

Literature, &c.

The Annuals for 1846.

From the May-Flower.
THE SMUGGLER.

WALTER VIVIAN was the younger of three brothers, of a respectable and comparatively affluent family in the middle rank of society; but who had for many years been engaged in that precarious and afterwards illicit traffic which the excise-laws of the period were enacted to suppress. He was a well educated young man, of excellent address, brave, spirited, reckless, generous, but, unfortunately, the dupes and the instrument of his elder brothers. The latter had been actively and extensively engaged in the contraband trade; but as their wealth increased, and as the laws were more rigorously enforced, they retired from the more hazardous part of the trade, and became merely the agents of the smugglers, and the purchasers and disposers of the illicit commodities. They were the part owners of a large and beautiful lugger, called the *Belle Amy*, that flew over the channel like a bird, dashed over the breakers and bars where no king's ship dared to follow, and that landed more cargoes on the coast than any six of the fleet of his Majesty's 'honest rogues,' the free traders of Cornwall.

The three brothers, John, Thomas, and Walter Vivian, were partners in the profits of the trade. Walter commanded the lugger. His generous habits, his daring and enterprising disposition, won him the affections of his crew, who, young as he was, loved him as if he had been their father. His speculations were so eminently successful, that his very success excited the jealousy of his less fortunate competitors. All were active and fearless enough, but none were so fortunate as Walter Vivian and the *Belle Amy*. The king's cruisers were numerous and vigilant, and many a severe conflict took place, and many a smuggler was taken, and not a few burned in the offing, in sight of the owners, but the *Belle Amy* had hitherto escaped. She had been chased, but never taken—fired upon, but never injured—and sometimes attacked by cruisers that suffered seriously for their temerity. Vessels had lain in wait for her, and many an armed flotilla, too adventurous by far, which threatened to board her, has she either blown out of the water with her guns, or cut down, man by man as they scaled her sides. The revenue board, however, were determined to spare no exertions in order to capture her. A sloop of war was sent to hover off that part of the coast where she generally landed her cargoes; and it is said that secret information had been given to its commander as to the time when he might expect the arrival of Vivian.

It was a breezy night, in the end of September, two hours after sunset, the young moon in the sky partly obscured by light clouds, when a firing was heard in the bay, a light blazed on H—head, and anon the *Belle Amy*, under every inch of canvass she could bear, came dashing into H—harbor. Instantly not fewer than three hundred persons—men and women, old and young—were on the beach, some preparing to push off in boats, others carrying rope slings, all active, and preparing to run the goods. Joy, impatience, and the mingling sensations of hope and fear, were in the countenances of all. For about half an hour before the smuggler entered the firing had ceased. She was scarcely at her mooring, when the cliff light, already alluded to, was quenched, and another, considerably to the westward, and on a peak which overhung a tremendous ridge of rocks, bare at low water, glared upon the heavens, and threw its murky light far over the foam and billows of the sea. But Captain Stanmer was not to be lured to destruction by an artifice so palpable. Just as the broadside of the *Belle Amy* was turned to the beach and the order given to undo the hatches, four boats well manned and armed, pulled into the harbor with as much precision as if they had come in the wake of the smuggler. The moment these boats were discovered from the shore, a yell proceeded from the woman—so wild—so shrill—so piercing, that it made the hearts of the stoutest quake. Not a moment was to be lost. The men on the beach stood in ghastly silence, while their friends aboard the *Belle Amy*—taken by surprise, and awed by the boldness of the measure—had scarcely time to run to their arms, before the boarding party was under their quarter.

The boats were commanded by Captain Stanmer himself, and a conflict ensued which baffles description. For nearly an hour the fight was maintained. From some cause or other, the vessel at length took fire. The flames burst out from the fore-castle, amid the still continued clarg of swords. The spectacle was awful. How the conflict might have ended, it is hard to conjecture—the smugglers apparently had the worst of it—they seemed to be overpowered—their comrades and abettors on shore could lend them no assistance, and at this instant, too, another king's boat was seen coming to the aid of the former.

But at the same important moment, also, Walter Vivian was observed among the few men who still struggled for the mastery of the *Belle Amy*'s deck, engaged hand to hand with Captain Stanmer. Captain Stanmer was at length seen to fall—whether accidentally or not, could not be ascertained—and almost at the same moment Walter Vivian sprang from the gunwale into the sea, and swam towards the beach, where he was received, amid mingled screams and cheers by many hundreds of

persons, by some of whom he was instantly conveyed to a place of safety. The fifth boat had little to do. The flames had nearly finished the *Belle Amy* before it came alongside. To attempt to save the cargo was vain—to land and attack defenceless women, at the hazard of being cut to pieces by the infuriated partisans of the Vivians, would have been fruitless—the boats consequently put to sea; and next morning scarcely a trace of the wreck was to be seen.

When the intelligence of this fatal and disastrous affair reached the government, they offered a large reward for the apprehension of the younger Vivian. The detachment of military along the coast had orders to make a rigid search for him. Walter Vivian, however, was placed far beyond the reach of justice.

In a cave, a few miles from the Land's End, which opened upon a wild and unfrequented sea-beach, Walter Vivian found a hiding-place, till a vessel could be procured to carry him out of the country.

Some months before the catastrophe which had made him an outcast from his country—which had branded his name as a felon—the unfortunate hero of our tale had been married. His wife was a lovely creature, not yet arrived at her twentieth summer—tender, gentle, confiding, and devotedly attached to her husband. Those who knew her story—who have heard her fame—who, by the winter firesides of Cornwall, filled many an aged and young eye with a tear, while they told her fate—can alone do justice to her innocence and beauty. Ask the octogenarian of the West, who Tracy Pendril was? He will shake his head, and say with a sigh, 'There is no such maiden nowadays!' She was the very idol of the district. Better whisper the suspicion of purity of your best friend, than speak disparagingly of her! The old men blessed her, the sailors toasted her in a full can on shore, and sung her charms before the mast at sea. Her name was to be seen cut on many a capstan and handspike, and inscribed on the windows of Dutch taverns and French cabarets. The venerable crones of her native village still mention her as a pattern of beauty and conjugal affection. 'She was pure as truth,' they say, 'and beautiful as an angel—the victim of errors not her own, of machinations foul, cruel, and perfidious, of a love that hurried her to the grave!'

It was requisite that Vivian should leave the country. His means were ample, his share in his brother's business had been profitable; the sum due to him was considerable, and sufficient to render him comparatively independent in any country where he might desire to reside. It was agreed that he should go to America, by himself, and that she, who would have made its wildest woods, its most inhospitable savannas, a perfect elysium, should follow at the earliest opportunity. The king's reward, however, was on his head, and he could not personally superintend the arrangements necessary for his escape. His wife passed with him in his cave, the few days that remained for his sojourn in England, and consequently was ignorant of the scheme that was matured, or the fate that awaited him. To his elder brothers, as persons most interested in his happiness, was confided his secret, and the measures to be adopted to facilitate his embarkation.

But the elder Vivians were not men formed in the same mould, as to generosity and nobleness of character, with Walter. Avarice had frozen their hearts, and congealed their blood. The adventurous habits of their youth, now that they had escaped its perils, had not softened their dispositions. Having acquired riches, they now sought security; and conceiving they saw the way to obtain it, they grasped at it like fiends, at the expense of their younger brother's liberty and happiness. They saw in the death—or what was the same to them—the perpetual expatriation of Walter, a release from the dreadful consequences of his late outrage, in which they were, to a certain extent, implicated as his partners, as well as a favorable opportunity to possess themselves of his property. As an outlaw, in a legal sense, he could not recover his property; but, if beyond the seas, they calculated that even the moral obligation would be hushed in the roar of the billows of the Atlantic. They laid their plans accordingly.

It will be recollected, that in those days the colonies, now called the United States of America, were dependencies of the British Crown. Maryland and Virginia were slave settlements; and it was customary to transport convicts thither, who, till the expiration of the term of their sentence, or till liberated by the government, were subjected to the hard labour and discipline of the then slave code. They were, in fact, little better than slaves. They were treated with extreme rigor, frequently became the victims of the climate, and rarely survived the term of their bondage. When they did so, they were at liberty to go where they might choose, purchase land, or follow any occupation which their former habits or inclinations might direct.

To a Virginia house in London, the elder Vivians made overtures for the deportation of the hapless victim of their cupidity; and, as might be expected, the offer was gladly accepted. A vessel lay in the Thames ready to sail for that quarter of the world, and it was stipulated that she should hover off a certain head-land on the coast of Cornwall, and take the outlaw on board. Meanwhile, the nature of the contract, the character of the ship, the degrading terms of exile and slavery, were carefully concealed from Walter. It was stated to him that his passage was secured, and that he might make any part of the colonies he should deem proper his abode. He was furnished with fictitious bills on the vampire house that had bought

his blood, and he was consoled in his agony at parting with his wife, by being assured that their separation would be but short, and would depend entirely upon his own settlement in the Colonies. He never dreamt that his brothers could be his betrayers, or that the lovely girl who hung round his neck and fainted in his arms at the sight of the waves which were to bear him from her, was to be left in unprotected penury in cheerless widowhood, in unrelieved and hopeless misery, by the villainy and treachery of those who owed their existence to the same parents.

But so it was. The ship arrived: the parting was a scene of unutterable anguish—and which we shall not profane it by attempting to describe; but it was unavoidable; a boat conveyed him on board, and a fresh breeze soon bore him out of sight of land.

Vivian was speedily made acquainted with the conditions on which he was wafted to the western world! But remonstrance was in vain. The terrors of outlawry were still held over his head; each emotion of disappointment only provoked new indignities, and riveted more closely his chains. Letter after letter he wrote to his wife and family, but they never found their exit from Virginia. Years rolled on—time silvered his locks—hard and galling labour bent his form—sorrow ploughed deep its furrows on his brow—but of wife, or home, or friends, he had literally heard nothing. His wife alone lived in his heart, but none knew the anguish that corroded and wasted her heart.

We cannot follow him throughout the latter part of his eventful life in America. Twelve years he passed in a state of slavery. At length an irruption of the Indians opened a new chapter in his history. A band of these red men of the woods broke in on the repose of his master during the night, and destroyed, in one conflagration, the greater part of his household, all his buildings and wigwams, and nearly his property. Our hero and his owner's child made their escape, and were re-taken by the Indians and carried up the country.—The interesting incidents of the succeeding seven years would fill a volume; but we must pass them over.

When nearly twenty years in America, and the last seven of the twenty in its deepest forests, where no white man had been seen before, he was permitted to return to the coast, or rather his departure was connived at by the chief of the tribe.—He there obtained permission to work his passage to England.

He was landed in Cornwall, a forlorn man, emaciated with grief, like one who had risen from the dead, to search among the tombs for the remains of those he had left alive at his departure. He bent his way, leaning on an old bamboo walking stick, towards the beautiful village where he had laughed, and roamed and been loved in childhood. He had travelled during the night—a summer's night—from Falmouth. Day had broken long before he reached it. His heart beat with increasing pulsation the nearer he approached it. The sun shone bright in the sky when he arrived at the high land that overlooks it. It was as still and as beautiful as ever, as if, like him, it had just awakened from a sleep of twenty years. The river was as placid—the bay as serene—the smoke, curling up among the trees, as clean and blue—the fishermen preparing their nets as silently—as he had seen them yesterday in his dream. The grass in the churchyard did not seem to have been trodden—the bell in the tower did not appear to have been rung since the day of his marriage. There was a small, trim lugger in the harbor, which might have passed for the eldest daughter of his own *Belle Amy*—but he could look no longer—fancy was touching a tender and a painful chord: he wiped the tear from his cheek, and paced on in gloom and silence.

Unhappy man! Unaltered as the village externally appeared, it had within, as regarded him, undergone a melancholy change. The house where he first beheld the light, and which was occupied by his elder brother when he last saw it, was now tenanted. The windows were broken, the doors off their hinges, and the roof fallen in. And his wife too was dead! For six years she had mourned his absence—day after day had looked for his return, or some tidings of his fate. Her aged grandmother divided with her her small annuity—her friends consoled her—the smile of her infant daughter lightened her melancholy—hope flattered her till its motions had no longer any charm—her own heart, early desolate, so wedded to her exiled husband, repelled as long as it could the dark misgivings of despair; but it was a broken heart—its chords were all rent—it burst and died! The Vivians, if they knew, never disclosed the fate nor the destination of their brother. They even attributed to his roving disposition, his neglect of his wife and his indifference towards his family.

When the first violent pangs of affection were over, Walter found in his blooming daughter, born a few weeks after his departure, that charm of life which he expected to find in her mother. Both brothers had died, just as the last remnant of their wealth had begun to melt away, but this remnant had descended to the orphan child. She grew an untended rose, without a sister, beautiful as her mother, unconscious of the sorrow which had deprived her of one parent, or of the love which had restored her another. Life would have been a burden to the exile, but for this child.

The contraband trade had greatly diminished when Vivian returned from exile. His enemies either slept in the churchyard or at the bottom of the sea, or had, by the process of nature, been divested of their jealousies, for he found that all his neighbours were his friends. The place

was indeed secluded, but he was considered to be old, and frail, and if the government knew of his return, certain it is they did not molest him. No magistrate inquired into his conduct; and in the society of his daughter he was the happiest of beings. On the sea-beach in the morning he was seen straying with that beloved child, in the cool of the evening they were observed walking together; in the pew at the church they sat side by side—his heart beat but for her: her smiles, her happiness, were dearer to him than his own life.

But the outlaw was the heir of a dark destiny. It was not fated that the happiness he now experienced should be of long duration. The snatches of impassioned felicity he had enjoyed were but angel visits. They were to his heart like the occasional drop of rain to the parched lips of the Arab of the desert.—They but excited hopes which, alas! were not to be realized. He had suffered more than most men, but he had not yet suffered enough. He had drunk deeply of the cup of misery, but he had not yet half quaffed its contents; and he was doomed to drain these to the very dregs. The angel's tear, if it had fallen on his early sins, had not yet washed them from the records of Heaven. The penitent had not been absolved. He had the blood of his fellow-tran on his breast; a dark, lurid, damning spot, which a whole life of anguish could not wipe away.

Tracey Vivian was young and beautiful, full of life and vivacity; her eye had the deep luscious blue of ripe youth, her cheek streaked with the rose, her brow pale as the purest Parian, her lip round and ruby, her step light, and her smile soft, tranquil, and lovely as the beam

'Of that fair star,
That guides the wandering seaman,
Through the deep.'

But the smile from that blue eye bespoke the malady that was soon to carry her to the grave. Its light was speedily to be quenched, and the girl so doated upon was ere long to sleep far below the lilies of the valley, and her father once more to walk the earth a childless, desolate man.

In the midst of life, Tracey was on the threshold of the tomb. More rapidly and imperceptibly than is usual with that insidious destroyer, she pined away. Her father's prayers availed not. He called on God to take him, and spare his child; but the lamb only could be accepted as a sacrifice. The bloom lingered on her cheek, her eye beamed more bright, but the tones of her voice daily became more than mortal. The old man gazed on her as serenely as ever; her smile was returned with undiminished affection; but the dew of the sepulchre was on her brow. Medicine could not arrest the progress of the disorder. For a whole winter she was confined to her room; from the adjoining one, except when with his daughter, Walter never absented himself.

The spring came, but it was only autumn to her. The beam of the morning summer sun could not restore the vigor of the year. She gradually became weaker and weaker, nearer and nearer her dissolution. At length from her bed she could not rise. All that man could do—all that the intercessions of the pious could offer—were done and offered in vain. Her hand was moist and warm, but her frame was attenuated; her eye was increased in lustre, but her cheek was pale; or if otherwise, the suffusion which brightened it was but the hectic intermissions of fever. She felt no pain, but she was dying apace. For three weeks previous to her demise, her father never quitted her chamber. He sat by her bed side, a silent figure, in whose countenance there was no other expression than that of subdued, speechless, unalloyed, consuming sorrow.

One night only did the solitude of the room tempt him to divulge audibly the pangs that wrung his bosom. It was far in the morning, when the patient had fallen into one of those brief slumbers with which she was occasionally visited and relieved at that hour; the nurse had retired for the same purpose. The moon, as it shone over the silvery estuary, darted its waning ray into the sick apartment. All around, in heaven and on earth, was still as the grave. The moon itself was an emblem of death. Its ray was feeble; it was in the decline, and it was near the setting. Favored by the stillness, Vivian left his chair and approached the window. He knelt on the floor, and by aid of the moonlight opened a large family Bible which lay on the table, and clasping his hands over it, he addressed himself to the Deity in a strain of humble penitence and fervent supplication. The faint stream of light fell upon his withered features; his tears dropped on the sacred volume; and his hands were stretched upwards, while he besought forgiveness for his sins. Strange as it may appear, he was uniform in his belief, that the affliction of his daughter was a punishment on him for his yet unpropitiated transgressions. He believed that the intensity of his affection for his child was made the instrument of his punishment. Consequently, while he asked pardon for himself, he believed that its concession would include the suspension of the divine decree passed upon the life of Tracey, and her restoration to health, as an evidence of successful atonement.

Faint and constrained as was his voice, it disturbed the patient, and attracted the attendant; and when he arose in consequence of the interruption, he was so weak and paralyzed, that he fell prostrate on the floor. But he speedily recovered himself, and resumed his position by the bedside. Visitor, physician, nurse, he attended not. From Tracey's bedside he stirred not. His food was that of his daughter, the tepid gruel that tempered her burning thirst. He changed not his raiment, he shaved not his beard, he bathed not his face, he stretched not his limbs, he saw no one, he heard nothing, he