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ART. I.—AMERICAN STEAM NAVIGATION.

THE growing importance of navigation by steam in this country, and the direct bearing which it exercises upon the various interests of our commerce, induce us to devote the present paper to a consideration of the progress and influence of this newly discovered power. In accordance with that plan, we shall trace the origin of the invention from its first dawning to its full development, and attempt to sketch the physical and moral consequences that it will produce upon the nation.

In exact proportion to the extension of political freedom and the diffusion of popular intelligence, has been the advance of invention in the useful arts, or those arts which are calculated to bestow practical benefits upon the great bulk of men. As political power has been diffused among the great mass of men, the human mind has been directed to those inventions that were calculated to confer solid benefits upon the mass. Among the most important of these useful inventions is the discovery of the mariner's compass, the arts of printing and cotton spinning, and last of all, the science of navigation by steam, everywhere displaying its triumphs upon the rivers, the lakes, and the oceans of the world, the crowning victory of the mechanical philosophy of this nineteenth century.

It was in this country that the genius which perfected this discovery first burst forth into full strength. By the generous and then judicious legislation of the state of New York, that genius was fostered until it brought forth the discovery in its full practical success. It was from the crowded shores of its metropolis that the first successful steamboat was launched, and around the cultivated fields and picturesque hills and blue headlands and bays and islands of this port, that its fabrics first played. It was upon the rivers of this state, and the lakes that wash its furthest shores, that the most elegant models of steamships have been constructed, and here it has performed its most glorious triumphs. To the state of New York, with one side resting on the sea and the other upon the great lakes, with Niagara thundering upon its western boundaries, and its eastern sea-coast serenaded by the roar of the ocean; this empire

within itself, combining agricultural and commercial advantages in a remarkable degree, with a population for the most part sprung from the New England hive, moulded, in due proportions, with other elements,—a population distinguished for its enterprise, liberality, and perseverance :—to New York, holding in its right hand the trident of the waters, and in the left the plough of the western prairies, belongs the fitting credit of first setting afloat this power—the crowning glory of its commercial victories.

Our broad and fertile empire is enriched by channels of commerce, that intersect the territory and surround its coast. The eastern sea-board, from Maine to the capes of Florida, embracing numerous productive states, is washed by the waves of the Atlantic, and this line of coast is indented at frequent points with convenient and safe harbors, for shipping from every foreign port. The rivers rising east of the Alleghany Mountains, constituting about one hundred in number, course nearly the whole extent of our Atlantic states, and are, in a great measure, navigable. In New England we find the Penobscot, the Kennebeck, the Merrimack, the Connecticut, and the Thames, winding through a very extensive tract of country, and furnishing avenues for commerce from a convenient distance in the interior to their outlets upon the sea. Advancing from that section of the country to New York, we meet the Hudson, taking its rise in the neighborhood of Lake Champlain, and flowing for the distance of two hundred and fifty miles in nearly a straight line, through rich plain and cloud-crowned highland, along village and through valley, adorned with the beauties of nature and art, from whose borders the blue mountains swell and sweep away like the most gorgeous creations of the pencil, bearing the tide of a fruitful commerce through a channel of one hundred and fifty miles, from the political capital of this great state to the broad bay that expands before us. The Delaware soon meets our view, a river navigable for steam-vessels of the largest class to Philadelphia, and thence to Trenton. The Patapsco is now reached, which flows to the port of Baltimore. The Potomac, springing from the Alleghany Mountains, and broadening to an extent of seven and a half miles at its entrance into the Chesapeake Bay, itself an inland sea, is ploughed by ships of the largest class to the city of Washington, a point about one hundred and three miles from its mouth. The Rappahannock, the York, the James, the Roanoke, the Pamlico, the Ashley and Cooper, the Savannah, the Apalachicola, and the Mobile, each affording channels for steam navigation, water the most fertile portions of the south. We proceed to the western border of our state, and a chain of inland seas, the largest upon the earth, spreads itself out for thousands of miles, through luxuriant forests, from the shores of New York, beyond Mackinaw, to the granite-bound cliffs of Lake Superior. Starting from Pittsburg, at the base of the Alleghany Mountains, we sail along the Ohio, in a course of nine hundred and forty-five miles, where its flood mingles with the Mississippi, and here the father of waters is unfolded in all its grandeur. Stretching from New Orleans to St. Louis, a distance of nearly twelve hundred miles, it is met by the Missouri, that opens an uninterrupted navigation for two thousand five hundred and thirty-two miles, from its mouth to the falls which obstruct it. Besides this grand tributary, the Mississippi receives the Illinois, the Red River, the Arkansas, the White River, and numerous other navigable streams that have not been described, and which wind far away into the

interior, furnishing safe channels for the transportation of its products. These are some of the most important commercial arteries of this vast empire—the field upon which the steam navigation of the country is destined to act!

The expansive power of steam was early ascertained. Hero, of Alexandria, an individual who, in the reign of Ptolemy Philadelphus, was distinguished for his scientific attainments, describes, in a work entitled *Spiritualia*, a machine which he had invented long before the Christian era, for the purpose of ejecting boiling water from a globe through a pipe, by this power. That instrument, however, appears not to have been applied to any beneficial purpose, but was used for mere amusing experiments, and it is a somewhat remarkable fact, that the philosopher attributes to the agency of steam the mysterious music which is said to have broken forth every day from the statue of Memnon, at the rising of the sun. In the royal archives of the city of Salamanca, a record is alleged to have been lately discovered, purporting to be an account of a vessel which was propelled by steam in the port of Barcelona, during the year 1543, under the auspices of Blasco de Garay, an officer in the service of the Emperor Charles. We are informed that the engine consisted of a large tank of boiling water, acting upon moveable wheels on each side of the vessel, and that its action was witnessed by a large concourse of spectators, but that the obtuseness of that age gave no encouragement to the invention, and the machine was broken up. A statement founded upon an unauthenticated record should, we conceive, be received with scrupulous distrust; but if its truth is established, it exhibits the first recorded account of navigation by steam. Cardan and Mathesius, two mechanical philosophers, who flourished about the year 1571, appear also to have been acquainted with the power of steam. The former has given us ample evidence that he possessed a shadowy conviction that this agent might be applied to a machine somewhat similar to a modern steam-engine, while the latter has shown to us that he was acquainted with the fact that its condensation would produce a vacuum. At this early period the turnspit dog, which is known to have been formerly employed in the culinary department of our own country, had been invented, and it was at that time proposed to substitute for its use the whirling eolipile, an instrument formed for the purpose of exciting the force of combustion. Baptista Porta, a Neapolitan, who attracted some attention at the close of the sixteenth century, and De Causas, devoted their attention to the same object, and invented instruments for the raising of boiling water by steam, which were well known in their own day.

Thus far the power of steam was exclusively employed for the purpose of lifting water, and continued so to be used until the time of Brancas. This man, an Italian by birth, first proposed to direct the blast issuing from the pipe of the eolipile upon the leaves of a wheel, which might produce a rotary motion, and thus move machinery; and in this suggestion we discern the germ of that locomotive power which is now producing such important revolutions in mind and matter. The suggestion of Brancas was, however, improved by Bishop Wilkins, and Kircher, who proposed to apply two eolipiles to the same design; and we are now led to a consideration of the mechanical labors of the Marquis of Worcester. The English claim for that nobleman the merit of having first applied the power of steam to useful purposes, and allege that all the plans afterwards

successively adopted for the practical application of this agent to beneficial objects, were derived from his inventive genius. That Worcester, endowed with a distinguished genius for mechanical philosophy, did make valuable experiments with this agent in its direction to hydraulic purposes, and actually formed in his mind the airy outline of a steam-engine, if he did not construct the machine, it is difficult to deny. In a manuscript journal of the Grand Duke of Tuscany, Cosmo de Medicis, who, in 1656, journeyed through a part of England, the following remarks may be found:—"His highness," says the duke, "that he might not use the day uselessly, went again after dinner to the other side of the city, extending his excursions as far as Vauxhall, beyond the palace of the Archbishop of Canterbury, to see an hydraulic machine, invented by my Lord Somerset, the Marquis of Worcester. It raises water more than forty geometrical feet, by the power of one man only, and in a very short space of time will draw up four vessels of water through a tube or channel not more than a span in width." A project for the construction of some sort of a steam-engine appears to have been struggling in his mind long before his death, although the particular form of the machine cannot now be clearly ascertained. Alluding to this machine, he says, "By this I can make a vessel of as great burden as the river can bear, to go against the stream, and this engine is applicable to any vessel or boat whatsoever, without being therefore made on purpose, and worketh these effects. It roweth, it draweth, it driveth, if need be, to pass London Bridge against the stream, at low water."²

Although Denys Papin, a French protestant, had invented the safety valve as early as 1680, the power of steam was not applied to any very advantageous result until the time of Savary. Early employed in the mines of Cornwall, and aware of the great expense required to keep them free from water, this person, chancing to be at a tavern in London, and throwing into the fire a Florence flask containing a small quantity of wine, perceived the wine to boil, and vapor issuing from the neck, while the interior became transparent. Seizing the flask, and plunging the end into a basin of water, a vacuum having been formed by the condensation of the steam, the water rushed in to occupy the vacant space.* The principle discovered by this experiment was immediately applied to the raising of water from the mines; and the labor of animals was thus superseded. The inventor, it appears, even proposed to apply the water used in his vessel to the turning of the water-wheel. We pass over the improvements made in the application of the steam power by Newcomen and Cawley, and the gradual and solid labors of James Watt, who brought the steam-engine to great perfection, producing in it, as he first did, a sufficient power for the navigation of a ship. Nor is it designed here to describe the labors of Genevoix and the Comte de Auxiron, who made several attempts, the former in 1759, and the latter in 1774, to apply the power of steam to vessels without success. These enterprises were succeeded, in 1775, by similar efforts of the elder Perrier, who was afterwards instrumental in introducing steam-engines into France.

A claim has been set up in England to support the patent of Jonathan Hull for the application of steam to navigation, on the ground of a patent which was granted to him in 1736. This claim is found to be entirely

* See Hodge, on the steam-engine, a new work, now in the press of D. Appleton & Co

without foundation, the steam-engine at that period not having arrived to sufficient perfection to be used as a motive power. A steamboat is said also to have been constructed upon the Thames, by Prince Rupert, the action of which, we are informed, was probably witnessed by Papin, Savary, and Worcester; and as early as 1781 a steam-vessel, one hundred and fifty feet long, was launched upon the Saone, preparatory experiments having been made during the three years previous at Baume les Dames. The performance of that boat was, however, so successful, that it received a favorable report from the French Academy of Sciences. Down to this period the application of steam to vessels was merely experimental, no signal success having been obtained; and from that time we are to look to this country for the full development of that mighty power.

Down to the year 1783, the steam-engine, gradually improved by the inventive genius of successive machinists, had been applied with success to other objects than navigation, but was not used as a locomotive power with any considerable advantage. During that year Mr. James Rumsey, of Berkeley county, Virginia, and John Fitch, a watchmaker, of Philadelphia, directed their efforts to the application of steam to the purposes of navigation. These efforts were successful in enabling them to construct steamboats, patents of which were exhibited during the succeeding year to General Washington. Mr. Rumsey first perfected his plan to a condition for exhibition, while Fitch was successful in applying his power to practical purposes, by first launching a steamboat upon the waters of the Delaware. The boat employed by Mr. Fitch was propelled through the water by a system of paddles at the rate of about four miles an hour, and he soon adopted the precaution to send to Watt and Bolton a plan of his apparatus, for the purpose of obtaining an English patent from London. Rumsey, who in 1786 was successful in floating his boat upon the Potomac, used a pump that drew in water at the bow and forced it out at the stern; a system of propulsion which at any time must have failed. Nor were the public unwilling to discountenance the genius and enterprise of Fitch; for, on the 19th of March, 1787, an act was passed by the legislature of New York, granting to John Fitch the sole and exclusive right of making and using every kind of boat or vessel impelled by steam, in all creeks, rivers, bays, and waters, within the territory and jurisdiction of New York, for fourteen years. While such efforts were made in this country, a portion of the scientific genius of Europe was devoted to the same subject. Miller, of Dalswinton, in Scotland, having substituted for paddles a triple vessel impelled by wheels, soon found that the application of human labor to turn the crank was insufficient for the propulsion of his vehicle; and profiting by the suggestion of a friend, he applied the steam-engine to that purpose, and was successful in propelling a boat at considerable speed upon the Forth and Clyde canal. Symington, a former engineer of Miller of Dalswinton, directed his talents to the same object, not only upon the rivers, but the sea, and made successful experiments upon the Forth and Clyde canals, with a similar boat. Nor would we pass over the claims of Oliver Evans, early an apprentice to a wheelwright. In 1786, this individual petitioned the legislature of Pennsylvania to grant him the exclusive right to use "steam-wagons" in that state, and in the succeeding year obtained from the legislature of Maryland a patent, giving to him the right of making and using steam-wagons for the period of fourteen years. Nor would we abate from him any portion of the just

fame that is his due, for having, in the year 1801, constructed a dredging machine for the corporation of Philadelphia, weighing forty-two thousand pounds, which was conveyed the distance of a mile and a half to the river by the power of a steam-engine, launched and propelled by its own paddle-wheel in the stern, driven down the Schuylkill to the Delaware, and up the Delaware to the city of Philadelphia, and back, in the presence of a crowd of witnesses. Steam navigation, as afterwards applied, had not as yet been discovered. Contemporaneous efforts, as we have seen, had been made in this country and Europe, directed to the same subject.

Meanwhile other efforts were in progress, within the country, for the advancement of navigation by steam. Mr. John Stevens, of Hoboken, a gentleman whose name stands conspicuous in the history of steam navigation, and to whom, with his son, we are indebted for the most beautiful models that float upon our waters, had as early as 1791 commenced his experiments in the cause, quietly toiling, through his agents, in his workshops, situated upon his patrimonial estate at Hoboken, and had also struck out new light upon the subject which was the engrossing topic of thought among the prominent mechanical philosophers of that day. Associated with Mr. Robert R. Livingston, a former eminent chancellor of the state of New York, Nesbitt, a native of England, and Brunel, now well known as the engineer of the tunnel upon the Thames, they had applied their powers to this project with great zeal, and in furtherance of their plan succeeded, in 1797, in constructing a boat upon the Hudson. Impressed with the conviction that navigation by steam was practicable, and would be successfully introduced upon the waters of this country, and in order to enable those who were advancing in the labor to reap the benefit if their experiment was successful, Mr. Livingston procured to be passed, by the legislature of New York, an act, bearing date the 27th of March, 1798, on the suggestion that John Fitch, the original patentee, was dead, or had withdrawn from the state; which act, on the statement made by him that he possessed a mode of applying the steam-engine to propel a boat upon new and advantageous principles, gave him the right of the exclusive navigation of the waters of New York by steam for twenty years, on the condition that he should produce a boat, within the period of one year, that could be propelled at the rate of three miles per hour; but this he failed in doing, and the grant was accordingly made of no effect. Two years afterwards, Mr. Livingston and Mr. Stevens, aided by Mr. Roosevelt, entered upon renewed efforts to effectuate the same object; the instrument of propulsion being a system of paddles that were set in motion like a horizontal chain-pump. Their experiments were, however, attended with but poor success; their joint efforts being soon determined by the appointment of Chancellor Livingston to represent our government at the court of France. Yet neither Mr. Livingston or his coadjutor were discouraged. They both still toiled on, the one in Paris and the other in Hoboken, to advance the great work.

During this period, there arose upon the horizon a name that will be forever identified with the progress of steam navigation throughout the world. Born in the interior of the state of Pennsylvania, when that portion of the state was a silent wilderness, humble in his origin, if lowliness is the part of obscurity and indigence, with a genius for drawing and painting early developed, by the exercise of which he had procured for himself, in the city of Philadelphia, the means of subsistence, purchased a

farm and settled upon it with filial affection his aged mother, before he had attained his majority, we find Robert Fulton, in the year 1786, embarked for England, and living in the family of Benjamin West, the painter; under whose auspices he practised his favorite art, and at the same time engaged in a correspondence with the Earl of Stanhope. Dividing his time between the labors of the pencil and projects directed to the purposes of internal improvement, upon which subject he published a treatise in the city of London, we find Mr. Fulton, inspired by ambition, casting about for chances to display his undoubted talents. From the house of Mr. West, Fulton removed to that of Joel Barlow, and pursued the studies seemingly the best fitted to his views, under the auspices of that distinguished man. At this period his mind appears to have been especially directed to the subject of steam navigation; and having succeeded in performing several ingenious experiments, the principal of which was the invention of a submarine boat and bombs, afterwards named torpedoes, by which, in 1801, he blew into fragments a small shallop which was anchored in the harbor of Brest, in the presence of a commission ordered by Napoleon, he fortunately here met Mr. Livingston, the American minister.

The communion of minds so congenial soon ripened into friendship. Being both interested in the same object, the one distinguished for his science and accomplishments, and the other for his practical and experimental sense, they were soon determined to co-operate in advancing the progress of the cause which was so deeply moving the minds of men. By mutual counsel and joint effort, a steamboat was launched upon the Seine during the spring of 1803, in the presence of numerous spectators, and performed so well that they were encouraged to persevere. It had long been the opinion of Mr. Fulton, an opinion based upon a series of philosophical inductions, and originally expressed to the Earl of Stanhope, that wheels with paddles, or floats, were the proper instruments for the propulsion of steamships, and that opinion was confirmed by the experiment that had then been successfully performed on the Seine. More vigorous measures were soon adopted, both by Mr. Livingston and Mr. Fulton, for the prosecution of their joint plan, and it was determined to transfer the field of their experiments from France to the United States. An engine was accordingly procured to be made from the workshops of Messrs. Watt & Bolton, near Birmingham. By the influence of Mr. Livingston, a new act, granting to himself and Mr. Fulton the right of the exclusive navigation of the waters of New York, by steamboats, for the period of twenty years, was procured to be passed; and in the spring of 1807, a steamboat called the Clermont was launched from the shipyard of Mr. Charles Brown, and moved by her machinery to the Jersey shore. On the day appointed for her departure, a crowd collected to witness what most men believed would, at that time, result in a useless experiment. As the boat moved slowly from the bank, the more amiable part of the spectators merely shrugged their shoulders in distrust, while the rest cast out their sarcastic remarks lavishly upon the enterprise; and it was not until they had learned that the boat had sailed along the Hudson to the white spires of Albany, at the rate of five miles an hour, that their jests were changed to acclaiming shouts of exultation. Meantime, the elder Stevens, who had been early associated with Mr. Livingston in the same object, aided by his son, had nearly perfected a steamboat; and, but a fortnight after the trip of Fulton, having been shut out from the

waters of New York by the exclusive grant to Livingston and Fulton, succeeded in propelling a steamboat around the coast to the Delaware, and was accordingly the first to adventure upon the ocean with a steam vessel.

Whatever might have been the value of other experiments in steam enginery, and they were of great importance as facilitating the grand result, it is clearly by Fulton that the power of steam was first applied to the practical purposes of navigation, and in that form which is now principally used for the propulsion of ships. In measuring the amount of credit due to him for this discovery and successful experiment, we are to consider, not what others might have done, but what he did. Rumsey, Miller, Worcester, and Watt,—Fitch, Stevens, and Evans,—might, with the proper appliances and means, have performed successfully the same experiment. But the probable result of their efforts is left to mere conjecture. It was reserved for Fulton to demonstrate the power by a practical experiment, and in accordance with this experiment, to establish the first line of steamboats upon the Hudson.

And what was the condition of the country at that time? It was just in that position that it required precisely such an agent for its commerce as that of steam. Broad in territorial extent, peopled by colonies widely separated, and each possessing distinct sectional principles and opinions, and with unmeasured tracts of land in the interior of exhaustless fertility, inviting the labors of the plough,—the agency of such a power as that of steam navigation was requisite to connect its remote parts by a mutual intercourse; to afford markets for the fruits of agricultural enterprise; and thus to advance colonization and production. Our Atlantic sea-board was at that time but poorly provided with the capricious vehicles of a limited commerce, worked entirely by sails. The rivers that watered the interior of the country were ploughed only here and there by a straggling sloop or shallop, that was dependent upon the state of the winds and the tides; and their banks presented a few scattering settlements that were then more estranged from each other on account of the limited means of intercommunication. At the west, from the city of Buffalo to the banks of the Missouri, there was stretched out a vast and silent wilderness, burdened with the luxuriance of exhaustless but undeveloped resources, whose twilight gloom was broken only at wide intervals by the curling smoke of the log house or the light of the Indian camp-fire. The fresh tracks of the buffalo were yet seen upon the prairies of Illinois, and the deer, undisturbed by man, cropped the green herbage that was scattered in lavish profusion upon its waving solitudes. The inland seas of the northwest were scarcely ruffled by the keels of commerce. The pirogue or canoe of the French fur-trader, and the bark of the Indian, as he paddled through the glassy waters around their headlands, and the frail shallop which sometimes struggled onward through the forest upon its yet lonely course, were the only vehicles that divided their waves. The navigation of the Ohio and the Mississippi was, if possible, in a less advanced condition. A few feeble settlements had been made in what now constitutes the great state of Ohio. Four keel-boats, each of twenty tons, and occupying one month in going and returning, performed all the carrying trade between Cincinnati and Pittsburg. Although, at different points above New Orleans, the sycamores and magnolias had been cleared away for the sugar or the cotton plantation, the main portion of that fertile

alluvion was a trackless forest. The keels and flat-boats used for the commerce of that river were required to be propelled by poles, or dragged by ropes through the tangled undergrowth and miry swamps which border it, tracts inhabited only by the snake and the alligator; and four months were frequently required to make the journey against the current between Pittsburg and New Orleans. The flat-boats that were used for the transportation of emigrants and their merchandise from Pittsburg to New Orleans, often occupied a month in passing down to the latter place, and seldom returned. In order to judge of the luxurious modes of communication that then prevailed, and so strongly contrasted with the palaces which now float by hundreds upon the western lakes and rivers, we quote the following advertisement relating to the four keel-boats which plied, in 1794, between Cincinnati and Pittsburg. "No danger need be apprehended from the enemy," says the Centinel of the Northwestern Territory, of January 11th, 1794, "as every person on board will be under cover, made proof against rifle or musket balls, and convenient portholes for firing out of." A sufficient inducement was thought to be furnished for travel by the provision of bullet-proof walls, and convenient portholes, for firing at those Indians who might attack the boat or be seen upon the bank. Such was the condition of the navigation of the country when Fulton first launched his steam-vessel upon the Hudson!

We recur to Fulton, with his first steamboat, and relate the history of his voyage, in the words of the projector. "I left New York," says Fulton, "on Monday, at one o'clock, and arrived at Clermont, the seat of Chancellor Livingston, at one o'clock on Tuesday: time, twenty-four hours; distance, one hundred and ten miles. On Wednesday, I departed from the chancellor's at nine in the morning, and arrived at Albany at five in the afternoon: distance, forty miles; time, eight hours. The sum is one hundred and fifty miles, in thirty-two hours; equal to near five miles an hour. On Tuesday, at nine o'clock in the morning, I left Albany, and arrived at the chancellor's at six in the evening. I started from thence at seven, and arrived in New York at four in the afternoon: time, thirty hours; space run through, one hundred and fifty miles,—equal to five miles an hour. Throughout my whole way, both going and returning, the wind was ahead; no advantage could be derived from my sails; the whole, therefore, has been performed by the power of the steam-engine. The power of propelling boats by steam is now fully proved. The morning I left New York there were not, perhaps, thirty persons in the city who believed that the boat would ever move one mile an hour, or be of the least utility; and while we were putting off from the wharf, which was crowded with spectators, I heard a number of sarcastic remarks. Having employed much time, money, and zeal, in accomplishing this work, it gives me, as it will give you, great pleasure to see it fully answer my expectations. It will give a cheap and quick conveyance to the merchandise on the Mississippi, Missouri, and other great rivers, which are now laying open their treasures to the enterprise of our countrymen. Although the prospect of personal emolument has been some inducement to me, yet I feel infinitely more pleasure in reflecting on the immense advantage that my country will derive from the invention."*

Soon after this event, the Clermont plied as a regular boat between

* See Life of Robert Fulton, by Cadwallader D. Colden.

New York and Albany. But notwithstanding the immense advantage derived to the public from the invention of Fulton, his path was overshadowed with clouds and darkness. The new boat was deemed an interloper, and came into competition with established lines of packets. Its rivals supposed that the introduction of the newly-discovered agent would break up the sloops worked by sails which had hitherto performed the carrying trade upon that river. Intentional collisions between the sail and steam boats, plying between the two ports, were not unfrequent.

In 1809, Mr. Fulton took out the first patent for his invention; and, although during the previous year a law had been passed by the legislature of New York, extending to Mr. Livingston and Mr. Fulton the privilege that had been previously granted, namely, enlarging the term of the grant to a period of five years for every boat they should successfully establish, provided that the duration of the grant should not exceed thirty years from the passage of the law, the grantees continued to meet with so much opposition, that a supplementary act was passed, granting to them summary remedies against those whom they claimed were infringing upon their vested rights. A particular account of that complex series of litigation which grew out of the establishment of Fulton's line would be tedious. A company was formed in Albany, and through their agency a rival line was run upon the Hudson, on the ground of the unconstitutionality of the grant to Livingston and Fulton, giving to them the exclusive right of navigating by steam the waters of New York. The grantees, Messrs. Livingston and Fulton, believing that their grant was legal and valid, soon made application to the Circuit Court of the United States for an injunction to prevent the infringement of the right vested in them by the law; but the court said they had no jurisdiction of the case. Resort was now had to the Court of Chancery of the state, (Mr. Lansing presiding,) and the prayer of the petitioners was refused on the ground of the invalidity of the state grant. An appeal was then taken to the Court of Errors of this state, comprised, when sitting on an appeal in chancery, of the senate of the state and five judges of the Supreme Court. That appeal was enforced by the fervid and feeling eloquence of a man well known throughout this state—Cast off like a vigorous tree from the Emerald Isle, scorched by the thunderbolt of political proscription, and transplanted to this land of freedom, where its verdant branches shot forth with luxuriant growth and abundant fruit; a man whose bright career exhibits a splendid commentary, not only upon his own patriotism in behalf of an oppressed country, but upon the generous sympathy of our own, the asylum of the unfortunate; a man whose intellectual efforts were the pure emanations of a mighty, ardent, and upright soul;—Thomas Addis Emmet, whose melancholy countenance now looks forth in marble, like the embodied spirit of his down-trodden land, from our halls of justice, which he illuminated by his genius, and from the garden of St. Paul's church, upon the thronging multitudes of the city whose adopted son he was. By the agency of this gentleman, together with others of equal talents, the decision of the chancellor was reversed, and a perpetual injunction, backed by a popular sentiment, that is always disposed to give solid merit its due reward, was granted. A compromise was however soon effected between the antagonist parties, that prevented any further agitation of the question until the year 1814.

At this period, individuals in the neighboring states of Connecticut and

New Jersey, feeling themselves aggrieved by the legislation of New York excluding their vessels from its waters, procured to be passed retaliatory acts prohibiting the steam-vessels of New York from the navigation of their own territories; and among the most conspicuous of these was Colonel Aaron Ogden, then governor of the state last named. In his memorial, presented to the legislature of New-York in 1814, he claimed that he was the proprietor of an "ancient and accustomed ferry" between Elizabethtown Point and this city, upon which the establishment of a line of steamboats would tend greatly to the public accommodation; and that he possessed the clear right to propel steam-vessels to this port, under a patent and coasting license from the United States, and also as the representative of John Fitch, and the assignee of all rights claimed by him under the state grant made to Fitch, and the patent issued out to him by the United States, as the inventor of navigation by steam. The memorial was submitted to a select committee of the assembly, of which Mr. William Duer, now the president of Columbia College, was the chairman. Numerous witnesses were examined in order to the establishment of the facts of the case. After due deliberation, the committee in effect declared by their report that the steamboats constructed by Messrs. Livingston and Fulton had been formerly patented to John Fitch; that Fitch or his assignee had the right to the use of his invention during the term of his patent, and that the use then fell to the public; and that the exclusive legislation of the state of New York in favor of Messrs. Livingston and Fulton was unconstitutional and oppressive. The senate of this state, however, rejected the bill, and Mr. Ogden then appealed to the legislature of New Jersey. But he was here met by his former opponents, and ultimately defeated; for they procured to be passed, in the legislature of that state, an act repealing its own former retaliatory measures excluding the steamboats of New-York from the waters of the former state. Another compromise was, however, soon effected between the state grantees of New York, which for a time prevented any further litigation.

Meanwhile Mr. Fulton, performing experiments with the paddle-wheels, labored on in the great work. During the first year of his successful experiment, two boats, the Raritan and the Car of Neptune, were launched; a line of steam ferry-boats was set afloat by him upon the Hudson, in 1811 and 1812, and a ferry was run by steam also, established regularly between New York and Brooklyn.

It had long been a part of the plan of Mr. Fulton to extend his newly discovered means of communication upon the great waters of the west. With that object, he proceeded at this time across the Alleghany Mountains to Pittsburgh, for the purpose of superintending the construction of a steamboat at that place, and with a mind teeming with the brilliant prospects that were then opening before him. A well-authenticated anecdote connected with his journey has come down to us, which may, perhaps, bear repetition. Being in a stage-coach, lumbering around the declivities of those mountains, and becoming somewhat familiar with his fellow-passengers during a journey of several days, he was naturally led to dwell upon his newly discovered agent, and the various modes of its application. In return he was met by the jests of his companions, who, as often as any apparently impossible project was discussed, inquired if he could do this or that by steam. "The day will come," says Fulton, "I may not live to see it, but some of you who are younger probably will, when carriages

will be drawn over these mountains by steam-engines, at a rate more rapid than that of a stage-coach upon the smoothest turnpike." How this prediction will be verified, let the Baltimore and Ohio Railroad answer. In the year 1811, the first essay in western steamboat navigation was made by Mr. Fulton in the launching of the Orleans at Pittsburgh, from which time the navigation by steam upon the western waters so rapidly augmented, that, as we are shown by well-established documents, from the year 1814 to 1835, five hundred and eighty-eight steamships were built upon these rivers.* Numerous steamboat companies were formed, and steamboats constructed, both at the east and west, through his agency, and a line was run by him to the city of Providence; during the fall of a previous year, upon one of those mild autumnal mornings peculiar to our climate, when the heavens and the earth seem to be tinged with a hue of gold, his last labor was performed, by launching from the shipyard of Messrs. Adam and Noah Brown, the first American steam-frigate of war, named the First Fulton, designed as a protection to our coast in the hostilities then pending between this country and England, amid crowds of acclaiming spectators who blackened the surrounding heights, while numerous steamers and naval ships that played in the bay waved their banners and poured their music upon the air, and the cannon from the Battery thundered their last peals to the star of Fulton, that was soon to sink below the horizon forever.

Fulton's career was drawing to a close. Suffering under disease while engaged in giving directions to his workmen, who were employed in building his new steam-frigate, he brought on a relapse of his malady, which increased until the 15th day of February, 1815, when his mortal life ceased, and his soul returned to him who gave it. The body, enclosed in a leaden coffin and followed by the officers of the national and state governments, was borne from his residence, in No. 1 State street, to the Trinity church, while minute-guns were fired from the steam-frigate, the work of his mind, which were answered from the Battery. The state legislature, when information of his death reached them, voted to wear the badges of mourning in respect to the event. His remains were deposited in the Livingston vault. Encumbered with a load of debt that had been accumulated by his ambitious labors in the cause to which he had devoted his life, he left his children a heritage of poverty. But, though dead, his memory will be had in eternal remembrance. No star of honor blazed upon his breast, and no column standing above his grave records to him a nation's gratitude. But he displays a brighter badge, a more enduring monument; for the muffled music of the paddle-wheel, as it dashes through the waves, and the groaning of the steam-engine, as its fabrics plough the waters of the world, will sound a sublime and everlasting requiem to his memory.

The practical value of navigation by steam was now fully established,

* See Hall's Statistics of the West.—A late number of the Pittsburgh Morning Herald gives the names of 437 steamboats navigating the western and southwestern waters, tonnage as follows:

From 30 to 168 tons,.....	78	From 400 to 500 tons,.....	8
100 to 200 "	212	500 to 600 "	5
200 to 300 "	105	600 to 700 "	4
300 to 400 "	24	785 tons,.....	1

and measures were soon adopted to introduce the power upon the most important avenues of commerce, both in this country and Europe. Mr. John Stevens of Hoboken, as we have already seen, had adventured upon the sea with a steamboat as early as 1807, in his first voyage from New York to Philadelphia, around the coast; and Fulton himself had planned a vessel that was destined for the Baltic, and that afterwards plied between New York and Newport. The first regular steamship in Great Britain was built by Bell, upon the Clyde, in 1812, that afterwards regularly plied between Glasgow and Liverpool. Five years afterwards the Savannah crossed the Atlantic from this country in twenty-six days, and passed up to St. Petersburg; and during the following year the trappers of Lake Huron were startled with the sight of a steamship, called the Walk-in-the-Water, propelled without sails, and by an unknown power, which in 1818 advanced across Lake Erie to the island of Mackinaw; while at the same time a steam-packet commenced running between the ports of New York, Charleston, Cuba, and New Orleans. Separate lines of steamships were also established between the principal ports of England, and the most important commercial marts upon the great navigable waters of Europe. In 1825, the first voyage was performed from Falmouth to Calcutta by the steamship *Enterprise*. Steam communication was also soon introduced between the several points of the British islands and the continent, and vessels worked by the engine plied to Hamburg and Rotterdam, Antwerp and Calais, Havre and Lisbon, Gibraltar, Malta, and Corfu, with as much confidence as if their paddle-wheels were swift race-horses, and the widest waters solid and level plains.

But steam navigation was again the cause of vexatious litigation. During the year 1824, the question respecting the constitutionality of the legislative act of New York, granting to Messrs. Livingston and Fulton the exclusive right of navigating its waters, was again revived. Mr. Thomas Gibbons, who had emigrated from Georgia, and possessed of an ample fortune which he had acquired by the legal profession, having removed to Elizabethtown, in New Jersey, invested a portion of his wealth in the purchase of a ferry between Elizabethtown Point and the port of New York. Confident in the opinion which, as a lawyer, he had formed, that the grant to which allusion has been made was unconstitutional, and backed by analogous decisions that had then recently issued from the bench, as well as by the opinions of able lawyers, he determined, if necessary, to embark in a course of litigation, for the purpose of testing his claim to the right of navigating these waters; and, providing himself with patents and coasting licenses, he immediately proceeded to the New York harbor. At this time, his competitor was Mr. Ogden, to whom reference has been made, who, on the compromise formed by him with the original state grantees, had for a long time run "his ancient and accustomed ferry," from a point near the rival establishment of Mr. Gibbons. This gentleman, conceiving that the act of Mr. Gibbons, in running his steamboat upon his own track, was an infringement of his own right, obtained an injunction against the enterprise of Mr. Gibbons, which, upon appeal to the Court of Errors, was confirmed, on the ground that no collision was presented in that case between the national law and the act of this state. An appeal was accordingly taken by Mr. Gibbons to the Supreme Court of the United States.

On the trial of this case before the Supreme Court, the most distin-

guished legal talents of the country were employed. The powerful logic of Mr. Webster, and the graceful mind of Mr. Wirt, then the Attorney-general of the United States, put forth their whole strength in behalf of the appellant, Mr. Gibbons; and they were met by the solid judgment of Mr. Oakley, and the fervid eloquence of Thomas Addis Emmet, who had before given his best efforts to the cause of his former friend, Fulton. A question of so much importance, involving, as it did, the construction of a vital principle of the constitution, and the navigation of the waters of one of our largest states by so important an agent as that of steam, could not but excite the deepest interest throughout the country; and every point was discussed with all the passionate appeal and cogent reasoning that could be marshalled by the ablest counsel. In enlarging upon the constitutionality of the laws passed by the legislature, Mr. Emmet remarked:—"There are circumstances connected with those laws, sufficient to make any tribunal require the strongest arguments before it adjudged them invalid. The state of New York, by a patient and forbearing patronage of ten years, to Livingston and Fulton, by the tempting inducement of its proffered reward, and by the subsequent liberality of its contract, has called into existence the noblest and most useful improvement of the present day. Genius had contended with its inherent difficulties for generations before; and if some had nearly reached, or some even touched the goal, they sunk exhausted, and the result of their efforts perished in reality and almost in name. Such would probably have been the end of Fulton's labors; and neither the wealth and talents of his associate, nor the resources of his own great mind would have saved him from the fate of others, if he had not been sustained for years by the wise and considerate encouragement of the state of New York. She has brought into noonday splendor an invaluable improvement to the intercourse and consequent happiness of man, which, without her aid, would, perhaps, have scarcely dawned upon our grandchildren. She has not only rendered this service to her own citizens, but the benefits of her policy have spread themselves over the whole union. Where can you turn your eyes, and where can you travel, without having your eyes delighted, and some part of the fatigues of your journey relieved, by the presence of a steamboat? The Ohio and Mississippi she has converted into rapid channels for communicating wealth, comfort, and enjoyments, from their mouths to their head waters. And the happy and reflecting inhabitants of the states they wash may well ask themselves, whether, next to the constitutions under which they live, there be a single blessing they enjoy from the art and labor of man, greater than what they have derived from the patronage of the state of New York to Robert Fulton. But the mighty benefits that have resulted from those laws are not circumscribed even by the vast extent of our union; New York may raise her head, she may proudly raise her head, and cast her eyes over the whole civilized world; she there may see its countless waters bearing on their surface countless offsprings of her munificence and wisdom."^{*}

Mr. Webster, on the other hand, maintained, among other points, that the power of congress to regulate commerce, upon the facts arising on that appeal, was clear and direct; and that, in consequence, the act of the legislature of New York, shutting out a certain species of commerce from

* See *Gibbons vs. Ogden*, 9 Wheaton's Reports, pp. 157, 158.

its waters, usurped the right of regulating commerce, belonging to the general government, and came in direct conflict with the laws of the United States. Judgment was thus obtained for Mr. Gibbons, and the waters of New York were thenceforward freely opened to steam navigation from the different states, which gradually spread itself out, through the principal commercial arteries of the country. It may be mentioned, as a somewhat singular circumstance connected with Mr. Gibbons, that on his death, he devised a certain portion of his estate to be used in running opposing lines of steamboats from the waters of this state, which has since been faithfully employed in that work, to the absolute horror of all regular liners, who involuntarily button their pockets when they hear the name of Mr. Gibbons, or that of his devisee, Mr. Vanderbilt, pronounced.*

We have thus sketched the progress of steam navigation from its first introduction into this country, in 1807, and gradually scattering its ships upon our own waters, as well as upon the British seas, which, in 1839, floated eight hundred and forty vessels belonging to England alone. France, although somewhat backward in this enterprise, having introduced successfully the navigation by steam into that empire, as late as the year 1826, increased its steam tonnage to such an amount that, in 1838, it owned one hundred and sixty steamboats, belonging to individuals, besides thirty-eight which were employed by that government.† Yet, notwithstanding the voyage of the boat of Mr. Stevens around the coast, in 1807, and that of the Savannah across the ocean, in 1817, the regular and systematic navigation of the ocean was deemed, at best, a doubtful experiment. Even scientific mechanical philosophers, as late as the year 1838, strove to demonstrate the entire impracticability of the project. The crowning triumph of steam was yet to be accomplished. On a vernal morning in the month of April, the Sirius left a British port, and was steered straight across the Atlantic, that steam has contracted to the dimensions of a mill-pond. Fifteen days afterwards, wreaths of curling smoke were perceived moving along the sky above the Narrows, and passing up the bay, were found to proceed from that steamer, bringing fresh news from London. The Great Western, the Royal William, the Liverpool, and the British Queen, followed close upon its track. On the fourth of July, 1839, (a fitting day,) a contract was signed between Mr. Samuel Cunard and the British admiralty, for the transit of letters from Liverpool to Halifax, and a short time afterwards, the Unicorn, succeeded by the Britannia, the Caledonia, the Acadia, and the Columbia, sailed into the port of Boston, bringing tidings that the ocean thenceforward was to be a short mail-road. Whereupon, the Royal Steam Navigation Company of Great Britain commenced the hewing of the timbers for a line of steamships for New Orleans, Mexico, and a part of the South American coast; and our American ship-builders, having completed a steamship for his majesty the Emperor of Russia, and another for the Spanish government, are preparing to lay the keels of four steam-vessels, each to be of two thousand tons

* See an able article on this subject, in the seventh number of the New York Review; also, Wheaton's Reports, where the case may be found at length; and Webster's Speeches and Forensic Arguments, which contains his effort upon the case of Gibbons vs. Ogden.

† For these foreign statistics we are indebted to the Report of Count Daru to the French Chamber of Deputies, relating to the establishment of steam-packets between France and America.

burden, and only eight hundred horse power, two hundred greater than the President. Kindled by the enterprises of other nations, the slow-moving French, in the cause of internal improvement, began to bestir themselves, and will soon have a line of steam-packets between New York and Havre. Steam had conquered the ocean. It was thenceforward to be a ferry; not "the ancient and accustomed ferry" of the respected Governor Ogden, between Elizabethtown Point and New York, but the modern and accustomed ferry between New York and London!

We now arrive to the consideration of the present condition of steam navigation in the United States. What is this condition? Taking our stand upon the New York dock, and looking abroad upon those ships which border it, like flying monsters of oak that have folded their canvass wings and now lie chained to the wharves, as racehorses to the manger when their race is run, we perceive scattered among the thicket of masts numerous strange craft, without spars or sails, that appear like piratical new-comers, more fanciful in color and more fragile in form than the black and solid vessels that surround them. Resting a little, we notice a column of white vapor ascending from the pipe in the centre; the frame of the hulk appears to groan and struggle as if with ambition or agony; the pendulums suspended from the iron beam in the centre are perceived to swing; the steam is up, and the boat rushes off through Long Island Sound, the Hudson, or to the Jersey shore. Still we linger, and another and a more imposing sight presents itself. Casting our view down the bay, towards the Battery, our attention is arrested by a vapory cloud that moves along the horizon; it nears, and as it grows upon our sight, and passes by the numerous steamboats, and the canvass of vessels of all sizes which play in the harbor or advance to the offing, appearing in size like cockle-shells when contrasted with its enormous bulk, we perceive that it is a steamship, rigged like a schooner, with a hull as black as night; a column of thick smoke boiling up from its low pipe—dark, frowning, begrimed with soot—unearthly, wild, murky, threatening, as if it had just wrestled with a storm upon the Stygian gulf—with little to relieve the Cimmerian blackness but the white foam of its paddle-wheels, and the red flag of England which floats above its stern—moving along with a heart that is a blazing furnace of fire, and with iron muscles that possess the power of six hundred horses. What is this? It is the President, fifteen days from Liverpool, bringing fresh merchandise and news to this republic, and passing up quietly to take her place in the docks. We change the scene, and transport ourselves to one of the blue peaks of the Highlands, and from that eminence look down upon the silver Hudson, as it winds its way through valley and mountain, as far as the eye can reach, like an enchanted stream. What are those vehicles that are constantly passing before us with a cloud of smoke by day and a pillar of fire by night issuing from their smoke-pipes, as they glide along their dazzling tracks with the speed of the sunbeam? They are floating hotels, the swiftest in the world, with the banner of the republic waving at their mast-head—steamboats, the carrier-pigeons of commerce, on their way from the commercial mart of the nation to the political capital of the state. We advance further, to the borders of those inland seas that water the forests of the northwest, and looking out at midnight, our attention is arrested by numerous fiery bodies which seem as meteors. As they approach, we perceive that they are not like the baleful comet,

"That fires the length of Ophiuchus huge
In the Arctic sky, and from his horrid hair
Shakes pestilence and war,"

but smoke and sparks streaming from the chimneys of numerous steamers passing and repassing to and from the west, advancing with emigrants and their merchandise, who are about to turn up the rich mould of the prairies, or returning from the west with loads of wheat and flour, the product of that soil, for the markets of New York. Or let us ascend the fruitful Mississippi, and take a long view of its brimming flood, and we perceive its sky blackened here and there by clouds of ascending smoke. They issue from the hundreds of splendid though unsafe high-pressure boats of that riyer, rushing down from St. Louis or Cincinnati to New Orleans, with machinery, emigrants, and agricultural products, with barrels of sugar, casks of tobacco, or bales of cotton, produced by the plantations upon its shores, and which are to be consumed in this country, or to be shipped abroad to return in harvests of gold. Look at the price current of New Orleans, and mark those long columns that denote the receipts of produce from the interior. Their sentences commence with the words "per steamer." What is the cause of all this? *Steam!* It has made safe tracks across the ocean, from Liverpool to Boston, from New York to Liverpool and London. It has ploughed its furrows around the coast, from the great commercial mart of the country to Charleston, Cuba, and New Orleans, and has established regular packets upon that track. It has produced rapid and elegant navigation around the republic and through it. The little steamboat that rides upon the village stream like a sea-gull, has connected that stream with the lakes; the large steamships are about to connect the lakes with the ocean. Wherever there is a sufficient depth of water to float its fabrics, there its banners wave. Its vessels crowd the docks of New York and Baltimore, Buffalo and Detroit, Pittsburg and Cincinnati, Louisville, St. Louis, and New Orleans, as well as our other principal ports, both at the east and the west. With the arch fiend in Milton, the traveller can truly say,

"Which way I fly is steam—myself am steam."

It appears by an official report made to congress by the secretary of the treasury, on the 13th day of December, 1838, that from 1808 to 1839 there had been built in the United States thirteen hundred steamboats, of which number eight hundred are now capable of doing valuable service. It is also computed in this document that four hundred were running on the western and southwestern waters, at that date, and that seventy boats plied upon the northwestern lakes. Of these boats some of the most splendid ply from the port of New York, as well as upon the lakes and the Mississippi.

It is somewhat extraordinary, considering the long line of our coast, and its exposed position, that the government has not constructed for its own use steamships of war. But the frontier coast is not alone exposed. We have, in the heart of our territory, a series of inland seas, washing an extensive portion of our domain, and itself constituting a boundary of the United States, which separates us but a short distance from the colonies of a foreign power, and upon which, should a war break out, (a calamity that we trust may be averted,) the nation that should employ the steam-engine would possess a manifest advantage over the one that did not use it.

The first steamship of war, called the Fulton, was constructed as early as 1815, by Fulton himself, and lost by accident in 1829. One other only was constructed in 1838, a war steamer called the Fulton, that may frequently be seen at anchor in the New York harbor; besides one named the Missouri, recently launched at the Brooklyn Navy Yard, and another that is now upon the stocks in Philadelphia.

Recent measures have been adopted by Congress, in consequence of the increase of steam navigation, and the multiplication of destructive accidents by its agency, to diminish, if not entirely to prevent them, by national legislation. In December, of 1838, the Secretary of the Treasury communicated to congress a letter, accompanying a voluminous document embracing the prominent statistical facts connected with steam navigation, and also reports of the accidents by steamboats, and the causes of those accidents that had occurred in different parts of the country. During the last session of congress, Mr. Ruggles, from the committee on commerce, submitted a report upon the resolution of the senate, instructing them to inquire whether the law then in existence did not require amendment; and, in accordance therewith, reported a bill for the amendment of the existing law, requiring a particular inspection of the boilers of steamboats, in order to increase the safety of passengers.* We trust that thorough measures will be adopted, if possible, to prevent the disasters of this character which are coming to our ears almost on the arrival of every mail. The bill to which we allude must effectuate that object most successfully, and will probably pass into a law before our remarks go through the press.

The actual condition of steam navigation in this country is a matter of very great interest to the people, inasmuch as it exhibits the rapid progress of this branch of commercial enterprise within the United States. We are enabled, by the report of the Secretary of the Treasury, made in December, 1838, to which we have referred, for an authentic statement of the number of steamboats in the different parts of the United States, so far as returned, and their tonnage, down to the date of the report, which we here subjoin, as this report is the latest that has been made, and serves to give particular information on the matter.

STEAMBOATS IN EACH STATE.

Statement of the number of steamboats, and of the tonnage of the same, in each state, so far as returns have been received, in December, 1838; and statement of the amount of tonnage of steam-vessels in each state, on the 30th of September, 1837, according to the annual statement of the commerce and navigation of the United States, for the year ending September 30, 1837, and of the number built in 1837.

	Returns to December, 1838.		Return, Sept. 30, 1837.	Number of steam vessels built in 1837.
	No. of vessels.	Tonnage.	Tonnage.	
Maine - - - -	8	1,609		
New Hampshire -	1	215		
Vermont - - - -	4	903		
Massachusetts - -	12	1,443	171	1
Rhode Island - -	2	698	965	1
Connecticut - - -	19	4,103	2,641	1

* See Mr. Ruggles' Report to the Senate, March 2, 1840.

STEAMBOATS IN EACH STATE.—Continued.

	Returns to December, 1838.		Return, Sept. 30, 1837.	Number of steam vessels built in 1837.
	No. of vessels.	Tonnage.	Tonnage.	
New York - - -	140	29,708	24,431	16
New Jersey - - -	21	3,757	444	
Pennsylvania, - - -	134	18,243	19,331	48
Delaware - - -	3	494	373	
Maryland - - -	19	6,800	7,135	4
District of Columbia	5	801	1,477	1
Virginia - - -	16	1,970	1,667	
North Carolina - - -	11	2,014	521	1
South Carolina - - -	22	4,794	4,715	5
Georgia - - -	29	4,273	4,521	2
Florida - - -	17	1,974	1,194	
Alabama - - -	18	2,703	4,396	
*Mississippi - - -				
*Arkansas - - -				
Louisiana - - -	30	4,986	54,421	9
*Tennessee - - -			5,193	2
†Illinois - - -				
†Indiana - - -				
Kentucky - - -	41	8,356	1,714	
*Iowa - - -				
‡Wisconsin - - -				
Missouri - - -	42	7,967	3,668	
Ohio - - -	79	15,396	12,375	42
Michigan - - -	13	2,611	2,193	1
Navy Department -	1	900		
War Department -	4			
Engineer Department	9			
Total ascertained	700	126,673	153,660	134

In 58 of the above boats, the tonnage not being returned, is estimated at 10,800 tons more—making an aggregate of 137,473 tons in the ascertained boats.

What, then, is the influence which steam navigation has produced, and is producing upon the country? The position, it is thought, may be safely maintained, that it has effected a more powerful, physical, and moral revolution, upon this republic, than any agency that has been devised, or could be devised, within the present knowledge of man. In order to ascertain this fact, it will be only necessary to look back at the condition of the country before this agent was introduced, and when the vessels worked by sails were the only vehicles of commerce. What would now have been the extent of colonization in this broad empire had we been shut out from its benefits? We have already seen that, previous to the year 1811, the great navigable waters of the interior were destitute of safe and rapid means of in-

* No returns.

† No returns from these states, except in part with Missouri and Kentucky.

‡ No returns from Wisconsin, except in part with Michigan.

tercommunication. The few feeble colonies that had penetrated the forests of the Muskingum, the Ohio, and the Detroit, were in effect cut off from the rest of the world; and even at a later period, the eloquent geographer of the western valley, Mr. Timothy Flint, could creep up the Mississippi in his boat only by grasping the reeds that bordered its banks. What motive was held out for the cultivation of lands, however fertile, when the producer was deprived of a market? What other agent upon the face of the earth, but steam, could stem the current of that flood, and provide convenient access to the plantations scattered along its winding shores? What motive would have been presented for ages for the colonization of the wilderness around the lakes, were the western waters traversed only by the canoe or pirogue of the Indian and fur-trader, or the straggling shallop, cast about by storms, which occasionally made a solitary voyage to the western ports? Where now would have been Buffalo and Cleveland, Cincinnati, Louisville, and St. Louis, had not steam navigation made them entrepots of trade and commerce? How many emigrants would have left their peaceful hearthstones at the east, and have ventured into an unbroken wilderness, removed from the uncertain and inconvenient means of navigation, by months of travel from the firesides they had left? How many golden wheat-fields in that region would have waved with yellow harvests, were the western husbandman deprived of eastern intercourse and an eastern market? Steam navigation colonized the west! It furnished a motive for settlement and production by the hands of eastern men, because it brought the western territory nearer to the east by nine tenths of the distance. It opened new channels of intercommunication, and new markets for its products. A journey from the western borders of New York to Detroit, requires but a little more than two days. Steam palaces float by scores upon almost every point of the western waters. The western farmer can receive his friend, and ship his wheat and cotton and sugar and corn, by steamers, almost within stones-throw of his granary. Steam is crowding our eastern cities with western flour and western merchants, and lading the western steamboats with eastern emigrants and eastern merchandise. It has advanced the career of national colonization and national production, at least a century!

Whatever of general benefit is derived from commerce will be enhanced by steam navigation, because steam navigation is the most important agent of commerce. Whatever of intelligence is produced by a free and liberal intercourse between foreign or domestic states; whatever of wealth is furnished by production, and the mutual interchange of agricultural products, between different portions of the same country; whatever of refinement it gives to the taste, or liberality to the mind, or comfort to the physical man, will be augmented by the agency of steam. Does the scholar desire to obtain a valuable work or a newspaper from a distant point? steam will print it, and transport it to his door, wet from the press. Does the gentleman of leisure wish to obtain the latest fashion from the London tailor, of Bond street? steam will not only give him the desired information with the speed of an antelope, but weave the cloth, and send it to him with due despatch. Do the ladies choose to drain the already collapsed pockets of their Cassius-like husbands, by the procuration of gauze veils or shawls from the looms of France? steam will comply with their request, as the Scotchman says, "for a consideration."

As regards the consequences that will be derived from the establishment of ocean navigation by steam, from the different ports of Europe to this country, it is obvious that such communication must open to us new sources of wealth and national enlightenment. Recent indications have manifested themselves on the part of the English government towards us, which clearly show that their policy respecting this republic is undergoing a thorough change. They have seen a people sprung from their own soil, subduing a wilderness; at first feeble colonies, but now grown to a mighty empire, proud of our government and confident of our power, and second to them only in commercial strength. It is natural for that monarchy, which has heretofore held the world tributary to her mercantile enterprise, to strive to form an amicable intercourse with this nation, that has long furnished the most valuable market for her products, and which one of her own earls, Lord Chatham, once truly declared upon the floor of the British parliament, even before we had established our independence, could not be conquered. For she has tried twice to subdue us, and has failed. The bitter spirit that was formerly manifested towards this country is obviously softened. The two nations have forgotten their old blows. The leading organ of the crown, the *London Quarterly Review*, contains at present but little biting sarcasm of our social habits and institutions, or those jeers that once asked "Who reads an American book?" but now, in fact, reviews these books, declaring the "*History of Ferdinand and Isabella, the Catholic*," a work written by one of our own countrymen, equal to any effort of a similar kind that has appeared within the present age, and even admits into the columns of that journal the papers of regular contributors from this side of the water. The statue of our own Washington adorns the prow of its largest steamship, and the portraits of the successive presidents of our republic grace the walls of its saloon. The heraldic arms of England and America, the eagle and the lion, are intermingled in fraternal union upon the shields of the two nations that are wrought in gilded carving upon its stern, while the stars and stripes of our national flag are advanced at its masthead on its entrance into our port. Are not these facts the harbinger of a more prosperous intercourse between the two nations? Should it not lead to that improved and reciprocal policy on the part of both by which a mutual benefit may be produced—to England by the abolition of the corn laws, and the introduction into that empire of our agricultural products, and to the United States by the free importation into their own country, from her workshops, of a portion of her manufactured goods, without injury to our own manufactures?

It is not proposed here to discuss the influence of the steam war-ships that are gradually introducing themselves among the naval armaments of the prominent maritime powers of Europe, and which must prove the most formidable weapons of coast defence, and ultimately prove heralds of peace, by augmenting the destructive powers of men to an extent at which humanity grows pale. Nor will the causes of the difference presented between the light and comparatively fragile steamboats of our empire, constructed only to ply upon the smoother waters of this country, and those solid and black steamships built to encounter the rough storms of the sea, which rush into our ports from the ocean as regularly as clockwork, be particularly described. Our time is to come, to float models of this sort, equal, at least, to any ships that navigate the ocean; for in naval architecture we have never been exceeded.

The practical tendencies of the present age are nowhere more prominently exhibited than in the arts that have been applied to commerce by the agency of steam. If the past has been more distinguished in those refined arts that minister to the taste alone, without reference to the useful, and mere artists are too often left to starve, modern times have brought the fine to the aid of the useful arts. If the ancients possessed their statues, and temples, and amphora, and pyramids, it can scarcely be denied that some of their noblest conceptions were derived from the useful arts. Virgil, the bard of Mantua, who flourished before the birth of Christ, it is well known, has in his poem of the *Eneid* led us into the rock-bound and murky workshop of the one-eyed and fabulous giants called the Cyclops, who, near the Sicilian coast, forged the thunderbolts of Jupiter, and wrought the celestial armory of the gods. The poet shows to us these workmen hammering out the arms that Venus ordered to be wrought by them for Æneas, her warrior son. The entrance into that ancient cave may give us some idea of the blacksmiths of the mythology, and we furnish this admission by the translation of Dryden, which is so beautiful that we scarcely regret that it is so long.

“Sacred to Vulcan’s name, an isle there lay,
 Between Sicilia’s coasts and Lipara,
 Raised high on smoking rocks, and deep below,
 In hollow caves, the fires of Ætna glow.
 The Cyclops here their heavy hammers deal ;
 Loud strokes and hissings of tormented steel
 Are heard around ; the boiling waters roar,
 And smoky flames through fuming tunnels soar.
 Hither the father of the fire by night
 Through the brown air precipitates his flight ;
 On their eternal anvils here he found
 The brethren beating, and the blows go round.
 A load of pointless thunder now there lies
 Before their hands, to ripen for the skies.
 These darts for angry Jove they daily cast,
 Consumed on mortals, with prodigious waste.
 Three rays of writhen rain, of fire three more,
 Of winged southern winds, and cloudy store,
 As many parts the dreadful mixture frames,
 And fears are added, and avenging flames.
 Inferior ministers for Mars repair
 His broken axletrees and blunted war,
 And send him forth again with furbished arms,
 To wake the lazy war with trumpets’ loud alarms ;
 The rest refresh the scaly snakes that fold
 The shield of Pallas, and renew their gold.
 Full on the crest the Gorgon’s head they place,
 With eyes that roll in death, and with distorted face.
 ‘My sons,’ said Vulcan, ‘set your tasks aside ;
 Your strength and master-skill must now be tried :
 Arms for a hero forge ; arms that require
 Your force, your speed, and all your forming fire.’
 He said : they set their former work aside,
 And their new toils with eager haste divide.
 A flood of molten silver, brass, and gold,
 And deadly steel, in the large furnace rolled ;
 Of this their artful hands a shield prepare,

Alone sufficient to sustain the war ;
Seven orbs within a spacious round they close,
One stirs the fire, and one the bellows blows.
The hissing steel is in the smithy drowned,
The grot with beaten anvils groans around.
By turns their arms advance in equal time,
By turns their hands descend, and hammers chime ;
They turn the glowing mass with crooked tongs,
The fiery work proceeds with rustic songs."

Although the science of our own day has not succeeded in forging the bolts of Jove, it has, by the discovery of Franklin, drawn them harmless from the sky. If modern art seeks not to perfect the axletrees of Mars, it has finished other axletrees which run along our railroad tracks with greater speed than those fabulous chariots of antiquity. If it has not embossed upon the shields of our warriors the Roman triumphs of the race of Julian, its patriotism has impressed upon the soil in our public works, and the present political condition of our people, as enduring a record. If it does not work in Cyclopean caverns, and form the celestial armory of the gods, it has moulded the wheels and ponderous beams of the steam-engine, that have conquered the ocean and the land by the clockwork of machinery. If it does not renew the golden scales of the snake that writhed upon the shield of Pallas, it has decorated the gilded and floating halls of our steamships with rich painting, repeated their carved oak, their embroidered carpets, and their tapestry in the reflected light of the mirror, and adorned them with all the appliances of a palace. It is this application of the fine to the useful arts that constitutes a marked feature of the present age. We have divested Vulcan, the blacksmith of the mythology, who has come down to us as the personified type of mechanical labor, of his most odious features. We have left in his hand his own sledge-hammer, and added to it the compass and the broadaxe. In the other we have placed the painter's pallet and the chisel of the sculptor. We have enrobed his form with a garment, woven from modern looms, more beautiful than the Tyrian purple, and garlanded his brow with a gorgeous crown that we have gathered from the wheat-sheaf.

If such have been the results of steam navigation in advancing colonization and production, within a period of only thirty-three years, since Fulton first launched his steamboat upon the Hudson, what are the natural and necessary consequences that will be produced upon the country by this agent within the next half-century? Although parties and sects will continue to disagree, steam will so concentrate the opinions of the remotest portions of the republic, and so illuminate the mind, that it will be brought into general unison and co-operation. By multiplying the means of national intercourse, it will strengthen the bonds of national amity; for the lines of our steamships, running from state to state, will be like so many chains of adamant to bind them together. It will carry out the doctrines of our glorious constitution. It will be the messenger of the press in distributing its productions far and wide, productions that are even now, in their number, poured down upon the national mind like the paper snow-storm of a theatre. It will multiply the comforts of life in innumerable forms, as they have already been multiplied by this agency, to an unmeasured extent. By opening new channels of communication into the interior, it will lay open the vast agricultural resources

of the country, and transport them to their best markets, both at home and abroad. What man who has occasion to travel any considerable distance from his own door does not now feel its influence upon his own personal comfort? It will work out even greater convenience by its constantly progressive improvement, so that to journey from the orange groves of Florida to the pine forests of Maine, from the port of New York to the Falls of St. Anthony, will be as easy as to repose in a parlor upon a silken ottoman. It will stretch along the thousand hills and valleys of the west the rejoicing harvests of autumn, and enliven them with myriads of bleating flocks and herds. It will crowd our coasts with a hundred cities, and people our shores with foreign immigrants. It will bring Philadelphia, and other interior ports, to the very shores of the sea, and crowd their harbors with commerce. It will give to the republic one national heart, and one national mind. The southern planter, who now reposes in patriarchal simplicity amid his cotton and rice fields, will be kindled with new energy, as the steamboat or steam-car rushes by his door. The trapper of the northwest will have left his canoe, and turn from the pursuit of the hunter to that of an agriculturist, shipping his wheat to the market in a steamship. Who doubts that steamboats may at some future time ply upon our canals, or that the Archimedian screw may supply the place of paddle-wheels, and double their speed?

But steam navigation will not only produce marked improvements upon the physical condition of our interior; it will throw us more directly upon the great highway of the world, for a journey across the ocean has now got to be a matter of but little moment, and will bring us nearer to the interesting associations which for ages have been clustering upon the domain across the water whence we sprang. By casting us into more direct contact with other nations, it will liberalize our minds, and while we survey the political miseries of foreign governments, we shall be induced to cling more strongly to our own constitution, and love our country more. It will increase the throbbing of the national heart, as new and exciting scenes break in upon us, and induce the workings of that national thought, which, like the swelling and heaving of the ocean, conduces to purity and vigor. It will be the handmaid of civilization, the agent of that commerce which ransacks all the treasures of the sea and of the land, and pours them in exhaustless profusion into the broad lap of nations. It will consolidate the union of this vast empire, now the only just government upon the earth, whose liberty and law, the spontaneous will of the people, invigorate all, as the all-pervading air.

Steam navigation is republican. It opens its ample halls to all, where they may in common discuss the affairs of state, as they move along upon its vapory wings. It multiplies a thousand fold the power of the individual man. It augments his strength to that of the Macedonian phalanx. Steam cares not for bad roads and adverse breezes. Formerly the mariner, before he sailed from the port, deemed it a matter of prudence to watch the heavens and take due heed of the winds. Now he oils the machinery of his engine, and advances into the sea, bidding defiance to the wildest storms that plough up the billows of the mid-ocean. Before its introduction into this country, three days were the shortest period generally occupied in a journey from New York to Boston, even if the traveller was enabled to reach the latter port within twice that time, by reason of bad roads and head winds. The cost of the journey was seldom less than twelve dollars.

Now, the same distance may be made with precision in fourteen hours, and for the petty sum of five dollars. Thus, in a single passage between the two places, more than half of the time and more than half of the money are saved. The conveniences for travel are so rapidly improving, that a party of pleasure to Prairie du Chien or Fond du Lac will in a few years be as common as a journey to Saratoga or Niagara is now. Steam navigation will soon have its ships, of peace and of war, prowling around our coasts, and advancing into every inlet and bay where a freight can be taken in and a cargo landed. Connected, as it soon must be, with the numerous railroads that intersect the country, it will quicken into greater activity the enterprise of every village within our borders; so that the nation will be, in its impulses and energies, as one great metropolis. But our steamships will not only float upon every shore, from the Atlantic to the Pacific, the agent of commerce, the producer, the civilizer, the enlightener, the peace-maker of the nation; they will be instrumental in diffusing abroad the light of our free constitution, that light which is now glowing in mild glory before the eyes of oppressed nations throughout the earth, like the star that beamed above the fields of Judea, the herald of justice and of peace.

ART. II.—COMMERCE AND COMMERCIAL CHARACTER.*

THE interest I take in the Mercantile Library Association, and the pride I feel in having assisted in its planting, and contributed in some small degree to its growth, have accustomed me to respond with pleasure to every call which it makes upon me, and to contribute my humble efforts to promote its laudable objects.

In this spirit I appear before you on this occasion, not as a contributor to the intellectual fund on which its members are about to draw, but in the less pretending character of a porter, whose duty it is to open the door of the temple, and disclose the fair vista in which may be seen, as in some fairy palace, the flowing streams of useful knowledge, illumined by literary gems of goodly lustre; and where the flowers of fancy and the fruits of experience unfold and ripen, to be gathered by the hand of youthful emulation. In this humble capacity I am content to remain in the vestibule, until, with you, I am permitted to partake of the banquet provided within.

Gentlemen of the Mercantile Library Association:—

It is a pleasing and not unprofitable task, on occasions like the present, to look back to the origin of your institution; to revert to some of the circumstances which have marked its progress; to exult in its present condition; and to indulge in hopes of its future prosperity: these topics, though they may want the charm of novelty, are interesting, and afford encouragement to your future efforts to promote the success of your undertaking.

It is now twenty years since a few young men, merchants' clerks, hav-

* An address made before the Mercantile Library Association, as an introductory to their course of lectures, December 7, 1840, by PHILIP HONE, Esq., now first published in the Merchants' Magazine, by request of the board of directors.

ing come to the delightful conviction that "wisdom's ways are ways of pleasantness," first sowed the seeds from which sprung this wide-spreading, healthy, and productive "tree of knowledge;" from an obscure apartment in Gold street, a small streamlet modestly stole forth, which, irrigating and fertilizing in its course the channel through which it passed, and receiving supplies on all sides from the tributary streams of public favor and private benefaction, increased, until it has become a mighty river, giving power to, and rendering practical the theories of science, and conveying upon its bosom the rich merchandise of knowledge. The nucleus of the library, consisting of a collection of books, less in number than the stock in trade of the itinerant bookseller who has his stand at the corners of our streets, has increased to twenty-three thousand volumes, of which number three hundred are issued daily; and the little band of a dozen associates now numbers five thousand, of whom, as nearly as can be calculated, about four thousand are regularly paying members.

For the character of the works contained in the library, I take pleasure in referring to the learned and elaborate Catalogue Raisonné and Index, compiled by Mr. Edward C. Johnston and Mr. Thomas Delf, under the judicious superintendence of the board of directors. Nor can I withhold my humble praise from the valuable little volume, entitled "A Course of Reading," recently compiled for the use of the members, by my venerated friend, Chancellor Kent, in which that eminent jurist has characteristically contributed from the stores of his diversified learning, to direct the steps of the youthful traveller in the paths of knowledge.

Within the last three years, classes have been formed under the control and care of the institution, for the study of the modern languages, elocution, mathematics, book-keeping, penmanship, drawing, chemistry, natural philosophy, and astronomy, from which many of the members derive great advantage; and, in some branches, (particularly the modern languages, writing, and drawing,) even those who may have had the advantages of a classical education, do not find their time unprofitably employed.

To the liberality of the trustees of Columbia College, your association and that of Clinton Hall are each indebted for the valuable privilege of a gratuitous nomination to two scholarships in their highly-respected institution.

On the 21st of February, 1828, a meeting of merchants and others was held at Masonic Hall, of which my respected predecessor in the office of President of the Board of Trustees of Clinton Hall, the late William W. Woolsey, was President, and Jonathan D. Steele, Secretary. This meeting was convened for the purpose of expressing the sense of the citizens of New York generally, on the occasion of the death of Governor De Witt Clinton, which melancholy event had occurred on the eleventh day of that month. At this meeting, at which I had the honor of assisting, and offering the resolutions which were adopted, a plan was proposed "for permanently assisting the Mercantile Library, by erecting a building to be styled 'Clinton Hall,' in honor of our late illustrious chief-magistrate, who presented the first volume to the library."

The attention of the merchants had been for some time previously directed to the infant institution, which had found favor in their eyes; and they embraced with avidity the opportunity then offered, combining two leading motives of mercantile action, prudence and liberality, by assisting

those who had shown the disposition and ability to assist themselves ; while at the same time, an occasion was offered to express their respect for the memory of the merchant's friend and the city's benefactor.

The impulse thus given was crowned with success. Three hundred shares, of \$100 each, were subscribed, and a board of trustees elected, whose first duties were to purchase the ground, and commence the erection of the edifice. The following list of the names of original subscribers, of two shares and upwards, is presented at this time, not with the expectation that this public record of their liberality may meet their approbation, but to bring to the members of the Mercantile Library Association a recollection of their early friends.

John Jacob Astor, and Arthur Tappan & Co., each subscribed ten shares ; Peter Remsen, John Hone & sons, and John Haggerty, each five shares ; John W. Leavitt, four shares ; David Austin, Thomas Brooks, William W. Woolsey, Ogden, Ferguson & Co., and Samuel Whittemore, each three shares ; and Richard Varick, John Lamb, Otis Loomer, Benedict & Oakley, N. L. & G. Griswold, Hamilton, Donaldson & Co., Reed, Hemstead, & Sturges, and Sands, Spooner, & Co., each two shares. Others also are entitled to the gratitude of the institution, whose subscriptions of one share each were equally liberal in proportion to their means ; and praise is due to all, when the circumstance is considered, that no expectation of pecuniary returns could possibly be entertained.

The trustees having purchased an eligible site, and plans being agreed upon, and the contracts made, the corner-stone of the substantial and commodious edifice in which I have now the honor to address you, was laid with suitable ceremonies, on the 20th of July, 1829 ; Isaac Carow, Esq., vice-president of the chamber of commerce, officiating on the occasion.

The building was completed with reasonable despatch, and on the 2d of November, 1830, it was dedicated to the use of the association, and the library removed from its humble place of sojournment to permanent apartments, more commensurate with the state of prosperity to which it had already arrived, and its future hopes, which have been so signally realized.

In the prosecution of this work, all the trustees assume to have done their duty, but it would be unfair to deny, that to Mr. John W. Leavitt, one of our number, the credit is most especially due. With the same zeal and perseverance which prompted him to take the most active part in establishing the institution and raising the necessary funds, he assisted in preparing the plans and making the contracts, and his vigilant superintendence marked every step of its progress to the final completion.

The funds raised by subscription were known to be inadequate to pay for the ground and building, and a debt was contracted, amounting originally to twenty-two thousand dollars. The trustees expected to discharge this debt in a few years out of the rents of such parts as were not required for the use of the library. The progress of liquidation has been more tardy than they anticipated, owing to the rapid increase of the library, its consequent demands for extended accommodations, which diminished the rents, and the expensive alterations to adapt them to its use. Of this debt twelve thousand dollars remains unpaid, which balance will be gradually reduced, until, in a few years, the period will have arrived, when, by the articles of association, no use will remain for the surplus revenue over the expenses but its appropriation to the increase of the library. And

from thenceforth, if the same spirit continues to be manifested by its members, it will not be extravagant to predict that it will soon become the most extensive and valuable public library in the United States.

I am not without apprehension that this brief statement of the affairs of the association, and its connection with that over which I have the honor to preside, may have been deficient in interest with some present, who have no immediate concern in either of the institutions alluded to, and especially that part of my audience whose approving smiles are grateful to my judgment now, as they were formerly to my vanity; but knowing, as I do, the tender relations in which many of them stand to the associates, I forbear to make an apology. There are, I trust, mothers here, watching with tender solicitude the blossoms of hope; sisters exulting with affectionate pride in the prospect of a future harvest of honorable distinction; and it does not require much penetration to discover that here also are those who fondly anticipate the time when youthful vows shall be redeemed with mercantile good faith and honor.

Commerce is a subject much treated upon, but not exhausted; followed by many, but appreciated by few, we are too apt to regard it only as the means of acquiring wealth, not as a profession tending to improve the mind, refine the imagination, and enlarge the heart of its follower.

It has ever been the policy of wise and liberal governments to foster and protect the great interests of trade; and in no country is the wisdom of this policy more apparent, and its obligations more imperative than in ours. Our form of government, and the popular character of our political institutions, derive strength from the inseparable connection between the interests of the merchant and a just and enlightened administration of the laws. The geographical position of the country, which seems to point out the advantages of foreign intercourse, without the dangers of entangling alliances; the habits of our people, ingenious, speculative and ardent, fertile in resources, and prompt in adaptation; the inseparable union and mutual reliance which exists in a pre-eminent degree between this arm of national strength and the other great interests of the community, agriculture and manufactures; all tend to prove the wisdom as well as the justice of that sound political maxim, that government is bound to protect the merchant in return for the support it derives from him. In vain shall the husbandman come "seeking fruit upon his fig-tree" unless he "dig around it and dung it." And above all, wo to our rulers, (if any such shall hereafter arise among us,) and deeply will their course be deprecated, who shall not only disregard this sacred obligation, but embarrass the operations of commerce, dry up its fountains, or obstruct its streams. The first indication of a tendency to arbitrary power in rulers, is a neglect of the just claims of the merchant to the paternal care and protection of the government; and the first blow of tyranny has always been aimed at his independence and prosperity. Let us fervently pray, then, that such a blight may never fall upon our beloved country.

Commerce affords the readiest and most natural resource of the government in times of emergency. The merchant, from the nature of his business, is nearer at hand, and more reliable on such occasions, than the landed proprietor. The frequent and quick returns of his capital, furnishes the former at times with unemployed funds, (the want of employment, perhaps, arising from the very case which creates a necessity for the supply.) These funds he can advantageously invest in government securi-

ties, with a certainty of withdrawing them whenever his occasions may require it, proportioned to his confidence in the good faith of the borrowers, and their wisdom in the management of public affairs; while the difficulty and uncertainty of converting real estate into available funds, (increased by the same cause to which I have alluded,) deprives the latter of the ability to evince his patriotism by assisting to keep in motion the political machinery of the state.

When Napoleon applied to England the contemptuous epithet of "a nation of shopkeepers," he paid her a higher compliment than he intended; it was an unintentional tribute to the power she had acquired by trade; an extorted homage to that commercial policy by which her merchants had become the arbiters of Europe; of those elements of strength which the shopkeepers of the Royal Exchange, and Threadneedle street, had furnished to her rulers, by which she alone was enabled to prescribe boundaries to the ambition of the great Captain, and say to the mighty wave of Gallic usurpation, "Thus far shalt thou go, and no farther." Military prowess was held in check by mercantile combinations, and the shopkeeper proved an overmatch for the warrior.

Trade, by giving employment to labor, diffuses a widely-spread blessing over the land, and enriches the community by that which makes it rich. This is the true beneficence of trade. The landed proprietor, in countries where commerce does not exist, if his heart be open as his lands are productive, and his coffers full, (which, unhappily, is not always the case,) may dispense his benevolence among his poorer neighbors; and occasionally we find in that respectable class, those whose exalted privilege it is to be "a father to the fatherless," and to "cause the widow's heart to sing with joy;" but if this benevolence be not grudgingly bestowed, it is at least subject to his will, and governed by his caprice; and the gratitude of the recipient is purchased at the expense of that noble independence which constitutes the glory and true equality of human nature. The benefits diffused among the laboring classes by the enterprising merchant, are equally felt as the uncertain bounty of the rich proprietor, and they involve no sacrifice of independence, no consciousness of inferiority, they

"Drop as the gentle rain from heaven
Upon the place beneath,"—

to be returned in the fruitful harvest of well-earned thrift. In the one case an obligation is created; in the other, the receiver is placed above the necessity or obligation of bounty.

The acquisition of wealth may arise from adventitious circumstances; from the successful labors of progenitors; or from a rise of property which the possessor has had no agency in producing, and from which no superiority can rightly be claimed, except so far as it better enables him to "do good and distribute," to promote the objects of charity, beneficence, and public spirit, and to furnish honest employment to those whose labor and skill offer a fair equivalent to his wealth; and the very nature of trade, its pursuits and employments, its necessities, and its immediate intercourse with those objects which look up to and rely upon its countenance and support, afford the most frequent opportunities, and give the largest scope to the indulgence of those propensities from which human nature derives its highest patent of nobility.

In nothing is the beneficial influence of trade more sensibly felt, and

more widely extended, than in the employment it gives to poor, but honest industry, and the consequent increase of its compensation. The opinions of Adam Smith, the practical and philosophical political economist, on the subject of high wages, are worth infinitely more than certain others, which may be better adapted to subserve a local and transient object. The true doctrine on this subject is contained in the following extract from the "Wealth of Nations:"—

"The wages of labor are the encouragement of industry, which, like every other human quality, improves in proportion to the encouragement it receives. A plentiful subsistence increases the bodily strength of the laborer; and the comfortable hope of bettering his condition, and of ending his days, perhaps, in ease and plenty, animates him to exert that strength to the utmost: where wages are high, accordingly, we shall always find the workmen more active, diligent, and expeditious than where they are low."

Another writer observes, with equal sagacity, "As trade has increased, the miseries of the people have abated; the poor being employed by manufacture, by navigation, and the ordinary labors which trade furnishes for their hands, they have accordingly lived better, their poverty has been less, and they have been able to feed, who before might be said only to starve. And in those countries 'tis observable that where trade is most effectually extended, and has the greatest influence, there the poor live best, their wages are highest; and where wages are highest, the consumption of provisions increases most; where the consumption of provisions is most increased, the rate of provisions is highest; and where provisions are dearest, the rents of lands are advanced most."*

The same author illustrates his doctrine by the following example of the miserable effect of labor inadequately compensated: "We are told that in Russia and Muscovy, when for want of commerce labor was not assisted by art, they had no other way to cut out a large plank but by felling a great tree, and then with a multitude of hands and axes hew away all the sides of the timber, till they reduced the middle to one large plank; and that yet, when it was done, they would sell this plank as cheap as the Swedes or Prussians did the like, who cut three or four or more planks of the like size from one tree, by the help of saws and saw-mills. The consequence must be that the miserable Russian labored ten times as much as the other did for the same money."

In no country are the fatal effects of low wages so apparent, and the miserable condition of the mass of the people so calculated to call forth the sympathy of the philanthropist, as in China, where the policy of arbitrary power has ever been exerted in the restriction of trade and the discouragement of commerce. In this degraded country, where the women do the labor of horses, and men, enervated from the want of proper food to sustain nature, perish under the lash of their taskmasters, millions of human beings, occupying a rank in the scale of creation inferior to that of the household animals in more favored countries, drag out a wretched existence upon a daily pittance of about five cents; and so hopeless is their condition, that the despairing mother not unfrequently perpetrates the dreadful crime of infanticide, to save her offspring from the misery of protracted existence.

* Defoe's English Commerce.

We do not, however, require those extreme cases to illustrate a doctrine so obvious to experience and philosophy, that the high price of labor conduces to the glory of a nation, and the prosperity of its people. It should undoubtedly be graduated by the price of commodities, and the products of the earth should bear an equitable proportion to the cost of production; but in the business of life, as well in the graduation of value as in the endowments of the mind and the exercise of the moral faculties, it is the interest of all classes of the community that we should level upwards, and elevate as high as possible the rateable standard.

Commerce has in all ages been the great promoter and supporter of civil and religious freedom. She lives only in the atmosphere of liberty, and pines away under the restraints of superstition, fanaticism, or tyranny. The principles which regulate her action must be free as the air which fills her sails, and true as the compass which directs her course. Enterprise and sagacity "marshal her the way which she should go." Prudence and foresight sustain her in her course, and knowledge and refinement follow in her path. The light which she has shed upon the world has tended greatly to dispel the mists of ignorance, and to illumine the page in which man may read the story of his natural rights, and learn his true position in the scale of humanity. She brings home with the natural riches and productions of other countries the results of their discoveries, and the benefits of their experience. The blessings of rational religion, and the maxims of free government, are endeared to us by contrast, or enforced by example; and we may reasonably hope that there is nothing in human nature so perverse as to prevent us from growing better as we grow wiser.

The enlightened policy of Great Britain, which leads her government to encourage commerce, and protects those who turn her iron into silver, her coal into diamonds, and who realize the fable of the argonauts, not by going in search of a golden fleece, but by the more profitable transmutation of her own, has in all ages of her history resulted from the free exercise of liberal opinions, and a just administration of laws framed to guard the essential rights of the people; and experience happily comes in aid of reason in enforcing this wise and liberal policy upon her rulers, by showing the disastrous consequences attending every departure from it. The resistance of John Hampden to the payment of a tax of only twenty shillings, unjustly imposed under the name of ship-money, led the way to revolution and regicide; and the arbitrary enactment of a colonial port bill, and a degrading distinction between her children abroad and at home, wrested from Britain the brightest jewel in her crown.

Spain presents a striking instance of the incompatibility of the exercise of arbitrary power with the wholesome operations of trade, and the deleterious effects of religious intolerance upon the enterprise and ingenuity of mankind. She was prevented by those bad influences from availing herself of the advantages of the discovery of America. The influence of her lovely queen, the "bright particular star" which pointed the way of Columbus to this western world, and irradiated his path on the unknown waters of the great deep, was insufficient to remove the deep-laid foundations of political error, or counteract the blighting effects of religious superstition; and history gives us too much reason to believe that even the noble mind of the illustrious Isabella was prone to regard with unmerited favor the erroneous maxims of state and church govern-

ment, which until her time no arm had been found strong enough, no heart pure enough, no head sound enough, successfully to resist, if she had been so minded. Spain ought to have been, but was *not*, a commercial nation; and it was eloquently said of her by a learned ecclesiastic,* whose essay on commerce proves him to have been as well acquainted with that subject as with those more immediately connected with his sacred vocation, "Spain was never in possession of those advantages which spring from a steady and permanent commerce. Instead of establishing a regular system of trade, she grasped at the power and revenue of sovereignty; instead of encouraging domestic industry, she drained her blood and wasted her vigor in the working of foreign mines; instead of giving security to property, she shackled the exertions of useful labor by harsh and ill-judged restraints."

Another example of the injurious effects of arbitrary laws and bad government upon the salutary operations of trade, may be found in the history of Portugal, where the spirit of commercial enterprise sprung up, and simultaneously mingling its brightness for a short space with that of its neighboring kingdom of Spain, seemed about to reveal the beauty of truth, and expose the deformity of superstition; but, alas for humanity! the world's vision was not prepared to receive the light of liberal opinions, and the sacred flame was transient as it was brilliant.

The bright visions of extended empire and commercial greatness which were presented to the Portuguese by the noble enterprises of Prince Henry, the royal merchant of Portugal, the discovery of a new passage to India by the undaunted navigator Vasco de Gama, and the military prowess and benignant rule of the illustrious Albuquerque, were in a few years dissipated by the rapacity of the government of the mother country, and the barbarous policy of the delegated depositaries of power within their newly acquired possessions.

The hideous spirit of the Cape of Tempests, "called from the vasty deep" by the sublime imagination of the immortal poet of the *Lusiad*, seems to have been endued with a foreknowledge of the fatal influence to be exerted, ere a generation had passed, by the bad passions and corrupt institutions of man, to counteract the beneficial effects of this glorious enterprise.

"His red eyes glowing from their dusky caves,
Shot livid fires,"

not in angry repulsion of the adventurous mariner, who sought to establish his country's glory, and the benignant reign of commerce and civilization in unknown lands; but of his successors, the ruthless minion of power, whose steps would be marked by blood and rapine, and the unrelenting Jesuit, preparing already to enforce by chains and racks the mild doctrines of "peace on earth and good will to men," and to plant the cross of a blessed Redeemer within the gloomy walls of an eastern inquisition.

It is grateful to pass from those dark pages of commercial history, which have been cited to prove that where freedom dwells is alone the country of commerce, and to turn to the bright examples of nations and communities, who, under the operations of just laws and free institutions, have cultivated trade as a liberal and honorable profession, promoting that

* Bishop of Down and Connor.

intercourse between the people of distant countries which destroys prejudice, improves the mind, refines the habits, and softens the disposition, while it supplies the wants, increases the comforts, and extends the enjoyments of mankind.

The most splendid instance of commercial greatness, is that which has been so frequently cited to illustrate the interesting subject in which we are at present engaged; the rise and glory of the Florentine republic, under her illustrious rulers, of whom it was said by their accomplished biographer,* himself a merchant, a scholar, and a man of taste, that "the true source of the wealth of the Medici was their superior talents and application to commerce."

Cosmo de Medicis and his grandson, "the magnificent Lorenzo," were practical and operative merchants, who, by combining personal enterprise with the most exalted patriotism, and a love of trade with a devotion to science and literature, raised the city of Florence to an unexampled height of glory, and made themselves the first citizens of the world.

The high character of Lorenzo, as a statesman and man of letters, was the means of obtaining from other countries privileges and advantages which rendered Florence the envy of the civilized world. "The glory of the republic," his biographer observes, "appeared at a distance to be centred in himself." He appears to have arrived at proficiency in every thing he undertook, and his individual success was made subservient to his country's good, his private gains being devoted to the defence of the state and the preservation of its honor.

Literature, science, and the arts, flourished side by side with commerce, under the auspices of this family of merchants. The Medicean Library, founded by Cosmo, and supported by his grandson, still exists in Florence, presenting, in the words of Mr. Roscoe, "the noblest monument of their glory, the most authentic depository of their fame."

Historians, poets, and philosophers, have combined to swell the notes of praise in honor of the merchant to whom posterity has awarded the title of "magnificent."

Voltaire describes him in the following strain of rhapsody. "What a curious sight it is to see the same person with one hand sell the commodities of the Levant, and with the other support the burden of a state, maintaining factors, and receiving ambassadors, making war and peace, opposing the pope, and giving his advice and mediation to the princes of his time, cultivating and encouraging learning, exhibiting shows to the people, and giving an asylum to the learned Greeks that fled from Constantinople! Such was Lorenzo de Medicis; and when to these particular distinctions, the glorious names of *the father of his country*, and the *mediator of Italy* are appended, who seems more entitled to the notice and admiration of posterity than this illustrious citizen of Florence?"

The death of this great man, whose splendid career terminated at the early age of forty-four years, called forth from his townsman and contemporary, the wise but profligate Machiavelli, the following eulogium. "No man ever died in Florence, or in the whole extent of Italy, with a higher reputation, or more lamented by his country. Not only his fellow-citizens, but all the princes in Italy were so sensibly affected by his death, that there was not one of them who did not send ambassadors to

* Roscoe.

Florence, to testify their grief, and to condole with the republic upon so great a loss."

Where, it may be asked, can more splendid examples be found of the beneficial effects of commerce upon the character and the destiny of a community than in this commercial city, or the height to which man is capable of elevating his nature, than in these portraits of her distinguished disciple?

The natural effects of industry, perseverance, and frugality in the operations of trade, have been in no part of the world more clearly exemplified than in Holland, where commerce rose above the deficiencies of soil and the disadvantages of climate, and by the greatness of her trade she became so powerful that her navies swept the ocean, and she came near to teach Europe, on some occasions, from the recesses of her marshes, the maxim of the accomplished Sir Walter Raleigh, the sailor courtier—"Whoever commands the sea, commands the trade, whoever commands the trade of the world, commands the riches of the world, and consequently the world itself."

The learned author of the introduction to the translation of the *Lusiad*, in accounting for the decay of the commerce of Portugal, and the failure of success in carrying out the great plans which originated with Prince Henry, and were so gloriously accomplished by Vasco de Gama, places the policy of that kingdom in the following disadvantageous contrast to Holland. "The great population of Holland arises from its naval trade, and had the science of commerce been as well understood at the Court of Lisbon as at Amsterdam, Portugal, a much finer country, had soon become more populous and every way more flourishing than Holland now is."

De Foe, in his excellent old-fashioned treatise "On the Commerce of England," cites the Dutch as the most striking instance, at the time he wrote, of national and individual prosperity resulting from the operations of commerce, and her handmaids, Industry, Prudence, and Economy. He says, "The Dutch must be understood to be, as they really are, the carriers of the world, the middle persons in trade, the factors and brokers of Europe; they buy to sell again, take in to send out, and the greatest part of their vast commerce consists in being supplied from all parts of the world, that they may supply all the world again. Thus they supply some nations with corn, others with ships, or naval stores for ships, others with arms and ammunitions of all kinds, such as powder, shot, shells, lead, iron, copper, cannon, mortars, &c.; others with fish, others with woollen manufactures, and the like; and yet they have neither corn, hemp, tar, timber, lead, iron, arms, ammunition, woollen manufacture, or fish of their own growth, the product of their own land or seas, or labor of their own people, other than as navigators and seamen, to fetch, find, and carry them.

The commerce of England is a subject with which my hearers are too well acquainted to permit my dilating upon it on this occasion. Her maxims of trade are ours; we have profited by her wisdom, and taken heed from her errors; she has taught us to find the road to national prosperity by protecting trade, and encouraging manufactures; and she has placed before us, in honorable relief, as an example for the imitation of our young men, the exalted character of an *English merchant*. But in making up our catalogue of the landmarks of commerce, I would briefly notice one, which, until within half a century, has always been one of the

most important marts of England. I allude to the port of Bristol; and the few details I propose to give will derive an increased interest from the fact of a recent revival of commercial spirit in that city, by the establishment of the noble line of steam-packets to New York, of which the favorite Great Western was the fortunate pioneer.

It is a curious fact in the history of the commercial world, that at a period subsequent to the separation of the United States from Great Britain, our commercial relations with Bristol were greater than those with Liverpool. I can myself remember when we had more vessels to the former than the latter port; not many certainly from either, but in those days Bristol was an important port and place of business, and Liverpool was little more than a fishing town. The decay of the one and the rise of the other may be accounted for from the greater facility of communication enjoyed by the latter with Manchester, and the other manufacturing towns of the kingdom, and perhaps by a little stronger infusion of Yankee enterprise in the character of her people. But the first is, in my judgment, balanced by the superiority of the maritime position of Bristol over that of Liverpool; and the second may be overcome by a judicious importation of some of the members of the Mercantile Library Association.

The commerce of Bristol, in the reign of Edward the Third, was nearly equal to that of London, for we find that on a requisition being made upon the different sea-ports of England, to furnish ships for the aid of the royal navy, in the siege of Calais, undertaken by the Black Prince, the quota of Bristol amounted to twenty-two ships, navigated by 608 mariners, while that of London was twenty-five ships and 662 mariners; and the records of that ancient city inform us, that in the year 1466, one of her merchants, named William Cannyngs, then mayor of Bristol, owned ten ships of an aggregate burden of 2853 tons, and employed 800 men for the space of eight years.

Some idea may be formed of the wealth and munificence of this great merchant, from the fact of his being the founder of the splendid church of St. Mary's Redcliffe, the proudest architectural ornament of Bristol. He is styled by Henry the Sixth, in a recommendatory letter written to the magistrates of Dantzic, his "beloved, eminent merchant of Bristol;" and he deserves to be ranked in history as the rival, as he was the contemporary, of the *magnificent* merchant of Florence.

The expedition of Sebastian Cabot, in which the northern part of the continent of America was discovered, was fitted out by the private means of the merchants of Bristol; and her commercial eminence and the loyalty of her inhabitants are further testified by the fact that she furnished Elizabeth with four ships of war, to aid in swelling the triumph of her arms over the *invincible armada* of Spain.

The overthrow of the trade of Venice, the source of her wealth and the foundation of her power, was occasioned by the great commercial confederacy called the Hanseatic League, and her monopolies were broken up by the discovery of a passage to India by the Cape of Good Hope. Before the period of her decadence, her merchants were princes—now her princes are paupers.

As no country has cultivated more successfully than ours the science of commerce, so none furnishes prouder examples of its beneficial results. Its benign influence invigorates every department of industry, and enriches every corner of our wide-spread land; it causes "the desert places to

blossom as the rose," and invites our rivers to pour into her lap the products of agriculture and the improvements of the mechanic arts. Every great city acknowledges its obligation to trade, and every hamlet ascribes to it a large proportion of its comforts; but I trust I shall be excused in alluding in a particular manner to a sea-port town of Massachusetts, which I have recently visited for the first time. I desire to express my admiration of the beautiful town of New Bedford, and my gratitude for the hospitality of its inhabitants; in which tribute, inadequate as it is, my friends on that ocean isle called Nantucket, around the corner from "Cape Cod," and next door to "the Vineyard," must kindly consent to participate.

New Bedford is the most striking instance in our country, and perhaps in any, of successful commercial enterprise. She dates no further back than the era of the revolution; she has been devoted to but one branch of foreign commerce: the leviathan of the deep has been her sole aim and object, and the sperm whale and the right whale the only variety of her pursuit. Yet so well has this pursuit been followed, and so ably and effectually have her hardy sons labored in their vocation, that she numbers at present 13,000 inhabitants, exclusive of 4,000 the population of Fairhaven, *over the way*; two hundred and eighty vessels belong to the port, and her registered tonnage ranks third in the United States; her splendid edifices dedicated to the worship of Jehovah, and to secular objects, attest the public spirit of her citizens, while the superior style of their private dwellings and grounds prove that taste and refinement are not incompatible with the pursuits of trade and the habits of industry; and the visiter among them must indeed be fastidious if he finds not occasion to praise the hospitality which sheds a *light* upon the path of his sojourning, or the destitute wayfarer to return thanks for the *oil* of comfort which they are ever ready to pour into his wounds.

But where shall we look for a nobler example of the beneficial influence of foreign and domestic commerce than in our own beloved city? Although from causes, the recapitulation of which would be unsuitable to the present occasion, and about which some difference of opinion may possibly exist, her star shines not as brightly as it was wont, she possesses within herself a recuperative principle which will not fail, in due time, to restore her natural, vigorous, and healthful tone; and if, as is alleged by some, the recent embarrassments of her trade and the reverse of fortune which many of her merchants have experienced, are to be attributed to an overweening spirit of speculation, and the desire to do too much has led to an indiscreet extension of confidence; let us hope that the lessons of experience may not be lost upon us, that when the "golden days of commercial prosperity" shall return, they may not bring with them the alloy of improvidence and mismanagement.

The merchants of New York, embracing as well such as buy and sell at home, as those "who go down to the sea in ships," upright and intelligent as they generally are, are undeniably prone to what is understood by the term overtrading; unlike the same class of persons in Europe, who plod on, generation after generation, in the same track, pursuing the same line of business, occupying the same premises, knowing no change but the succession of son to sire, and content with the steady accumulation of the small but regular profits of trade, we are too apt to be swept away by the current of success into the ocean of speculation. The desire to get rich fast, makes us disregard the means of doing it safely; and habits

of extravagance are induced by the visionary calculations of prospective wealth; but the city of New York is above all others the offspring of commerce; to the enterprise, ability, and liberality of her merchants, she owes her present commanding position. Queen of the western world, her throne is established upon the pillars of trade, and mercantile honor is the jewel of her diadem. Her rapid rise and present condition may be cited to prove the truth of the axiom laid down by an author whom I have before quoted:* "In a word, it appears by innumerable examples that trade is the life of the world's prosperity, and all the wealth that has been extraordinary, whether of nations or cities, has been raised by it."

It is amusing to look back upon the state of the trade of New York, and the modes of conducting business within a brief period of less than fifty years, and contrast them with the present condition of things. I have no ambition to claim your respect or reverence as a sage of antiquity. On the contrary, I fear I may have given you occasion this evening to remark that I am young enough to learn a great deal; but my connection with business commenced so early in life, that I can describe these matters with tolerable accuracy. I was a lad in the retail drygoods store (shop we called it then) of my brother, in William street. Goods were imported principally from London. The ships (only two or three in number) made two voyages a year; and when they arrived, and the packages were opened in the warehouses of Mr. Waddington, Rowlett & Corp, or Douglas & Shaw, notice was sent to the shopkeepers, who went down to Pearl street, and each selecting the articles he wanted, the whole importation was bought up; and a bill of five hundred dollars would have brought down upon the purchaser the jealousy of his neighbors, and occasioned serious alarm to the importer.

It is a fact difficult to realize, that at the time I am speaking of, French drygoods were unknown in New York. I distinctly recollect the first package of French kid gloves, and for several years after the peace, English lutestrings were the only silks in use. The ladies will find it difficult to imagine such a state of destitution, and may, perhaps, thank their stars that they were not born in so dark an age, when the possession of a silk gown was a luxury that few arrived at, and its advent in the family an event of sufficient importance to be chronicled with the birth of a child, or the setting out of a husband on a voyage to Albany.

Those were the days of frugality and carefulness; and as we are now in a gossiping humor, I will relate an anecdote to prove it. A relation of mine, a merchant in the Dutch trade, who had then been a resident of New York fifteen or twenty years, had in his possession a silk umbrella of uncommonly large proportions, which attracted the notice of a friend in company, who said to him in jest, "I should not be surprised to hear that you had brought out that umbrella with you from Holland." "You have guessed right," he replied; "I did bring it when I came to this country, and have had it in constant use ever since; but I sent it once during the time to Holland to be newly covered." Now this gentleman was liberal and charitable, but he took good care of his umbrella, and died worth a million of dollars.

In the days of which we have been speaking, there was but one bank in the city, the Bank of New York, in Pearl street, then Hanover Square,

* Defoe.

of which Mr. William Seton was cashier, and Mr. Charles Wilkes first teller. Those were the blessed days of specie currency; and if you will indulge me, and laugh with me instead of frowning at me, I will describe how pleasantly it worked. The few notes which were given out by the merchants and shopkeepers (and the sequel will show how few they must have been) were collected of course through the bank. Michael Boyle, the runner, (how delightfully do his jocund laugh and pleasant countenance mix up with the recollections of my early years!) called, several days before the time, with a notice that the note would be due on such a day, and payment expected three days thereafter. When the day arrived, the same person called again with a canvass bag, counted the money in half-dollars, quarters, and sixpences, (those abominable disturbers of the people's peace, bank notes, were scarcely known in those days,) carried it to the bank, and then sallied out to another debtor; and so all the notes were collected in this great commercial city, and in such a circumscribed circle did its operations revolve. Well do I remember Michael Boyle, running around from Pearl street to Maiden Lane, Broadway, and William street, (the business limits of which district, happily for him, did not extend north of the present Fulton street,) panting under the load of a bag of silver, a sort of locomotive sub-treasurer, or the embodiment of a specie circular.

But where would New York have been if the channels of its trade had remained so circumscribed—the bounds of its enterprise so contracted? Economy and prudence are virtues worthy of all praise in individuals, and carefulness is the pilot to preserve us from the dangers which beset the voyage of human life; but the prosperity of commerce springs from individual enterprise, and public spirit keeps pace with the success of private undertakings. The spirit of trade has infused itself into all our institutions, given activity to every branch of industry, developed our resources and improved our advantages, bound our citizens together in a mutual intercourse of good offices, made available the gifts of nature, found employment for the artisan, and rewarded the labors of the man of science. These are the blessings of trade, and abundantly has New York participated in them. What though she has experienced a momentary check, she must resume the noble impulse which has hitherto sustained and carried her forward. Without commerce, and the generous confidence on which credit is founded, where would now have been the religious, charitable, and scientific establishments with which our city abounds; where her seminaries of education, public and private, and where the noble institution in whose service we are now engaged, and whose present condition and future prospects cause the hearts of its founders and early friends to swell with pride and exultation? In vain should we now look for long vistas of elegant private dwellings, the abodes of taste and refinement, and public squares rivalling in magnificence those of the great cities of Europe, in a portion of the city which, within the recollection of some of our citizens, was almost a day's journey from home; the shouts of welcome would not resound from our wharves at the almost daily arrival from foreign ports of our unrivalled line of packets; and those splendid travellers on the great deep, evincing, under the influence of British skill and enterprise, the successful application of a new element to the purposes of commerce and national intercourse, would have been strangers to our shores; and massy columns and porticoes of granite and marble, rivalling

in their classical proportions the architecture of ancient Greece and Rome, would not be seen to mark the place "where merchants do congregate," and the natural connection between government and commerce.*

Then let us fervently pray that no mistaken notions of national policy, no circumscribed views of political results, no temporary expedients for local effect, may ever interpose to impede the onward progress of our city; and let us all, (and you, young men, in an especial manner, who are preparing to take the places which we of more mature age are about to vacate,) charge ourselves with the sacred duty of keeping pure in its fountains this heart's-blood which circulates through the veins of the body politic, and never to let its streams be polluted by fraud or false dealing; and, above all, let us exercise over the rulers of our country, in all future time, our constitutional right to demand for commerce the protection and support of the civil government.

But I must leave the general treatment of this exciting subject to abler and more experienced hands; and, in conclusion, touch briefly upon that branch of it to which I intended more particularly to call your attention. Otherwise, I may overstep my porter's bounds, and intrude too far into the company of my betters.

Trade, as we have seen, is the true wealth of nations, the support of government, the source of social improvement, and the promoter of individual prosperity; but on the preservation of a high tone of mercantile character, depends in a great measure its ability to exercise these bene-

* Since preparing this address, I have witnessed an exhibition which enables me to carry out still farther the contrast I have attempted to describe, between New York in the olden time, and her present commanding position, and to indulge in cheering anticipations of the glorious results of the commercial spirit and mechanical genius of her citizens.

The event to which I allude, was the launch of the splendid steamship *Kamschatka*, built by New York architects, under the superintendence of New York merchants, by order and for the use of the emperor of Russia.

I have always thought the launch of a fine ship an interesting and beautiful sight, but this was peculiarly calculated to awaken the most pleasing reflections. What a subject of exultation is it that we, the people of a country comparatively in its infancy, should already have acquired so much proficiency in the mechanic arts as to be employed to build ships for the great powers of *old Europe*! And what a striking illustration of the beneficial influence of commercial enterprise and mechanical ingenuity upon the destiny of the commonwealth, when we see the iron of Russia transformed into steam-engines, bolts, and chains, and her hemp stretched out into cables and cordage, and re-sold to her, enhanced tenfold in value by American skill and labor! I consider this the commencement of a new era in the commercial history of the United States, fraught with good to all concerned. This noble vessel will probably cost three or four hundred thousand dollars. The science and skill of the architect will be suitably compensated, the intelligent merchants will receive their well-earned commissions, and a hundred worthy artisans will have supported their families during the winter; whilst, on the other hand, the autocrat will, it is hoped, consider his roubles so well laid out in the purchase of this beautiful specimen of naval architecture, as to be induced to trade with us again.

What think you, my friends, of this picture, compared with that which I have been sketching, of the times when we sent our umbrellas to Europe to be repaired?

ficial influences. The character of a community essentially mercantile, such as ours, is deeply involved in that of the men who carry on its business. Mercantile probity naturally becomes the standard of its morality, and fair dealing the criterion of its claim to distinction. Where the merchant is respected by the other leading interests of society, he will inevitably rise to influence proportioned to the extent of his dealings; but to secure that respect, honor and good faith must characterize his conduct, and veracity and punctuality guaranty his engagements.

The attributes of an accomplished merchant are—

1. A deep and practical sense of the obligations of religion and morality, leading to upright and candid dealing. It is a mistaken notion that success in trade is ever to be acquired by artifice and finesse. The experience of every person proves, that in the affairs of this world, (without reference to that higher accountability to the Being who “searches the heart of man,” and is of “too pure eyes to behold iniquity,”) whatever transitory benefit may be derived from such practices, in the end it will always be found that “honesty is the best policy.”

Truth is never to be departed from; no possible advantage can be gained by falsehood in the transaction of business, commensurate in any degree with that of an established character for veracity, which is endangered by the chance of detection. A reputation for veracity, like the polished mirror, must know no flaw,—once cracked, its value is departed, and men cease to confide in the images it reflects. There is an anecdote, trite, perhaps, and which some of you may have heard before, which I am nevertheless tempted to repeat, because it illustrates so happily this sentiment, and proves the homage which vice is sometimes constrained to pay to virtue.

A celebrated gambler of great address, but notorious bad character, meeting with a gentleman of the highest reputation for honor and veracity, one of that exalted class whose “word is as good as their bond,” observed to him, “Sir, I would give ten thousand pounds for your good name.” “Why so?” demanded the surprised gentleman. “Because,” replied the gambler, “I could make twenty thousand out of it.”

2. Punctuality, and a strict observance of engagements. We are more inclined to place confidence in a man of small means, who never makes an engagement beyond his ability to fulfil, and is not willing to risk his credit by a want of punctuality, than in one who makes his possession of wealth an excuse for a culpable negligence, the effect of which may be to deprive ourselves of the ability to be punctual.

3. Prudence and foresight in the arrangement of business, and a judicious employment of time. It was a wise rule of conduct laid down by the great Florentine *shopkeeper* in his advice to his son, by which, it would appear, he had been in the practice of governing *himself*, to “deliberate every evening on what you have to perform the following day.”

4. Economy in the habits of living. This is a virtue not by any means inconsistent with the obligations of benevolence and public spirit; but on the contrary, a reasonable denial of indulgence in extravagant expenses improves the ability to meet the demands of this nature incidental to the station which we maintain in society.

I have had some experience in the unthankful office of soliciting benefactions for public objects, and that experience has taught me, that with a few honorable exceptions, the rich men, and those whose style of living

is most expensive, do not contribute with the greatest liberality to such objects. The large and respectable class of merchants known as dry-goods jobbers, occupying a middle station between the importer and the retailer, have always contributed more, in proportion to their means, than the men of large fortunes and expensive establishments; and let it be published in letters of gold, that a late noble benefaction of ten thousand dollars towards finishing the Bunker Hill Monument, was made by Amos Lawrence, late a drygoods merchant of Boston, and at present a cloth manufacturer of Lowell,—a member of a family, which, for business habits, liberality, and patriotism, may not unaptly be styled the *Medici* of Boston.

5. A love of literature, ardor in the pursuit of knowledge, and a taste for the fine arts. These accomplishments, which may be classed among the virtues as well as the ornaments of social life, are indispensable in the formation of such a character as we are describing. The obligation of a merchant of the present day to possess and to practise them is greatly increased by the ease with which they may be acquired. No longer confined to a favored few, they are within the reach of the young men of every rank in life. Schools, libraries, and cabinets of the arts open wide their doors to the youthful aspirant after knowledge and correct taste; and he is invited at all times to partake within these walls of an intellectual banquet richer than that which was spread

“ For Persia won,
By Philip's warlike son.”

It is not presumed that every person engaged in trade should be an author, a philosopher, or a connoisseur; but in this enlightened age, none will be excused for ignorance which themselves have the means of avoiding.

Finally, every merchant should be a *gentleman*, in the strictest sense of the term. I am aware, my friends, that it is not at present the most popular term, and in using it I may possibly expose myself to misrepresentation; but rightly understood, the attributes of a gentleman cannot fail to command the respect of all classes of mankind; they soften the asperities and sweeten the intercourse of society. By a gentleman I do not mean the man who founds his pretensions upon the accidental gifts of fortune, or claims exclusive deference from any peculiar position in society; the poor man, and he of humble birth, has an equal claim to aspire to the title with the richest and the proudest, and frequently shows a better right to it.

The character of a gentleman embraces all the qualities which have been already enumerated; in addition to which, he is kind and courteous in his intercourse with others, conferring favors in such a way as not to destroy their effect by enhancing their value and humbling the recipient, or softening their refusal by satisfactory reasons and well-timed regrets. I have known an enemy made by the ungracious granting of a request, while a friend has been secured by its kind and reasonable denial. This is called politeness, a very convenient kind of small change, better adapted to the ordinary uses of society than a mass of unrefined gold, or an unpolished diamond.

A gentleman never does any thing which he can by possibility be ashamed of. While he is tenacious of his own rights, and ever ready to

defend them, he is scrupulously careful not to infringe upon the rights of others; possessing a delicate sense of honor, upright in his dealings and correct in his deportment, he seldom fails to obtain the respect and confidence of his fellow men, and his example and counsel are often relied upon as the guide of their conduct, and the arbiter of their differences.

Such, my young friends, is the character, and such are the attributes of a merchant; they are all within your reach; the benefits of early education you have already received: the seed is sown; see that it prove not to be "by the wayside," or "on stony ground," and that "thorns spring not up and choke it." You have within these walls a fertile field, and fit implements for its successful cultivation, and yours will be the blame if it produce not "fruit, thirty, sixty, or an hundred fold."

I cannot close this address better than by repeating the words of the annual report of the trustees of Clinton Hall, presented last year, in which the Mercantile Library Association is designated as—

"An institution destined, as we have reason from present appearances to predict, to elevate the mercantile character of our city, by uniting in a happy union the refinement of literary taste with the spirit of trade, and to enrol among the proudest distinctions of society, the honored name of *a New York merchant*."

ART. III.—GOVERNMENTAL HISTORY OF THE UNITED STATES.

FROM THE EARLIEST SETTLEMENT TO THE ADOPTION OF THE CONSTITUTION.

PART FOURTH.*

THE declaration of their independence produced a new era in the governmental history of the American colonies. Having assumed a separate and equal station among the nations of the earth, by proclaiming that they "were, and of right ought to be, free and independent states; that they were absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain was, and ought to be totally dissolved; and that, as free and independent states, they had power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do;" the necessity was originated for the adoption of some new measures, as well to establish and define their relations with each other, as to regulate their intercourse with foreign powers. The bond of union which had hitherto connected them was inadequate, in its nature and provisions, to their present circumstances, as in its formation they had not contemplated a separation of themselves from all dependence on the British crown. The frame of government under which they had been associated, though not perhaps in its motives and designs, was in its spirit and its tendencies of a revolutionary character, and has well been denominated a "revolutionary government." It might have availed for all the purposes of resisting

* Continued from part 3d, in the number for December, 1840.

the aggressions and staying the oppressions of the parent state, while the nature and extent of that resistance seemed limited or defined by the respected sense of allegiance. But when that sense was itself eradicated, when they had brought themselves to feel that they were no longer an infant community, that they had attained to the full stature and the strength of a gigantic nation, they felt also that other and far higher interests depended on the issue of achieving and sustaining their independence. They felt that whatever the force of arms and the indignant resistance of a people resolved on independence might accomplish, the security of the position which they had taken before the world depended more on a well-instituted and wisely-adapted frame of government. Accordingly, on the 11th of June, 1776, the congress passed a resolution appointing "a committee to prepare and digest the form of a confederation to be entered into between these colonies." The committee appointed in pursuance of this resolution, presented a draft of articles on the 12th of July following. After a variety of debate on their provisions and adaptation, congress, in committee of the whole, reported a new draft, and ordered the same to be printed for the use of the members, (August 20th, 1776.) The subject continued to be agitated, till, on the 15th of November, 1777, it was reported with sundry amendments, and adopted by the congress. Immediately on its adoption, a committee was appointed to draft a circular to be sent to each of the states, requesting them to authorize their delegates in congress to subscribe the same in behalf of their respective states. This request did not meet with a ready or easy compliance on the part of the states. Many objections were made, and many amendments suggested by each to the articles proposed. The difficulty or inexpediency of sending them back again to all of the states thus amended for their concurrence, prevented congress from regarding any of the amendments suggested, and a copy was ordered to be engrossed for ratification, (June 26, 1778,) which was ratified the same year by all the states except Delaware and Maryland. The former did not accede to the union till 1779, the latter in the year 1781, when its final ratification was announced by congress, and received with demonstrations of joy throughout the Union.

It were tedious, perhaps useless, to enter into a detail of all or even the principal part of the objections which were made by the respective states to the ratification of these articles, or to note the various causes of delay which preceded its final adoption. The question, however, which more than any other hindered its success, and gave rise to serious and alarming controversy, respected the boundaries of the several states, and the disposition of the lands held by the crown within the reputed limits of each. Those boundaries, according to the provisions of the charter or patent under which the several colonies were erected, were limited "by the South Sea," or extended indefinitely towards the western wilderness. The larger states claimed exclusive title to all the lands within their territorial limits; while, on the other hand, it was contended that all such lands, within whichever of the states, as were unsettled at the commencement of the war, and belonged to Great Britain, should be deemed common property, subject to the disposal of congress for the general good.

Amid such a conflict of claims and interests, of opinions and passions, it was difficult to fix upon any regulation which would give satisfaction to all the parties interested. The subject was regarded as one of vast im-

portance, and seemed alone destined to prevent a union under the confederacy, and when, or how, or where it might have terminated, it were difficult to divine; but in February, 1780, New York passed an act authorizing a surrender to congress of part of the western territory claimed by her, "for the use and benefit of such states as should become members of the federal alliance." Congress took occasion from this magnanimous example, to appeal to the other states for a similar cession of their western domains, at the same time urging upon them how indispensably necessary it was to establish the federal union on a fixed and permanent basis, and on principles acceptable to all its respective members, how essential to public credit and confidence, to the support of their army, to the vigor of their councils, the success of their measures, to tranquillity at home, and their reputation abroad, to their very existence as a free, sovereign, and independent people. The example of New York was followed by Virginia, and afterwards by South Carolina, Georgia, Massachusetts, and Connecticut, and thus was lulled this fearful source of controversy.

The compact under which the colonies now became united as independent states, was called *Articles of confederation and perpetual union between the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia*. The style of the confederation was, **THE UNITED STATES OF AMERICA**. It was then declared that all sovereignty, freedom, and independence, with every power, jurisdiction, and right, which was not by these articles expressly delegated to the United States in congress assembled, was reserved in and retained by the states, which thereby entered into a mutual league of amity for their common defence, for the security of their liberties, and their reciprocal and general welfare, and bound themselves severally to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretences whatever. It was further declared, that the free inhabitants of the several states, *except paupers, vagabonds, and fugitives from justice*, should be entitled to all privileges and immunities of free citizens in the several states; that the people of each state should have free ingress and egress to and from any other state, and enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions, as were imposed on the inhabitants thereof respectively, *provided* that such restrictions should not prevent the removal of property imported into any state to any other state, of which the owner was an inhabitant; and that no imposition, duties, or restriction, should be laid by any state on the property of the United States, or either of them; that fugitives from justice, found in any part of the United States, should be delivered up to the state having jurisdiction of the offence committed, on demand of the executive power of such state; and that full faith and credit should be given in each of the United States, to the records, acts, and judicial proceedings of the courts and magistrates of every other state.

The general government, it was further provided, should consist of a congress of delegates annually appointed, in such manner as the legislature of each state should direct, to meet on the first Monday of November in every year, reserving in each state a power to recall its delegates,

or any of them, at any time within the year, and to send others in their stead for the remainder of the year; that no state should be represented in congress by less than two or more than seven members, and that no person could be a delegate for more than three in any term of six years, nor hold any office under the United States, for which he or any other for his benefit received any salary, fees, or emolument of any kind, while such person was a delegate; that each state should maintain its own delegates in a meeting of the states, and while acting as a member of the committee of the states; that each state should have one vote in determining questions which came before the United States in congress assembled; that freedom of speech in debate in congress should not be questioned or impeached in any court or place out of congress; and that the members should be privileged from arrest and imprisonment while going to, or returning from, or attending at congress, except for treason, felony, or breach of the peace.

It was further provided, that no state, without the consent of the United States in congress assembled, should send an embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty, with any king, or prince, or state; and that no person holding any office of profit or trust under the United States, or any of them, should accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state; and that neither congress, or any state, should grant any title of nobility; that no two or more states should form any treaty, confederation, or alliance whatever between them, without the consent of congress, specifying accurately the purposes for which the same was entered into, and its continuance; that no state should lay any imposts or duties, interfering with stipulations or treaties entered into by the United States in congress assembled, with any king, prince, or state, in pursuance of any treaties then already proposed by congress to the courts of France and Spain. That no vessels of war should be kept up in time of peace by any state, except such number as congress should deem necessary for the defence of such state, or its trade. That no body of forces should be kept up by any state in time of peace, except such number as congress should deem requisite to garrison the posts necessary for the defence of each state; *provided*, that every state should always keep up a well-regulated and disciplined militia, sufficiently armed and equipped, and provide and constantly have ready for use, in public stores, a due number of field-pieces and tents, and a proper quantity of arms, ammunition, and camp equipage. That no state, unless actually invaded by enemies, or threatened with instant invasion by the Indians, should engage in any war without the consent of congress, nor grant commissions to any ships or vessels of war, nor letters of marque and reprisal, except after a declaration of war by congress, and then only against the kingdom or state, and the subjects thereof, against which war was declared, and under such regulations as congress should establish; *unless* such state should be infested with pirates, in which case vessels of war might be fitted out, and kept up so long as the danger should continue, or till congress should otherwise determine. That when land forces were raised for the common defence by any state, all officers under the rank of colonel should be appointed by its legislature, or in such manner as it should direct. That all charges of war and expenses of the general government, which were allowed by congress, should be defrayed out of a common treasury,

supplied by the several states in proportion to the value of all land within each state, granted to or surveyed for any person, according as the same should be estimated under the direction or appointment of congress ; the taxes necessary to pay that proportion to be laid and levied by the authority and direction of the legislatures of the several states, within a time agreed by congress.

It was also further provided that the Congress of the United States should have the sole and exclusive right and power of determining on peace and war, with the exceptions already mentioned, of sending and receiving ambassadors, entering into treaties and alliances, *provided* that no treaty of commerce should be made whereby the legislative powers of the respective states should be restrained from imposing such imposts and duties on foreigners as their own people were subjected to ; or from prohibiting the importation or exportation of any species of goods or commodities whatsoever ; of establishing rules for deciding the legality of all captures on land or water, and as to the division and appropriation of prizes taken by the land or naval forces of the United States ; of granting letters of marque and reprisal in times of peace ; appointing courts for the trial of piracies and felonies committed on the high seas ; and establishing courts for hearing and determining, finally, appeals in all cases of capture, provided that no member of congress shall be appointed a judge of any of the said courts. Congress was also invested with authority to hear and determine in the last resort, on appeal, all disputes and differences then subsisting, or that might thereafter arise between two or more states, concerning boundary, jurisdiction, or any other cause whatever. And all claims under different grants from two or more states, originating antecedent to the adjustment of the jurisdiction of those states, were to be finally determined by congress, on the petition of either party, and the mode of exercising such authority was prescribed.

Congress was further invested with the sole and exclusive right and power of regulating the alloy and value of coin, struck either by their own authority or by that of the respective states ; to fix the standard of weights and measures throughout the United States, provided that the legislative right of any state within its own limits was not infringed or violated ; to establish and regulate post-offices from one state to another throughout the Union, and to exact postage for defraying the expenses of the same ; to appoint all officers in the land forces of the United States, excepting regimental officers ; to appoint all naval officers, and to commission all officers whatsoever in the service of the United States, and to make rules for their government and regulation, and to direct their operations.

Provision was made giving authority to congress to appoint a COMMITTEE OF THE STATES, to sit during its recess, to consist of one delegate from each state, and to appoint such other committees and civil officers as were deemed necessary for managing the general affairs of the Union, under its direction ; to appoint one of their number to preside, provided that no person should be allowed to serve as president more than one year in any term of three years ; to ascertain the sums necessary for the service of the United States, and to appropriate and apply the same towards defraying the public expenses ; to borrow money or emit bills of credit on the United States, transmitting half-yearly to each state an account of the moneys so borrowed or emitted ; to build and equip a navy ; to determine the number of land forces, and to make requisitions for its

quota on each state, in proportion to the number of its white inhabitants ; which were then to be raised, clothed, armed, and equipped, by the state, at the expense of the United States.

All these powers of congress were made subject to the restriction that *nine states should consent* to any measure involving their exercise ; nor could any other question, except for adjourning from day to day, be determined, unless by the votes of a majority of the United States in congress assembled. The remaining articles provided for the adjournment and place of meeting of the congress, and the regulation of their proceedings while in session. The Committee of the States, or any nine of them, were authorized to execute, in the recess of congress, such of the powers of congress as congress with the consent of nine states should from time to time think expedient to vest them with ; provided that no power should be delegated to the said committee, for the exercise of which the voice of nine states in the congress of the United States assembled was requisite.

Provision was also made for the admission of Canada into the Union ; for the assumption of the bills of credit emitted, moneys borrowed, and debts contracted, by or under the authority of congress, before the assembling of the United States in pursuance of these articles of confederation, pledging the public faith for the payment of the same. Finally, it was declared that every state should abide by the determination of the United States in congress assembled in all questions which by the confederation were submitted to them. That the articles under which they had united as a nation, should be inviolably observed by every state ; that the Union should be perpetual, and that no alteration should thereafter be made in any of these articles of confederation, unless with the assent of a congress of the United States, afterwards confirmed by the legislature of every state.

Such were substantially the provisions embraced in the articles under which the several colonies had confederated with each other as INDEPENDENT STATES. It is easy for us to discover their most exceptionable features, comparing them as we can with the lessons of experience, and the more successful operation of the present constitution. Yet when we think of the difficulties which were encountered in their formation—when we consider how few were the sources from whence light could be derived to illumine their counsels, we wonder rather at the wisdom of those who framed them. The peculiar circumstances under which a frame of government was called for, the oppressions and grievances which they had sustained and were still smarting under, from the arbitrary legislation of the parliament of England, rendered the colonies extremely jealous of any authority erected whose powers should in any degree control or restrain their own legislation. The delegates of the nation, therefore, found themselves in a situation at once new and peculiar. They could look on the history of other republics as beacons to warm, not as lights to guide. The one for which they were called upon to legislate, was without its precedent or its parallel in the world's history. The states had understood the benefits of union only as colonies, and with reference to restraining the arbitrary exercise of a power to which they acknowledged and confessed all due allegiance, and from which they had had no disposition to alienate themselves. But now that they had severed the tie of political relationship with the parent country, they were extremely cau-

tious with what attributes they should clothe a national administration. These reflections introduce us at once to the main defects of the confederation. It will be observed as the most pernicious of all its provisions, that in the STATES was reserved the right of carrying out the decrees of the federal council, and executing them on their respective inhabitants; while it was utterly impossible to invest congress with any power to enforce the STATES themselves to a compliance with its measures. It seems to us that this evil might have been avoided, had the question not been, what powers shall the states yield up to congress? but, *on whom shall fall that superintending authority, which but lately was admitted to reside in the crown and parliament?* The object desired was to erect a government to be invested with those very attributes of sovereignty, subject only to such restrictions as might arise from the peculiar relations of the parties to the compact. Had the colonies been wholly independent of each other when they proclaimed their independence of Great Britain, the sovereignty exercised over each by the parent state, would undoubtedly have reverted to each of them respectively. But the very circumstances under which their independence was declared, had originated and established ties of political relationship and mutual dependence between them, which could not thereafter with reason or propriety be called in question. They had proclaimed themselves collectively an independent nation. It was essential to their existence as such, that they should continue united, and that they should erect a national government; and it was equally essential that that government should possess all the attributes of sovereignty. Consequential to their union and this necessity, was produced the singular anomaly of the constituent parts of a nation brought into competition with the nation itself for these abeyant powers of sovereignty. It was this very ground of controversy which poisoned the provisions of the confederation, and rendered it wholly incompetent to the ends and the uses it was intended to accomplish. It was the reservation of those powers in the states, which should have been admitted to belong to the GENERAL GOVERNMENT, which rendered it a lifeless instrument. It was like the spirit breathing in a paralyzed and helpless frame. The essentials which might constitute a being were there, but the power which made them available or useful was taken away. The political sovereignty of the general government was acknowledged, and a supremacy of power establishing its existence as an independent nation was admitted; while the states claimed for themselves the very powers which were a component part of the attributes of sovereignty. Hence the powers confided to congress were merely declaratory. It was simply a legislative administration. It could not carry into effective operation any measure it might deem necessary for the general good. It must resort to the states respectively for their approbation of its measures. Independent of a concurrent action of the state legislatures, which were liable to be biased by a variable and changing policy, it could not exercise any executive powers. Indeed, it was a government whose executive powers were vested in thirteen independent sovereignties, with whom a variety of feelings, of local interests, and sectional jealousy, might operate to produce hostility to its measures. To adopt and to recommend was indeed a power confided to the congress, but it availed nothing where there was so much and so many considerations to justify a non-compliance, and create a difference of opinion even on the part of those to whom it must look for life and efficiency to its own de-

liberations. Such differences of opinion might and did exist in perfect consistency with the purest patriotism and the best intentions in the several states. Each yielding to the persuasions of immediate and local interests, might, naturally enough, feel itself justified in disregarding the enactments of the general government. Thus congress was reduced to the mere pageantry of power. It might pass laws, but could not enforce their observance by penalties of any kind. No express authority was conferred to compel obedience to its mandates, nor could such power be implied, for each state claimed "every power, right, and jurisdiction not expressly delegated to congress." The necessary consequence was that its enactments were a nullity, alike disregarded by the states, and set at defiance by individuals. Each and every one complied or refused compliance, as interest or feeling prompted, and no transgressor could apprehend any dangerous or fearful consequences from a body whose power was *vox et preterea nihil*.

In providing a revenue to meet the current expenses of the general government, congress were also powerless. They could *ascertain* the sums necessary to be raised for the purpose, and allot to each state its proportion; but the power to *levy and collect it* was expressly reserved in the states; and surely we need not say how precarious was its forthcoming, if, forsooth, it came at all. It is impossible for us, at this day, to calculate all the mischiefs resulting from such a system in time of war. To know them in all their full and felt reality, we must make ourselves familiar with all the scenes of the revolution. Had not the congress resorted to foreign loans, that revolution might, perhaps, never have been accomplished.

"The principal powers of the general government," says an eminent jurist, "respected the operations of war, and would be dormant in time of peace. In short, congress in peace was possessed of but a delusive and shadowy sovereignty, with little more than the empty pageantry of office. They were, indeed, clothed with the power of sending and receiving ambassadors, and entering into treaties and alliances; of appointing courts for the trial of felonies and piracies on the high seas, and of regulating the public coin; of fixing the standard of weights and measures; of regulating post-offices; of borrowing money, and emitting bills on the credit of the United States; of ascertaining and appropriating the sums necessary for defraying the public expenses; and of disposing of the western territory: and most of these powers required the assent of nine states. But they possessed not the power to *raise* any revenue; to *levy* any tax; to enforce any law; to secure any right; to regulate any trade; or even the poor prerogative of commanding means to pay its own ministers at a foreign court. They could contract debts, but were without means to discharge them. They could pledge the public faith, but they were incapable of redeeming it. They could enter into treaties, but every state in the Union could disobey them with impunity. They could institute courts for piracies and felonies on the high seas, but they had no means to pay either the judges or the jurors. In a word, all powers which did not execute themselves were at the mercy of the states, and might be trampled on at will and with impunity. In the more summary and expressive language of Governor Jay, 'they may *declare* every thing, and *do* nothing.'"

"The United States," says the Federalist, "have an indefinite discre-

tion to make requisitions for men and money, but they have no authority to raise either by regulations extending to the individuals of America. The consequence of this is, that though in theory their resolutions concerning these objects are laws, constitutionally binding on the members of the Union, yet in practice they are mere recommendations, which the states may observe or disregard, at their option." And again, says the same writer, "The concurrence of thirteen distinct sovereignties is requisite, under the confederation, to the complete execution of every important measure which proceeds from the Union; and congress at this time scarcely possesses the means of keeping up the forms of the administration till the states can have time to agree upon a more substantial substitute for the present shadow of a federal government."

"A government," says an eminent American biographer, on surveying this period of our governmental history, "authorized to declare war, but relying on independent states for the means of prosecuting it; capable of contracting debts, and of pledging the public faith for their payment, but depending upon thirteen distinct sovereignties for the preservation of that faith; could only be saved from ignominy and contempt by finding those sovereignties administered by men exempt from the passions incident to human nature."

These quotations, while they portray the radical errors existing in the confederation, serve also to illustrate the causes which made that system of government such as it was, and rendered it so feeble and so defective. It was the controversy, as we have before remarked, which their peculiar position at the declaration of their independence, originated between the several colonies and the general government sought to be established, as to the powers of sovereignty. The states claiming for themselves those prerogatives, and aiming to restrict the powers of congress, a government was erected whose administration was dependent on the will and deliberations of thirteen independent legislative bodies. Such a government, if we could suppose it to operate at all, must necessarily experience great embarrassment in its operations. Even if we could suppose a united assent of all the states to its measures; that they were all ready to assist in executing them; it must be long before the ordinary forms of their legislation could bring to its aid the most needful requisitions; and promptitude, especially under the then circumstances of the nation, was necessary to the successful termination of its measures. Yet how was it possible, in the natural course of things, where so much occasion existed for diversity of opinion, where these several bodies were liable to be swayed each by its respective sectional interests, and by political rivalry, that unanimity could prevail, or the government so dependent be preserved? Experience had proved its utter insufficiency during the war; and after peace had been proclaimed and established, after the perplexities, anxieties, and sense of mutual dependence, incident to the war, were allayed; after the chief object of their union had been accomplished, and the power of the crown was wholly exterminated, the states were ready with plausible reasons for avoiding the requisitions of congress. The accumulating difficulties originating under such a system of administration, and the consequently increasing embarrassments of the national government, left scarcely a vestige of hope that the union could be preserved. The treasury, which was never full, was now entirely exhausted; and the responsibilities of the general government were constantly multiplying,

while the public faith was gone of a nation burdened with a debt of \$42,000,000, which consisted of loans obtained from Holland and France, and the remainder from our own citizens, who had also perilled their lives and nobly fought in the struggle for independence. Yet few seem to have been moved by these alarming symptoms of ruin and decay which were developing around them. The earliest legislative suggestion which was made of the inefficiency of the confederation as an instrument of government, came from the legislature of New York, in July, 1782, by concurrent resolutions, which were introduced into the senate by General Schuyler. They declared that the radical source of most of our embarrassments was the want of sufficient power in congress; that the confederation was defective in several essential points, particularly in not vesting the federal government, either with a power of providing a revenue for itself, or with ascertained and productive funds; that its defects could not be repaired, nor the powers of congress extended by partial deliberations of the states separately, and that it was advisable to propose to congress to recommend, and to each state to adopt, the measure of assembling a general convention of the states, specially authorized to revise and amend the confederation. This was followed by a resolution in congress, passed in February, 1783, "that the establishment of permanent and adequate funds throughout the United States was indispensable to do justice to the public creditors." Subsequently to this, resolutions were passed, asking from the states power for congress to levy certain specified duties on various articles of importation. It was proposed that these should continue for twenty-five years, and the revenue therefrom be applied solely to the payment of the principal and interest of the public debt. The collectors were to be appointed by the states, removable by congress. It was at the same time further proposed that other requisitions might be laid on the states, to establish a revenue for other purposes, according to a fixed quota, and that this system should go into operation on the consent of *all* the states. The measures proposed were urged upon the several states by the most forcible, eloquent, and patriotic appeals from the most distinguished statesmen of that day, and were made the special subject of commendation in circulars addressed by Washington to the governors of the several states, as he was about to resign his public command, and as his farewell advice to his countrymen. "Unless," he says, "the states will suffer congress to *exercise* those prerogatives which they are undoubtedly vested with by the constitution, every thing must very rapidly tend to anarchy and confusion. It is indispensable to the happiness of the individual states that there should be lodged somewhere a supreme power to regulate and govern the general concerns of the confederated republic, without which the Union cannot be of long duration. There must be a faithful and pointed compliance on the part of every state with the late proposals and demands of congress, or the most fatal consequences will ensue. Whatever measures have a tendency to dissolve the Union, or contribute to violate or lessen the sovereign authority, ought to be considered hostile to the liberty and independence of America, and the authors of them treated accordingly. And lastly, unless we can be enabled, by the concurrence of the states, to participate of the fruits of the revolution, and enjoy the essential benefits of civil society, under a form of government so free and uncorrupted, so happily guarded against the danger of oppression, as has been devised by the articles of confederation, it

will be a subject of regret that so much blood and so much treasure have been lavished to no purpose, that so many sufferings have been encountered without compensation, and that so many sacrifices have been made in vain."

A compliance with these prudent and wise counsels seemed, however, to be impossible under the existing state of popular feeling. The several states still continued to retain their early prejudices against national sovereignty, and were reluctant to surrender up to congress the prerogatives necessary to give duration, stability, and efficiency to the Federal Government. Here we cannot help observing the influence of that same mysterious agency whose superintending control is so apparent in all their early history. It was important that they should be made to feel more deeply than their experience hitherto had taught them, the benefits and the necessity of their union. It was essential in order to give permanency and durability to the frame of government which was thereafter to be established, that their experience should be such as would carry a lesson of instruction to all generations of their descendants; and it would be well for those, if any such there are, who have taught themselves to estimate lightly the untold benefits and blessings of the union, to review attentively this portion of our history. Its record is graphically written in an appeal made by congress to the states in February, 1786. The report adopted on that occasion says: "In the course of this inquiry it most clearly appears that the requisitions of congress for eight years past, have been so irregular in their operation, so uncertain in their collection, and so evidently unproductive, that a reliance on them in future as a source from whence moneys are to be drawn to discharge the engagements of the confederation, definite as they are in time and amount, would be no less dishonorable to the understandings of those who entertained such confidence, than it would be dangerous to the welfare and peace of the Union. It has therefore become the duty of congress to declare, most explicitly, that the crisis has arrived when the people of these United States, by whose will and for whose benefits the federal government was instituted, must decide whether they will support their rank as a nation, by maintaining the public faith at home or abroad, or whether for want of a timely exertion in establishing a general revenue, and thereby giving strength to the confederacy, they will hazard, not only the existence of the Union, but of those great and invaluable privileges for which they have so arduously and so honorably contended."

This appeal seems to have met with a commendable response by most of the states, yet the measures recommended in the report, and sought to be adopted, were opposed and lost by the single vote of New York.

The vote of New York on this occasion has been censured, yet we think unjustly. It was probably influenced by the consideration that it was impossible, under the existing confederation, to accomplish the ends aimed at by congress. In order to secure the benefits of a happy and lasting union, a total remodelling of the whole fabric of government seemed absolutely necessary. The existing one had been found wholly inadequate to the relations and exigencies of the nation, and its continuance ceased to be desired even by the warmest advocates of union." Both parties," says an able commentator on the present constitution, "felt that the confederation had at last totally failed as an instrument of government; that its glory was departed, and its days of labor done; that it stood the

shadow of a mighty name ; that it was seen only as a decayed monument of the past, incapable of any enduring record ; that the steps of its decline were numbered and finished ; and that it was now pausing before that common sepulchre of the dead, whose inscription is *nulla vestigia retrorsum*."

In enumerating the errors of the confederation, we have neglected (and it may be proper here) to observe that there was no power in the congress to regulate foreign or domestic commerce. The absence of any national provisions on the subject was a source of great embarrassment in the commercial intercourse of the several states, and operated disadvantageously on their foreign trade. An effort was made by the state of Virginia to remedy this defect in a proposition for a convention of delegates for that purpose. The proposal was responded to by several of the other states, and five of them sent delegates to a convention held at Annapolis in September, 1786. This assembly, though deeply sensible that the national government was lamentably defective, did not feel themselves competent to undertake any alteration of its provisions. Yet they concurred in a suggestion to congress for a general convention, which should take into consideration the condition of the general government, and make such provisions or alterations as might render it adequate to the exigencies of the Union. Encouraged by this application, (on the 27th of February, 1787,) congress ventured to pass a resolution recommending a convention of delegates from all the states to be holden at Philadelphia, "for the purpose of revising the articles of confederation, and reporting to congress and the several legislatures such alterations and provisions therein, as shall, when agreed to in congress and confirmed by the states, render the Federal constitution adequate to the emergencies of government, and the preservation of the Union."

This was a highly important, a critical era in our governmental history. The peculiar circumstances of our situation impressed on the minds of all the serious and reflecting, the lovers of liberty and of the human race, the necessity of a more perfect and permanent union between the states. And although some of them regarded it as an unimportant matter, and met this proposal with violent opposition, they could not feel that it was even with them an indifferent alternative. It was a choice between political existence and political death—whether they should be lost in anarchy and confusion, or live as free, sovereign, and independent communities. It was necessary to their preservation not only from the accumulated resentment of the foe they had just subdued, but also from the strife of rivalry, the animosities and jealousies which might spring up among themselves. Where or how could they promise themselves safety or continuance as separated sovereignties? Who could assure them that the lion, robbed of her whelps and driven from her den, would not return, and with redoubled fury, upon them? What security was there that one might not fall under the domination of a neighboring province, the larger states crush the smaller, and a scene of strife, dissension, and bloodshed overspread the land? These were momentous considerations. They involved not only the peace and prosperity of the states, but the more vital interests of the whole American people. The question was one full of awful and thrilling importance. Should they reap for themselves, and transmit to posterity the invaluable benefits of a revolution, the achievement of which had filled the whole civilized world with amazement, or

lose them all by an inglorious hostility towards each other? The crisis they were approaching demonstrated to them the wisdom of the recommendation made by the congress, and a convention of delegates from all the states was appointed "to assemble at Philadelphia in May"—(1787.)

The delegates, except from Rhode Island, assembled to this convention at the time and place appointed; and although they were strongly impressed with the necessity and importance of a union of feeling, of interest, and of affection between the several states, they contended with no ordinary difficulties in the way of securing so desirable a result. Theirs was indeed no ordinary undertaking. The history of the world had presented no similar scene. Before them they beheld a great and growing people. In the vista of the future they saw a still greater and more extended nation. For these they were to provide, for these they were to legislate. For these they were called upon, in circumstances of solemn responsibility, to frame a fabric of government. It must meet the difficulties and embarrassments of the present, and provide for the wants and the changes of the future. In the allotment and distribution of powers, they must calculate with a nice discrimination their practical operation. They must foresee the occasion and the necessity for limitations and restrictions. They must be careful not to give too much; they must be equally cautious lest they confer too little.

We cannot forbear pausing one moment to look in upon that grave assembly. They seem to feel as if the destinies of the world were intrusted to their care. On every brow, in every countenance, is legibly traced the solemnity, the wisdom, the purity, the deep discernment, and far-seeing political sagacity, of men whose minds are swayed by purer, nobler, prouder, worthier purposes than ever hallowed the council chambers of Greece or of Rome. We admire the schemes which held together those early republics. We venerate the sages and the heroes of Athens, of Sparta, and of Rome; but we admire still more our own political fabric. We venerate with a holier enthusiasm the sages, the heroes, and the patriots, of our own native land; and we religiously believe that the eye of the Omniscient never rested with as intense an interest on any other assembly of men gathered for merely political purposes.

On the seventeenth of June, (1787,) after mature and tranquil deliberation, they reported to congress a draft of the present constitution, at the same time recommending that it should be submitted to a convention of delegates in each state, chosen by and from among the people thereof, for ratification. For several months it underwent a critical examination. Its several articles were carefully canvassed by all the members of the Union, and the whole people of America were made familiar with its provisions. Their judgment upon it was that it was adequate to the exigencies of the nation, and was well adapted to secure, through all time, to all coming generations, the blessings of civil and religious liberty. Having received the sanction of the requisite number of the states, a government was duly organized and put in operation under it on the fourth of March, (1789.) In June, 1790, it had received the ratification of all of the states by their respective conventions.

Thus have we endeavored to trace the governmental history of our country, from the earliest settlement made on its shores, down to the time of adopting the present constitution. The task has been to us an interesting and instructive, rather than a laborious one; and we can only hope

that it may be equally so with those who may deem it worthy a perusal. Of that constitution it is not our purpose now to speak. It is before us. We see and feel the benefits of its benign operation. For more than fifty years have these United States and this great people been fostered under its provisions. Their prosperity, happiness, and tranquillity are the proudest comment on its adaptation to their necessities and relations. Its peace-producing influences are radiating over the world, illustrating to admiring millions the happy tendencies of republican institutions in ameliorating the condition of mankind. Liberty enshrines it in her temple as the most cherished monument of her triumphs, while she exultingly invites the oppressed and suffering of every kindred, and tongue, and people, and nation, to rest under its protection. ESTO PERPÉTUA.

ART. IV.—ORIGIN AND NATURE OF FIRE INSURANCE.

CHAPTER I.

Origin of Insurance—its utility—considered as a wager.

MANY old writers have endeavored to discover to whom belonged the honor of inventing insurance, yet none have ever traced it successfully; the principle upon which it is founded is common to other branches of business, and was early applied to this. Some have imputed the discovery to the Roman emperor Claudius Cæsar; others to the Rhodians; and Mons. Savary, in his *Dictionnaire de Commerce*, to the Jews, in the year 1182. It seems, however, to have been introduced into England many ages since, together with its "twin-brother, exchanges," by some Italians from Lombardy; this opinion gains probability from the fact that it was long the custom to insert this clause into English policies, "this writing or policy of assurance shall be of as much force and effect as any writing heretofore made in Lombard street," &c.; "the place where these Italians are known to have taken up their residence, and carried on their trade." (Park on Insurance.)

Marine insurance is of greater antiquity than that of fire; the great utility of the former seems to have suggested the practice of the latter business. It appears that the first underwriters were individuals doing business on their own account, and not in a corporate capacity; and consequently, many frauds were practised upon the insured by irresponsible persons, who received large sums as premiums, by representing themselves to be possessed of means sufficient to discharge any claims upon them for losses which might arise. This evil grew to such a magnitude, that the legislature interfered to protect a business which they saw was intimately connected with the welfare of the country, in respect to the extension of its commerce. Accordingly, in an act incorporating the first insurance companies in England, passed in the year 1720, in the reign of George I., the preamble sets forth at length the above reasons. The companies incorporated by this act were the *Royal Exchange Assurance*, and the *London Assurance*, with perpetual succession, subject to redemption, or power of revocation, for the insurance of ships, goods, and merchandises, at sea, or going to sea, and for lending money on bottomry.

Since this time companies have multiplied in numbers and variety, so that insurance can not only be effected on ships and merchandise, but upon almost every variety of interest, and upon lives.

The utility of this description of business is now abundantly confirmed. "To enter upon a detail of the various advantages which mankind have derived from this species of contract, would be a waste of time; because they are obvious to every understanding;" the great help which it affords to individuals who conduct business on their own account, by dividing the loss in case of a fire, or shipwreck, among many persons, is sufficiently demonstrated by experience. The benefit rendered by it to commerce was well understood, even in early times, as may be seen by the following extract from a preamble to an act of parliament, passed in the 43d year of the reign of Queen Elizabeth. "By means of which policies of assurance, it cometh to pass, upon the loss or perishing of any ship, there followeth not the undoing of any man, but the loss lighteth rather easily upon many, than heavy upon few, and rather upon them that adventure not, than upon those that do adventure; whereby all merchants, especially those of the younger sort, are allowed to adventure more willingly and more freely." The benefit marine insurance renders to trade and commerce, by protecting the merchant when his property is on the water, will, with equal force, apply to fire insurance upon the land. "It gives also greater security to the fortunes of private people, and by dividing among many that loss which would ruin an individual, makes it fall light and easy upon the whole society." (Park on Insurance.)

Insurance, in its early history, is known to have become a prevalent and pernicious mode of gaming; this arose from persons effecting insurance upon property in which they had no interest; but this was soon prevented by statute, 14 Geo. III. c. 18, which provides, that no insurance shall be made on lives, or on any other event, wherein the party insured hath no interest; that in all policies the name of such interested party shall be inserted; and nothing more shall be recovered thereon than the amount of the interest of the insured. This does not, however, extend to marine insurances, which were provided for by a prior law of their own. (Black. Com., book II., 460.) No insurance against fire upon property in which the insured has no interest, can be effected in this country; the custom being to insure A against loss or damage on his property; if he never owned it, or disposes of his interest previous to a loss or damage, he clearly cannot recover, for he cannot be said to have sustained an injury.

Every objection to this branch of business is therefore removed; neither can any possibly urge a valid reason against it simply because the contract partakes of the character of a wager. Insurance is, in reality, nothing more than a wager, for the underwriter who insures at one per cent, receives one dollar to return one hundred upon the contingency of a certain event; and it is precisely the same in its operation as if he had bet a wager of ninety-nine dollars to one that the property does not burn, or that a certain event does not happen. (Notes on Black. Com., II., 459.) But, in a moral point of view, it should be considered entirely different. The character of an act is determined by its spirit, intention, and consequences. An individual that insures a *bona fide* interest, does it with a different intention than he who obtains a policy upon property in which he has no interest; for the latter hopes to make a gain, the former to protect himself from loss; and in the event of a fire, one gains in propor-

tion to the amount insured and the extent of the fire, the other is saved from loss in the same proportion.

CHAPTER II.

Insurance companies considered as corporations—the advantages of incorporation, with the powers, rights, capacities, and incapacities incident thereto—their general privileges and disabilities—the different kinds of fire companies, as they exist in New York City, and the general enactments in their creation and regulation.

Most if not all companies for fire insurance are now incorporated by the legislature ; for it has been found necessary and advantageous to the public, as well as to the individuals composing such company or association, to secure a kind of legal immortality, in order to preserve entire and forever those rights and immunities, which, if they were granted to individuals in their individual capacity, would upon their death be utterly lost and extinct ; as well as several other important incidents which are tacitly annexed to a corporation, of course. We shall therefore, in order the better to understand the nature of insurance companies considered as corporations, proceed to show what is the nature of corporations in general. Blackstone's Com., book I, chap. 18, gives the following as the powers, rights, capacities and incapacities, which are incident to a corporation : 1st, To have perpetual succession, (or a definite time determined by the legislature.) This is the very end of its incorporation ; for there cannot be a succession forever without an incorporation, and therefore all aggregate corporations (or those composed of a number of individuals united into one society) have a power, necessarily implied, of electing members in the room of such as go off. 2d, To sue or be sued, implead or be impleaded, grant or receive, by its corporate name, and do all other acts as natural persons may. 3d, To purchase lands and hold them, for the benefit of themselves or their successors, (corporations in the state of New York are not allowed to hold land, except such as is necessary for the transaction of their business,) which, too, are consequential to the former. 4th, To have a common seal ; for a corporation, being an invisible body, cannot manifest its intentions by any personal act or oral discourse ; it acts and speaks, therefore, only by its common seal. For though the particular members may express their private consents to any act by words, or by signing their names, yet this does not bind the corporation ; it is by fixing of the seal, and that only, which unites the different assents of the individuals who compose the community, and make one joint assent of the whole.* 5th, To make by-laws or private statutes, for the better government of the corporation, which are binding upon themselves, unless contrary to the laws of the land, and then they are void. This is also included by law in the very act of incorporation ; for as a natural reason is given to the natural body for the governing it, so by-laws or statutes are a sort of political reason to govern the body politic.

There are also certain privileges and disabilities attending an aggre-

* There is an exception to this in the case of policies of insurance, for it is generally declared by the charter that "the signatures of the president and secretary shall be binding and obligatory upon the company, in like manner and with like force as if under the seal of the said corporation."

gate corporation. It must always appear by attorney; for it cannot appear in person, being, as Sir Edward Coke says, (10 Rep. 32,) invisible, and existing only in indentment and consideration of law. It can neither maintain or be made defendant to an action of battery, or such like personal injuries. It cannot commit treason, or felony, or other crime, in its corporate capacity. It cannot be executor or administrator, or perform any personal duties. It cannot be seized of lands to the use of another, neither can it be committed to prison, or outlawed. The reason for all which is, that it has not a corporal existence, which would be essential in order that it be liable in like manner with an individual. In England, where the ecclesiastical courts exercise powers and jurisdictions peculiar to the laws of that country, a corporation is exempted from excommunication; "for it has no soul," as is gravely observed by Sir Edward Coke. (10 Rep. 32.)

A corporation may be dissolved by act of legislature, by surrender of its franchises, by forfeiture of its charter through the abuse of some of its privileges, or the commission of illegal acts, or through the omission of others which are obligatory upon it. Its debts, to or from it, in case of its dissolution, do not survive to the individuals composing it, so that they may be benefited by, or held responsible for them, in their individual capacity.

Thus much has been said respecting the general nature of corporations as is deemed necessary to our subject. We shall next consider the different kinds of *fire companies* as they exist in the city of New York; and all subsequent remarks will have this local reference. They are of two sorts: first, those that have a fixed capital determined by the legislature, and divided into a certain number of shares, which must be subscribed for and paid in, and secured according to the provisions of the charter. The number of directors is also fixed, from among whom one is selected to act as president. The directors are annually chosen by the stockholders for one year, and in case of death or resignation others may be appointed as may be provided for by the by-laws. A company is not allowed to commence the business of insuring until the whole of the capital stock shall have been paid in and secured, and an affidavit of that fact been made by the president and secretary, and filed in the clerk's office. The whole assets of the company are liable for losses, so that in the event of a large loss, the stockholders forfeit all their interest before the insured is affected. Dividends are made out of the surplus profits arising from the interest on the capital, and from the receipt of premiums, after all losses, debts, and expenses are paid, provided the capital is unimpaired; but no dividend can be made while the capital stock is impaired, or until such deficiency or loss of capital is made good.

Charters which have been obtained in the state of New York, since the year 1830, usually have a clause inserted in them, that they "shall possess the general powers, and be subject to the provisions of the eighteenth chapter of the first part of the Revised Statutes, so far as the same are applicable and have not been repealed."

The second class of insurance companies are those which are denominated mutual companies. In these every insurer becomes a stockholder during the period for which he shall remain insured, and in amount, in proportion to the premium which he pays into the company; and for this amount he is liable in case of a loss. The capital is not fixed or deter-

mined as in the case of the former companies, but is in proportion to the amount of premiums on hand, which constitute the capital stock. The profit or dividend is paid to the insurers or stockholders, in proportion to the amount of money paid in by them for premiums, in the same manner as shareholders in other companies. A president and board of trustees are elected in like manner, and for the performance of like duties, as the president and directors of those companies that are not mutual. There is a clause generally inserted in their charters that no policy shall be issued until application for insurance shall have been made to a certain amount, so that they may be provided for a loss at their commencement, if any should happen to be sustained.

CHAPTER III.

Of the policy—insurance, how effected—what covered by the policy—nature of the contract—how insured forfeits his right to recover—notice to be given of other insurance—policy, how assigned and transferred.

“Policy is the name given to the instrument by which the contract of indemnity is effected between the insurer and the insured; and it is not, like most contracts, signed by both parties, but only by the insurer, who on that account, it is supposed, is denominated an underwriter. Notwithstanding this, there are certain conditions, of which we shall hereafter have occasion to speak, to be performed as well by the person not subscribing, as by the underwriter, otherwise the policy will be void.” (Park on Insurance, c. 1.)

A proper representation of the character and situation of the property sought to be insured, and of all the circumstances which would in any way affect its risk, or personal inspection by the insurer or his agent, which is the usual way when convenient, is necessary to determine the rate of premium. This paid, and the policy received, the property is insured to the amount agreed upon and specified in the policy.* It should be remembered that no property is covered by the policy except that owned by the insured; hence goods stored, or held in trust, or on commission, must be insured as such. If different kinds of property are intended to be included in one policy, they must be designated with reasonable particularity, for the fixtures of a store would not be included if merchandise or stock only were mentioned; and so of similar cases.

Insurance of this sort is a contract by which the insurer, in consideration of the premium which he receives, undertakes to indemnify the in-

* It is a custom among the companies to insure before the policy is made out, or even the premium paid. The correctness of this manner of doing business is very much questioned, however convenient it may sometimes be; no doubt, when the contract is in good faith, and a loss should under such circumstances be sustained, it would be paid by honorable men; but if the insurers should fall back upon their legal rights, the insured would not be able to recover, if the premium had not been paid. This is undoubtedly so; for the claimant could only plead a verbal promise, without consideration; but if he had paid the premium, although the policy had not been delivered, a court of equity would compel the insurer to deliver a policy, although the property might then be destroyed; and upon the policy so obtained, through the intervention of a court of equity, an action might be sustained in a court of law; at least this is the opinion of those legal gentlemen who have been consulted upon this point.

sured against all losses which he may sustain in the property insured, by means of fire, within the time limited in the policy. The following exceptions, however, are usually made in the policy: "except those which may happen by means of any invasion, insurrection, riot, or civil commotion, or any military or usurped power;" and in some cases by lightning.

We are, therefore, next to consider upon what occasions the insured annuls his policy, and is prevented from recovering in case of a loss. The contract may be void from the beginning, if the knowledge of any fact is withheld which might prevent the insurers from taking the risk, or of charging a higher rate of premium. "In every contract between man and man, openness and sincerity are indispensably necessary to give it its due operation; because, fraud and cunning once introduced, suspicion soon follows, and all confidence and good faith are at an end. No contract can be good, unless it be equal; that is, neither side must have an advantage by any means of which the other is not aware. This being admitted of contracts in general, it holds with double force in those of insurance, because the underwriter computes entirely* from the account given by the person insured, and therefore it is absolutely necessary to the justness and validity of the contract, that this account be exact and complete. Accordingly the learned judges of our courts of law, feeling that the very essence of insurance consists in a rigid attention to the purest good faith and the strictest integrity, have constantly held that it is vacated and annulled by any the least shadow of fraud or undue concealment." (Park on Insurance, c. 10.)

There are several ways also by which the insured may forfeit his right to recover for a loss, between the time of the date of the policy and its termination. As it would be impossible to mention all the circumstances which would have this effect, it may be considered as a general rule, that whatever tends to increase the risk of the subject insured, should be made known to the insurer, and his consent endorsed upon the policy; as, if A has his building insured, privileged for the storing of tea, and afterwards, without obtaining the consent of the insurer, uses the building for a more hazardous business, such as drugs, the policy would be void.

Notice must also be given of all previous insurance which may be binding at the date of the policy, and of any subsequent insurance which may be obtained upon the property, that a memorandum of it be endorsed upon the policy, or otherwise acknowledged in writing. An omission to do this would be a bar to recovery; this condition being always inserted in the policy, forms a part of the contract. The necessity for this will be seen if we consider the temptation for persons to fire their property, if allowed to procure insurance beyond its value.

Policies of insurance are not, in their nature, assignable; the contract being to indemnify the person named in the policy against loss, of course the insured would not be allowed to elect another to stand in his place and stead, without the permission of the insurer; and as the contract is in writing, therefore the assignment or permission must also be in writing. A departure from this rule would work hard against the insurer, for, doubtless, in many cases, he is governed in taking the risk and fixing the rate of premium in a great measure by the character of the insured; and

* This expression should be limited, it being customary for the insurer to examine for himself, personally, or by his agent.

if assignments were allowed without the insurer's permission, he might, by such assignment, be placed in a much worse condition than he was in by the original contract. This should not, however, be construed to affect the interest of the insured's executors, administrators, and assigns, who stand in his place without the necessity of an assignment.

Insurance may also be transferred from one building or property to another, in case of a removal, &c., with the consent of the insured, such transfer being endorsed on the policy. The insurer has his election to assign or transfer, or not, and in case of a refusal, a rateable proportion of the premium on the risk for the unexpired time will be refunded, and the policy cancelled.

ART. V.—ANNUAL REPORT OF THE MERCANTILE LIBRARY ASSOCIATION.

THE Twentieth Annual Report of the Board of Directors of the Mercantile Library Association of New York, which we here subjoin, will be found a clear and interesting document, not only to members of the association, but to all who take an interest in the cause of intellectual improvement. It enters into a view of the condition of this noble monument of mercantile liberality, and proposes judicious plans for the increase of its prosperity. The advantages of the organization of similar associations in the commercial cities of our country, must be obvious to those who know the amount of moral and intellectual good that has been accomplished by this body, and we are glad to perceive that the young men of the neighboring cities are awakening to the importance of the subject. The institution is under obligations to the officers of the past year for the faithful performance of their duties; and we doubt not that those who have been connected with the direction of its affairs, receive full compensation for their services in the cordial thanks of its members. Mr. Silliman has presided with dignity, and the report from his pen is in keeping with his well-sustained character, as president of this flourishing association.

Gentlemen of the Association—

ANOTHER year rolling onwards since our last annual meeting, is numbered with the past, and those to whom you then intrusted the interests of this institution, now stand before you to render an account of their stewardship. The earlier part of that year, like several of its predecessors, dark and gloomy to the whole country, has been peculiarly so to the *mercantile community*. The honest merchant, struggling to meet his engagements and sustain his commercial reputation, has been in many, too many instances, compelled to fold his hands in despair, as his means have sunk and disappeared in the ruins of a prostrate and helpless currency: property upon which he had based his contracts, fading from his view like the *mirage* of the desert, on his attempt to realize it; or, like the coin which the *evil one* is said to barter for men's souls, turning in his hands to worthless dross and stones of state. The merchants, in the last several years, have passed through a fierce ordeal of toil, of trouble and disappointment, that in the annals of the commerce of this country is unparalleled.

Happily, gentlemen, the clouds are rolling from the horizon; the sun again

The amount of claims handed over to this board for liquidation on their ac-			
cession, January 18, 1840, was, for sundry bills for books,	-	-	\$1,504 82
Printing, and printing Catalogue,	-	-	382 00
Gas and fixtures,	-	-	420 79
Binding,	-	-	411 43
Advertising, &c.,	-	-	179 98
Periodicals,	-	-	107 18
Insurance,	-	-	200 00
Carpenter's work,	-	-	179 70
Expenses of election,	-	-	30 00
			<hr/>
			\$3,415 90

From which is to be deducted the balance in the treasury, per treas-			
urer's report, January 1, 1840,	-	-	\$483 92
Income of the Association from Jan. 1st to 18th, 1840,		444 00	927 92
			<hr/>
			\$2,487 98

To which is to be added, the deficiency in the receipts of the second			
course of lectures, withdrawn from the fund of \$1,009 41, re-			
ceived by the board of 1838, and loaned to the library by the board			
of 1839, amounting to	-	-	618 05
			<hr/>

Making a total of	-	-	\$3,106 03
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The board had indulged the hope that they should be able to present the institution, at this meeting, to the members free from debt, but in this they have been disappointed. It will be observed by the treasurer's report, hereto annexed, that the whole income of the association, with the exception of a small amount expended for books in the early part of the year, has been absorbed by the very heavy current expenses, added to the unliquidated claims above-mentioned. It is presumed that a rigid supervision of some of these expenses, particularly the items of gas, periodicals, and insurance, may lead to the propriety of their curtailment.

The total amount of claims against the institution, (with the exception of some trifling charge for interest, which could not be ascertained,) upon the 1st of January instant, was \$984 35, being for the following bills :

For books,	-	-	\$398 27
Gas and fixtures,	-	-	356 10
Carpenter's work,	-	-	213 60
Advertising,	-	-	16 38
			<hr/>
			\$984 35

It is proper to observe that the insurance for the present year, amounting to \$300, was paid prior to the 1st instant, and that about \$300 of the above claims will probably be paid from the income of the present month. To meet the more pressing demands which presented themselves upon the accession of the present board, a loan of *sixteen hundred dollars* was obtained from the Merchants' Bank, which was paid in instalments, and extinguished in the month of November last.

LECTURES.—In forming the class of lectures that is now in progress of delivery before you, it was deemed expedient that they should be of varied, as well of an interesting and instructive character. The crowded state of the lecture-room in previous years had induced the late board to endeavor to obviate the difficulty by delivering two separate and distinct courses. The first of these courses was successful, and met its expenditures, but it was evident from the commencement of the second, that that would fall very far short in its receipts. It was considered, however, that engagements made with the gentlemen that were to lecture in the course, many of whom were strangers, should for the

honor of the institution be carried through, and upon closing the accounts of the two courses, an excess of expenditures over the receipts appeared, amounting to \$618 5. The surplus money received from lectures in 1838, was loaned to the library by the board of that year, to meet such future contingency, amounting to \$1,009 41. This fund was accordingly called upon, and as it had been in the year 1839 invested in books, the regular means of the library were withdrawn on the requisition to the amount of the deficiency.

As it was the wish of this board to repay as far as possible the amount thus withdrawn, to the library, and as the current expenses of a course of lectures are heavy in the items of advertising, &c., it was determined that the course should be formed at as moderate expenditure as was practicable, and they have been accordingly indebted to several of the gentlemen whose names are in the list for their gratuitous services.

It is with much disappointment that they are compelled to state that the course has not met with sufficient support from the members to enable them to fulfil the intention to the extent of their expectation, but they have been enabled to vote \$200, a donation from its receipts to the library, under similar restrictions to those of the board of 1838. The sum has been accordingly repaid to the fund, and expended in liquidating the claims against the institution.

CLASSES.—The board have endeavored to make the classes (next to the library itself the most important feature in the institution) as extended, general, and useful as possible. In addition to the subjects heretofore embraced under this head, they engaged teachers provisionally, to take the charge of classes in the German and Italian languages, and in mathematics, astronomy, and natural history, provided the members should come forward in sufficient numbers to authorize their organization.

The classes that were formed were, one class in penmanship, one in mathematics, one in bookkeeping, three in the French language, and one in the Spanish.

The members of the institution cannot too highly value the advantages which this system affords them, embracing, as it does, almost a collegiate course of instruction at a trivial expense.

GALLERY OF ARTS.—The extension of the classes rendering it necessary that additional rooms should be obtained for their accommodation, application was made to the Clinton Hall Association, who, with their characteristic liberality, immediately presented the smaller Exhibition Gallery (heretofore leased to the National Academy of Design) to the association for their use.

The walls of this room court decoration, and the board availing themselves of the opportunity, have used their exertions to form the foundation of a gallery of the fine arts to be attached to the institution.

The want of a permanent gallery has long been felt in this city, and it is believed that by suitable effort, one can be formed by *donation*, which, in the course of time, will not only add greatly to the attractions of this institution, but go far to supply that deficiency. As it is not probable that the paintings will be removed for a long series of years, donations may reasonably be expected from artists, from persons leaving the country, and from our own liberal merchants and members who may have specimens of the arts in their possession.

It is important that a taste for the fine arts should be implanted and fostered in our members, as they, in a few short years, will be the wealthy merchants to whom those arts must look for support and encouragement. Its growth of course must be slow and gradual; but we can give as an example of its practicability, the beautiful Gallery of the Athenæum at Boston, and the beginning, increase, and present condition of our own library.

To render it more immediately attractive, works of art might be received on loan from individuals who would place their property in our possession for safe-keeping, without rendering us accountable for other than prudence in the care of it.

The fine arts are almost the necessary companions of literature, and their

cultivation in this instance cannot in the most remote degree interfere with the increase of the library, as the funds of the institution, by our contract with the Clinton Hall Association, cannot be withdrawn from their legitimate channel; on the contrary, it is believed that additional attraction, thrown around the institution, will cause a greater accession of members, and further its usefulness.

The board are of opinion that this design, steadily pursued by the Association, will assuredly result in success, and they respectfully recommend it to the attention of their successors. In furtherance of the design, they have received and acknowledged the following donations as a basis of the gallery.

PAINTINGS.—Ruins in Italy—by Kobbell; presented by P. R. Brinkerhoff, Esq. Herodias, with the Head of John the Baptist; presented by Thomas E. Davis, Esq.

Beatrice Cenci led to execution in Rome, A. D. 1699; presented by Elisha Whittelsey, Esq.

Portrait of a Gentleman of the 17th Century; presented by Charles Hoyt, Esq.

Mill and Waterfalls—by Bennett; presented by William Brenton Boggs, Esq.

City of Washington—by Cook; presented by Russell H. Nevins, Esq.

A Head—by Copely; presented by William Wood, Esq.

Monk at Study; presented by H. H. Elliott, Esq.

Earl of Dartmouth; presented by William Wood, Esq.

The Madonna and Child of Murillo, and a Dutch Kitchen—loaned by Francis Olmstead, Esq.

ENGRAVINGS.—The Gallerie du Palais Royal—355 Plates; 3 vols., royal folio—presented by Charles Hoyt, Esq.

Boydell's Shakspeare Gallery—100 Plates; 1 vol., elephant folio—presented by A. E. Silliman, Esq.

STATUARY.—Colossal Statue of the Minerva Medica; presented by the Fellows and Council of the National Academy of Design.

Bust of Franklin, in marble, executed by a young American artist; presented by H. H. Elliott, G. H. Coster, Edward Prime, and Samuel Ward, Esqs.

Group of the Graces; presented by A. E. Silliman, Esq.

These works, at present adorning the walls of the library and reading-rooms, can be placed in the Exhibition Gallery when their number increases sufficiently to make it convenient to remove them.

MUSEUM AND CABINET.—The Museum and Cabinet, in the arranging of which the Association has been heretofore indebted to the kind attention of Mr. John H. Redfield, but which is now under the supervision of Mr. Charles M. Wheatly, has been increased by various acquisitions in minerals, shells, and natural curiosities; and the same facilities that point out the practicability of forming a Gallery of the Fine Arts, demonstrate the propriety of prosecuting with diligence this plan, for which the foundation is already laid.

Our members are, by profession, many of them, wanderers upon the earth. From the gay whirl of France, and the classic ruins of Italy, to the "continuous woods where rolls the mighty Oregon," there is no spot that will not be marked by their footsteps.

From the icy ocean of the north to the sultry calm of the tropics, there is no sea where they will not be borne by the broad canvass of our merchantmen. In China, in Arabia, in the Indies, in South America, our fellow-members even now are found; and where can the curiosities of those countries be more naturally placed by them on their return than in the halls of their own Association? The facilities which are extended to the institution for this object, are, we think, unparalleled, and, as was said with regard to the gallery, its promotion can in no way interfere with the increase of the library, which will follow the silent and even tenor of its way. For its practicability we have before us the examples of the noble India Museum at Salem, and those of some of our other Atlantic cities. The board acknowledge donations from the following gentlemen:

George D. Baldwin, C. C. Hoffman, S. A. Griffen, E. C. Bramhall, John N. Benners, G. A. Brett, I. A. Lintner, H. L. Goodwin, P. A. Hawes, C. M. Wheatly, A. B. Leeds, Samuel Sloane, A. B. Sands, Rev. Charles Fox, Lafayette Bailey, John Blunt, Thomas King, Mr. Fowler, and Mr. Marshall.

HONORARY MEMBERS.—During the last year, several literary gentlemen have been made *honorary members* of the Association, among whom is numbered *Seyd bin Calfaun*, an accomplished and educated officer in the navy of the Sultan of Muscat.

It was represented to the board, by one of our members lately resident at Muscat, as well as by other gentlemen who had been in Arabia, that he was a man of superior intelligence and information; and it was deemed expedient, on the suggestion and recommendation of those gentlemen, (as not only gratifying to him, but likely to promote the interests of our members hereafter resident in that country,) to confer the compliment of a membership upon him. This was done, and his certificate, with a handsomely bound copy of the Catalogue, his name inscribed thereon, and the different annual reports, accompanied by a letter from the corresponding secretary, stating the progress and object of the institution, forwarded to Arabia by the sultan's corvette, which sailed from here in the month of August last.

In connection with this subject, the board, for a moment, beg leave to call the attention of their fellow-members to the slow and silent efforts of the great east to rise from its sepulchre, and the manifestation of the agency and power of an overruling Providence in directing its efforts.

The same Almighty hand is visible in the rise and in the fall of nations. Their principle of life, how long soever smothered, though lying dormant for centuries, still at the appointed time revives, and they arise and fulfil the circle of their destiny.

Egypt, dead, degraded, under the guidance and lash of a bloody despotism, is awakening to arts, to agriculture, to intelligence; and her coming generations, benefited and enlightened by the education thus blindly forced upon them, will rise in their might, throw off the yoke of servitude, plant their banners upon the everlasting pyramids, and again place her among the nations of the earth.

India—with her millions bowed down by the most absurd institutions of man, divided into *castes*, starving by thousands upon the richest soil of the earth's surface, not knowing liberty and independence even by name—under the stern rule of her conqueror, the *Anglo-Saxon*, has slowly pouring into her arteries the religion, the education, and the power, which will again arouse her to life; and not improbably in future ages, the Anglo-Indian empire may look down almost in ignorance of the existence of the little island that now so haughtily wields her destiny—insignificant in extent, but the mother of mighty nations.

The Turk, holding his European empire merely by sufferance of antagonist interests, province after province swept from him by encroaching powers, will ere long find his foothold crumble beneath him; the hand of the "yellow-haired" Russian will plant the cross again over the crescent in the city of the Constantines; the mild and enlightening influence of Christianity will dispel the gloomy and chilling mists of fatalism, and religion, order, and humanity resume their reign in that beautiful land, torn from its effeminate possessors by the great and self-deluded Mahomet. And, if it is apparent that the work of regeneration is going on in these long-seeming dead and stagnant empires, may not Arabia, the sunny Arabia, once the seat of the Caliphs, the mother of medicine, the inventor of figures, the home of the arts and sciences, again take her place among the sister nations? Europe and America repaying their obligations to her by returning those arts more refined, those sciences more expanded.

COURTESIES.—An invitation was extended in the early part of the year to the officers of the army and navy upon this station to make use of the library

as a place of reference. Most of these gentlemen are men of literary taste, many of them of study and research; and as in their changing course of life, it is not practicable to have private libraries around them, it was considered that it would not alone be an act of courtesy, but of substantial utility to those gentlemen to have the volumes of our library open to their examination. The invitations were acknowledged and accepted by the respective commanding officers upon the station, and the rooms of the Association have been visited by many of our military and naval gentlemen, in accordance with the tenor of the invitations. The board also call the attention of the members to the continued courtesy and civility extended to the Association by the National Academy of Design, a beautiful token of whose liberality now adorns the rooms of the library. They request in their letter accompanying the statue "your acceptance of it as a slight, but inadequate proof of the friendly feeling which exists in the Academy toward the Mercantile Library Association—a feeling engendered by years of harmonious intercourse beneath the same roof."

CHANCELLOR KENT'S SELECT CATALOGUE.—Deeply impressed with the necessity that a selection of works in literature should be recommended to the attention of the members of the Association, by an authority which should insure respect and attention, the board addressed a letter to the *Hon. James Kent*, requesting him to favor them, at some hour of leisure, with a selection of such character as he might deem proper and judicious for their use.

It affords them great pleasure to state, that that eminent jurist and accomplished scholar, at much expense of time and labor, drew up a select catalogue of works, in various branches of literature, enriched with his own *critiques* and *remarks*, and presented it, free of expense, to the association. They have caused it to be printed, taking out the copyright in the name of the association; and they avail themselves of this opportunity to make their public acknowledgments to Chancellor Kent, for his kindness in affording to them, in the serene and tranquil evening of a life honored and respected by his fellow-men, a work required not only by the members of this Association, but by a large portion of the community.

THE MERCHANTS' MAGAZINE.—The magazine of Mr. Hunt, which is germane to our institution, although not connected with it, is flourishing under a large and still increasing patronage, which its merits richly deserve; and the Association are under obligations to that gentleman, not only for the warm interest that his pages evince in their welfare, but for the insertion of acknowledgments for donations, and other notices relative to the institution.

SCHOLARSHIP.—One of the scholarships in Columbia College, to which the association is entitled, having become vacant, it was granted to Mr. Charles Reynolds, who was provided with suitable recommendations, in the view of the board, to entitle him to the appointment.

CLINTON HALL ASSOCIATION.—The board deem it almost unnecessary to state, that in their relations with the Clinton Hall Association, they have met with the same kindness, liberality, and courtesy, that have uniformly characterized their intercourse with the Association.

CONSTITUTION.—The amended constitution, which was under consideration at the last annual meeting, was passed after much examination, and went into effect upon the 18th of March last, no material features having been changed therein.

AUDUBON'S BIRDS OF AMERICA.—An effort was made in the early part of the year, to obtain for the Association the great work of Audubon on *the Birds of America*, and a subscription commenced for that purpose, limiting the amount

to fifty cents for each subscriber; but, owing to the pressure of the times, it was unsuccessful, and remained stationary at the sum of \$125.*

The fact is as humiliating as true, that this magnificent work, the product of a life of hardship, one of the noblest literary productions on record, and that, too, of an American! is not to be found in a single public library in this city. [The library of Columbia College has one copy, which, however, cannot be considered open to the public.]

Philadelphia, Boston, and Albany have copies in their libraries, but *this* opulent city has none! We cannot, while perusing the letter-press of the work upon our shelves, but admire the enthusiasm of that noble old man, its author; for whether floating in his canoe upon the silvery lagoons of Florida, watching the flamingo wading upon its shores, or hidden in the rocky gorge of the Alleghanies, he scans the fierce eagle upon the summit of some blasted pine; whether roaming over the boundless prairies, with the wild grouse and moor-fowl springing up at his footsteps; or climbing the slippery cliffs of Labrador, its millions of sea birds alone relieving the awful silence and solitude around him, we recognise the devoted student of nature.

Even now, with the snow of seventy winters lying upon his venerable locks, we see him shoulder his rifle, leave the refinements of society, and, confiding in a superior power, plunge again into the dark forest, again to continue his researches.

We cannot recompense this man, for the student of *nature* requires, and can receive, no greater recompense than the beautiful pictures that she lays before her votaries; but when, instead of selfishly retaining them within himself, he labors to place those pictures before his fellow-men, it is certainly becoming that they should render *their* assistance to him to effect the object; and well may he be disheartened if the generous impulse of the youthful spirits of this association looks coldly and indifferently upon his efforts. The amount of funds subscribed will be paid into the hands of the next treasurer, and it is hoped that a renewed effort will place the work in the possession of the Mercantile Library Association.

CONCLUSION.—In concluding their report, the board of directors feel authorized to congratulate the members upon the present state of the institution, and they request leave to impress upon them the importance of caution in any plans of improvement that may tend to divert the funds of the library from their legitimate channel. In their opinion, any plan which should divert them from that channel, would be hazardous, if not injurious, to its interests. They would recommend the cultivation, with zeal and assiduity, of the collateral branches—of the lectures, the classes, the cabinet, and gallery, and any other projects which may be consonant to the tastes of the members; but, no farther than their respective incomes will warrant. If required, those incomes will fully insure their support; if not, their continuance cannot be considered desirable. Under the efficient, enterprising, and zealous boards of direction of the last several years, the interests of the institution have advanced with rapid strides, and although its course has been temporarily retarded more lately by the general embarrassment which has affected the business affairs of the country, the board see no cause, under the brightening prospects of our mercantile community, and of consequence those of our members, that with prudence in its management, will prevent the institution, with a rapidly increasing income, from taking at an early period the lead, in magnitude and usefulness, of any library in the United States.

* PHILIP HONE, Esq., rose and stated to the meeting, after the conclusion of the report, that he was authorized by the trustees of the Clinton Hall Association, (a majority being present,) to say that whenever the subscription was made up within the sum of \$100, that association would complete it. A sufficient amount has been since subscribed by the members, to secure its possession to the library.

MERCANTILE LAW DEPARTMENT.

REPORTS, DECISIONS &c.

CHARTER MORTGAGES—DECISION OF THE COURT OF ERRORS—IMPRISONMENT FOR DEBT.

CHARTER MORTGAGES.

THE following decision, lately made in the Court of Errors of the state of New York on an important point, is abridged from a report of the case in the New York American, and will be read with interest.

Court of Errors—Smith and Hoe vs. Jacob Acker. This was an action brought to recover from the defendant, who is sheriff of New York, a printing press and other moveables, mortgaged to the plaintiffs by one Bell, and levied upon by him under an execution as the property of said Bell.

Bell is a printer, and the plaintiffs manufacturers of printing presses, and supplied Bell with his presses and other printing materials, for which he was indebted to them on the 26th of March, 1837, in the sum of 10,000 dollars; to secure the payment of which, he on that day executed a mortgage to them on the said press and other moveable property. The mortgage was duly filed in the office of the register of New York, according to the statute, on the 28th of March, 1837. The said printing press and property mortgaged remained in the possession and use of Bell, the mortgagor. On the 20th of January, 1838, the sheriff seized the said property by virtue of an execution, although he had notice of the existence of the plaintiffs' mortgage.

At the trial below, the plaintiffs offered to prove that the mortgage was made for a full and valuable consideration, and for the purchase money; and that Bell, the mortgagor, was a printer, and required the use of the mortgaged property as a means of paying said debts and his other creditors; and that said mortgaged property could not have been sold at any time from the execution of the mortgage to the seizure by the sheriff without hazard of great loss to the plaintiffs, and injury to Bell. They also proved the filing of the mortgage according to the statute.

The judge, in the court below, decided that the plaintiffs could not recover, because the mortgage was fraudulent, being unaccompanied by possession, or a sufficient reason in law for not taking possession—and ordered a nonsuit.

The Supreme Court, in affirming this decision, gave no other reason than referring to the case of Bissell vs. Hopkins, and other decisions of their own court, in cases of personal mortgages and sales, or assignments unaccompanied by possession.

Mr. Attorney-general Hall, on the part of the plaintiffs, argued that the question of fraud was made by the statute a question of fact—that the court could exclude no testimony which went to show that the transaction was in "good faith"—and that the court could not judge as a question of law of the sufficiency of such evidence, upon which the statute itself forms the issue. He further stated the history of the law, and commented upon its reasons of public policy as applied to the present case.

Mr. Mott, for the defendant, relied upon the repeated decisions of the Supreme Court, and the general policy of the law to prevent false credits.

When the cause came up for decision, the chancellor declined giving any decision on the merits of the question, because he considered the case disposed of by the statute authorizing a levy on the equity of redemption of personal property. He also intimated that the mortgage was not or might not be valid, in consequence of an interval of two days between its execution and filing.

Senators Paige and Wager supported the views of the chancellor in this particular case, though the latter dissented from the doctrine of the Supreme Court as to personal mortgages.

Mr. Verplanck said, that as it appeared from the record that the sheriff had not levied upon the equity, but upon the property itself as Bell's, and had so given notice on the trial, he had waived that right: he was clear the interval between the execution and filing of the mortgage, did not render it void in itself, but merely inoperative, as to any right of creditors attaching before the filing, which did not apply to this case. He did not deny, and perhaps some decisions cited by the chancellor went upon the ground, the circumstances of a mortgage on personal property being long dormant before it was filed, might be presumptive evidence of collusion to a jury or court of equity. On the general question, Mr. Verplanck said, he referred in substance to his own opinion in this court, in 20th Wendell, Stoddard vs. Butler, as applicable alike to assignments and to chattel mortgages. He said that when there was proof of a fair consideration for the sale or mortgage, actually paid, reasonable publicity, or in case of sale, of filing the mortgage, which was such publicity in that case, and probable reasons for leaving the property in the hands of the mortgagor, such as honest men might ordinarily act from, whether of family kindness, or prudence and friendship in business; this made out sufficient evidence for a jury to judge whether the presumption of fraud was repelled.

Mr. Verplanck said the intent and operation of law was not to make leaving possession with the mortgagor or vendee, conclusive evidence of fraud, but to throw the burden of proof of there being no intention of fraud on the party claiming under the mortgage or assignment.

The lieutenant-governor and senators Talmadge, Hopkins, Edwards, Maynard, and Furman, delivered opinions in which they expressed views concurring with those of Mr. Verplanck. The judgment of the Supreme Court was reversed—22 to 4.

This decision is one of great importance, entering as it does into every branch of business which the open question has kept in an uneasy and doubtful condition, in relation to assignments, mortgages, &c., of personal property, and the winding up of large concerns under assignments.

IMPRISONMENT FOR DEBT.

It will be perceived by the following act that the legislature of New Hampshire have abolished imprisonment for debt upon all contracts made after the 1st of March next. We are rejoiced to see even this first step taken. But why not abolish imprisonment for debt entirely? Why allow it a lingering death, showing its hideous form, writhing convulsively in its agonies for five or six years, until, perhaps, the statute of limitations shall have released its victims from its grasp? It cannot be for a moment supposed that the right of imprisonment forms any part of the contract. In states where the statute declares that no man shall be arrested on a civil contract, it may well be contended that upon contracts made in such states, the right of arrest is taken away even in states where arrest is allowed. But we are yet to learn that the right of arrest upon a civil contract is such a right that it may not be swept away by the legislature like chaff. Such has always been the opinion, and the legislative course in New York. This whole subject is undergoing a winnowing process in the United States, and usages which have been practised for ages will no longer be tolerated by an enlightened public opinion. Our people are becoming convinced of the truth of the Indian's simple remark, when shown a debtors' prison, "Indian can catch no skins there!" They are becoming satisfied that a prison is not the place for a poor debtor to retrieve his fortune. Punish for fraud, and for crime; but let misfortune go free, and "the blessing of those who are ready to perish" will follow you.

"Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That no person shall be arrested, held to bail, or imprisoned on any mesne process or execution founded upon any contract or debt which shall accrue or be made from and after the first day of March next.

"Sec. 2. And be it further enacted, That all acts and parts of acts inconsistent with the provisions of this act, be and the same are hereby repealed."

 THE BOOK TRADE.

1. *Applications of the Science of Mechanics to practical purposes.* By JAMES RENWICK, LL. D., Professor of Natural and Experimental Philosophy and Chemistry in Columbia College. New York: Harper & Brothers. 18mo.

It is a frequent and true remark, that our own age, whatever may be its deficiencies in other respects, is distinguished for its practical character. That fact is striking in the application of the principles of science to useful objects by the preparation of books. In the work of Enfield upon natural philosophy, now we believe used as a text-book in our colleges, we have a valuable, though in many respects theoretic, treatise upon the various mechanical powers, but they are not applied to the subjects that we constantly see in operation around us. Hence we are enabled, through that work, to become acquainted only with the elements of the science. The volume before us is of a more practical character. It traces not only the general principles of the sciences, but their application to the numerous mechanical enterprises of the day. We here have not only a description of the various machines now in use, but the action of the screw, the lever, the wedge, the spring, and other instruments, as they are applied to useful purposes, such as mining, lifting, navigation, railroads, and the different species of manufactures. We hail the period when the education of our students, while adorned with all the graces of classical literature, shall be also imbued with a more practical spirit; for we shall then have more of such men as Nott, and Olmsted, and Pierpont, than we now have. The present volume is a very comprehensive compendium, and is appropriately illustrated by plates, that render the matter perfectly intelligible. It may be studied by all with great advantage.

2. *Political Economy: its objects, rules, and principles, considered with reference to the condition of the American People. With a summary for the use of Students.* By A. POTTER, D. D., Professor of Moral Philosophy in Union College. New York: Harper & Brothers. 18mo. pp. 318. 1840.

Professor Potter has been long known as an able and eloquent clergyman of the Episcopal Church, and a professor in Union College. He has, in this volume, judiciously devoted a portion of his time to the compilation of a work on the long-canvassed subject of political economy. His aim has been to compress the most prominent principles of that science that are adapted to the position of our own country into the smallest compass, suited to popular use and the studies of our seminaries; leaving out of view the various discussions upon disputed points, which abound in the larger works upon the same subject. In this task he has succeeded. Little that is new or strange can here be found, for it was his design only to spread out the more obvious elements of the system in a clear and comprehensive form. But the system is so amply unfolded, that little is left to the learner to be described, although a considerable portion is copied from another work, which the author acknowledges in his preface. We like to see such men employing their time and talents in the dissemination of popular intelligence; for such books, compiled in a cheap form, cast broad gleams of light where more expensive works cannot enter, and they are peculiarly adapted to the cast of our free institutions.

3. *The Life of John Wickliffe, D. D.* By MARGARET COXE. Columbus: Isaac N. Whiting. New York: C. Henry. 16mo. pp. 272. 1840.

This interesting biography presents us a satisfactory account of this stern and distinguished reformer. Without attempting a vivid sketch of the times in which he lived, it still gives the current of facts in a plain style, with such comments as seemed justified by the subject.

4. *The Airs of Palestine, and other Poems.* By JOHN PIERPONT. Boston: James Munro & Co. 18mo. 1840.

Of the principal poem in this collection, it were superfluous to speak. Nearly a whole generation, upon both sides of the Atlantic, have given to it consenting praise. Though not wonderful for originality, sublimity, or power of excitement, and laying itself open to the charge of monotony, it yet breathes the air of the Hebrew land; it evinces a mind rich in sacred lore, and a poetical spirit bathed in Hermon's dews. But this exquisite contribution to our sacred poetry is a small part of this volume. This book will go to posterity a graceful monument of the spirit of the age. Upon its face stands forth in letters that no time can obscure, the fearless and wide-spread philanthropy of its author. The reader of another century will catch no small insight into the quick-beating heart of our day in those stirring and eloquent dedication, ordination, charity, emancipation, temperance, and anniversary odes. And we are not willing to believe that even the bitterest prejudice against the writer's opinions or conduct, can prevent many of these spirited and matchless effusions of the lyric muse from passing into the common stock of the religious and philanthropic community, and becoming the chosen, deathless breathing of the general heart.

The peculiarity of this volume is its *variety*. While some of the pieces are manifestly made, as he says, "to order," and therefore will be wanted over and over again, as similar occasions occur, many of them are written with the poet's true inspiration, with a depth of tone and energy of utterance that cannot be mistaken. While some are admirable for classic finish, others again grate upon the ear, and astonish us that a man so susceptible of the richest music of verse, should imagine himself pleased with the filing of a handsaw. But his preface disarms all criticism; and there are pieces in this volume—"My Grave," "The Exile at Rest," "Passing Away," and the like, which soar above all praise. The pieces connected with the mechanical arts are especially happy.

5. *The Heart's Ease, or a Remedy against all Troubles. With a consolatory Discourse, particularly directed to those who have lost their friends and dear relations.* By SIMON PATRICK, D. D. New York: D. Appleton & Co. 18mo. pp. 320. 1841.

Rev. Simon Patrick, once Bishop of Chichester, is well known to those who are versed in episcopal theology. A firm supporter of the cause of protestantism against formidable opposition during the reign of James II., learned and industrious, and pure-hearted, he long lived a fair pillar of the Church of England. The reflections with which the work abounds are eminently consolatory, and are conveyed in so clear and beautiful a style, that the feeling which breathes through all its parts, impresses the soul with increased influence. We ought not here to refrain from alluding to the extreme beauty of the mechanical execution of this work. It is published in a style hardly exceeded by the most elegant productions of the English press, and we learn that the publishers are designing to put forth the works of many of the old standard English theological writers in the same beautiful form. Such works will be valuable accessions to our stock of adopted literature.

6. *A Treatise on determining the strength of distilled Spirits: with concise Rules in Gauging, &c.* By HUGH BRADLEY, inspector of distilled spirits in the city of New York. New York: George F. Nesbitt. 1841.

This book is designed for the use of distillers, gaugers, grocers, &c., and will also be found serviceable to all others engaged in the traffic of spirits. The manner of treating the subject appears to be as judicious as could be expected under the present imperfect system of proving liquors. We fully concur with the writer in his remarks on the proof of spirits, and think it is high time our government should adopt some more general and equitable mode than the one in present use, for regulating this branch of commerce.

7. *First principles of Chemistry: being a familiar introduction to the study of that science. For the use of Schools, Academies, and the lower classes of Colleges.* By JAMES RENWICK, LL. D., Professor of Natural and Experimental Philosophy and Chemistry in Columbia College. New York: Harper & Brothers. 12mo. pp. 410.

Professor Renwick is well known to the country by his recent work on the steam-engine. The present volume is a very valuable treatise on the science of chemistry, especially adapted to popular use. We know of no work, indeed, that is its superior in conveying a thorough knowledge of its principles. Almost every page is embellished by engravings which illustrate these principles as we go along, so that we have in them combined the advantages of the lecture-room and the laboratory. The practical importance of this science, running into so many forms of business relating to commerce, agriculture, and manufactures, render this work of the utmost value. We can conscientiously commend it as the most satisfactory compendium upon the subject that has yet come within our knowledge.

8. *The Life and Writings of Samuel Johnson, LL. D.* Selected and arranged by REV. WILLIAM P. PAGE. In two volumes. New York: Harper & Brothers. 16mo. pp. 322—323.

These volumes, comprising the 109th and 110th of Harper's Family Library, embrace a considerable portion of the essays of this literary autocrat and despotic lexicographer, besides a biographical notice of his life. It seemed highly important that the publishers should incorporate into their series a portion of the intellectual efforts of a man who has filled so large and so honorable a space in English literature, and this they have done with full success. We have here compressed into two small volumes, the most brilliant productions of his powerful mind, with the facts connected with his life, that are of the greatest interest, together with a judicious commentary upon his peculiar genius. The work is prefaced by an engraved portrait, that serves to add to its solid value.

9. *The Life of Oliver Goldsmith: with selections from his writings.* By WASHINGTON IRVING. In two volumes. Harper's Family Library. New York: Harper & Brothers. pp. 323—313. 1840.

The publishers have exercised a sound judgment in embodying this work in their family library. We need hardly say that they have made the best selection in the compiler, Mr. Washington Irving. We are here presented not only a beautiful and clear biographical account of that eccentric and charming author, but some of his choicest productions in a form accessible to all. The publishers, in the extensive machinery of their establishment, possess great facilities for the circulation of literature and knowledge, and we perceive that they are gathering into their granary the choicest treasures of all countries and all ages, where they may dispose of them at a price adapted to the limited means of the great bulk of our reading population. Their series could hardly have been made perfect, without the life and writings of our favorite Goldsmith.

10. *The History of England, from the earliest period to 1839.* By THOMAS KEIGHTLEY. With notes by the American editor. Harper's Family Library. New York: Harper & Brothers. 5 vols. 18mo. pp. 322—323—328—317—344.

In a former number of this Magazine, we noticed the appearance of an edition of this work in two large octavo volumes. The edition before us is compressed into a convenient and economical form, and is made more valuable by the addition of a copious index, not found in the larger volumes. The publishers have done well in embodying this history in their Family Library, and thus giving it a more extensive and popular circulation.

11. *Distinguished Men of Modern Times*. In two volumes. Harper's Family Library. New York: Harper & Brothers. pp. 324—324. 1840.

These comprehensive volumes give us, in a clear and succinct form, the prominent facts connected with the lives of eminent men who have figured in Europe. Although the work is comprised of a selection from a more extensive series, published by the British Society for the Diffusion of Knowledge, that first appeared in the British Gallery of Portraits, this selection is judicious. Biographical sketches of distinguished Americans have been omitted, as the publishers have an American work upon that subject in preparation. The distinguished lights of past times here flit before us, and we perceive the causes which bore upon them and contributed to form their character, as well as the gradual development of their minds to the full vigor of matured strength.

12. *The Book of Jasher*. Referred to in Joshua and Samuel: faithfully translated from the original Hebrew into English. New York: published by M. M. Noah, and A. J. Gould. 8vo. pp. 267.

This singular work, the subject of much controversial discussion, professes to be the identical volume referred to in the Bible. In Joshua, x. 13, it is asked, "Is not this written in the book of Jasher?" Without attempting to decide the merits of the question, we yet have the testimony of several Hebrew scholars of high reputation, that it is a faithful and elegant translation of the Rabbinical Hebrew, with much of the Bible idiom. But whether it is in fact genuine or not, it must be admitted that it is a singular work, to be regarded among the "Curiosities of Literature."

13. *American Melodies: containing a single selection from the productions of two hundred writers*. Compiled by GEORGE P. MORRIS. With illustrations designed and engraved by L. P. Clover, jr. New York: Linen & Fennel. 18mo. pp. 286.

This is an interesting compilation. Although the selections are made from the lighter efforts of American poetry, they are in the main judicious, and carry out the objects that are designed by the publication. It presents, of course, a great variety of topic as well as of talent, and we perceive scattered through the work, very many brilliant gems. In keeping with its literary value, is its mechanical execution.

14. *Hope on, Hope Ever*. A Tale. By MARY HOWETT. Boston: James Munro & Co. 16mo. pp. 225. 1840.

15. *Strive and Thrive*. A Tale. By MARY HOWETT. Boston: James Munro & Co. 16mo. pp. 175. 1840.

16. *Sowing and Reaping, or, What will come of it*. By MARY HOWETT. Boston: James Munro & Co. 16mo. pp. 216. 1840.

These three neat little volumes, from the pen of a very popular writer, exhibit important truths and maxims in the familiar and beautiful form of tales. The style of the narration is chaste and graphic, presenting much of the fascination of romance, and also those facts and illustrations which are true to nature.

17. *Constance, or the Merchant's Daughter*. A Tale of our own times. New York: Gould, Newman, and Saxton. pp. 160. 1841.

The little volume whose title we have here quoted, is a tale that will be interesting to the children of our merchants; its scene being laid in those facts that naturally spring from mercantile habitudes. As such we commend it to that class of readers.

ANECDOTES OF COMMERCE.**COMMERCIAL INTEGRITY.**

The Spanish galleons destined to supply Terra Firma, and the kingdoms of Peru and Chili, with almost every article of necessary consumption, used to touch first at Carthagena, and then at Porto Bello. In the latter place a fair was opened; the wealth of America was exchanged for the manufactures of Europe; and during its prescribed term of forty days, the richest traffic on the face of the earth was begun and finished with unbounded confidence, and the utmost simplicity of transaction. No bale of goods was ever opened, no chest of treasure examined; both were received on the credit of the persons to whom they belonged; and only one instance of fraud is recorded, during the long period in which trade was carried on with this liberal confidence. All the coined silver which was brought from Peru to Porto Bello, in the year 1654, was found to be adulterated, and to be mingled with a fifth part of base metal. The Spanish merchants, with their usual integrity, sustained the whole loss, and indemnified the foreigners by whom they were employed. The fraud was detected, and the treasurer of the revenue in Peru, the author of it, was publicly burnt.

MAKING CONDITIONS.

During the reign of James the First a great dearth of corn happened, which obliged his majesty to send for the Eastland Company. He told them, that to obviate the present scarcity, they must load their homeward-bound ships with corn; which they promised to do, and so retired. One of the lords of the council said to the king, that such a promise signified little, unless they agreed at what price it should be sold; on which they were all called back, and acquainted that the king desired a more explicit answer. The deputy replied, "Sir, we will freight and buy our corn as cheap as we can, and sell it here as we can afford it; but to be confined to any certain price, we cannot." Being pressed for a more distinct answer, the deputy, who was a great fox-hunter, said to the king, "Sir, your majesty is a lover of the noble sport of hunting; so am I, and I keep a few dogs; but if my dogs do not love the sport as well as me, I might as well hunt with hogs as with dogs." The king replied, "Say no more, man, thou art in the right; go and do as well as you can, but be sure you bring the corn."

EXCLUSION OF THE INQUISITION FROM ANTWERP.

So great was the influence of English merchant adventurers in 1550, that when the emperor Charles the Fifth was anxious to have the inquisition introduced into Antwerp, the citizens had no other means for effectually influencing the emperor against the measure, but to tell him, that the English merchants would certainly leave the country, if he brought the inquisition there. This threat was effectual, for the emperor, on a strict inquiry, found that the English merchants maintained or employed at least 20,000 persons in the city of Antwerp alone, besides 30,000 more in other parts of the Netherlands.

CURIOUS MÔDE OF BARTER.

At Temenhint, in Northern Africa, the inhabitants have a curious mode of barter. The person who has any goods to sell, mentions what he wishes in exchange for certain commodities, whether oil, liquid, butter, or shahm, which is a kind of salted fat, much resembling bad tallow in taste and smell. If liquids, he pours water into a pot, in proportion to the quantity of oil or butter he requires; if solids, he brings a stone of the size of the shahm, or other article demanded. The buyer pours out water, or sends for smaller stones, until he thinks a fair equivalent is offered. The quantities then agreed for are made up to the size of the stone or the depth of the water.

MERCANTILE MISCELLANIES.

AN ATTEMPT TO DEFRAUD INSURERS.

A deeper laid or more ingenious attempt to defraud underwriters, than that contained in the following communication from a highly respectable merchant of Boston, has never come to our knowledge. The facts here disclosed may be implicitly relied upon, as they were derived from Messrs. B. A. & Co., the firm innocently connected with the transaction.

To the Editor of the Merchants' Magazine :—

Solon, the Athenian legislator, would not enrol parricide in his catalogue of crimes, because so unnatural and so impossible to take place; and because, to name it, would imply that such a one *was possible*. So it is said, that to publish crimes of great enormity, committed with much ingenuity, would be instructing others in the commission of the same, or to make some improvement in iniquitous devices. It is certain that this principle, co-operating with experience, in the management of penitentiaries, has brought the public mind to condemn social and adopt solitary imprisonment. It was found that the prisoners communicated to each other all their villainous skill, and even plotted deeds of daring and of revenge, to be committed on their liberation. Practice, however, has not conformed to this principle. Dramatists and novel writers have exhibited crimes that never did take place, and such as could hardly be said to be possible. Newspapers, too, seem to publish crimes with less fastidiousness than formerly, believing, with a well-known poet, that vice, to be hated, needs but be seen. However, let the question of suppression and publication of crime be decided by philosophers and moralists. I waive the decision now, persuaded that in the publication of the case which I am about to introduce, the public good preponderates. Knowledge is the breastplate of defence. Underwriters may have been often defrauded, but, perhaps, never where there was so much forgery and deliberate arrangement.

The extensive commission house of B. A. & Co., in Boston, had been in correspondence with and had done some business for a person in the island of Cuba. To their knowledge, this person never visited Boston more than once, and then only a few hours, and if he had, they think he might not have been recognised. It seems, however, by the sequel of this narrative, that the youngest partner *did* recognise him. It is now recollected by them that he never drew for the proceeds of sales, but always ordered them remitted to different places in the United States, so as to avoid any occasion for his signature on drafts. All his proceedings appeared to be marked with the most perfect mercantile accuracy. In the year 1838, he addressed this house in Boston, requesting them to effect insurance on a cargo to the amount of \$19,000, on board Spanish brig *Diana*, bound from Trinidad de Cuba to Boston. Soon after having effected the insurance, B. A. & Co. received numerous papers proving a total loss; such as American consuls' certificates, protest of the master and crew, invoice, bill of lading, and, indeed, every paper that could be thought of, to substantiate the answer to every possible question. They were prepared with such precision and skill, there was no room for doubt or cavil from insurers. The claim was admitted, and, according to the policy, was to be paid in sixty days; and by his request, B. A. & Co. remitted him, in advance, \$6,000.

In the protest, it was stated, that soon after leaving Trinidad, the *Diana* encountered a violent gale, during which she lost her foremast, and being subsequently run into by another vessel, was thrown on her beam-ends, and completely waterlogged; and the hatches having bursted open, the cargo, in a great measure, was washed out. The captain and crew were taken off by a British schooner, and carried into Kingston, Jamaica.

The evidence forwarded to prove the loss were, a document purporting to be the copy of a protest sworn to by the captain and several of the crew of the *Diana*, and attested by the captain and crew of the British schooner, called the *Racer*, before W. H. Harrison, U. S. Vice-consul at Kingston; and copy of a certificate purporting to have been signed by Thomas R. Gray, U. S. Consul at Trinidad, that the protest, &c., were true copies of originals. To the whole was attached a paper signed by N. P. Trist, U. S. Consul at Trinidad.

Soon after this loss was known in Boston, another house, S. B. & Co., one of whom happened to be a director in the company where the insurance was effected, in a letter to a correspondent in Trinidad, either by accident or design, mentioned the loss of this brig. The reply was that no such vessel had sailed from thence, nor was any such one known there, neither was there any merchant of the name of the one who appeared as shipper of the cargo. This was made known to the parties concerned, and the consequence was, the insurers refused to pay any part of the pretended loss. The situation of B. A. & Co. thus became perplexing, they being in a fair way of losing the money advanced. The residence of the projector of this villanous scheme was not known, and possibly *he* might never be heard from again. Fortunately, in this dilemma and at this juncture, they received a letter from him requesting the balance of the loss to be remitted to him, at the postoffice in Baltimore. The crisis had now arrived when, to extricate themselves, energy, discretion, despatch, and considerable stratagem were necessary. They could not send the money, nor could they write in any manner without exciting his guilty fears, and then he might elude their grasp, as fast as wind and steam could carry him. The mode of proceeding was soon arranged, and turned out to have been well projected and admirably well executed.

In order to be at the postoffice as soon as the expected letter might be inquired for, B. junior, of this firm, hastily departed, arrived at Baltimore, armed himself with the authority of the state, and stationed several police officers in the postoffice, in such a manner as to hear and see whoever might call for it. Two days they all waited and watched; and the officers had become so much discouraged and displeased with the job, that it required much persuasion to keep them at their post. Fortunately, the young gentleman persevered, they did not desert him, and on the evening of the third day, a messenger appeared, inquired for a letter, and departed. According to the concerted arrangement, the officers, with Mr. B., followed him to a house in the suburbs of the city, apparently not a resort of respectable foreign merchants. Mr. B. then changed his dress, to conform in some degree to the place, and to disguise himself so as not to be recognised by the supposed culprit, should he happen to be there, they having, as before mentioned, seen each other in Boston. The agreement with the officers was, that after he had mixed with the company and was sure he had found the right man, he was to make the signal, and they to advance and arrest him. His presence of mind did not forsake him as the critical moment approached. He soon fixed his eye on one, who, as he thought, was the person of whom he was in pursuit. He moderately approached him, so as to excite no attention, and was soon fortunate enough to be beside him, under the portico of the house, in full view of the officers. Entering into conversation with him, he addressed him by the name of Gassiot, to which he responded. His identity having thus become certain, the signal was made, and he immediately arrested. He took all this with as much composure as could be expected; and finding himself in the toils, and after lodging in jail one night, not a little unexpectedly to Mr. B., he refunded the money due B. A. & Co., in the old United States Bank bills. He made strong protestations of innocence, and promised shortly to be in Boston, and dissipate all suspicions against him. He has done nothing further towards redeeming this pledge than to write Messrs. B. A. & Co., from the island of Cuba, that it was still his intention to do it.

In course of inquiries respecting Mr. Gassiot among merchants at Baltimore, it was found that a loss amounting to \$15,000 had been collected for him the year before, from insurance companies in that city; and, on perusal of the documents substantiating the loss, they were found to be almost verbatim copies of those respecting the Boston loss. The name of the vessel stated as bound to Baltimore was the Teneriffe, and the shipper of the cargo at Trinidad also bore another name. The Baltimore underwriters, being put upon the scent, were enabled to recover a part of their claim in cash, and security for the balance. He soon left the city, and it is understood that the security proved of no value.

H. G.

NEW YORK MERCANTILE LIBRARY ASSOCIATION.

The twentieth annual meeting of the members of the "Mercantile Library Association" was held at Clinton Hall, on Tuesday evening, 12th January, 1841.

The meeting having been called to order by the president, Philip Hone, Esq., was called to the chair.

The minutes of the last meeting were read and approved.

The treasurer read his annual report of the receipts and expenditures for the past year, which was, on motion, accepted.

The president read the "Twentieth Annual Report," which was, on motion of Charles Rolfe, Esq., unanimously adopted, and ordered to be printed.

After some pertinent remarks by Charles Rolfe, Esq., it was, on motion—

Resolved, That all the members of this association be a committee to raise the necessary amount to purchase a copy of "Audubon's Ornithology."

On motion of Edmund Coffin, Esq.,—

Resolved, That it is expedient to celebrate *annually*, in an appropriate manner, the anniversary of the establishment of the Mercantile Library Association of the city of New York.

Resolved, That the board of directors for the ensuing year be authorized and directed to make the necessary arrangements to effect this purpose.

On motion of the president—

Resolved, That the thanks of this meeting be, and are hereby tendered to Philip Hone, Esq., for his courtesy and kindness in presiding at the meeting this evening.

On motion of Nicholas Carroll, Esq.,—

Resolved, That the thanks of this meeting be tendered to Augustus E. Silliman Esq., for his very able annual report, presented to the meeting this evening.

On motion of George C. Baker, Esq.,—

Resolved, That the thanks of this meeting be tendered to the "Trustees of Clinton Hall Association," for their attendance this evening.

On motion of W. H. Stone, —

Resolved, That the thanks of this meeting be, and are hereby tendered to the Trustees of Clinton Hall Association, for their liberal offer to contribute one hundred dollars towards the purchase of a copy of "Audubon's Ornithology," provided the required sum to within that amount be raised.

The meeting was addressed, in the course of the evening, by Messrs. Philip Hone, Charles Rolfe, Edmund Coffin, and E. R. Tremain.

On motion, adjourned.

PHILIP HONE, Chairman.

LEWIS McMULLEN, Recording Secretary.

STATISTICS OF POPULATION.

CENSUS OF CONNECTICUT, 1830-1840.

An official statement of the population of each town and county in the State of Connecticut in 1840, as compared with 1830.

Towns.		1840.		1830.		Towns.		1840.		1830.					
HARTFORD COUNTY.															
Hartford city,.....	9,468	}	9,789	Granby,	2,609			2,733							
Town except city,.....	3,325			Hartland,.....	1,060			1,221							
Avon,.....	1,001		1,025	Manchester,.....	1,695			1,576							
Bristol,.....	2,109		1,707	Marlborough,.....	713			704							
Burlington,.....	1,202		1,301	Southington,.....	1,887			1,844							
Berlin,.....	3,411		3,037	Suffield,.....	2,669			2,690							
Canton,.....	1,736		1,437	Simsbury,.....	1,896			2,221							
East Hartford,.....	2,389		2,237	Windsor,.....	2,283	}			3,220						
East Windsor,.....	3,600		3,536	Bloomfield,.....	985										
Enfield,.....	2,648		2,129	Wethersfield,.....	3,824			3,853							
Farmington,.....	2,041		1,901												
Glastenbury,.....	3,077		2,980	Total,.....	55,628			51,141							
NEW HAVEN COUNTY.															
New Haven city,*.....	12,960	}	10,678	Middlebury,.....	761			816							
Fair Haven,.....	787			North Haven,.....	1,349			1,282							
Westville,.....	643		2,332	Orange,.....	1,329			1,341							
Bradford,.....	1,323		1,780	Oxford,.....	1,625			1,763							
North Bradford,.....	1,016		2,253	Prospect,.....	548			651							
Cheshire,.....	1,529		1,229	Southbury,.....	1,542			1,557							
Derby,.....	2,852		2,344	Wallingford,.....	2,255			2,418							
East Haven,.....	1,382		1,666	Woodbridge,.....	928	}			2,052						
Guilford,.....	2,412		2,256	Bethany,.....	1,171										
Hamden,.....	1,797		1,708	Waterbury,.....	3,668			3,070							
Milford,.....	2,455		1,809	Wolcott,.....	633			843							
Meriden,.....	1,880			Total,.....	48,690			43,848							
Madison,.....	1,815			NEW LONDON COUNTY.											
NEW LONDON COUNTY.															
New London,.....	5,528		4,356	Lisbon,.....	1,052			1,166							
Norwich city,.....	4,200	}	5,179	Lebanon,.....	2,194			2,555							
Town except city,.....	3,039			Montville,.....	1,990			1,972							
Bozrah,.....	1,063		1,079	North Stonington,.....	2,270			2,840							
Colchester,.....	2,101		2,073	Preston,.....	1,727			1,935							
Franklin,.....	1,000		1,194	Stonington,.....	3,898			3,401							
Groton,.....	2,963		4,805	Salem,.....	815			959							
Ledyard,.....	1,871		2,212	Waterford,.....	2,331			2,477							
Griswold,.....	2,166		4,092	Total,.....	44,501			42,295							
Lyme,.....	2,854			FAIRFIELD COUNTY.											
East Lyme,.....	1,439			FAIRFIELD COUNTY.											
FAIRFIELD COUNTY.															
Bridgeport city,.....	3,294	}	2,800	New Fairfield,.....	956			939							
Town except city,.....	1,276			New Canaan,.....	2,218			1,830							
Fairfield,.....	3,654		4,226	Redding,.....	1,675			1,686							
Westport,.....	1,803		1,255	Ridgefield,.....	2,467			2,305							
Brookfield,.....	1,255		1,212	Stamford,.....	3,516			3,707							
Darien,.....	1,080		4,311	Sherman,.....	938			947							
Danbury,.....	4,503		3,801	Stratford,.....	1,808			1,814							
Greenwich,.....	3,921		1,371	Trumbull,.....	1,205			2,242							
Huntington,.....	1,328		1,522	Weston,.....	2,560			2,997							
Monroe,.....	1,355		3,702	Wilton,.....	2,056			2,097							
Norwalk,.....	3,859			Total,.....	49,926			46,950							
Newton,.....	3,199			* New Haven city, Fair Haven, and Westville, are all comprised in the town of New Haven.											

* New Haven city, Fair Haven, and Westville, are all comprised in the town of New Haven.

LITCHFIELD COUNTY.					
Litchfield,.....	4,038	4,456	Plymouth,.....	2,205	2,064
Barkhamstead,.....	1,573	1,715	Roxbury,.....	971	1,122
Bethlem,.....	776	906	Salisbury,.....	2,551	2,580
Cornwall,.....	1,703	1,714	Sharon,.....	2,407	2,615
Canaan,.....	2,166	2,301	Torrington,.....	1,707	1,651
Colebrook,.....	1,234	1,332	Winchester,.....	1,666	1,766
Goshen,.....	1,529	1,734	Woodbury,.....	1,947	2,045
Harwinton,.....	1,201	1,516	Warren,.....	873	986
Kent,.....	1,759	2,001	Washington,.....	1,622	1,621
Norfolk,.....	1,393	1,485	Watertown,.....	1,442	1,500
New Hartford,.....	1,708	1,766			
New Milford,.....	3,974	3,979	Total,.....	40,445	42,855
MIDDLESEX COUNTY.					
Middletown city,.....	3,511	6,892	Killingworth,.....	1,130	2,484
Town except city,.....	3,699		Clinton,.....	1,239	
Chatham,.....	3,413	3,646	Saybrook,.....	3,417	5,018
Durham,.....	1,095	1,116	Chester,.....	974	
East Haddam,.....	2,620	2,664	Westbrook,.....	1,182	
Haddam,.....	2,598	3,025	Total,.....	24,878	24,845
WINDHAM COUNTY.					
Brooklyn,.....	1,478	1,451	Sterling,.....	1,099	1,240
Ashford,.....	2,651	2,661	Thompson,.....	3,535	3,380
Canterbury,.....	1,786	1,880	Voluntown,.....	1,186	1,304
Chaplain,.....	794	807	Windham,.....	3,382	2,812
Hampton,.....	1,166	1,101	Woodstock,.....	3,054	2,917
Killingly,.....	3,685	3,257			
Plainfield,.....	2,384	2,289	Total,.....	28,071	27,077
Pomfret,.....	1,868	1,978			
TOLLAND COUNTY.					
Bolton,.....	743	744	Somers,.....	1,621	1,429
Columbia,.....	842	962	Tolland,.....	1,566	1,698
Coventry,.....	2,017	2,119	Union,.....	667	711
Ellington,.....	1,356	1,455	Vernon,.....	1,435	1,164
Hebron,.....	1,732	1,937	Willington,.....	1,268	1,305
Mansfield,.....	2,276	2,661			
Stafford,.....	2,469	2,515	Total,.....	17,992	18,770
RECAPITULATION.					
<i>Counties.</i>	1840.	1830.	<i>Counties.</i>	1840.	1830.
Hartford,.....	55,628	51,141	Middlesex,.....	24,878	24,845
New Haven,.....	48,690	43,848	Windham,.....	28,071	27,077
New London,.....	44,501	42,295	Tolland,.....	17,992	18,700
Fairfield,.....	49,926	46,950			
Litchfield,.....	40,445	42,855	Total,.....	310,131	297,711

Nett gain in the state in ten years, 12,420.

CENSUS OF MARYLAND, 1830-1840.

An official statement of the number of inhabitants in each of the counties of the State of Maryland, and the city of Baltimore, according to the late census, as compared with that for 1830.

	1840.	1830.		1840.	1830.
Allegany,.....	15,704	10,609	Cecil,.....	17,362	15,432
Washington,.....	28,862	25,268	Kent,.....	10,840	10,501
Frederick,.....	34,983	45,789	Caroline,.....	7,868	9,070
Carroll,.....	17,245	New co.	Talbot,.....	12,103	12,947
Baltimore,.....	32,067	40,320	Queen Ann's,.....	12,525	14,397
Harford,.....	16,901	16,319	Somerset,.....	19,504	20,166
Montgomery,.....	14,659	19,816	Dorchester,.....	18,809	18,686
Prince George's,.....	19,483	20,474	Worcester,.....	18,253	18,273
St. Mary's,.....	13,244	13,459	Baltimore city,.....	102,513	80,620
Calvert,.....	9,095	8,900			
Charles,.....	16,012	17,769	Total,.....	467,567	447,040
Anne Arundel,.....	29,535	28,295			

INSURANCE.

CLASSES OF HAZARDS AND RATES OF PREMIUMS FOR INSURANCE AGAINST LOSS OR DAMAGE BY FIRE, IN THE CITY OF NEW YORK, AS ADOPTED BY THE NEW YORK INSURANCE COMPANIES.

RULES.

1. When two buildings, having no interior communication, are offered for insurance, a specific sum must be insured on each, and in like manner on property in each;—but two buildings, *having* interior communication, and occupied by the same person, may be considered as *one* building.

2. When a building, or two or more buildings communicating are occupied by two or more tenants, either of whom requires the hazardous or extra-hazardous privilege, the other tenants, as well as each of the buildings, shall be subject to the same charge.

3. When two buildings adjoining, with separate walls through the roof, communicate by doors or other openings, five cents additional premium to be charged on such and their contents, if occupied by more than one tenant.

Note.—No charge to be made for want of coping on a separating wall on which the charge is made for communication.

4. Policies may be once renewed for the ratio of the premium required for the period of time for which the policy was originally made.

5. Policies, with the consent of the company, may be assigned, or may be transferred from one building to another, the difference in the risk, if any, being paid.

6. A policy may be cancelled by retaining the short rate for the time expired, but in no case for less than one month, and the premium for unexpired time allowed in a new insurance, or refunded.

7. Carpenters' risks for *fifteen days*, may be granted *once* during the existence of the same policy, *gratis*; but if granted for more than fifteen days, and less than a year, to be charged according to the scale for short insurances.

8. No premium for *less than one month* shall in any case be charged, excepting for carpenters' risk, which may be taken for fifteen days at half the premium for one month.

CLASSES OF BUILDINGS, AND RATES OF ANNUAL PREMIUMS, IN THE CITY OF NEW YORK.

The rates affixed to the several classes, are the premiums on buildings when occupied for purposes not hazardous, or containing merchandise, or other property, not hazardous. When otherwise occupied, the following additional premiums are charged on the buildings, as well as on merchandise and other property therein :

	Cents.
Hazardous occupancy,.....	10
Extra hazardous "	25
Specially hazardous, the premium that may be agreed on in each case, not less than	50
Merchandise, not hazardous, is charged in addition to the rate of the building containing it,.....	5

Merchandise, and other articles, denominated hazardous or extra hazardous, and to which a star (*) is prefixed in the classes of hazards and minimum rates, (such as paper in reams, books, stationery, watches, jewelry, &c.,) are deemed not to affect the buildings in which they are contained, or other property therein.—The additional premium on those articles being charged, because of their peculiar liability to damage and loss.

DWELLING HOUSES.

	Cents.
1st Class—Buildings of brick or stone, roof of tile, slate, or metal, gable walls above the roof, and coped,..... per \$100	30
If gable or party walls below the roof,.....	35
2d.—Buildings of brick or stone, roof, tile, slate, or metal, and part wood,.....	45
3d.—Buildings of brick or stone, roof, wood,.....	50
4th.—Buildings of wood, with brick front, and filled in with brick to the peak,....	65
5th.—Buildings of wood, with brick front, filled in to the plate,.....	75
Or buildings of wood, filled in to the peak,.....	75
Or buildings of wood, adjoining brick walls on each side,.....	75
6th.—Buildings of wood, with hollow walls, and brick front,.....	85
Or buildings of wood, filled in to the plate,.....	85
Or buildings of wood, adjoining a brick wall on each side,.....	85

7th.—Buildings of wood, with hollow walls, fronting on the street,.....	Cents. 90
Or buildings of wood in the rear,.....	115

Note.—Buildings which partake of two or more classes, to be charged a *fair proportionate price*.

WAREHOUSES AND STORES,

Of the following description, will be insured, per \$100, at.....	Cents. 30
Situated—in streets not less than 50 feet wide.	
Height—not exceeding 40 feet.	
Walls—brick or stone, independent, and 12 inches or more in thickness.	
Or party walls, 16 inches to the garret floor.	
Or party walls, 12 inches to the garret floor, with projections.	
The gable or party walls in each case carried above the roof, and coped.	
No openings in the gable walls, excepting on the corner of a street.	
Roof—tile, slate, metal, or cement.	
Gutters—brick, stone, or metal.	
Window shutters—solid iron, excepting the lower story fronting the street.	
No dormar windows, unless with iron shutters, the sides and roof of fire-proof materials.	
No sky-lights, exceeding 10 square feet.	

Additional Charges for variations from the foregoing description.

Street—less than fifty feet wide, for each foot less,.....	Cents. 1
Height—more than 40 feet from the sidewalk to the eave of the roof, for the excess, per foot,.....	2

Note.—The highest part of the front in all cases to be measured, and when fronting on two streets, the lowest front to be taken. In measuring the height of buildings, or the width of streets, the odd inches are not to be taken into the account.

Walls—12 inch party walls to the garret floor, without projections, for each wall,...	6
<i>Note.</i> —This charge not to be made on buildings less than 4 stories high	
Gable or party walls—not above the roof, for each wall,.....	3
Roof—tile, slate, or metal, and a part wood,.....	6
All wood,.....	15
Shutters—not of solid iron, for each wall,.....	5
Excepting the lower story fronting the street, and excepting one of the walls at the corner of a street, if the other be charged.	
Gutters—not of brick, stone, or metal, front and rear, for each,.....	5
Corner buildings to be charged for only one front.	
Dormar windows—without iron shutters, or without the sides and roof of fire-proof materials,.....	5
Sky-lights—exceeding 10 square feet,.....	5

Note.—When the premises are occupied by one tenant only, 5 cents per \$100 are to be deducted from the rate of premium. The separate use of fire or lights to constitute two tenants.

When the rate of a building exceeds 100 cents, (exclusive of the charge for occupancy,) the excess to be discretionary.

CLASSES OF HAZARDS.

Not hazardous.—Goods not hazardous are to be insured at 5 cents per \$100 in addition to the rate of the building in which they are contained; including coffee, flour, household furniture, indigo, linen, paints ground in oil, potash, rice, spices, sugars, teas, threshed grain, wine in casks, and such articles as are usually kept in dry-goods stores.

Hazardous.—The following trades and occupations, goods, wares, and merchandise, are considered *hazardous*, and are charged 10 cents per \$100, in addition to the rate of premium on the building, viz:—*Basket-sellers; block and pump-makers; China or earthen or glass ware, or plate-glass in boxes, crates, or casks; cotton in bales; fire crackers and other fire works; flax; grocers with any hazardous articles; gun-smiths; *hardware and cutlery; hat-finishers; hay pressed in bundles; hemp; liquor bottling cellars; *looking-glasses in boxes; manilla grass; *milliner's stock; oil; *paper hangings; *paper in reams; pitch; porter houses; rags in packages; sailmakers; saltpetre; segar-makers; spirituous liquors; sulphur; tallow; tar; taverns; turpentine; victual-

ling-shops; *window-glass in boxes; wine dealers' stock, not including wine in glass, unpacked; *wine, in glass, in packages; *woodenware sellers.

Extra hazardous.—The following trades and occupations, goods, wares, and merchandise, are deemed *extra hazardous*, and will be charged 25 cents and upwards per \$100, in addition to the rate of premium on the building, viz:—Acids, inflammable; alcohol; apothecaries; basket-bleachers or makers; blacksmiths; boat-builders; *booksellers' stock; brass founders; brush-makers' stock; *cabinet-makers' stock; carvers; China or earthen or glass ware, or looking-glasses unpacked, and buildings in which the same is packed or unpacked; chocolate-makers; colormen's stock; *confectioners' stock; coopers; copperplate printers; druggists; ether; fur dressers; grate-makers; *jewellers' stock; lamp manufactories; *lamp sellers' stock; lime unslaked; liquor, in glass, unpacked. (*Note.*—To subject the building and its contents to hazardous charge only.) Morocco manufacturers; *optical, mathematical, and musical instrument makers', and perfumers' stock; painters' stock; phosphorus; *pictures and prints; platers or plated ware manufactories; plumbers and pewterers; *pocketbook-makers' stock; printers of newspapers or engravings; rag stores; ship chandlers; *silversmiths' or stationers' stocks; snuff-makers; soap-makers; spirits of turpentine; stove manufactories; tin or sheet-iron workers; tobacco manufactories; *toy shop keepers' stock; type or stereotype founders; turners; upholstery manufactories; varnish; *watch-makers' stock, and tools; *window or plate glass, unpacked; wine, in glass, unpacked.

Specially hazardous.—The following are deemed specially hazardous, and will be charged, in addition to the rate of the building, as per table of minimum rates, viz:—Bakers; bark-mills; bleaching works; blind-makers; bookbinders; brewers; brimstone works; cabinet-makers; carpenters; chair-makers; chemists; coach-makers; comb-makers; confectionary-makers; corn-kills; copper-smiths; cotton-mills; cotton unpacked; distillers; dyers; firework-makers; flax-mills; frame-makers; fringe-makers; fulling-mills; gas-makers or sellers; grist or flour mills; gunpowder; hat manufactories; hay unpacked; houses building or repairing; ink-makers; iron founders; ivory-black manufactories; lamp-black manufactories; livery stables; lumber yards; mahogany yards; malt-houses; matches-makers; metal-mills; musical instrument-makers; oil boiling-houses; oil-mills; packing buildings and yards; paper-mills; perfumery-makers; planing or grooving mills; pocketbook-makers; powder-mills; printers of books and jobbing; rectifiers of liquors; rope-makers; sash-makers; saw-mills; spirit-gas-makers or sellers; stables, (private); steamboats; steam-engines in use; sugar refiners; tallow-melters or chandlers; tanners; tar boiling-houses; theatres and other places of public exhibition; timber yards; turpentine distillers; varnish-makers; wool-mills; and generally all mills and manufacturing establishments, and all trades and occupations requiring the use of fire heat, not before enumerated.

Country Houses—Constructed of brick, stone, or wood, detached from, and not endangered by other buildings,..... 60 cts. per \$100, or upwards,

If roof of slate or metal, 10 cents per \$100 may be deducted.

Barns and stables,..... 85 “ “

Note.—When good and sufficient electric conductors are attached, ten cents per hundred dollars may be deducted.

MINIMUM RATES,

For hazardous, extra hazardous, and specially hazardous risks, to be added to the rate of the building.

Note.—When goods, hazardous or extra hazardous, are stored in a building, or when a building is used for the purpose of carrying on any trade or vocation, classed as *hazardous, extra hazardous, or specially hazardous*, such building, as well as the goods contained therein, shall be charged with the *additional* premium to which such risks are subjected—excepting when a *star* (*) is prefixed, which is intended to denote that *such goods only* are to be charged,—but *not the building*, or other goods *not hazardous* therein.

	Cents.		Cents.
Acids—Nitric, Sulphuric, Muriatic, and other inflammable acids,.....	25	Blacksmiths,.....	25
Alcohol,.....	25	Bleachers of baskets or hats,.....	25
Apothecaries or druggists,.....	25	Blind-makers,.....	100
Bakers,.....	50	Block and pump-makers,.....	10
Basket-makers,.....	25	Boat-builders,.....	25
*Basket and woodenware sellers,.....	10	Bookbinders,.....	50
		*Booksellers' stock,.....	25

	Cents.		Cents.
Brass-founders,.....	25	Hemp and flax,.....	10
Brush-makers,.....	25	Houses, building or repairing,.....	50
Cabinet-makers' work-shops,.....	100	Ink-makers,.....	100
*Cabinet-makers' stock,.....	25	Ivory-black manufactories,.....	100
Carpenters' shops,.....	100	*Jewellers' stock,.....	25
Carpenters' risk on houses building or repairing,.....	50	<i>Note.</i> —If contained in a substantial iron safe, 15 cents less than it would be if not contained in such safe: <i>Provided</i> it is not below the rate chargeable on the building containing it.	
<i>Note.</i> —Fifteen days carpenters' risk may be allowed without charge, during the existence of the policy, or once in each year.			
Carvers,.....	25	Junk, or rag stores,.....	25
Chair-makers' work-shops,.....	100	Lamp-black manufactories,.....	100
*China-ware, unpacked,.....	25	Lamp manufacturers,.....	25
China-ware, buildings in which the same is packed or unpacked,.....	25	*Lamp stocks,.....	25
China-ware, in crates, boxes, or casks,.....	10	Lime, unslaked,.....	25
Chocolate-makers,.....	25	Liquor bottling cellars,.....	10
Coach-makers,.....	100	Liquor, in glass, in packages,.....	10
Colormen's stock,.....	25	Liquor, in glass, unpacked,.....	25
Comb-makers,.....	50	<i>Note.</i> —To subject the building and its contents to the hazardous charge only.	
Confectioners' manufactory,.....	50	Livery stables,.....	100
*Confectioners' stock,.....	25	*Looking-glasses, in packages,.....	10
Coopers,.....	25	*Looking-glasses, unpacked,.....	25
Coppersmiths,.....	25	Lumber yards,.....	100
Cotton, in bales,.....	10	Mahogany yards,.....	100
Cotton, unpacked,.....	50	Manilla Grass, unpacked,.....	10
Druggists,.....	25	Matches manufactories,.....	100
Dyers,.....	50	do. on sale,.....	25
*Earthenware, unpacked,.....	25	*Milliners' stock,.....	10
Earthenware, buildings in which the same is packed or unpacked,.....	25	Moroeco manufactories,.....	25
Earthenware, in crates, boxes, or casks,.....	10	*Musical instrument sellers' stock,....	25
Ether,.....	25	Oil,.....	10
Fences, and privies of wood,.....	100	*Optical and mathematical instrument sellers' stock,.....	25
Fire crackers, and other firework manufactories,.....	100	Organ-makers,.....	100
Fire crackers, and other fireworks, on sale,.....	10	Perfumery manufactories,.....	50
Flax and hemp,.....	10	Painters' stock,.....	25
Founders,.....	25	<i>Note.</i> —Sign, ornamental, and portrait painters, may be permitted without additional charge, provided they do not keep more than one gallon of spirits of turpentine, and three of oil.	
Frame and sash-makers,.....	100	*Paper hangings,.....	10
Fur dressers,.....	25	*Paper, in reams,.....	10
Furrier's stock, unpacked,.....	25	*Perfumers' stock,.....	25
Gas manufactories,.....	100	Phosphorus,.....	25
do. on sale,.....	25	Pianoforte-makers,.....	100
Glassware, building in which the same is packed or unpacked,.....	25	*Pictures and prints,.....	25
Glassware, in packages,.....	10	Pitch,.....	10
*Glass, window or plate, in boxes,....	10	Platers and plated-ware manufactories,.....	25
*Glass, window, unpacked,.....	25	Plumbers and pewterers,.....	25
*Glassware, unpacked,.....	25	Pocketbook-makers,.....	50
Grate-makers,.....	25	*Pocketbook-makers' stock,.....	25
Grocers, with any hazardous articles, ..	10	Porter-houses,.....	10
Gun-makers, or gunsmiths,.....	10	Printers of newspapers and engravings,.....	25
*Hardware and cutlery,.....	10	do. of books and jobbing,.....	50
(Anvils, anchors, chain cables, and iron or steel in bars excepted.)		Privies, and fences, and piazzas of wood,.....	100
Hat-finishers,.....	10	Rags, in packages,.....	10
Hats, grass, straw, or chip bleaching,.....	25	Rag stores and junk dealers,.....	25
Hat manufacturers,.....	50	Sailmakers,.....	10
Hay, pressed in bundles,.....	10	Saltpetre,.....	10
Hay, unpacked,.....	50	Sash and frame-makers,.....	100

	Cents.		Cents.
Segar-makers,.....	10	Tar,.....	10
Ship-chandlers,.....	25	Taverns,.....	10
Ships in port or cargoes,.....	65	Tin or sheet-iron workers,.....	25
Ships or other vessels, when building or repairing, or ship builders' stock in the yard,.....	100	Tobacco manufacturers,.....	25
*Silversmiths' stock and tools,.....	25	*Toy-shop-keepers' stock,.....	25
Snuff-makers,.....	25	Turpentine,.....	10
Soap-makers,.....	25	Turners,.....	25
Spirit-gas makers and sellers,.....	100	Type founders,.....	25
Spirituos liquors,.....	10	Upholstery manufacturers,.....	25
Spirits of turpentine,.....	25	Varnish,.....	25
Stables, livery,.....	100	Victualling shops,.....	10
Stables, private,.....	50	*Watches in packages, as imported,...	10
*Stationers' stock,.....	25	*Watchmakers' stock and tools,.....	25
Stoneware, (see earthenware.)		*Window or plate glass, in boxes,.....	10
Stove manufacturers,.....	25	*Window or plate glass, unpacked,....	25
Sugar refiners,.....	100	*Wine, in glass, in packages,.....	10
Sulphur,.....	10	*Wine, in glass, unpacked,.....	25
Tallow-melters or chandlers,.....	50	Wine dealers' stock, not including wine or liquor in glass,.....	10
Tallow,.....	10	*Woodenware and basket sellers,.....	10

The following deductions, on the amount of premiums, to be made on insurances effect-
ed for a longer period than one year :

For 2 years,.....	3 per cent.	For 5 years,.....	10 per cent.
“ 3 “	6 “	“ 6 “	12 “
“ 4 “	8 “	“ 7 “	1 year.

STATISTICS OF INSURANCE IN MASSACHUSETTS.

Abstract of the Annual Returns of the several Insurance Companies in the Common
wealth of Massachusetts, showing the state of said corporations on the first day of
December, 1840. Compiled from the Report of the Secretary of State.

Names.	Capital.	At Risk.		Average an- dividends for 5 preceding years, or since incorporated.	Amount of Fire Losses paid the last year.	Amount of Mar. Losses paid the last year.
		Marine.	Fire.			
Boston.						
American,	\$300,000	\$2,372,569	\$2,641,832	10 pr. ct.	\$54,804 26	\$70,650 88
Atlantic,	250,000	1,348,964		4 4-5 “		25,995 90
Atlas,	135,000	233,550	120,420	4 3-5 “		38,431 38
Boston,	300,000	1,485,684		11 “		79,318 26
Boylston Fire & Ma.	300,000	233,946	1,622,174	7 “	863 09	2,902 92
Firemen's,	300,000		7,353,857	3 2-5 “	32,928 90	
Fishing,	100,000	482,469		3 “		47,061 38
Franklin,	300,000	1,420,536	2,079,327	8 “	53,592 88	67,523 19
Hope,	200,000	704,193		5 40-100 “		34,032 41
Manufacturers, . .	300,000	2,024,440	11,182,011	12 2-5 “	80,640 15	27,781 69
Mass. Fire & Marine	300,000	171,057	1,198,328	6 1-2 “	50 00	3,982 82
Mercantile Marine,	300,000	1,868,240		4 “		51,688 63
Merchants',	500,000	6,902,537	12,580,768	25 46-100 “	81,101 72	147,889 90
National,	500,000	4,275,807	6,907,912	9 2-5 “	52,257 14	138,638 51
Neptune,	200,000	4,232,978	1,184,674	6 4-5 “	10,189 16	110,511 00
N. E. Marine,	300,000	1,564,781		6 “		90,237 90
Ocean,	200,000	2,098,777	1,340,640	12 4-5 “	3,117 11	228,278 50
Suffolk,	225,000	886,852		8 1-5 “		27,016 00
Tremont,	200,000	2,528,007	1,297,886	10 “	3,600 00	97,878 77
United States, . . .	200,000	1,439,575	330,122	6 “	2,000 00	67,588 00
Warren,	100,000	612,470		3 4-5 “		48,329 05
Washington,	200,000	1,391,305		10 1-5 “		36,106 96
Offices in Boston,	5,710,000	38,278,737	49,839,951		375,144 41	1,441,844 05

STATISTICS OF INSURANCE IN MASSACHUSETTS.—CONTINUED.

Names.	Capital.	At Risk.		Average an. dividends for 5 preceding years, or since incorporated.	Amount of Fire Losses paid the last year.	Amount of Mar. Losses paid the last year.
		Marine.	Fire.			
GLOUCESTER.						
Gloucester,	\$50,000	\$71,169 00		5 2-5 pr. ct.		\$9,493 42
LYNN.						
Lynn Mec. F. & M.	50,000	42,752 00	\$66,250	17 1-5 "		3,456 47
Union Fire & Mar.	50,000	16,843 00	18,900	2 2-5 "		171 28
MARBLEHEAD.						
Marblehead Marine	100,000	314,640 00		9 "		8,681 41
NEWBURYPORT.						
Essex Marine, . . .	50,000	224,229 00	48,460	6 "		19,296 21
SALEM.						
Essex,	100,000	653,664 00	265,500	6 18-100 "		17,656 73
Oriental,	200,000	686,115 00		8 4-5 "		14,318 60
Salem Commercial,	200,000	780,542 00		8 4-5 "		4,256 45
Union Marine, . . .	100,000	289,900 00		8 "		15,705 30
SPRINGFIELD.						
Springfield Fire, .	100,000		1,759,535	13 1-5 "	\$6,170 00	
FAIRHAVEN.						
Fairhaven,	100,000	716,076 00		10 4-5 "		8,964 30
NEW BEDFORD.						
Bedford Commer.	150,000	2,556,824 00		17 4-5 "		25,775 00
Mechanics,	100,000	2,109,848 00		18 "		34,292 68
Merchants,	100,000	1,889,325 50		14 8-10 "		39,337 02
Pacific,	100,000	1,420,593 00		10 "		4,894 71
PLYMOUTH.						
Old Colony,	50,000	131,370 83		8 1-2 "		11,625 45
PROVINCETOWN.						
Fishing,	40,000	26,781 00		5 "		1,131 00
Union,	50,000	22,181 00				
NANTUCKET.						
Commercial,	75,000	400,287 00		8 "		353 50
19 offices out Bost.	1,765,000	12,353,140 33	2,158,645		6,170 00	219,409 53
22 " in "						
41 Total,	7,475,000	50,631,877 33	51,998,596		381,314 41	1,661,253 58

Amount of insurance capital in Massachusetts,	7,475,000 00
" invested in U. S. Stock and Treasury Notes,	5,000 00
" " in Massachusetts Bank Stocks,	4,937,301 75
" " in State Stock,	118,107 50
" of loans on bottomry and respondentia,	276,520 31
" invested in real estate,	661,549 99
" secured by mortgage on the same,	962,657 13
" of loans on collateral and personal security,	905,241 42
" of loans on personal security only,	189,639 38
" of cash on hand,	199,184 91
" reserved in contingent funds,	583,168 43
" invested in railroad stock,	150,585 08
" of losses ascertained and unpaid,	153,156 04
" of estimated losses exclusive of such as are returned as ascertained and unpaid,	261,685 00
" of premium notes on risks terminated,	747,571 14
" " " " not terminated,	1,723,246 00
Total amount of premium notes,	2,506,824 51
Amount of notes considered bad or doubtful, not charged to profit and loss,	59,232 29

Amount of marine risks,.....	\$50,631,877 33
“ of fire risks,.....	51,998,596 00
“ of premium on fire risks undetermined,.....	349,339 39
“ of capital stock pledged to the companies,.....	112,120 00
“ of fire losses paid the last year,.....	381,314 41
“ of marine losses paid the last year,.....	1,661,253 58

NAUTICAL INTELLIGENCE.

HARBOR REGULATIONS OF PORT NATAL.

The London Journal of Commerce, (one of the most valuable journals on our foreign exchange list,) extracts from the *Zuid Afrikaan* of August 7, such of the instructions for the harbor-master at Port Natal, issued 6th of February, 1840, as are important to captains of vessels. Every vessel entering the harbor shall have to pay the sum of forty rixds. for pilotage and anchorage. That the harbor-master shall act as pilot, and conduct vessels to a good anchorage, also render all possible assistance to them at their departure, taking care that one vessel do not obstruct the anchorage of another, and that no stones or filth be thrown on the beach opposite the anchorage. That the captain or his agent shall, as soon as possible, produce to the superintendent of customs all ships' papers, in order to report and enter the vessel; and the ship's papers are to be returned to the captain, who, or his agent, is to bind himself in the sum of three hundred rix-dollars for the due observance of the port regulation. No goods, except passengers' baggage, to be allowed to be landed before the vessel's entry at the customhouse, which is to be done as soon as possible, or within twenty-four hours after arrival; and no papers shall be kept back, if demanded by the chief officer. That a permit is to be taken out by every consignee or shipper, for landing or shipping goods, and by the captain for taking in ship's stores, and for which permit one rix-dollar shall be paid. That a duty of ten per cent. shall be levied on wine, beer, and spirituous liquors; and on every other importation, three per cent. on the amount of the invoice, freight and charges not included, and the duties to be paid before the landing of the goods. That ammunition or utensils of war, wheat, and other grain, garden seeds, breeding cattle, salt, and flour, shall be permitted to be imported duty free. That no captain shall have the right to leave behind any of his crew, without the permission of the landdrost, nor take any one with him without the knowledge of the harbor-master. That all weights and measures shall be Dutch, the liquid measure old English, and all solid measures Rhyndland. That a building shall be provided as a government store,—one rix-dollar per week to be paid for each ton; and persons storing more than five tons for a long time, or for more than one month, shall pay one rix-dollar per month for each ton. The captain or agent shall have to hand to the harbor-master, on his demanding the same, all private letters, who shall have to transmit them in his capacity as postmaster. Any vessels entering the harbor, and having slaves on board, shall, together with the cargo, be confiscated, the slaves immediately be considered as free persons, and the captain and crew placed under arrest, until such time as an opportunity shall offer to send them back to their place of residence.

NEW LIGHTHOUSE AT STOCKHOLM.

The following has been received at Lloyd's from the Swedish and Norwegian General Consulate, dated London, Nov. 21, 1840:

“ SIR,—I have the honor to communicate to you, for the information of mariners, the

following translation of an ordinance issued by the Royal Navy Board, at Stockholm, on the 30th October, and to which I am free to request that you will give publicity.

"1. That a new lighthouse of stone has been erected on the Utklippon, situated in north latitude $55^{\circ} 56'$, and in longitude $33^{\circ} 50'$ E. from Faro, about $2\frac{3}{4}$ German or geographical miles south from the castle of Kungsholm, near Carlskrona, in which tower has been placed a revolving light, which gives three equal clear flames within a period of six minutes, with equally long intervals of darkness. The height of the tower is 32 feet above the rock, and the light 58 feet above the level of the sea; consequently the latter ought, in clear weather, to be seen $2\frac{1}{2}$ geographical miles distant or more from a vessel whose deck is ten feet above the water.

"2. That, instead of the former coal beacon at Landsort, outside the old entrance to Stockholm, a revolving light has been erected, consisting of a triangle with three reflectors on each side, which, similar to the one at Utklippon, will give three strong flames, with equally long intervals of darkness, within a period of six minutes. The tower, which has been partially altered, is 64 feet high, and the light being 147 feet above the level of the sea, ought, in clear weather, to be visible four geographical miles distant or more from a ship's deck ten feet above the sea.

"The above mentioned two lights will be exhibited on the 19th of November, and continue at the same times of the day and night as at other lighthouses in the kingdom.

"I have the honor to remain, sir,

Your most obedient servant,

(Signed)

"CHARLES TOTTIE.

"To Wm. Dobson, Esq., Secretary, Lloyd's, London."

SUNKEN ROCKS NEAR THE AZORE ISLANDS.

The following important information to mariners has appeared in the *Lisbon Official Gazette* :—

MARINE AND COLONIAL OFFICE.—"The master of the Brazilian brig *Constante*, which arrived in this port on the 18th ult., from Paraiba, having reported to the major-general of the fleet, that he saw and approached closely two sunken rocks, the first of which is situated in N. lat. $37^{\circ} 56' 20''$, long. W. of Greenwich $33^{\circ} 4' 8''$; and the second in N. lat. $38^{\circ} 26' 44''$, long. W. $30^{\circ} 25' 10''$, and neither of which has ever been marked down in any chart of the Azore Islands—the first being mentioned in Norie's general chart as doubtful, and the second merely as having been seen by Captain Robson. Her majesty the Queen orders the said major-general to cause the first ship of war proceeding to those seas to examine and ascertain the exact position of the said rocks, in order that the same may be made public.

(Signed)

"CONDE DO BOMFIN.

"Palace of Necessidades, Oct. 12, 1840."

SIGNAL AT PORT OSTEND.

The following is a copy of a circular received at Lloyd's from Sir George H. Seymour, the British Minister at the court of Austria :—

"PORT OF OSTEND.—Notice is hereby given to mariners, that from the 1st of November, 1840, a bell recently placed near the tide light upon the battery of the east pier-head of the harbor of Ostend, will signalize in foggy weather the approach of the entrance of this port as follows :—As soon as there are four metres, forty centimetres (sixteen feet of Ostend) water on the bar at the entrance of the harbor, the bell will be rung every quarter of an hour, during five minutes, until the water has fallen to four metres, forty centimetres (sixteen feet of Ostend.)—Brussels, Oct. 9."

COMMERCIAL STATISTICS.

ANNUAL EXPORTS AND IMPORTS FROM 1791 TO 1840.

A tabular statement, exhibiting the value of imports and exports, excess of imports over exports, and exports over imports, in each year from 1791 to 1840, from the report of the Secretary of the Treasury of Dec. 9, 1840.

Year.	Value of imports.	Value of exports.	Excess of imports over exports.	Excess of exports over imports.
1791	\$52,000,000	\$19,012,041	\$32,987,959	.....
1792	31,500,000	20,753,098	10,746,902	.....
1793	31,100,000	26,109,572	4,990,428	.....
1794	34,600,000	33,026,233	1,573,767	.....
1795	69,756,268	47,989,472	21,766,796	.....
1796	81,436,164	67,064,097	14,372,067	.....
1797	75,379,405	56,850,206	18,529,200	.....
1798	68,551,700	61,527,097	7,024,603	.....
1799	79,068,148	78,665,522	402,626	.....
1800	91,252,768	70,971,780	280,988	.....
1801	111,363,511	94,115,925	17,247,586	.....
1802	76,333,333	72,483,160	3,850,173	.....
1803	64,666,666	55,800,033	8,866,633	.....
1804	85,000,000	77,699,074	7,300,926	.....
1805	120,000,000	95,566,021	24,433,975	.....
1806	129,000,000	101,536,963	27,463,037	.....
1807	138,000,000	108,343,150	29,656,850	.....
1808	56,990,000	22,430,960	34,559,040	.....
1809	59,400,000	52,203,231	7,196,769	.....
1810	85,400,000	66,757,974	18,642,026	.....
1811	53,400,000	61,316,831	.....	\$7,916,831
1812	77,030,000	38,527,236	38,502,764	.....
1813	22,005,000	27,855,997	.....	5,850,997
1814	12,965,000	6,927,441	6,037,559	.....
1815	113,041,274	52,557,753	60,483,521	.....
1816	147,103,000	81,920,452	65,182,548	.....
1817	99,250,000	87,671,569	11,578,431	.....
1818	121,750,000	93,281,133	28,468,867	.....
1819	87,125,000	70,142,521	16,982,479	.....
1820	74,450,000	69,691,669	4,758,331	.....
1821	62,585,724	64,974,382	.....	2,388,658
1822	83,241,541	72,160,377	11,081,260	.....
1823	77,579,267	74,699,030	2,880,237	.....
1824	80,549,007	75,986,657	4,562,350	.....
1825	96,340,075	99,535,388	.....	3,195,313
1826	84,974,477	77,595,322	7,379,155	.....
1827	79,484,068	82,324,827	.....	2,840,759
1828	88,509,824	72,264,686	16,245,138	.....
1829	74,492,527	72,358,671	2,133,856	.....
1830	70,876,920	73,849,508	.....	2,972,588
1831	103,191,124	81,310,583	21,880,541	.....
1832	101,029,266	87,176,943	13,852,323	.....
1833	108,118,311	90,140,433	17,977,878	.....
1834	126,521,332	104,336,973	22,184,359	.....
1835	149,895,742	121,693,577	28,202,165	.....
1836	189,980,035	128,663,040	61,316,995	.....
1837	140,989,217	117,419,376	23,569,841	.....
1838	113,717,404	108,486,616	5,230,788	.....
1839	162,092,132	121,028,416	41,063,716	.....
1840	104,805,891	131,571,950	.....	26,766,059

EXPORTS AND IMPORTS UNDER EACH PRESIDENCY.

A tabular view of the value of exports and imports during the administrations of Monroe, Adams, Jackson, and Van Buren, from 1821 to 1840, as appended to the report of the Hon. Levi Woodbury, Secretary of the Treasury, Dec. 9th, 1840.

Years.	VALUE OF EXPORTS.			Value of imports.	Excess of imports over exports.	Excess of exports over imports.
	Domestic produce.	Foreign produce, &c	Total.			
	DOLLS.	DOLLS.	DOLLS.	DOLLS.	DOLLS.	DOLLS.
Monroe's 2d.	1821	43,671,894	21,302,488	64,974,382	62,585,724	2,388,658
	1822	49,874,079	22,286,202	72,160,281	83,241,541	11,081,260
	1823	47,155,408	27,543,622	74,699,030	77,579,267	2,880,237
	1824	50,649,500	25,337,157	75,986,657	80,549,007	4,562,350
	191,350,881	96,469,469	287,820,350	303,955,539	18,523,847	2,388,658
Adams.	1825	66,944,745	32,590,643	99,535,388	96,340,075	3,195,313
	1826	53,055,710	24,539,612	77,595,322	84,974,477	7,379,155
	1827	58,921,691	23,403,136	82,324,827	79,484,068	2,840,759
	1828	50,669,669	21,595,017	72,264,686	88,509,824	16,245,138
	229,591,815	102,128,408	331,720,223	349,308,444	23,624,293	6,036,072
Jackson's 1st.	1829	55,700,193	16,658,478	72,358,671	74,492,527	2,133,856
	1830	59,462,029	14,387,479	73,849,508	70,876,920	2,972,588
	1831	61,277,057	20,033,526	81,310,583	103,191,124	21,880,541
	1832	63,137,470	24,039,473	87,176,943	101,029,266	13,852,323
	239,576,749	75,118,956	314,695,705	349,589,837	37,866,720	2,972,588
Jackson's 2d.	1833	70,317,698	19,822,735	90,140,433	108,118,311	17,977,878
	1834	81,024,162	23,312,811	104,336,973	126,521,332	22,184,359
	1835	101,189,082	20,504,495	121,693,577	149,895,742	28,202,165
	1836	106,916,680	21,746,360	128,663,040	189,980,035	61,316,995
	359,447,622	85,386,401	444,834,023	574,515,420	129,681,397	.....
Van Buren.	1837	95,564,414	21,854,962	117,419,376	140,980,177	23,560,801
	1838	96,033,821	12,452,795	108,486,616	113,717,404	5,230,788
	1839	103,533,891	17,494,525	121,028,416	162,092,132	41,063,716
	1840	113,762,617	17,809,333	131,571,950	104,805,891	26,766,059
	408,894,743	69,611,615	478,506,358	521,595,604	69,855,305	26,766,059

Excess of imports during Mr. Monroe's 2d term, \$16,135,189; Mr. Adams' term, \$17,588,221; General Jackson's 1st term, \$34,894,132; General Jackson's 2d term, \$129,681,397; Mr. Van Buren's term, \$16,323,187.

FLOUR TRADE OF BALTIMORE IN 1840.

The following is the amount of flour inspected in Baltimore during the year 1840, as made up from the returns of the inspections:

	Bbls.	Half-bbls.
Howard street,.....	497,736	7,570
City mills,.....	217,256	24,036
Susquehanna,.....	49,123	00
Total,.....	764,115	31,606

Besides the above, there were inspected during the year 1,196 hhd., 12,789 bbls., and 93 half-bbls. corn meal; and 5,676 bbls. rye flour.

We subjoin the inspections of flour for the preceding ten years :

Years.	Bbbs.	Half-bbbs.	Tot. in bbbs.	Years.	Bbbs.	Half-bbbs.	Tot. in bbbs.
1830	587,875	16,959	597,804	1836	393,924	13,593	400,720
1831	544,373	21,537	555,141	1837	391,676	14,777	399,064
1832	518,674	17,544	527,446	1838	420,636	19,223	430,247
1833	524,620	18,072	533,656	1839	550,982	19,786	560,875
1834	480,733	17,264	489,365	1840	764,115	31,606	779,918
1835	516,600	21,833	527,266				

COMMERCE OF APALACHICOLA.

The Commercial Advertiser furnishes the following commercial statistics of the city of Apalachicola. The customhouse books previous to 1835 having been accidentally destroyed, the exports of cotton up to that period are merely estimates, which are believed to be nearly or quite correct.

Cotton shipped from Apalachicola.

1829.....	800 bales.	1835.....	32,684 bales.
1830.....	1,200 "	1836.....	51,673 "
1831.....	2,400 "	1837.....	32,584 "
1832.....	5,500 "	1838.....	48,880 "
1833.....	12,700 "	1839.....	34,935 "
1834.....	23,650 "	1840.....	72,232 "

This is calculated up to the 1st of October of each year. The disparity between '36 and '37, may be explained by remembering that it was in those years that the town of St. Joseph was originated, and took away some of the crop from this place. In 1839 the crop was short, which accounts for the falling off in the export. But taking all things into consideration, it displays an average prosperity, greater than any we have seen reported.

We are unable to ascertain the number of vessels that cleared from this port previous to 1835, but the following table shows the clearances in the respective years mentioned :

Number of Clearances from this Port.

Years.	Schrs.	Brigs.	Barques.	Ships.
1835.....	82	49	2	13
1836.....	99	51	11	24
1837.....	93	68	10	16
1838.....	102	55	8	17
1839.....	92	37	8	17
1840.....	84	56	12	26

This is accounted for in all the years excepting 1840, up to the first of January.

IMPORTS OF TEA INTO THE UNITED STATES

The following statement, derived from the Boston Courier, exhibits the amount of exports from Canton to the United States for the last seven years :

1840.....	chests, 254,000	1836.....	chests, 215,000
1839.....	" 118,000	1835.....	" 167,906
1838.....	" 183,220	1834.....	" 223,914
1837.....	" 197,804		

In the exports for 1840, are included all the teas shipped for the United States previous to the blockade of Canton river. Of the shipments of 1839 and 1840, 4000 chests were lost in the ship Mandarin, and about 10,000 chests destroyed by fire in New York. The average supply of the last two years, it will be seen by the above, falls short about 10 per cent. of the average quantity received the preceding five years. A much larger quantity than usual has been exported, in consequence of an advance having taken place much earlier in Europe than in this country; but this demand has now ceased. The present stock of all kinds, including the cargoes of vessels expected to arrive, is computed at about 78,000 chests.

ARRIVALS AT NEW YORK, 1840.

A statement of foreign arrivals at the port of New York, prepared by Mr. James Thorne, boarding-officer of the United States Revenue Department, as published in the Shipping and Commercial List.

FROM FOREIGN PORTS.	
Steamers,.....	15
Ships,.....	521
Barques,.....	229
Brigs,.....	776
Galliot,.....	7
Schooners,.....	404
Sloop,.....	1
Total,.....	1953

Of which there were—

	Ships.	Barques.	Brigs.	Schrs.		Ships.	Barques.	Brigs.	Schrs.
American,.....	483	135	557	297	Spanish,.....			1	
English,.....	11	37	151	94	Arabian,.....	1			
Bremen,.....	9	22	10	1	Genoese,.....		1		
Swedish,.....	7	9	18		Lubec,.....			1	
French,.....	5	9	7		Venezuelian,....				1
Hamburg,.....	3	7	1		Haytien,.....			1	
Dutch,.....				6	Prussian,.....			1	
Sicilian,.....		3	7		Portuguese,....			1	
Danish,.....			6	1	Hanoverian,....				1
Columbian,....			6	1					
Austrian,.....	2	1	3		American,.....				1
Sardinian,.....		2	2		English,.....		1		
Norwegian,....		2	1		Bremen,.....			1	
Belgian,.....		1			Dutch,.....			5	
Neapolitan,....			2		Belgian,.....			1	
Brazilian,.....			2		Spanish,.....		1		

NUMBER OF FOREIGN ARRIVALS.

In 1830.....	1510	In 1836.....	2292
1831.....	1634	1837.....	2071
1832.....	1808	1838.....	1790
1833.....	1926	1839.....	2159
1834.....	1932	1840.....	1953
1835.....	2043		

ARRIVALS OF BRITISH VESSELS,

(included in the above.)

In 1830.....	92	In 1836.....	367
1831.....	278	1837.....	241
1832.....	369	1838.....	230
1833.....	371	1839.....	337
1834.....	303	1840.....	307
1835.....	287		

NUMBER OF COASTWISE ARRIVALS IN 1840.

	Ships.	Barques.	Brigs.	Schrs.	Total.		Ships.	Barques.	Brigs.	Schrs.	Total.
January.....	13	2	35	100	150	December, ..	17	5	52	201	275
February, ..	11	1	38	130	180	Total, ..	157	29	554	2921	3661
March,.....	29	6	53	246	334	Whole number as above,.....					3661
April,.....	8	2	37	288	335	which, added to the foreign.....					1953
May,.....	13	1	49	310	373	makes a total for the year of.....					5614
June,.....	14	2	73	410	499	Whole number last year,.....					6487
July,.....	7	3	42	280	332	Decrease,.....					873
August,.....	7		36	265	308						
September, ..	9	1	42	244	296						
October, ..	14	2	50	232	298						
November, ..	15	4	47	215	281						

Note.—In the above, there are no sloops included, which, if added to the many schooners from Philadelphia and Virginia, with wood and coal, which are never boarded, (owing to the remoteness of the points at which they come in,) would make the number much greater.

NUMBER OF PASSENGERS ARRIVED.	
In 1830.....	30,224
1831.....	31,779
1832.....	48,589
1833.....	41,752
1834.....	48,110
1835.....	35,503
In 1836.....	60,541
1837.....	51,975
1838.....	25,581
1839.....	48,152
1840.....	62,797

MASSACHUSETTS MACKEREL FISHERY.

A Table, exhibiting the number of barrels of mackerel inspected in the Commonwealth of Massachusetts in each year, from 1831 to 1840.

Nos. One. Two. Three.			Nos. One. Two. Three.				
Boston,.....	2,987	1,619	3,087	Harwich,.....	3	22	45
Gloucester,....	5,567	1,888	1,104	Beverly,.....	2	3	
Newburyport, ..	2,903	1,109	1,797				
Hingham,.....	2,222	1,164	3,744				
Cohasset,.....	824	1,092	3,103				
Dennis,.....	907	605	1,497	Total for 1840.....	19,479	11,296	20,217
Truro,.....	1,018	696	1,074	do 1839.....			50,992
Barnstable,....	367	410	1,137	do 1838.....			73,018
Wellfleet,.....	983	1,069	1,860	do 1837.....			108,538
Scituate,.....	285	229	548	do 1836.....			138,157
Chatham,.....	116	27	7	do 1835.....			176,931
Plymouth,.....	172	97	61	do 1834.....			194,450
Yarmouth,.....	493	441	444	do 1833.....			252,884
Provincetown, ..	584	793	709	do 1832.....			212,946
Salem,.....	46	2		do 1831.....			212,452
				do 1830.....			383,559

CANAL SHIPMENTS AT BUFFALO.

The amount of tolls on property shipped on the canal at Buffalo during the present year, is \$410,888 55. The following are some of the principal articles, compared with the three previous years:

Year.	Flour, bbls.	Wheat, bush.	Pork, bbls.	Corn, bush.	Ashes, bbls.	Beef, bbls.
1837	126,808	450,350	24,414	94,490	7,705	54
1838	277,620	933,117	15,717	34,198	8,237	404
1839	288,165	965,000	23,667	52,728	10,898	966
1840	639,633	883,100	18,435	47,885	9,008	7,027

TOBACCO TRADE OF PHILADELPHIA.

Quantity of Tobacco inspected at the Philadelphia City Warehouse in 1839 and 1840.

	1839.	1840.
Kentucky,.....	hhds. 2,292	4,729
Virginia,.....	233	478
Ohio,.....	17	33
Maryland,.....	10	8
Total,.....	2,552	5,298

SPERM AND WHALE OIL.

In the January number of this magazine, we published tables exhibiting the quantity of sperm oil imported into the United States in each year from 1815 to 1839, together with the average price per gallon; also the number of vessels that arrived at each port in the United States, and the number of barrels of sperm and whale oils imported into different places in 1839. We now proceed to give a statement of the whale fishery for 1840, by which it will be seen that the arrivals of sperm oil for 1840 exceeded those of 1839 by about 15,000 barrels, while the whale oil falls short about 20,000 barrels.

It may be well to notice here, that the exports of sperm oil to England this year have exceeded those of any previous year, from 15 to 20,000 barrels having been exported, which would leave about the same quantity for home consumption in 1840 as we had in 1839. The great and continuing decrease of import (nearly two-thirds decrease within 20 years) into Great Britain, will hereafter exercise a greater influence on our prices of sperm oil, than we have heretofore felt, as the different manufacturers have greatly increased the use of sperm oil; thus, in case of an over-import into the States, and the prices are low, it will be taken for export.

Arrivals of Oil into the United States in 1840.

	<i>Ships & Barks.</i>	<i>Brigs.</i>	<i>Schrs.</i>	<i>Bbls. Sperm.</i>	<i>Bbls. Whale.</i>
New Bedford and Fairhaven,.....	70	11	1	63,465	75,411
Nantucket,.....	22		3	43,330	2,275
Sag Harbor,.....	15			2,730	27,320
New London and Mystic,.....	19	3	1	5,145	38,320
Salem,.....	6			4,330	8,120
Boston, including ships of Lynn, Newbury- port, and Plymouth,.....	6	4		6,420	8,600
New York, including places on N. River,...	8	1		4,600	11,600
Newport,.....	3			4,850	200
Falmouth,.....	3			3,150	1,300
Edgartown,.....	3			3,380	2,300
Westport,.....	3	3		2,255	25
Warren,.....	5			2,110	10,285
Bristol,.....	2	2		2,035	1,225
Stonington,.....	2	2	1	1,200	6,450
Greenport,.....	3	1		410	2,790
Bridgeport,.....	2			590	2,910
Rochester,.....		4		1,395	30
Provincetown,.....		3		1,950	
Wareham,.....	1	2		1,080	1,500
Other places,.....	2	6		2,020	2,780
Total for 1840,.....	175	42	6	156,445	203,441
do 1839,.....	193	31	3	141,564	223,523

IMPORT DUTIES OF GREAT BRITAIN.

A late number of the London Commercial List, contains a review of the "Report of the Select Committee of the House of Commons, upon Import Duties." The report, which, it appears, is a volume of over 300 pages, strongly recommends a change in customhouse legislation. It states that 1150 articles are subject to import duty, besides articles unenumerated. The total amount of revenue from these 1150, is £22,962,610, and out of this amount nine articles alone produced in 1838, £18,575,071, and ten more produced £1,838,630; thus nineteen articles out of the 1150 produced £20,413,701, leaving 1131 articles, producing, for such a great number, the very insignificant contribution to the revenue of only £2,548,909!

The committee express a conviction that prohibitory duties are totally unproductive to the revenue, and operate as a very heavy tax upon the country at large. Protective duties they also consider as of but little service to the parties professedly protected. They recommend that, as speedily as possible, the whole system of different duties, and of all restrictions, should be reconsidered; and that a change therein be effected, in such a manner that existing interests may suffer as little as possible in the transition to a more liberal and equitable state of things.

A persuasion is expressed that the difficulties of modifying the discriminating duties

which favor the introduction of British colonial articles, would be very much abated if the colonies were themselves allowed the benefits of the free trade with all the world.

Among the witnesses examined before the committee was John M'Gregor, Esq., one of the Joint Secretaries of the Board of Trade. He stated that the ten leading articles, which produced £20,502,566 revenue in 1839, were—

Sugar and molasses,.....	£4,826,917
Tea,.....	3,658,763
Spirits,.....	2,615,413
Wine,.....	1,849,308
Tobacco,.....	3,495,686
Coffee and cocoa,.....	749,818
Fruits of all kinds,.....	462,002
Timber and dyewoods,.....	1,668,584
Corn, grain, meal and rice,.....	1,131,075
Total,.....	£20,502,566

CANAL COMMERCE OF OHIO.

COLLECTOR'S OFFICE, }

CLEVELAND, (Ohio,) January 1st, 1841. }

Of property on which toll is charged by weight, there arrived at Cleveland, by way of the canal, during the past year,.....pounds 280,233,820
 During the year 1839, there arrived..... 186,116,267

Being an increase of..... 94,117,553

The following are the principal articles of property that arrived at Cleveland, by way of the canal, during the years 1839 and 1840 :—

	1839.	1840.
Bushels Wheat,.....	1,520,477	2,151,450
do Corn,.....	64,825	72,842
do Oats,.....	15,901	22,881
do Mineral coal,.....	140,042	167,045
Barrels Flour,.....	266,337	504,900
do Pork,.....	30,535	23,000
do Whiskey,.....	6,020	9,967
Pounds Butter,.....	119,727	782,033
do Cheese,.....	200	22,890
do Lard,.....	869,805	513,452
do Bacon,.....	1,316,273	683,499
do Pig Iron,.....	768,300	1,154,641
do Iron and Nails,.....	48,659	2,252,491
Hhds. Tobacco,.....	327	932
Pieces Staves and Heading,.....	778,931	634,954
Cords Wood,.....	3,070½	2,809½

Of property on which toll is charged by weight, there were cleared at Cleveland, by the way of the canal, during the past year,.....pounds 42,772,233
 During the year 1839 there were cleared..... 64,342,361

Being a decrease of..... 21,570,128

The following were the principal articles of property that were cleared at Cleveland, by the way of the canal, during the years 1839 and 1840 :—

	1839.	1840.
Barrels Salt,.....	110,447	76,729
do Lake Fish,.....	9,062	8,959
Pounds Merchandise,.....	17,455,703	9,563,396
do Furniture,.....	1,623,155	1,215,167
do Gypsum,.....	2,631,730	1,770,016
Feet Lumber,.....	3,050,192	1,265,656
M. Shingles,.....	2,216½	2,560½
Pairs Millstones,.....	30	21

D. H. BEARDSLEY, Collector.

AMERICAN SOAPS, OIL, &c.

J. S. Sleeper, Esq., the editor of the Boston Mercantile Journal, has recently been led to investigate this rather important branch of domestic business, to some extent. The details furnished, are well worthy of observation, and some among them of permanent record. It seems the quantity of common washing soap manufactured in Boston and its vicinity, for exportation and domestic use, from the most correct data, is—

Of yellow, of different qualities, for shipping,.....	lbs.	10,000,000
White, for do		75,000
Yellow and brown, for domestic use,.....		1,500,000
White, for do		150,000
		11,725,000

In the manufacture of this quantity of soap, there are made use of, 4,800,000 pounds of tallow, of different qualities; about 12,000 barrels of rosin, and 12,000 casks of lime. A large quantity of salt is also required. The alkali is obtained from several sources. Large quantities of barilla are imported from Teneriffe and the Straits. An artificial barilla is made in the vicinity of Boston, by the decomposition of common salt, and recently the market has been supplied with an excellent article prepared by the Tennants, of Glasgow, called carbonate of soda. A small quantity of potash is used. A very considerable article of alkali is the house ashes, carefully saved and collected by the soap-makers. This, it is rather notable, after being used, is shipped to New York, and sold to the farmers on Long Island, who consider it indispensable in bringing their soil into cultivation. About 170,000 bushels are shipped annually for this use. Some of the manufactories within a few years have made use of whale oil, in various proportions, in their soap. This has injured the reputation of Boston soap quite as much as the process adopted in '92, in the manufacture of the celebrated Portland soap. It will take some time to wash out this stain. At that time, one man paid a verdict of \$1,500 for vending this mixture, and affirmed that he made money by it still.

EXPORTS FROM RUSSIA TO THE UNITED STATES, 1840.

The following exports were made to the United States from Russia during the year 1840 :—

Bar iron,.....	poods,	189,085	Sail cloth,.....	pieces,	41,082
Sheet iron,.....	"	64,757	Ravens duck,.....	"	33,947
Clean hemp,.....	"	96,007	Sheetings,.....	"	24,258
Outshot hemp,.....	"	59,799	Half duck,.....	"	1,627
Half clean hemp,.....	"	18,274	Diapers,.....	arsheens,	3,237,298
Cordage,.....	"	56,720	Crash,.....	"	952,200
Bristles,.....	"	4,085	Quills,.....	"	14,935,000
Feathers,.....	"	11,390			

TRADE AND TOLLS OF THE NEW YORK CANALS.

A Table, showing the amount of tolls received on all the state canals of New York, from the opening of navigation to the first of August, the first of September, and to the close of navigation, for each of the last six years :—

	1st August	1st September.	To close of navigation.
1835,	702,671	863,981	1,548,972
1836,	712,913	925,060	1,614,680
1837,	526,768	649,163	1,293,129
1838,	677,105	844,275	1,588,847
1839,	761,422	913,322	1,616,554
1840,	715,261	912,475	1,772,427