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MISCELLANY.

From Ackerman's 'Forget me Not.'
THE ATTACKED ESCORT.

A SPANISH SCENE.

In 1810, I was in the French service, and ordered with my regiment to Bayonne. Frequent convoys were sent forward into Spain, sufficiently numerous to keep off the Guerrillas; and to one of those I was attached on its way to Andalusia. Our convoy was strong; a corps of infantry, dragoons and artillery, escorting a long train of waggons with stores. Our march was through a fine part of the country, and in the finest season of the year—the close of spring. We proceeded slowly, and had full leisure to enjoy the landscape. The Spanish Spring realizes all those ideas of beauty, those skies of cloudless blue & splendid sunshine, those blossomed fields, & light and delicious airs, that in other lands are scarcely more than the language of poetry.

The convoy moved with the usual military precautions, though it was too strong to be liable to a Guerrilla attack. We could not, however, prevent desultory skirmishes in the defiles, by which we lost some men. Even this, in some degree, added to the interest of our march. On the first report of a musquet, the column closed; our mountain voltiegers and light infantry were sent up the hills, to turn the flank of the Spaniards; and, apart from the loss of lives, the scene was often in the highest degree striking and picturesque.

In this mode we passed on till we reached the Sierra Morena. There the badness of the roads, which had been neglected from the commencement of the war, broke a considerable number of our waggons; and as we had now reached a country completely in the power of our troops, the officer in command thought better to move forward with the main body, than linger for their repair. Some hundred men were left behind to escort them, with orders to follow to a town three marches off, which was to be the head quarters of the convoy.

It had been taken ill, and remained with the waggons; the delay, however, was trifling, and in twenty four hours we were on the road again. Unluckily the commandant of the escort, in order to make up for our lost time, took it into his head to move by a narrow forest road, instead of that through the open country, which made a circuit of some extent. I observed to him the hazard of this route; he gave me a civilly to understand, that I was not then at the head of my regiment. I said no more, and we plunged into the forest. For some time all went on well, but the forest grew thicker, the road narrower and more broken, and at last a grove of oaks brought us almost to a stop. We here found our advanced dragoons, who waited for the column, that they might not be engaged alone in the grove. We had scarcely worked ourselves a dozen yards among the trunks and tops, when an advanced sharpshooter fired, and in a moment after we saw men with muskets in their hands running round us. Their number increased rapidly, and we soon had them in every direction—front, flanks and rear.

Our commandant had now found out his mistake, and had nothing to do but to get out of it as well as he could. The Column had halted once. The infantry were posted at its head and in the rear of the waggons; the sharpshooters formed on each side from front to rear; and the dragoons were pushed into the wood, on both sides of the road, twenty paces off, to act as skirmishers.

The fire had already begun, and the enemy had all the advantage—the might single us out as he pleased, while we might take our revenge at the trees. We saw some of our dragoons tumbled from their horses, while others galloped back to us wounded. Platoons of infantry were advanced to support them, and they soon began to feel the effects of the fire. Our next experiment was to send thirty dragoons to cut down every thing before them. They charged gallantly, but they could not cut down oaks and elms of a hundred years' growth, and in a few minutes we saw about one half of the troop gallop back again, followed by a shout and a shower of balls.

We were now situated awkwardly enough, and in fact had nothing for it but fighting. The commandant was a good officer, though he had entered the wood; and the soldiers fired separately. We made our way losing men continually, still we got on, until we came to an abatis of trees, in the very heart of the forest. Here we fought for life and death; the enemy, though only peasants, were bold and capital shots; and it was not till after an hour of despair and carnage that we broke through the barrier; wound our way through the forest, and saw the light of heaven. This cost us nearly all our waggons, two thirds of our escort, the commandant a severe wound in the knee, and me a ball in the shoulder.

This was an unlucky affair, and it left us all in ill humour. We moved on determined to try no more short cuts; and about half a league further saw another grove. We all shrank at the sight; but above the trees we saw, at a turning of the road, the chimneys of a chateau. This, of course, would afford quarters for the officers, an hospital for the wounded, and plunder for the rest. I now remonstrated on the necessity of losing no more time; but the commandant's wound had made him outrageous, and the sight of Spanish property was not easily resisted among our troops at that period. So it was determined to try what was in the inside of the chateau.

We left the few carriages that remained to us in the road, and sent our sharpshooters up the grand avenue, a state range of oaks. There was not a soul to be seen in the house; the windows were closed; and, but that the dogs barked fiercely, we should have thought the whole had been visited by the plague. The soldiers hammered the great door with the butt ends of their musquets, flung stones at the windows, and at last began to fire at the shutters. All was useless. At length as we were beginning to lay faggots against the door, a small window was opened, and a man's voice inquired—"what we wanted?"

One of our officers, who had served in Spain, answered, that we wanted to get in and have some refreshments and rest. The voice replied, and bade us go to a farm house in sight, where we should find provisions. "No," said the officer, "that is not enough, open the door, or we will get in in spite of you."

"You shall not get in," said the voice. "We have force enough to defend ourselves; retire at your peril!" This defiance put the troops in a rage. They looked on it as an insolent challenge; and while some of them prepared to scale the windows, others ran off to bring up our guns to burst open the door. The commandant, however, would not allow them to be used, in the fear of bringing the Guerrillas upon him again. At length they broke open the door with the levers of the guns. As it fell in, a line of fifty men drawn up in the court within fired a volley, that knocked down one half of those in front. The rest fell back for a moment; but the whole corps was rushed on, and filed the court before the Spaniards had time to reload. A few of them were killed on the spot, but the greater part made good their retreat into the chateau, and from that into the grounds; where our soldiers, as soon as they saw the rich furniture of the rooms, did not think it worth their while to follow them.

I was extremely grieved at this whole affair; and indignant and pained as I was at so much unnecessary evil, I was led, partly by curiosity and partly by a wish to be of what service I could to the unfortunate people of the house, to enter the court, and see what was going forward. At this time the first attack was over, and the soldiers had gained possession of the apartments above; but there was still a scene going on that I shall never forget. Some of the Spaniards had either been unable, or disdained, to retreat, and at the further end of the court, against a wall of a chapel, stood six or seven men who seemed determined to die. They had made a little breast work of some loose wood, and from behind this they kept up a regular discharge. I remarked among them a very noble looking man, in an embroidered cloak, who appeared to be their master; and beside him a boy of fifteen or sixteen, who cried out continually, "Kill kill the French!" This lasted a few minutes, and we lost some men at every discharge, till, at last, our soldiers, infuriated at this defence by a handful of servants, rushed forward; seven or eight took aim together at the master, and fired. I saw the boy fall at the moment; the master staggered a few paces back, and then advancing, flung himself beside the body. The servants at this sight lost courage, threw away their arms, and springing upon the pieces of wood, climbed over the wall, and made their escape through the gardens; our soldiers offering them no interruption, as the resistance was finally at an end, and they were anxious only to share the plunder with their comrades in the chateau. My servant and I were now the only persons in the court; and I was so much shocked and disgusted with the whole scene of rapine and cruelty, that I did not know whether to advance or retire. I saw the court covered with dead, and felt the natural shudder of every man, not altogether hardened, at beholding death in such a shape, while the ear was filled with the shoutings and riot of plunder above. But as I gave a last look to the spot where those gallant and unfortunate Spaniards had made their last stand, I thought I saw a hand waved from among the corpses. I immediately went up to them. The first face that I saw was the boy's. It was turned upwards; and pale as it was, I think I never saw one so handsome. It still retained a slight expression of disdain, which gave a kind of lustiness to its extreme beauty, and reminded me, even in that moment, of the Belvedere Apollo. But he was totally dead. It was natural to feel something at such a sight. I continued almost involuntarily gazing on the face, till I was roused by seeing the figure at his side raise itself slowly from the ground, and sitting up, look me

in the face, saying in a low tone, "Barbarians is not this enough?" I absolutely felt as if an apparition had risen before me. The hollow voice, the large eyes nearly glazed, and yet haughty and threatening, checked my breath. However, I made some steps towards the wounded man, in the idea of offering him assistance. He evidently misconceived me; turning himself round with pain, clasped his arms over the boy, kissed his lips two or three times, and then looking up at me, seemed to await the mortal blow.

I was doubly shocked at this, and I believe a tear stole into my eye. I told him in Spanish that he was wrong in taking me for one of his murderers; that I was deeply grieved at all I saw; and that if I could not help those round him, I might be of some service to, at least, himself. He fixed his eyes on me, and said, "You are a Frenchman, and yet can feel!" It was no time to enter into explanation; I merely replied, "I wished to take him from that place, and desired to know where my servant and I should carry him to shelter."

"It is too late. I am dying. If it were otherwise, I should not"—and he looked at his son's corpse—"at this moment be so calm."

I still entreated him. "Well then," said he, "if you will do me this last kindness, have me carried into the chapel, where my place has been long prepared."

I raised him by the knees, my servant put his hands under his head; and in this way we carried him gently towards the chapel. It was then that I first saw that he was mortally wounded.

The door of the chapel was open, and there we laid down our melancholy burthen. Under all the depression of the moment, I could not help being struck with admiration, as I glanced round. The altar, columns, steps, were all of the finest marble, and the most exquisite sculpture. But, the most striking object was a monument of Carrara marble in the centre. It was a dome on four pillars, under which was a female figure lying on its side, with the head resting on the arm, as in deep sleep; the face and form were of exquisite loveliness. At the four corners of the monument were four large wax tapers burning; and a large black velvet pall, which appeared to have been covering the figure that lay beside it on the ground.

The wounded gentleman was evidently exhausted by his last effort. I spoke to him, but he was unable to answer. As his oval countenance gradually assumed the calmness of death, I never saw any thing nobler. He could not be more than between forty and fifty. The large black eye, the arched brow, the cheek slightly tinged with emotion, the mouth, moved with a faint smile, which seemed to say that all human efforts were hopeless, yet he thanked me all made up such a face as we see in the pictures of Titian or Da Vinci. It was the Spanish countenance in all its grandeur and all its melancholy.

I gave him some wine and water from my servant's canteen, and after an effort, he said in a dying tone—"Sir, I had once a wife, an amiable creature! Heaven took her from me in the most unfortunate and painful manner. She was worthy of heaven; she died five years ago; I built this tomb for us both; lay me beside her."

I could not speak. He pressed my hand, and said again, "Sir, I thank you for your feelings. If you will let me make one more request, it shall be my last. Bring the body of my boy, that I may look upon him once more and die with him beside me."

I shrank at this. The place was now entirely silent. The soldiers had either gone a way or were busy in the remote parts of the chateau. There was nothing round me but graves and death. I felt an involuntary horror at going into the court, where I should see but bleeding bodies. I will own that I felt a dimness come over my eyes, and shook like a woman.

The noble Spaniard would urge me no farther, he set up, lifted his clasped hands, and fixed his eyes on heaven, and after a struggle obviously of inward prayer, sunk back on the ground with a sigh that made me think that all was over. This awoke me: I went out, and with my servant, whom I found at the door, brought in the body of the boy, and placed it by his father's side.

While I was gazing on them as they lay together in their sad beauty, I saw the curtain of the altar rise slowly, and from under it peep an old man, who looked round him in great terror. I called to him to come forward, and promised him safety. He was an old servant of the family, and on seeing the bodies, he was in an agony of grief, flung himself on them, tore his white hair, and cursed as well he might, their murderers. As he clasped his master's hand I saw the eyes open; they were turned upon the boy's countenance, then on me. I heard the lips whisper, "God bless the hand that brought us together!" then laying his arm round the boy's neck, and pressing his lips to his cheek, the spirit departed with a deep sigh.

The old servant and I knelt beside them, and, I believe, wept together.

After a while we heard the soldiers returning, we rose and covered the bodies with the pall from the tomb. The chapel was now nearly dark, and the soldiers came in with lighted torches. They asked what was under the pall, and on being told, turned away with looks and gestures of genuine regret. They did not even look at the servant who stood close to me, expecting to be put to death, notwithstanding my assurances of safety.

The drums now beat, the plunder was gathered into the court, cars and waggons from the stables were loaded with the rich moveables of the mansion. I waited until all were on the march, then giving some money to the old man, and bidding him call the fugitive domestics to do the last honours to his masters, I walked with a melancholy heart through the deserted court, and followed the troops.

From the first rising ground I looked back upon the chateau, the moon was touching its towers; and when I thought of what was below, I formed my fixed resolution of being a soldier no more.

PROCEEDINGS OF THE LEGISLATURE OF MARYLAND HOUSE OF DELEGATES.

WEDNESDAY, January 31, 1827.

Mr. M'Ilhenny reported a bill, entitled, An act to continue in force the acts of assembly which would expire with the present session; which, being twice read, by special order, and passed, was sent to the senate for concurrence.

Petitions and memorials were this day presented, viz. By Mr. Turner, the memorial of Edward Parrish, of Baltimore county, a poor old soldier of the revolution, praying that his name may be placed on the pension list, referred to the committee on pensions and revolutionary claims.

And the petition of sundry inhabitants of Baltimore county, praying the passage of an act to authorise the erection of a bridge over the Great Falls of Gunpowder, in said county; referred to Messrs. Turner, Price and Buchanan.

By Mr. Jones, the petition of Betsy Burris, of Montgomery county, praying pecuniary relief; referred to the standing committee appointed to consider such applications.

By Mr. Mallitt, the petition of sundry citizens of Cecil county, counter to the petition of sundry other citizens of said county, praying the repeal of a law passed at the last session to authorise the building of a bridge across the river Susquehanna, at or near Havre De Grace; referred to the committee to whom was referred the petition to which this petition is counter.

By Mr. Hardcastle, the petition of sundry citizens of Caroline county, praying the passage of an act to authorise the cutting of a ditch for the purpose of draining certain lands therein described; referred to Messrs. Hardcastle, Brown and Southby.

By Mr. Tidball, a petition from sundry citizens of Washington county, residing in the town of Williamsport, and its vicinity, praying for the passage of an act to incorporate a bank to be located in the said town, and to be called 'The Washington County Bank; referred to the same committee to whom was referred a similar petition.

The speaker communicated to the house a report from the sheriff of Talbot county, containing a statement of the amount of fees which were placed in his hands for collection by the several public officers therein mentioned, and of the abatements made therefrom respectively, for fees due by insolvents and nonresidents, and also for commissions allowed on his collections, for each of the years 1825 and 1826, transmitted in compliance with an order of this house of the fourth instant.

And also a report from the register of wills for Queen Anne's county, containing a statement, on oath, as well of the amount of the fees that had accrued in his office, as of the amount thereof which he had received, and also of the amount thereof which was still due, for each of the years 1824, 1825 and 1826, transmitted in compliance with the order of this house of the tenth instant.

Which said reports were severally referred to the committee on ways and means.

THURSDAY, Feb. 1.

The house resumed the consideration of the special report of the committee on elections in the case of Samuel L. Rauleigh, esq. a delegate returned from Dorchester county. The Rev. Henry White, an Elder in the Methodist Episcopal Church and the Rev. John Bell, and the Rev. James Heron, witnesses, were called before the House and examined.

This examination having been concluded on the part of the house, Mr. Rauleigh stated, that he did not wish to avail himself of the privilege of asking the witnesses any further questions, either in person or by counsel, the said witnesses thereupon retired without the bar of the house.

Mr. Rauleigh having then again addressed the house in support of his right to a seat as a member thereof, he, in obedience to the order adopted to regulate the course of proceeding on this subject, retired without the bar, when after debate, the question was propounded, Will the house concur in said report, and adopt the order therein contained?

The yeas and nays being required by seven members, were taken and appeared as follows:

AFFIRMATIVE.		
Messrs. Speaker	Denny	Barnes
Hawkins	Banning	Sappington,
Millard	Done	Farquhar
Gough	Dennis	Hope
R. Thomas	Gibbons	Norris
Wilmer	Teackle	Sutton
Campbell	Goldsbrough	Montgomery
Boon	Griffith	Keene
Ringgold	J. W. Thomas	Tyson
Stewart	Harlah	Stricker
Compton	Thompson	Hall
Kent	Misfit	Tidball
Linthicum	Beall	Newcomer
Brooke	Gantt	Fitzhugh
Chapman	Speed	E. Hughes
Rogerson	Crabb	Peter
J. Hughes	Stevens	Janes
King	Nicholson	Lansdale
Price	Ridgway	Ridgely
Buchanan	S. R. Smith	Hoblitzell
Turner	Stemaker	Armstrong
Bennett	Hitch	Shaw—66.

Messrs. Du Val Bishop—2
So it was resolved in the affirmative, and thereupon the seat of Samuel L. Rauleigh, esquire, as a member of this house, was declared to be vacated.

On motion by Mr. Goldsbrough, it was Ordered, That it be entered on the journal of proceedings, that Mr. Wright is absent from this house to-day, on account of sickness.

On motion by Mr. Sappington, it was Ordered, That the Speaker issue a warrant to the sheriff of Dorchester county, directing him to hold an election for a delegate, to fill the vacancy occasioned by the disqualification of Samuel L. Rauleigh, esquire, to hold a seat in this house.

The house then adjourned until to-morrow morning ten o'clock.

Valuable Woodland FOR SALE.

The subscriber will sell at private sale, part of a tract of land called "Henrietta's Allotment," containing 217 acres, lying in Anne Arundel county three miles from the Head of Severn River, and 18 from the city of Baltimore; 177 acres of the above property, are thickly covered with wood, principally oak and hickory. The improvements on the land, consisting of a dwelling house and kitchen, and a framed barn. The above property will be sold for cash, or on a short credit. Persons wishing to view the land can do so by applying to Mr. J. G. Green, at the premises, or to Mr. William Glover, Annapolis, Nov. 30.

Sale of Land for Cash.

To be sold for CASH, at Public Sale, on Saturday, the third day of March next.

TWO TRACTS OF LAND

lying on the Severn River, five miles from the city of Annapolis, and containing three hundred and twenty acres, more or less. The one called "Frasier's" and the other "Asplia's Discovery," the two tracts contain three hundred and twenty acres, more or less. John Gamden who lives on the land, will show it to any person inclined to purchase. The sale to be at Mr. Hunter's Hotel. Mr. Richard J. Crabb will attend the sale, and is authorised to receive the cash, and will receive in payment good negotiable Notes, with two indorsers, payable and discountable at the Farmers Bank of Maryland. The sale to commence at eleven o'clock on Monday, the 17th of March.

Chancery Sale.

By virtue of a decree of the Court of Chancery, the subscriber will expose to public sale, at Hunter's Tavern, in the city of Annapolis, on Wednesday the 10th day of February next, all the right, title and interest of Susannah Elliott, formerly Susannah Nicholson, in and to a tract of land

LANDS

whereof John Nicholson, died seized called Beard's Habitation, lying and being in Anne Arundel county. Also sundry articles of personal property. Terms of sale—Cash to be paid the day of sale, or on the ratification thereof to commence at 11 o'clock.

December Term,

Anne Arundel County, Orphans Court, January 8th, 1827.

Ordered, That Thomas J. Hall, administrator of Jesse Leitch, late of Anne Arundel county, deceased, give notice, by advertisements to be inserted in the Maryland Gazette and Baltimore Gazette, once in each of six successive weeks, to the legal representatives of the said Jesse Leitch, that the distribution of the estate will be made under the court's direction on the second Tuesday in April next. In testimony that the foregoing is a true copy taken from the proceedings of the orphans court, I hereto set my hand and affix the seal of my office, this 8th day of January, eighteen hundred & twenty seven.

DECISIONS

Court of Appeals of Maryland, PUBLISHED.

By Subscription.

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