

LITERATURE, &c.

The British Magazines.

From Hagg's Instructor.

WEEP NOT.

Weep not: there is no cause for wo—
No cause for sorrow's gloom
To reign, in sable garb, and know
Of rest but in the tomb:

There is no darkness of the night
But shall be changed to day—
No clouds but vanish at the light
Of dawn's first beaming ray.

Weep not for those who are no more,
But joy that they are gone
Where every strife and struggle's o'er,
And peace and they are one.
For absent friends shed not a tear,
But let their image smile,
In all its pristine beauty, here
The weary time beguile.

Weep not when, by the tempest toss'd,
No beacon glads your eye;
Nor yet despair when all seems lost,
For then is comfort nigh,
The pleasure's ne'er without alloy,
Let me this truth disclose:
There is no grief unbacked by joy,
Or thorn without a rose.

From Chambers's Edinburgh Journal.

EXPERIENCES OF A BARRISTER.

ESTHER MASON.

[Concluded.]

Three weeks had elapsed before the first intimation of these events reached me, in a note from the chaplain of Newgate, an excellent, kind-hearted man, to whom Mrs. Mason had confided her sad story. I immediately hastened to the prison; and in a long interview with her, elicited the foregoing statement. I readily assured her that all which legal skill could do to extricate her from the awful position in which she stood, the gravity of which I did not affect to conceal, should be done. The offence with which she was charged had supplied the scaffold with numberless victims; and tradesmen were more than ever clamorous for the stern execution of a law, which, spite of experience, they still regarded as the only safeguard of their property. My wife was overwhelmed with grief; and in her anxiety to save her unhappy foster-sister, sought, without my knowledge, an interview with the prosecutor, in the hope of inducing him not to press the charge. Her efforts were unavailing. He had suffered much, he said, from such practices, and was 'upon principle' determined to make an example of every offender he could catch. As to the plea that her husband had been forcibly carried off by a pressing, it was absurd; for what would become of the property of tradesmen if the wife of every sailor, so entrapped, were to be allowed to plunder shops with impunity? This magnificent reasoning was of course unanswerable; and the rebuked petitioner abandoned her hopeless errand in despair. Messrs. Roberts, I should have mentioned, had by some accident discovered the nature of the misfortune which had befallen their officer, and had already made urgent application to the admiralty for his release.

The Old Bailey sessions did not come on for some time; I, however, took care to secure at once, as I did not myself practise in that court, the highest talent which its bar afforded. Willy, who had been placed in a workhouse by the authorities, we had properly taken care of till he could be restored to his mother; or, in the event of her conviction, to his relatives in Devonshire.

The sessions were at last on: a 'true bill' against Esther Mason for shoplifting, as it was popularly termed, was unhesitatingly found, and with a heavy heart I wended my way to the court to watch the proceedings. A few minutes after I entered, Mr. Justice LeBlanc and Mr. Baron Wood, who had assisted at an important case of stockjobbing conspiracy, just over, left the bench: the learned recorder being doubtless considered quite equal to the trial of a more capital charge of theft.

The prisoner was placed in the dock; but try as I might, I could not look at her. It happened to be a calm bright summer day; the air, as if in mockery of those death-sessions, humming with busy, lusty life; so that, sitting with my back to the prisoner, I could, as it were, read her demeanor in the shadow thrown by her figure on the opposite sun-lighted wall. There she stood, during the brief moments which sealed her earthly doom, with downcast eyes and utterly dejected posture; her thin fingers playing mechanically with the flowers and sweet-scented herbs spread scantily before her. The trial was very brief, the evidence, emphatically conclusive, was confidently given, and vainly cross-examined. Nothing remained but an elaborate *ad misericordiam* exculpatory defence, which had been prepared by me, and which the prisoner begged her counsel might be allowed to read. This was of course refused; the recorder remarking, they might as well allow counsel for felons to address juries, as read defences; and that, as every practical man knew, would be utterly

subversive to the due administration of justice. The clerk of the court would read the paper, if the prisoner felt too agitated to do so. This was done; and very vilely done. The clerk, I daresay, read as well as he was able; but old, near-sighted, and possessed of anything but a clear enunciation, what could be expected? The defence, so read, produced not the slightest effect, either on the court or the jury. The recorder briefly commented on the conclusiveness of the evidence for the prosecution; and the jury, in the same brief, business-like manner, returned a verdict of Guilty.

'What have you to say,' demanded the clerk, 'why sentence of death should not be pronounced upon you, according to law?'

The shadow started convulsively as the terrible words fell from the man's lips; and I saw that the suddenly upraised eyes of the prisoner were fastened on the face of the fearful questioner. The lips, too, appeared to move, but no sound reached my ears.

'Speak, woman,' said the recorder, 'if you have anything to urge before sentence is pronounced.'

I started up, and turning to the prisoner, besought her, in hurried accents to speak. 'Remind them of the infant at your breast—your husband!'

'Who is that conferring with the prisoner?' demanded the judge, in an angry voice.

I turned, and confronted him with a look as cold and haughty as his own. He did not think proper to pursue the enquiry further; and after muttering something about the necessity of not interrupting the proceedings of the court, again asked the prisoner if she had anything to urge.

'Not for myself—not for my sake,' at last faintly murmured the trembling woman; 'but for that of my poor dear infant—my poor witless boy! I do not think, sir, I was in my right mind. I was starving. I was friendless. My husband, too, whom you have heard!—She stopped abruptly; a choking sob struggled in her throat; and but for the supporting arm of one of the turnkeys, she would have fallen to the ground.'

'Unhappy, guilty woman,' said the recorder, with the coolness of a demon, 'the plea of insanity you would set up is utterly untenable. Your husband, it seems, is serving his majesty in the royal navy; defending his country, whilst his wife was breaking its laws, by the commission of a crime which, but for the stern repression of the law, would sap the foundations of the security of property. And—'

I could endure no more. The atmosphere of the court seemed to stifle me; and I rushed for relief into the open air. Before, however, I had reached the street, a long, piercing scream informed me that the learned judge had done his duty.

No effort was spared during the interval which elapsed previous to the recorder presenting his report to the privy-council—a peculiar privilege at that time attached to that office—to procure a mitigation of the sentence. A petition, setting forth the peculiar circumstances of the case, was carefully prepared; and by the indefatigable exertions of an excellent Quaker gentleman—whom, as he is still alive, and might not choose to have his name blazoned to the world, I will call William Friend—was soon very numerously signed. The prosecutor, however, obstinately refused to attach his name to the document; and the absence of his signature—so strangely did men reason on such matters in those days—would, it was feared, weigh heavily against the success of the petition. The amiable and enlightened Sir Samuel Romilly, not only attached his name, but aided us zealously by his advice and influence. In short, nothing was omitted that appeared likely to obtain the desired object.

Two days before the petition was to be forwarded to the proper quarter, Henry Mason arrived in England, the exertions of his employers having procured his discharge. The Active was one of captain Hoste's squadron which obtained the celebrated victory off Lissa, over the Franco-Venetian fleet, commanded by Admiral Doboordien. Henry Mason, it appeared by the testimonials of the captain and officers of his ship, had greatly distinguished himself in the action. We enclosed these papers with the petition; and then, having done all in our power, awaited with anxious impatience the result of the recorder's report. It was announced to me, as I was sitting somewhat later than usual at chambers, by Mr. William Friend. The judgment to die was confirmed! All our representations had not sufficed to counterbalance the supposed necessity of exhibiting terrible examples of the fate awaiting the perpetrators of an offence said to be greatly on the increase. Excellent William Friend wept like a child as he made the announcement.

There are many persons alive who recollect this horrid tragedy—this national disgrace—this act of gross barbarity on the part of the great personage, who first having carried off the poor woman's husband, left her to die for an act the very consequence of that robbery. Who among the spectators can ever forget that heart-rending scene—the hangman taking the baby from the breast of the wretched creature just before he put her to death! But let us not rake up these terrible reminiscences. Let us hope that the truly guilty are forgiven! And let us take consolation from reflecting that this event led the great Romilly to enter on his celebrated career as a reformer of the criminal laws.

The remains of Esther Mason were obtained from the Newgate officials, and quietly interred in Saint Sepulchre's churchyard. A plain slab, with her name only plainly chiseled up-

on it, was some time afterwards placed above the grave. A few years ago I attended a funeral in the same graveyard; and after a slight search, discovered the spot. The inscription, though of course much worn, was still quite legible.

I had not seen Henry Mason since his return; but I was glad to hear from Mr. William Friend that, after the first passionate burst of rage and grief had subsided, he had, apparently at least, thanks to the tender and pious exhortations of his wife—with whom, by the kind intervention of the sheriffs, he was permitted long and frequent interviews—settled down into calmness and resignation. One thing only he would not bear to hear even from her, that she had been guilty of even the slightest offence. A hint of the kind, however unintentional, would throw him into paroxysms of fury; and the subject was subsequently in his presence studiously avoided.

A few days after the execution, Mr. William Friend called on me just after breakfast, accompanied by the bereaved husband. I never saw so changed a man. All the warm kindness of his nature had vanished, and was replaced by a gloomy fierce austerity, altogether painful to contemplate.

'Well, sir,' said he, as he barely touched my proffered hand; 'they have killed her, you see, spite of all you could say or do. It much availed me, too, that I had helped to win their boasted victories; and he laughed with savage bitterness.'

'Henry—Henry!' exclaimed Mr. Friend, in a reproving accent.

'Well, well, sir,' rejoined Mason impatiently, 'you are a good man, and have of course your own notions on these matters: I also have mine. Or perhaps you think it is only the blood of the rich and great which, shed unjustly, brings forth the iron harvest? Forgive me,' he added, checking himself. 'I respect you both; but my heart is turned to stone. You do not know—none ever knew but I—how kind, how loving, how gentle, was that poor long suffering girl.'

He turned from us to hide the terrible agony which convulsed him.

'Henry,' said Mr. Friend, taking him kindly by the hand, 'we pity thee sincerely, as thou knowest; but thy bitter revengeful expressions are unchristian, sinful. The authorities whom thou, not for the first time, raillest on so wildly, acted, be sure of it, from a sense of duty; a mistaken one, in my opinion, doubtless; still—'

'Say no more, sir,' interrupted Mason. 'We differ in opinion upon the subject. And now, gentlemen, farewell. I wished to see you, sir, before I left this country forever, to thank you for your kind though fruitless exertions. Mr. Friend has promised to be steward for poor Willy of all I can remit for his use. Farewell. God bless you both!' He was gone.

War soon afterwards broke out with the United States of America, and Mr. Friend discovered that one of the most active and daring officers in the Republican navy was Henry Mason, who had entered the American service in the maiden name of his wife; and that the large sums he had remitted from time to time for the use of Willy, were the produce of his successful depredations on British commerce. The instant Mr. Friend made the discovery, he refused to pollute his hands with monies so obtained, and declined all further agency in the matter. Mason, however, contrived to remit through some other channel to the Davies's, with whom the boy had been placed; and a rapid improvement in their circumstances was soon visible. These remittances ceased about the middle of 1814; and a twelvemonth after the peace with America, we ascertained that Henry Mason had been killed on the battle of Lake Champlain, where he had distinguished himself, as everywhere else, by the reckless daring and furious hate with which he fought against the country which, in his unreasoning frenzy, he accused of the murder of his wife. He was recognised by one of his former messmates in the Active; who, conveyed a prisoner on board the American commander Macdonough's ship, recognised him as he lay stretched on the deck, in the uniform of an American naval officer; his countenance, even in death, wearing the same stoutheaded, defiant expression, which it had assumed on the day that his beloved Esther perished on the scaffold.

NEGLECT.

Society assumes a right, and not always without cause, to inflict a punishment which is more dreaded than the bulls of Popes, the mandates of kings, or the ukases of autocrats; and that punishment is the ban of its silence, its indifference and disregard. With many persons direct reproaches would be more supportable than the cold obscurity of neglect, when no eye notices, no voice welcomes, and no smile gladdens us into social being and joy. It is a desolate and miserable isolation, which is alike dreaded by old and young—the Nieban of life—the comfortless, cheerless, unpitied, and freezing solitude of the heart.

NATURAL AND ARTIFICIAL SLEEP.

Natural sleep is repose after labor and fatigue, when we take that refreshing rest, that restorative slumber, which is appointed for us. Had the kindness of nature stopped here, our lives would have been exposed to infinite misery and torment. But when disease and pain, and mental agony, care and anxiety, expel this angel of comfort and consolation from our couches and pillows, then the appliances of art are invoked, the aid of medical skill is in request, and repose is obtained by intermediate and artificial means.

THE PILGRIMS AT THE JORDAN.

In all the wild haste of a disorderly rout, Copts and Russians, Poles, Armenians, Greeks and Syrians, from all parts of Asia, from Europe, from Africa, on they came; men, women and children, of every age, hue, and every variety of costume; talking, screaming, shouting, in almost every known language under the sun. Mounted as variously as those who had preceded them, many of the women and children were suspended in baskets or confined in cages; and with their eyes strained towards the river, heedless of all intervening obstacles, they hurried eagerly forward and dismounted in haste, and disrobing with precipitation, rushed down the bank, and threw themselves into the stream. They seemed to be absorbed by one impulsive feeling, and perfectly regardless of the observations of others. Each one plunged himself, or was dipped by another, three times, below the surface, in honor of the Trinity; and then filled a bottle or some other utensil from the river. The bathing-dress of many of the pilgrims was a white dress with a black cross upon it. Most of them, as soon as they were dressed, cut branches of the agnus castus, or willow; and, dipping them in the consecrated stream, bore them away as memorials of their visit. In an hour they began to disappear; and in less than three hours the trodden surface of the lately crowded bank reflected no shadow. The pageant disappeared as rapidly as it had approached, and left to us once more the silence and solitude of the wilderness. It was like a dream. An immense crowd of human beings, said to be eight thousand, but I thought not so many, had passed and repassed before our tents, and left not a vestige behind them.

From Hooper's Alabama Tribune.

MORE SILENCE.

Every one who has visited the seat of the State Government, at any time during the last ten years, during a session, knows Jimmy Owen, the Irish door-keeper of the house. Jimmy was once 'taken,' in manner and form following, to wit:—

The Governor had given a party on the night previous to the occasion whereof we are going to speak, and 'Otard' and champagne had been most liberally imbibed. The orgies had lasted until the 'wee sma' hours,' and next day nearly everybody was on the stool of repentance. The House was particularly thin and drowsy. Not a soul was in the lobby, the Speaker nodded in his seat, Jimmy sat, *vino somnoque gravidus*, bolt upright, but unconscious, in his box, while a prosy old member was mauling away monotonously on some obnoxious items in the Tax Bill. With this exception all was quiet as the 'house of death.'

Aleck Clithrell, who was then assistant Clerk, seeing Jimmy's situation, and envying his comfort, left his desk, and going up to his victim, pinched him savagely on the thigh, hissing fiercely in his ear at the same time—'Jimmy, don't you hear the speaker's hammer! There's a deuce of a row in the lobby.'

Jimmy bounced from his seat as if it had been red hot, and without waiting to open his eyes, roared—absolutely roared—'gentlemen, you must *railly* keep MORE silence in the lobby, IF YOU PLEASE!'

Flesh and blood could not stand it. The Speaker laughed outright, and the prosy member sank upon his seat. As for Jimmy, in an instant he discovered how he had been sold, and started in hot chase of Aleck. No man ever knew how the matter was compromised when Jimmy caught up; few have been bold enough to enquire, and those few have received remarkably little satisfaction.

SCRAPS.

A GOOD ONE.—A son of the Emerald Isle lately had occasion to visit our city in his vehicle, and having arrived at his point of destination, alighted from it, and proceeded to transact his business. On returning to the place where he had left his horse and waggon, he was astonished to learn from the Major that the horse had run away with it.

'Sore, an' did he break the reins,' inquired he of his informant.

'Oh, no, I believe not,' was the reply. 'Well, then, how in the name of Saint Patrick could he have got loose, for sure an' I tied the reins to the waggon!'

The major vanished.

STOP HER!—Some organs have no stops, like the Italian Organs, that will go on for hours without a stop; and then again, there is the celebrated Organ of Speech in woman, which is acknowledged to be the greatest organ in the world, and which has been going on now for ages without the slightest stop.

When Julia Long stood up at the altar, the priest remarked, 'Is your name Julia Long?'

The innocent girl replied, 'It ain't nothing shorter.' But it was not so long.

Why is a blash like a little girl? Because it becomes a woman.

AN ENTIRELY NEW SAW.—A man sawing with a saw that was not the sharpest in the world, after vainly trying to use it, broke out in the following exclamation: 'Of all the saws that I ever saw saw, I never saw a saw saw as that saw saws.'

The Tribune says of Mehmet Ali, that 'his indifference to human life was strongly displayed by Cromwell in his Irish campaign.' That's funny. Old Noll might have shown his own indifference, but what right had he to display Mehmet Ali's indifference before that person was born. The offence comes under the act against 'forestalling.'