractions for the traveller as the multifarious blandishments of its capital, has been heretofore locked up in the French language, a casket accessible only to the few. We have, at length, the whole subject laid open to view in exquisite and accurate portraits, painted by a female hand. The bold and powerful character of the orator Mirabeau, the fascinating, but dangerous eloquence of Rousseau, the mischievous, but magnificent sneers of Voltaire, the calm and beautiful virtue of Madame Roland, the masculine vigor of Madame de Stael, and numerous others no less distinguished, live again upon the canvass, and pass before us in natural order. By the survey of the political and social circumstances with which these individuals were connected, we are led into a proper estimate of the voluptuous splendor of the Court of Versailles, and the former actual condition of French society. It is a work enriched by the graces of composition, of the deepest interest, and strikingly adapted to the end for which it was published.

3. *Mercedes of Castile, or the Voyage to Cathay.* By the author of the "Bravo," the "Headsmen," the "Last of the Mohicans." Philadelphia: Lea & Blanchard. 2 vols. 12mo. pp. 260—232. 1840.

American romantic literature is clearly more indebted to Mr. James Fenimore Cooper than to any other individual living or dead. The deep forest and its savage denizens, the lake, the prairie, and the ocean, have been touched by the magic of his genius, and invested with new light and beauty. To the associations of grandeur, and the peculiar relations of men in our new and broad country, he has placed himself in the same light as the great magician of Scotland, to the rocky battlements of his native mountains. Upon the sea he can scarcely be considered inferior to the wizard of the north. In that particular, he should be respected and honored by the country. It is to be regretted that a too sensitive temperament, a too great habit of self-exaggeration, and a judgment warped by party principles, have conspired to render him recently somewhat unpopular with the periodical press. And it must be admitted that some of his more recent works have been injudicious. The faults the last to be forgiven by the people of this country, are attacks, either direct or covert, made by a fellow-citizen upon the land which gave him birth. But, notwithstanding these faults, ought they not to be in some measure overlooked, when his mere literary reputation is the point at issue? Condemn, we say, his political doctrines, if they deserve to be condemned. Commend his talents, if they deserve to be commended, without sweeping all his efforts in one general denunciation, because he has committed a few sins, that may perhaps after all have sprung more directly from the nerves than from the heart.

It is pretty generally admitted that his later published works have not entirely supported his former well-earned reputation. The present volumes are cast in the time of Columbus, and although abounding in no highly wrought and striking passages, and rather tame in their general plot and execution, will amply repay perusal.

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4. *Notices of the War of 1812.* By JOHN ARMSTRONG, late a Major-general in the army of the United States, and Secretary of War. In two volumes. New York: Wiley & Putnam. pp. 260—244. 1840.

The very respectable character of the author of these volumes, his former station as secretary of war, and a major-general in the army of the United States, render its matter highly valuable and interesting. The main portion of the work is devoted to a rather philosophical history of the military operations that were set on foot upon our northwestern frontier during our last struggle with Great Britain, and they involve a series of circumstances dramatic and thrilling. They embrace also the most important events connected with that struggle in the other parts of the country. This last war of our republic with a foreign power, deserves to be remembered as a matter of experience, and as the last effort of the British government to conquer us. It should be read and studied by every true citizen and patriot. It is clearly written, and every portion is so connected, that the whole subject matter may be rightly understood.

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5. *Anti-Bacchus: an Essay on the evils connected with the use of intoxicating drinks.* By the Rev. B. PARSONS, of Stroud, Gloucestershire, England. Revised and amended, by the Rev. John Marsh. New York: Scofield & Voorhies. 12mo. pp. 360. 1840.

This is a valuable work, setting forth the evils of intemperance. A vast body of facts is here accumulated, which have a direct bearing upon the object of the work—that is, to diminish this evil, which, of late years, has grown rapidly upon the world.

6. *Lectures on Phrenology: including its application to the present and prospective condition of the United States.* By GEORGE COMBE, Esq. With Notes, an introductory Essay, and an Historical Sketch, by Andrew Boardman, M. D. Second edition, with corrections and additions. New York: James P. Giffing. 12mo. pp. 389. 1840.

Gall and Spurzheim, two profound and ingenious philosophers, are, it is well known, the founders of the science of phrenology, if it can be denominated a science. Mr. Combe, although a bright, is a lesser light. The present volume is comprised of a report of a series of lectures that were delivered by the latter gentleman in this country, on that interesting science. Connected, as the subject is, with the doctrine of temperaments, and other physiological facts, the phrenological system must certainly tend to throw some new light upon anthropology, which has become a prominent subject of study at the present day. Pretty close observation would lead one to think that there is something of truth in the general part of the system, and it must be admitted that the class of phrenologists have a powerful argument in the head of Mr. Daniel Webster, the present senator from Massachusetts. But it is probably carried to an extreme, like most other systems. The present volume upholds the well known principles of the science, and is appropriately illustrated with engravings of distinguished men, and by portraits exhibiting the different temperaments.

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7. *Geographical Reader. A system of Modern Geography: comprising a description of the World, with its grand divisions, America, Europe, Asia, Africa, and Oceanica; designed for instruction in schools and families.* By S. AUGUSTUS MITCHELL. Philadelphia: Thomas Cowperthwaite & Co. 12mo. pp. 600.
8. *A System of Modern Geography: comprising a description of the present state of the World, and its five great divisions, America, Europe, Asia, Africa, and Oceanica; with their several Empires, Kingdoms, States, Territories, &c.* By S. AUGUSTUS MITCHELL. Philadelphia: Thomas Cowperthwaite & Co. 12mo. pp. 336. 1840.
9. *An Easy Introduction to the study of Geography: designed for the instruction of children in schools and families; illustrated by one hundred and twenty engravings.* By S. AUGUSTUS MITCHELL. Philadelphia: Thomas Cowperthwaite & Co. 16mo. pp. 176. 1840.

Our schools are much indebted to Mr. Mitchell for several valuable compilations tending to illustrate the geography of the world. Some of his maps have become widely diffused and favorably known throughout the country. To the young merchant, we need hardly say how important to him is the study of geography. Foreign commerce has almost constant reference to the various productions and resources of different quarters of the globe; and a thorough knowledge of these resources would seem to be essential to the right understanding of his pursuit as a science. Nowhere is modern improvement more manifest than in that of our school-books. What was formerly a hidden matter to the scholar, has become as clear as light to the school-boy of the present time, by the philosophical arrangement and appropriate illustrations of our present books for schools. The above-named works are equal to any of a similar kind that have been published; and together with the maps by which they are accompanied, constitute an important accession to this branch of our common school literature.

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10. *Sacred Melodies, or Hymns for Youth: with appropriate selections from Scripture.* New York: Wiley and Putnam. 1841.

This volume embraces an interesting selection of sacred poetry, designed for youth.

11. *The Token, and Atlantic Souvenir: a Christmas and New Year's Present.* Edited by S. G. GOODRICH. Boston: W. D. Ticknor. New York: J. P. Giffing. 1841.

This beautiful annual, for eighteen hundred and forty-one, comes to our hand as regularly as the fragrant flowers of spring, and it is scarcely less grateful. The matter from the pens of some of our popular writers, both in prose and poetry, is judiciously selected, being designed to amuse in our lighter hours, and is illustrated by several clever engravings. It contains, however, one article, entitled "Ireland and the Irish," by the editor, the substance of a lecture which was originally delivered in Boston, at the Temple, by the request of the committee of the Franklin Lectures, a paper abounding with much valuable information, and more solid in its cast than those which are usually found in this class of works. The engravings furnish gratifying evidence of the improved state of that art which may be considered the offspring of modern times, and the book itself constitutes a desirable ornament for the centre-table, and a convenient token of regard, proper to be circulated among mutual friends.

12. *Two Hundred Pictorial Illustrations of the Holy Bible: consisting of Views in the Holy Land, together with many of the remarkable objects mentioned in the Old and New Testaments; representing sacred historical events, copied from celebrated pictures, principally by the old masters; the landscape scenes made from original sketches taken on the spot, with interesting letter-press descriptions, chiefly explanatory of the engravings, and of numerous passages connected with the history, geography, natural history, and antiquities of the Sacred Scriptures.* By ROBERT SEARS. New York: Robert Sears. pp. 206. 1841.

The copious title at the head of this notice, well expresses the general character and design of the work. It is an interesting volume, embodying many curious facts concerning past history, and conveys much scriptural information in a comprehensive and intelligible form. The materials, drawn principally from European publications of repute, appear to be selected with good taste and judgment. The illustrations of some of the sculptured works of the ancient masters are sublime and touching, even in their impressions taken from wood. We commend its general scope and execution to that portion of the public who are not in the possession of more finished works, illustrating the same subjects.

13. *Selections from the American Poets.* By WILLIAM CULLEN BRYANT. Family Library, No. III. New York: Harper & Brothers. 1 vol. 18mo. pp. 316. 1840.

Mr. Bryant, standing, as he does, in the first rank of American poets, would seem to be the best fitted, by his taste and habitudes, to make a judicious selection of their best specimens. In this task, he has well succeeded. It must, doubtless, be a difficult matter to glean from this wide field, where so many flowers of various hues are spread around, those that are the most admirable; and probably many have been left out of this bouquet which might have adorned it, and some may bloom amid its fragrant blossoms that ought, perchance, to have been

"Born to blush unseen,
And waste their sweetness on the desert air."

The publishers have, however, done their duty, and have given us, perhaps, the best selection that could, under all circumstances, have been made. The present compilation shows us, at all events, that our American soil is prolific in poetical genius; and surely it has, in the physical grandeur of the country, and the new and striking political and moral associations connected with our institutions, a magnificent field of future labor.

14. *The Centennial Celebration at Cherry Valley, Otsego County, N. Y., July 4th, 1840. The Addresses of William W. Campbell, Esq., and Governor W. H. Seward: with Letters, Toasts, &c.* New York: Taylor & Clement. 12mo. pp. 59. 1840.

These addresses were delivered on the centennial celebration of the settlement of that interesting section of the state known by the name of Cherry Valley, long an outpost of civilization in the western forest. The first, by Mr. Campbell, which was the principal oration delivered on that occasion, is certainly an eloquent production. Mr. Campbell sketches an interesting historical account of the settlement and progress of that point, and intermingles with it many patriotic reflections, suited to the audience and to the age. Several allusions which he makes to the early settlers, who have deceased, show him to be a gentleman of heart as well as of mind. The speech by Gov. Seward also abounds with fervid and patriotic thought, and served to give animation and interest to the celebration.

15. *Physiology for Schools.* By REYNELL COATES, M. D. Philadelphia: Marshall, Williams, & Butler. 12mo. pp. 333. 1840.

This volume is devoted to schools, and it appears to be executed with good success. It develops, in philosophic order, the general principles of vital growth, arranged with questions for young learners. The rules which govern our animal frame, we think, should be understood by all, and there is no book within our knowledge that present the matter in a more intelligible form. It abounds in plates, which show the different parts of the human system, and tending to illustrate the text.

16. *Selections from the British Poets.* By FITZGREENE HALLECK. Family Library, Nos. 112 and 113. New York: Harper & Brothers. 2 vols. 18mo. pp. 359—360. 1840.

Mr. Halleck, himself a distinguished poet, has prepared two choice volumes, embracing apt *morceaux* from the vast and rich mine of British poetry. Great difficulty must have occurred in the performance of his task, for amid so large a mass of that which is exquisite, it seemed to require no little judgment to select the efforts which are the best. This labor has, however, been performed with taste and discrimination; and we have, in his compilation, a grateful source of amusement and instruction.

17. *Heroines of Sacred History.* By MRS. STEELE. New York: John S. Taylor, and M. W. Dodd. 1 vol. pp. 238. 1841.

This handsomely printed volume describes, in a clear and impressive manner, the female characters most distinguished for their heroism, who have figured in sacred history, and they certainly exhibit a series of beautiful examples, which may furnish proper models of imitation even in our own day.

18. *The Young Lady's Companion: in a series of Letters.* By MARGARET COXE, author of Botany of the Scriptures, Wonders of the Deep, &c. Columbus: N. Whiting. New York: Charles Henry.

This volume is devoted to the welfare of that interesting class, the young ladies of the country. It embraces all those facts which would seem best calculated to advance the intelligence of this portion of our population, and those maxims of virtuous conduct so necessary to their well-being in the community.

EXCHANGE TABLES.

EXCHANGE BETWEEN LONDON AND THE UNITED STATES.

PARIS remitted to London for negotiation, compared with a direct remittance at 60 days sight, exclusive of commission.

Paris sold at London.	United States quotation of Paris at 60 days sight.							
	fs. 4.80	4.82½	4.85	4.87½	4.90	4.92½	4.95	4.97½
PER £	EQUAL TO A DRAFT ON LONDON AT							
f. 25.20	\$5 21.1	5 18.4	5 15.8	5 13.1	5 10.5	5 07.9	5 05.4	5 02.8
25.25	5 22.2	5 19.5	5 16.8	5 14.2	5 11.5	5 08.9	5 06.4	5 03.8
25.30	5 23.2	5 20.5	5 17.8	5 15.2	5 12.5	5 09.9	5 07.4	5 04.8
25.35	5 24.2	5 21.5	5 18.8	5 16.2	5 13.5	5 10.9	5 08.4	5 05.8
25.40	5 25.3	5 22.6	5 19.9	5 17.2	5 14.6	5 12.0	5 09.4	5 06.8
25.45	5 26.3	5 23.6	5 20.9	5 18.2	5 15.6	5 13.0	5 10.4	5 07.8
25.50	5 27.3	5 24.6	5 21.9	5 19.2	5 16.6	5 14.0	5 11.4	5 08.8
25.55	5 28.4	5 25.6	5 22.9	5 20.3	5 17.6	5 15.0	5 12.4	5 09.8
25.60	5 29.4	5 26.7	5 24.0	5 21.3	5 18.6	5 16.0	5 13.4	5 10.8
25.65	5 30.5	5 27.7	5 25.0	5 22.3	5 19.6	5 17.0	5 14.4	5 11.8
25.70	5 31.5	5 28.7	5 26.0	5 23.3	5 20.6	5 18.0	5 15.4	5 12.8
25.75	5 32.5	5 29.8	5 27.0	5 24.3	5 21.6	5 19.0	5 16.4	5 13.8
25.80	5 33.6	5 30.8	5 28.0	5 25.3	5 22.7	5 20.0	5 17.4	5 14.8
25.85	5 34.6	5 31.8	5 29.1	5 26.4	5 23.7	5 21.0	5 18.4	5 15.8
25.90	5 35.6	5 32.8	5 30.1	5 27.4	5 24.7	5 22.0	5 19.4	5 16.8
25.95	5 36.7	5 33.9	5 31.1	5 28.4	5 25.7	5 23.0	5 20.4	5 17.8
26.00	5 37.7	5 34.9	5 32.1	5 29.4	5 26.7	5 24.0	5 21.4	5 18.8
26.05	5 38.7	5 35.9	5 33.2	5 30.4	5 27.7	5 25.0	5 22.4	5 19.8
26.10	5 39.8	5 37.0	5 34.2	5 31.5	5 28.7	5 26.1	5 23.4	5 20.8
26.15	5 40.8	5 38.0	5 35.2	5 32.5	5 29.8	5 27.1	5 24.4	5 21.8
26.20	5 41.8	5 39.0	5 36.2	5 33.5	5 30.8	5 28.1	5 25.4	5 22.8
	United States quotation of Paris at 60 days sight.							
	fs. 5.00	5.02½	5.05	5.07½	5.10	5.12½	5.15	5.17½
PER £	EQUAL TO A DRAFT ON LONDON AT							
f. 25.20	\$5 00.3	4 97.8	4 95.3	4 92.9	4 90.5	4 88.1	4 85.7	4 83.4
25.25	5 01.3	4 98.8	4 96.3	4 93.9	4 91.5	4 89.1	4 86.7	4 84.3
25.30	5 02.3	4 99.8	4 97.3	4 94.9	4 92.4	4 90.0	4 87.7	4 85.3
25.35	5 03.3	5 00.8	4 98.3	4 95.8	4 93.4	4 91.0	4 88.6	4 86.3
25.40	5 04.3	5 01.8	4 99.3	4 96.8	4 94.4	4 92.0	4 89.6	4 87.2
25.45	5 05.3	5 02.8	5 00.3	4 97.8	4 95.4	4 92.9	4 90.6	4 88.2
25.50	5 06.3	5 03.7	5 01.2	4 98.8	4 96.3	4 93.9	4 91.5	4 89.1
25.55	5 07.3	5 04.7	5 02.2	4 99.8	4 97.3	4 94.9	4 92.5	4 90.1
25.60	5 08.2	5 05.7	5 03.2	5 00.7	4 98.3	4 95.9	4 93.4	4 91.0
25.65	5 09.2	5 06.7	5 04.2	5 01.7	4 99.2	4 96.8	4 94.4	4 92.0
25.70	5 10.2	5 07.7	5 05.2	5 02.7	5 00.2	4 97.8	4 95.4	4 93.0
25.75	5 11.2	5 08.7	5 06.2	5 03.7	5 01.2	4 98.8	4 96.3	4 93.9
25.80	5 12.2	5 09.7	5 07.1	5 04.6	5 02.2	4 99.7	4 97.3	4 94.9
25.85	5 13.2	5 10.7	5 08.1	5 05.6	5 03.1	5 00.7	4 98.3	4 95.8
25.90	5 14.2	5 11.6	5 09.1	5 06.6	5 04.1	5 01.7	4 99.2	4 96.8
25.95	5 15.2	5 12.6	5 10.1	5 06.6	5 05.1	5 02.6	5 00.2	4 97.8
26.00	5 16.2	5 13.6	5 11.1	5 08.6	5 06.1	5 03.6	5 01.1	4 98.7
26.05	5 17.2	5 14.6	5 12.1	5 09.5	5 07.0	5 04.6	5 02.1	4 99.7
26.10	5 18.2	5 15.6	5 13.0	5 10.5	5 08.0	5 05.5	5 03.1	5 00.6
26.15	5 19.2	5 16.6	5 14.0	5 11.5	5 09.0	5 06.5	5 04.0	5 01.6
26.20	5 20.2	5 17.6	5 15.0	5 12.5	5 10.0	5 07.5	5 05.0	5 02.6

EXCHANGE BETWEEN LONDON AND THE UNITED STATES

CONTINUED.

PARIS remitted to London for negotiation, compared with a direct remittance at 60 days sight, exclusive of commission.

Paris sold at London.	United States quotation of Paris at 60 days sight.							
	fs. 5.20	5.22½	5.25	5.27½	5.30	5.32½	5.35	5.37½
PER £	EQUAL TO A DRAFT ON LONDON AT							
f. 25.20	\$4 81.1	4 78.8	4 76.5	4 74.2	4 72.0	4 69.8	4 67.6	4 65.4
25.25	4 82.0	4 79.7	4 77.4	4 75.2	4 72.9	4 70.7	4 68.5	4 66.3
25.30	4 83.0	4 80.7	4 78.4	4 76.1	4 73.8	4 71.6	4 69.4	4 67.2
25.35	4 83.9	4 81.6	4 79.3	4 77.0	4 74.8	4 72.6	4 70.4	4 68.2
25.40	4 84.9	4 82.6	4 80.3	4 78.0	4 75.7	4 73.5	4 71.3	4 69.1
25.45	4 85.8	4 83.5	4 81.2	4 78.9	4 76.7	4 74.4	4 72.2	4 70.0
25.50	4 86.8	4 84.5	4 82.2	4 79.9	4 77.6	4 75.4	4 73.1	4 70.9
25.55	4 87.7	4 85.4	4 83.1	4 80.8	4 78.5	4 76.3	4 74.1	4 71.9
25.60	4 88.7	4 86.4	4 84.0	4 81.7	4 79.5	4 77.2	4 75.0	4 72.8
25.65	4 89.6	4 87.3	4 85.0	4 82.7	3 80.4	4 78.2	4 75.9	4 73.7
25.70	4 90.6	4 88.3	4 85.9	4 83.6	4 81.3	4 79.1	4 76.8	4 74.6
25.75	4 91.5	4 89.2	4 86.9	4 84.6	4 82.3	4 80.0	4 77.8	4 75.6
25.80	4 92.5	4 90.2	4 87.8	4 85.5	4 83.2	4 81.0	4 78.7	4 76.5
25.85	4 93.5	4 91.1	4 88.8	4 86.4	4 84.2	4 81.9	4 79.6	4 77.4
25.90	4 94.4	4 92.1	4 89.7	4 87.4	4 85.1	4 82.8	4 80.6	4 78.3
25.95	4 95.4	4 93.0	4 90.7	4 88.3	4 86.0	4 83.7	4 81.5	4 79.2
26.00	4 96.3	4 94.0	4 91.6	4 89.3	4 87.0	4 84.7	4 82.4	4 80.2
26.05	4 97.3	4 94.9	4 92.5	4 90.2	4 87.9	4 85.6	4 83.3	4 81.1
26.10	4 98.2	4 95.9	4 93.5	4 91.2	4 88.8	4 86.5	4 84.3	4 82.0
26.15	4 99.2	4 96.8	4 94.4	4 92.1	4 89.8	4 87.5	4 85.2	4 82.9
26.20	5 00.1	4 97.8	4 95.4	4 93.0	4 90.7	4 88.4	4 86.1	4 83.9
	United States quotation of Paris at 60 days sight.							
	fs. 5.40	5.42½	5.45	5.47½	5.50	5.52½	5.55	5.57½
PER £	EQUAL TO A DRAFT ON LONDON AT							
f. 25.20	\$4 63.2	4 61.1	4 59.0	4 56.9	4 54.8	4 52.8	4 50.7	4 48.7
25.25	4 64.2	4 62.0	4 59.9	4 57.8	4 55.7	4 53.7	4 51.6	4 49.6
25.30	4 65.1	4 62.9	4 60.8	4 58.7	4 56.6	4 54.6	4 52.5	4 50.5
25.35	4 66.0	4 63.8	4 61.7	4 59.6	4 57.5	4 55.5	4 53.4	4 51.4
25.40	4 66.9	4 64.8	4 62.6	4 60.5	4 58.4	4 56.4	4 54.3	4 52.3
25.45	4 67.8	4 65.7	4 63.5	4 61.4	4 59.3	4 57.3	4 55.2	4 53.2
25.50	4 68.8	4 66.6	4 64.5	4 62.3	4 60.2	4 58.2	4 56.1	4 54.0
25.55	4 69.7	4 67.5	4 65.4	4 63.2	4 61.1	4 59.0	4 57.0	4 54.9
25.60	4 70.6	4 68.4	4 66.3	4 64.1	4 62.0	4 59.9	4 57.9	4 55.8
25.65	4 71.5	4 69.3	4 67.2	4 65.1	4 62.9	4 60.8	4 58.8	4 56.7
25.70	4 72.4	4 70.3	4 68.1	4 66.0	4 63.8	4 61.7	4 59.7	4 57.6
25.75	4 73.3	4 71.2	4 69.0	4 66.9	4 64.7	4 62.6	4 60.6	4 58.5
25.80	4 74.3	4 72.1	4 69.9	4 67.8	4 65.6	4 63.5	4 61.5	4 59.4
25.85	4 75.2	4 73.0	4 70.8	4 68.7	4 66.6	4 64.4	4 62.3	4 60.3
25.90	4 76.1	4 73.9	4 71.7	4 69.6	4 67.5	4 65.3	4 63.2	4 61.2
25.95	4 77.0	4 74.8	4 72.6	4 70.5	4 68.4	4 66.2	4 64.1	4 62.0
26.00	4 77.9	4 75.7	4 73.6	4 71.4	4 69.3	4 67.1	4 65.0	4 62.9
26.05	4 78.9	4 76.7	4 74.5	4 72.3	4 70.2	4 68.0	4 65.9	4 63.8
26.10	4 79.8	4 77.6	4 75.4	4 73.2	4 71.1	4 68.9	4 66.8	4 64.7
26.15	4 80.7	4 78.5	4 76.3	4 74.1	4 72.0	4 69.8	4 67.7	4 65.6
26.20	4 81.6	4 79.4	4 77.2	4 75.0	4 72.9	4 70.7	4 68.6	4 66.5

EXCHANGE BETWEEN LONDON AND THE UNITED STATES.

CONTINUED.

HAMBURG remitted to London for negotiation, compared with a direct remittance at 60 days sight, exclusive of commission.

Hamburg at London.	United States quotation of Hamburg per Banco Mark.							
	Cts. 34½	34¼	35	35½	35¼	35½	36	36¼
EQUAL TO A DRAFT ON LONDON AT								
MKS. & SH. B.								
13 6	\$4 58.0	4 61.4	4 64.7	4 68.0	4 71.3	4 74.6	4 78.0	4 81.3
13 6½	4 59.1	4 62.4	4 65.8	4 69.1	4 72.4	4 75.7	4 79.1	4 82.4
13 7	4 60.2	4 63.5	4 66.9	4 70.2	4 73.5	4 76.9	4 80.2	4 83.5
13 7½	4 61.2	4 64.6	4 67.9	4 71.3	4 74.6	4 78.0	4 81.3	4 84.7
13 8	4 62.3	4 65.7	4 69.0	4 72.4	4 75.7	4 79.1	4 82.4	4 85.8
13 8½	4 63.4	4 66.8	4 70.1	4 73.5	4 76.8	4 80.2	4 83.5	4 86.9
13 9	4 64.5	4 67.8	4 71.2	4 74.6	4 77.9	4 81.3	4 84.7	4 88.0
13 9½	4 65.5	4 68.9	4 72.3	4 75.7	4 79.0	4 82.4	4 85.8	4 89.2
13 10	4 66.6	4 70.0	4 73.4	4 76.8	4 80.1	4 83.5	4 86.9	4 90.3
13 10½	4 67.7	4 71.1	4 74.5	4 77.8	4 81.2	4 84.6	4 88.0	4 91.4
13 11	4 68.7	4 72.1	4 75.5	4 78.9	4 82.3	4 85.7	4 89.1	4 92.5
13 11½	4 69.8	4 73.2	4 76.6	4 80.0	4 83.4	4 86.8	4 90.2	4 93.7
13 12	4 70.9	4 74.3	4 77.8	4 81.1	4 84.5	4 87.9	4 91.4	4 94.8
13 12½	4 72.0	4 75.4	4 78.8	4 82.2	4 85.6	4 89.1	4 92.5	4 95.9
13 13	4 73.0	4 76.5	4 79.9	4 83.3	4 86.7	4 90.2	4 93.6	4 97.0
13 13½	4 74.1	4 77.5	4 81.0	4 84.4	4 87.8	4 91.3	4 94.7	4 98.2
13 14	4 75.2	4 78.6	4 82.1	4 85.5	4 88.9	4 92.4	4 95.8	4 99.3
13 14½	4 76.2	4 79.7	4 83.1	4 86.6	4 90.0	4 93.5	4 96.9	5 00.4
13 15	4 77.3	4 80.8	4 84.2	4 87.7	4 91.1	4 94.6	4 98.1	5 01.5
13 15½	4 78.4	4 81.8	4 85.3	4 88.8	4 92.2	4 95.7	4 99.2	5 02.7
14 00	4 79.5	4 82.9	4 86.4	4 89.9	4 93.3	4 96.8	5 00.3	5 03.8
United States quotation of Hamburg per Banco Mark.								
	Cts. 36½	36¼	37	37½	37¼	37½	38	38¼
EQUAL TO A DRAFT ON LONDON AT								
MKS. & SH. B.								
13 6	\$4 84.6	4 87.9	4 91.2	4 94.6	4 97.9	5 01.2	5 04.5	5 11.2
13 6½	4 85.7	4 89.1	4 92.4	4 95.7	4 99.0	5 02.4	5 05.7	5 12.4
13 7	4 86.9	4 90.2	4 93.5	4 96.9	5 00.2	5 03.5	5 06.9	5 13.6
13 7½	4 88.0	4 91.3	4 94.7	4 98.0	5 01.4	5 04.7	5 08.1	5 14.8
13 8	4 89.1	4 92.5	4 95.8	4 99.2	5 02.5	5 05.9	5 09.2	5 16.0
13 8½	4 90.3	4 93.6	4 97.0	5 00.3	5 03.7	5 07.1	5 10.4	5 17.1
13 9	4 91.4	4 94.8	4 98.1	5 01.5	5 04.9	5 08.2	5 11.6	5 18.3
13 9½	4 92.5	4 95.9	4 99.3	5 02.6	5 06.0	5 09.4	5 12.8	5 19.5
13 10	4 93.7	4 97.0	5 00.4	5 03.8	5 07.2	5 10.6	5 14.0	5 20.7
13 10½	4 94.8	4 98.2	5 01.6	5 05.0	5 08.3	5 11.7	5 15.1	5 21.9
13 11	4 95.9	4 99.3	5 02.7	5 06.1	5 09.5	5 12.9	5 16.3	5 23.1
13 11½	4 97.1	5 00.5	5 03.9	5 07.3	5 10.7	5 14.1	5 17.5	5 24.3
13 12	4 98.2	5 01.6	5 05.0	5 08.4	5 11.8	5 15.3	5 18.7	5 25.5
13 12½	4 99.3	5 02.7	5 06.2	5 09.6	5 13.0	5 16.4	5 19.8	5 26.7
13 13	5 00.4	5 03.8	5 07.3	5 10.7	5 14.2	5 17.6	5 21.0	5 27.9
13 13½	5 01.6	5 05.0	5 08.5	5 11.9	5 15.3	5 18.8	5 22.2	5 29.1
13 14	5 02.7	5 06.2	5 09.6	5 13.0	5 16.5	5 19.9	5 23.4	5 30.3
13 14½	5 03.8	5 07.3	5 10.8	5 14.2	5 17.7	5 21.1	5 24.6	5 31.5
13 15	5 05.0	5 08.4	5 11.9	5 15.4	5 18.8	5 22.3	5 25.7	5 32.7
13 15½	5 06.1	5 09.6	5 13.1	5 16.5	5 20.0	5 23.4	5 26.9	5 33.8
14 00	5 07.2	5 10.7	5 14.2	5 17.7	5 21.1	5 24.6	5 28.1	5 35.0

EXCHANGE BETWEEN LONDON AND THE UNITED STATES.

CONTINUED.

AMSTERDAM remitted to London for negotiation, compared with a direct remittance at 60 days sight, exclusive of commission.

Amsterdam at London.	United States quotation of Amsterdam per Florin.							
	Cts. 39	39½	39¾	39⅞	40	40¼	40½	40¾
FL. STIV.	EQUAL TO A DRAFT ON LONDON AT							
f. 11.16	\$4 56.8	4 59.7	4 62.7	4 65.6	4 68.5	4 71.5	4 74.4	4 77.3
11.17	4 58.8	4 61.7	4 64.6	4 67.6	4 70.5	4 73.5	4 76.4	4 79.3
11.18	4 60.7	4 63.6	4 66.6	4 69.6	4 72.5	4 75.5	4 78.4	4 81.4
11.19	4 62.6	4 65.6	4 68.6	4 71.5	4 74.5	4 77.5	4 80.4	4 83.4
12.00	4 64.6	4 67.5	4 70.5	4 73.5	4 76.5	4 79.5	4 82.4	4 85.4
12.00½	4 65.5	4 68.5	4 71.5	4 74.5	4 77.5	4 80.5	4 83.4	4 86.4
12.01	4 66.5	4 69.5	4 72.5	4 75.5	4 78.5	4 81.5	4 84.4	4 87.4
12.01½	4 67.5	4 70.5	4 73.5	4 76.5	4 79.5	4 82.5	4 85.4	4 88.4
12.02	4 68.4	4 71.4	4 74.4	4 77.4	4 80.4	4 83.4	4 86.5	4 89.5
12.02½	4 69.4	4 72.4	4 75.4	4 78.4	4 81.4	4 84.4	4 87.5	4 90.5
12.03	4 70.4	4 73.4	4 76.4	4 79.4	4 82.4	4 85.4	4 88.5	4 91.5
12.03½	4 71.3	4 74.4	4 77.4	4 80.4	4 83.4	4 86.4	4 89.5	4 92.5
12.04	4 72.3	4 75.3	4 78.4	4 81.4	4 84.4	4 87.4	4 90.5	4 93.5
12.04½	4 73.3	4 76.3	4 79.3	4 82.4	4 85.4	4 88.4	4 91.5	4 94.5
12.05	4 74.2	4 77.3	4 80.3	4 83.4	4 86.4	4 89.4	4 92.5	4 95.5
12.05½	4 75.2	4 78.3	4 81.3	4 84.4	4 87.4	4 90.4	4 93.5	4 96.5
12.06	4 76.2	4 79.2	4 82.3	4 85.3	4 88.4	4 91.4	4 94.5	4 97.6
12.06½	4 77.1	4 80.2	4 83.3	4 86.3	4 89.4	4 92.4	4 95.5	4 98.6
12.07	4 78.1	4 81.2	4 84.2	4 87.3	4 90.4	4 93.4	4 96.5	4 99.6
12.07½	4 79.1	4 82.2	4 85.2	4 88.3	4 91.4	4 94.4	4 97.5	5 00.6
12.08	4 80.1	4 83.1	4 86.2	4 89.3	4 92.4	4 95.4	4 98.5	5 01.6
	United States quotation of Amsterdam per Florin.							
	Cts. 41	41½	41¾	41⅞	42	42¼	43	43¾
FL. STIV.	EQUAL TO A DRAFT ON LONDON AT							
f. 11.16	\$4 80.2	4 83.2	4 86.1	4 89.0	4 92.0	4 97.8	5 03.7	5 09.5
11.17	4 82.2	4 85.2	4 88.2	4 91.1	4 94.0	4 99.9	5 05.8	5 11.7
11.18	4 84.3	4 87.3	4 90.2	4 93.2	4 96.1	5 02.0	5 07.9	5 13.9
11.19	4 86.4	4 89.3	4 92.3	4 95.3	4 98.2	5 04.1	5 10.1	5 16.0
12.00	4 88.4	4 91.4	4 94.3	4 97.3	5 00.3	5 06.3	5 12.2	5 18.2
12.00½	4 89.4	4 92.4	4 95.4	4 98.4	5 01.3	5 07.3	5 13.3	5 19.3
12.01	4 90.4	4 93.4	4 96.4	4 99.4	5 02.4	5 08.4	5 14.3	5 20.3
12.01½	4 91.4	4 94.4	4 97.4	5 00.4	5 03.4	5 09.4	5 15.4	5 21.4
12.02	4 92.5	4 95.5	4 98.5	5 01.5	5 04.5	5 10.5	5 16.5	5 22.5
12.02½	4 93.5	4 96.5	4 99.5	5 02.5	5 05.5	5 11.5	5 17.5	5 23.6
12.03	4 94.5	4 97.5	5 00.5	5 03.5	5 06.6	5 12.6	5 18.6	5 24.6
12.03½	4 95.5	4 98.5	5 01.5	5 04.6	5 07.6	5 13.6	5 19.7	5 25.7
12.04	4 96.5	4 99.6	5 02.6	5 05.6	5 08.6	5 14.7	5 20.7	5 26.8
12.04½	4 97.5	5 00.6	5 03.6	5 06.7	5 09.7	5 15.7	5 21.8	5 27.9
12.05	4 98.6	5 01.6	5 04.6	5 07.7	5 10.7	5 16.8	5 22.9	5 29.0
12.05½	4 99.6	5 02.6	5 05.7	5 08.7	5 11.8	5 17.9	5 23.9	5 30.0
12.06	5 00.6	5 03.7	5 06.7	5 09.8	5 12.8	5 18.9	5 25.0	5 31.1
12.06½	5 01.6	5 04.7	5 07.7	5 10.8	5 13.8	5 20.0	5 26.1	5 32.2
12.07	5 02.6	5 05.7	5 08.8	5 11.8	5 14.9	5 21.0	5 27.1	5 33.3
12.07½	5 03.7	5 06.7	5 09.8	5 12.9	5 15.9	5 22.1	5 28.2	5 34.4
12.08	5 04.7	5 07.7	5 10.8	5 14.9	5 17.0	5 23.1	5 29.3	5 35.4

MONEY TABLES.

Sovereigns compared with a Draft on London at 60 days sight.

Quotations of London Exchange reduced into Federal Money, as recommended by the Chambers of Commerce in the United States.

Price of Sov's. in the U. S.		Equal to a remittance in Pounds Sterling.		Precise proportion between both quotations.				As adopted by the New York Price Current.	
Dollars.	Per cent. or \$.	PAR.	Per ct. equal \$.	\$ equal to per ct.	Per ct. equal to \$.	Per ct. equal to \$.	Per ct. equal to \$.	Per ct. equal to \$.	
4 80	108.35	4 81.6	4 44.4	4 46	100.35	105	4 66		
4 81	108.58	4 82.6	100½	4 46.6	4 48	100.80	105½	4 67	
4 82	108.80	4 83.6	101	4 48.9	4 50	101.25	105½	4 68	
4 83	109.03	4 84.6	101½	4 51.1	4 52	101.70	105¾	4 70	
4 84	109.25	4 85.6	102	4 53.3	4 54	102.15	106	4 71	
4 85	109.48	4 86.6	102½	4 55.6	4 56	102.60	106½	4 72	
4 86	109.70	4 87.6	103	4 57.8	4 58	103.05	106½	4 73	
4 87	109.93	4 88.6	103½	4 60.0	4 60	103.50	106¾	4 74	
4 88	110.15	4 89.6	104	4 62.2	4 62	103.95	107	4 75	
4 89	110.38	4 90.6	104½	4 64.4	4 64	104.40	107½	4 76	
4 90	110.60	4 91.6	105	4 66.7	4 66	104.85	107½	4 77	
4 91	110.83	4 92.6	105½	4 68.9	4 68	105.30	107¾	4 78	
4 92	111.06	4 93.6	106	4 71.1	4 70	105.75	108	4 80	
4 93	111.28	4 94.6	106½	4 72.2	4 71	105.97	108½	4 81	
4 94	111.51	4 95.6	106½	4 73.3	4 72	106.20	108½	4 82	
4 95	111.73	4 96.6	106¾	4 74.4	4 73	106.42	108¾	4 83	
4 96	111.96	4 97.6	107	4 75.6	4 74	106.65	109	4 84	
4 97	112.18	4 98.6	107¼	4 76.7	4 75	106.87	109¼	4 85	
4 98	112.41	4 99.6	107½	4 77.8	4 76	107.10	109½	4 86	
4 99	112.63	5 00.6	107¾	4 78.9	4 77	107.32	109¾	4 87	
5 00	112.86	5 01.6	108	4 80.0	4 78	107.55	110	4 88	
5 01	113.09	5 02.6	108½	4 81.1	4 79	107.77	110½	4 90	
5 02	113.31	5 03.6	108½	4 82.2	4 80	108.00	110½	4 91	
5 03	113.54	5 04.6	108¾	4 83.3	4 81	108.22	110¾	4 92	
5 04	113.76	5 05.6	109	4 84.4	4 82	108.45	111	4 93	
5 05	113.99	5 06.6	109½	4 85.6	4 83	108.67	111½	4 94	
5 06	114.21	5 07.6	109½	4 86.7	4 84	108.90	111½	4 95	
5 07	114.44	5 08.6	109¾	4 87.8	4 85	109.12	111¾	4 96	
5 08	114.66	5 09.6	110	4 88.9	4 86	109.35	112	4 97	
5 09	114.89	5 10.6	110½	4 90.0	4 87	109.57	112¼	4 98	
5 10	115.11	5 11.6	110½	4 91.1	4 88	109.80	112½	5 00	
5 12½	115.68	5 14.1	110¾	4 92.2	4 89	110.02	112¾	5 01	
5 15	116.24	5 16.6	111	4 93.3	4 90	110.25	113	5 02	
5 17½	116.81	5 19.1	111½	4 95.6	4 92	110.70	113¼	5 03	
5 20	117.37	5 21.6	112	4 97.8	4 94	111.15	113½	5 04	
5 22½	117.93	5 24.1	112½	5 00.0	4 96	111.60	113¾	5 05	
5 25	118.50	5 26.7	113	5 02.2	4 98	112.05	114	5 06	
5 27½	119.06	5 29.2	113½	5 04.4	5 00	112.50	114¼	5 07	
5 30	119.62	5 31.7	114	5 06.7	5 02½	113.06	114½	5 08	
5 32½	120.19	5 34.2	114½	5 08.9	5 05	113.62	114¾	5 10	
5 35	120.75	5 36.7	115	5 11.1	5 07½	114.19	115	5 11	
5 37½	121.31	5 39.2	115½	5 13.3	5 10	114.75	115½	5 13	
5 40	121.88	5 41.7	116	5 15.6	5 12½	115.31	116	5 15	

TO REDUCE DOLLARS TO POUNDS STERLING.—From one-fourth of the number of dollars deduct 10 per cent. of that 4th, and the remainder will be pounds, and the decimals of a pound.

Example. Required the value of \$444.44 in pounds sterling.

$$\begin{aligned} \frac{1}{4} &= 111.11 \\ 10 \text{ per cent.} &= 11.11 \\ \hline &= 100.00 \text{ Ans} \end{aligned}$$

Note. The value of a British silver shilling in the United States is 22 cents 2 mills.

COMMERCIAL STATISTICS.

NEW YORK ARRIVALS AND CLEARANCES FOR NOVEMBER, 1840.

A Table, showing the number of vessels which arrived at and cleared from the port of New York during the month of November, 1840.

[Prepared monthly for the Merchants' Magazine.]

ARRIVALS.					CLEARANCES.				
	Ships.	Barks.	Brigs.	Schrs.		Ships.	Barks.	Brigs.	Schrs.
Liverpool,.....	10				Liverpool,.....	5			
London,.....	4				London,.....	3			
Havre,.....	7				Havre,.....	4			
Amsterdam,.....	1	1	1		Africa, (Coast of,).....	1		1	
Antwerp,.....	1		1		Amsterdam,.....	1			
Bermuda,.....			1	2	Barbadoes,.....		1		
Bordeaux,.....	1	1	1		Bremen,.....	2	1	1	
Bremen,.....	4				British America,.....			4	5
Bristol, (England,).....	1	2	1		Cadiz,.....	1	1		
British America,.....			5	8	Carthagena,.....			2	
Cadiz,.....	1		1		Cuba,.....	1	3	2	6
Campeachy,.....		1	1		Demerara,.....			1	1
Canton,.....	4				Genoa,.....		1		
Cardiff, (Wales,).....	2	1	1		Gibraltar,.....	1	1	1	
Cronstadt,.....	2				Hamburg,.....	2		1	
Cuba,.....	3	1	7	8	Honduras,.....			1	3
Curacoa,.....			1		Jamaica,.....	3		1	6
Demerara,.....			1	1	Laguayra,.....			1	1
Gefle,.....	2				Leghorn,.....		1	1	
Glasgow,.....	1				Lisbon,.....		1	1	
Greenock,.....	1		1		Madeira,.....	1		1	
Hamburg,.....	1	1			Marseilles,.....	1			
Honduras,.....			1	1	Montevideo,.....	1		1	
Ivica,.....	1		1		Nassau, N. P.....			1	1
Jamaica,.....			3	2	Palermo,.....		1		
Lisbon,.....	2	1	1		Panama,.....				1
Malaga,.....	1	1	12		Pernambuco,.....			2	
Manilla,.....	1				Porto Rico,.....		1	1	2
Maracaibo,.....			1	1	Rio de Janeiro,.....	1		2	
Mexico,.....		2	3		Rotterdam,.....			1	
Montevideo,.....	1		1		San Juan,.....			1	
Newcastle,.....	1	1			Santa Martha,.....			2	
Para,.....			2		Sisal,.....			2	
Porto Cabello,.....		1	1		St. Croix,.....	2		1	
Porto Rico,.....		1	2		St. Domingo,.....			3	1
Rio de Janeiro,.....			3		St. Kitts,.....			1	1
Rotterdam,.....	1		1		St. Thomas,.....	1	1	1	3
San Juan,.....		1	1		Trieste,.....	1	1		
Sicily,.....	1	1			Valparaiso,.....	1		1	1
Sisal,.....			2						
Stockholm,.....	1								
St. Croix,.....	1		1	1					
St. Domingo,.....			3	4					
St. Petersburg,.....	1								
St. Thomas,.....			3	2					
Trieste,.....	1	1	1						
Turks Island,.....			4	1					
Total,.....	58	14	69	35	Total,.....	33	14	39	32

COMMERCE OF PORTO RICO, 1839.

TRADE, COMMERCE, AND NAVIGATION OF THE ISLAND OF PORTO RICO, FOR THE YEAR 1839, as translated from the *Noticioso y Lucero*, of Havana, for the *New Orleans Bulletin*.

IMPORTATIONS.		EXPORTATIONS.	
<i>Groceries.</i>		<i>Products of the Island.</i>	
Liquors,.....	\$290,020 62	Sugar,.....	\$2,423,602 40
Provisions,.....	85,095 34	Coffee,.....	853,836 20
Spices,.....	9,966 64	Molasses,.....	496,757 99
Fruit,.....	22,777 67	Rum, &c.,.....	16,241 66
Breadstuffs,.....	1,079,542 04	Tobacco,.....	172,813 58
Oils,.....	124,346 45	Cotton,.....	189,435 76
Fish,.....	250,521 74	Cattle,.....	131,666 66
Other articles,.....	95,705 45	Other articles,.....	113,789 23
	\$1,957,865 96		\$4,398,142 88
<i>Manufactures.</i>		<i>Ultra Marine Productions.</i>	
Cotton goods,.....	\$844,018 55		\$988,079 72
Woollen do.	69,590 00	<i>Precious Metals.</i>	
Linen do.	610,033 61		\$130,389 00
Hides, &c.,.....	119,904 17		
Silk goods,.....	93,766 89		
	\$1,737,313 22		
Lumber,.....	241,516 79		
Metals,.....	814,131 93		
Other articles,.....	711,389 06		
	\$5,462,205 96	Grand Total,.....	\$5,516,611 60
Grand total,.....	\$5,462,205 96	Do. do., 1838,.....	5,254,945 69
Do. do., 1838,.....	4,302,149 94		
Increase, 1839,.....	1,160,057 02	Increase, 1839,.....	261,665 91

The importations and exportations in ships of different nations, were as follows:

		<i>Imports.</i>	<i>Exports.</i>
National Commerce in Spanish vessels,.....		\$725,740 40	\$400,401 86
Foreign do do do	do do do	1,951,617 81	414,996 21
do do U. States do	do do do	1,192,670 87	2,588,482 84
do do English do	do do do	145,825 80	347,892 81
do do French do	do do do	86,382 40	292,054 89
do do German do	do do do	193,966 05	266,694 74
do do Holland do	do do do	8,615 47	10,965 00
do do Portuguese do	do do do	833 75	832 25
do do Sweden and Denmark,.....	do do do	44,715 48	211,877 33
Bonded,.....		1,111,848 93	982,413 57
		\$5,462,206 96	\$5,516,611 60

Of the productions of the island, comprising the principal articles of exportation, the following are the most important:

Cotton,.....	lbs. 1,182,933½	Molasses,.....	galls. 3,311,719¼
Sugar,.....	lbs. 69,245,783	Rum,.....	hhds. 649½
Coffee,.....	lbs. 8,536,362	Tobacco,.....	lbs. 4,320,339½
Hides,.....	lbs. 678,640	Cattle,.....	8,891

Statement of the amount at the different ports of entry in the island:

Porto Rico,.....	\$4,149,785 13
Mayagnes,.....	1,632,523 22
Ponce,.....	1,800,413 69
Guayana,.....	1,302,616 36
Aguadilla,.....	608,574 51
Cabo Rojo,.....	153,857 74
Fajardo,.....	104,047 27
Other places,.....	1,216,000 64
	\$10,978,818 57

Imports and Exports of the Precious Metals.

	Importation.	Exportation.
Gold coin,.....	\$683,301 50	\$ 1,104 00
Silver do	48,041 37	129,285 00
	<u>\$731,343 37</u>	<u>\$130,380 00</u>

Excess for 1839,..... \$600,963 37 ;—or 11 per cent. of the total importations!

On the preceding, the editor of the *Noticioso y Lucero* lectures thus:—"In all places, like causes produce like effects. The liberal policy, as regards the money market, enjoyed in the Island of Porto Rico, is unquestionably the sole cause of its present enviable state of prosperity.

List of Clearances and Arrivals during 1839.

Vessels.	Arrivals.	Clearances.
Spanish,.....	675	642
American,.....	439	424
English,.....	114	104
French,.....	88	88
German,.....	16	12
Holland,.....	9	7
Baltic,.....	49	42
Portuguese,.....	2	3
	<u>1392</u>	<u>1322</u>

The tonnage of the above is as follows:

ARRIVALS.			CLEARANCES.		
	Vessels.	Tonnage.		Vessels.	Tonnage.
Spanish,.....	675	28,975	Spanish,.....	642	27,097½
Foreign,.....	717	87,422	Foreign,.....	680	83,448
	<u>1392</u>	<u>116,397</u>		<u>1322</u>	<u>110,445½</u>

In the year 1838, the arrivals were 1,201 vessels of all nations, the tonnage of which was 101,609½; the clearances were 1,313 vessels; tonnage, 104,098. This will leave an excess for 1839 of 101 vessels, and of 14,718½ tons for the arrivals; and for the clearances, of 9 vessels and 6,447½ tons.

Maritime rentes for 1839.

Duties on importations,	\$734,761 31
Duties on exportations,.....	241,062 08
Duties on anchorage and tonnage,.....	88,758 85
	<u>\$1,064,582 24</u>
Duties in the year 1838,.....	919,205 56
	<u>\$145,376 68</u>

The preceding summary, says the *Noticioso y Lucero*, shows most conclusively that the Island of Porto Rico, like Cuba, is in a state of increasing prosperity.

COMMERCE OF QUEBEC.

Comparative statement of arrivals at the port of Quebec in the years 1839 and 1840, to the undermentioned dates, inclusive.

	Vessels.	Tonnage.
1840—October 3,.....	1,130	388,448
1839—October 5,.....	909	303,311
	<u>221</u>	<u>85 137</u>
Increase in favor of 1840,.....		

The total number of arrivals in the year 1839, was 1,065 vessels—357,659 tons—thus showing an increase already, this year, of 65 vessels—30,789 tons.

Comparative Statement of Clearances.

	Vessels.	Tonnage.
1840—October 3,.....	911	296,351
1839—October 5,.....	820	262,445
Increase in favor of 1840,.....	91	33,906

The total amount of clearances in 1839, was 1,120 vessels—369,689 tons.

The following statement shows the quantity of flour exported from the port of Quebec, from the opening of the navigation to the 3d November, inclusive :

To Liverpool,.....	bbls. 63,944
To London,.....	12,507
To Hull,.....	5,735
To Bristol,.....	1,609
To Glasgow,.....	19,594
To Greenock,.....	14,253
To other ports,.....	629
Total to the United Kingdom,.....	118,271
To the lower ports and West Indies,.....	13,281
Total exported,.....	131,552

In 1839, the total export of flour was as follows :

To Great Britain,.....	bbls. 13,823
To Ireland,.....	100
To British North American Colonies,.....	30,851
To British West Indies,.....	2,028
To Cuba,.....	1,625
Total in 1839,.....	48,427

Showing an increase, already, in favor of 1840, of 83,125 barrels.

OIL IMPORTED INTO THE UNITED STATES.

A Table, exhibiting the quantity of Sperm Oil imported into the United States in each year, from 1815 to 1839, inclusive, with the average price per gallon.

Years.	Barrels.	Av. price per gal.	Years.	Barrels.	Av. price per gal.
1815	2,186	\$1 40	1828	73,000	\$0 62½
1816	7,343	1 12½	1829	80,000	61½
1817	31,603	72	1830	106,201	65½
1818	17,102	90	1831	106,436	71
1819	22,716	83	1832	71,435	85
1820	32,127	93½	1833	90,000	85
1821	43,365	67½	1834	121,700	72½
1822	42,839	65	1835	172,683	84
1823	86,725	43	1836	128,685	89
1824	92,475	45½	1837	181,724	82½
1825	60,052	70½	1838	125,977	86
1826	33,000	75	1839	142,483	1 05
1827	92,865	72½			

It will be seen by the following statement of the Whale Fishery of the United States for 1839, that the imports of sperm oil exceed those of 1838 by 12,164 bbls., while it

falls short of 1837, 41,005 bbls. The imports of whale oil for 1839 fall short of 1838 by 5,187 bbls., and exceed those of 1837 by 8,413 bbls.

Where arrived.	Ships & Barks.	Brigs.	Schrs.	Bbls. Sperm.	Bbls. Whale.
New Bedford and Fairhaven,.....	68	7	0	61,695	72,890
Nantucket,.....	16	1	1	23,140	7,550
Sagharbor,.....	20	0	0	2,773	26,580
New London and Mystic,.....	18	3	1	4,500	31,690
N. York, including places on N. River,	12	0	0	6,035	16,430
Warren,.....	7	1	0	4,020	6,630
Bristol,.....	4	2	0	4,190	5,450
Stonington,.....	4	0	0	300	9,500
Newport,.....	3	1	0	2,506	3,153
Greenport,.....	3	1	0	905	4,750
Westport,.....	4	4	0	3,220	80
Bridgeport,.....	2	0	0		3,250
Rochester and Mattapoisette,.....	0	6	0	2,530	
Salem,.....	8	0	0	4,630	6,670
Boston and Dorchester,.....	5	3	1	4,230	7,600
Falmouth,.....	6	0	0	5,250	3,800
Wilmington,.....	3	0	0	1,600	4,900
Fall River,.....	3	2	0	2,490	3,900
Edgartown,.....	3	0	0	4,800	1,600
Other places,.....	4	0	0	1,150	7,100
1839,.....	193	31	3	141,564	223,523
1838,.....	189	26	8	129,400	228,710
1837,.....	215	19	6	182,569	215,110

NAUTICAL INTELLIGENCE.

BEACONS ON THE GOODWIN SANDS

The following has been transmitted to the Department of State by the consul of the United States at London :

TRINITY HOUSE, LONDON, 21st October, 1840.

Safety Beacon.—Notice is hereby given, that a beacon has been experimentally placed upon the southeastern part of the Goodwin Sands, with the object of affording means of safety to persons who may unfortunately suffer shipwreck upon parts of these dangerous Sands, from which this beacon is accessible at low water; and mariners are hereby cautioned, that being situate a considerable distance within the southeastern edge of the sand, this beacon is not, on any account, to be regarded as a beacon of direction; and they will observe that from it,

The South Sand Head light vessel bears SW. by W. westerly. Distant about 6 $\frac{1}{2}$ miles.

The South Foreland upper lighthouse, WSW. $\frac{1}{4}$ W.

The Gull light vessel, NW. $\frac{3}{4}$ N. northerly. Distant about 3 $\frac{3}{4}$ miles.

The Goodwin light vessel, NE. by N. Distant about 5 $\frac{1}{2}$ miles.

Warning Beacon.—Notice is also given, that a beacon for direction is now preparing, and will be placed with all practicable expedition upon the Eastern Spit of the Goodwin Sands, which forms the south point of the Swathway, leading the Trinity Bay from the eastward: farther particulars respecting which will be duly notified.

CAPE OF GOOD HOPE CHARGES AND CUSTOMS' DUES.

Port Charges at Table and Simon's Bays, (Algoa Bay free.)—On vessels touching for refreshment only, 2½d. per ton. On vessels touching for the purpose of trade, 4½d. per ton. For a copy of the port regulations, 3s. For a port clearance, 7s. 6d.

Custom House Dues at the Ports of Table Bay, Simon's Bay, and Port Elizabeth.—For the entrance or clearance of a vessel, 6s. Landing or shipping cargo, 15s. Landing or shipping part cargo, 7s. 6d. For the clearance of a coaster, 1s. 6d. Landing or shipping cargo of the same, 3s. Permit to land or ship merchandise under £7 10s., 9d. Permit to land or ship merchandise above £7 10s., 1s. 6d. For manifest of export cargo, 1s. 6d. For manifest stamps on goods outwards, from 1 to 10 tons, 7s. 6d.; from 10 to 20 tons, 15s.; from 20 to 50 tons, £1 10s. 50 tons and upwards, £2 5s.—(Goods inwards exempt from stamps.) It is not the practice to charge double tonnage dues on ships which do not land and ship a greater quantity than five tons of cargo.

NAVIGATION OF STEAM VESSELS.

The following official notice, for the benefit of mariners, has been transmitted to the Department of State, at Washington, by the consul of the United States at London :

TRINITY HOUSE, LONDON, Oct. 30, 1840.

The attention of this corporation having been directed to the numerous, severe, and in some instances fatal, accidents which have resulted from the collision of vessels navigated by STEAM; and it appearing to be indispensably necessary, in order to guard against the recurrence of similar calamities, that a regulation should be established for the guidance and government of persons intrusted with the charge of such vessels; and

Whereas the recognised Rule for sailing vessels is—

That those having the wind fair shall give way to those on a wind;

That, when both are going by the wind, the vessel on the starboard tack shall keep her wind, and the one on the larboard tack bear up, thereby passing each other on the larboard hand;

That when both vessels have the wind large or a-beam, and meet, they shall pass each other in the same way on the larboard hand, to effect which two last-mentioned objects the helm must be put to port;

And as steam vessels may be considered in the light of vessels navigating with a fair wind, and should give way to sailing vessels on a wind on either tack, it becomes only necessary to provide a rule for their observance when meeting other steamers or vessels going large :

Under these considerations, and with the object before stated, this board has deemed it right to frame and promulgate the following rule, which, on communication with the lords commissioners of the admiralty, the elder brethren find has been already adopted in respect to steam vessels in her majesty's service, and they desire earnestly to impress upon the minds of all persons having charge of steam vessels the propriety and urgent necessity of a strict adherence thereto, viz :

RULE.

When STEAM VESSELS on different courses must unavoidably or necessarily cross so near that, by continuing their respective courses, there would be a risk of coming in collision, each vessel shall put her HELM TO PORT, so as always to pass on the LARBOARD side of each other.

A STEAM VESSEL passing another in a narrow channel must always leave the vessel she is passing on the LARBOARD hand.

By order,

J. HERBERT, Secretary,

White persons over 20 years of age who cannot read and write, *forty-three thousand seven hundred and fifteen.*

The southern district of the state comprises the counties of New York, Greene, Ulster, Sullivan, Columbia, Putnam, Westchester, Richmond, Suffolk, Kings, Queens, Rockland, Orange, and Dutchess. Of the 708,434 white persons in said district, 13 males and 9 females are 100 years old or upwards; and of the 37,234 colored persons, 5 males and 27 females. The number of white deaf and dumb persons in said district is 361; blind, 241; insane and idiots at public charge, 304; do. at private charge, 348. Colored deaf and dumb in said district, 15; blind, 33; insane and idiots, 49.

CENSUS OF MASSACHUSETTS, 1840.

A Table, showing the population of the several counties and towns in the Commonwealth of Massachusetts, as existing on the 1st day of May, 1840, as published by John P. Bigelow, Esq., the Secretary of that Commonwealth, agreeably to the direction of the Governor and Council.

COUNTY OF SUFFOLK.		Towns.		Pop.		Towns.		Pop.	
Towns.	Population.	Wayland,	954	Wilmington,	831	W. Cambridge,	1,338	Woburn,	2,931
Boston,	83,979	Westford,	1,426						
Chelsea,	2,182	Weston,	1,053	46 towns.	104,451				
2 towns.	86,161								
COUNTY OF ESSEX.		COUNTY OF WORCESTER.							
Amesbury,	2,580	Marblehead,	5,539	Ashburnham,	1,653	N. Brookfield,	1,468		
Andover,	4,951	Methuen,	2,232	Athol,	1,568	Oakham,	1,030		
Beverly,	4,686	Middleton,	642	Auburn,	619	Oxford,	1,666		
Boxford,	908	Newbury,	3,889	Barre,	2,738	Paxton,	665		
Bradford,	2,153	Newburyport,	7,124	Berlin,	772	Petersham,	1,812		
Danvers,	5,140	Rockport,	2,738	Bolton,	1,182	Phillipston,	877		
Essex,	1,432	Rowley,	1,231	Boylston,	812	Princeton,	1,332		
Georgetown,	1,553	Salem,	15,162	Brookfield,	2,316	Royalston,	1,635		
Gloucester,	6,394	Salisbury,	2,696	Charlton,	2,060	Rutland,	1,275		
Hamilton,	823	Saugus,	1,202	Dana,	685	Shrewsbury,	1,473		
Haverhill,	4,373	Topsfield,	1,067	Douglas,	1,603	Southborough,	1,134		
Ipswich,	2,958	Wenham,	693	Dudley,	1,333	Southbridge,	1,991		
Lynn,	9,075	W. Newbury,	1,553	Fitchburg,	2,570	Spencer,	1,557		
Lynnfield,	689								
Manchester,	1,266	28 towns.	94,748	Gardner,	1,238	Sterling,	1,653		
				Grafton,	2,887	Sturbridge,	1,886		
				Hardwick,	1,775	Sutton,	2,330		
				Harvard,	1,571	Templeton,	1,745		
				Holden,	1,880	Upton,	1,478		
				Hubbardston,	1,764	Uxbridge,	1,948		
				Lancaster,	2,013	Warren,	1,280		
				Leicester,	1,656	Webster,	1,346		
				Leominster,	2,000	Westborough,	1,616		
				Lunenburg,	1,218	West Boylston,	1,202		
				Mendon,	3,536	Westminster,	1,660		
				Milford,	1,795	Winchendon,	1,679		
				Millbury,	2,129	Worcester,	7,060		
				New Braintree,	723				
				Northborough,	1,221	55 towns.	93,462		
				Northbridge,	1,336				
COUNTY OF MIDDLESEX.		COUNTY OF HAMPSHIRE.							
Acton,	1,126	Littleton,	929	Amherst,	2,415	Granby,	930		
Ashby,	1,242	Lowell,	20,981	Belchertown,	2,505	Greenwich,	850		
Bedford,	901	Malden,	2,350	Chesterfield,	1,204	Hadley,	1,840		
Billerica,	1,527	Marlborough,	2,092	Cummington,	1,214	Hatfield,	915		
Boxborough,	440	Medford,	2,275	Easthampton,	724	Middlefield,	1,395		
Brighton,	1,495	Natick,	1,282	Enfield,	931	Northampton,	3,672		
Burlington,	510	Newton,	3,027	Goshen,	563	Norwich,	746		
Cambridge,	8,127	Pepperell,	1,541						
Carlisle,	563	Reading,	2,187						
Charlestown,	10,872	Sherburne,	1,014						
Chelmsford,	1,595	Shirley,	966						
Concord,	1,800	South Reading,	1,500						
Dracut,	2,222	Stoneham,	1,007						
Dunstable,	587	Stow,	1,205						
Framingham,	2,965	Sudbury,	1,376						
Groton,	2,035	Tewksbury,	880						
Holliston,	1,734	Townsend,	1,764						
Hopkinton,	2,262	Tyngsborough,	820						
Lexington,	1,559	Waltham,	2,593						
Lincoln,	711	Watertown,	1,896						

<i>Towns.</i>	<i>Pop.</i>	<i>Towns.</i>	<i>Pop.</i>	<i>Towns.</i>	<i>Pop.</i>	<i>Towns.</i>	<i>Pop.</i>
Pelham,	1,000	Westhampton,	752	Roxbury,	8,310	Weymouth,	3,630
Plainfield,	926	Williamsburg,	1,289	Sharon,	1,066	Wrentham,	2,902
Prescott,	781	Worthington,	1,185	Stoughton,	2,062		
South Hadley,	1,422			Walpole,	1,465	22 towns.	50,804
Southampton,	1,158	23 towns.	30,392				
Ware,	1,953						
COUNTY OF HAMPDEN.							
Blanford,	1,512	Russell,	1,000	Attleborough,	3,620	Pawtucket,	2,119
Brimfield,	1,434	Southwick,	1,211	Berkley,	951	Raynham,	1,319
Chester,	1,412	Springfield,	11,013	Dartmouth,	4,991	Rehoboth,	2,036
Granville,	1,284	Tolland,	587	Dighton,	1,417	Seekonk,	1,831
Holland,	436	Wales,	718	Easton,	2,076	Somerset,	1,047
Longmeadow,	1,266	Westfield,	3,640	Fairhaven,	3,985	Swansey,	1,421
Ludlow,	1,365	W. Springfield,	3,707	Fall River,	6,451	Taunton,	7,524
Monson,	2,102	Wilbraham,	1,846	Freetown,	1,757	Westport,	2,644
Montgomery,	656			Mansfield,	1,346		
Palmer,	2,150	18 towns.	37,339	New Bedford,	12,585	19 towns.	59,774
				Norton,	1,554		
COUNTY OF FRANKLIN.							
Ashfield,	1,579	Monroe,	260	Abington,	3,144	Middleboro',	5,006
Barnardston,	924	Montague,	1,288	Bridgewater,	2,081	North Bridge-	
Buckland,	1,110	New Salem,	1,275	Carver,	999	water,	2,625
Charlemont,	1,181	Northfield,	1,658	Duxbury,	2,741	Pembroke,	1,239
Colrairie,	1,930	Orange,	1,492	East Bridge-		Plymouth,	5,180
Conway,	1,394	Rowe,	700	water,	1,944	Plympton,	861
Deerfield,	1,934	Shelbourne,	1,034	Halifax,	730	Rochester,	3,986
Erving,	294	Shutesbury,	997	Hanover,	1,478	Scituate,	3,720
Gill,	778	Sunderland,	698	Hanson,	1,065	Wareham,	2,002
Greenfield,	1,754	Warwick,	1,154	Hingham,	3,489	West Bridge-	
Hawley,	931	Wendell,	844	Hull,	217	water,	1,211
Heath,	904	Whately,	1,104	Kingston,	1,395		
Leverett,	896			Marshfield,	1,664	21 towns.	46,786
Leyden,	646	26 towns.	28,759				
COUNTY OF BERKSHIRE.							
Adams,	3,639	New Marlbo-		Barnstable,	4,297	Provincetown,	2,101
Alford,	519	rough,	1,619	Brewster,	1,471	Sandwich,	3,620
Becket,	1,128	Otis,	1,158	Chatham,	2,278	Fruro,	1,916
Cheshire,	954	Peru,	610	Dennis,	2,729	Wellfleet,	2,306
Clarksburg,	403	Pittsfield,	4,060	Eastham,	944	Yarmouth,	2,520
Dalton,	1,143	Richmond,	1,052	Falmouth,	2,604		
Egremont,	1,036	Sandisfield,	1,451	Harwich,	2,860	13 towns.	31,662
Florida,	435	Savoy,	913	Orleans,	1,953		
Gt. Barrington,	2,690	Sheffield,	2,322	COUNTY OF DUKES' COUNTY.			
Hancock,	958	Stockbridge,	1,981	Chilmark,			544
Hinsdale,	950	Tyringham,	1,402	Edgartown,			1,803
Lanesborough,	1,048	Washington,	830	Tisbury,			1,513
Lee,	2,281	W. Stockbridge,	1,330				
Lenox,	1,323	Williamstown,	2,076	3 towns.			3,860
Mount Wash-		Windsor,	872	COUNTY OF NANTUCKET.			
ington,	470			Nantucket,			9,512
New Ashford,	229	30 towns.	40,882	AGGREGATE OF THE COUNTIES.			
COUNTY OF NORFOLK.							
Bellingham,	1,045	Foxborough,	1,294	<i>Counties.</i>	<i>Pop.</i>	<i>Counties.</i>	<i>Pop.</i>
Braintree,	2,118	Franklin,	1,720	Suffolk,	86,161	Norfolk,	50,804
Brookline,	1,123	Medfield,	846	Essex,	94,748	Bristol,	59,774
Canton,	1,928	Medway,	2,051	Middlesex,	104,451	Plymouth,	46,786
Cohasset,	1,411	Milton,	1,684	Worcester,	93,462	Barnstable,	31,662
Dedham,	3,157	Needham,	1,479	Hampshire,	30,392	Dukes' Co.,	3,860
Dorchester,	4,458	Quincy,	3,309	Hampden,	37,339	Nantucket,	9,512
Dover,	534	Randolph,	3,232	Franklin,	28,759		
				Berkshire,	40,882	14 cos.	718,592

The act directing the taking of the census contains the following proviso, viz:— State paupers and convicts in the state prison, shall not be numbered: also, the inmates of the several hospitals, jails, and houses of correction, and the students in colleges, academies, and high-schools, shall not be numbered in the census of towns to which they do not belong.

MERCANTILE LIBRARY ASSOCIATION.

LECTURES FOR JANUARY AND FEBRUARY, 1841.

The numbers in attendance on the interesting and popular course of lectures at Clinton Hall, now in progress, has thus far been highly respectable. The terms of admission are quite reasonable, and we trust that those who have not already, will avail themselves of the privilege of attending the remainder of the course. We give below a syllabus of the lectures for January and February.

TWO LECTURES BY THE REV. HENRY W. BELLOWS.

TUESDAY, Jan. 5. }
FRIDAY, " 8. } On the Formation of Opinions.

MONDAY, Jan 11.—A POEM BY WILLIAM CUTTER, Esq., a member of the Association.

TWO LECTURES BY JOHN L. H. M'CRACKEN, ESQ.

TUESDAY, Jan. 12.—1. On Mexico.
FRIDAY, " 15.—2. The Influence of Commerce upon Character.

TWO LECTURES BY SAMUEL WARD, ESQ.

TUESDAY, Jan. 19. }
FRIDAY, " 22. } On the Doctrine of Chances.

ONE LECTURE BY BENJAMIN D. SILLIMAN, ESQ.

MONDAY, Jan. 25.—Ancient Commerce.

ONE LECTURE BY JOHN DUER, ESQ.

WEDNESDAY, Jan. 27.—The State Debts of the United States, with their Resources.
(This Lecture will be free.)

ONE LECTURE BY MATTHEW C. PATTERSON, ESQ.

FRIDAY, Jan. 29.—The Reformation, its natural causes, and its influence on Civilization.

TUESDAY, Feb. 2.—ONE LECTURE BY HON. WILLIAM INGLIS.

ONE LECTURE BY J. PRESCOTT HALL, ESQ.

FRIDAY, Feb. 5.—An Essay upon the history and character of the aboriginal inhabitants of North America.

TUESDAY, Feb. 9.—ONE LECTURE BY THE REV. EDWARD Y. HIGBEE.

ONE LECTURE BY THOMAS W. TUCKER, ESQ.

FRIDAY, Feb. 12.—On the Merchants of the time of Queen Elizabeth

FRAZIER'S PATENT STOVES.

This stove is of convenient form and model, combining beauty with utility. Its inventor is Mr. William Frazier, of Brooklyn. Sheet iron is principally used in its construction, as being most conducive to warmth and also to economy. The furnace is well protected with brick, and all the parts exposed to the action of the fire. The patentee rests his claim of originality as the inventor of this stove in the addition of an apparatus called a radiator, and formed of a cylinder that is divided into four equal compartments, by partitions of sheet iron. The heat from the furnace is conveyed into one of these compartments from the top, and enters the other from the bottom. An air tube passes through each of the divisions of the cylinder, and thus diffuses a pleasant warmth, that can be easily controlled, through an apartment of almost any size. We cheerfully commend this stove to the attention of the public, from a personal knowledge of its excellent qualities

OUR FOURTH VOLUME.

A FEW WORDS TO THE PUBLIC.

The present number of the MERCHANTS' MAGAZINE AND COMMERCIAL REVIEW, commences a fourth volume. Starting at an inauspicious period, when the commercial community was laboring under great embarrassments, it has advanced, by the cordial support of a large portion of the mercantile and business class, to whose interests it is devoted, to a degree of prosperity, it is believed, unexampled, when we consider the short period (18 months) since its first establishment. This we attribute in a great measure to the peculiar and original character of the work. It is designed to apply itself to the practical tendencies of the age and the progress of our country, and to the wants of that large portion of our population comprised by the merchants, and also to develop an interesting form of commercial literature.

Of the nature of the work, it may be proper to state that it is entirely *national* in its objects. It is linked to no particular section of the republic—to no sect, and to no party. Its main design is to cast abroad, over the whole country, whatever of light it can furnish regarding the various important interests which concern our commercial population; and also to set forth the trade and commerce of the most prominent commercial nations abroad. It is also an organ for the liberal and judicious exposition of those principles that concern the business classes, and which constitute a fertile topic of discussion in our own country. The editor of the Magazine cannot, of course, be understood to endorse or commend all the views expressed upon its pages, as they proceed from various minds; but he invites a free exhibition of facts and opinions, in order, if possible, that truth may be elicited. It is conceived, that in the vast and various resources of our republic, and the extraordinary enterprise of the people, as well as in the interests relating to its prosperity, there is an ample field spread out for the present work; and its cultivation thus far, by this journal, has been attended with its measure of reward. We thank the public for their cordial support, and hope not only to deserve its continuance, but such an increase as will stimulate us to renewed efforts to enhance the utility and value of the work. Since its commencement, we have had time more thoroughly to model and perfect our plan, and to be supplied from different sections of the union, with such intellectual aid as to render it—what it should be—a periodical adapted to the wants of the commercial public.

We again repeat, that well-written papers, falling within the scope of our work, from intellectual and practical men, will receive all due consideration.

☞ In order to supply the demand for complete sets of the work from its commencement, we have reprinted the first volume, so that orders for the three volumes (bound or in numbers) can now be promptly answered.

Persons residing out of the city, who may wish to become subscribers, are reminded that, by a regulation of the Post Office Department, "Postmasters may enclose money in a letter to the publishers of a periodical, to pay the subscription of a third person, and *frank* the letter."

 ACCOUNTANTSHIP.

We have received several answers to the question in our October number, most of which are correct in principle, but all contain some errors in calculation, particularly in the interest. We therefore defer publishing the solution until our young friends have had another trial, as we are fully assured they are all capable of correcting their errors. That their answers may agree, it may be well to state that legal interest is to be calculated, viz: 365 days to the year, at 7 per cent.