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FOR THE WHIG.

By the Rev. J. B. Hugany.

"Now when he came nigh to the gate of the city behold, there was a dead man carried out, the only son of his mother, and she was a widow, and much people of the city was with her, and when the Lord saw her he had compassion on her and said unto her weep not. And he came and touched the bier and said, Young man, I say unto thee, arise, and he that was dead sat up and began to speak, and he delivered him to his mother."

The morning rose, and on the town of Nain, The mellowing sunbeams threw their gladdening light,

As though no death or sorrow dwelt therein. But there was one to whom the extended world, Was one vast scene of woe; the dreadful day, Had long since passed, when by her husband's grave She stood, and heard the echo of the falling earth That closed his narrow house forevermore.

But one was left in whom she still might find, A constant friend, on whom her aged head, Might lean in sorrow's gloomiest hour; It was a son, an only son! the latest hope Of her declining years, the solace of her heart,

Which soon must moulder with the man's she loved. On him she cast her aged weeping eyes, Grown dim by weeping and the light of years, But yet she saw her husband's image there, And in his face her furrowed cheek she pressed, And in her sorrow strove to be resigned,

Indulging the fond hope, that when the trump of doom, Should wake on high, they'd meet again, When death and sorrow die forevermore. Years rolled away, and time's all-changing hand, Had healed the wound the king of terrors made; But ah, that wound was healed to open again; Those joys revived to die a second death;

For now, the last prop of her withering age, All that was dear to her beneath the skies, Her only son! child of her early hopes, On whom the fullness of her matron heart was poured, Had fallen a victim to the shrine of death.

This day the crowding ranks of mourners come, To pay the sad exequies to the man, Whose quick demise had broke a mother's heart. With slow and steady strides, forth to the gloomy house Appointed for earth's millions, solemnly they go. Next to the corpse, the sobbing widow comes, With downcast eyes white o'er her merrymen steals, The sad remembrance of departed years.

This scene of earth's last trouble wakes afresh, The fated day when to the land of skulls, Her husband's coffin'd body was conveyed, And now reflecting on the deadly stroke, So late inflicted, her pining heart gives way, She prays, expects, and seeks her final doom. But Jesus comes! the mourner's faithful friend, At whose commanding voice affrighted death, Shall one day stand in nerveless terror, and behold, The ghastly millions in his gloomy realm, Awake, arise and stand in immortality.

check upon our Senate—the President is a check upon both of them, and both of them are checks upon him. By such a Legislature, assisted by the States, no laws can be passed but such as are indubitably for the good of the people, and when passed, what an admirable institution are our courts of justice, where learned counsel on each side show the question in all its bearings, and leave it for judgment and jury to decide upon after a careful examination.

"This Mr. Peter Crane was a famous hand for horses. After immense preparations to gain the purse offered at the races just then ensuing, he was prevented from participating in his usual amusement by an unpleasant accident. He died one day," of an apoplectic fit, and left a will, for the drawing of which he had paid \$25 to his friend, Timothy Fife, Esq. attorney and counsellor at law, commissioner of deeds, notary public, solicitor in chancery, corporation attorney, and notary to the Yorkville New York Washington United States Cahawba Agricultural Bank.

It is reported that Mr. Crane had originally drawn his own will; and being a plain man, and not anticipating any trouble touching the disposition of his estate after he should be gathered to his fathers, had just declared in ordinary English, and in the presence of competent witnesses, that he bequeathed so and so to such and such a person.

Timothy Fife, Esq. attorney and counsellor, commissioner of deeds, as aforesaid, dropped in accidentally and detected this fraudulent proceeding against the interest of the profession. When he perceived what they were at, he rested his chin on the top of his cane, then fixed his eyes full upon the testator, and informed him that the phraseology of the document would invalidate the claims of his heirs.

"Lawyers," said he, "are sharp eyed people; they'll detect a quibble and ruin the business. I'll prepare a substitute, which shall puzzle the whole fraternity."

The substitute which was to puzzle the whole fraternity, to use the language of Mr. Duck, of Duck Hall, "contained the following clause:—'And I, the said Peter Crane, of Crane Hall, Craneville, in the county of Crane, on the north border of Crane river, do hereby give and bequeath unto my dearly beloved nephew, Napoleon Bonaparte Duck, of Duck Hall, Duckville, in the county of Duck, all the four legged quadrupeds, belonging to me, and situate, lying, walking, standing or in any manner whatsoever or howsoever, being upon my estate.'

By virtue of this will, Napoleon Bonaparte Duck, of Duck Hall, claimed twenty-seven full blooded race horses, belonging to the estate of the testator. But lawyers are not so easily puzzled. The executors firmly refused to deliver the horses. Mr. Duck was actually thunderstruck. He had set his heart upon them. To lose his uncle was bad enough in all conscience, but to lose the horses, too, was intolerable.

"Pray, sir," said Mr. Duck to one of the executors, smothering his feeling; "on what ground do you detain my property?" He was referred to counsellor Capias, of Casa Hall, Casaville. Burning with indignation did Napoleon Bonaparte Duck enter the office of counsellor Capias.

"Counsellor Capias," said he, laying his hand on his heart, "I am Napoleon Bonaparte Duck, of Duck Hall."

a heavy bill of costs, notwithstanding his success. "Executors never pay costs," said lawyer Fife. "Lord, sir, did not you know that?" I thought every body knew that.

Fife took a pinch of snuff, the clerk giggled, and Duck started for the office of counsellor Capias, a little dashed with the bill of costs, but evidently gratified with his triumph; he was about to consummate over his old friend.

"Counsellor Capias," said he, with a smile of satisfaction bordering on scorn, "I suppose you'll give me the horses now?" "Not at all, Mr. Duck."

"Why have I gained the suit, have I not?" asked Mr. Duck, with a stare of astonishment. "Yes sir."

"And the court decided that the horses should be delivered to me?" "O yes; but what of that? I'm going to carry it up."

"Carry it up! carry what up?" "The case, sir—the horses, sir. I'm going to carry it up. I told you you did not understand these matters."

Duck absolutely evaporated with surprise, vexation, anger, and terror; and the next thing that was seen of him was that he was giving another fifty dollar note to lawyer Fife.

"They've coriandered," said Fife. "I'm glad of it. Don't be afraid, Duck, we'll beat them at last, as sure as four aint five."

It being an issue in law, the case was argued before his Honor Mr. Justice Dobbs, of Dobbs Hall, Dabbsville, in the county of Dobbs. Timothy Fife, Esq. appeared for the defendant in error, and Casa Capias, Esq. for the plaintiff.

Capias for the now plaintiff. This was an action commenced in the court below, by the present defendant against the now plaintiff. The declaration stated that Duck was entitled to twenty seven horses from the estate of Crane Hall, founding his claim upon a will which bequeathed to him all the four legged quadrupeds therein being. A verdict having been rendered for the plaintiff below, the defendant sued out a certiorari, and assigns for error, that the declaration, and the matters therein contained, were not sufficient in law to maintain an action. We rest our case on two points. The will gives the claimant a right to the four legged quadrupeds being, on the estate of the testator. Now, we contend in the first place, that the testator being dead, defunct, and not alive in law, cannot have an estate. The ambiguity of the document renders it utterly impossible and unjust for the claimant to recover. Secondly—the horses are not mentioned in the will. We think it may be easily proven to the satisfaction of your Honor, that the horses claimed have five legs.

Fife contra. May it please your honor, this is one of the most important cases that ever came under the consideration of a court of justice; a case which involves the liberties of millions; a case, the decision of which will go down as precedent to posterity; a case which has the most direct bearing upon the happiness of the whole human race. For, your Honor will perceive, that if quadrupeds or animals, quadrupedant can be metamorphosed into animals quinquipedant, animals quinquipedant, vice versa, can be turned into animals quadrupedant—those into trespedant, those into bispedant, those into unis or monopedant, and those into the lord only knows what. Now horses have always been considered animals quadrupedant, as vide Fleetwood's 3, c. 2, p. 1003. Bracton, lib. 2, c. 1, p. 709, therefore they can have but four legs. Secondly, the tail of the horse cannot be considered as one of his legs, it being a distinct and less noble part of the body. Cum vero tuam eveserit custodiam, as Justinian saith. Suppose your Honor cut off the tail of my horse, it will not prevent him from walking. But let your Honor rursus occupantis fit, cut off one of his legs, and multa accideret solant et am non capis, he will not be able to walk at all; therefore, the tail of a horse is not one of his legs, ergo, a horse has but four legs.

Per curiam. The tail of a horse is one of his legs. It is evident that it is in a manner connected with his body. If you cut off the tail of a horse the blood will run. If you cut off one of his legs the blood will run. Ergo, the tail of a horse is one of his legs. The defendant in error, Mr. Duck, is not entitled to the horses. If there are any of them without tails, deinde ut fera, ita inclusa sit extra indequeat, then Mr. Duck, is clearly entitled to them.

By whom most fruit; the first is very rich and succulent, and earliest in ripening. The wild fig tree resembles, in all its parts, the domestic fig tree, but is utterly useless other than as aiding the maturation of the fruit of the latter. This is the operation which has been disputed by some who, because they did not see it, would not believe it, or perhaps they thought, if it were proved, that figs would not afterwards taste quite so pleasantly as before.

"The facts are these; wild fig trees are the natural haunts of a peculiar kind of gnats found only in their neighborhood. They puncture the figs and deposit their eggs in them, which after a while, produce little worms of a shining black color, which are considered a species of very small ichneumonians. At a certain time these worms, transformed into small gnats themselves, puncture other figs, and thus the process continues in succession. The kernels of the figs are the habitations of the future gnats, and the figs, because these insects refuse to enter, languish, become dry and shrivelled, and fall off without ripening. On the other hand, those which are fecundated by the puncture of the gnats, visibly increase in size, and the seeds, which are larger than in the domestic fig, soon fill the whole cavity of the fruit."

"The service which, as I have said, they render to the domestic figs, remains to be explained. The first of the two species most prized in Malta gives a double gathering yearly, namely, in June and August; the other great quantity of the fruit most useful is celebrated for its fruitfulness in the Greek Islands. The June crop of the former so far exhausts the tree, that its second would be of little account unless a remedy were at hand in the little insects which nestle in the wild figs. When the summer crop makes its appearance, the Maltese are careful to suspend in different parts of a domestic fig tree, several wild figs struck on a thread. The flies or gnats which proceed from these, introduce themselves into the domestic figs, and by their punctures cause their ripening. This process is called capriciation, from capricius, the scientific name of the wild fig tree."

"As respects the second sort of good figs, the same conservation and quickening operation is necessary, for reasons substantially similar. Being a most prolific bearer, if left to itself it would overwork its strength. The young figs sprout so abundantly from the stems that frequently the branches cannot be seen on account of the fruit with which they are loaded. Accordingly, if the tree be neglected, a great quantity of the fruit must fall unripened and be lost. But by distributing a few wild figs among the boughs, the little ichneumonians which they breed, issue forth and soon provide for themselves snug quarters, or at least secure them for their progeny, in the good figs. With their little tweezers, in the shape of a pair of sharp teeth, they bore a passage and stop themselves quietly away; and by juices which they circulate, and other agencies which they set to work, a fermentation follows, which so far accelerates the ripening of the fruit, that by the time it would else drop abortive the major part of it is fit to be gathered in good condition, and in the end almost all the crop is saved. The effect produced is something the same as any one may witness with us in the quickening of worm-eaten fruit, such as plums, pears and cherries. In the case of figs the capriciations is found to hasten the maturation full three weeks, i. e. in kinds which naturally would require two months; and the difference in the amount of produce is immense. A tree of the second variety, for example, which left to itself, would scarcely yield twenty-five pounds of figs, ripe and fit for drying, with its capriciation, yield ten fold more, namely, two hundred and seventy-five pounds, at least."

"The facts contained in this recital, may not be over and above agreeable to the lovers of this curious tree; especially when it is added, that though few of the figs of Malta find their way across the Atlantic, may from Greece via Smyrna and this very port, and the figs of the Arcepiago are unfortunately produced by a similar process of capriciation. The microscope has brought to light some very curious creatures, which are to be seen on the surface and amidst the sweet fruitings of this delectable fruit; but it could not tell all the story of the prior probings of gnats, and ichneumonians gambolling in its little cells, and of eggs and their exuvie being embosomed in every seed. But the microscope has unveiled many other unpleasant truths, and it were to stop to interogate it too cursorily, it might grudge us every drop of water."

DISCOVERIES OF THE SCHOONER PACIFIC. From the Portsmouth N. H. Journal of Saturday. We last week mentioned the arrival of the sailing schooner Pacific, Captain Brown from the South Atlantic Ocean. The Pacific touched at the Cape de Verde Islands, the 14th Nov. 1829, remained there six days, and thence sailed for South Georgia, which she made on the 29th December, 1829—and remained in that vicinity till the 5th of March of the present year. We expected to have received some extracts from the Journal, but have not yet obtained them. The following discoveries, which were communicated to the State Herald, may be of some importance to mariners sailing in those seas.

The Pacific took but a very small supply of ardent spirits on board, and four or five months it was wholly exhausted. The officers and crew were fourteen in number—not more than a year they were exposed in a hazardous business in a most inclement climate—frequently gone for weeks together from the vessel, lying under their boats on the beach or sleeping in caves by night their clothes not unfrequently very wet—and yet the whole of that time nothing stronger than coffee was drunk, and the medicine chest was scarcely applied to.

The whole crew has been returned to their families and friends in good health, after being wholly shut out from intercourse with any human beings, excepting themselves, for about a year and a half—the Pacific having spoken no vessel from the time she left the Cape de Verde, until the week of her arrival here.

Although the success of the voyage was limited, yet we understand that every seal which was seen was taken, with the exception of two.

On the 8th Dec. 1830, lat. 56 deg. 18 min. S. long. 27 deg. 35 W. the crew discovered an island which was not laid down on any chart, nor is it described by Cook or Bowditch. It may be seen in clear weather 30 miles—is 2 miles in circumference, resembled at a distance a high round lump, as mentioned in the long book and the mate's private journal.—To this Capt. Brown gave the name of Potter's Island.

A second island was discovered on the 12th Dec. has a mountain 800 feet high in its centre—smoke continually issuing from it in several places—is covered with ice and snow. On the level part of this island is a deep stratum of lava disgorged from the mouth of the volcano. The lava is of a light brown color, somewhat resembling brick when burnt to excess—is extremely porous, friable, and so light that it will float on water. Large masses of these cinders were seen swimming on the ocean in the neighborhood of the Island. On this insulated spot are two stony beaches and convenient lodgings. The sailors went ashore and travelled over various portions of the island and examined the spots from which smoke ascended—a slight degree of heat perceptible after digging down several feet with their sea clubs, and the earth several feet below the surface was extremely dry. Five different species of penguins were found here, also nettles, spotted aglets, sea hens, gulls, &c. in great abundance. They called Prince's Island. It is five miles long from N. W. to S. E. lat. 55 deg. 55 min. S., long. 27 deg. 53 min. W.

On the 22d Dec. another island six miles in length from N. W. to S. E. was discovered by one of the crew. It was in the latitude of 56 deg. 25 min. S., long 27 deg. 43 W. On this island is a burning mountain, from which smoke was seen to issue in different parts. No landing place on this island—may be seen in clear weather fifty miles—named by Captain Brown, Willey's Island.

The fourth and last island which Capt. B. discovered is situated in latitude 57 deg. 49 min. S., and long. 27 deg. 38 min. W. I received the name of Christmas Island, being first noticed on the 29th Dec. 1830. It lies about midway between Canelmas and Montague Islands, but further westerly than either, as laid down on the chart drawn by Captain Brown's mate, Mr. Primer, an experienced seaman, who traversed these waters in an English vessel twelve years ago.

Discovery of the course of the Niger, and the recovery of the long sought manuscripts of Mungo Park. The English ship Carnarvon, which arrived at Rio Janeiro early in April, from Fernando Po, an island in the mouth of the river Cameroes in the Gulf of Guinea, brought as passengers, Richard Lander the well known companion of Clapperton, and his brother John Lander. These young men have been absent seventeen months, in the employ of the British government, in prosecuting the search after the course of the Niger. Having reached the point, (mentioned in Clapperton's book) where Park was murdered, they succeeded in recovering his books, letters, manuscripts, and a double barrelled gun, which was his property.

Being obliged to abandon their design of proceeding to Timbuctoo, from which they were scarcely fifteen days journey, for want of presents to bestow, without which there is neither food protection nor assistance from the authorities of the country, they in consequence re-embarked at the place where Mungo Park lost his life, and following the current of the river, which runs at the rate of four miles an hour, they ascertained that the Niger before it divides itself into various branches is ten miles wide.—They then resolved to proceed by one of the most considerable of the branches which flow rapidly to the west.—As they approached the coast they were taken prisoners by the negroes who inhabit the banks of the river, and were again obliged to embark to be conducted to the presence of their king, who lived at a great distance. They were plundered and treated as slaves and were threatened to be sold and sent to the interior. They succeeded, however, after great difficulty, in persuading the chiefs by promises of a great reward, as well for their persons as for the property they still possessed, to send them to the coast of Guinea.

Having again embarked, they at length arrived at the Bay of Benue; where the Europeans gave them every assistance they required.

These travellers affirm, that the river Niger, which discharges itself into the Bay of Benue, is the most considerable branch of the Niger, and that the others, like the Calabar, as it flows to the ocean. They also stated, that their guides told them that the city of Timbuctoo is not situated on the Niger, but distant from it twelve leagues to the north. They admired the beauty and fertility of the country through which they passed, the extent of which is calculated to be 1800 miles. The inhabitants of the interior are Mahometans, and are much more tractable and civilized than the negroes who inhabit the coast.

They took passage on the 6th April, in the British transport Wm. Harris, for Portsmouth, England.

The public will expect with great anxiety, the narrative of the adventurous travellers.—They have solved a problem, which has deeply interested the scientific world, and they cannot fail to meet with an appropriate recompense for their toils and discoveries.

From the Boston Centinel. Messrs. Editors.—In looking over Martin's London Magazine, for the year 1755; I was struck with the comparative view of the population of the British Provinces in North America, at that time, with that of the United States in 1830. It may perhaps, be amusing to your readers, and the curious in such matters, to know what the population of this continent was in those days. I have, therefore, made a copy of it, which I had to you for publication.

In Nova Scotia, besides the military, the English inhabitants were found to be 5,000

Table with population data for various regions in 1755 and 1830.

Total, 988,000 A. D. 1831. Robert S. Ross, late member of Congress, and heretofore an ardent partisan of the coalition, has given notice that he did not authorize his name to be used to call for a National Republican Convention in his county.—Call ye this backing your friends! Albany Argus.

A poor widow in Wartham, who has lost the use of her arm by sickness, is said to support her family and herself, by picking oakum with the other and her teeth.