

Communications.

[For the Banner.]

Mr. Minor: I concur with you in the hope that our code of laws may never be stained by the enactment of a law so revolting to justice and humanity...

But I take an entirely different view of the design and practical operation of Mr. Gamble's bill, from what you appear to entertain.

That law, I conceive to have been the most lenient to the honest debtor, that it is possible for a Legislature to enact...

It is not always easy to draw a line of distinction between the honest and fraudulent debtors, but for that difficulty the old law made the best provisions that it is possible, in the nature of the case to make.

While the oath of the honest debtor protected him against the danger of being incarcerated with "fellows and criminals", the oath of the knave who had sequestered his property or who was in fact able to pay and return the property allowed by law, might subject him to the inconvenience of an indictment for perjury & the honour of being associated with "fellows and criminals" in the penitentiary.

In our sympathy for the "poor debtor" we too often forget what share of our pity is due to the "poor creditor." The creditor class, as a whole, suffer more by the present law than the debtor class...

Ought not some provision to be made to meet the case of such jockeys? are they to go on as for the last two years unwhipped of justice? No, in the name of prudence and for the credit of our State let our legislature re-enact the old law—a law alike creditable to the legislature that enacted it, and to the age in which we live; and I will engage that men who now flourish, their cash in defiance of their creditors—men who "fare sumptuously every day" while those whose money they are using, are straitened and embarrassed—men who sue and collect money by indirect means while they are proof against executions—men, in short, who are protected in villainy and encouraged to persevere in it by the present iniquitous law, will soon be compelled to be practically more honest, however knavish they may be at heart.

JUSTICE.

CASE OF MR. DORR.

It ought to be fully understood in what situation Mr. Dorr is placed, if he avails himself of the resolution adopted by the general assembly—He would be restored to liberty, without the rights of citizenship—His oath could not be taken in a court of justice—he could not vote or be appointed to any office, even that of constable. All the effects of his sentence would be in as full force—except imprisonment, as they would be without the resolution. As to rights, he would stand lower than the lowest "fish-market loafer."

is freedom under these circumstances? Is imprisonment nothing—is the loss of civil rights nothing—that men should boast of their even handed justice? Is it not evident that they are desirous merely of a pretext to deceive the public—that they have labored only to gain plausibility to their oft repeated falsehood, that "Mr. Dorr is a self imprisoned man?"

THE SOLDIER'S TEAR.

BY S. C. HALL.

It is now many years since the first battalion of the 17th regiment of foot, under orders to embark for India,—that far distant land, where so many of our brave countrymen have fallen victims to the climate, and where so few have slept in what soldiers call the "bed of glory,"—were assembled in the barrack-yard of Chatham, to be inspected previously to their passage on board the transports which lay moored in the Downs.

It was a sunny day, break being the merry drum and file were over all parts of the town, and the soldiers were seen saluting forth from their quarters, to join the ranks with their bright firelocks on their shoulders; and the knap sacks and canteens fastened to their backs by belts as white as snow. Each soldier was accompanied by some friend or acquaintance, or by some individual with a deemer title to his regard than either; and there was a strange and sometimes a wailful mingling of weeping and laughing among the resolute troops.

The second battalion was to remain in England; and the greater portion of the division were present to bid farewell to their old companions in arms. But among the husbands and wives, uncertainty, as to their destiny, prevailed; for the lots were yet to be drawn—the lots that were to decide which of the women should accompany the regiment, and which should remain behind. Ten of each company were to be taken, and chance was to be the only arbitrator. Without noticing what passed elsewhere, I confined my attention to that company which was commanded by my friend Captain Leder, a brave and excellent officer, who I am sure, has no more than myself forgotten the scene to which I refer.

The poor women had gathered round the flag-sergeant, who held the lots in his cap—ten of them marked "To go"—and all the others containing the fatal words "To remain." It was a moment of dreadful suspense; and no voice had been the extreme of anxiety so powerfully depicted in the countenances of human beings as in the features of each of the soldiers' wives who composed that group. One advanced, and drew her ticket; it was against her, and she retreated sobbing. Another, she succeeded, and giving a loud huzza, ran off to the distant ranks to embrace her husband. A third came forward with a hesitating step; tears were already gushing each other down her cheeks, and there was an unnatural paleness on her interesting and youthful countenance. She put her small hand to the sergeant's cap, and I saw by the rise and fall of her bosom, even more than her looks revealed. She unfolded the paper, looked upon it, and with a deep groan fell back and fainted. So intense was the anxiety of every person present, that she remained unnoticed until all the tickets had been drawn, and the greater number of the women had left the spot. I then looked round and beheld her supported by her husband, who was kneeling upon the ground, gazing upon her face, and drying her fast falling tears with his coarse handkerchief, and now and then pressing it to his own manly cheek.

Captain Leder advanced towards them. "I am sorry, Henry Jenkins," said he, "that fate has been against you, but bear up, and be stout-hearted." "I am so, captain," said the soldier, as he looked up, and passed his rough hand across his face; but "tis a hard thing to part with a wife, and she so soon to be a mother."

of the officer's sash clasped it firmly between her hands, and looked up in his face exclaiming, "Oh leave me my only hope, at least till God hath given me another!" and repeated, in heart-rending accents, "O take me with him!"

The gallant officer was himself in tears. He knew that it was impossible to grant the poor wife's petition without creating much discontent in his company; and he gazed upon them with that feeling with which a good man always regards the sufferings he cannot alleviate. At this moment, a smart young soldier stepped forward, and stood before the captain with his hand to his cap.

"And what do you want, my good fellow?" said the officer.

"My name's John Carty, please yer honor, and I belong to the second battalion."

"And what do you want here?"

"Only, yer honor," said Carty, scratching his head, "that poor man and his wife there are sorrow-hearted at parting, I'm thinking."

"Well and what then?"

"Why, yer honor, they say I'm a likely lad, and I know I'm fit for service; and yer honor would only let that poor fellow take my place in Captain Bond's company, and let me take his place in yours, why, yer honor 'twould make two poor wungs happy, and save the life of one of them, I'm thinking."

Captain Leder considered for a few minutes, and directing the young Irishman to remain where he was, proceeded to his brother officer's quarters. He soon made arrangements for the exchange of soldiers, and returned to the place where he had left them.

"Well John Carty," said he; "you go to Bengal with me; and you, Henry Jenkins, remain at home with your wife."

Henry Jenkins and his wife both rose from the ground, and rushed into each other's arms. "God bless you, captain!" said the soldier as he pressed his wife closer to his bosom. "Oh, bless him forever!" said the wife; "bless him with prosperity and a happy heart!—bless his wife, and bless his children, and bless him forever!"

The officer wiping a tear from his eye, and exclaiming, "May you never want a friend when I am far from you, my good lad, and your wife and love's wife!" passed on to his company, while the happy couple went in search of John Carty.

About twelve months since, as two boys were watching the sheep assigned to their charge, upon a wide heath in the county of Somerset, their attention was attracted by a soldier who walked along apparently with much fatigue, and at length stopped to rest his weary limbs beside the old finger post, which at one time pointed out the way to the neighboring villages, but which now afforded no information to the traveller; for age had rendered it useless.

The boys were gazing upon him with much curiosity, when he beckoned them towards him, and inquired the way to the village of Eldenby.

The eldest, a fine, intelligent lad, of about twelve years of age, pointed to the path, and asked if he were going to any particular house in the village.

"No, my lad, said the soldier, but it is on the high road to Frome, and I have friends there; but, in truth, I am very weary, and perhaps may find in your village some person who will lend me a poor fellow, and look to God for reward."

"Sir," said the boy, "my father was a soldier many years ago, and he dearly loves to look upon a red coat. If you come with me, you may be sure of a welcome."

"And you can tell stories about foreign parts," said the younger lad, a fine, chubby-cheeked fellow, who, with his watch-coat thrown carelessly over his shoulder, and his crook in his right hand, had been examining minutely every portion of the poor soldier's dress.

The boys gave instructions to their intelligent dog, who, they said, would take good care of the sheep during their absence; and in a few minutes the soldier and his young companions reached the gate of a flourishing farmhouse, which had all the external tokens of prosperity and happiness.

ration of it, his discharge was purchased by his grateful friends. He is now living in their happy dwelling; and his care and exertions have contributed greatly to increase their prosperity. Nothing has been wrong with them since John Carty was their steward.

"Cast thy bread upon the waters, said the wise man, for thou shalt find it after many days."

The story that there is a chap down east so cross-eyed that he courts two girls at once, is contradicted by one of the girls.

MARRIED.

On the 4th inst. by the Rev. W. Cochran, Miss Ann Boyce daughter of Richard Boyce Esq. to Mr. William Jarred, all of Ralls County Mo.

JUSTICE BACON'S

Law day, on the 22d inst, in Louisiana, Mo. Feb. 8th 1845.

Administrator's Sale of REAL ESTATE

BY ORDER of the County Court of Pike County, made at the February term 1845, the undersigned Administrator's of the Estate of Samuel Layson deceased, will offer for sale, at public auction, on a credit of 12 months before the Court House door, in the Town of Bowling-Green, on the third day of the ensuing term of the Circuit Court for said County & during the session of said Court, the North East quarter of section 22, in Township 52, North of Range one East of the fifth principal meridian, containing 169 sixty-two hundredths acres more or less, belonging to the Estate of said deceased. The purchaser will be required to give bond with approved security for the payment of the purchase money.

J. H. HUGHES, Admr's W. W. W. WATTS, } February 15th, 1845. 4w3

THE THOROUGH BRED JACK, Duncan.

HAVING purchased a large and thorough bred Jack for the purpose of improving the stock in this section of the State, breeders are respectfully requested to call and examine for themselves.

He will stand the ensuing season at my farm, four miles south east of Bowling Green. For further particulars, see hand bills in due time. February 15th, 1845. JOHN SOUTH.

PIKE CIRCUIT COURT, IN VACATION, 13th February, 1845.

Richard Poor and others, } Petition for partition

THE undersigned, as Administrator of the Estate of Napoleon T. Trimble, deceased, and John M. Triamble deceased, will sell at public auction, in the town of Louisiana, on a credit of twelve months, on the 21st of March, next, four negro slaves belonging to said estate; consisting of two women, and children. Bond with good security will be required, for the payment of the purchase money, and deduction of ten per cent will be made for cash.

A. J. TRIMBLE, Admr. Estate of N. T. Trimble dec'd, and John M. Triamble dec'd. Feb. 8th 1845.

COUNTY COURT ORDERS. STATE OF MISSOURI, } ss. County of Pike, } February Term, 1845.

NATHAN VANNOY, Administrator of the estate of Humphrey R. Vannoy, deceased, come and files his petition for the sale of the real estate of said deceased, which is accompanied with the accounts, lists and inventories required by law, the whole verified by the affidavit of said Administrator; it is therefore ordered that all persons interested in said estate be notified of said petition, and that unless the contrary be shown on or before the first day of the next term of this court, an order will be made for the sale of the real estate of said deceased, or so much thereof as will be sufficient to pay the debts against said estate, and ordered that a copy thereof be published for six weeks, in some newspaper in this State.

A true copy from the record of said Court. Teste A. H. BUCKNER, Clerk. February 15th, 1845. 6w3.

STATE OF MISSOURI, } ss. County of Pike, }

Pike county court, February Term, 1845. It is ordered by the court that all persons indebted to the township school funds of said county, for interest up to the 31st of December last, be notified that unless the same be paid to the Treasurer by the thirtieth day of March next, suit will be instituted to the ensuing term of the circuit court, for the collection of both principal and interest, and that notice be given to the borrowers of said funds, by publication of this order for four weeks in the two newspapers published in this county.

A true copy from the record. Teste A. H. BUCKNER, Clerk. February 15th, 1845. 4w3.

STATE OF MISSOURI, } ss. County of Pike, }

Pike county court, February Term, 1845. It is ordered by the court that all persons indebted to the Road and Canal fund of said county, be notified to pay the interest due on their bonds for one year preceding this date to the Treasurer on or before the thirtieth of March next, and that all interest in arrear for more than one year be required either to be paid or the bonds of the borrowers renewed with good and sufficient security, and in case of default in the payment of interest or in renewing their bonds, including interest due for more than a year, suit will in all cases be instituted for the collection of both principal and interest, and that notice be given, by publication of this order for four weeks in both of the newspapers published in this county.

A true copy from the record. Teste A. H. BUCKNER, Clerk. February 15th, 1845. 4w3.

Administrator's Notice.

NOTICE is hereby given that the undersigned has taken out letters of Administration on the estate of Henry Collop, deceased, late of Pike County, Missouri, bearing date the 28th day of Oct. 1844. All persons, therefore, indebted to the estate of said deceased, are requested to make immediate payment; and all persons having claims against said estate are requested to exhibit them, properly authenticated, within one year from the date of said letters, or they may be precluded from having any benefit of said estate, and of said claims are not presented within three years, they will be forever barred.

PETER COLLOP, Admr. February 15th, 1845. 3w3

Sale of Slaves.

THE undersigned, as Administrator of the Estate of Napoleon T. Trimble, deceased, and John M. Triamble deceased, will sell at public auction, in the town of Louisiana, on a credit of twelve months, on the 21st of March, next, four negro slaves belonging to said estate; consisting of two women, and children. Bond with good security will be required, for the payment of the purchase money, and deduction of ten per cent will be made for cash.

A. J. TRIMBLE, Admr. Estate of N. T. Trimble dec'd, and John M. Triamble dec'd. Feb. 8th 1845.

Geo. Wilson.

Wholesale and Retail Dealer in Drugs, Medicines, Paints, Oils, Dye-Stuffs, Perfumery, Window-Glass, and Surgeons' Instruments, No. 5, Main Street, St. Louis, Mo. All articles in our line of business will be sold at the very lowest Cash prices. In exchange, will be taken Beeswax, Ginseng, and Wheat. Jan. 31, 1845. 6m1

FOR SALE.

THREE Lots in Bowling Green, with comfortable buildings thereon, and several tracts of land near the town upon a credit of one and two years. For further information enquire at the Banner Office. 30th January, 1845. 1

PROSPECTUS OF THE CHEROKEE ADVOCATE.

THE CHEROKEE NATION. The proprietor, WILLIAM ROSS, Editor. THE above is the title of a newspaper, published at Table Mountain, Cherokee nation, the first number of which was issued about the middle of August last.

The object of the council of the nation, in providing for the publication of the Cherokee Advocate, is the physical, moral and intellectual improvement of the Cherokee people. It will be devoted to these ends, and to the defence of those rights recognized as belonging to them in treaties legally made, at different times with the United States, and of such measures as seem best calculated to secure their peace and happiness, and promote their prosperity, and elevate

their character as a distinct community.

In commencing and sustaining a public journal in the nation, its success must depend very much upon the kind feelings, liberality and patronage of the citizens of the United States. Among them we are assured there exists generally a desire that the Indians should be dealt with upon just and liberal principles, a lively sympathy in their chagrined career, and a deep interest in their character, condition and destiny. Ignorance of their condition, opinions, and claims, has been to them a fountain of many wrongs; a fountain from which they have been forced to drink many bitter draughts.

From this cause, measures of policy in themselves unjust, and highly destructive to their peace and prospects, have been conceived and persisted in to their accomplishments, with singular pertinacity, by those from whom they have a right to expect and claim protection. It will therefore, be the aim of those having charge of the Advocate, to enlighten public sentiment, as far as possible, as to the feelings, wishes and proper expectations of the Cherokees.

And while it is intended to make the paper national in its tone and character, abstaining from all partisanship in the internal politics of the nation, it will nevertheless be open to full but courteous discussions of any measures of policy on the part of the United States, which touch upon or affect the rights and interests, not only of the Cherokees, but also of their red brethren.

In making an appeal to the citizens of the United States for their friendly aid in the undertaking, we feel sanguine that it will not be in vain.

The history of the Indian tribes, but most especially that of the Cherokees, is replete with incidents at once striking and commanding. The mystery that shrouds their origin, their former warlike character, their family freedom, their firm adherence to their natural and political rights, their fond attachment to their homes,—the homes of their forefathers, their sudden transition from savages to civilized life, their rapid improvement in education, agriculture and the domestic arts, their present condition, and the influence which, from their location, friendship and intercourse, they must and will exert over the great Indian population, extending north and south along the whole western borders of the United States, and back to the Rocky Mountains, cannot fail to kindle a lively interest in the breast of the philanthropist, awaken a general thirst for more familiarity with them, and arouse "their protectors" to the important, but often apparently forgotten fact, that they have no trifling duty to perform towards this people.

To those, then, who take any concern in whatever relates to the Cherokee and neighboring Indians, and who are desirous of being regularly and accurately made acquainted with passing events, among them, the Cherokee Advocate is recommended.

Our location, and the station we occupy relatively to the Creeks, Chickasaws, Choctaws, Osages, Senecas, Delawares and other Indians, are such as will enable us at all times to furnish the readers of the paper with the latest and most correct border news.

Nothing personal or sectarian will be admitted onto the columns of the paper. The National Council having appointed the undersigned, editor, the duties of that station will devolve entirely upon him, and the whole establishment be subject to his supervision.

TERMS: The Cherokee Advocate will be printed on an imperial sheet, with new type, both English and Cherokee, once every week, at \$3 per annum, payable in advance. And to those subscribers, who read only the Cherokee language, at \$2 per annum, in advance.

Advertising will be done on the usual terms. Communications directed, post paid, to the undersigned, at Park Hill, Cherokee Nation, will receive his prompt attention. Cherokee Nation, Sept., 1844. WILLIAM P. ROSS.

Spanish and Mete Segars, MANUFACTURED and constantly on hand and for sale at St. Louis prices, by J. Linder, Louisiana, Pike county, Mo. December 14th, 1844. 6

Call and Settle. ALL those indebted to the subscriber for subscription to the Radical, or for advertising, are informed that a speedy settlement must be made. I. ADAMS. Bowling Green, Jan. 25, 1845.

W. P. MINOR, ATTORNEY AT LAW,

Bowling Green, Mo. Will promptly attend to all business entrusted to his care. Feb'y 1st, 1845.