

THE SUMTER BANNER.

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THE SUMTER BANNER:
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WILLIAM J. FRANCIS.

TERMS:

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AGRICULTURAL.

From the Camden Journal.

CULTIVATION OF RICE.

MR. EDITOR:—When in 1693, Landgrave Smith, who was the Governor of this province, had settled in Carolina—but who had been in Madagascar, where he saw how Rice was cultivated, and thought it would grow here, subsequently procured a small quantity of the seed, which he sowed in his garden, (in the fork of Ashley and Cooper rivers, a speck now lost in our Metropolis,) the most sanguine could not have anticipated the result. It grew luxuriantly, and from the product of this little crop, which was afterwards distributed among his friends—in the space of little more than forty years after the first planting of Rice in the province, the staple had risen to 71,484 barrels annually.

Wheat, Rye, Barley and other European grains had been tried, but did not succeed well, and until Rice was introduced, the character of Carolina, as an agricultural State, was not established—nor the peculiar quality of her soil understood. Lying nearly in the same latitude with the Southern parts of Europe, it was explored by William Sayle, in 1608, under the authority of the Lord proprietors of this province, with a view to its agricultural importance, and his report being favorable, a body of emigrants, provided with seed and utensils, for husbandry, settled on the West bank of Ashley river, with the design of cultivating European grains, but did not succeed. Experience, which is the only true test in all agricultural experiments, soon taught them that the soil was unfriendly to the growth of such crops, and for many years after the settlement of the province, the cultivation of the soil was very much neglected. Happily then for Carolina, and happily too for their successors, that Rice was introduced as a staple, for here began our commercial and agricultural success, with the nations of the world. The history of no State illustrates this truth more clearly than that of South Carolina. It was the sagacity of our planters in directing their industry to the production of such staples, as are best suited to our soil and climate, that fixed the basis on which rests the secret of all profitable exchanges, and productive commerce, and that the wealth and commercial importance of the country continues to be mainly sustained by the agriculturist, is an axiom equally true. Now that this region of ours is more particularly the favorite of the Rice and Cotton plant, will not be controverted by any one, but that latterly the increased production of Cotton, has destroyed the just proportion between supply and demand.

It has overstocked the markets of Europe, and that fatal decline under which our country now suffers, is the result. It follows, therefore, that the sooner this excess of cotton can be reduced, the sooner shall we witness the return of agricultural prosperity—yes, every division of our force from this overdone branch of industry, will be of positive benefit to the country at large, and if profit can be derived from any new employment, the advantage to our State would be two-fold, for an increased value will be simultaneously imparted to the old. This position would seem to demand some illustration. Suppose, for instance, that one-third of the land now employed in cotton, was withdrawn from that culture—the product of the remaining two-thirds, would probably equal in market that of the entire crop now produced; our agricultural resources would then be increased, just in proportion to the whole value of the new staple thus introduced. This view of the subject, then presents a general and political, as well as individual advantage to the planter, and lays open at once the importance of the position he occupies in the political economy of the country. It is to them, and them alone, we look for an increase in the exchangeable value of the revenue of the State.

This, it would seem, should a present,

strong inducement to the patriotic South-ern planter, who can at once enhance the wealth, power, and interest of the State, by methodically augmenting the firm and ever-durable resources, which spring from the luxuriance of her native soil. While to him who is in debt, (and we presume there are some who are gripped by this inflexible pill, and would desire a change in the passage of their affairs, even though it should be fundamental,) the plan proposed is truly inviting, and promises relief, with the perpetuity of a rich reward.

To illustrate this fact, let us for a moment, draw a comparative view of the profits arising from the cultivation of cotton and rice. One hand, with the proportion of corn necessary to be raised on a farm, in connection with other incidental circumstances, will not raise more than 3,000 lbs.—which, when ginned and packed, will not make more than 900 pounds; this sold at 10 cents, amounts to 900. What error, if any there be, in stating the quantity made per hand, we conceive to be attained for, in the price at which it is sold. This calculation on an average, will be found to be more than is realized. (The price as above stated is not warranted by the sales of recent crops.) Whereas on the other hand, five acres of rice, the quantity we allow to one hand, will produce 200 bushels, or 40 bushels to each acre, which sold at 80 cents per bushel, is \$160, which at these reduced rates is \$70 more to the hand, than is realized from cotton. If the planter will adopt the process of preparing the grain for market, and there is no occupation so agreeable, and at the same time pays so well for the trouble, the profits will be greater, for there are many incidental advantages connected with the process of preparation, which in no indirect manner will sustain the bone and sinew of the farm, besides the great difference in price, in favor of the prepared, over the unprepared state of the grain.

The great difference in profit, between the two articles, is here manifest. Then to the agriculturist of the cotton growing region of our State, and more particularly those who cultivate the rich loams of the Wateree, the Congaree and upper Pee Dee, we would say, "how long wilt thou slumber over the plethora which is destroying us." On the other hand, how we should delight to see your rich fields yielding its treasured nutriment, to the luxuriant rice-plant, and maturing it in rich abundance on a soil so congenial to its growth. This you might do fearlessly, under the firm conviction that there is no danger of overstocking the market with the article. The growing increase in the demand for it, throughout our country—the facility of transportation by steam boats and rail roads, all invite your attention to the subject. Then think of it, try the project, make it, and it begets its own demand. Hunger and luxury will never under-value the means of its gratification.

AMPHIBIOUS.

Laws of South Carolina.

AN ACT TO ALTER AND AMEND THE LAW CONCERNING THE CUSTODY AND CARE OF DERELICT ESTATES BY THE ORDINARY.

I. Be it enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That whenever the Ordinary of any District shall have charge of the estate of any deceased person, as directed, pursuant to the provisions of the seventh section of an Act of the General Assembly of this State, entitled "An Act concerning the office and duties of Ordinary," ratified on the 21st day of December, in the year of our Lord one thousand eight hundred and thirty-nine, and such deceased person shall have left a will of force at the time of his death, duly executed according to law, disposing of his said estate, it shall be the duty of the said Ordinary to administer the said estate, according to the provisions and directions of the said will, and for that purpose shall be invested with all the powers and authorities, and be subject to all the liabilities, which may be necessary for carrying such will into effect, in the same manner as if he had been duly nominated and appointed executor thereof.

II. That whenever the Ordinary shall take charge of the estate of any deceased person, as derelict, pursuant to the provisions of the Act aforesaid, if any part of the said estate shall consist of perishable property or effects, the Ordinary shall have power and authority to make sale of such perishable property or effects immediately, without retaining possession before sale, for six months, as required by the seventh section of the said Act.

AN ACT TO INCREASE THE JURISDICTION OF THE ORDINARY IN THE APPOINTMENT OF GUARDIANS.

I. Be it enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That every Ordinary in this State shall have power to appoint a Guardian or Guardians, to receive the personal estate of any minor, where such minor is entitled to distribution of any personal estate, and the value of such estate,

so subject to distribution, shall not in the whole exceed the sum of three thousand dollars; such Guardian or Guardians to be appointed only upon petition to the Ordinary, in writing, by the minor, if of the age of choice, or if he be not of such age, then by the person or persons desiring the appointment. Provided, that nothing herein contained, shall be so construed as to restrain the Ordinary in the exercise of any of the powers now vested in him, to pronounce decrees for the distribution and settlement of estates, or to appoint Guardians *ad litem*. And the said Ordinary shall require all Guardians, so appointed by him, aforesaid, to enter into bond, with good and sufficient sureties, for the faithful discharge of the duties of their appointment, and to require additional sureties to such bond, when he may deem the same necessary; and the said Ordinary shall have power to call any Guardian appointed by him, or by any of his predecessors in office, to account for the estate committed to him, and upon such account to pronounce a decree against such Guardian, which decree shall authorize such proceedings against the sureties of such Guardian, as may be had in like cases against the administrator.

II. That an appeal shall lie from the decision of the Ordinary, upon any matter arising out of the jurisdiction conferred upon him by this Act, in the same manner, and to the Court of Common Pleas, or Court of Equity, as the case may be, as is now provided by law in relation to appeals from the Ordinary.

AN ACT TO AMEND THE LAW IN RELATION TO SHERIFFS.

Be it enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That if any Sheriff shall, upon the demand of any Plaintiff, or his Attorney, or within one day thereafter, willfully refuse, (and not have notice, bona fide, to retain the same, from some one claiming the money,) to pay over any sum of money collected for such Plaintiff, the Sheriff in default, besides being liable, as now provided by law, shall be liable to pay the sum withheld and interest thereon, at the rate of five per cent, per month for the time he may withhold such sum after demand, and upon recovery had for such default, the sureties of such Sheriff shall be liable for the entire amount as for other neglect of official duty.

II. That if any Sheriff shall fail or refuse to execute or return final process in any civil suit, or pay over the money, as aforesaid, when demanded, that has come into his hands as Sheriff, to the party entitled, such party may suggest to the Court to which such final process is returnable, by leave of the Court, that with due diligence the same could have been executed, or having been collected that the money has not been paid over on demand, it shall be the duty of the Court forthwith to cause an issue to be made up to try the facts, and if it shall be found by the Jury trying the issue, that the said final process could have been executed, with due diligence, or that the money having been collected has not been paid over on demand, judgment shall be rendered against the said Sheriff and his sureties, for the debt, interest and costs, together with five per cent, damages as above provided: Provided, That three days notice shall be given to the Sheriff alleged to be in default, and also to such of his sureties or their representatives as may be found in the District where the issue is to be tried, of such application for leave to file a suggestion: Provided also, that the provisions of this Act be deemed cumulative, and not to bar or effect any right of action or other proceeding now authorized by law.

AN ACT TO DIMINISH THE NUMBER OF MAGISTRATES.

Be it enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That on the first day of March, in the year of our Lord one thousand eight hundred and forty-eight, the offices of Magistrates as heretofore existing and established by Law, shall be abolished, except in the City of Charleston and the Parishes of St. Stephen's, St. John's Berkeley, St. James's Goose Creek, Prince William's, St. James, Santee, St. Johns, Colleton, and on the Neck, and instead thereof Magistrates, to continue in office for four years, shall be appointed by resolution of the General Assembly, as follows, that is to say, one in each Beat Company and two in each corporate Town and Court House Village throughout the State, except in the Parishes, where two Magistrates may be appointed in each Beat Company; and whenever a Beat Company shall include portions of two Districts or Parishes, a Magistrate may be appointed on each side of the line, who shall enter upon the duties of the office on the day on which the offices of the said Magistrates shall become vacant, and in case any vacancy shall occur in the office of Magistrate, during the recess of the Legislature, the Governor shall, as heretofore, have the power to fill such vacancy until the next succeeding session, Provided nevertheless, That all the powers, duties and liabilities of Magistrates existing, shall continue as heretofore, except the power to try small and mean causes,

and every Magistrate so appointed may exercise jurisdiction as heretofore throughout the Judicial District in which such Magistrate shall reside. The first appointment under this Act to be made at the next Session of the General Assembly.

II. And that the laws applicable to the office of Magistrates, in all other respects, be the same as heretofore.

AN ACT TO AMEND THE LAW IN RELATION TO MAGISTRATES AND CONSTABLES.

I. Be it enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That hereafter it shall be the duty of every Constable, with whom a *fi. fa.* is lodged for collection, to proceed forthwith to execute the same, according to its exigency unless ordered, by the party in whose favor the same was issued, to wait; and every *fi. fa.* shall be returned to the Magistrate by whom it was issued, within twelve months from the date, and the Constable making such return, shall set forth therein the full execution thereof, or the reasons of his failure.

II. When any Constable fails to do his duty, in the execution or return of a *fi. fa.*, the party in whose favor the same may have issued, may apply to any Magistrate for a rule against such defaulting Constable, requiring him to show cause, after the expiration of two days from the service of such rule, why the *fi. fa.* has not been executed or returned; and on his failing to show cause sufficient, the Magistrate may order the same to be made absolute, and the Constable shall be liable to pay the debt, interest and costs; and if he be unable to pay the same, such liability shall be construed a breach of his official bond, and the same shall be recoverable, in an action thereon, against his securities.

III. That the Magistrate shall be entitled to the same fees for issuing such rule and hearing the return thereto, as he is now allowed by law for issuing a summons, and trying a small and mean case; and the Constable shall be entitled to the same fees for service of such rule, as he is now allowed by law for the service of a summons; to be paid by the party against whom the decision is made; and the Magistrate is hereby authorized to issue his execution for the same.

AN ACT TO ABOLISH BRIGADE ENCAMPMENTS.

I. Be it enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Militia Laws of this State be altered and amended, so that all sections and clauses of such and every Act of the General Assembly, relating to Brigade Encampments, and all Acts heretofore passed regulating Brigade Encampments, be, and the same are hereby repealed.

MISCELLANEOUS.

THE TAVERN KEEPER'S BILL.

Some forty years ago, while Jerome Bonaparte was travelling in New England with a large suite, he stopped over night at the tavern of an avaricious old hunk in one of the beautiful villages in Western Massachusetts. The landlord was an Englishman born, ultra Tory in his feelings, and when he heard in the morning that he was to have no less a person than a brother of the great Napoleon, with an extensive retinue for his guests at night, his jaw-knawed bounds. Extra servants were employed, in all the rooms clean sheets were put upon the beds, chickens and turkeys were run down and had their necks wrung—in short, every preparation was made to give the prince a reception becoming his high rank.

Night finally came, and with it came Jerome Bonaparte, with some twenty friends and servants. Here was windfall for the old tavern keeper—here was business for him. Supper was soon served, the distinguished guests went to bed at an early hour, and at an early hour the next morning breakfast was prepared and swallowed, and soon after, every thing was arranged for their departure. There was one very important duty still to be performed by the tavern keeper—the making out of the bill. Such customers were scarce—Bonaparte'sdom visited that section of the country—and Boniface was determined to make the most of the present visit. He got along remarkably well with the bill until he had got it up to \$75. This was not enough. The landlord could not think of letting the brother of the greatest man of the age off short of \$100. He "figured" it over again, added a little here, and put in another "extra" there, but after all, it only amounted to \$80. "The bill! the bill!" was shouted in his ears, but the bill was "not right," as he viewed it. All was bustle and confusion. The French were chattering and bustling about, the carriages were all ready to start, and nothing was wanting but the bill.

"Why for you no make-a-do bill?" said the cashier of the party.

"By gar, you must make him quick," or me no pay," continued the Frenchman.

"Yes, yes, I hear you," said the landlord, his eye glancing from one charge to another.

Suddenly a thought struck him. Amid the unwonted clatter, jabber and din about

his ears, he reflected that he should turn off the extra noise and confusion the visit had occasioned, to some account. "The item" he had so long sought to conjure up was at length found, and he immediately finished the bill with

"To making a — fuss generally, \$20. The paymaster glanced at the amount, paid the bill, and was off instantly! Whether Jerome Bonaparte ever found out that he had paid \$20 for making a — fuss generally," about a Yankee tavern keeper's house, is more than we can say.

From the Hartford Times.

WHEN IS A MAN TWENTY-ONE?

"What a simple question!" some one will say. And yet I presume few of your readers can answer it correctly. The common opinion is certainly erroneous. When, then, by our law, is a man twenty-one?—on his 22d birthday, or the day before? Certainly the latter. So it is expressly stated by Chancellor Kent of New York, and by the late Chief Justice Swift of this State. "There can no more twenty-two birthdays in twenty-one years than there can be two Sundays in a week. It follows, both from reason and authority, that a man born on the 6th of April, 1826—(and there are many such cases in the State)—attains his majority on the 5th of April, 1847, and at any time of that day, for the law knows no fraction of a day—and accordingly may be made an elector on the morning of that day, it being the time of our annual election."

THE CAPTAIN AND DANDY.

A Captain of a Nantucket whaler, an eccentric old fellow, and of rather an uncouth figure, visited one of our cities, after a cruise of three years, and one evening attended the theatre. As a matter of course, such a rough, dark complexioned old character in the box with several fashionable ladies and gentlemen attracted considerable attention, and created much merriment among the exquisites. Several times every opera glass in the boxes was thrust at him, until, finally, aware that he was the attraction of the evening, he left the house determined to pay such impudence in their own coin on the following night. Accordingly on the succeeding evening, enveloping beneath his coat his ship's spy glass, about two feet and a half in length, he started for the theatre. As soon, almost as he entered his box, the opera glasses were in commotion. He waited until the play commenced, when observing a young gentleman, with a cane under his arm, and a glass at his eye pointing directly at him, he drew from his outer garment the spy-glass, and drawing it from the case to the entire length, aimed it directly at the dandy, and continued to look at him until the house was in a complete uproar, and the fop with mortification left the box for the lobbies.

WARMING A BED.—A good old lady in the city of Portland, whose husband was tormented with the rheumatism, was advised by a neighbor, to warm his bed with a pan of coals and to throw in a little sugar. She accordingly threw upon the sheets something like a pound of brown Havana sugar, and proceeded to draw a pan of hot coals briskly between the sheets, by which operation the sugar was hot restored to its primitive state, and made as hot as when it came from the boiling cauldron. Meanwhile the old man had denuded himself, and when the pan was withdrawn, crawled between the sheets as fast as his lameness would permit. But the bound from the bed gave the lie to his complaint—no member of the Ravel family could have vaulted to the floor with more agility than the sugar-seal old codger, and no Senator could have roared louder than he did. In the jump he struck the dame, and man, woman, two children and the hot coals came to the floor together. But the coals were scarce less comfortable than hot sugar, and the evening's entertainment concluded with "ground and lofty tumbling by the whole company." But the exercise thus taken was productive of good, and barring the scald skin the old man was rendered more free from pain than he had been for years before.—*Ex. Paper.*

A man, not fifty miles from Portland, says the Eastern Argus, who wished to pass himself off as well read, was boasting of having read the life of Napoleon.

"Who was it written by," said a friend, "Elder Lamson?"

"Why, no," said this modern Hume, "it seems to me that is not exactly the name, but still it sounds like it."

"I don't believe after all your knowledge of Napoleon," rejoined his friend, "that you can tell what year Napoleon crossed the Alleghanies."

"Well, I don't know as I can tell the exact year, said the historian," irritating his knowledge box, "but I know plagues well that he did cross them, if I can't tell the year."

GOSLINGS.—"Halloo mister cried a passenger in a stage coach, to a rough looking foot passenger, "can you tell me what has become of those goslings which were hatched last summer on the top of that rock?" "Four of them are dead, sir," returned Jonathan, "and the other, I perceive, is a passenger in the stage coach."