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CHARLES E. HITCHCOCK, EDITOR.

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(Shop next door to the Canton Hotel.)

THE MERCHANT'S DAUGHTER AND THE JUDGE.

BY CAPTAIN MARRYAT.

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

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

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

'The dear Madonna bless you!' ejaculated his other visitor a young girl with the large flashing eye, the pure oval face, and the classic contour of Italy. The invalid bowed his head to each of these salutations.

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

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

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

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

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

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

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

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

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

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

'Holy saint!' exclaimed the merchant, crossing himself, and drawing back as he beheld the volume which his church had closed against the laymen. 'Thou then are among the heretics who bring down a curse upon thy land! Nay, thy sojourn here may bring down maledictions upon me and mine! upon my house and home! But thou shalt forth. I will not harbor thee! I will deliver the over to the church, that I may chasten thee! Away from him, my child! away from him!'

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

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

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

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

The soldier smiled, and sighed.

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

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

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

'Never,' exclaimed the soldier, earnestly—'never! and you, my kind and gen-

erous nurse, my good angel—you who have brought hope to my pillow, and beguiled the sad hours of sickness in a foreign land—words are but poor things to thank the with.'

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

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

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

'Thou art sad, dear daughter,' said a venerable father to his child, as they traversed that once countrified expanse through which we now jostle our way from the City to Westminster. 'Thou art sad, dear daughter.'

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

'The heart is sad, thou wouldst say—'

'Nay I meant it not.'

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

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

'They are running madly to some festival.'

'Let us leave the path then,' said the girl; 'it suits not our fallen fortunes, or our dishonored faith, to seem to mingle in this stream of folly. Doubtless the king hath some pageantry.'

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

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

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

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

Born on by the crowd, our merchant and his daughter had been forced into a conspicuous situation. The peculiar dress, the braided hair, the beauty and the foreign aspect of the girl had marked her out to the rude gallantry of the crowd; so that the father and daughter were themselves objects of interest and curiosity.

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

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

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

November came with all its gloom—the

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

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

In fear and trembling the unhappy foreigners waited the day of doom. The merchant's offence was one little likely to meet with mercy. Henry was jealous of his title of head of the church. He had drawn up a code of articles of belief, which his subjects were desired to subscribe to, and he had instituted a court, of which he had made Lord Cromwell vicar-general, for the express trial of those whose orthodoxy in the king's creed was called in question. Neither could the unhappy merchant hope to find favor with the judge, for it was known that Cromwell was strongly attached to the growing reformation; and from the acts of severity with which he had lately visited some of the adherents of the Romish creed, in his new character of vicar-general, it was scarcely probable that he would show mercy to none attached, by lineage, and love, to papal Rome. Strangers as they were, poor, unknown and unknown, what had they not to fear, and what was left for hope?

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

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

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

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

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

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

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

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

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

The vicar-general made answer neither. He rose abruptly at a sign given by him, the proper officer declared the court adjourned: the sufferers were hurried back to their cells—some went whither they would—others, whether they would not; but all dispersed.

A faint and solitary light glamed from a chink of the prison walls—it came from the narrow cell of the Italian merchant and his daughter.

The girl slept—she slept. Sleep does not always leave the wretched, to light on lids unsullied with a tear.

The clanking of a key caught the merchant's ear; a gentle step entered their prison. The father's first thought was for his child. He made a motion to enjoin silence; it was obeyed; his visitor advanced with a quiet tread: the merchant looked upon him with wonder. Surely—no—and yet could it be? that his judge—Lord Cromwell, the vicar-general, stood before him—and stood, not

with threatening in his eye—not with denunciations on his lip, but took his stand on the other side of poor Emilia, gazing on her with an eye in which tenderness and compassion were conspicuous.

'Awake, gentle girl, awake,' said Lord Cromwell, as he stooped over Emilia. 'Let me hear thy voice once more as it sounded in mine ear in other days.'

'Look on me, Emilia!' said Lord Cromwell. And encouraged by the gentle accents, she raised her tear-swollen eyes to his face. As she did so, the vicar-general lifted from his brow his plumed cap, and revealed the perfect outline of his features. In a voice of passionate amazement she exclaimed: 'It is the same! It is our sick soldier guest!'

'Even so,' said Lord Cromwell, 'even so, my dear and gentle nurse. He who was then the poor dependent on your bounty, receiving from your charity his daily bread as an alms, hath this day presided over the issues of life and death, as your judge; but fear not, Emilia; the sight of thee, gentle girl, comes like the memory of youth and kindly thoughts across the sterner mood that hath lately darkened over me. They whose voice may influence the destiny of a nation, gradually lose the memory of general thoughts. It may be, Providence hath sent thee to melt me back again into a softer nature. Many a heart shall be gladdened, that, but for my sight of thee, had been sad unto death. I bethink me, gentle girl, of the flowers, laden with dew and rich in fragrance, which thou usedst to lay upon my pillow, while this head throbbd with agony of pain upon it; fondly thinking that their sweetness would be a balm; and how thou wert used to steal into my chamber and listen to tales of this, the land of my home! Thou art here; and how hast thou been welcomed!—to a prison, and well nigh to death. But the poor soldier hath a home; come thou and thy father, and share it.'

An hour! who dare prophesy its events? At the beginning of that hour, the merchant and his daughter had been the sorrowful captives of a prison: at its close, they were the treasured guests of a palace.

PASSAGES IN HUMAN LIFE.—In my daily walks into the country, I was accustomed to pass a certain cottage. It was no cottage of note; it was no cottage of romance. It had nothing particularly picturesque about it. It had its little garden, and its vine spreading over its front; but beyond these, it possessed no feature likely to fix it in the mind of a poet, or a novel-writer, and which might induce him to people it with beings of his own fancy. In fact, it appeared to be inhabited by persons as little extraordinary as itself. A good-man of the house it might possess, but he was never visible. The only inmates I ever saw, were a young woman, and another female in the wane of life, no doubt the mother.

The damsel was a comely, fresh mild-looking, cottage girl enough; always seated in one spot, near the window, intent on her needle. The old dame was as regularly busied, to and fro, in household affairs. She appeared one of those good housewives, who never dream of rest, except in sleep. The cottage stood so near the road, that the fire at the farther end of the room, showed