CANADA.

From Our Own Correspondent.

TORONTO, Monday, March 5, 1855.

It is stated the system heretofore pursued of having practically two premiers, one for Upper and one for Lower Canada, is to be dispensed with. Indeed, it is said that Sir Allan McNab, in reconstructing the Lower Canada section of the Cabinet, did so without the intervention of a sectional premier: that he consulted Col. Tache as a matter of courtesy, and not as a minister of coördinate powers with himself. The object of putting an end to the system of a double-headed Cabinet is to cement, if possible, more closely the two sections of the Province, and to make them forget that they were once two distinct peoples.

For some time past, the political gossips have employed themselves with repeating and canvassing a rumor that Sir Edmund Head, the new Governor, is inclined to interfere unduly in matters that belong to this Cabinet, and that something like an antagonism had been got up between him and his advisers.

The story first appeared in a Quebec paper, popularly supposed to speak the sentiments of Mr. Attorney-General Drummond; and it was this circumstance that gave it significance. Authoritative denials have been sent forth in various quarters. These denials admit that Sir Edmund Head is inclined to take an active part in the business of Government, but allege that he has shown no disposition to go beyond Constitutional limits. Amid these conflicting statements, one thing is clear and certain: no Governor who should seek unduly to interfere in the affairs of the Government, to overstep the limits assigned to him by Constitutional usage, could long remain in the Province. The day has gone by for that; and if Sir Edmund Head does not thoroughly comprehend the fact, he is a much duller man than I take him to be.

The recommendations of the military Commissions turn out to be much more extensive than I imagined, when I wrote on the information of a telegraphic summary of the report. The report itself, I must say, looks mightily like a proposal to place our militia on a war footing. In this report, the doctrine that we are to look entirely to England for the means of external defence is abandoned; and more than one description of local force is looked upon as available auxiliaries of the British troops for that purpose. Indeed, the letters patent appointing the Commission declare that one of the objects to which they were to devote their attention, was to provide "An efficient "and economical system of public defense." For this purpose, they declare themselves unanimously in favor of the "establishment "of volunteer troops of militia cavalry, field bat-"teries and foot companies of artillery, and com-"panies of infantry armed as riflemen." They recommend sixteen troops of cavalry, seven field batteries of artillery, five companies of foot artillery and five companies of infantry—comprising, altogether, 4,047 men. The arms are to be: For cavalry, sabers and pistols; for each field battery of artillery, two 6-pounder guns and two 12-pound howitzers, eight percussion carbines, a saber for every gunner and driver; for the foot companies of artillery, percussion fusils and bayonets; and for the infantry, the best description of Minié rifle. These companies are to exercise twenty days in the year. The first year's cost of this force is estimated at over $100,000.

Then, of the peasantry militia, the report says that upon it the Province must depend, in times of danger, for its effectual defense. This is to consist of the whole population, of certain ages; but, except in time of war or insurrection, the married men, and widowers with children, are to be kept as a reserve force. This force, however, is only to drill one day in the year; but great attention is to be paid to organization, and it is believed by the Commissioners, if by nobody else, that thorough organization and armament will be far more effective than any attempt that could be made to drill the whole force till they were required for actual service. To meet the contingency of an invasion of the Province—such is the avowal of the report—50,000 stand of arms are recommended to be put into the hands of the peasantry militia, for which, also, it is proposed to establish armories at Quebec, Three Rivers, Riviere du Loup, Sorel, St. John, Montreal, Bytown, Prescott, Petersborough, Toronto, Guelph, Hamilton, London and Chatham. At some of these places, magazines are also to be built. A permanent force is to be kept at Fort Wellington, Prescott, on account of its proximity to the United States.

Provincial marine companies to man gun-boats, are recommended to be formed at Kingston, Cobourg, Toronto, Hamilton, Port Stanley, Dunnville, and Oakville, to consist of one Captain or Lieutenant, and 50 men, each. The expense of this force is estimated at $20,000 a year.

A Provincial police force, to cost $172,000 a year, is also recommended; the Province to be divided into seven police districts, with headquarters at Quebec, Montreal, Sherbrook, Bytown, Kingston, Toronto, and London, with a superintendent at each place.

The proposal to establish a force avowedly for the purpose of external defense, will raise the question whether, while we occupy the position of colonists, we ought to undertake responsibilities which belong only to independent nations, and whether the one is compatible with the other.

NEW PUBLICATIONS.

CATHOLICISM AND TRANSCENDENTALISM.

QUESTIONS OF THE SOUL. By I. T. HECKER. 12mo., pp. 294. D. Appleton & Co.

The argument of this work is founded on the supposition that the only alternative offered to the religious inquirer at the present day, is between Catholicism and Transcendentalism—in other words, between the system which maintains the need of an infallible external authority, and that which admits no higher standard of truth than the inner testimony of the soul. Hence the writer makes but infrequent allusion to the claims of the usual Protestant sects, and aims mainly to demolish the pretensions of those modern thinkers with whom an interior spiritual light is the ultimate basis of faith. His method consists chiefly in showing up their short-comings—their failure to realize the promise implied in their teachings—their inadequacy to answer the most profound questionings of the soul—and the disastrous tendency of their principles when pushed to their legitimate consequences. To a great extent, he endeavors to condemn them out of their own mouths, quoting, for this purpose, from their writings—especially from several eminent poets,—professedly or really belonging to this school—so that the intrinsic dryness of the subject is essentially relieved by a choice collection of extracts, which are good poetry, if bad theology. A certain piquancy is given to the volume by the fact, that the author was once in intimate relations with the persons whose opinions he overhauls—shared, for a time, in their characteristic ideas—and was engaged with them, more or less closely, in some of their practical enterprises for the accomplishment of social reforms. He speaks of his ancient compatriots, in terms of great explicitness, neither disguising his contempt for their religion, nor his respect for their characters. In general, the tone of the work savors more of sentiment than of reasoning, although it betrays a more than common degree of ability, while its suavity of temper might spread its contagious sweetness, without damage, among controversialists of every name.

The true destiny of man, as stated by the writer, would probably find few antagonists among any class of thinkers, in spite of the evidence to the contrary which he attempts to adduce from Goethe, Schiller, Emerson, Carlyle and others, by forcing them upon the witness-stand, and making them submit to a cross-examination:

Shall we ask the intelligence of man what it demands? Its answer is: "To know, to know the truth; to know the whole truth; the primal and infinite truth; to know God!"

Shall we ask the heart of man the end of all its desires? It will answer: "To love, to love the good; to love the supreme and infinite good; to love God and all things else because of some reflect of God!" Shall we ask the will of man its purpose? It will reply: 'To act; to act in accordance with the primal truth for the Supreme Good; to do God's will."

The head, the heart, the hand of man with one voice proclaim that the end of man is to know, to love, to live for God! This is God's own destiny. Man's destiny, therefore, is Godlike. For God created man in His "own image and likeness!"

The destiny of the soul, then, is to come to God; to be one with God. To live, is to think for God, to love for God, to act for God.

The real point of the question does not relate to the need of a divine life for humanity, nor to the essential qualities of that life, as here set forth—but to the discipline and influences requisite for its production and growth. This is fully considered in a subsequent part of the volume, wherein the advantages of the Catholic ritual, in that respect, are strenuously urged. But the persons for whose edification the book seems to have been primarily intended, do not, we imagine, call in question its main thesis as to the necessity of a life above the plane of the senses. Indeed, this is virtually conceded by the author in the following passage on the American character:

There is a large class of persons in the United States who look for and seek a more spiritual and earnest life. There is scarcely an American family which will not testify to the truth of this statement—not only as a present fact, but as a part of its history—by the efforts of some one or more of its members to realize such a life. One might almost say that this desire after a more spiritual life is one of the chief characteristics of the American people. For, although we are proverbial for our thriftiness, especially the people of the Middle and Eastern States, yet we find few, if any, among our own population, who seek money for the purpose of hoarding it. It is sought, almost always, as a means to something better and more noble.

There are few among us who have not felt, at times, that life should be an uninterrupted act of piety; that our deeds, to be true, should be acts of worship; that what is not directed to God is lost, profane, if not sinful. We know it, and speak not at random, when we say that a large class of our people are earnest, serious-minded, and dissatisfied at heart with the life around them, and are unwilling "to decline on a range of lower feelings." They are eager, anxious, restless to be freed, and to live a better and more spritual life, and hence they grasp and catch at any enterprise, scheme, theory, or doctrine, however absurd, so long as it promises to discover to them the secrets of spiritual life, or to afford them the means to live it.

But some of the reasons why this class of souls is more numerous in this country than among any other Protestant people may be distinctly stated.

Our first reason may be called a political and economical one. To be freed from the cares and toils of the common duties of life is necessary to the development of the nobler powers of the soul. Here, in the United States, competence is more easily acquired than in any other land—thanks to our political institutions and the advantages of our country. Hence, those who feel strongly called to live a higher life have the leisure so necessary to their growth and development.

Many in whom, under less favorable circumstances, all instinct of a diviner life would be stifled and trodden out, here come to a full consciousness of their nobler powers and true destiny.

Another reason, and one which may be called geographical, is, the nature and state of our country. It is not enough to be freed from care and toil for the development of our secret powers and aspirations after a purer and holier life—more is needed—silence, solitude is needed. Our country presents these to us with a lavish hand, and on the grandest scale, in her deep forests, her vast prairies, in her unexplored regions and uncultivated lands; these, with our sparse population, force a great part of our people to silence and into solitude. And these conditions give quiet and tranquillity to the mind, qualities which conduce, and, so to speak, provoke man to the meditation and contemplation of his own nature, his destiny, and of God; for solitude gives birth to our nobler impulses, and Nature, rightly viewed, leads upward, step by step, as it were, to our common Author, in whom all secrets are opened to our view.

He then proceeds to give a brief history of what he calls "noble attempts" to realize "a better, purer, and holier life in our days and in our land," by "men who, bold with divine affections and filled with mighty hopes," would "live and consecrate their lives to divine purposes." Brook Farm, Fruitlands, and the Brotherhood of the Holy Cross, are made to sit for their miniatures, as types of the ideal purpose described by Carlyle: "To make some nook of God's creation a little fruitfuler, better, more worthy of God; to make some human hearts a little wiser, manfuler, happier;—more blessed, less accursed! This is work for a God." The author sums up his view of these experiments with a quotation from John Sterling:

In sympathy and in truth we may say, of these unsuccessful efforts, with the poet:

"O! wasted strength! O! light and calm
And better hopes so vainly given!
Like rain upon the herbless sea,
Poured down by too benignant heaven—
We see not stars unfixed by winds,
Or lost in aimless thunder-peals,
But man's large soul, the star supreme,
In guideless whirl how oft it reels!"

But the path to genuine accomplishment of sublime aims, the writer contends, is found only in the Catholic Church. She opens wide her arms to those who would dedicate themselves entire to the fulfillment of their highest destiny, regarding them as her brightest ornaments and the most precious jewels of her crown. This conviction is expressed in the following paragraphs, together with some criticisms on Emerson, Carlyle, and so forth, which are certainly racy, though not, we presume, the final word on the subject.

What was attempted by those engaged in such movements as Brookfarm, Fruitlands, and other places of a similar character, the religious orders in the Catholic Church have always realized. Their most brilliant dreams do not present a fair picture of a religious life in the Catholic Church. Their hopes and highest aims were but glimmerings of the reality existing in her bosom, and that for ages. It is a happy moment, indeed, when we find that the inmost sentiments of our hearts, the lovely dreams of our youth, the desire of our manhood for self-sacrifice and heroism, are not only understood, but fully appreciated; and all the means to their fulfillment are offered to us in abundance. Happy are they who find out in their youth what all men discover, at some period of life, that God, and God alone, can satisfy the inmost wants of the soul, and consecrate themselves to his service, with all the freshness and purity of their youthful energy. This is the most beautiful experiment in life—to pass from the service of the world to that of God!—to give one's youth to Heaven!

To those who seek for true greatness, and a permanent basis for action, a divine basis for life—a basis that will give to the intellect ever-brighter visions of truth, to the heart irresistible impulses to love and heroism, and to the arm an unfailing strength; a life that will render them independent of all ties of kindred and friendship, and make them conquerors of the world, and masters of themselves: it is here, in these schools of religious discipline, they will find it, and all the means to make such a life their own. Out of these schools came the Jeromes, Augustines, Gregories, Bernards, Francises, the Vincent de Pauls, the Xaviers, and other great doctors and missionaries of the Church. Yes, the Catholic Church is the mother of great men, the nurse of heroes, and of an unfailing succession of saints and martyrs. It is the very nature of the Catholic faith, when it takes root in the heart, to make men superior to Nature, and true heroes.

Men talk of greatness and of heroism, but in the Church there is a perennial source of great men and heroes. There is no other.

Thomas Carlyle has talked of heroism and sham to satiety; and, like the fable of the ancients, he has gazed so long upon a sham-hero, that at length he has finished by giving life to one in his own person. For, the veriest of all shams is one who has talked till he has nothing more to say, and yet continues to talk "an infinite deal of nothing."

"A tirade
About fire-horses, jotuns, wind bags, owls,
Choctaws and horse-hair, shams and flunkeyism,
Unwisdoms, Tithes, and Unveracities."

Mr. Emerson, like his colleague, has done his work, and talked out.

The work Mr. Emerson had to do, he has done, and done with a certain degree of earnestness, fidelity, and even bravery. His task was to break through, and shake off the false and narrow dogmas, the hollow forms, and the hollower cant of Protestantism; and, once more, to take a stand upon man's simple nature.

In accomplishing this task, Mr. Emerson has done some service to truth, though it be a negative one. Truth may be gained by those who do not fully possess it, in two ways. First, by holding fast those fragments of revealed truth which they are in possession of, and, in following them out to their relations with other truths, till they discover the whole, or the central source of them all; and in this way the school of Dr. Newman came to the knowledge of the Catholic Church. Or, secondly, by renouncing all revealed truths, and placing one's self once more upon our native instincts and capacities, which will teach us by their wants, if we be not false, the necessity of the Catholic Church.

The latter course was that of Mr. Emerson. So far as the going back to Nature is concerned, Mr. Emerson did it for himself, and helped many others to the same end. Hence the maxims that are everywhere scattered about, and inculcated in his first writings, as, "obey thy instincts," "act out thyself," "be thyself," &c. But here his work stops. He has no future; no aims but false ones.

He says to man, "Obey thy instincts." Now, if man were a bee, a cat, or a pig, this would answer quite well. But it is a large error, to give, as a rule of life to man, who has reason and free-will, what is good and proper only for a beast. This is servility, in its lowest form.

Even when Mr. Emerson acknowledges reason and free-will, he acknowledges them, as the Fourierites, in subordination to what he calls instinct. Reason is man's guide, and he has capacity for a still higher guidance; but this Mr. Emerson, with all Rationalists, ignores.

"Can Man, no more than beast, aspire
To know his being's awful Sire?
And born and lost on Nature's breast,
No blessing seek but there to rest?

"Not this our doom, thou God benign!
Whose rays on us unclouded shine;
Thy breath sustains yon fiery dome;
But Man is most thy favor'd home."

But Mr. Emerson would answer man's wants by "self-culture." All that self-culture can do for man is, to make him feel more keenly and painfully his wants and deficiencies, but it can do nothing to satisfy or supply them. This is openly and sadly confessed by one of the celebrities of the school of Transcendentalists—Margaret Fuller. One of her biographers says, that Margaret's life had an aim;" and adds, "This, after all is the test question." Now, what was this aim? Here it is; he gives it in her own words, in *italics*: "Early I knew," she writes, "that the only object in life is to grow."

A great aim that! A melon, a pumpkin, or a squash could say the same, if they could only speak. If the good man only knew it, this is no aim at all. This votary of self-culture proclaims it in her own words, and that at a moment when there was a field opened to her to speak, if she had anything to say, in the columns of a periodical. "But, in truth," she confesses, "I have not much to say; for, since I had leisure to look at myself, I find, that, so far from being an original genius, I have not yet learned to think to any depth, and that the utmost I have done in life has been to form my character to a certain degree of consistency, cultivate my tastes, and learn to tell the truth with a little better grace than I did at first." A confession not unlike that which Goethe puts into the mouth of Faust:

"I feel it, I have heaped upon my brain
The gather'd treasures of man's thought in vain,
And when at length from studious toil I rest,
No power, no love, springs up within my breast,
A hair's breadth is not added to my hight,
I am no more the infinite."

That this self-culture, to which she devoted so many years, can give no peace to the heart, nor answer any of its wants, nor furnish any aim in life, the next writer in her biography shows. "The very restlessness of Margaret's intellect," he says, "was the confession that her heart had found no home." Listen how aimless self culture leaves the soul. "What a heaven"—it is Margaret who speaks—"it must be to have the happiness of accomplishing something, and to feel the glow of action without exhausted weariness! Surely the race would have worn itself out by corrosion, if men in all ages had suffered as we now do from the consciousness of an unattained Ideal." Thus, self culture, while it renders man a little more accomplished, utterly fails to supply his wants; on the contrary, it only adds to man's misery, by making him more painfully conscious of his wants.

Still, this is all that Mr. Emerson has to offer to the youth of our land. Man's destiny to him is a riddle, and the future is wrapped up in darkness. When he attempts to utter a word of hope, it is but the echo of a flat Pantheism.

Mr. Emerson has accomplished his task, in clearing the ground from all rubbish; and now the time has come when the seeds of truth should be planted. The tide of life must be turned from a fruitless negation to a fruitful affirmation. Mr. Emerson's maxims must be converted. Substitute humility to obey, for "self-reliance;"—courage to believe, for "trust thyself;"—deny thyself, for "act out thyself;"—master thy instincts, for "obey thy instincts;"—self sacrifice, for "self-culture;"—surrender thyself to God, for "be thyself." For the end of man is not in himself, nor in his instincts, nor in his soul, but in God. All greatness lies in the direction of God.

It is no more than fair to present the writer's notice of his former intellectual connection with the Transcendentalists, and his appeal to them on the ground of once-cherished affinity.

We do not, however, yield up all our hopes for this class of men; at least, for some of them.

Their independent spirit and indifference to all human respect, the generous efforts and sacrifices which they have made to realize their aspirations, excite our admiration, win our love, and command our respect. Though unsuccessful, still all aspiration after a purer and better life is not extinct in their bosoms. They still feel;—they feel wants which have never been met and satisfied. We see before us these men, gifted, brave, and in earnest; more ready to obey truth, though it should cost their self love somewhat, than to yield to what they know to be false. Oh, could we say a word that would reach their hearts, we should be all too happy!

Once we were their companion and bosom friend;—but we are changed. Changed, not in our aspirations, not in our heart's affections, not in our purposes in life;—no, these are not changed, but exalted, purified, and enlarged! Our change was this; to pass from a natural to a supernatural basis of life, thus giving to our nature a new and extraordinary participation in the Divine Nature, and bringing up our being to the archetype of man, existing in the Divine Mind. For Jesus Christ did not come down from heaven to contradict or destroy man's nature, but to rectify and restore it, and to give to man a new, superior, divine mode of life and activity. Jesus Christ became man in order to enrich men with the gift of his own Divinity.

This was our change, and it was one of the happiest moments of our life, when we discovered, for the first time, that it was not required of us either to abandon our reason, or drown it in a false excitement of feeling, to be a religious man. That to become Catholic, so far from being contrary to reason, was a supreme act of reason. It was a joy to us to find that, instead of being required to play the whining hypocrite, or the blind fanatic, and thus renounce our manhood in order to become a Christian, we were called upon to make an act which all the faculties of our being spontaneously united in making. That, after having made this act, we could look up, and the heavens appeared to smile upon us more cheerfully, the stars to shine more brightly, and the earth seemed clothed with greater beauty. That, instead of our sympathies being cut of from our fellow men, and our willingness to make sacrifices for their well-being diminished, we found ourselves prepared to put into execution what before was only upon our lips, and ready to make sacrifices which before we had scarcely imagined. This, we repeat, was our change. But, alas, our companions remain the same!

They are still in the self-same place where at the setting out they were. They are still seeking for life, still looking for peace, and vainly striving to realize their truer destiny.

"They cry for strength, remaining weak,
And seem to find, but still to seek."

They are conscious of energies which were never brought into action; they have capacities, the objects of which they scarcely have even dreamt of; and in their souls lie buried sources of life that till now remain unsealed.

Oh, could we but give them a glimpse of the soul under the immediate influence of divine grace, could we give to their hearts, only for a moment, a taste of the divine love which Jesus Christ came to enkindle upon earth, could we get them to understand the possibility of the soul being filled with a pure, divine, and inexhaustible energy; then we should have given them some conception of the meaning and necessity of the Church, and accomplished the wish nearest to our heart.

The Transcendentalists would probably answer such expostulations by citing the experience of the author as another proof of the bounty of Nature, in adapting her methods of tutelage to the infinite varieties of human condition and susceptibility. Indeed, the most that can be said of his whole volume, considered as a defense of Catholicity, is that it shows certain appliances in that Church for a class of minds whose religious aspirations can be satisfied in no other quarter. But this is equally true of Protestantism. Transcendentalism, Swedenborgianism, and we know not how many other forms of spiritual development; and thus, after all, we are thrown back upon the ground of private conviction and individual affinities. Doubtless the appeals of this writer will find an echo in many hearts that are weary of theological strife, that would fain cast off the burden of doubt by reposing on the bosom of authority, and that cherish a stronger passion for the illusions of fancy than for the intuitions of truth. To such tastes this work may be commended as a soft cushion on which to rest a fevered head. But with the great mass of readers, whose minds are imbued with the love of freedom of thought—the cardinal principle of Protestantism—we do not imagine that its influence will be of any appreciable magnitude.

THE LIFE AND BEAUTIES OF FANNY FERN. 12mo., pp. 330. H. Long & Brother.

The discreet reader need not fear to find in this book a specimen of the scandalous chronicle. Concocted, doubtless, to soil the plumes of the popular authoress whom it claims to daguerreotype, its milk and water insipidity would be sufficient to neutralize a much more potent dose of malice than it presents. A few incoherent biographical details, thrown together pell mell—some dismal attempts at jocosity—and an occasional side-thrust, intended to inflict a mortal wound—compose the substance of this catchpenny publication—leaving out the extracts from Fanny Fern's writings, which fill a large space, and without which its dulness would have been intolerable. If it was written with a view to retaliate for the supposed personalities in "Ruth Hall," we must pronounce it an eminent failure. "Ruth Hall" was an offense against good feeling and good taste—this book is no better on that score—and is inexcusably stupid into the bargain.

BLACKWOOD'S MAGAZINE.

The February number is one of more than usual interest. Besides the usual proportion of political discussion, and the continuation of the serial romance "Zaidee," it has the novelty of a readable article on Metaphysics, apropos of Prof. Ferrier's recent work on the subject. Witness, for instance, its defense of the legitimacy of the science:

What is Metaphysic? Imagine a trout rudely taken out of a deep brown pool in a broad river where it can either lie, in luxurious ease, and wait for the rolling worm, or, darting off, in its more lively moods, arrogate to itself, with a large, unchartered liberty, the whole breadth of the clear, many-plashing stream; imagine the smooth, shining, rapid, well-conditioned creature suddenly lifted up from these large waters, and transported into a garden-pond of moderate dimensions; and then consider what will take place. Do you conceive the finny animal will sit down at once, satisfied with its condition, and make no attempt to explore the character and the boundaries of its new habitation? Assuredly no fish, though physiologists say they have very small brains, was ever so stupid. Depend upon it, the creature will make many a desperate bolt, and not a few magnificent leaps, and glorious plunges, before it settles down contentedly in one quiet nook of this very limited corner of the watery world, within which your human masterdom has confined it. Before it has consumed its first worm in this narrow tabernacle, it will certainly have made the range of its whole confinement and, after poking its nose against half-a-dozen ragged promontories, and blinding itself more than once in unknown beds of slime and reeds, will betake itself to its first meal in somewhat of a sullen temper; and, after dinner, suffer, for the first time in its life, perhaps, no doubtful indications of incipient dyspepsy. Its first sleep in the new, narrow world will, in like manner, be troubled with very disagreeable dreams; imaginations of grinning vampires and water kelpies sitting upon its stomach—of merciless shepherd-boys grasping its slippery throat with firm hand—and half a dozen other sensations of pleasure, stricture, and asthmatic anxiety about the chest. After waking from this first troubled sleep, the creature, instead of saluting the first twinklings of the bright morning-sun with a clear, serene joy, will, no doubt, preface its morning meal by another exploring expedition. Every little creek, formerly passed over, will now be minutely explored; every troubled eddy, indicative of the entrance of some meager brooklet,—a feeder of the stagnant water will be shot through, with many an impatient dash; and the little brooklet itself traversed eagerly, till scarcely affording water for so large a traveler, it ends in a waterfall thinly plashing down a high, stone-faced wall, over which, alas! to trout of trout born, there is no leaping; for, my lady certainly did not make her pond in such a foolish fashion, that a bright-scaled tenant, once in, might, by any possibility get out; except, of course, in the desperate, suicidal way which no wise fish will attempt—of leaping, with white-spotted belly, clean upon the dry grass and the butter-cups. There is plainly no hope for the fish to get beyond the watery boundary thus set; but the fish will not believe this, and ought not to believe it till it has made every possible trial to get out. After having made these trials, however, it will begin to consider how best it may make the most of its altered condition; it will first cease exploring, and then forget even to grumble; it will make a minute and accurate survey of its narrow realm, and learn to find out the admirable variety that, to a scrutinizing eye, is revealed even within the limits of what, to the first glance, appeared a very weary and dreary monotony. In a word, it will gradually be developed, out of a sullen grumbler, and a desperate kicker against the pricks, into a very bland, benign, philosophic trout, talking to itself, like old Goethe, largely, of the benefits of limitation, and painting out, in imagination, with a mild, artistic satisfaction, the dangers which arise to fish and men from too large liberty, and the various frightful accidents of storm and flood.

These things, to the non-metaphysical reader, may serve as an allegory. Metaphysics, according to our notion, is the science which teaches man the length of his tether. Philosophy—we use the word with Professor Ferrier and the Germans—is that system of reasoned first-truths that teaches the delicate-plumed human soul where and how far it can flap its wings with comfort and prosperity. It teaches a man that he may not fly to the moon; that he cannot know what is not knowable; that he cannot walk before his own nose, or leap out of his own skin. In a word, it is the strict, systematic, scientific statement of the ultimate circumambient and inherent necessities of our nature.

From metaphysics to monstrosities the transition is easy, and we soon come to a diatribe on Tom Thumb, Joice Heth, the Mermaid, and the whole race of Barnumisms. The venerable showman is poked up with a sharper stick than he would use with his own bears and lions, and, in fact, comes off with a decidedly "sore head." A sketch of the late Lord Metcalfe, and a critical estimate of Bulwer, are able papers. (Scott & Co.)

THE ART-JOURNAL.

The illustrations of the February number consist of engravings of the "The Bridge of Toledo," from a picture of Roberts, in the Royal Collection at Osborne, "Garrick and his Wife," from Hogarth's portrait, and "The Lion in Love," from a group of statuary, by the Belgian sculptor, Geefs. We take the following extract from a laudatory notice of Crawford and his last Work:

A visit to Crawford's studio always seems to me like a peep into the grandest phase of American life—a phase where her moral energy and young, untamed power are elevated and sublimated by the highest flights of genius. But a few months back, it was my pleasing duty to describe, in this journal, a colossal monument of the noblest conception, dedicated to the memory of Washington, about to be erected in the city of Richmond; and now, ere five months more have passed over our heads, this wonderful sculptor, as prolific in his powers as the rich Italian nature in which he lives, is already finishing a second gigantic undertaking. Such wonderful rapidity is too apt, in unskillful hands, to degenerate into feeble mannerism, or to come, as Hamlet says, "tardy off," but, in the present instance, rapidity and perfection are united; and all must appreciate the powers of a master-mind capable of creating immortal works—works that will be embalmed in the history of his country, that will form, *themselves*, a chief feature in its artistic history—with a propriety and correctness of design commensurate with the brilliant readiness of their execution. Excellence, which is usually only attained by years of weary labor, seems to rise, spontaneously and intuitively, at Crawford's bidding. He hits off his marble epics as a poet would turn a graceful stanza; he calls forth a whole generation of noble and idealized beings as did Deucalion and Pyrrha of old—gathering and flinging down the stones that lay beside them, and, by their inspired touch, creating a new race. Yes, Crawford is a wonderful man, gifted with a genius vigorous and ardent as his country's hopes; and the consciousness of possessing such an artist—by turns fiery and poetic, domestic and dramatic, ideal and natural, grasping every phase of sentiment and of passion, and rendering all with equal truth and fervor, sweeping through each changing harmony of fancy, and drawing delicious melodies from all—cannot fail powerfully to influence the present artistic aspect of America—that large-souled and loving mother, who cherishes all her various children, arraying herself, so to say, in their individual renown.

The usual variety of descriptive and critical articles, on different subjects of Art, completes the number. (Virtue & Co.; Francis & Co.)

THE KNICKERBOCKER.

This is not below the average, in the character of the miscellaneous articles, and the Editor's Table is more various and attractive than ever. (S. Hueston.)

THE ROMANCE OF LAW.

The Surrogate's Decision in the Du Lux Case

Some seven or eight weeks ago we gave a report of the arguments before the Surrogate, the Hon. A. W. BRADFORD, in the case of Jeanne Du Lux, together with a sketch of her life. The peculiar circumstances of the case the marked personality of the vain and miserly Madame, and the mystery which enveloped her relation to Ferrié, the applicant, rendered that law-suit a romance of no ordinary interest. We give below the decision of the Surrogate. It will be found to contain the history of the parties in an attractive form. The Surrogate decides that further investigation must be made as to the relationship of Ferrié with Mme. Du Lux.

In the matter of the Estate of Jeanne Du Lux, deceased.

Jeanne Du Lux recently died in this City, leaving a large estate, probably exceeding $100,000 in value. John P. Ferrié has applied for letters of administration, claiming as her son or her nephew, and the Public Administrator and the French Consul intervene in contestation.

The decedent was a native of Pau, Province of Bearn, in France, and was born Nov. 24 1777, being the daughter of John Icard and Magdalene Riviere. Her mother was first married to Antoine Dezeille, by whom she had a son, named Benoit.

By her second marriage, she had Jeanne, and a son named Paul Alexis. John Icard, the father, died in 1785; and his widow probably did not long survive him.

After the decease of her parents, we find Jeanne Icard at Massat, Castillon and St. Girons, places all in the vicinity of Biert, her mother's original domicil, and where an uncle and cousins, Rivière, maternal relatives, still resided. Her brothers entered the Revolutionary army, and from the correspondence of one of them, she appears, in 1797 and in 1800, to have been living at the house of citizen Anere, a merchant of St. Girons, Department L'Arriège. At this place, and about this period, occurred her marriage with Ferrié, and the birth of the applicant—if the latter be, in fact, her legitimate son. The child was put to nurse with country people, and shortly after, Ferrié, the alleged father, was found dead by the roadside—murdered. Jeanne next appears at Toulouse, with an aunt—Catharine La Croix—and again at Bordeaux, in the house of Catelan, a silk merchant, where she became acquainted with Henry Du Lux, her future husband, then a clerk with Catelan & Brothers. Nothing transpires in regard to the boy until many years afterward.

In the month of May, 1806, the decedent came to the City of New-York, engaged in business, and resided here until her decease. She lived with Du Lux, and, judging from the address of a letter in 1808, passed by his name. By the advice of a friend, they were formally married on the 17th June, 1812, and Du Lux immediately proceeded to Bordeaux. He returned to the United States in 1813, and in the summer of 1814 again left for his native country. The last letter to his wife that appears, is dated at Paris in December, 1814, in which he states that her neglect in not honoring one of his obligations would prevent his return to New York. A cloud hung over his course from that time until 1822, when he communicated with M. Duquene, of this City, from the Isle of France, and since that period no further intelligence was received.

The fate of Alexis, one of the decedent's brothers, who entered the French army, was in uncertainty as early as 1796, when it formed a subject of inquiry in the letters of his surviving brother, Benoit. The latter, who assumed the name of Riviére, continued in active service—rose to the rank of Captain, and accompanied the unfortunate expedition of Le Clerc to St. Domingo, in 1801, where undoubtedly he perished. Upon this state of facts, the death of decedent's husband and two brothers will be presumed.

To return to Ferrié, who had been left, since his birth in the Pyrennees:

DuLux, on his arrival at Bordeaux, in 1812, immediately instituted an investigation at the solicitation of his wife: In a letter to her, dated in August, he says: "I have written twice to St Girons, and have "not received any news. Believe, nevertheless, that "the address which you gave me is the one which I "sent."

In September, he informs her, "They have written "to me from St. Girons; I hope to have another letter "before leaving, which will, perhaps, enable you to "receive good news from me." And again: "Anele has replied to me that he is going to "make a thorough investigation himself—that he "lived eight leagues from the village. On my arrival "thou wilt probably know what believe about it." And yet again: "There is nothing positive to acquaint thee with about the fate of thy nephew."

Whether more definite information was received through Anele, is uncertain; at any rate, nothing further transpires until the year 1815, when Madame Du Lux proceeded to France. She visited Bordeaux and St. Girons, and finally succeeded, in person, in discovering Ferrié.

His story is, that his first recollections were of living in the mountains. The Lower Pyrenees, with country people, where he continued until Madame Du Lux made her appearance and claimed him. He states: 'She said, this is my son. I come to fetch "him. She said she had paid a great deal of money, "and did not appear to be pleased with the way I "looked. She took me away with her."

Madame Du Lux proceeded with Ferrié to Bordeaux, and having placed him at school, left for Paris. A night or two succeeding his arrival, Ferrié escaped and made his way back to the mountains, and after setting on foot another search for the boy, Madame Du Lux returned to New-York.

He, meanwhile, was discovered, brought to St. Girons and placed with Anéle, who consented to take charge of his education. He there remained until 1821, when Madame Du Lux, having received no intelligence of him, for several years, though Anéle was supplied with funds through Catelan, of Bordeaux, her suspicions were excited that he was dead, and a traveling agent was commissioned by Catelan to make inquiries at St Girons. The boy was found, clothed in rags, employed as a servant, and his education greatly neglected. He was then sent to Bordeaux and remained in charge of M. Catelan until April, 1824, when, to escape the conscription to which he would have been exposed by asking for a passport, he was secretly conveyed to a vessel lying off Bordeaux, and brought to America; he lived with Mde Du Lux some time; but disagreements soon broke out between them, and they separated; Ferrié ultimately established himself as a hair dresser at Cincinnati; he corresponded occasionally with the decedent, and visited her several times at New-York; and thus matters continued until she met with a fatal accident, and came to her end at the Hospital of the Sisters of Mercy.

Was Ferrié the nephew or the son of Mde. Du Lux? One of the most remarkable features of this extraordinary case is the care and fidelity with which correspondence and documents have been preserved—some of them reaching as far back as 1778. Over one hundred and fifty letters and papers are before me, containing the history of the parties; and if anything can be established by repeated, consistent and uniform assertion in writing for over forty years, there could be no possible doubt that Ferrié was the nephew of the decedent.

But, on the other hand, there is no satisfactory evidence that Mde. Du Lux ever had a sister, or that either of her brothers was married. And then, in addition, we have very clear proof from a number of respectable and unimpeached witnesses, that the decedent frequently in conversation declared that Ferrié was her son, and addressed him as her son.

Anthony Marriot says: "Ferrie called her mother." "When I met her, she asked me sometimes how is "Ferrié, and sometimes how is my son."

John T. Bernard says: "I have heard Mde. Du "Lux speak of Ferrié; she sometimes spoke of "business, sometimes of her son; she asked how was "her son, had I seen him lately." "She always called "him her son—never called him nephew."

William Diblee says: "I have heard her say that "son of hers was a wild chap, and that she could do "nothing with him." "I have heard her mention "him as her nephew, but I took it as a whim of "hers, knowing she was very eccentric; I should "think she spoke most frequently of him as her son." "She said her son was a wild fellow, and she could "do nothing with him; she said, in speaking to other "people, she wished her son Ferrié was as smart a "boy as I was."

Hannah J. Froehliet says: "I have heard Mde. "Du Lux speak of him sometimes as her son, and "sometimes as her nephew."

Dorothea Du Fau, acquainted with the decedent 15 years ago, states: "That in 1823 Mde. Du Lux "showed her a handful of gold, saying that she was "going to send it to Bordeaux for her son." "She "said the father of that young man was dead; she "did not say anything about her husband in France; "she told me that his father died on the road between Toulouse and Spain; that he dealt in horses "and mules; that he was killed, selling mules; she "said he was killed on the road."

Axianne Frevall testifies: "That Mde. Du Lux "frequently visited her house; that on one occasion, "speaking about her property and about making her "will, she said, 'That she had a nephew named "'Ferrié who lived in Cincinnati;' my husband "said he did not know that she had any relatives "here; she said, 'Yes as the world goes, they say "'he is my son;' my husband said if he was her son "it was a shame for any woman to deny it; she said "it was a shame that he had offended her, and she "called him her nephew; my husband said, 'But "'will you be able to prove that;' she said, 'There "'are enough witnesses—they could apply to M. "'Duquene, who knew all about him;' she said she "did not mean to leave all to him; but, at the same "time, if she did die without a will, he was the only "person belonging to her, and the only one to "claim it."

Julia Bauvans, who lived about three years in the same house with the deceased states as follows: "She "said she had never had but one child, and that "was a boy; that she had him in France; she said "she left him at a nurse's in France when she came "over." * * "She said when she came to my "house, that Mr. Ferrié was her son, and she looked "very much excited." * * "She told me she had "brought him from where he was at nurse, and "brought him to a hatter at Bordeaux; that he was "born at a place called St Girons." * * "When "she told me he was her son, I asked why she called "him her nephew; she said because he was disobedient to her."

Mary Riley says: "I have frequently heard her speak "of Mr. Ferrié as her nephew; I heard her say when "he was on here 2 or 3 years ago, that after he went "back to Cincinnati, he wrote letters to her asking "for money, and in one of those letters she was addressed as his mother." * * "I spoke to her of "the necessity of arranging her business, and making "her last will; and I said: 'If you do not do so, the "'Public Administrator will come in and take possession of all your effects and property.' She "seemed very indignant at my expression, and said, "in a very determined manner: 'No; my nephew "'from Cincinnati will come here and take posses-"'sion of all.'" "When the conversation turned "upon making a will, she always mentioned Mr. Ferrié as her heir."

Ann Creighton knew the decedent 25 years. She testifies: "I knew M. Ferrié; Mde. Du Lux has "frequently talked with me about M. Ferrié; "she thought he was ungrateful for all the kindness she had done for him, and taking a mother's care of him; she said she had one child when "she was quite young; she said she was married "very young and this child born about fifteen; she "said the child was a boy, born in France, before she "came to this country." * * "When she spoke of "her marriage she referred to M. Du Lux; she said "she was married in New York." "She said she "was very young, about 14 or 15, when her son was "born; she never spoke of Ferrié as her son; she "said she lost her son about that time; I understood "her he was dead; that this Ferrié was her nephew."

Henry Martin, who became acquainted with Mde. Du Lux in 1824, says: "Sometimes she spoke of Ferrié as "'my son;' more often 'my son;' sometimes 'my "'nephew;' sometimes, when very angry, she "would say he was not her son." "She told me Ferrié was born in her native place; she never said how old he was, "or whether she was married when he was born." * * "I was speaking to her of the same accent that "she and Ferrié had; she said, "Oh, yes, we were "born in the same province in France;' I said to her, "'Oh, he is your son—he has the same voice and expression;' she said, 'Everybody says he looks "like me—of course he is my son.'"

Madeline Grieser, hired apartments of Mde. Du Lux, and testifies to a very recent conversation with her. She says: "I have two children; I had a conversation with her about children; she did not like "to have children in the house;" I said: 'You "never got children.' 'Oh, yes, you are mistaken,—I had one in France, when I was very "young.' She said, 'I had to send money to support him, "when he was at nurse;' she asked me if 'I was married in "this country or in France;' I said 'I was married in "France;' she said, 'I was married in France, too, in the "Revolution times;' she said to me she was married very "young, and she had the child when she was very young, too; "as that was the case, she had no more." "She said she sent "money to France for her son." "When she was sick in bed, "the last time she said she was married in France, in the time "of the Revolution, and married to Du Lux in this county."

M Duquene, who became acquainted with Madame Du Lux when she first came to this country, says: "I have heard "Madame Du Lux speak of her son; I first heard her speak of "him when she was going to France to bring him over here. "This was after Du Lux went away, about 1819 or 1820. I "never heard her speak of her nephew or son before that; "she told me 'I cannot call him my son—that fellow looks too "'old.'" "She sent money to Bordeaux to school him; he was "living in the country, in the mountains about 20 miles from "Toulouse, she said she was going to France to bring her son; "she said that his father was killed by the smugglers on the "frontiers of Spain—that she had nursed him herself—that his "father was killed when the boy was quite young; I took it "for granted that she was married; she did not say, and I did "not ask her whether she was married; this was after Du Lux "left; after Ferrié came, she said she could not call him her "son—he made her look too old." "She told me she went "up the mountains herself and got the boy and brought him "to Bordeaux—that he was wild—lived among the goats—that "he ran away from Bordeaux and went back to the mountains; "she told Catelan to put him to some trade; he put him to a "hatter's; Catelan was her agent; she left him at Bordeaux to "be educated; he was so wild he could hardly speak any "French when she brought him to Bordeaux." "She told me "herself, that Ferrié's father had died when he, Ferrié, was "quite a child, which was before she went to Catelan's at Bordeaux."

Elizabeth Cropsey testified that "the decedent informed "her she had a nephew in Cincinnati; but sometimes spoke "of him as her son."

Mary Morrison says the decedent "always said she "had a nephew; said she had one child, a little boy; "she never mentioned its father; never heard her talk "of any person but Du Lux as her husband; she said "Du Lux was its father—that the child was given to "a nurse in France, and died when very young." * * "She also showed me some baby clothes, and some gentlemen's clothes—said some were her nephew's and some were "Mr Du Lux's, in the trunk; said the baby-clothes were the "clothes of the child she had lost; from the appearance of the "clothes, they belonged to a very young child; she said she "had a sister in France who died and left two children—a boy "and a girl—that she took the children, and took the "nephew when he was 13 years old; she said the niece "had died; she said she had an uncle—a Doctor. She "spoke of a brother, said he was dead." "She said she "came from France when 16 or 17 years old, and that she and "Du Lux were not married in France—there was a revolution "then—that she gave the child she had in France to a bad nurse "and it died."

Many of these statements are inconsistent with facts otherwise proved; but others are in entire harmony with the leading outlines of the case, a coincidence which could not be accidental, and which increases largely their claim to credence.

Only one of the witnesses affords any ground for suspecting that Ferrié was the decedent's nephew, by a deceased sister.

The deep interest Mde Du Lux took in the welfare of the child; the large expense she incurred for his maintenance and education, indicating in a person of her miserly disposition, very profound sentiments; the striking likeness existing between them, and the declarations she repeatedly made, through a long course of years to various intimates, would seem to leave no reasonable doubt that he was her son.

Indeed, we cannot read her correspondence without remarking the expression of feelings far more intense than would ordinarily exist on the part of an aunt to a nephew. If he was her nephew, why is it that not a syllable ever escapes in the letters between her and Catelan and Ferrié, as to his parents? Why is there an utter blank silence in regard to the circumstances under which he had been left to the care of his aunt? How was it that *she* had placed him at nurse? That she alone could find him when the efforts of others had failed; that she left her home and business; crossed the Atlantic, and sought him where he had been deposited in infancy, and, with all a mother's care, provided for his future training and education?

But, then, on the other hand, if he was her son, why was he, in all the correspondence, so industriously represented as her nephew? That this was begun for the purpose of concealment from Du Lux I cannot believe; for if Ferrié was not her nephew Du Lux must have known it. As early as 1804, his letters show he was aware of the disappearance of her brothers Alexis and Riviere. When he went to France, in 1812, after his marriage, he instituted inquiries about Ferrié using for that purpose the address of some person at St. Girons, probably that of M. Anéle, and that address was given him by his wife herself; is it possible that Mde. Du Lux should have endeavored to palm off the boy upon her husband, as her nephew, when she knew that at a glance he must perceive the false pretense; or would she have requested him to make investigations at the place of his birth, if she had wished to conceal their real relationship—putting into her husband's hand the very clue to the dreaded exposure; and her language to Du Lux while at Mauritius in 1812, indicates the expectation that Du Lux and Ferrié would meet and expresses a tender interest in Ferrié's welfare in which she looks for the sympathy of her husband. She says, "I beg of thee to take care of him, after my death. Tell him "I have suffered much for his sake, and for thine." Are these the words of a mother committing the offspring of her shame