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THE MERCHANT'S DAUGHTER AND THE JUDGE.

BY CAPTAIN MARRYAT.

It was the land of poetry and song—the land peopled with the memories of the mighty past—the land over which the shadows of a long era rested more gloriously than a present glory. It was beautiful Italy; the air, like a sweet odour, was to the senses as soft thoughts are to the mind, or tender feelings to the heart, breathing serenity and peace. That sweet air swept balmily over the worn brow of an invalid, giving to the pallid hue of his countenance the first faint dawn of returning health.

The eye of the invalid was fixed on the dark characters of a book in combrous binding and massive clasps, which the Roxbury Club would now consider an invaluable black letter; and so absorbed was he in its perusal, that he heard not the approaching steps of visitors, until the sound of their greetings roused him from his meditations.

"The saints have you in their keeping?" said his elder visitor, a man whose brow bore traces of age, though time had dealt leniently with him.

"The dear Madonna bless you!" ejaculated his other visitor, a young girl with the large flashing eyes, the pure oval face, and the classic contour of Italy.

The invalid bowed his head to each of these salutations.

"And now," said the merchant, for such was the elder visitor, "that your wounds are healing, and your strength returning, may we not inquire of your kin and country?"

A slight flush passed over the pale face of the sick man; he was silent for a moment, as if communing with himself, and then replied, "I am of England, and a soldier, albeit of the lowest rank."

"Of England?" hastily responded the merchant, "of England! of heroic England!" He crossed himself devoutly, and started back as if afraid of contamination.

"I may not deny home and country," replied the soldier, mildly.

"But I shall incur the church's censure for harbouring thee!" exclaimed the merchant; "thou knowest not what pains and penalties may be mine for doing thee this service!"

"Then let me forth," replied the soldier; "you have been to me the good Samaritan, and I would not requite you evil; let me go on my way, and may the blessing of heaven be upon you in the hour of your own need!"

"Nay, nay, I said not so. Thou hast not yet strength for the travel, and, besides, England was once the brightest jewel in our holy father's crown, and she might reconcile herself again; but I fear she will not, for your master Henry is a violent, hot-blooded man, and he hath torn away the kingdom from the apostolic care. Know you that your land is under interdict, and that I, as a true son of holy mother church, ought not now to be changing words with thee?"

"Even so," replied the soldier; "but there are many that think the king's grace hardly dealt by."

"The shepherd knoweth best how to keep his fold," replied the merchant, hastily; "but you are the king's soldier; you take his pay; you eat his bread, and doubtless ought to hope the best for him, and even so do I. I would that he might repent and humble himself, and then our holy father would again receive him into the fold; but, now I bethink me, thou wert reading; what were thy studies?"

"The brow of the soldier clouded—he hesitated a moment; but then gathering up his resolution, replied, "In the din of the battle this book was my breastplate, in the hour of sickness my best balm," and he laid the open volume before the merchant.

"Holy saint!" exclaimed the merchant, crossing himself, and drawing back as he held the volume which his church had blessed against the layman. "Thou then art among the heretics who bring down a curse upon thy land. Nay, thy sojourn here may bring down maledictions upon me and mine! upon my

house and home! But thou shalt forth. I will not harbour thee! I will deliver thee over to the church, that she may chasten thee! Away from him, my child! away from him!"

The soldier sat sad and solitary, watching the dying light of the sun, as he passed majestically to shine in other lands. One ray rested only on the thoughtful brow of the lonely man as he sat bracing up his courage to meet the perilous future. As he thus mused, a soft voice broke upon his reverie.

"You are thinking of your own far off home," said the Italian girl; "how I wish that all I love had but one home—it is a grief to have so many homes!"

"There is such a home," replied the soldier.

"Ah!" replied Emilia; "but they say that heretics come not there! Promise me that you will not be a heretic any longer."

The soldier smiled, and sighed.

"You guess why I am here to-night," resumed the Italian girl, "I know it by that smile and sigh. You think that I am come to tell you to seek your own land and home, and, therefore, you smiled, and you just breathe one little sigh because you leave this bright sun—and me."

"Am I then to leave you, perhaps to be delivered over to the power of your implacable church?"

Emilia crossed herself. "No, no, go to your own land and be happy. Here is money; my father could not deny me when I begged it of him with kisses and tears. Go, and be happy, and forget us."

"Never," exclaimed the soldier, earnestly; "never! and you, my kind and gentle nurse, my good angel—you who have brought hope to my pillow, and beguiled the sad hours of sickness in a foreign land—words are but poor things to thank thee with."

"I shall see you no more!" said the young Italian, "and what shall make me happy when you are gone? Who will tell me tales of flood and field? I have been happy when you were here; and yet we met very sadly. My heart stood still when we first found you covered with blood, on our way back to Milan after the battle. You had crept under a hedge as we thought, to die. But I took courage to lay my hand upon your heart, and it still beat; so we brought you home; and never has a morning passed, but I have gathered the sweetest flowers to freshen your sick pillow; and while you were insensible in that terrible fever, I used to steal into your chamber and kneel at your bed-foot, and pray for the Madonna's care. And when you revived you smiled at my flower, and, when you had voice to speak, thanked me."

Emilia's voice was lost in sobs; and what wonder if one from man's sterner nature mingled with them?

The morrow came. The Italian girl gathered a last flower, and gave it in tearful silence to the soldier. He kissed the fragrant gift, & then with a momentary boldness, the fair hand that gave it, and departed. The young girl watched his footsteps till they were lost to sight, listening to them till they were lost to sound, and then abandoned herself to weeping.

"Thou art sad, dear daughter," said a venerable father, as they traversed that once countryed expanse through which we now jostle from the City to Westminster. "Thou art sad, dear daughter."

"Nay, my father," replied the maiden, "I would not be so; but it is hard always to wear a cheerful countenance."

"The heart is sad thou wouldst say—"

"Nay, I mean it not."

"I have scarcely seen thee smile since we entered this England—I may not say this heretic England."

"Hush! dear father, hush! the winds may whisper it; see you not that we are surrounded by a multitude?"

"They are running madly to some revelry."

"Let us leave the path then," said the girl; "it suits not our fallen fortunes, or our dishonoured faith, to seem to mingle in the stream

of folly. Doubtless the king hath some new pageantry."

"Well, and if it be so," replied the father, "happily the gewgaw and the show may bring back the truant smile to thy lip, and the lost lustre to thine eye. Thou art too young to be thus moodily sad. See how anxious, how eager how happy seem this multitude! not one care-worn brow!—thou mayest catch their cheerfulness. We will go with the stream."

The girl offered no further resistance. They were strangers in the land; poor, almost penniless. They had come from their own country to reclaim a debt which one of the nobles of the court had incurred in more prosperous days, when the merchant was rich in silver and gold, and merchandise.

The vast throng poured on, swelling until it became a mighty tide; the bells pealed out, the cannon bellowed, human voices augmented the din. The Thames was lined on either bank; every building on its margin crowded, and its surface peopled. Every sort of aquatic vessel covered its bosom, so that the flowing river seemed rather some broad road teeming with life. Galley after galley, glittering with the gold and the purple, came on laden with the wealth, and the pride, and the beauty of the land, and presently the acclamation of a thousand voices rent the skies, "The King! the King! long live the King!" He came—Henry the VIII., came, in all that regal dignity, and gorgeous splendour, in which he so much delighted.

And then began the pageant, contrived to throw odium on Rome, and to degrade the pretensions of the pope. Two galleys, one bearing the arms of England, the other marked by the papal insignia, advanced towards each other, and the fictitious contest commenced.

None on by the crowd, our merchant and his daughter had been forced into a conspicuous situation. The peculiar dress, the braided hair the beauty and the foreign aspect of the girl had marked her out to the ruder gaudiness of the crowd; so that the father and daughter were themselves objects of interest and curiosity.

The vessels joined, and the mimic contest was begun. Of course the English colours triumphed over the papal. Up to this point, the merchant bore his pangs in silence; but when the English galley had assumed the victory, then came the trial of patience. Effigies of the cardinals were hurled into the stream amidst the shouts and derisions of the mob. At each plange groans issued from his tortured breast. It was in vain that Emilia clung to his arm, and implored him, by every fear, to restrain himself. His religious zeal overcame his prudence; and when, at last, the figure of the pope, dressed in his pontifical robes, was hurled into the tide, the loud exclamation of agony and horror burst from his lips, "Oh monstrous impiety of an accused and sacrilegious king!" sounded loudly above the din of the mob.

It was enough; the unhappy merchant was immediately consigned over to the secular arm.

Oh, sad were those prison hours! The girl told her beads—the father prayed to all the saints—and then came the vain consolations by which each endeavoured to cheat the other. They thought of their own sunny land, its balmy air, its living beauty, and that thought was home.

November came with all its gloom—the month that should have been the grave of the year, coming as it does with shroud and cerecloth, foggy, dark, and dreary; the father's brow numbered more wrinkles, the once black hair was more bleached, the features more attenuated.

And the daughter—ah youth is the transparent lamp of hope—but in her the light was dim.

In fear and trembling the unhappy foreigners waited the day of doom. The merchant's offence was one little likely to meet with mercy. Henry was jealous of his title of head of the church. He had drawn up a code of articles of belief, which his subjects were desired to subscribe to, and he had instituted a court, of which he had made Lord Cromwell vicar-general, for the express trial of those whose

orthodoxy in the king's creed was called in question. Neither could the unhappy merchant hope to find favour with the judge, for it was known that Cromwell was strongly attached to the growing reformation; and from the acts of severity with which he had lately visited some of the adherents of the Romanist creed, in his new character of vicar-general, it was scarcely probable that he would show mercy to one attached, by lineage, and love, to papal Rome. Strangers as they were, poor, unknown and unknown, what had they not to fear, and what was left for hope?

The morning of trial came. The fogs of that dismal month spread like a dark veil over our earth. There was no beauty in the landscape, no light in the heavens, and no hope in the heart.

The judges took their places: a crowd of wretched delinquents came to receive their doom. We suppose it to be a refinement of modern days, that men are not punished for their crimes, but only to deter others from committing them. This count of Henry's seemed to think otherwise; there was all the array of human passion in the judges as well as in the judged. On one hand, recent fear injured his creed; on another, heroism braved all contingencies, courting the pile and the stake, with even passionate desire; and the pile and the stake were given with stern and unrelenting cruelty.

At length there stood at the bar an aged man and a youthful girl; the long white hair of the one fell loosely over the shoulders, and left unshaded a face wrinkled as much by care as by age; the dark locks of the other were braided over a countenance clouded by sorrow, and wet with tears.

The mockery of trial went on. It was easy to prove what even the criminal did not attempt to disguise. The aged merchant avowed his identity to the pope as a true son of the church, denied the supremacy of Henry over any part of the fold, and thus sealed his doom.

There was an awful stillness through the court—stillness the precursor of doom—broken only by the sobs of the weeping girl, as she clung to her father's arm. Howbeit, the expected sentence was interrupted; there came a sudden rush, fresh attendants thronged the court. "Room for Lord Cromwell! room for Lord Cromwell!" and the vicar-general came in his pomp and his state, with all the insignia of office, to assume his place of pre-eminence at that tribunal. Notes of the proceedings were laid before Lord Cromwell. He was told of the intended sentence, and he made a gesture of approbation. A gleam of hope had dawned upon the mind of the Italian girl as Lord Cromwell entered. She watched his countenance while he read; it was stern, indicative of calm determination; but there were lines in it that spoke more of mistaken duty than innate cruelty. Yet, when the vicar-general gave his token of assent, the steel entered Emilia's soul, and a sob, the vice-sentent of despair, ran through that court, and where it met with a human heart, pierced through all the cruelty and oppression that armed it, and struck upon some of the natural feelings that divide men from monsters. That sound struck upon Lord Cromwell's ear, his eye sought the place whence it proceeded; it rested on Emilia and her father. A strange emotion passed over the face of the stern judge—a perfect stillness followed.

Lord Cromwell broke the silence. He glanced over the notes that had been handed to him, speaking in a low voice, apparently to himself— "From Italy—a merchant—Milan—ruined by the wars—ay, those Milan wars were owing to Clement's ambition, and Charles's knavery—the loss of substance—to England to reclaim an old indentment."

Lord Cromwell's eye rested once more upon the merchant and his daughter. "Ye are of Italy—from Milan; is that your birthplace?"

"We are Tuscans," replied the merchant, of Lucca; and oh! noble lord, if there is mercy in this land, show it now to this unhappy girl."

"To both, or to neither?" exclaimed the girl; "we will live, or we will die, together!"

The vicar-general made answer to neither,