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THE BRITISH-AMERICAN REGISTER.

QUEBEC, SATURDAY, 29th JANUARY, 1809.

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DEBATES ON THE QUEBEC BILL.

House of Commons, June 3, 1774.

Sir James Marriott, Advocate General called in.

Mr. Mackworth. I desire to know of the gentleman at the Bar, what would be the best establishment of laws in the province of Quebec, in his opinion.

A. It is difficult to say upon any subject, in this world, what is best for any men or set of men of speculation: that which succeeds best in public and private life is best; and therefore I cannot tell what will be best for the Canadians.

Q. Does he think that the Canadians would chuse the system of English law, or the French law?

A. I do not know a single Canadian. I never was in Canada.

Q. Does the Gentleman think that the commerce of this country, and the province, would be hurt by a revival of the French laws in cases of property?

A. I cannot tell.

Q. Does he know any thing of the state of Canada?

A. What I know is from such papers as have been laid before me, by order of the King in Council, and by information of other persons.

Capt. Phipps. I desire to ask if he understands the French law?

A. I find it very difficult to understand any law.

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Q. Does he know the power of the French King, under the constitution of the French laws?

A. I do not well understand the constitution of France. I never was in France. It is a very hard thing for a foreigner to obtain an adequate idea of the constitution of another country: The constitution of one's own requires a great deal of close application and study: I wish I understood it better; and that many other people would study it more, and understand it better than I fear they do.

Q. Does he understand the constitution of Ireland?

A. No: I never was in Ireland.

Mr. Dempster. Does he think it expedient to give the province of Quebec any part of the French constitution?

A. The question is upon the word expedient.

Q. I mean, will it be wise and prudent?

A. By the words expedient, wise, and prudent. I understand the question to mean, whether it will be politically wise and prudent. Expediency is Ministerial language. It is a word of state: state expediency—It means that high policy, that great arcanum, the sublime of government, extended almost beyond the reach of human wisdom: Few that can pry into this sort of knowledge: Fewer that can comprehend it: I am sure I do not.

Q. The gentleman, by the nature of his office, and greatly informed as

he is from his connections with government, and his own reading, must know much concerning the actual state of the province of Quebec; I desire he will answer what sort of government he would give to it?

A. The giving laws to mankind is the perfection of all knowledge, human and divine. It is not the work of days, of months, of years, but of ages. For me to answer that gentleman's question, what sort of government I would give to the province, I must be the vainest of men.

Q. From such papers and informations as have been laid before the gentlemen for his consideration, I desire to know in general what is his idea of a Civil Establishment for the province of Quebec, the properest to be given it by the Legislature of this country?

A. It depends upon a most extensive knowledge, infinite indeed, of the relations of men and things, times and circumstances; the positions of both countries; the manners and genius of the people; the wants of the province; the views of the Mother Country; the conduct of the neighbouring Colonies; the state of the nation *vis-à-vis*, or respecting them and the designs of the rest of Europe. These relations change every moment; this vast political prospect is for ever doubtful and floating; it contains too many objects for my short vision and poor comprehension.—My answer therefore to the question. (What is the properest establishment for the province of Quebec, to be given by the Legislature of this country) is, I cannot tell.

Mr. W. Burke. There is an absurdity in this answer. The gentleman spoke of an infinite knowledge of men and things, times and circumstances, and yet he says, he cannot tell.

House—Read the Minutes.

The Clerk read the Minutes—as Mr. Burke had represented them.

Advocate General. They were not my words—It depends upon a most extensive knowledge, &c. &c. that is, the question depends—The words 'it depends' were left out.—Repeats as above.

Mr. Baker. I would ask the gentleman at the Bar if ever he has read any thing of the laws of France? I believe he has read a great deal.

A. I have read a little of the French law.

Q. Does he understand it?

A. Not the stile of it, nor its forms very well.

Q. What does he mean by the stile of it?

A. There is in every civilized country, in which a system of civil laws is established, a law-language—as there are in every art and science words and phrases peculiar to them, only understood by the persons who practise those arts and sciences; I correct myself: not always understood perfectly even by them, for they frequently dispute about the force and meaning. The law therefore calls those arts, crafts and mysteries. The French have a serious word for the stile of law; they call it *jargon*: we ludicrously use it *jargon*. It is a cant word.

Q. Did he ever see any system of the French law in Canada?

A. I have read a collection of French laws, which contains, by way of abstract, the laws and usages of that province, founded on the Laws of Prevôté of Paris; and it also contains several ordonances of police and arrêts of the French King.

Q. Does he understand them?

A. Some part of them : the law-language is difficult.

Q. Is there not in that collection something concerning the *jus retractus*?

A. I suppose the gentleman who puts the question means the *rétrait lignager*. It is the right which a lord of a fief or a manor, and first original possessor of a grant from the Crown, has to receive some indemnifications from those persons who are called the *arrier* tenants, who hold under him. There is such a title as *rétrait lignager*.

Q. If the French civil laws were revived, or suffered to remain in Canada, would it not be a discouragement to the old British subjects to go and trade there, and make purchases of lands?

A. If old British subjects were to go thither, the French civil law remaining in force, or being revived, they would go thither at their option and of their own free will, as they now go to Jersey or Guernsey, where the French laws prevail. Or for another instance, if you please ; if any person on speculation thought of going to buy an estate in Scotland, if he found that he did not like the Scotch law and inhabitants, he might do a better thing, keep his money in his pocket and stay at home ; a thing much wanted in this country.

Mr. Dempster. On what terms do you think, in the state of things in Canada, an English merchant going to settle there would hold any lands which he should purchase?

A. On the same terms as the Canadians held them who convey the lands : or if the new settler takes them by grant from the Crown, he will then take them on the same terms as any other grantee would do ; that

is to say, on such terms as the grantee shall please. All is voluntary on the part of the purchaser or grantee—he may take the lands, or he may leave them.

Q. Has he given no opinion upon the subject of Canada?

A. I have.

Q. In what capacity, and to whom?

A. As his Majesty's Advocate General, to his Majesty in Council, I drew up a plan of a code of laws.

Q. Will the gentleman be pleased to give the House some account of the plan?

A. I had the honor of his Majesty's commands in Council, together with my brethren in office, the Attorney and Solicitor General, to consider a great number of papers referred, and to call for such persons as could give me information upon the subject ; and to prepare a plan of civil and criminal law for that province : it was referred separately to each of us three, as being the law-officers of the Crown. I drew up my plan accordingly.

Q. What was the plan ?

A. I drew up my plan in the following method : after stating the principles of legislation, and representing what appeared to me to have been the late condition, and now to be, and likely to be hereafter, the state of the Colony, I formed my plan under four heads : the Courts of Judicature ; the Common Law of the Province ; the Revenue ; the Religion.

Q. To whom did he deliver that plan ?

A. To his Majesty in Council.

Q. As doubtless it was very extensive in point of knowledge and in-

formation, the House would be glad to know the contents?

A. I stand here as his Majesty's servant: my colleagues next to me in office, who have given their opinions as well as myself to his Majesty, are within the Bar. When an Advocate or Counsellor gives his opinion, it is the property of his client. His Majesty is in possession of my opinion. If this House does me the high honor of being desirous to know my sentiments, such as they are (and they are very free ones) the House will then address his Majesty to lay my opinion before the House. If the House will not agree to that address, my sentiments must remain deposited with his Majesty, in his great wisdom, where they now most happily rest.

Q. When somebody moved to have all the papers laid before the House, the motion was over-ruled, on the ground that we might have complete information at the Bar. I fear we shall not have it where we wish it, and were bidden to expect it.—What is the sum and conclusion of that opinion?

A. In a question so extensive, and which involved every possible consideration of policy, and very little of law, I drew up my opinion with all that modesty and diffidence which became me. The danger of positiveness in speculative opinions is too obvious to every man of a right mind. The more I viewed the subject on every side, the more difficulties occurred to me. I weighed all facts and reasonings in a true balance, without bias to any man or any party, but found it hard, after the whole result of my enquiries, to fix decisively what the system of law ought to be for a people so remote from home, of whose manners and wants we know so little. My method of proceeding was, I collected all facts as represent-

ed to me, and as far as other persons, who well knew the Colony by having been in it, were agreed in their reports made to the King's Government. I then brought all the facts and probable reasonings together in one general point of view, for the assistance of my two colleagues in office, that they might form an easier decision on their part. I drew indeed my own conclusions, but they were not positive, but open to better reasonings. I therefore, through the whole, adopted the style and manner of that which Cicero calls the *deliberativum genus dicendi*; I submitted every thing to his Majesty's wisdom in Council, aided by opinions and arguments of much higher authority than any which I could offer.

Q. Can the gentleman recollect any parts of the opinion which he gave?

A. I answered before, that doubtless if this House will address his Majesty, they will have the whole of it before you: I have no objection, I am sure, for my part; but my memory will not serve me to repeat so extensive a work.

Q. Does it agree in substance, or part, with the Bill now depending before your House?

A. I know nothing of such a Bill officially.—A printed paper, with a title of a Bill relative to the government of Quebec, was put into my hands only two days ago, by a friend accidentally. Not having the honor to be a Member of this House, I cannot, according to the rules of it, take notice of any thing proposed within its walls. If the House were pleased to refer the Bill to me, I should desire to take it home, to read it with great care and deliberation. And if I were within the Bar, as I am now without, I would give my

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opinion upon the Bill in my place as freely, and with as much courage as any man upon this ground.

Q. The gentleman owns that he has had much information: I wish he would tell us what?

A. The same as the House has already heard just now, and from some of the same persons.

Mr. Cavendish. If we cannot have the whole of his opinion, will he give us some of the very learned quotations in his book.

A. So many compliments would naturally draw a positive answer from any person capable of feeling the flattery and giving an answer; but I do not know what the Honorable Gentleman thinks of me. It is not a little memory or a little time will serve to repeat all the quotations of civil and common law, and all the French and Latin extracts which I have used. I have used a great many in dressing out my own thoughts. Quotations are commonly among authors but the mere ornaments, the fringe and trappings of a book. They only shew that the man who uses them, has read a great deal; but they do not prove how much he has thought, and whether well or ill; and they shew he has thought like other people who have thought and wrote before him. If I could possibly recollect and repeat this mass of the opinions and informations of other men, I must be very tedious, and appear very pedantic to the House: I question much whether a walking library would be tolerable in these walls. I cannot remember the quotations.

Mr. W. Burke. Will the gentleman tell us how long he was composing his plan? (It must require great labour and study) and how many pages it contained?

A. About three hundred pages closely written.

Q. What was the time it took up to compose it?

A. I cannot exactly tell.

Q. Was it several months?

A. Ten or twelve months, at different intervals to compose it. But if I am to speak to all the time that I was thinking upon the subject, the time was near two years. I took it up, and laid it in my desk again, that it might ripen in my mind. I saw my difficulties of coming to a decision increased. I dreaded being hasty or positive, and I thought no trouble too much on such a publick subject, which appeared too much for the life of any man, and most certainly for any one man's understanding.

Q. I desire to know, Mr. Chairman, what was the name of the thing which he took up and laid down so often, and which he delivered in at last to his Majesty?

A. I think, Mr. Chairman, I remember the face of that gentleman who asks me the question, "What is that thing which I took up and laid down so often, and delivered in to his Majesty?" I answer, when that gentleman was himself in office, he very well knew what sort of things are the opinions of Crown Lawyers.

Mr. W. Burke complained warmly that the witness behaved without any respect to the House; he said it was enough for the House to be insulted elsewhere, and desired the Gentleman might withdraw, in order that the sense of the House might be taken, on the propriety of the Question and the Gentleman's answer.

[Mr. Marriott was ordered to withdraw.]

Mr. Pultney and Captain Phipps, were of opinion that it was irregular for a witness to answer any thing relating personally to a member, and complained that the whole tenor of the Gentleman's answers was evasive and insulting to the House.

Lord North maintained that the Gentleman had answered with propriety: he said the question was insulting to the Gentleman at the Bar, and the House could not expect but that he would resent it.

Mr. E. Burke apologized for the Gentleman next him; he did not blame the Gentleman at the Bar, but he said that the Ministers had insulted the House by referring them to him, while they knew that he could not think himself at liberty to give the information he possessed: he felt for the situation of the Gentleman, and said he would not have agreed to his being examined had not the motion for the papers been overruled.

The Advocate General called in again.

Chairman. Sir, you are to address yourself to the Chair.

Captain Phipps. Under what denomination are the papers which were delivered in by the Advocate General to the King?

A. A report.

Mr. Mackworth. I wish the gentleman would give a short account of the substance of that report, as concise as he pleases to make it.

A. I thought I had before given an account of the contents, and of the plan. It is impossible to give a short account of a long affair.

Q. In that report does he approve of juries; does he like them; what does he think of them?

A. I should choose to be tried by them. But I think of juries as I do of every thing else in this world—every thing is imperfect. I have often considered the different modes of trial in different countries; the Civil Law Courts, the Courts of Common Law, and Chancery; their modes are all defective in discovering truth. Juries are like most other men and things; they have their excellent qualities, and they have their bad ones.

Q. Does he think it will be a hardship upon the Canadians not to have juries? not to have their lives and properties tried by a jury out of their own neighbourhood? Would it be their happiness or unhappiness?

A. If I were a Canadian I could tell what would make me happy: if I were to go to Canada I could tell the same. As an Englishman, I say that juries are a mode of trial which I like; they are very favourable to the property of the subject, and the natural liberties of mankind.

Mr. Dempster. Does the Doctor think that the present Bill is calculated to give as much freedom to Canada as is expedient to give?

A. Expedient to give them! I answered before to that question; it involves a thousand others.

Mr. C. Jenkinson. Does he think that the Canadians will not suffer greatly if the *habeas corpus* law is not introduced among them?

A. I desire the question may be repeated; the merit of the *habeas corpus* law is a great constitutional question.

Question repeated:

A. The idea of the suffering is the idea of the sufferer, and not of a third person; I cannot answer for the feelings of the Canadians.

Q. Cannot the gentleman conceive the pain of another person?

A. No person has a true impression of the degree of pain or pleasure of another being; there is no complete medium to convey the sensations; words will not do it. No person can tell what a man of probity and reflection, who wishes to judge without error, and to do his publick duty in an arduous question, feels, when put upon the rack of opinion. No man in this place exactly knows how I feel, in my particular and relative situation, by being so long kept at this Bar, and called upon to answer every sort of question that can be imagined about all possible and probable things from such a variety of persons. Witnesses, by all the law I know in the world, are called every where only to speak to facts; to opinions, no where;—except in one court of religion, in the world!

Q. The gentleman then has, I find, some sort of idea of another man's suffering, although not an adequate and perfect one. Cannot he tell the House, supposing that I were to give the gentleman who sits below me a slap on the face, what he would suffer? [The Member who put the question being a very slightly made man, and the gentleman who sat beneath him a very stout man, and the latter turning round quick to look at him, it occasioned a loud laugh.] I mean, what would a person struck suffer when there are visible signs of a violent blow? suppose that the blood gushes out of the nose?

A. The noses of some people bleed without pain. That gentleman might have a blow on the nose, and he might feel it. I should not. I mean, he would feel it if he were sober; if he were drunk he might not; he might take it all in good part; and as for the blood, swear it was all good claret.

A Member. Repeat the answer.

A. If he were inebriated he might not feel. Mr. Chairman, I hope my answers are not improper. I desire to be serious. I am in earnest. The answer, I take it, by the law of all evidence, ought to be of the same colour with the question, and pointed to it.

Chairman. Right, certainly.

Colonel Barre'. I would not desire to distress the gentleman at the Bar. He is certainly under personal difficulties in his situation of office, and not being a Member. But I see he bears his examination with much patience and good humour. We were all going to be very dull, and he has enlivened us. He has been asked above an hundred questions, and has parried them all; not one decisive answer. I did not expect he would have kept his ground so stoutly against numbers. I will now beg leave to try him. I undertake, Sir, to ask him one very easy question, which I think he may and will answer. What does he think is the King of Prussia's religion?

A. I have read some of his works; if the writings I mean are really his; although some people have doubted the title, "*Oeuvres du Philosophe de Sans Souci*." His religion may be judged from them.

Q. I desire to know, Sir, what he judges the King of Prussia's religion to be?

A. From them? I believe his Majesty has no (formal) religion.

Q. If the province of Canada were to be ceded to his Prussian Majesty, what religion would he introduce into it?

A. A soldier's religion.

Q. What is a soldier's religion?

A. If I were a soldier, Sir, I would answer the words—my honor.

Q. What is a lawyer's religion?

A. His honor too; not to give up his client. But I suppose the gentleman knows there are two orders of men in this country, the civilians, and the common lawyers. I am no common lawyer.—The religion of which?

Q. Of both.

A. The common lawyers must answer for themselves. I can readily answer for the civilians: they are ecclesiastical lawyers, and subscribe; they are of the religion of this country by law established.

Q. I see, Sir, there is no hitting the gentleman at the Bar. But I have read an opinion of some weight in a book here in my hand: it is so laid down, that I think the gentleman cannot escape answering to it. With the leave of the House, I will read it.

"In order to judge politically of the expediency of suffering the Romish religion to remain an established religion of the State in any part of your Majesty's dominions, the Romish religion, I mean its doctrines, not its ceremonies, ought to be perfectly understood. The opinion of the Royal Author of the *Mémoires de Brandenburgh* seems to be conclusive on this head to every sovereign power, that the Protestant religion is best both for the Prince and the people; because there is in it no middle power to intervene and stand before the Prince against the people, nor before the people against the Prince."

The House now sees why I put the other question:

Q. Did the gentleman ever read the *Mémoires de Brandenburgh*? Is that which I have read the King of Prussia's opinion? Is that opinion in the *Mémoires de Brandenburgh*?

A. I have read a book with that title: but whether that book was his

writing, or whether, being his book, that was his opinion (for many people write books, who are not of an opinion with their own book). I do not know. There is something very like that opinion in the book.

Q. The book, Sir, in which this opinion is recommended and adopted; ends with the name of the gentleman at the Bar. He has subscribed to that opinion.

A. [Bowing with great respect round to the House, and laying his hand on his bosom.] I now subscribe to that opinion most seriously—and most sincerely.

The Advocate General was ordered to withdraw. The House went into a debate, in the course of which Mr. Charles Fox and Mr. T. Townshend agreed with Mr. E. Burke, that it was wrong to have examined the King's Advocate General, and to force him to give an opinion to the House; and laid the blame on the Minister, and those persons who opposed the motion for the papers.

(To be continued.)

NOUVELLES ETRANGÈRES.

ALLEMAGNE.

Ratisbonne, 28 Sept. Mr. le Baron Hugel, Plénipotentiaire de S. M. l'Impériale, vient de remettre à Mr. Laforet, l'Envoyé extraordinaire de la France auprès de la Diète, une Note en réponse à celle de Mr. Laforet du 13 de ce mois, par laquelle il déclara, au nom de S. M. l'Impériale, que Sa Majesté ne piédeut, en aucune manière, tenir par force, aucune partie de la Bavière; et il offre de remettre la ville de Passau, aussitôt que la Diète aura décidé à qui elle doit être remise.

Mr. le Baron Hugel a remis le même jour une partie de Note, à l'Envoyé de la Russie.

FRANCE.

Paris, 26 Sept. On vient de découvrir dans le Département de l'Ain, une mine d'ambre de la plus belle couleur. Les morceaux qu'on a trouvés jusqu'à présent, ne montrent aucune vestige de plantes ou d'insectes;

Le Gouvernement vient d'arrêter qu'il y aura cinq camps de vétérans, formés dans le ci-devant Piedmont, de 400 chaque, et aussi, cinq autres camp de 300 chaque, dans le Département du mont Tonnerre, du Rhin, de la Moselle et du Roer. On accordera à chaque soldat une certaine portion de terre; en outre ils recevront leur paye ordinaire.

Mr. M. J. Bérard vient d'inventer un instrument qu'il a nommé *Nocturnal*, par lequel on trouve l'heure par les étoiles.

SUISSE

Bâle, 29 Oct.—Avant l'arrivée des troupes Françaises la Diète a voté une Constitution; l'ancienne Confédération y est rétablie presque en son entier. Tous les Suisses sont déclarés être soldats; et personne ne doit être admis aux Corporations d'Artisans ou des Gens de Métier, ni exercer aucune profession, ni se marier, sans qu'il soit propriétaire d'enfusil, un sabre et une giberne.

RUSSIE:

Petersbourg, Oct.—On croit que les changements qui viennent d'avoir lieu dans le Ministère seront peu favorables aux intérêts de Bonaparte. Le Comte A. Voronzo, frère de l'Ambassadeur à Landres, est nommé Chancelier et Ministre pour les Relations Etrangères. Le Comte Kotschitsky Ministre pour l'intérieur, et le Comte Vassiliev Ministre des Finances.

L'Empereur a donné ordre pour le remboursement des pertes causées aux sujets Britanniques, par l'Embargo; cette perte se monte à 700,000 roubles.

La famille Royale de France doit faire sa résidence à l'avenir à Varsovie. L'empereur lui accorde une pension annuelle de 700,000 roubles.

GRANDE-BRETAGNE.

Londres, Oct. 10.—Mr. Falcon, le Consul de Sa Majesté à Alger, vient d'avertir tous les Consuls Anglois dans les différents ports de la Méditerranée, que le Dey est déterminé à faire faire tous les habits Anglois qui porteront les passeports dans la forme actuelle.

Oct. 30.—Depuis 1791 les Etats Unis ont payé aux Algériens Tripolitains et Tunisiens, la somme de 2,050,300 piastres, pour empêcher les barbares de leur faire la guerre; cependant voilà la deuxième guerre depuis cette époque.

Deux vaisseaux, deux frégates et une corvette Hollandaise, se sont réunis à la flotte Française, qui s'appareille dans la Méditerranée. On fait courir le bruit, que les Français se préparent pour s'emparer et mettre des garnisons dans deux ports de mer appartenant aux Algériens.

Il y a actuellement à Herford un cochon qui pèse 980 lb. Il a été engrangé chez l'Alderman Curtis, à South End.

Le Bœuf le plus grand qu'on a vu en Angleterre se trouve actuellement à Berwick-on-Tweed: il pèse 4480 lb. Il a été élevé par John Spotswood, Écuyer, de Danse, qui vient de le vendre 200 guinées.

POLITICKS.

[A file of the "Susi," a paper generally known to possess the best information on Public Affairs, has been put into our hands from a quarter which very much augments the value of the favor. The following observations are extracted from the paper of the 5th Nov. and we think they will throw considerable light on the causes and probable consequences of the difficulties which have arisen between his Majesty's Government and the Government of France.]

"We know not whether we are noticing the Arguments of M. TALLEYRAND, or of M. HAUTERIVE, in referring again to the Paragraph in the Official Journal of Paris, which relates to the Statements of the English Newspapers, and which applies chiefly to what we have advanced on the subject of the present relative state of the British Empire and of France.

"Those who have attentively perused our Observations, will, at least, admit that our conjectures have not been ill-founded. We some time since stated the object of France to be to exclude us from all Continental Connection. That object appears to be undeniable, from the Paper to which we refer. We are told that we have no right to interfere respecting Switzerland, "because we refused to recognize the Helvetic Republic," and because "we have no Minister at Berne." This is a new article in the Law of Nations, and one extremely convenient for the purposes of the CHIEF CONSUL, so that if BONAPARTE, by arms, by influence, or intrigue, can change the Government of any Nation, and the British Ministers do not recognize such new Government, this Country

it for ever excluded from any interference respecting that Nation. This is not only a *new*, but a *sweeping clause*, and applies to a great deal that the CHIEF CONSUL has done—probably to much more than he intends to do. “The English Government,” it is contended, “cannot complain of what happens in Countries whose political existence she has not recognized, and with whom she maintains no public relations.” If English Publicists, and English Ministers will admit this, the Sun of Great-Britain is indeed set for ever.

BONAPARTE altered the Government of Switzerland—England did not recognize the New Government. A Treaty was entered into by France, with one of our Allies, guaranteeing, as an important Condition to that Ally, the Independence of Switzerland. BONAPARTE then interferes to destroy that Independence; but “England must not complain, because she did not recognize the Government which was established.”—A new Government is given to Piedmont, and that Country is afterwards annexed to France; but “England has no right to complain, because she had not recognized the Government, which was made only to be destroyed.” Would it not be shorter, and more to the purpose of the CHIEF CONSUL to say at once, that we shall not be suffered to interfere, or to have any Interest in the Affairs of the Continent?

“The relations of France and England,” it is asserted, “are the Treaty of Amiens, the whole Treaty of Amiens, and nothing but the Treaty of Amiens.” Now this we contend is, in the way in which it is explained, neither *the truth*, *the whole truth*, nor *any thing like the truth*. It is asserted to prove the accuracy of another position (certainly unfounded), that all the Powers of Europe have a right to settle

their interests *with each other* as they please, without the consent of this Country. If we deny the truth of this position, unqualified as it is, we shall not be disposed to deny it the less, when we see the manner in which the interests of Piedmont or of Switzerland are settled with France.

It occurred, however, to this Writer, that we might possibly have entered into Treaties of Alliance, that our Ally might be attacked, and that what the old-fashioned Publicists of Europe would call a *Crusis Frederis*, might exist:—The rest of this Paper, therefore, is intended to shew those Nations with which we have had an Alliance during the last War, how much they have suffered by our Alliance, and to dissuade them from forming any more connections with this Country, by exasperating them against us. A kind hint is given to Austria not to pay the debt she owes us, but, instead of a *Debtor*, to become a *Creditor*, and make a demand upon us. The Russian Armies are falsely said to have been abandoned and compromised in Holland, and the Danes mauled at Copenhagen.

The dethroning the KING of SARDINIA—the loss of the STADTHOLDE RATE to the House of Orange—in short, all the conquests and acquisitions France has made from other Powers during the War, are attributed to their alliances with England. This may be tolerably good *Opposition declamation*, but how does it suit the CONSUL of FRANCE? For if all this has been gained to France by British Alliance, why is France so very anxious to prevent such Alliances from taking place in future? If the CHIEF CONSUL has gained so much by our Alliances with other Nations, his policy would be to encourage them;—but is this the fact? Has he been actuated by our Alliance, in the steps he has taken? What Alliance had the

poor unoffending Swiss been guilty of, when their Country was first overwhelmed and ruined by the invading Army of *France*? What Alliance led to their invasion of *Italy*? But if *France* has gained nothing by the Alliance of Great Britain with any other Power, she has unfortunately gained much by the success of her own intrigues—and she has gained much, not because we were not true to our Allies; but because in many instances which we could state, our Allies were not true to themselves.

The French people we are told finally, are to remain “*with the Helvetiæ on their head, and the lanci in their hand!*” The people of the British Empire, then must remain in the same attitude, determined to resist, to the utmost, every attack upon their honor and their essential interests; by force of arms if they are driven to that extremity; but equally determined to adopt every measure, by which they can preserve these objects in peace. The King’s Ministers will be moderate, but firm. They must, at the same time, recollect how much the relative situation of *France* with this Country is changed since the signature of the Treaty of *Amiens*: but if any compromise can be made with respect to the conquest, we still retain, reserving to us even less than our just demands, we trust they will be disposed to evince their moderation, by accepting such a compromise rather than have recourse to the dreadful alternative of War.

Lettre de Christophe Colomb à Ferdinand, Roi d’Aragon, et à Isabelle, Reine de Castille.

SIRE,

Diego Mandès, et les papiers publics que je lui remets, apprendront à votre Majesté quelles riches mines d’or j’ai découvertes à Veragua, et

comment je ne proposois de laisser mon frère à la rivière Berlin, si les volontés du ciel et les plus grands inconvénients du monde ne m’en eussent empêché. Il suffit, au reste, que votre majesté et ses successeurs recueillent la gloire et les avantages du tout, que la découverte s’achève, et que les premiers établissements se fassent par quelque un plus heureux que l’infortuné Colomb. Si Dieu m’est assez favorisé pour le conduire en Espagne, il fera sans doute comprendre à la reine, ma maîtresse, ainsi qu’à votre majesté, que ce ne sera pas seulement ici un fort ou un château, mais la découverte d’un monde de sujets, de terres et de richesses, plus grand que l’imagination la plus vaste n’aurait pu se le figurer, où que l’avarice elle-même n’aurait pu le désirer. Mais ni le papier, ni la langue d’aucun mortel ne pourront jamais vous exprimer l’angoisse et les afflictions de mon corps et de mon âme, ni vous peindre la misère et les dangers de mon fils, de mon frère et de mes amis. Depuis plus de dix mois, nous sommes ici logés à découvert sur les ponts de nos vaisseaux, échoués sur la côte, ceux de mon équipage qui sont demeurés fânes, se sont mutinés sous Peras de Séville; et mes amis, ceux qui me sont restés fidèles, sont malades ou morts. Nous avons détruit les provisions des Indiens de manière qu’ils nous abandonnent, et que probablement nous périssons de faim. Tous ces malheurs sont augmentés par tant de circonstances qui les aggravent, qu’ils m’ont rendu le plus déplorable objet d’infortune que le monde puisse jamais voir; comme si le mécontentement du ciel secondoit l’envie de l’Espagne, et qu’il voulût punir comme des crimes, des entreprises et des services militaires.

Ciel, et vous, saints qui l’habitez, que le roi, don Ferdinand, et mon illustre maîtresse, donna Isabelle, sachent que mon zèle pour leur service et leurs intérêts m’ont rendu le plus

malheureux des vivans ; car il est impossible de vivre et d'avoir des afflictions semblables aux miennes. J'appréhende, et je prévois avec horreur ma destruction et celle de ces malheureux et braves gens qui vont périr pour l'amour de moi. Hélas ! la justice et la piété se sont retirées aux cieux, et c'est un crime aujourd'hui d'avoir fait trop de biens aux hommes, et de leur en avoir promis. Mes malheurs m'ont fait de la vie un fardeau, et je crains que les vaillants titres de Viceroi perpétuel et d'Amiral ne m'ayent rendu odieux à la nation Espagnole. On rit d'indignation en voyant toutes les méthodes employées pour couper une trame déjà prête à se rompre ; car je suis dans mon vieil âge ; la goutte me cause des peines insupportables. Languissant à présent, presque mourant de ce mal et de beaucoup d'autres, parmi les sauvages, où je n'ai ni aliment, ni remèdes pour mon corps, ni prêtres, ni sacrement pour mon âme, mes gens mutinés, mon frère, mon fils, et tous mes amis malades, épouses et mourans, les Indiens nous ont abandonnés, et le gouverneur de S. Domingue a envoyé plutôt pour savoir si j'étois mort, ou pour m'enterrer tout vivant ici, que pour nous secourir : car son bateau ne nous a point parlé, ne nous a point donné de lettres, et n'a voulu en recevoir aucune de nous : d'où je conclus que les officiers de votre majesté ont intention que mes voyages et ma vie finissent ici.

O sainte mère de Dieu, qui avez compassion des malheureux et des opprimés ! pourquoi Cenell Bovadilla ne m'a-t-il pas tué, lorsqu'il nous déposilla, mon frère et moi, de l'or qui nous avoit couté si cher, et nous envoya charges de chaînes en Espagne, sans jugement, sans délit, sans l'ombre même d'un crime ? Ces chaînes, hélas ! sont aujourd'hui mon seul trésor, et elles seront enterrées avec moi, si j'ai le bonheur d'avoir un cercueil

ou un tombeau ; car je veux que le souvenir d'une action si tragique et si injuste meure avec moi, et que pour l'honneur du nom Espagnol, elle soit à jamais oubliée. S'il en eut été ainsi, ô bienheureuse vierge ! Obando ne nous auroit pas laissés pendant dix à douze mois périr par une méchanceté aussi grande que nos malheurs. Ah ! que cette nouvelle infamie ne souille pas encore le nom Castilla, et puissent les siècles futurs ne jamais favorir qu'il y eut dans celui-ci des misérables assez vils, pour croire se faire un mérite auprès de Ferdinand, en déroutant l'infortuné Colomb, non pour ses crimes, mais pour avoir découvert et donné à l'Espagne un nouveau monde. Ce fut vous, ô grand Dieu ! qui m'inspirâtes et me conduisîtes ; montrez-moi quelque pitié ; daignez faire grâce à cette malheureuse entreprise. Que la terre entière, et que tout ce qui dans l'univers aime la justice et l'humanité, pleure sur moi. Et veus, saints anges du ciel, qui connoissez mon innocence, pardonnez au siècle présent, trop envieux et trop endurci pour me plaindre. Sûrement, ceux qui sont à naître pleureront un jour, lorsqu'on leur dira que Christophe Colomb, avec sa propre fortune, avec peu de frais, ou même sans aucun de la part de la couronne, au hasard de sa vie et de celle de son frère, en vingt années et quatre voyages, a rendu de plus grands services à l'Espagne, que jamais prince ou royaume n'en a reçu d'autun homme : que cependant, sans l'accuser d'aucun crime, on l'a laissé périr pauvre et misérable, après lui avoir tout enlevé, excepté ses chaînes ; de manière que celui qui a donné à l'Espagne un nouveau monde, n'a pu trouver, ni dans celui-ci, ni dans l'ancien, une chaumiére pour sa misérable famille et pour lui. Mais si le ciel doit me persécuter encore et semble mécontent de ce que j'ai fait, comme si la découverte de ce nouveau monde devoit être fatale à l'an-

rien ; s'il doit par châtiment mettre un terme en ce lieu de misère à ma malheureuse vie ; vous, saints anges, qui secourez l'innocent et l'opprimez ; faites parvenir ce papier à mon illustre maîtresse ; elle fait combien j'ai souffert pour sa gloire et pour son service, et elle aura assez de justice et de piété pour ne pas souffrir que le frère et les enfants d'un homme, qui a donné à l'Espagne des richesses immenses, et qui a ajouté à ses domaines de vastes empires et des royaumes inconnus, soient réduits à manquer de pain, ou à vivre d'aumônes : elle verra, si elle vit, que l'ingratitude et la cruauté provoqueront la colère céleste. Les richesses que j'ai découvertes appelleront tout le genre humain au pillage, et me susciteront des vengeurs ; et la nation un jour souffrira peut-être pour les crimes que commettent aujourd'hui la méchanceté, l'ingratitude et l'envie.

Etat de la population de la Grande Bretagne et d'Irlande, de la France, et des Etats Unis de l'Amérique.

LA GRANDE BRÉTAGNE ET L'IRLANDE.
D'après des relevés exacts de la population comparée de la Grande-Bretagne et d'Irlande, aux deux époques de 1700, et de 1800, elle a presque doublé. Au commencement du siècle dernier, cette population se montrait à 8,604,000, savoir : l'Angleterre et le pays de Galles, 5,475,800,— L'Ecosse, 1,048,220—L'Irlande, 2,000,000—Jersey, Guernsey, &c. 80,000. En 1801, la population de ces mêmes états s'élevait à 14,901,038, savoir : l'Angleterre et le pays de Galles, à 9,168,713—L'Ecosse, à 1,652,370—L'Irlande, à 4,000,000—Jersey, Guernsey, à 80,000.

LA FRANCE.

On trouve dans les derniers discours prononcés aux dernières séances

du corps législatif par M. Daru, un des orateurs du gouvernement, sur la population générale de la France, sur ses rapports avec la population militaire, sur la taille des habitans des divers départemens, et sur l'esprit plus ou moins militaire qui les distingue, estimé par le nombre plus ou moins grand de soldats qu'ils fournissent habituellement à l'armée, des notions positives et des faits curieux qui nous ont paru devoir intéresser les lectures.

Où y lit que le nombre des habitants de la France, dans son étendue actuelle, est évalué, pour les cent deux départemens continentaux, à trente-deux millions. D'après cette donnée, M. Daru calcule, par approximation, qu'elle peut être la population militaire de la république : et en se conformant aux principes de M. Mobeau, l'écrivain qui s'est livré à beaucoup de recherches sur cette partie de la statistique, il retranche de la masse de la population, pour les femmes, 17-18 ; pour les hommes au-dessous de seize ans, 1-6 pour ceux au-dessus de quarante 1-9 ; et il trouve, après ces retranchemens, ce que la France, dans un cas de péril imminent, auroit à choisir d'hommes en âge de porter les armes.

Mais dans l'état ordinaire, et d'après la loi sur la conscription qui n'appelle au service que des hommes de vingt à vingt cinq ans, ce nombre se réduit à environ un million de soldats, dans lesquels la classe de vingt à vingt un ans en fournit au moins 200 mille.

Quant à la taille des hommes, des observations faites dans les provinces de l'intérieur ont fait connaître que, sur 48 habitans, il y a un célibataire en âge de porter les armes, de la taille de cinq pieds un pouce et au-dessus ; sur 85, un de cinq pieds deux pouces ; sur 199, un de cinq pieds trois pouces ; sur 511, un de cinq pieds quatre

pouces; sur 1417 un de cinq pieds cinq pouces; sur 2398, un de cinq pieds six pouces; sur 7795, un de cinq pieds sept pouces. Ainsi les hommes de cinq pieds trois pouces sont quatre fois au moins plus rares que ceux de cinq pieds un pouce; à la vérité, cette proportion doit être au-dessous de la réalité, depuis la réunion de la Belgique et des quatre départemens réunis, où les hommes sont en général d'une taille plus élevée que dans les départemens méridionaux.

Quant à l'esprit militaire dans les divers départemens, estimé par le nombre plus ou moins grand de soldats qu'ils fournissaient habituellement à l'armée, voici ce qu'une longue suite d'observations a fait connaître. La moitié septentrionale de la France, dont la population étoit évaluée à 14,500,000 âmes, comptoit 98,000 de ses habitans dans l'armée, tandis que la moitié méridionale n'en fournitsoit que 37,000, sur une population de 10 millions. Ainsi le Nord fournitsoit un soldat sur 149 habitans, et le Midi un sur 219. Si l'on vouloit particulariser cette observation, on trouveroit des différences encore plus remarquables. La population de l'Alsace étoit de 654,885 âmes; celle de la géne'ralité d'Auch, de 887,731: la première fournitsoit 10,652 soldats; la seconde, 1,413: ainsi, un soldat sur 65 habitans, pour la première; un sur 623, pour la seconde, c'est-à-dire dix fois moins.

Nous terminerons cet extrait en rapportant le résultat, tel que le fournit ce discours, des différents moyens pris depuis la fin de 1791, jusques et compris l'an 8, pour former et entretenir les armées François; indépendamment des enrôlements volontaires. Ces moyens, savoir; la première levée en masse, celle de 1792, les réquisitions, la conscription, ont fourni un nombre d'hommes qu'on peut évaluer,

sans trop s'éloigner de la vérité, à 1,186,776. Au mois de Septembre 1794, la force de l'armée existante étoit de 1,169,144 hommes.

ETATS UNIS DE L'AMERIQUE

Etats.	Population.	Églises
New Hampshire	183,858	8
Rhode Island	69,122	320
Massachusetts	422,843	
Maine	151,710	
Connæcticut	251,002	951
Vermont	154,465	
New York	504,105	15,601
New Jersey	211,749	12,422
Pennsylvania	602,365	1,705
Delaware	64,273	6,155
Maryland	329,744	100,393
Virginia	878,950	345,795
Caroline du Nord	478,103	153,266
Caroline du Sud	365,591	146,151
Georgia	162,686	59,699
Kentucky	220,955	40,843
Tennessee	102,960	14,522
Territoire du Mississippi	59,857	3,615
District de Columbia	14,093	2,224
Total en 1800	5,214,801	876,790
Population en 1790	3,929,326	697,697
Augmentation en 10 ans	1,285,475	179,093

MÉLANGES.

Il circule ici, depuis quelque tems, une épître, en vers, au premier consul, qu'on attribue à M. Mercier, auteur d'une vingtaine de volumes de rapports philosophiques, auxquels il donne des titres bizarre, afin d'exciter la curiosité, et de plusieurs drames où le mauvais goût le dispute à l'exagération des maximes de la philosophie moderne. Peu de personnes savent que M. Mercier s'eroit cru poète dans sa jeunesse. Il est cependant très vrai qu'il a débuté dans le monde littéraire par des *Hérosides*. Sa verve s'est ranimée; et il demande au premier consul à être initié dans les secrets de l'empire. Voici son début:

Bonaparté, il est temps qu'avec toi je m'explique:
Réponds-moi; qu'as tu fait de notre république?

Le retour des emigrés a produit un effet tout contraire à celui qu'on s'est

proposé en les rappellant. Les généraux, et tout ce qui occupe des grades dans l'armée, voient avec plaisir, que les princes François sont dispensés des engagements qu'ils avoient contractés, et qu'une des inquiétudes qui s'attachoient eux mêmes de rétablissement, se trouve dissipée par la défaction des anciens serviteurs.

Pap. de l'air.

ANECDOTES.

M. de Crebillon étoit censeur royal; Voltaire, obligé de lui porter Oreste, commença son compliment par vouloir s'excuser de ce qu'il avoit traité le même sujet que lui; mais M. de Crebillon l'interrrompit aussitôt pour lui dire: " Monsieur, j'ai été content du succès de mon *Elec-*
sse; je souhaite que le frère vous fasse autant d'honneur que la sœur m'en a fait." Comme dans cette tragédie (*Oreste*), Voltaire luttoit contre Crebillon, et lui étoit bien supérieur sous le rapport de la poésie, il fit imprimer sur les billets de parterre, ces lettres initiales de ce vers d'Horace :

O. T. P. Q. M. U. D.

Quae tulit puerum qui misericordia dulci.

Un plaignant, on assure que ce fut Piran, expliqua ainsi ces abréviations :

Orgie, tragédie pitoyable, que M.

Voltaire donne;

Le général de Laudon avoit coutume de se perdre dans la foule, & de s'y cacher. Un jour l'Impératrice Reine le sachant dans l'appartement, demanda au vieux feld-maréchal d'Anenberg, où se tenoit Laudon: le *wild, Madame*, répondit le duc, *derrrière la porte, tout honneux de son mérite.*

L'AMITIE.

Deux Syracusains, dont l'un s'appelloit Damon et l'autre Phintias, disciples de Pitagore, allèrent un jour se prosterner devant la Déesse de l'amitié: Je reçois vos hommages, leur dit-elle: je fais plus, j'abandonne cet asyle, si souvent souillé par des sacrifices qui l'outragent, et je n'en veux plus d'autres que

vois leurs. Allez, montrez au tyran de Syracuse (Denis,) à l'univers, à la postérité, ce que peut l'amitié dans des âmes que j'ai revêtues de ma puissance.

A leur retour Denis, sur une simple dénonciation, condamna Phintias à la mort. Celui-ci demanda qu'il lui fut permis d'aller régler des affaires importantes qui l'appelloient dans une ville voisine; il promit de se présenter au jour marqué, et partit après que Damon eut garanti cette promesse au péril de sa propre vie.

Cependant les affaires de Phintias traînent en longueur, le jour destiné à son trépas arrive, le peuple s'assemble, on blâme, on plaint Damon qui marche tranquillement à la mort, trop certain que son ami allait revenir, trop heureux s'il ne revenoit pas. Déjà le moment fatal arrivoit, lorsque inique cris tumultueux annoncèrent l'arrivée de Phintias. Il court, il vole au lieu du supplice, il voit le glaive suspendu sur la tête de son ami, et au milieu des embrassements et des pleurs, ils se disputent le bonheur de mourir l'un pour l'autre: les spectateurs fondent en larmes, Le Roi lui-même attendri, se précipite du trône, les embrasse et leur demande instamment de partager avec eux cette douce amitié. *Voyages d'Anacharsis.*

DIED,

Lately, at her house in Brompton-row, Mrs. H. Milnes, daughter of the late John Milnes, Esq. of Wakefield, and sister to Sir Robert S. Milnes, Bart. Lieut. Governor of Lower-Canada. This Lady, who was eminently endowed with every polite accomplishment, possessed that philosophic fortitude which enabled her to endure a lingering illness of several years with the most patient resignation.

LOND. EV. P. 2 Nov.

METEOROLOGICAL TABLE, JAN. 1803.

Date	Weather	Wds	Barometer.		Thermo.	
			Inches.	M.	A.	M.
23	© some snow		29.1	29.0	11	14
24	Fine		29.18	29.2	11	7
25	bleak		29.3	29.24	-5	17
26	cloudy		29.2	29.2	16	26
27	drift	S.E.	29.2	29.1	23	28
28	drift	N W	29.0	29.6	14	14
29	© Fine		29.5	29.5	11	14

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N. B. This mark minus prefixed to a number denotes so many degrees below Zero.

POETRY.

A PROLOGUE

TO THE TRAGEDY OF ZARA; WRITTEN
BY THE LATE GENERAL BURGOYNE,
AND SPOKEN BY LORD RAWDON, AT
THE THEATRE IN FANEUIL HALL,
BOSTON, IN JANUARY 1776; DURING
THE BLOCKADE.

IN Britain once, it slains th' historic page;
Freedom was vital-struck with party rage,
Cromwell the sever watch'd, the knife supply'd,
She madden'd and by Suicide she dy'd;
Amidst her groans sunk every liberal art,
That polish'd life, or humaniz'd the heart;
Then sunk the stage, quell'd by the Bigot's roar,
Truth fled with sense, and SHAKESPEAR
charm'd no more.
To sooth the times, too much resembling those,
And lull the care-tir'd thought, this stage arose;
Proud if you hear, rewarded if you're pleas'd,
We come "to minister to minds discaus'd."

To you, who Guardians of a nation's cause,
Unsheath the sword, to vindicate the laws,
The tragic scene sets Glory up to view,
And bids heroic virtue live a new :—
With ravish'd ears and emulative fire,
Rise Britons to examples we admire,
Unite the Warrior's with the Patriot's care,
And, while we learn to conquer, wish to spare !
The comic muse presides o'er social life,
And forms the Parent, Husband, Friend and
Wife;
Tis her's the mind from prejudice to save,
And call your good old Honour from the
grave,

To paint from Nature, and with colours nice,
Shew us 'ourselves and laugh us out of vice.

Now say, ye Boston Prudes, if Prudes
there are,
Is this a task unworthy of the fair?
Will form; Decorum, Piety refuse,
A call on beauty to conduct the muse,
And by the influence of the young and chaste,
Diffuse instruction, charity and taste?
Perish the narrow thought, the slanderous
tongue,
Where the heart's right, the action can't be
wrong;
Behold the loſt; mark as the curtains rise,
How malice shinks; abash'd from Zara's eyes:

G-

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ELOGE DE L'AGRICULTURE.

J'ADMIREOIS tes bienfaits, divine Agriculture,
Tu fais multiplier les dons de la nature;
Toi seule, à l'enrichir, force les éléments:
Elle doit à tes soins ses plus beaux ornements.
Sans toi ces végétaux qui tu fais reproduire
Périssent en naissant, ou naissent pour se naitre.
Étouffés l'un par l'autre, ils ferment leurs débris
Sur le terrain fangeux dont ils furent nourris;
Où sur des monts hygiens jetés de place en place,
Ils ombragent à peine une aride surface.
Tu tires les humains du centre des forêts,
Fixés auprès des champs qu'ils cultivoient en paix;
Ils purent prononcer le saint nom de patrie,
Et connaître les mœurs, ornement de la vie.
Bientôt les animaux vaincus dans les déferles,
Esclaves des humains, se plurent dans nos fers.
L'homme ravit la laine à la biebie païsible,
Le taureau lui soumit son front large et terrible;
La genisse apporta son nectar argenté,
Aliment pur et doux, source de la santé.
L'Agriculture alors nourrit un peuple immense,
Et des champs aux cités fit passer l'abondance:
La victoire, les arts, la liberté, l'honneur,
Fut le partage heureux du peuple agriculteur,
Et lui seul enrichi des trésors nécessaires,
Reçut de l'étranger les tributs volontaires.
Sénat d'un peuple-roi qui mit le monde aux fers,
Conseil de demi-dieux qu'adorâ l'univers,
Céres avec Bellone a formé ton génie.
Des hameaux dispersés sur les monts d'Ausonic,
Des vallons consacrés par les pas des Catons,
Du champ des Régulus, du toit des Scipions,
S'élongoit au printemps ton aigle déchaîné,
Pour annoncer la soudre à la terre étonnée.
Au retour des combats, tes vertueux guerriers
Au triomphe de Céres appendoient leurs lauriers.
Les arbres émondés par le fer des Emiliés,
Les champs sollicités par les mains des Camilles;
De leurs dons à l'envi comblajoient leurs possesseurs;
Et ces fruits du travail n'altéroient point les meurs.

ST. LAMBERT, Poème des Saïens.

ENIGMA.

I AM not what I was, but almost the reverse,
Yet I am what I was, which is so much the worse;
From morning to night I do nothing but fret
For fear I should be; what I have always been yet.

CHARADE.

QUAND mon premier, est mon dernier,
C'est alors qu'il est mon entier.

Autre.

Mon premier te conduira,
Mon second te séduira,
Et mon tout te piquera.

Le mot de l'Enigma dans le 2e. No. est "Plume à écrire";
le mot de l'Enigma dernière, est "Bonnet de nuit." Ce
fut de la Charade "Mondé."

* * "L'origine des Origines" paraîtra dans le No. prochain.

We thank W. for the Enigmas which he sent us. We
have inserted one of them; but it is our intention, to
confine ourselves to French compositions of that sort, and
a young Gentleman has obligingly undertaken to furnish
them.