

THE BANNER.

W. J. BURNS, Editor & Proprietor.

PLYMOUTH IND.

Thursday Morning, Sept. 8, 1853.

Advertisements to insure insertion, must be handed in by Tuesday preceding the day of publication.

The candidates for Recorder have a word to their fellow-citizens in another column.

Ed Lewis' sale of household furniture takes place at his residence on to-morrow—Friday. Some chance for speculation there.

Dr. J. Ford has made a location seven miles west of this place, on the Laporte road, and will doubtless receive the patronage of our citizens in that part of the County.

The Swamp Land Commissioner of Stark County, Mr. Tibbitts is making arrangements to let the ditching of a portion of the vacant lands in that county. His office is at North Bend.

More Trouble—Not with Russia and Turkey—but with the Stove and Hardware men at the Bend & Laporte, since Barber has commenced underselling them, right here at home. See his advertisement.

FUGITIVE SLAVES.

We invite the especial attention of our readers to the clear and able decision of Judge McLean, in the Fugitive Slave case, recently tried in Cincinnati. It was one clearly establishing the right of the owner to his slave. Freeman's case at Indianapolis was just as clearly a case on the other side—that he was not the slave of Ellington, and was discharged. In relation to this last case, the State Sentinel, whose Editor has been over zealous, (probably because the Fugitive Slave law was recognized as the compromise scheme of a leading Whig) now frankly confesses "that the result of this case proves, that under the Fugitive Law, the rights of the colored man are secure."

Freeman has his recourse upon Ellington, and suits have already been instituted for false imprisonment, laying his damages at \$10,000. He was wrongfully deprived of his liberty, his time and his money, and just so sure as he prosecutes his suit, just so sure is he to realize damages, if even handed justice is dealt out to the parties. He ought to have it. Such a termination of the affair should be faithfully contended for by all our law abiding people, not only to indemnify Freeman, but to operate as a caution to all persons in the pursuit of their Fugitives, and to deeply impress them with the importance of the clearest and most satisfactory identity.

That some general law of the kind should exist, to settle the difficulties which are of so frequent occurrence between the Free and Slave States, we are at a loss to conjecture how any one can reasonably doubt. The Constitution of the United States existed but a short time—scarcely six years—until a similar law to the existing Fugitive Slave law, was enacted by Congress. It existed until repealed by the present law, and although partially as a dead letter, it was nevertheless liable to enforcement. The heated and angry discussions between northern and southern fanatics, rendered its revival essentially necessary, and although the law now in existence is quite objectionable—to us at least—yet that some one of the kind is required, we have no doubt; and we are gratified that actual cases have occurred so clearly demonstrating the sufficiency of the law we have in force, with all its objectionable features. We never expect to see one desultory of objections. Some are foolish enough to believe, or pretend to believe, that they are under obligations, in obedience to the present Fugitive Slave law, to constitute themselves individually slave catchers. This is worse than humbuggery. The provision at all verging to any requirement of the kind, never has nor never will be enforced in any instance, by authority, unless the officer in the discharge of his duty has reason to expect resistance at the hands of the community in which he is faithfully executing his trusts. Our Statute books have ever recognized a similar provision. If a sheriff or other officer, in the discharge of his duty, meets with resistance, or even has grounds to expect it, he is authorized to summon to his aid sufficient assistance to insure a faithful execution of the laws. This is the provision in the Fugitive Slave law, and nothing more—be the interpretation of those ignorant of its intent, what they may.

No negro can be unceremoniously picked up in this or any other Free State, and thrust into the iron clutches of a heartless pretended owner. Both parties have a right to an investigation of the claim.—Two cases precisely in point are the subjects of these remarks—both of which conclusively prove that the rights of the parties are amply provided for in the law as it exists; and it is to be hoped that the public mind may soon get that rest which it has long sought, and which has been more disturbed by a selfish bigotry and reckless fanaticism, than from a feeling of true philanthropy. Where the latter has operated, we truly sympathize with it, but for the former, we have no love, but it shall ever receive our ardent condemnation.

We abominate Slavery as much as any one—but we too highly prize the peace and harmony of the people of this Union, to be constantly contributing to insurectionary movements, or steps to thwart the legal enforcement of laws enacted in conformity with the principles of the compact upon which this government was instituted. We claim to be charitable enough to allow each—the slaveholder and the abolitionist—his respective opinion, and the choice of his home. We have sought ours in a land of freedom, and we expect to remain in it. If we loved the institutions of the south, better than those of the north, we should be as much the subject of lawful care and protection, as we now are. We enjoy the right of suffrage here, and we should enjoy it none the less there; and in the peaceful enjoyment of this right, we shall ever—when our vote will touch the question at all—give it against the extension of slavery over another foot of territory now freed from its evils.

We are indebted to O. H. P. Bailey, of San Jose, California, for late Daily papers from San Francisco. Such favors are thankfully received.

The SURVEY.—Mr. FISHER and his engineer troupe, reached our town on Saturday evening last, upon their surveying route for the Peru and Chicago Railroad. Mr. F. seems to think but very little difficulty need be apprehended in securing a favorable route by this place to Laporte. On reaching Laporte, it is the intention of the corps, to run a direct line on their return from that place to Rochester.—Thus far, our citizens have manifested a perfect willingness to extend ample encouragement to the company, to make this place a point on their road, but if our limited ability is not sufficient in due course to justify their touching our county seat, our attention and patronage must necessarily be directed to roads which do give us a call. There is but little danger, however, of this company losing sight of its best interests. The patronage which this place will be able to bestow in after years, will doubtless have its weight and influence with the directory in deciding upon a final location.

The Yellow Fever is abating at New Orleans. Our latest dispatches report but little over one hundred per day.

It is conceded on all hands that no city in the United States has ever suffered from this or any other disease to the same extent, in the same length of time, that New Orleans has this summer from the ravages of Yellow Fever. Heart rending narratives of death's doings still reach us daily. The Delta of Aug. 12th says:—

"On Triton walk, yesterday, we noticed a boy about eleven years of age, carrying on his head a coffin, which, on inquiry we learned contained the body of his little sister, who had died of yellow fever.

He was accompanied by his eldest sister, a girl of some thirteen years of age—they were slowly and sadly making their way to the cemetery."

The last Times represents Fort Wayne as having been unusually healthy during the past summer.

DISCOVERY OF A MAMMOTH CAVE.—A

natural curiosity has been recently dis-

covered, about one mile from the town of Sonora, California. The San Joaquin Re-

publican of the 10th July, says that a res-

ervoir of a water company was built on

its mouth, and it was discovered by the

sudden receding of the heavy volume of

water contained in it. Upon examina-

tion, the subterranean passage was found.

The entrance to the cave is wild and rug-

ged, but a short distance in the cave ex-

tends to an almost unlimited extent.—

Some two hundred yards from the mouth

the bones of some large animal were

found, and a tooth, weighing six or eight

pounds, in a remarkable state of preser-

vation. Two or three hundred yards

further the exploration is impeded by an

immense lake of clear water, and our ad-

venturous spirits have not dared to cross it. There will, doubtless, be many discoveries of this kind as the interior becomes more intimately known to our hardy miners. California presents the finest field in the world for the researches of the geologist.

FOREIGN—BY THE ATLANTIC.

The Atlantic arrived at New York on the 3d inst. Her news items contain but little interest. Parliament was pro-rogued on the 29th ult. The Queen says she has good reason to hope that an honorable arrangement of the eastern question will speedily be accomplished. Lord Palmerston stated in the Commons that he is confident that the Czar will eva-

uate the principalities without unnecessary delay.

The Liverpool market is wildly excited. Wheat advanced 4d. White quoted 7s 10 1/2 a ss. deliverable in November. Red. 7s 4d a ss.

FLOUR.—Advanced 1s 11 1/2 d. 1s 6 1/2 per bbl. Baltimore, Ohio and Philadelphia. 2s 2 1/2 d.; or delivered in November, 30s. Western canal, 2s 8d.

INDIAN CORN.—Firm. 6d advance.

Brother Turk, of the Greencastle Sentinel—where do you buy your paper?

We have nothing to say disparagingly of other manufactures, but really think, if you will give the Delphi Paper Mills a call, you will never have to use any such paper as yours of the 1st inst. was printed on.

FAMILY FOSSES.—The Wabash Express, at Terre Haute, is hauling the State Journal over the coals. The Express was once a Whig paper. We don't know what it is now.

The Greencastle Sentinel, dem., is also giving the State Sentinel some curtain lectures, upon the subject of Executive appointments.

FREEMAN'S DISCHARGE.—The Indianapolis papers inform us that quite a crowd of strangers from a distance had assembled at that place to witness Freeman's trial; but Ellington's son had arrived on Saturday previous, dismissed the proceedings and spoiled the fun. Suits have been commenced against Ellington for false imprisonment, and the U. S. Marshal for trespass, in causing Freeman's unnecessary exposure. Hope he'll put 'em through.

A SPLENDID FAILURE.—We have heretofore had intimations through our exchanges that the Crystal Palace at New York, was paying but a slim percentage upon the money expended in its construction, and were led to believe that it would prove rather an unprofitable investment to those who had taken stock in the concern. Mr. Wheeler, who has just returned from New York, informs us that the great bubble will most surely meet the fate of all bubbles—it will burst.

Instead of sufficiently recognizing the grand object of such affairs—that of encouraging industry and enterprise, and the arts and sciences, it was gotten up to make money, and its probable fate is not at all surprising to but few.

HERE'S A QUESTION.—A wag of the "Dingus Debating Club," submits the following:

"Whether the notes used by the Rev. —, in delivering his sermons on Sabbath, waive all relief from valuation, ap- prehension, exemption, and stay laws now in force in Indiana."

We are under the necessity of referring the question to the Plymouth portion of the Stark County bar, as this defendant never "doeth the like." We are pretty certain however, that they do not waive the benefit of clergy.

DIED, on Friday last, August 26th, LEAH, the wife of Mr. David Small, of Rochester, Ind., aged 48 years.

Elopement.

DR. D. BRAINARD, Surgeon Dentist, lately of this town, leaving the care of teeth, has distinguished himself by descending to the heart of at least one of his patients, and (as common rumor has it) so far he has operated successfully in decoying from her husband and home, the wife of his friend who is a man of the first rank in the county, of unblemished integrity, and even enviable for his business prospects as well as the extent and respectability of his connections and friends. These parties and those immediately affected by this disgraceful trans-

action, are almost unknown to us; and whilst we would rather throw over the mantle with averted face, we deem it respectful to all, to commend Dr. D. Brainard, Surgeon Dentist, to the fate of a just appreciation of such conduct whenever he may pitch his tent, and to the mercy of the Court where the lawful Mrs. B. shall complain.—South Bend Forum.

We consider the widowed husband a very fortunate man indeed. The Dr. deserves no worse punishment than to be

intricately tied to such a woman, until he can get rid of her upon the same honorable terms. We could never grieve at such a loss—if loss it could be considered. Never.

Captain Ingraham.

EDITOR OF THE DETROIT FREE PRESS:

As an American citizen and a lover of freedom and equal rights, I desire to record the declaration of the deep feelings of gratitude entertained by myself as an humble citizen born upon American soil, to the noble Ingraham commander of the St. Louis, in avenging and frustrating the designed kidnapping of M. Koszta in the port of Smyrna. It was a noble deed, fraught with consequences of more moment than the winning of forty battles in military action. It will teach foreign citizens and foreign powers to respect our flag. Our President, General Pierce, when delivering his Inaugural Address, said "American citizens must and shall be protected both at home and abroad." Here was the declaration by the President, and Captain Ingraham, when he found the Austrian Consul, in contempt of all laws, in the port of Smyrna, barefacedly undertaking to kidnap Koszta, who had in possession American passports, demanded his release, and at first being refused, cleared his decks, preparing to allow the United States of America to be heard at the cannon's mouth, was the first to carry out the spirit and meaning of that noble clause of the Inaugural Address, by bringing about, in this manner, Koszta's release. This act alone, will have a greater tendency to elevate the American character abroad than any other act or deed which has for the last century. It is a deed not alone commended upon this side of the Atlantic, but is the common talk and wonderment of sires and youth throughout the world. The facts are heralded France in that language, and Germany in the German language.

It is natural for us to feel proud at such results, and to the writer of this, enthusiastically so, to read such articles as the one quoted, from the London Morning Chronicle, a country where the press has not so great a license as in this country:

"An American corvette, the St. Louis, entered the harbor, or lay in it. Informed of the facts, the captain board the Austrian brig. He insisted on seeing the prisoners—would take no refusal, and would listen to no subtleties. M. Koszta was produced. Being stoned, he could give no explanation, and maintain no claim. The American commander was compelled to leave him till accurate information was procurable. But he warned the Austrian not to weigh his anchor, and put himself in such a position to prevent a flight. The passport was found, and the Captain of the St. Louis demanded M. Koszta. He armed his boats, cleared his decks and knew he could act as well as talk. M. Koszta was set free, and is now in the charge of the consul of France, and is saved from the gibbet of the treant of Aberdeen and young hope of his country."

"We have something to say and something to ask.

"We say, what all see, that America can, and that she will protect her citizens and guests. She has no standing army, but she has a navy, but her flag is set upon every sea, and the name of America is a warrant from affront and outrage. Unarmed, unarmed, she takes place among the nations, and is treated with respect and awe. We saw this in the Hungarian war, when Daniel Webster made the Austrian Government abjectly pay the leek. We set it again now. The reason is plain. America represents that principle of liberty that makes everybody her ally. American statesmen speak and write in the interest of a country, not of a class. The set of this American Captain is the theme of England, of Germany and France. Their journals speak what the people feel. Even Charavari jests no more, but shouts, 'Long live America!'

"The refugees, the Parishes, the magnates of Europe, are living men once more. America claims these wails of liberty and offers them the safeguard of her flag. The hawks of Austria, motionless beneath the pointed cannon of America, render up their victims. The noble conduct of her marine at Smyrna is a great fact in history. The news of the demand of M. de Koszta by her minister at Constantinople sets the seal upon her magnanimity. March forward. Young America, for humanity's cause, and shout 'Go ahead' which makes every heart beat high!"

"Yes, the Charavari, the light, the jocund, mocking Charavari, has a bitter gripe for Austria, a curse for the Czar, and a heavy Vizir for America. For wisdom reasons behind the comic mask, and courage throats and generosity repose beneath the motley coat. Would the Charavari write, would one human being feel as he has written and as all have felt, were the subject not the American sea captain but the sycophant of Austria, the survivor of Russia, the dastardly assassin of Italian patriots the excellent Aberdeen."

This from a newspaper published in England is sufficient to make any man or boy proud of his country, and thank his God that he was born upon American soil. It should also satisfy foreign citizens who have sought an asylum in our country, that the change was the most fortunate man indeed. The Dr. deserves no worse punishment than to be

The world will yet learn that America is the proper home for men of liberal and enlightened views, for all but tyrants and menials in disposition.

Mr. Editor, you will say that the extracts incorporated here have been published once. It is true, and more, yet they breathe forth such sentiments, and from such a source, that they should be stereotyped and kept standing under the editorial head for all time to come.

Respectfully yours, SICARTY.

MATHEMATICS.—We heard a story the other day—new to us, though it may be old to others—worth relating. A young collegiate, who had just graduated, was taking breakfast after that important event with his venerable parents.—"Well, John," said the old gentleman, "tell us something of your learning?"—

"Why, father, that would take a great while; for I know a good deal of the classics, the languages, philosophy, mathematics, &c." "What are mathematics, John?"

"Mathematics! Why, for instance, take those two eggs there. This is one egg, and that is two; and one are three. So by mathematics we are enabled to show that there are three eggs on the table when you supposed that there were but two."

"Very well, John, very well, indeed. And to show you my opinion of mathematics, I will give you my mother egg. I will take the second, and you may have the third. I had no idea learning was so useful.

"ACCUSED BE THE UNION."—This is the heading. GARIBOLDI gives to a paragraph in the Liberator, introducing Judge McLean's decision in the Cincinnati slave case, which appears in full in that precious Abolition sheet. GARIBOLDI raves as follows:

"Judge McLean, (of the Supreme Court of the United States,) in giving his decision at considerable length, affirmed the entire constitutionality of the abominable enactment, [the Fugitive Slave Law] and remanded the fugitive to his master, who was immediately conveyed, without hindrance or molestation, across the Ohio river, and lodged in the Covington jail, where he will remain until his piratical owner is ready to proceed home, or to dispose of him to the 'soul buyers.' There was a great deal of rejoicing at Covington over the termination of the trial, and a jubilee was also held in the bottomless pit at the same time. The decision of Judge McLean makes us, thank God anew, that we have divorced ourselves from the blood stained and manstealing government and raised the God fearing cry of 'No Union with Slaveholders!'

If says the Journal of Commerce, the slaves of our government, would actually divorce themselves from it, and go to Hayti or England, or some other country where they can find a government and Constitution to their mind, it would be for the advantage of all concerned. But they have no idea of such divorce; they still cling to the manifold blessings which the Union confers, including the privilege of reviling their benefactor.

PREVENTION OF RAILROAD ACCIDENTS.—In Prussia, every station, however small, and however near to the next one, has a telegraphic communication with it, to signal a clear line and no stoppage. The plan adopted is very simple, the wires being put in requisition as a train is leaving a station. The current operates on hammers, which strike a large bell—the return producing a like effect at the starting point—and, although the train is at full speed, the sound is sufficiently loud for the guard to hear the bells, and to know that there is no stoppage at the next station, where he may expect a similar signal for the succeeding one. Should he not hear the bells, then he knows he must stop.

WELL-TIMED.—The Boston Courier, in some well-timed remarks on the subject of railroad accidents, asks: "If it is so easy to discover the defects of railroad mismanagement, after mischief is done, why is it not just as easy to discover it beforehand? Is there any difficulty in finding out a dangerous spot on a track before it is marked with blood? Is there not experience enough already to know where signals are wanted, and where they are not? Cannot any railroad officer now tell whether his watch keeps time or not? In a word, is it not perfectly feasible to establish a preventive inspection of railroads, so systematic and so thorough that it shall be impossible for so many irregularities to exist at the same time? for it is worthy of remark, that none of these disasters seem to