THE PORT FOLIO.

BY LIVER OLDSCHOOL, ESQ.

"..... VARIOUS, THAT THE MIND
OF DESULTORY MAN, STUDIOUS OF CHANGE,
AND PLEAS'D WITH NOVELTY, MAY BE INDULG'D."
COWPER.

VOL. IV.] [No. 1.

PHILADELPHIA, SATURDAY, JANUARY 7, 1804.

ELOQUENCE OF THE AMERICAN SENATE.

FOR THE PORT FOLIO.

AN ARGUMENT FOR THE INTEGRITY OF THE CONSTITUTION.

[This speech, to which we have assigned the first place in a miscellany, whose object is to preserve, as a *memorial*, certain facts and reasonings, connected with the history of parties in our republic, deserves to be hailed by the District of Maine, by New-Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New-Jersey, Delaware, Maryland, and South Carolina, as an intrepid assertion of their rights, and a serious moniton of their danger. The resolution, which gave rise to the following argument, is justly viewed as a pernicious project of the larger states, availing themselves of the present crisis of political enthusiasm, to obtain the dangerous power of electing the President and Vice-President! This kind of political monopoly would essentially infringe the rights of the minor states of the union; and would confer on several of the Southern, Middle, and Western states the dangerous, oppressive, and odious privilege of securing to themselves the election of the two highest officers in our government. We understand that no question hitherto agitated in Congress, has fomented such jealousy, and excited such anxiety, particularly among the northern states, whose title to a most valuable privilege, guaranteed to them by the Federal Constitution, is thus to be vacated, by a daring act of democratic power.]

MR. TRACY'S SPEECH

IN THE SENATE OF THE UNITED STATES,

Friday, December 2 1803.

On the passage of the following amendment to the Constitution:

"RESOLVED by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both houses concurring, that in lieu of the third paragraph of the first section of the second article of the Constitution of the United States, the following be proposed as an amendment to the Constitution of the United States, which, when ratified by three-fourths of the legislatures of the several states, shall be valid, to all intents and purposes, as part of the said constitution, to wit:

"The electors shall meet in their respective states, and vote, by ballot, for president and vice-president, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name, in their ballots, the person voted for as president, and in distinct ballots, the person voted for as vice-president, and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for president, shall be president, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three on the list of those voted for as president, the House of Representatives shall choose immediately, by ballot, the president. But, in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a president, whenever the right of choice shall devolve upon them, before the fourth day of March, then next following, then the vice-president shall act as president, as in the case of the death or other constitutional disability of the president.

"The person having the greatest number of votes, as vice-president, shall be the vice-president, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then, from the two highest numbers on the list, the Senate shall choose the vice-president—a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person, constitutionally ineligible to the office of president, shall be eligible to that of vice-president of the United States."

At three o'clock Mr. Tracy moved an adjournment, and the motion was negatived. He then addressed the President:

MR. PRESIDENT,

I moved an adjournment, because I thought a more full and fair discussion was due to this important question, than could be had after this late hour.

The merits have never, until now, been before us, for although considerable time has been consumed in debate, it has chiefly been directed to the subordinate amendments, and not to the main resolution. But since the Senate have refused to adjourn, I will now offer some observations on the merits, in doing which, I will study brevity, as much as the importance of the subject will permit.

I shall attempt to prove, sir, that the resolution before us, contains principles which have a manifest tendency to deprive the small states of an important right, secured to them by a solemn and constitutional compact, and to vest an overwhelming power in the great states. And, further, I shall attempt to show, that in many other points the resolution is objectionable, and, for a variety of causes, ought not to be adopted.

As I shall be obliged, in delineating the main features of this resolution, to mention the great states in the union as objects of jealousy, I wish it to be understood, that no special stigma is intended. '*Man is man*,' was the maxim expressed, in an early part of this debate, by the gentleman from South-Carolina, (Mr. Butler) and, in application to the subject of government, the maxim is worthy to be written in letters of gold. Yes, sir, '*man is man*,' and the melancholy truth, that he is always imperfect and frequently wicked, induces us to fear his power, and guard against his rapacity, by the establishment and preservation of laws, and well-regulated constitutions of government. Man, when connected with very many of his fellow-men, in a great state, derives power from the circumstance of this numerous combination; and from every circumstance which clothes him with additional power, he will generally derive some additional force to his passions.

Having premised this, I shall not deem it requisite to make any apology when I attempt to excite the attention, the vigilance, and even the jealousy of the small, in reference to the conduct of the great states. The caution is meant to apply against the imperfections and passions of man, *generally*, and not against any state, or description of men, *particularly*.

It may be proper in this place to explain my meaning when I make use of the words small and great, as applicable to states.

Massachusetts has been usually called a great state; but, in respect to all the operations of this resolution, she must, I think, be ranked among the small states. The district of Maine is increasing rapidly, and must, in the nature of things, soon become a state. To which event, its location, being divided from what was the ancient colony of Massachusetts, by the intervention of New-Hampshire, will very much contribute. I believe there is a legislative provision of some years standing, authorizing a division, at the option of Maine. When this event shall occur, Massachusetts, although in comparison with Connecticut or Rhode-Island, will not be a small state; yet in comparison with many others, must be so considered. I think myself justifiable then, for my present purposes, in calling Maine, New-Hampshire, Massachusetts, Rhode-Island, Connecticut, Vermont, New-Jersey, Delaware, Maryland and South-Carolina, small states. They are all limited in point of territory, and cannot reasonably expect any great increase of population for many years, not indeed, until the other states shall become so populous as to discourage emigration, with agricultural views; which may retain the population of the small states as seamen or manufacturers. This event, if it ever arrives, must be distant. A possible exception only, may exist in favour of Maine; but when we consider its climate, and a variety of other circumstances, it is believed to form no solid exception to this statement.

By the same rule of deciding, the [illegible] the states must be called great; for [illegible] Georgia and several others are not so populous, at this time, to be considered really great states; yet the[illegible] with other circumstances

Digitized by Google

week during the winter, he dined abroad; once, and sometimes oftener, he had company at home by invitation; and during the remainder of the week he dined with his family, frequently with the addition of two or three friends. In the evenings, when not engaged by the academy, or in some public or private assembly, or at the theatre, he was fond of collecting a few friends at home, and joining in a party at whist, which was his favourite game. The marked characters of his table was, that though there was always an abundant supply of those elegancies, which the season afforded, the variety of the courses, the excellence of the dishes, or the flavour of the Burgundy, made the least part of the conversation; though the appetite was gratified by the usual delicacies, and the glass imperceptibly and without solicitation, was cheerfully circulated, every thing of this kind appeared secondary and subordinate, and there seemed to be a general though tacit agreement among the guests, that MIND SHOULD PREDOMINATE OVER BODY; that the honours of the turtle and the haunch, should give place to the feast of wit, and that, for a redundant flow of wine, the flow of soul should be substituted.—Of a table, thus constituted, with such a host and such guests, who would not wish to participate?

ON VISITING DUNDRENNAN ABBEY,*

INSCRIBED TO MISS A. S.

BEGUILING the sorrows of life's chequer'd day,
With toil-beaten footsteps and slow,
O'er the cloud-covered mountains of Scotia I stray,
And mark the sweet scenes as I go.
Enraptur'd, I muse o'er the time-mouldering towers,
Where Valour heroic with beauty was fir'd,
Where music to charm them exhausted her powers,
And the Bard's storied song wing'd with pleasure the hours,
While Nature his numbers inspir'd.
Dundrennan! thy moss-crusted ruins I hail,
And with reverence enter thy door!—
No longer thy monks with night-vigils are pale,
Instructed in mystical lore.
No longer the song of devotion ascends,
Nor the sigh of repentance is heard thro' the gloom;
Nor the way-weary pilgrim at evening bends,
To give thanks to the Hearer of pray'r who defends
From storms him who has not a home!
Oft have I revolv'd on the days that are gone,
And Time's mouldy records survey'd,
When dread Superstition ascended the throne,
And prostrate the nations obey'd!
In deep leaden slumbers was seal'd Learning's eye;
By Ignorace, Science in fetters was bound;
Truth languished; and Genius beheld with a sigh
Her wild flowers expos'd to a cold wintry sky,
Which scatter'd their leaves on the ground!
Yet in midst of the gloom darts a transient ray,
When pity afforded relief;
And wip'd the sad tear of misfortune away,
And sooth'd the pale victim of grief.
These rude-sculptur'd walls once received with a tear
Their Queen, lovely Mary, who fled from the foe
With a heart torn with anguish, an eye wild with fear,
And death close behind her!—a prospect how dread!
To finish her measure of woe!
"Unfortunate Mary! why wilt thou depart?
Why, why to Elisabeth fly?—
Compassion's warm glow never melted her heart,
Nor the sweet tear of pity her eye!
Her cold frozen bosom's the thorne of deceit;
She proffers protection in hopes to betray!
For thee all the woes of confinement await,
And from the damp dungeon thou'rt led to thy fate
From which thou wouldst hurry away!'
Now Time's iron hand has demolish'd these walls,
In story so often renown'd;
'Mongst the night-weeds the turreted battlement falls
And Ruin stalks grimly around!—
Here, the ill-boding owl her lone dwelling maintains,
And with her hoarse notes teaches Nature to sigh,
And fills with affright wakeful Silence, who reigns
When night's sable mantle envelopes the plains,
And the star twinkles dim in the sky!
To these scenes, Meditation my wand'ring guide,
Where the daughters of Beauty are laid;
And the brave sons of Freedom, who conquer'd or died,
When the foe dar'd their country invade!—
There Nature proclaims, neither Beauty's bright eye
Nor Valour from death's cruel empire can save!
And the moment is swiftly approaching, when I,
Who now o'er the ruins of Time heave the sigh,
Forgotten shall sleep in the grave!

Inverleithen. J. N.

* It was in this abbey that Mary Queen of Scotland first halted, when flying from the unfortunate battle of Langside.

ORIGINAL POETRY.

FOR THE PORT FOLIO.

[The subsequent poem, ascribed to Thomas Moore, Esq. is not in any collection of his published works. It is thus introduced by an English friend, and the Editor is highly pleased to present to his readers a beautiful and *new* acquaintance.

The invisible girl is an acoustical deception. From a glass globe, suspended in the midst of a room, and having no apparent communication with any thing else, a female conversed with the spectators in four different languages, and played upon the piano forte: her breath might even be felt. Had the ensuing lines no external sign, by which to discover their author, the internal evidence would justify their being ascribed to the elegant translator of Anacreon.]

TO THE INVISIBLE GIRL.

They try to persuade me, my dear little sprite,
That you are not a daughter of Ether and Light,
Nor have any concern with those fanciful forms,
Who dance upon rainbows, and ride upon storms;
That, in short, you're a WOMAN, your lip and your breast
As mortal as ever were tasted, or prest!
But I will not believe it....no, science, to you
I have long bid a last and a careless adieu;
Still flying from nature to study her laws,
And dulling delight by exploring its cause,
You forget how superior for mortals below
Is the fiction they dream to the truth that they know.
Oh! who, that has ever had rapture complete,
Would ask how we feel it, or why it is sweet;
How rays are confin'd, or how particles fly
Thro' the medium refin'd of a glance or a sigh.
Is there one, who but *once* would not rather have known it,
Than written with Hervey whole volumes upon it?
No, no....but for you, my invisible love,
I will swear you are one of those spirits that rove
By the bank, where at twilight the poet reclines,
When the star of the west on his solitude shines,
And the magical fingers of Fancy have hung
Every breeze with a sigh, every leaf with a tongue:
Oh! whisper him then 'tis retirement alone
Can hallow his harp, or ennoble its tone;
Like you, with a veil of seclusion between,
His song to the world let him utter unseen,
And, like you, a legitimate child of the spheres,
Escape from the eye to enrapture the ears.
Sweet agent of mystery! how I should love
In the wearisome ways I am fated to rove,
Forever to have you invisibly nigh,
Inhaling forever your song and your sigh.
'Mid the crowds of the world, and the murmurs of Care,
I could sometimes converse with my nymph of the air,
And turn with delight from the clamorous crew,
To steal in the pauses one whisper from you!
O come and be near me; forever be mine;
We shall hold in the air a communion divine,
As pure, as of old, was imagin'd to dwell
In the grotto of Numa, or Socrates' cell!
And oft at those lingering moments of night,
When the heart is weigh'd down and the eyelids are light
You shall come to my pillow and tell me of love,
Such as angel to angel might whisper above!
Oh spirit!....and then could you borrow the tone
Of that voice, to my ear so bewitchingly known,
The voice of the ONE upon earth, who has twin'd
With her essence forever my heart and my mind;
Though lonely and far from the light of her smile,
An exile, and weary, and hopeless the while,
Could you shed for a moment her voice on my ear,
I will think at that moment my Cara is near;
That she comes with consoling enchantment to speak,
And kisses my eye-lid and sighs on my cheek;
And tells me the night shall go rapidly by,
For the dawn of our hope of our heaven is nigh!
Sweet spirit, if such be your magical power,
It will lighten the lapse of full many an hour.
And let Fortune's realities frown as they will,
Hope, Fancy, and Care may smile for me still!

This delicious poem, of which Goldsmith or Sheridan might have been proud, has an additional interest here from this circumstance that the *invisible lady* is now *uttering dulcet breath* to the enraptured listeners of Philadelphia. We believe, however, that this is an old device, perhaps, with some new embellishment. In the sixty-second chapter of the second part of Don Quixote, which describes *La aventura de la cabeça encantada*, there is played off, in the house of Don Antonio Moreno, a similar deception, which cajoles the Don, and almost staggers the Squire. "En esto, tomandôle la mano Don Antonio se la passeò por la cabeça de bronce, y por toda la mesa, y por el pie de jaspe, sobre que se sostenia, y luego dixo: Esta cabeça, senor Don Quixote, ha sido hecha, y fabricada por uno de los mayores encantadores, y hechizeros, que hatenido el mundo; que creo era Polaco de nacion, y discipulo del famosco Escotillo de quien tantas marivallas se cuentan, el qual estuvo aqui en mi casa y por precio de mil escudos, que le di, labrò esta cabeça que tiene propriead y virtud de responder à quanta cosas al oydo le preguntaren: quardo rumbos, pinto caracteres, observo astros, miro punctos, finalmente la sacò con la perfeccion que veremos manana, porque los viernes esta muda y oy que los es nos ha de hazer esparer hasta manana: en este tiempo podrà vuessa Merced prevenerse de lo que querra preguntar, que por experiencia sè, que dize verdad en quanto responde. Admirado quedo Don Quixote de la virtud, y propriedad de la cabeça y es tuvo por no creer a Don Antonio pero por ver quan poco tiempo avia para hazer la experiencia, no quiso dizerle ostra cosa, sino que le agradecia el averce descubierto tan gran secreto."....See the whole narrative in the immortal work of Cervantes. It will be perceived in the sequel that this sagacious Head, like the Invisible Lady, makes correct responses, *apparently* without a prompter. The reader will smile at the easy explanation of this necromantic enigma. In the well prepared lessons of the concealed magician, he will perceive the history of juggling in every age, from the oracle at Delphi, to the conjurations of Crabtree in Peregrine Pickle. He will, moreover, enjoy the sly satire of the ironical Spaniard upon human credulity, and the exquisite sneer at the prudent caution, or habitual bigotry of the officers of the Holy Inquisition.

[*Ed. by the Editor*

Digitized by Google