

# THE WEEKLY MESSENGER.

THE PAST—THE PRESENT—FOR THE FUTURE.

Vol. I.

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From the Saturday Evening Post.

## MY PENCIL.

"—but how's the sketch?"

## THE SPIDER CAUGHT IN HIS OWN WEB.

"—died in the net himself had twin'd"—Robbery

(CONCLUDED.)

It was in vain to attempt at that time to get any thing farther out of Wormsly, and young Clermont, therefore took his leave and went home rather disappointed, but waited patiently for 'to-morrow or next day,' but several to-morrow's came and brought not the expected message from Wormsly.

A month elapsed, and still the promised satisfactory information was withheld. Clermont became uneasy—unbosomed himself to a friend, an eminent counsellor at law; that friend heard his story with astonishment, and finally recommended to him, as a duty he owed to himself and sisters, to reiterate his request to Mr. Wormsly, and even formally demand the required explanation, and the evidence upon which it was founded, as a matter of unquestionable right.

But if Wormsly used prevarication and evasiveness when asked civilly to state the desired information, the authoritative demand made for it excited his ire and wrathful displeasure; and chuckling at the idea that he had entrenched himself behind an impenetrable barrier that no mortal could remove, he gave a reply to Clermont couched in terms which, if not absolutely insulting to his feelings, were evidently dictated by a temper far from conciliatory or accommodating.

Mr. Attorney Freeland, on being made acquainted with this reply, strongly pressed upon young Clermont the apparent mystery that hung over this strange transaction.—"And, my young friend," he continued, "I advise you from the bottom of my heart, not to suffer the matter to rest here, but as you are thus denied the reasonable request you have made in a spirit of amity, I say it is your duty you owe to the memory of your parent, to compel this man without further delay, publicly and before a legal tribunal, to satisfy you he has a clear and honorable title to the estate he holds."

"But, sir, the will—I have seen the will."

"Let him, however, produce it in open court; there is, there must be, in my opinion, something in this transaction not exactly correct; you are welcome to my services should you think proper to resort to the course I recommend, and that you ought to do so, is my firm and honest conviction."

These words sunk into the heart of Clermont, and revolving in his mind the strangeness of the whole affair, and the unaccommodating disposition of the possessor of his father's estate, he at length came to the determination of pursuing his friend's advice, and immediately took the incipient steps necessary to a suit at law for the recovery or final surrender of the property in question.

Wormsly laughed in his sleeve at the temerity of the young man: "Have I not," he asked himself with confident self-complacency, "have I not the power easily to sustain my claims?—who shall dare to question facts, the truth or falsity of which it is impossible can be known to any earthly being but myself? Have I not shown the will, first to the children; then to Hartley, who, poor fool! recognized it instantly as the identical one he witnessed, and then to others? And who has ever doubted its authenticity? No! it shall be shown in court, and if the young gentleman will have law, why let him have it to his cost."

The day of trial came, and there was Wormsly and his talented counsel, with looks that spoke the confidence of their cause, and there was young Clermont and his friend

Freeland, both of them with open and honest hearts, ready to join issue and proceed with the doubtful contest.

The case was briefly opened by the latter, and the examination into the subject commenced.

But one witness was present, and that was Joseph Hartley, one of those before whom old Mr. Clermont acknowledged and signed his will, the other witness had been dead some years. Hartley swore that the will produced was that made by Clermont; he remembered the form of the paper on which it was drawn, and he had no manner of doubt, he said, that that was the identical will.

"Were you made acquainted with the contents, Mr. Hartley, at the time?" enquired the counsel of Wormsly.

"I know that old Mr. Clermont did give all his farm to Mr. Wormsly, for I heard him say so, and heard him read so, just as I and Mr. Harrowman were leaving the room."

"Is this your signature?" asked Freeland.

"Yes!—I have no doubt that to be my own hand-writing, for I put it there, just where it is, over Mr. Harrowman's."

"May it please the court," said Mr. Freeland, "I would ask the defendant a few questions in this business, leaving it, of course, at his option whether to reply to them or not; the object of my client is to satisfy his own mind that what appears to him at present a mysterious transaction, is one of justice and plain dealing: assuming this as a fact, as I presume is done by my opponent, the defendant, I think, can have no objections to answering the few questions I shall put to him."

"Certainly not, certainly not," responded Wormsly, "I am ready to answer any thing the gentleman may desire, any thing at all. But there is the will, he may examine it again if he pleases," he added, handing the instrument over to Freeland.

"Was this will ever recorded, sir?" said the latter.

"No, sir," replied Wormsly, "there was no law then requiring that to be done in that part of the country, it was delivered to me for safe-keeping, and has remained with me ever since; to avoid accidents, however, I shall have it placed on record immediately; but it was not then required, sir, in our country, as I have no doubt the court know as well as I do."

The court nodded acquiescence.

"Pray, sir, what was the amount of your claims upon Mr. Clermont at the time he died?"

"Ah! there you are playing that young gentleman over again! he wishes so much to know the amount his poor father owed me; of what use would it be for me to show in this open court the embarrassments of that kind, good man?"

"It is what we wish to be informed, sir, and beg you will state the amount."

"It was very considerable, sir, thousands, sir, thousands, money that I loaned him, and on reference to my memorandum here," (and he took out an old, worn-out pocket-book,) "aye, I find it to amount altogether to the sum of twenty six thousand, three hundred, thirty dollars, forty four cents, exactly, sir, exactly."

"Was that as much as the estate was worth?"

"Very nearly, sir; but I was to maintain and educate his children, as you will find in the will before you, sir."

A pause ensued. Freeland examined it with the utmost scrutiny; not a letter escaped his penetrating eye: but every thing appeared fair, not an erasure, not a blot, and sworn to by the only witness living. All seemed inevitably and indubitably to fix the title on Wormsly, who grinned with a self-satisfaction as Freeland poured over the document to detect a flaw, or a suspicious feature, but in vain.

"Have you any further questions to ask, sir?" inquired the court, of Freeland, "as we must proceed with the docket."

"Your honors will pardon me a moment," replied the worthy counsellor, "for trespassing upon your patience in a cause of such magnitude; but," he continued, still scrutinizing the will, holding it before him in various situations, as though examining the texture of very material upon which it was written, "but I should like to summon a witness who I conceive very important to my client's interests, and who can be obtained in half an hour, if the court will indulge me for that space of time."

The court acceded to the request, and a summons issued for John Van Alsten, of the Eagle Mills, adjacent to the town where the court was then in session.

He was found without difficulty, and appeared before the court, much to the wonder-

ment and, perhaps, perplexity of Wormsly, I had made some years afterwards for the possible end was to be attained by the testimony of one he had never before heard of, and who he thought could know no more of Mr. Clermont's will than a man in the moon.

However, there he was, and was duly sworn. "Your name is John Van Alsten?" said Mr. Freeland.

"It is, sir."

"And your profession?"

"A manufacturer of paper."

"Yes, sir," said Freeland, carelessly, "then I presume you are a good judge as to the quality, and of the prices of that useful article:—will you have the goodness to look at this, on which this will is drawn, and just give me your opinion of it, if you please, sir?"

Wormsly chuckled, and his counsel betrayed a smile of derision, while the Judges could not conceive what the learned and distinguished barrister was aiming at.

"It is good paper, sir," returned the witness, as he examined it in compliance with the request made of him—"very good paper," said he, smiling, "it is some, I perceive, of my own—some of my earliest manufacture."

"Some of your own manufacture, is it, Mr. Van Alsten?—Pray how long have you been a maker of paper?"

"I commenced in the year eighteen hundred and three, sir."

"In eighteen hundred and three;—but you mean that you then entered into business on your own footing:—you do not mean to say that you manufactured no paper previous to that time?"

"I made my employer's paper, sir, as an apprentice; but none which I called my own."

"What am I to understand by paper that you called your own?"

"Such as come from my establishment, having my name and other marks upon it."

"But you manufactured paper, with your name and marks upon it so early as seventeen hundred and ninety-six—did you not, sir?"

"Sir!" said the witness in astonishment, "seventeen hundred and ninety-six, sir!—why, sir, that was before I entered on my apprenticeship."

"And the paper on which this will is written is your own manufacture?—you are certain of that?"

"Aye, sir, I make oath to it confidently, for it has a private mark known only to myself—besides, sir, you observe there is my name, and the —"

"Year in which it was manufactured?" interrupted Freeland, with an emphasis that caused Wormsly to shake to the inmost recesses of his soul—"eighteen hundred and four!"

he continued—"a will drawn up and executed on paper which was not in existence till eight years after its date!—a most wonderful miracle this, may it please your honors!"

Wormsly turned pale with conscious guilt; but in a moment recovering from the agitation into which he had been thrown, he thought of the possibility which still existed of escaping from this tremendous dilemma. The first copy he had made of the fraudulent instrument not pleasing him, he drew another, and had filed them both, as he supposed, carefully away together, while he gazed with inexpressible delight on the flames of his chimney fire devouring the third one.—Hastily drawing another paper from his pocket, therefore, he observed—

"Really, sir, I may have given you, sir, a copy of that gentleman's will instead of the original—look at this, if you please, sir."

He trembled as he handed the paper over to Freeland, for it was indeed a desperate effort;—the paper might or might not contain the same evidence of forgery as the other—if the former, he must have stood self-condemned—but in the latter case, he had still a chance left, and a good one too, of coming off conqueror over the victims of his avarice.

Freeland opened and keenly glanced at the material upon which this instrument was written, under the hope of detecting a like proof; upon that also, of the iniquitous deception; but alas! there was indeed the date of its manufacture, and that was a year anterior to the date of the instrument itself.

"There is no such mark upon this!"—he at length said, heavily and thoughtfully.

"Is there any mark?" inquired one of the judges.

"Yes, your honor."

"What is it?"

"Seventeen hundred and ninety-five."

"Aye, aye," exclaimed Wormsly, chuckling, "that is the real, original will, sir—that is it, sir—how ridiculous is me to hand you the copy, sir—this is the copy only, sir, which

I had made some years afterwards for the purpose of — a — of — but that is the real will, sir," and he took his seat with an air of self-confidence and importance, awaiting the decision of the cause.

Freeland still looked at the paper without reading it—till at length he was observed to eye it with an indescribable intensity—every feature became fixed as he gazed upon it—and then rising before the court, a smile played upon his lips as, looking steadfastly at Wormsly, he said—

"You are right, sir"—then with a vehement eloquence I shall not attempt to delineate, he addressed the court:—

"Yes! may it please your honors, this is indeed the original and real will!—for this instrument (which bears every mark of being genuine) places the sole right and title to the property in question in the children of Mr. Clermont. I will read it for the information of the court and of Mr. Jasper Wormsly.—By the power of truth, your honors, his name should be transposed by statute, and be called, as he is, Sly-worm Jasper; who, it is as evident as the light of the blessed sun, has crawled by stealth into the bosom of the friendless, houseless orphan, there to feed and fatten on the unsuspecting spoil, to the damning shame of human nature!"

As he read the genuine will, Wormsly became convulsed with unutterable astonishment and confusion: he could not but believe it a miracle that a document should at that moment exist which he had with his own hands destroyed several years before! Every word of it, as Freeland proceeded with its reading, was a dagger to his covetous heart; and, shaking in every nerve with the agony of his self-conviction, he rushed out of court, almost deprived of his reason.

It was entirely owing, under Providence, to an act of sheer carelessness and blindness in this Sly-worm, as Freeland called him, that all this was brought about. The two copies he had forged and the genuine document, his cunning handicraft had enabled him to make so exactly resembling each other, that a casual observer would never have noticed any difference in them whatever, as to their exterior appearance. Well, having completed his task of villainy, he placed all three, carefully folded up and endorsed, in his desk, where, in consequence of some engagement, they remained for an hour or two, when suddenly called away from home, he returned to the place of their deposit, for the purpose of destroying the genuine will previous to his departure. This he did, as he supposed; but oh! righteous Heaven, thy hand was there!—With an unaccountable infatuation, he depended on the endorsement only, and the position in which he believed he placed that instrument, and destroyed, not what he intended, but one of the copies he had made. The same infatuated indifference caused him never to look into the supposed copy of the will, which, as I stated, did not altogether please him, and therefore he was not aware what he was preserving, till (to him) the dreadful trial-scene at court.

And there was a spider caught in his own web for you! The very net he had spread for others encircled him so completely, that to escape was impossible. Every thing was against him, and every thing was, by the inscrutable means of an overruling Providence brought thus against him by his own doings. His own acts were the sole cause of his condemnation; and go, my reader, into the county of New Briar, and ask why a certain tract of land adjoining the Clermont estate is called Sly-worm, and you will have this same veritable tale related to you, though doubtless in better terms, and of course with better effect. May the lesson it conveys be of service and this proverb recorded on the tablet of memory, that it is possible for a spider to be caught in his own web.

L. S.

We learn from the Albany Daily Advertiser that a frogs took place there on Wednesday between Mr. Mordecai Myers, a member of the Assembly from New York, and Richard McCarty, the flour inspector of this city. The former made an assault on the latter, with a cowskin in South Market street. Blows and fist-cuffs ensued, and the parties were separated. The cause of the quarrel is not stated.

A child was born about three or four weeks since somewhere near Athens, Tenn. whose head was double. It had two months, two noses and four eyes—but had only two ears, two legs, and one arm. Mr. W. J. Bowman, the gentleman who gave us this information, says he saw the child himself, and that it was not larger than a goose egg.