The Case of William L. Chaplin.

We have had some notice, by telegraph, and by letter, of the progress of this case before the Montgomery County Court, at Rockville, on Tuesday and Wednesday last. The Washington Republic gives a lengthy report, from which we learn that the grand jury returned seven indictments against Wm. L. Chaplin; three charging assault and battery with an attempt to kill, (Messrs. J. H. Goddard, William Smithia, and Richard Butts;) two, larceny of the slaves of Messrs. Stephens and Toombs; and two others, charging the prisoner with assisting the slaves to escape from their masters, contrary to the act of Assembly of 1849:

On Tuesday morning, Charles H. Pitts, Esq., on the part of the prisoner, stated that he was not ready for trial, and asked that time be given them to examine the indictments which had just been brought into court. In the interim, he asked that the prisoner might be released on bail, as security for his appearance.

Mr. Bowie stated that the State was ready for trial, and contended that the court must hear the testimony in order to judge of the circumstances which surround the offence charged.

Mr. Pitts contended that bail could be asked as a matter of right, as it was impossible for them to be ready for instant trial.

Mr. Richardson stated his belief that, whatever may be the opinion of the court as to the right of bail, the circumstances of this particular transaction address themselves to the discretion of the court, and it should be assured beyond controversy that the bail is to secure the attendance of the prisoner. The notoriety of this case, the presence of the counsel here, the efforts which have been made to bail the party anterior to the term of this court, and now, when indictments have been found, and counsel are personally present for the purpose of seeing to the interests of this man, a suggestion must arise *whether the proposition to bail him is not, in effect, a proposition for him to escape justice;* and whether he is not paying a bounty for his liberty by fixing the amount of bail, which, beyond all question, is always intended to secure the attendance of the party, or for trial. He stands indicted for the abduction of two slaves; the larceny and assisting them to escape rest on the same state of facts; but in assisting these two slaves to escape through his instrumentality, he attempted to take the lives of three individuals. Under these circumstances, and in consideration of the facts, the amount of bail should be such as to secure, beyond question, his attendance here for trial.

Mr. Pitts objected to the impropriety of suggesting that the bail asked was intended to be forfeited. He apprehended that the rights of the prisoner stood on the basis assigned to all other persons accused of offences. It seemed to him that the court is not to presume that the intention of the party in asking bail is to escape trial. The party, by law, is innocent of the charges made against him until he be proved guilty; and the finding of the grand jury, on *ex parte* testimony, and the fixing of bail, has no weight and consideration in the trial of this case.—We are hear to ask bail, and make the application under protest that it is not to be taken as presumption that it is to enable this man to evade a trial; and we cannot acquiesce in any such presumption. We do not object to fixing the bail to the circumstances of the case, and the ability of the accused to give it. The fact that the government is ready for trial ought not to press the issue on the accused, with no time for preparation; and he appealed to the extensive experience of the State's Attorney to say whether it is not the daily and constant practice to bail after indictments are found, and his most usual practice.—After the indictments have been found it is the inevitable practice to fix the amount of bail. We have come to give bail, and are not ready to try the case.

On Wednesday morning the court gave its decision on the application for bail. According to the practice of the court bail could be allowed at any time before cases are ready for trial. It was, however, discretionary. But indictments have been found against the prisoner; and unless some reasonable cause be assigned the court could not entertain the application at present. The court would, however, as was customary, allow time to the counsel of the accused to prepare for trial, (they having asserted that they were not now ready,) and he was willing to listen to any suggestions why there should be postponement or delay.

Shortly after, the prisoner, Mr. Chaplin, was brought into the court room, accompanied by a Mr. and Mrs. Smith, of the Society of Friends, from New York, and by Mr. Cameron and Miss Gilbert. There was much confusion at this stage, the spectators rushing forward to get a view of the prisoner, who advanced to the desk of the clerk and deposited with that officer seven several declarations, to the effect that he cannot have a fair and impartial trial in this court, and prays the court to order and direct the record of its proceedings in the said case to be transmitted to the court of some adjoining county for trial.

Mr. Pitts then stated that the trial could not take place until the March term, and again made application to the court to fix the amount of bail.

Mr. Richardson, for the State, would merely make a suggestion as to the amount of bail. This case was one, he said, which not only excites this part of the country, but excites other parts of the country; and it being a question of great excitement, what would be bail under ordinary circumstances would not be bail on this occasion. An individual is brought before court with sparse and slender means, and another is brought before court with large and ample means. What, he repeated, would be bail in the one case would not be bail in the other. There was a grave reason for this; one case was more important than the other, and the bail given might be forfeited by the prisoner for the sake of his liberty; therefore sounder discretion should be exercised by the court. The question is, whether this case is one of that character, and he apprehended that the court would look, not to the means of this individual, but to the weighty consequences involved. There are in this country fanatics who think that they are doing God service by stealing away the property of others. And with this feeling, and acting with those fanatics, this man has not only hazarded his liberty, but has involved the fortunes of those who are anxious for his release.—Mr. Richardson suggested this as a question which ought to be considered in fixing the amount of bail. It was not the *man*, but the *case;* and in bailing the *case*, the feelings of this section of the country are largely interested.

Mr. Pitts remarked, it was not necessary to make any suggestion as to the bail, as he had said yesterday. And he now repeated this morning, that the case stands precisely as other cases stand under the laws of Maryland; and the prosecution on the part of the State had no right to bring into the consideration of this case conjectural circumstances elsewhere to influence the position which this man occupies. The prisoner has been indicted for three misdemeanors—assaults committed on persons who attempted his arrest; for two other misdemeanors—alleged assistance rendered slaves to escape; and for two larcenies of the negroes. He would say to his friends on the other side, and with due deference to the court, that the question is, what amount of bail (looking to the circumstances of the party, and these misdemeanors under the laws of Maryland) should be demanded to secure the attendance of the accused for trial. There was no evidence which would lead the court to believe that the application for bail is made in bad faith. This man's means are limited; it may be that they are greater than those of others who are brought hither for trial; but because a man has friends who are willing to aid him in recovering his liberty, and to make preparations for the day of trial, is the bail to be accumulated so as to prevent him from obtaining it?

Is it within the spirit of the constitutional declaration that excessive bail shall not be demanded? And shall the amount required be beyond the means of the party to give? And is it to be said because this man has stolen, or attempted to steal, one kind of property, the offence is greater than if he had stolen another kind of property? And that because persons in other parts of the country sympathise with him, the combined capital of the North is to be brought to his aid? Is the court to be told that because the offence is against a particular institution, the amount of bail must be excessive, to gratify those in another region, who entertain contrary sentiments? No. Bail should always be proportioned to the extent of the offence charged, without looking to the prejudices or predilections of any other part of the country. You are to look to the law of the land and the means of the party, and then determine the bail, having in view the principle that excessive bail shall not be demanded.

The court suggested that the venue be changed to Howard District, in the adjoining county.

The counsel for the prisoner expressed themselves perfectly satisfied. Therefore the trial of Chaplin is designed to take place (not earlier than the next March term) in the Howard District Court, at Ellicott's Mills.

The witnesses for the State gave bail, $3,500 each, for their appearance at the March term of the court.

The amount of bail required to be given for the appearance of the prisoner, was fixed at nineteen thousand dollars; and there was no indication that bondsmen were in attendance. They may, however, be procured at an early day.