

actually and practically nearer to the little city many leagues away, where indeed he would be so promptly had he but wings? Is he not irresistibly moved to lay his ear to the rail, whereupon he almost dreams that he catches a vibration from home? For him is possible now no such utter isolation as that which would have chilled him had the track not come his way.

But not to further consider special circumstances, it seems to me that many a lovely scene has had its loveliness heightened by the effect of a scar across some portion of it. The scar which the track must make is limited in its extent, and cannot disfigure a landscape whose beauty has much breadth, or is made up at all of large and grand constituents. To the pretty it too surely may prove fatal; but the sublime it has no power to injure. It will rather add, in many cases, a grandeur and a weirdness of its own, taking little away and giving much. Who has not listened to a train at night, thundering in among the hills? The steadfast persistence of the hollow, increasing roar, the wild echoes, and the trembling of the ground, these add something to the night to describe which words seem impotent. The shriek of the whistle and the thousand instant reverberations mocking it, over the forests, the dark length sweeping on with that intense glare in its front, the diminishing roar, and then the silence;—there is a sublimity here which cannot be called in question!

But withdrawing to the one fact, which stands alone not to be gainsaid, that the track does and will make a *scar*, a furrow in earth's face, even for this may be found much consolation. It is good to break through the sweet and fair exterior here and there, to come face to face with what underlies it all, and is the cause and support of it; to know the raw and naked soil, our original in crude form; to make intimate and wholesome acquaintance with our physical brother, the clod, and to find this pleasant and refreshing to our sense so that we gladly acknowledge the kinship. It is good also and comfortable to feel that, no more to our universal mother than to ourselves her children, is it granted to be always wholly beautiful. The wrinkles come and the scars are graven on the earth's bosom as on ours, and as we see this the more clearly the more richly does her sympathy fill us, the more sweetly are we satisfied with nature. "We are what woods, and winds, and waters make us;" but still more truly are we what the soil we spring from makes us. Should we not count ourselves enriched by that which has given us communion, more closely or in any new manner, with the earth out of which we are? Let me not be denied the hope, therefore, that this appeal of mine, though fragmentary and anything but exhaustive, may avail to soften in some, though slight, degree, the aspersions which are heaped upon "the track."

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### A PRUSSIAN AUTOCRAT'S NOTIONS OF JUSTICE.

FREDERIC WILLIAM, father of Frederic the Great, laid great stress on the pure administration of justice, as well as on the necessity for an honest, efficient, and impartial civil service. In respect to the latter he took little account of birth, rank or social standing. He insisted only on capacity and character, and more than once rebuked the pretensions of the nobility to special consideration in the choice of members of the public service. It was the same with regard to justice. The king often did acts of the grossest injustice, but it was rather from impulse and passion than moral callousness; at heart he was a just man, and fully appreciated the importance of an equal administration of the lands. "Bad justice," shouted he once, in an outburst of rhapsodical common place, "is an offence which cries to heaven." Hence, he seldom interfered with the course of private or civil suits; and though he watched more sharply the progress of criminal cases, his chief solicitude was lest too much leniency should be shown, or useless delays weaken the effect even of severe punishment. The power of pardon was sparingly used. The king believed in capital punishment for capital crimes; and the term "capital crimes" included many acts for which now a short time of imprisonment, or a light fine, would be considered an adequate penalty. The gallows was not a mere empty threat, a mere phrase, by which the king bullied and frightened his subjects into obedience, but an active punishment provoked by the most trifling misdemeanours. Often, such as only crossed the king's humour, without being in any sense offences against public morality or public policy.

It has already been shown how the death penalty was made to serve the mercantile system. Deserters lost their heads as a matter of course; but so did citizens who harboured deserters, who, knowingly, neglected to reveal their hiding place, or who failed to join actively in the search for them. Advocates who caused their petitions to be handed to His Majesty

through tall grenadiers—a common device for securing a favourable hearing—were declared liable to the gallows, and to share the gallows with a dog. Theft by domestic servants was made punishable by hanging the offender, whether man or woman, before the house where the crime was committed; and the sentence was actually enforced in a number of cases. These edicts, though savage and cruel, were at least published before they were put in force, and every man is supposed to know the law. But the king, now and then, ordered men to the scaffold for acts which were not forbidden by law, or arbitrarily raised the penalty decreed by the courts. A hasty scrawl on the margin of a judge's decision, or of an officer's complaint, might cost a poor wretch his head. Thus a poacher was commanded by the court to the ordeal by oath or torture: the king ordered him to hang. A Jew, suspected of theft, protested his innocence even on the rack: the king said he would take the responsibility for the wretch, and sent him to the gallows. A poor quartermaster in the army was convicted of defalcation, and although his bond covered the deficit, which he offered to make good, His Majesty wrote:—"I forgive the debt, but let him be hanged." From such judgments there was no appeal. Even delay was dangerous, and, as the king's handwriting was nearly illegible, the most unfortunate mistakes occurred. A tax receiver was once hanged for some apparent irregularity in his accounts, but a second revision of his books, after his death, showed that the first suspicion had been unjust. General Glasenapp, the commandant of Berlin, reported to the king at Potsdam, that a party of masons had made riotous demonstrations on being compelled to work on a holiday, and His Majesty scribbled a reply, which the general read as an order, "to hang Raedel at once without waiting for me." The commandant was in great perplexity. The order was peremptory, but none of the rioters was known as Raedel; and the only person of the name was a lieutenant of the garrison. The innocent officer was, however, arrested, the order read to him, and a clergyman summoned to prepare him for the scaffold. Fortunately, before the sentence was carried out, the order was submitted to an official more familiar with Frederic William's hieroglyphics, and he deciphered them in a different way. The order was to hang the ringleader. Even this was difficult; but the general finally selected a bricklayer who had red hair, red being notoriously a seditious colour. A mild judgment, the king abhorred rather more fiercely than a corrupt or unjust one. But an unjust judgment was sometimes rebuked, and on one occasion, when the sentence failed to meet his ideas of propriety, His Majesty summoned the whole bench of judges to his room, and assaulted them furiously with his cane, knocking teeth out of one, and sending them all flying down the stairway.

It was with Frederic William a rule of conscience never to pardon or commute the death penalty for murder. As murderers, he wisely reckoned men who killed their antagonists in duel, and he issued stringent edicts against "affairs of honour," even between officers; while in their cases the modern military jurisprudence of Prussia looks on duelling with indifference, or even to a certain extent positively encourages it. Suicides were denied Christian burial. Theft and fraud of every kind were peculiarly obnoxious to the king's sense of integrity, and were cruelly punished. Poachers on the royal preserves were summarily hanged; bankruptcy was a crime, whether fraudulent or not; and the crown officials were to proceed against an insolvent debtor without any complaint from the creditors, and even if the creditors interceded in his behalf. The laws against witchcraft still disgraced the statute-book. That the rack had not been abolished is shown by incidents already related; and the most that Frederic William attempted was to restrain the brutality of the officials who were charged with its application.—*From Tuttle's History of Prussia.*

### ART, MUSIC AND THE DRAMA.

THE days of melodrama are drawing to a close on the American stage, but the "Romany Rye" is one of the most tolerable of its exaggerated and objectionable class. This is because it is founded on a novel of real life by the eccentric Bohemian (he lived before the days when that phrase was introduced by poor Henri Murger), George Bonow. That vagabond genius thoroughly knew the gypsy nature, although it is impossible to believe that some of the refinement and delicacy of feeling ascribed to the heroine of the novel, on which the play is based, are not exaggerated. Refinement and ladylike manners are not to be found in conjunction with a life of trapesing about in gypsy waggons. Still the book has a genuine flavour of the Romany camp-fires, and furnishes material for a melodrama which has the one element wanting to most melodramas, verisimilitude. The "Romany Rye" was fairly put on the stage, and though the clerk of the weather was unpropitious, was witnessed by large and appreciative audiences. The scenery was fairly good, especially in the ship scenes.