

THE WEEKLY TRIBUNE.

JOHN B. WILLIAMS & ROBERT H. MILLER,

"Willing to Praise but not Afraid to Blame."

PROPRIETORS.

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GEN. COLBY GOVERNOR OF NEW HAMPSHIRE—

DOWNFALL OF THE CONCORD RADICAL CLIQUE.—The Boston Atlas, of the 6th, contains letters from Concord, New Hampshire, conveying the gratifying intelligence of the election of Gen. Anthony Colby, (Whig,) to be Governor of the State of New Hampshire. The correspondent says:

At the opening of the session of the Legislature, this morning, in convention, the committee for examining the returns of votes for Governor, reported that the whole number legally returned, was

Estimated at scattering, 55,194
For Berry, 368
Colby, 10,379
Williams, 17,707
26,740

No election having been made by the people, the convention proceeded to the election, with the following result:

For Jared Williams, 1
Jared W. Williams, 124
Anthony Colby, 146

Gen. Colby was then declared, by the Speaker, as elected Governor of the State of N. Hampshire—and a committee was appointed to wait on him and inform him of his election. At 12 o'clock, the committee, through their chairman, C. W. Cutter, Esq., made report that they had attended to their duty, that the Governor-elect accepted the office, and that he would meet the Legislature at half past three, this afternoon, to take the oath of office, and make a communication to the Legislature.

A motion has been made by a leading radical, in the House, that the Treasurer of this State be authorized to receive the share of the surplus revenue assigned to New Hampshire. It lies upon the table.

The lines between the radical and anti-radical parties in the Legislature, have been distinctly drawn. The good faith in the allied forces against radicalism, has been strongly preserved in all the ballottings, and full confidence is placed in the complete overthrow of radicalism in New Hampshire.

John P. Hale, will also, it is quite certain, be elected to the Senate of the United States.:

Mr. Grand writing from Brussels to the Philadelphia Ledger, says:

"To show the state of the lower classes in Europe, I will as an instance select Berlin—literary and scientific Berlin—not the quarter of St. Giles, London, or the Faubourg St. Antoine and St. Marceau, in Paris. The population of that educated and scientific city is according to the last census, 452,000—183,000 females and 170,000 males, among whom are 10,000 prostitutes, and 12,000 criminals, and 6,000 persons receiving public charity to the amount of 144,000 Rix dollars. Berlin, it is further ascertained, contains 5,000 weavers, having on an average, four children each, and being all paupers, unable to procure sufficient bread for their families. This makes an additional number of 20,000 poor, besides 2,000 public pauper children and 2,000 poor orphans to be supported by the government. The official statistics give the following recapitulation:

10,000 prostitutes, 10,000 sick in consequence of vice, 18,000 female servants, 2,000 natural children (foundlings), 12,000 criminals, 1,000 living in almshouses, 200 prisoners of the police, 6,000 receivers of public alms, 20,000 weavers and children, 2,000 charity children, 1,900 orphans, 6,000 poor sick in hospitals, 4,000 beggars, 2,000 convicts of State prisons and houses of correction. Total 106,700 poor, sick, criminal and debauched people in the most literary, educated and moral city in Germany! The modern Spartans (the Prussians) live it appears, to a very great extent on black broth, but not exactly from choice! And yet the proportion of paupers in Germany is less than that of France, Italy, Belgium, Holland or England! It is only as one to 20, in England it is as 1:6, and in Holland as 1:2!!!

G. D. PRACTICE, editor of the Louisville Journal, has been for some weeks at Biloxi, seeking the restoration of his health. The last Journal contains the following beautiful piece of poetry from his pen:

TO AN ABSENT WIFE.

'Tis morn—the sea-breeze seems to bring
Joy, health, and freshness on its wing—
Bright flowers, to me all strange and new,
Are glittering in the early dew—
And perfumes rise from every grave
As incense to the clouds that move
Like spirits o'er yon welkin clear—
But I am sad—thou art not here.

'Tis noon—a calm, unbroken sleep
Is on the blue waves of the deep—
A soft haze like a fairy dream,
Is floating over wood and stream—
And many a broad magnolia flower,
Within its shadowy woodland bower,
Is gleaming like a lovely star—
But I am sad—thou art afar.

'Tis eve—on earth the sunset skies
Are painting their own Eden dyes—
The stars come down and trembling glow
Like blossoms in the waves below—
And, like some unseen sprite, the breeze
Seems lingering mid these orange trees,
Breathing its music round the spot—
But I am sad—I see thee not.

'Tis midnight—with a soothing spell
The far tones of the ocean swell
Soft as a mother's cadence mild
Low bending o'er her sleeping child—
And on each wandering breeze are heard
The rich notes of the mocking bird
In many a wild and wondrous lay—
But I am sad—thou art away.

I sink in dreams—low, sweet, and clear,
Thy own dear voice is in my ear—
Around my cheek thy tresses twine—
Thy own loved hand is clasped in mine—
Thy own soft lip to mine is pressed—
Thy head is pillowed on my breast—
Oh! I have all my heart holds dear—
And I am happy—thou art here.

BLOXI, May 13, 1846. G. D. P.

From the Missouri Statesman.

AN ERROR UPSET.

Some of the opponents of the new constitution, in large counties, seem to have fallen into a very gross error touching two of the provisions of the article in that instrument on the subject of Education. Those provisions are the first clause of the third section, and the fourth subdivision of the fourth section, as follows:

§ 3. The Legislature shall establish free public schools throughout the State, and shall provide means for their support, by taxation on property, and by capitation tax or otherwise.

§ 4. There shall be appropriated for the purposes of education, by means of such schools, the proceeds and incomes of the five hundred thousand acres of land granted by the United States to this State, by act of Congress approved September the fourth, eighteen hundred and forty-nine.—Provided, That the Congress of the United States shall assent to this disposition of said five hundred thousand acres; and provided further, That the INTEREST which may arise from the portion of the school land in this subdivision mentioned, shall be appropriated among the several counties in this State, share and share alike.

That the most unobservant citizen, even after the most careless reading, should fall into error about the meaning of language so plain and explicit, is a little astonishing.—Yet it is urged in some quarters that, under these provisions, the Legislature is bound to distribute, among all the counties share and share alike, the "tax" which may be imposed for the establishment of free schools; and that therefore the people of St. Louis, Boone, Howard and other large counties will actually pay a tax which will go to educate children in the smaller counties. To pay a heavy tax, and for the money to be distributed in other counties, is held to be wrong—outrageous. Because, (if it is contended,) if the people of Boone raise by taxation any sum of money for purposes of Education, that money should be expended in their own county, for the purpose mentioned, and not in Ripley, Jasper or some other small county. This argument is all right and fair were it not for one fact; viz: that the new constitution nowhere provides that this tax is to be distributed on the share and share alike principle. No such provision exists in the constitution; and hence the whole argument falls to the ground.—Read the above extracts.

They do not contain a single word or syllable justifying such construction. Indeed the construction is plainly repudiated by the provisions themselves, and hence it is forced and false. The 3d section; and that only, speaks of and provides for the tax; but not one word is said there or elsewhere about its distribution among all the counties share and share alike.

It is the fourth subdivision of the 4th section, and only, as above given, which makes any provision on the subject, and that has not the most remote reference to a tax. The word, "tax," nowhere occurs in the whole section. It neither confers power to tax, nor power to distribute tax. Read it over.

True, this section provides, touching certain moneys mentioned, a share and share alike distribution; but they are not moneys raised by a tax. Nor are they the "proceeds" arising from the sale of the 500,000 acres of land; but plainly, simply and only "the interest" on those proceeds. It is this interest, and not funds raised by a tax, which is to be distributed share and share alike.

Is this not very plain? Let us repeat the provision and see:

"And, provided further, That the INTEREST which may arise from the portion of the school fund in this subdivision mentioned, shall be appropriated among the several counties in this State, share and share alike."

Could language make it more manifest?—We see plainly that it is not the "tax," but "the interest" which may arise from the portion of the school fund in this subdivision mentioned, which is thus to be appropriated. What school fund, then, is it which is "in this subdivision mentioned?" Look and see. Is it a fund raised by a tax? Not one word is said about a tax, and the only funds mentioned or hinted at are the proceeds of the 500,000 acres. What sense then is there in the forced and false construction which some men seek to place upon language so explicit?

There are, however, earnest objections made, here and elsewhere, to the share and share alike distribution of the interest itself. What shall we do with these objections?—We cannot defend everything; we do not expect each provision to be perfect; and did we set out to defend and justify everything some captious man would call upon us, as likely as not, to defend and justify the form of our face! Nevertheless to the above objections to the new constitution we have one conclusive, unanswerable reply; viz: that by an act of the Legislature of this State approved March 27th, 1845, provision was made hereafter to distribute this whole fund for purposes of internal improvement; "giving to each county an equal share thereof, share and share alike." (See revised Statutes, title Distribution.) Therefore if the new constitution be rejected, every dollar of this fund, amounting to at least \$625,000, together with all the interest which may in any event accrue from it, will be squandered, by virtue of this act, in equal portions to every county in the State! Whereas if the new constitution is adopted, and Congress assents to this provision, the act of the Legislature will be superceded, and only the interest upon the fund and not the fund itself will be distributed—and distributed too for another and a better purpose; viz: for Education. Adopt the new constitution and you save the whole of this \$625,000 in a lump, to remain forever a permanent, ever-increasing education fund; and distribute the interest only, the principal remaining untouched and inviolable. Reject it and you squander to the four winds, on the share and share alike basis, for an inferior object, not only the interest but the whole fund also.—Adopt it and you save this whole fund, reject it and you lose it. Adopt it and you distribute only the annual interest; reject it and the law stands by which every dollar of the whole fund, principal, interest and all, will be distributed.

Which horn of the dilemma do you choose? Do as you may and vote as you may either the whole fund under the law; or the interest only under the constitution, will be distributed among all the counties share and share alike. Either the fund, or the interest; just as you choose, must and will go on the share and share alike principle. That's a "fixed fact." Reject the constitution and the whole fund goes for internal improvements; adopt it and the interest only will go, and for a better purpose—education.

Which do you prefer? No sensible and unprejudiced man will hesitate in deciding.

One additional word about the third section, and the tax for free schools. It is urged against this that the Legislature will be compelled to provide means for the support of free schools by taxation. This is not true. Read the section. The means are to be provided "by taxation on property, and by capitation tax or otherwise." Hence the Legislature has power to provide these means "otherwise" than by taxation. This is clear. And what necessity is there for a tax, as the means can be raised "otherwise"? Look at the article on Education, and see the ample and magnificent fund there provided for to carry out this object.

This clamor about the tax is all a ridiculous humbug—a raw-head-and-bloody-bones to frighten people out of their wits.

The distance from Independence to Santa Fe is set down, in Gregg's Commerce of the Prairies, at seven hundred and seventy and seventy-five miles, nearly five hundred of which are uninterrupted prairie.

THE DEAD.

How little do we think of the dead! "Bodies lie enfolded in all our towns, villages and neighborhoods. The lands they cultivated, the houses they built, the works of their hands, are always before our eyes. We travel the same roads, walk the same paths, sit at the same firesides, sleep in the same rooms; ride in the same carriages, and dine at the same tables; and yet seldom remember that those that once occupied these places are now gone—alas!—forever!" Strange that the living should so forget the dead when the world is full of the mementoes of their lives. Strange that the fleeting cares of life should so soon rush in and fill the breast to the exclusion of those so near. To-day man stands and weeps over the grave of his departed friend. To-morrow he passes the grave with cold indifference. To-day his heart is wrung with all the bitterness of anguish for the loss of one so much loved; to-morrow the image of that friend is effaced from his heart and almost forgotten. What a commentary upon the living!

GEN. JACKSON'S SWORD.

The following communication is copied from the New Orleans Jeffersonian:

You will not doubt recollect that General Jackson, by will, bequeathed to the man who, in the next war in which his country might be engaged, should distinguish himself most by heroic deeds, the sword which he wore on the 8th January, 1815, the people of the U. S. to make the award. Now as all the citizens of the U. S. are executors of that portion of the will, I suggest, through your valuable paper, that it be bestowed on Gen. Taylor, who has recently achieved two of the most brilliant victories on record, under circumstances very similar to those in which Jackson won his immortality.

TO THE VOTERS OF THE 4TH CONGRESSIONAL DISTRICT.

A duty more sacredly to be cherished than the more desire to go to Congress impels me to review such portions of the recently published circular of my competitor as conflicts with the tenor of my previous one. The facts, moreover, justify me in at least complaining of the peculiar circumstances under which I am compelled to prepare my reply—away from home, and from such books and references as are necessary to do full justice to the subject. I am constrained, in addition, (by appointments previously agreed on by my competitor and myself) to ride and speak, and mingle every day with the people—so that there remains to me but those hours in which nature is asserting her demands to be recuscitated from fatigue and prostration; to prepare a paper which should be written out with the utmost circumspection. May these causes be permitted to extenuate whatever it may contain, either too imminently considered, or too hastily or impulsively written?

Altho' more than a month ago, my competitor exceeded himself for not attending our appointment at Bloomington, on the score of having to write this very circular; and although the phraseology of its first paragraph denotes that it was written about that period, an editorial article in the "Gazette," published at St. Joseph on the 22d of May, pre-announced me of the necessity of taking steps to make sure of a copy of it (if possible) before it might be entirely too late to reply to it. I had tried to procure it in time to answer it during the 3 days in which (having no appointments) I was to be at home—but failed. I employed a messenger to go for it and meet me with it at Smith's Mills on Saturday week—but it was still not published, or, if published, not circulated. I had turned my back on home, not to complete my circuit and return until the 12th of July—yet left a friend in charge of the business, who (anticipating as I did, the probable importance of seeing it in time to review it) sent for and procured a copy after staying a day at St. Joseph, and has forwarded it to me in time (if I have good luck all round) to get out a response and have it pretty generally circulated before the election. In a country full of printing offices, as the upper end of our district is, I leave the people to form their own opinion of the fairness of all this, aided (if it will aid them) by the paragraph from the "Gazette" to which I have alluded, and which is in these words:

"We learn that Mr. HALL intends leaving Missouri in a few days for Texas, with a view of joining the army.—We are sorry that he leaves us particularly at this time; but as he will go we hope he may have many opportunities of serving his country, and may return here with fadeless and brilliant military laurels about his brow." He does not decline running for Congress, but will publish an address, which is intended to answer the purpose of a speech at every precinct. Col. BROWN will continue to canvass the district according to appointment.

From this it is to be inferred that at least one of the objects in issuing the "address" was that it should be read, instead of a "speech," at every "precinct" on the morning of the election. Whether that was the only or main object I will not trust my pen to speculate upon—but proceed, respectfully, to "present to the jury the other side of the case."

Before doing this, however, the effort that is making to turn the voluntary absence of my competitor not only to his benefit but my prejudice constrains me to set right the twaddle that is circulated on that point. As I learn from an intelligent and reliable democratic friend in this place, (Camden,) recently returned from Richmond, where I go this afternoon, they amount to this: That during the Presidential canvass, when Gen. Doniphan and himself were very warmly discussing the Texas question, my competitor, being called out upon the subject by Gen. D., expressed himself that if war grew out of it he would be the first to volunteer in the service—and that as soon as the war came I taunted him with his reluctance, and told him it was time he was off in redemption of it! I know the delicacy of the position in which I am placed, but I also know, I trust, the duties of my position—and in full view of both, I here pronounce, not only that all that relates to myself in the foregoing statement is verily untrue, but that nothing of the kind ever took place between Doniphan and my competitor, or as I have the authority of the General for thus publicly stating. So much for that.

A little further on this subject, the language employed in his speech at Liberty, last Monday, is doubtless the commentary of which he designed the few words of text contained in the first paragraph of his address to be susceptible. In that speech (a court-house full of people will remember) he took the broad position, along with a great deal else upon the same subject, that "a man who was too good to march to Santa Fe, was not good enough to be sent to Washington." This was too flat and naked to be mistaken or overlooked—yet I have not learned, that either among the steady men of my own party, or of the Whig party, any thing was gained to my competitor by the days discussion. The language of his circular is— "War rages at this moment between the United States and Mexico; the fire of battle blazes along our southern frontier; an American army is in danger.—The Governor of Missouri has demanded volunteers to meet the emergency, and I obey the call.—Before this circular reaches you, I shall be on my way to the seat of the war on the banks of the Rio Grande."

Taking the speech at Liberty and similar expressions in the mouths of others, as the commentary most natural from the text of the circular, it becomes my duty to say that both my competitor and myself reside in a Military Division (commanded by Gen. Ward) from which not only no requisition was made for the Rio Grande, but in which (for I bore one of the orders) the requisition was for the organization of 17 companies (if I rightly remember) to be officered and held in readiness, to "march at a moment's warning" to repel what was anticipated would be (in the event of an obstinate war with Mexico) a combined Mexican and Indian attack of the frontier upon which that division rests. Like the great body of my associate Militiamen, as promptly as was in

my power I obeyed the orders of those whose duty it was to give them—scarcely dreaming, until lately, that whilst sedulously forbearing all imputation upon the motives and patriotism of my competitor, my own more humble position, as a private in the ranks of the frontier volunteers from my own county, was secretly, as it has at length become open, the snare upon which reliance is placed to drive my friends from supporting me! Verily! I have mistaken the character of "the man who wear beards" in the fourth district, if such machinery as this, however applied, can affect their purposes respecting the election of a member of Congress.

Concerning the four last columns of the address of my competitor, in which he argues the impolicy and dishonor of dividing with England the territory so long and diversely in dispute on the Pacific, called definitely and indefinitely by the general name of Oregon, I am fortunate in having before me, in a newspaper, a collection of authorities invaluable under the circumstances in which he has placed me, and which, without attempting in any manner to reconstruct, I shall instance or append as the result of the research and reflections of another, no less implicated than myself by the extraordinary address of my competitor. Yes! strangely as it may sound, it will be seen that Thomas H. Benton is invoked by my competitor to prove that to be just and true which Thomas H. Benton denounces as a fraud and a trick—a device whereby he is made to join in the maledictions so long hurled against me by my competitor, instead of standing forth (as his authority does) in my most ample vindication! This shall be proven by Col. Benton himself, after which the people of the district may give whatever credence their charity may suggest, to the fairness or want of fairness which characterises the remainder of his circular, and which I may not have the means to fully answer here.

The following is the manner, verbatim, in which my competitor makes Col. Benton speak of any compromise of the Oregon question—any thing short of 55 (54 40)—in the paragraph next to the concluding one of his circular:

"Nootka is in latitude 50—being four degrees north of the Columbia; and to that degree did Spain assert and maintain her title against Great Britain in 1790. But that was not the extent of her assertions of that right.—Against the British she asserted it to the whole extent of the coast, against the Russians, (the only real claimants with ourselves in that quarter) to latitude 55. Thus deriving from Spain, our title is good against England throughout the coast; against Russia to latitude 55. * * * Such a country is formed for union, wealth and strength. * * * Accursed and infamous be the man that divides or alienates it."—Benton's Speech on the Main treaty.

Now read the following full and fair extract from Col. Benton's speech on the 25th of May last (foreshadowed, as it was, by a short speech several weeks before, and which my competitor saw an abstract of at the Sullivan court) several weeks before, and decide how far one citizen of your district has entitled himself to go to Congress, by saying, first to last, the prostration of another citizen by just such means as are disclosed in the manner of putting together the foregoing extract, and to which (as well as similar works of the same kind, in the Missourian and other newspapers,) the following has direct allusion:

Extract from Mr. Benton's speech of May 25, on the Oregon jurisdiction bill.

"I come now to the third geographical division of the contested country, purposely reserved for the last, because it furnishes the subject for the application of the second half of the great maxim: Submit to nothing that is wrong. I come to the river Columbia, and its vast and magnificent valley. I once made a description of it, with an anathema against its alienations. I described it by metes and bounds—by marks and features—and then wrote its name in its face. The fifty four forties got hold of my description—rubbed out the name—obliterated the features—expanded the boundaries—took in New Caledonia, and all the rivers, lakes, bays, sounds, islands, valleys, forts and settlements, all the way up the 54 deg. 40 min. and then turned my own anathema against myself, because their mind could not apply words to things. Well! I take no offence at this. There are some people too simple to get angry with. All we do with them in the west, is to have them "cut for the simples;" after which they are cured. They can perform this operation for themselves, or have it done. If by themselves, all they have to do is to rub their eyes, and read again; if by others, the operator must read, and caution the listening patient to stick the word to the thing."

Respecting the kindred denunciation which my competitor puts into the mouth of the late honored and lamented Senator Linn, although I have not before me quite as ample means to vindicate the memory of that model Statesman, (no longer here to speak for himself,) I shall copy the words "fixed up" for him by my competitor, and rely upon such evidence as I have been furnished with, and have before me, to preserve me from even an imaginary collision of sentiment or opinion respecting what was in his day, and in his pure hands and patriot heart, an American—not a party question, as it is sought to be made in the keeping of that division of the Democracy with which my competitor has allied himself.

Extract from Dr. Linn's speech, as published by Mr. Hall.

"As this territory of Oregon had been the subject of protracted negotiation between the United States and Great Britain, * * * a brief notice of the grounds on which we place our claim seems to be required. The country on the Pacific ocean, extending from latitude 42 degrees, to latitude 54 40 North is claimed by this Government and Great Britain. * * * If the United States rested its claim to the territory in dispute, upon priority of discovery alone, it would be as immutable as the Rocky Mountains, which overlook its plains and valleys. * * * If parted with its price ought to be blood."—Linn's speech of August 11, 1841.

That this extract is also garbled and distorted