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NATIONAL INTELLIGENCER.

LETTER FROM A SOUTHERN GENTLEMAN.

MY DEAR FRIEND: You ask what may be my opinions on the subject of Nullification and Secession. Are they constitutional doctrines, commanding the assent of every impartial mind? You know that by some they are said to be questions no longer debatable; that they have become fixed facts; that they are no longer open to discussion. I do not, however, recognise the authority of any individual or of any community to place restrictions upon the exercise of one's intellect, in whatever field it may choose to stray. You may examine *these* questions, but not *those*. Somehow or other, there is an invincible tendency in the human mind to examine into *all* questions, and especially those which bear "no admittance" upon their front. How frequently do we find children doing that which they are prohibited to do? By the mere fact of prohibition their curiosity becomes excited. I must say, I have not entirely got over that propensity. You seem to hold my opinions in some respect. I will, therefore make a frank avowal of them to you. I lead a life, as you know, of almost entire seclusion from the world, apparently taking very little concern in what passes around me. Though quite remote from the arena of political discussion, with no other prospect before me than that of green pines and live oaks, yet am I not indifferent to the solution of questions which may affect man's welfare in all time to come. I profess to be one of the people—sprung from them, and have always been interested in investigating the causes which have promoted or retarded their advancement in every clime. In their soft and tender moments, when favors are to be granted, they are told that *Vox Populi* is *Vox Dei*. Sometimes they are converted into a mere abstraction, and called by the name (for instance) of *South Carolina*, and receive incense as a God. Now, I am opposed to this adoration of the People, whether in the *abstract* or the *concrete*. The People are made up of fallible individuals; and how, from an aggregation of fallibilities, infallibility can be eliminated, I must confess I cannot see. Being one of them, I would tell them in private, if there was any way of reaching their private ear, "Poor people! you are split up into parties, excited the one against the other, induced to believe that your interests are antagonistical, and finally driven to shed each other's blood on an extensive scale of murder; and when, in moments of misery and privation, reflection comes, you find one of your great flatterers has risen into power and station, and shakes the reins of tyranny over your flagging necks!" Pity it is that the mistake is only found out when no remedy can be applied. I do really sympathize with the People. They love genius and talent, and are ever willing, dazzled by their influence, to surrender their entire confidence to their sway; and yet that genius and that talent are but too often employed in leading the masses, sheep-like, to their own destruction. Mr. MADISON most truly observes, "that it is a misfortune inseparable from human affairs that public measures are rarely investigated with that spirit of moderation which is essential to a just estimate of their real tendency to advance or obstruct the public good; and that this spirit is more apt to be diminished than promoted by those occasions which require an usual exercise of it." We see the truth of these remarks verified at the present hour. The doctrines of Nullification and Secession are enounced with heat and arrogance on one side, and repelled on the other with the same intolerant spirit. These are questions which concern the very origin and philosophy of our government, and require the utmost coolness of intellect to understand, and much more to discuss. Every man, no matter how humble or retiring he may be, is naturally interested in the Government under which he lives, and in the changes it may receive. He must suffer or grow prosperous with it, and therefore is entitled to a free expression of his opinions in relation to it. Without desiring to excite the enmity of one party or to secure the approbation of the other, I propose, in accordance with your request, to furnish you with an exposition of my opinions. I ask from you nothing more than a belief in their sincerity.

The Government of the United States is the result of a compact between the States which formed it. After the Government was established, did the States ratifying the Constitution retain their sovereignty? And, in the event of a controversy between a State and the General Government, does that controversy partake of the nature of a contest between sovereign Powers? Now, some have gone so far as to say that the State is sovereign, while the General Government is but an *agency*. All Governments, however, are but *agencies*, invested with powers more or less in trust for the benefit of their respective people, whether these people form members of separate communities, or are agglomerated into one empire. The word agency throws no light on the question. There can be no doubt that the States have parted with the most essential elements of sovereignty. They cannot coin money; they cannot declare war or make peace, or enter into any treaty with a foreign nation; and, what is more, they have determined to adhere to all *amendments* of the Constitution agreed upon by three-fourths of the States assembled in Conventions or Legislatures. Who ever heard of a people retaining their *sovereignty*, and yet consenting to be bound in all matters relative to their Government by a certain number of other States? They are clearly then not *sovereign* States, in the light in which we regard England, France, and the rest of the European Powers. The Constitution is said by the State-rights party to be a compact between the States, and consequently each one of the parties has a perfect right to construe that instrument for itself. When, on the other hand, it is contended that the Supreme Court is invested with that power, the reply is, that the ultimate decision of the National Judiciary upon points in dispute between the States and General Government constitutes the very question at issue; moreover, that it is an absurdity for the Judiciary, being a part of the Government, to possess a power which would make it a judge in its own case. Now, I deny, in the first instance, that it necessarily follows that every party to a compact has a perfect right to expound it according to their whim and caprice, whether the parties be individuals or separate communities; and, in the second case, I deny that the Supreme Court does constitute such a part of the Government, so intimately concerned in the interest of the other branches, as to make it a judge in its own cause. There is a moral obligation binding upon all parties to carry out the spirit of every compact, so that its objects may be best fulfilled. I think, then, that the assumption of each State to place its own interpretation upon that instrument would defeat the very object of its creation—a good General Government. The acts of a Government are laws. It is essential to all good laws that they should have a uniform construction—that there should be some tribunal to enforce and expound them. The separate interpretation of each State would necessarily lead to confusion and misrule, since the meaning of each law would vary according to the habits, interests, and political prejudices of each community. We are told, in the preamble of that instrument, that its object was to form a more perfect union, establish justice, and promote the general welfare. Could that object ever be obtained by each party placing its own arbitrary construction upon its clauses, and refusing at discretion to be bound by the general laws? And can we be so simple as to suppose that the States, in every case of separate interpretation, would, setting aside their own interests, conform entirely to the spirit of justice, and consult the general welfare? Alas! we know too much of sectional jealousy, of State pride, of the motives of self-interest, to lead us to put much confidence in their uniform sense of right. In their pretension to guard and protect the interests of their citizens from injury by the Central power, they would too often impair by acts of nullification that general paramount interest which we all possess in a common Government. Unfortunately examples are not wanting to show that they are quite as willing as individuals to shake off the weight of obligations, when conflicting with their supposed advantage. We are bound, then, to look first at the instrument, and construe it with no disposition to refinement, but according to its plain and obvious meaning. What signifies that section which says "the Judicial power shall extend to 'all cases in law and equity arising under this 'Constitution?'" Simply that the Supreme Court, combining within itself the characteristics both of a court of law and equity, can afford an ample remedy against an unconstitutional law. For instance, suppose a State should pass a law impairing the obligation of contracts, the party aggrieved would find its remedy in a Federal Court, which has full power to declare the State law null and void. Again, it shall extend "to controversies of which the United States shall be a party." How unjust, since in that case it becomes a judge in its own cause! Again, that clause which says "this 'Constitution, and the laws of the United States 'made in pursuance thereof, &c. shall be the su'preme law, and the judges in every State shall be 'bound thereby, any thing in the constitution or 'laws of any State to the contrary notwithstand'ing." Does it not suppose a power lodged somewhere to interpret and declare the supreme law, since it presupposes the infraction of the supreme law by the Constitution or Legislature of a State? Let us see what sense it would have made, if it had been composed in this wise: "The Constitu'tion, and the laws of the United States made in 'pursuance thereof, shall be the supreme law, and 'the judges in every State shall be bound thereby, 'any thing in the constitution or laws of any State 'to the contrary notwithstanding; but each State 'may place its own construction upon it, and then 'the judges of every State shall be bound by that 'construction"—which, in my judgment, amounts to this, that a State has only to consult its own inclination whether or no it will render obedience to the general law.

Now, in turning away from the text of the Constitution, let us see what say those who took a prominent share in its formation. The Federalist, we all know, was written for the express purpose of recommending the Constitution to the people of the States. Turn to No. 39, which was written by Mr. MADISON, and in which he most admirably sketches out the leading features of the Government, and mark the conclusion, which I shall quote. Speaking of the extent of the powers of the General Government, he says: "In this relation, then, the 'proposed Government cannot be deemed a na'tional one, since its jurisdiction extends to certain 'enumerated objects only, and leaves to the several States a residuary and inviolable sovereignty 'over all other objects. It is true, in controversies 'relating to the boundary between the two juris'dictions, the tribunal which is ultimately to decide 'is to be established under the General Govern'ment. But this does not change the principle of 'the case; the decision is to be impartially made, 'according to the rules of the Constitution, and all 'the usual and most effectual precautions are taken 'to secure this impartiality. Some such tribunal 'is clearly necessary to prevent an appeal to the 'sword and a dissolution of the compact; and that 'it ought to be established under the General ra'ther than under the Local Governments, or, to 'speak more properly, that it could be safely estab'lished under the first alone, is a position not likely 'to be combated." Compare this with Mr. Madison's opinion in a letter written by him in 1830: "The Constitution is a compact: its text is to be 'expounded according to the provisions for ex'pounding it—making a part of the compact, and 'none of the parties can rightfully renounce the ex'pounding provision more than any other part."

LUTHER MARTIN, in his genuine information to the Legislature of Maryland, says: "By the third 'article the judicial power of the United States is 'vested in one Supreme Court, and in such inferior 'courts as the Congress may from time to time or'dain and establish. These courts, and these only, 'will have a right to decide upon the laws of the 'United States, and all questions arising upon their 'construction, and in a judicial manner to carry 'these laws into execution; to which the courts, 'both superior and inferior, of the respective States, 'and their judges and other magistrates, are ren'dered incompetent. Whether, therefore, any laws 'or regulations of the Congress, or any act of its 'President or other officers, are contrary to or not 'warranted by the Constitution, rests only with the 'judges who are appointed by Congress to deter'mine, by whose determination every State must 'be bound." Such is the construction of that article by one who was a bitter enemy to the proposed Constitution.

PATRICK HENRY also opposed the plan of the Convention; yet, when it was ratified by his own State, denied, on the occasion of the "alien and sedition laws," the right of a State to nullify an act of Congress.

YATES and LANSING, delegates from New York, left the Convention, because, in their opinion, the sovereignty of the States was broken down. What a pity that some of these new lights had not been by their side, to convince them they were opposing a phantom; that each State could nullify an act of Congress when it pleased, or secede at discretion! What more could they have desired, if one State had the power of arresting the whole machinery of Government, and of inducing a political apoplexy! The doctrines of the State-rights party were put forth, I am afraid, by men who were themselves inimical in the first instance to the Constitution; and, failing in their attempt to prevent its ratification, afterwards endeavored to give such a construction to its clauses as totally to defeat the very object of its formation.

Let us now regard for a moment what opinions upon this subject two most distinguished foreigners have formed—men who have made politics and history the study of their lives. You will excuse me for extending the limit of my quotations, since I am anxious to concentrate all the light I possibly can upon this question.

Lord BROUGHAM, in ch. xxx. 3d volume of his Political Philosophy, in speaking of the American Government, says that it is no refinement in politics, the formation of a Federal Union, but the maintenance of all its different members in the enjoyment of their rights, and the preservation of the federation, constitute the greatest refinement in social policy to which any age has ever given birth. It is the institution of the Supreme Court which, in his opinion, separates our Government from any other that has ever yet been established: "Thus 'a law, a solemn act by the supreme legislative 'power in one State, or by Congress itself—a 'statute clothed with all the legal solemnities—a 'law, for example, to which the two houses of Con'gress and the President of the Union have given 'their distinct assent, is declared illegal, is pro'nounced to be no law, is treated as a mere nullity, 'because contrary to the constitution; and this is 'done by Judges appointed to execute the law, and 'to administer justice under it. In England, or in 'France, the courts have no power to declare a law 'unconstitutional; it is only in this country they 'possess that right, invested in them by the consti'tution itself."

DE TOCQUEVILLE, in his first volume upon Democracy in America, in speaking of the Supreme Court, looks upon it as the sheet anchor of our Union. He says: "In the hands of the seven 'federal judges continually repose the peace, the 'prosperity, the existence even of the Union. With'out them the constitution is a *dead* work. The 'Executive power appeals to them to resist the en'croachments of the legislative body; the Legislative 'to defend itself from the attack of the Executive 'power; the Union to require the obedience of the 'States; the States to repel the exaggerated preten'sions of the Union: public interest against private, 'the spirit of conservatism against democratic insta'bility."

I will conclude, then, this part with a few more remarks. The mere fact of a controversy springing up between the Legislative and Executive branches of the Nation and the State Governments in reference to the exercise of a power, affects not in one jot the reality of the power of the Supreme Court to decide whether a law be constitutional, and in every such decision it must indirectly affirm the inherence of the power in the General Government or its reservation to the States. As, therefore, Congress cannot negative an act of the State Legislature, *so* neither, on the other hand, can a State negative an act of Congress; and thus, in my humble opinion, nullification falls to the ground. Herein consisted the wisdom of the Convention. They wished to avoid the possibility of a direct controversy between the General Government and a State, by bringing into existence a power which should surely, but without *eclat*, arrest the encroachments of either party upon the constitution.

Having thus endeavored to show that no State has the moral right of construing the Constitution according to its will, but is bound faithfully to carry out its object—in other words, that *moral obligation* and will are not convertible terms—I shall now proceed to show, in a few words, that the composition of the Supreme Court is not of such a character to warrant the assertion that it is but an interested part in all the assumptions and encroachments of the legislative and executive powers upon the rights of the States. If the legislative, executive, and judicial powers of the Government were united in one body, as they were under the articles of confederation, the remark would appear to be just; but, under the present Constitution, they are independent of each other. The Judiciary are appointed by the Executive, by and with the advice of the Senate, but after their appointment all external power and influence over them are removed. Their salaries are not to be changed during their continuance in office. They retain their office during good behavior, which, in fact, amounts to an appointment for life. This constitutes the most permanent feature of our system. While all other officers, both legislative and executive, are being perpetually changed, they remain as a body the same, new appointments being made only in case of resignations and vacancies by death.

Hitherto the Supreme Court has been composed of the wisest and most learned men of the nation. The Constitution has so provided that they cannot have any other interest than the maintenance of the Constitution in all its integrity. It is true, they possess *no political* power—that is, no power of making laws—nor can they travel beyond their case, and speculate upon the constitutionality of the laws before parties are brought into court; but because all unconstitutional laws have a tendency to aggrieve some portion of the community, it can rarely happen that they will escape the jurisdiction of the court. I think, then, that the Supreme Court constitutes the very Christian element of the Government; for all will agree that it is much better that the controversy of opinions should be settled by the decision of the sages of the law than by an appeal to arms. But if Nullification be an untenable doctrine, still more so is that of Secession; which is, as I understand it, and as explained by its advocates, the constitutional right of a State, when it feels itself aggrieved, to retire from the Confederacy. I would ask the strict constructionist if he can find any clause in the Constitution providing for an act of political suicide? It points out the mode in which it may be amended; does it also indicate the mode of its destruction? Mr. CALHOUN, in his construction of the Constitution, relies with great confidence upon the authority of Mr. JEFFERSON. No one could be more solicitous than he was to preserve the right of the States unimpaired, because he feared the rise of monarchy in a consolidation of the Union. In his letter to Judge Johnson (4th vol. of his works, page 374) he says: "But the Chief Justice says there must be an ultimate arbiter somewhere. True, there must; but does that prove it is either party?" The ultimate arbiter is the People of the Union, assembled by their deputies in Convention, at the call of Congress, or of two-thirds of the States. Let them decide to which they mean to give an authority claimed by two of their organs. And it has been the peculiar wisdom and felicity of our Constitution to have provided "this peaceable appeal, where that of other nations is at once to force." If, then, Mr. JEFFERSON is right, that complete and perfect sovereignty only resides in the People in General Convention, what right have the people of any one State to withdraw themselves from the rest of their fellow-citizens by an act of secession, and set up a Government for themselves, and enter into relations with foreign Governments which might be prejudicial to the rest of the States? What right have they thus to act but the right of revolution? A right which lies enveloped in mist and darkness, and which can only be exercised by a people on the borders of despair. Secession is but one other step after nullification, both doctrines being grounded on the same principle. A State secedes in consequence of a series of unconstitutional acts. By what right does she judge them unconstitutional? Because, being one of the parties to the compact, she alone judges of the mode and measure of redress. This may either be nullification or secession, as she thinks best. But I may be told this is not Southern doctrine that I am advocating. I reply, that climate and latitude may affect men's temperaments, but they by no means furnish the standard of truth.

The American Constitution is lauded to the skies, and proclaimed as a model worthy of all imitation, as the perfection of the human intellect. But if it is to bear the interpretation placed upon it by the extreme State-rights school, I think it will fall short, far short of its pretensions. A number of deputies meet together from different States to frame a constitution, in order to establish a more perfect Union. This constitution contains nothing but delegated powers, while all other powers are reserved to the States. All powers, however, are conceded that are necessary to carry the granted powers into execution. Now, is it not too much to suppose that these delegates should have thought themselves capable of so exactly defining and describing these powers that it would have been impossible for any controversies to arise respecting their extent and limitation, especially when they must have known that man was a litigious animal, prone to controversy, and that communities, great and small, were equally liable to encroach upon each other?

We are gravely told that this *Union* was to depend altogether upon the love of its members—that if one party encroached upon the other, the aggrieved party had only to give timely notification, and the grievance would be redressed; or that, in case of obstinacy on the part of the majority, the weaker section had the right to nullify the acts of Congress; and if that were not sufficient, to part company altogether. And this sentiment of love, being a great American sentiment, enjoyed by us peculiarly as a people over every other people on earth, was to be the only principle—the sole ingredient of the cement to hold us together. The political millennium had come. We were all to unite or disunite; in fine, it was to be a sort of political marriage, in which divorce was contemplated before the ceremony. So far as I am concerned, if this be the right construction, I am very much obliged to them for the good opinion they had of the innocence of their posterity; but I would have esteemed their intellect much more, if they had taken a more extensive view of human nature, and formed the Government upon the consideration that man is an animal that can hate as well as love; that he has had, and ever will have, a spice of the devil in his composition, and that in fact he is more prone to hostility than affection. I do believe, if they had not provided the Supreme Court as an arbiter, that the Constitution was but a firebrand thrown in between the States, to form a more perfect Union at first, that they might hate each other ever afterwards upon a closer acquaintance, and that so far from being a monument of the wisdom of that, age, it was a most stupendous memorial of their entire simplicity.

DR. LIEBER ON PHONETICS.

SMITHSONIAN CONTRIBUTIONS TO KNOWLEDGE. A Paper on the Vocal Sounds of LAURA BRIDGEMAN, the Blind Deaf-Mute at Boston; compared with the Elements of Phonetic Language. By FRANCIS LIEBER.

This contribution to Philosophy by Professor Lieber is a favorable development of the good influence of the Smithsonian bequest. A treatise like this, if the question should have arisen how far its popular interest might justify the expense of publication, would probably never have been submitted to the public. The Smithsonian Institute, however, steps in between publisher and public, and, solving all financial doubts, with its generous fund gives a permanent form to an interesting and valuable speculation upon an important branch of science. Philosophers and men of letters are thus encouraged to develop and perfect what might otherwise be limited to the abstract contemplation of the study; or, at most, expanded into a passing topic of talk, for the benefit of a chosen few. We can trust to the interests of trade for the immediate and practical, while it is the noble office of such endowments as the institute of Smithson to cherish those studies which, in the unerring faith of philosophy, are a sure preparation for the good and the true, though they appear but vanities to the unbelief of a sensuous world.

Dr. Lieber takes, as a suggestive text for his speculation, the blind and deaf-mute, Laura Bridgeman; for whom the intelligent benevolence of Dr. Howe has secured the privileges of humanity, when nature seemed to have doomed her to a communion with the brute. This interesting girl, though blind, deaf, and dumb of speech, is capable of certain vocal sounds. Dr. Lieber finds, in the fact of their existence, a confirmation of his theory, that spoken language, in its rude origin, is a law of man's nature, that all emotions are naturally accompanied with more or less utterance, and that from such simple elements have been perfected, in the course of human civilization, the articulate languages of the world.

The vocal sounds of Laura Bridgeman, as far as they go, are doubtless primitive, since, being deprived of sight and hearing, she has had no opportunity of modifying them by comparison with her own voice and that of others. The elementary vocal language of Laura Bridgeman is necessarily limited; there are many classes of primitive sounds of which she is incapable.

This subject of the origin of spoken language, suggested by the interesting case of the blind and deaf mute, has expanded, under the skilful handling of Dr. Lieber, into a very complete and scientific treatise. Great ingenuity is shown in tracing out analogies, and much varied learning and curious observation are brought to bear in illustration of the subject.

[*Literary World.*

SIR HENRY LYTTON BULWER.—This gentleman is a diplomatist of the right sort. Whilst he maintains his attachment to his own country, and the dignity of the station which he occupies as its Minister, he mingles agreeably in social intercourse with the people to whom he is sent, and exerts himself to keep up good feeling and harmony between the two nations. He is one of the most popular Ministers that has ever visited this country, for the principle upon which he acts is candid, fair, and honorable. He has drawn the bonds by which England and the United States are bound by consanguinity and interest closer than they ever were since the establishment of our Government, and has largely contributed to remove that feeling of jealous hostility towards England which was heretofore entertained by many of our citizens. We rejoice at its abatement, for we think that the two nations, sprung as they have from the same common progenitors, have every reason to unite in friendship, and to stand side by side as the most free, liberal, and enlightened nations of the world. May the spirit which Sir Henry breathes be infused into the people of both countries!—*Balt. Clipper.*

The beautiful line quoted by Mr. WEBSTER, in a speech which he delivered in the Senate during the last session of Congress, and used by him as descriptive of California, to wit:

"Whose foam is amber, and whose sands are gold,"

occur in a poem called "The Thames and Windsor Forest," written by Sir John Denham.

LIGHT FROM WATER.

FOR THE NATIONAL INTELLIGENCER.

Messrs. EDITORS: I observed in your paper of the 28th April a long and learned article, purporting to be "Thoughts on the alleged discovery of Mr. HENRY M. PAINE, of Worcester, Massachusetts," and on other matters relative to science and the arts.

As there are many things in the article calculated to produce erroneous impressions on those not familiar with the subject, I have taken the liberty to explain some portions of the article, and to correct the impressions it tends to create. I do not propose to follow the writer in all his philosophical lucubrations, but will confine my remarks chiefly to the so-called invention or discovery of Mr. PAINE respecting the preparation of hydrogen gas from the decomposition of water, and the process of rendering the gas luminous by what is called in the article *catalysis*. The subject of Paine's discoveries has been long discussed in the newspapers of the day. By one class of writers he has been extolled to the skies, and his name enrolled with the greatest benefactors of the age; and by another class he is denounced as an arrant humbug. Most of the community, not familiar with the laws of chemistry on which the alleged discoveries depend, and the statements of the facts being themselves diverse and contradictory to each other, have thus far been unable to form a correct judgment in the case. The question is asked by the bewildered inquirer, Has Mr. Paine made any discovery? Has he decided the point that water can be decomposed by electricity, and the elements used as an illuminating gas? Has he really succeeded in catalyzing hydrogen after he has decomposed water? And can he really change the elements of water all into hydrogen, or all into oxygen, just as he pleases? These and other similar questions have often been asked, and have been as often answered by one class of writers in the affirmative, and by another class at the same time in the negative. But to the subject.

After some preliminary remarks, the writer says:

"It appears now that Mr. Paine has, beyond all cavil, invented a method of so applying the electrical or magnetic agent as to eliminate from water its constituent parts, and then catalyze the hydrogen with sufficient celerity and in sufficient quantity to prove the entire practicability of so conducting the process as to render it subservient to the common wants of life. He has patented his invention, and the principle may be considered as fairly established."

I do not design to criticize the language nor the intent of Mr. TYLER, the writer of the article referred to, but merely to explain, so far as is known to the public, what Mr. PAINE has invented, and I will commence by stating what he has not invented.

Mr. PAINE did not invent the decomposition of water by electric or magnetic agency. This was done, and the gases collected separately, by NICHOLSON and CARLISLE, as long ago as 1816. Mr. Paine was not the first to *catalyze* the hydrogen of the water, (if mingling the gas with the vapor of spirits of turpentine may be so called,) and to render the gas fit for illumination. Professor DONOVAN, of Dublin, used a mixture of gases arising from the decomposition of water with the vapor of spirits of turpentine warmed by the heat of the burner. And this was done twenty years ago, and an English patent obtained for the invention.

It is said Mr. Paine *catalyzes* the hydrogen of the water. If he does, so did Prof. Donovan; or, at any rate, they both used the same material to catalyze it, namely, spirits of turpentine. Mr. Donovan, with true philosophy, used the turpentine at an elevated temperature, so that the two materials would mingle freely in the gaseous state; while Mr. Paine passed the gases (or the mixture of oxygen and hydrogen) through the liquid spirits of turpentine at the ordinary temperature. It is plain, therefore, from this statement, what Mr. Paine has done, and what had been done before his time.

But it is said Mr. Paine *catalyzed* the gases from water, and rendered them subservient to the common wants of life. By this expression is meant, if it have any meaning, that, passing the gas through spirits of turpentine, it (the gas) becomes an illuminating gas without taking any thing from the said spirits of turpentine. If such were proved to be the case, it would be a case of *catalysis* indeed; for catalysis is explained by chemists to be a decomposing action arising from the presence or contact of some chemical substance, while itself undergoes no change. Thus the yest or ferment in beer, at a given temperature, starts and keeps up the fermentation, while the yest undergoes little or no change. A solution of starch in water containing about one-thousandth of the weight of the dry starch in sulphuric acid, will be entirely converted to grape sugar, after being boiled a few hours. The presence of the acid is indispensable to the success of the operation; and yet it undergoes no change, and may be procured in its original state after the process is completed. Both of these are illustrations of catalysis.

It may perchance be asked by Mr. Paine, or some skeptical reader, how I can prove that the spirits of turpentine does not catalyze the hydrogen gas when the gas is passed in bubbles through it? To such I would say, collect a quantity of hydrogen gas, from the decomposition of water by any of the well known means; pass it through the spirits of turpentine, in the manner described by Mr. Paine, and conduct it to an ordinary gas-burner having a glass chimney. Now, with a small syringe, draw out several syringes of the gas from that part of the chimney immediately above the flame, and force each charge, in small bubbles, successively through a freshly-prepared and clear solution of lime water. If the hydrogen were *catalyzed*, as is alleged, by the presence of the turpentine, without the latter losing any of its substance, then the lime water will retain its transparency, as nothing but water could be produced from the combustion of hydrogen, and this could not affect the transparency of the lime water. If, on the contrary, the lime water become milky, as I have always found to be the case when the gas was passed through the turpentine slowly enough to render it tolerably luminous, then it is shown conclusively that the gas has absorbed a part of the spirits of turpentine, the combustion of which supplies carbonic acid, which in its turn precipitates the carbonate of lime from the lime water. There is no other source of carbonic acid in the case but from the spirits of turpentine. The experiment is perfectly conclusive, and catalysis has in reality nothing whatever to do with this subject.

But it is said "Mr. Paine has patented his invention." If he has, it is within the means of any man in the United States to get the information by writing to the Patent Office for it, or by examining the monthly lists published in the New York Scientific American and in other periodicals. I have carefully looked over these lists for the last twelve months, but do not find any such patent.

It is also said Mr. Paine "decomposes water, and converts the gaseous products all into hydrogen, or all into oxygen, at will." This is too barefaced to gain a position among possibilities; it is entertained only by the inordinately credulous. The last version of this is, that Mr. Paine has at last succeeded in catalyzing the common atmosphere, and many other equally marvellous discoveries are claimed for him in the papers of the day. It is proper to add that neither of the last two alleged discoveries of Mr. Paine is mentioned in the article by Mr. TYLER; but, as they are referred to frequently in the newspapers, it is no more than fair that those who are not posted up on this subject should be set right. On the 191st page of the American Year Book of Facts, published in 1850, edited by Messrs. Wells & Bliss, of Boston, will be found an extract from the Chemical Gazette of London, which must have appeared probably in 1849, and which says, speaking of the properties of Benzole, that its vapor is easily taken up by the air, and retained by it at ordinary temperatures, so that the mixture may be burnt as an illuminating gas. Many other facts are stated respecting this material, analogous in its properties and composition to spirits of turpentine, which may be found in the work referred to. If, therefore, Mr. Paine's friends desire to claim for him the invention of the so-called *catalyzing* of the atmosphere, it will be necessary for them to carry their dates back behind those containing the above notices. I desire it to be understood that, in making these comments, I have no other object than to set your numerous readers right respecting what has thus far appeared before the public of the alleged inventions of Mr. Paine. He may have invented many things that the world knows nothing of. It will be in good time to speak of them when they appear. Respectfully, OMEGA.

THE LOCUSTS.

Within a week or so we may expect to see the locusts appear above ground. Dr. G. B. SMITH, of Baltimore, who has paid much attention to the habits and history of this insect, fixes the period of their leaving the ground about the 20th of May. But few will be found the first day; more the second, and so on, increasing in numbers till about the 27th of May, after which there is a gradual decrease until about the 5th of June, when no more will leave the earth. The following description by Dr. SMITH of the first appearance of the insect above ground, and of its transition to the winged state, is as minute, and no doubt accurate, as it is interesting:

"When they come up from the earth—always about daylight or a little before—they immediately climb the first object they meet with—a tree, a bush, or stake, any thing—two or three feet. They then lay hold of the bark, fixing themselves firmly by their claws, and commence working themselves out of their old shell, which is done by rupturing it on the back, between the shoulders, and drawing themselves out. As soon as they get fairly out they seize hold of the old shell with their claws, raise themselves, and begin to expand their wings. Their bodies and wings at this time are exceedingly delicate, white, and moist; but a few minutes' exposure to the air dries and hardens them, so that by the time the sun is fairly risen they are perfect, and can fly. The wings, before sloughing, are beautifully folded up, and it is a beautiful sight to see them unfolded, and in a few minutes changed from the most soft and delicate tissue to the firm and rigid wing of the perfect insect. If it be a wet or very cloudy day they are apt to perish in the operation of sloughing and drying."

It would be curious to imagine the nature of that instinct which prompts the insect to the effort to burst the barriers of its outer covering for the attainment of a new state of existence—still more so to imagine the joy and delight with which it must enter upon its aerial life, so different from the dull, dark, and half torpid existence which it passed under ground during the previous seventeen years. The imaginative Greeks typified by this species of transition the change which takes place with man, when the soul, passing from its earthly existence, enters upon a spiritual life and realizes the glories and splendors of a happy immortality.

LIFE IN THE CITY OF NEW YORK.

IMMIGRANTS.—Nine hundred and ten immigrants arrived at the port of New York on Thursday last in the following vessels:

John Henry, from London	257
Bellona, from Bristol	178
Lord Brougham and Vaux, from Cork	116
Sarah, from Glasgow	233
George, from Bremen	132

SWINDLERS AND BEGGARS.—There have lately arrived in New York nearly a hundred *Italian beggars*, armed and equipped with *documents* made out with care, purporting to prove them "political exiles," "shipwrecked passengers," or persons who have been robbed, &c. These persons, there is good reason to believe, are *professional beggars*, whose business at home is begging. About thirty have gone to fleece the good and charitable of Philadelphia. It is supposed there are twelve hundred of these now in the United States.

QUEER AFFAIR.—On Thursday morning a poor woman belonging to Fall River called at the Mayor's office in a great state of "indignation," to demand of his Honor "rocks" enough to return home by the evening boat. She stated that she, being in a state of poverty, and having read in the papers of Jenny Lind's liberal disposition, came on to the city to request that celebrated lady to relieve her necessities and place her in a state of comfortable circumstances for the rest of her days, but, being refused admittance to her by the Nightingale's servants, she came to the conclusion that Jenny was something of a humbug. The Mayor not being at home when the lady called, and the case not coming within the power of the First Marshal, who was the only one present, the applicant was obliged to depart disappointed. She went out exclaiming against the uncharitableness of New York in general, and the servants of the city and Jenny Lind in particular."

BURNING OF THE STEAMER WEBSTER.—A passenger who was on board this ill-fated steamer, which was recently burnt on the Mississippi river, in a letter to the Vicksburg Whig relates the following incidents connected with this sad calamity:

"The spot on which the conflagration took place I learn is a fatal, a doomed spot, on the Mississippi. It is called Kentucky Bend Island, 86 and 87 in the chart, and it is here some two or three steamers have been destroyed by a similar casualty. Not one minute, seemingly, elapsed after the alarm, before the flames, beaten up by the wind, clung to and enveloped the whole boat. Some of those who escaped had to cling for hours to a snag—among whom was the writer of this account—with, unfortunately, no power to render assistance; but doomed to be sad spectators to the terrible scene. Gracefully the burning boat, now completely at her own course, bore away with her load of agitated victims, the flames bursting from her in every part, and into which, fitfully, with a despairing scream, passenger after passenger plunged or were precipitated into the river.

"Among the many heroic acts I saw, I particularly noted the conduct of Miss C. DILL, of Dalton, Ohio. Not seeming to regard her own safety, in the moment when all others were flying one way or another, she seized two little girls, children of a Frenchman, a passenger, and with them plunged into the water, and by her intrepidity saved them. To such noble conduct be forever praise! Another lady, Miss MARGARET BROOKHOUSE, jumped from the hurricane deck, at the suggestion of her friend, and was saved—thus daring an element scarcely less terrible than the one she was fleeing from.

"Capt. CASE, of the steeboat Grey Eagle, deserves the highest gratitude of the sufferers. He literally 'clothed the naked,' afforded them shelter, distributed shoes among the barefooted freely, refusing any remuneration whatever, scarcely pausing to listen to the full-hearted gratitude poured out upon him on all sides. Great assistance was also rendered by farmers and others, who came up to the scene by boats and otherwise as quickly as possible."

In the Circuit Court of the United States for the District of Georgia, on the 13th instant, his honor Judge NICOLL presiding, *Theodore Orville Brown*, of Augusta, was convicted of embezzling from the United States mail on two several indictments, and sentenced to ten years' imprisonment at hard labor in the State's prison for each offence. *Brown* is only a little more than seventeen years of age, and at the time of committing these crimes (last November) he was a clerk in the post office at Augusta. It is but just to this young man to say, that he did not impress those who saw him before the Court with the idea that he was hardened in crime. He made from the time of his detection a most full and ample confession, and manifested sincere repentance for his faults. The indictments were for abstracting $1,342 from a New Orleans letter, and $249 from a Dalton letter.

[*Savannah Republic.*

An anecdote is told in an Ohio journal of a Theological student, who, when asked for the first time to say grace, being rather embarrassed, began in this very benevolent strain: "O Lord, we thank thee that while we are enjoying health and prosperity, so many are tossed upon beds of pain, deprived of the comforts of life." A case somewhat similar to this was that of a Methodist clergymen whom I knew, (says the same writer,) and who, not being sufficiently acquainted with the significance of prepositions, prayed "that the gospel might be *dispensed with* throughout the world!"

ENORMOUS FOSSIL EGGS were a few weeks since subjects of curious discussion in Paris, and several notices were translated for the New York papers. The eggs were discovered in Madagascar. M. Isodore Geoffrey St. Hilliare, in a recent report to the *Academie des Sciences*, furnishes further details; and three eggs and some bones belonging to a gigantic bird, which have been presented to the Museum of Natural History in Paris, would seem to leave no room for doubt. Fairy tales are daily thrown into shade by the authentic records of science. This discovery appears to have been stumbled on curiously enough. The captain of a merchant vessel trading to Madagascar noticed one day a native who was using for domestic purposes a vase which much resembled an enormous egg, and on questioning him was informed that many such were to be found in the interior of the island. The largest of these eggs would hold two gallons. The volume equals that of 135 hen's eggs. Some doubts were at first entertained as to the nature of the animal to which the fossil bones belonged; but M. St. Hilliare—a competent judge in such matters—has pronounced them to be those of a bird to which he has given the name of Epiornis.—*International Magazine.*

THE CHOLERA AT THE SOUTH.—The New Orleans Picayune of the 8th instant says that the cholera has appeared in Lafourche Interior, and records a number of deaths among the hands on the plantations in the vicinity.