

FOR THE AMERICAN,  
TO THE HONORABLE  
THE  
GEN'L ASSEMBLY OF MARYLAND,  
Now in session at Annapolis.

EDUCATION.

It is a happy circumstance, that, amidst that diversity of opinion which has lately so much prevailed on some subjects of civil interest, all parties appear to be in favor of public education.

As there can be none of greater importance to the happiness of society, submitted to the legislators of a free people it may not be unseasonable to submit to the honorable the general assembly, a few observations on this subject.

An impartial annual review of the different endowed academies, appears to be a duty indispensably necessary. Where any of these may be under the visitation of trustees, careless or unqualified, or influenced by any prejudice or party-spirit, it must be an unjust distribution of the public money to allow them to remain under such direction.

It would also appear to be an object of primary importance on this subject, if your legislative deliberation, to enquire whether any plan could be devised, calculated to promote the interest and celebrity of the state college, and to extend its usefulness more generally to the state at large.

It is presumed that one respectably endowed college in the state might be sufficient for the accommodation of all who incline to pursue such a course as would entitle them to the honor of graduation. The privilege of conferring degrees is chiefly useful in exciting, among youth a laudable emulation for scientific distinction, and the highest possible improvement in the sciences; but it is certain that if every unendowed seminary that chose to apply for it, were to be invested with the privilege of conferring such degrees, it would soon render them so common that the most laudable end of their institution would be defeated.

In every free country, or such even as pretend to that honorable designation, however oppressive or arbitrary their governments in other respects, education has been fashioned on pure republican principles. In the British colleges, the son of the cobbler and of the peer are often class-mates. And not seldom do those of the former description acquire more literary honor and merit than the latter. It is seldom that the sons of pride, luxury and opulence, can be brought to pursue those arduous studies which alone should entitle to college distinctions or honors.

Independent of these considerations, it would be dangerous to civil liberty, as well as destructive to the cause of public education, on liberal principles were the legislature of a free state to confer exclusive privileges, on institutions not entitled to, or unqualified for such distinction.

But it may be said that if any eminent professor, or distinguished seminary be qualified to give the highest completion to the literary course, why should they be debarred the honorable privilege of conferring degrees more than the state college?

In reply to this it is granted that the opulent, in any part of the state, have the right of establishing private schools, or academies at any expense to the taught; and upon any scale of literary or scientific improvement they may choose to adopt for the education of their youth. They may also confer diplomas or degrees upon their alumni of their own manufacture, if they be so inclined. But it is contended that they should receive no exclusive privilege from the legislature, previous to their having made it appear that their institution, in as far as concerned tuition, was accessible in its terms of admission to the poor as the rich—to the plebeian as to the "well born."

Were this principle not attended to in the establishment of public education, in a free country, what would soon be the consequence? The opulent and the influential would soon be in possession of all the talents, and when in possession of the talents, it is easy to see that the rights of the less fortunate, at least in as far as education is concerned, would soon be under their power and disposal also. The impartial observer cannot but see, in some portions of our state, foundation for these remarks; and that already a predilection is attempted by some for their schools where the offspring of the opulent alone can be admitted.

The General Assembly, therefore, as the proper guardian of the rights of the people at large, should faithfully examine on what ground exclusive privileges are granted to any claimants or pretenders. I may venture to affirm that they cannot fail to err in establishing, by exclusive privilege, any seminary, invested with the right of conferring degrees, merely an account of

any individual or local eminence it may have attained as a recommendation. To act in conformity with the spirit of our free constitution, no seminary should receive legislative endowment, with the privilege of conferring degrees, previous to its being provided or enacted that HEAVY and not MONEY opened equally to every class of citizens the road or entrance to such literary honors.

Agreeably to this principle, as already observed, in Britain the faculty of professors, in each college invested with such rights, are paid by the government. So that without pecuniary exactions or obstruction on that account, the poorest in the community meet no impediment in the culture of genius and talents. From these Heaven has not debarred them by exclusive privileges; and it would be a blaspheinous perversion of Heaven's bounty to debar them from their brightest improvement by partial endowments in favor of the sons of fortune.

It is from the adoption of this principle in the establishment of the British colleges, that the most zealous advocates of that constitution derive their best apology for its corruptions:—That by the bonus of education being impartially extended to all, the poorest in society have a chance to rise, and often a chance, raised to the highest confidence and honors in the state.

Shall then our republican legislature be less zealous, less regardful of equality and maintaining the just and impartial principle in public education;—a principle so congenial with other inalienable rights, and the flour of our laws and governments? The highly distinguished, who may presume to apply to the honorable General Assembly for such peculiar favors, should be taught to recognize this principle, or should content themselves with those advantages they already enjoy. To aim at greater, on improper principles, is no proof of their title from the possession of so much superior right and advantages. Does it not rather discover an arrogant disposition to be paramount to other unendowed or unprivileged seminaries, or individuals, who, on candid examination, might probably have as well founded a claim to the patronage of the General Assembly?

In the most enlightened countries of the world it will be found that the illustrious and scientific are not often distinguished amidst the order of the luxurious, the proud, or the opulent. But were colleges incorporated on terms were only the sons of such as could afford to graduate; it would be intulung the good sense of the enlightened members of the General Assembly of Maryland to expatiate on their pernicious effects and tendency both to literature and the spirit of civil society.

These remarks would be just if founded only on the supposition, that among the citizens of Maryland there existed no shades of difference by sects, parties or denominations. But the reverie of time brings to much the case, the greater caution must be necessary in avoiding all party, individual, or local attachment or influence in such business. It never can be found legislation under such circumstances, in the enrolling or establishing of public education, to confer exclusive privileges on those who would exclude from the principal's or professor's chair, such as were either of different, civil or religious opinions with themselves, however highly qualified; or exemplary as citizens in every respect.

Monopolies, of any kind, in a free country are intolerable; and wherever any seminary is invested with an exclusive right of conferring degrees, while at the same time, it has no endowment for its support, other than pecuniary fees from the students or graduates, it must be put in possession of a sort of monopoly, more injurious than profitable to the cause of public instruction.

There are few seminaries, even when liberally endowed, and placed in a state superior to avarticious exactions, where the privilege of conferring degrees is not perverted to lucrative purposes. Brides, a parity to the alumni, reared under their own-wing, too often prompts to measures very unfavourable to the interests of general education. Indeed it is not to be expected but that such institutions, as are entirely dependent for support on the annual fees of the students will be induced to adopt such artificial means as are rather calculated to allure public attention, than to promote the real advancement or extension of the sciences.

One liberally endowed college for the state appears to be much better calculated to promote the credit and interest of advanced education, in as far as grade may depend on the privilege of graduating, than if the number were to be increased.

One seminary confined to the more advanced grades of education; so endowed as to be superior to the individual contributions of the students; furnished with the best apparatus; with a complete faculty of able professors in the different departments of literature; and in possessing themselves of all the literary honors they would confer on others, it is presumed, would place education on a more respectable foundation, than a more general, or undue extension of the privilege of graduating.

It would, however appear to be a considerable addition to the usefulness of such a state college, if it were authorized or directed, by its fundamental regulations; to extend, impartially, the honour of graduation to the students of the other Seminaries, throughout the state, who might submit to be candidates by examination along with its own alumni.

Such a Regulation would be no more than just. Nor can any reason be assigned why it has not hitherto been adopted, other than want of attention to its propriety; or the dictates of selfish prejudice, or local interest.

Under such a regulation the state college would supercede the necessity of a further extension of the privilege of graduating; would form a more complete or perfect model or standard for public instruction; and at the same time extend, more generally, its utility and importance to the state, or community at large.

But, on the contrary, should the rage be cherished for converting every little grammar-school or academy into a college, exclusively privileged to confer diplomas on the arts and sciences, in vain need we expect to see any justly dignified seminary; or the absolute necessity of its claim to superior encouragement, amidst the confused galaxy of so many little systems, it is to be feared, we would lose sight of the importance of some more potent orb of scientific illumination.

Should these remarks fall under the observation of the members of the Honorable General Assembly, through that channel in which they are conveyed, they are most respectfully, as well as disinterestedly, recommended to their candid examination by

QUINTILIAN.

PROCEEDINGS  
OF THE  
LEGISLATURE OF MARYLAND,  
HOUSE OF DELEGATES.

WEDNESDAY, November 28, 1864.

The House met pursuant to adjournment.

Mr. Stansbury has leave of absence for a few days.

A petition from the stockholders of the marine insurance office, a petition from the vestry of St. Paul's parish, in Baltimore county, a petition from William Smith Davis and Jeremiah Perry, and a petition from Joseph Boyd, of Prince George's county were read and referred.

Leave was given to bring in a bill to regulate the removal of suits from the county courts to the general court, and to authorize the general court to allow the depositions of witnesses to be read in evidence in certain cases.

Leave was given to bring in a supplement to the act relating to runaway servants and slaves.

A petition from sundry inhabitants of the county and city of Baltimore was read and referred.

The clerk of the senate delivered the bill for the relief of John D. Collee, and the bill for the relief of John R. Bromwell, severally endorsed, "will not pass;" also a letter from the governor and council, enclosing a letter from the treasurer, addressed to them, and a letter from Thomas Munroe to the treasurer, relating to the indentments on loans for the use of the city of Washington; which letters were read and referred to a committee.

Mr. Scott and Mr. Hatchefon have leave of absence for a few days.

A petition from William Wilson and Patrick Magruder of Montgomery county, was read and referred.

Mr. J. Bayly delivered a bill, entitled, "An act to regulate the removal of suits from the county courts to the general court, and to allow the deposition of witnesses to be taken in certain cases;" which was read.

Mr. Ellicott delivered a bill, entitled, "An act to incorporate the union insurance company of Maryland;" which was read.

Mr. Stephen delivered a bill, entitled, "An act to authorize the vestry of St. Paul's parish in Baltimore county, to draw a lottery within the city of Baltimore;" which was read.

The speaker laid before the house a letter from governor and council enclosing the letters requested yesterday by resolution, which were read.

Adjourned till to-morrow morning, 9 o'clock.

NEW-YORK, December 3.

Capt. Mackie of the Favorite, from Mon ego bay, informs, that on the 4th November, off Cape Antonio, he was boarded by a French privateer of one gun and 65 men, which had the day preceding captured the English brig Jupiter, Capt. Rowland, of 10 guns, from the Bay of Honduras for New-York, with mahogany. The privateer put Capt. Rowland and a negro boy on board the Favorite in which vessel they have arrived. On the 7th Nov was supplied by the brig Mariner, Capt. Gates, from Jamaica from this port, with provisions, of which he had been previously robbed by the privateer.

A lady of respectable connections at Brooklyn, (L. I.) on Saturday evening, put a period to her existence by cutting her throat. She has left a husband and 3 children, the youngest of which is only 3 months old.

ACCIDENT—As two young men from Flatbush were on a fowling party in the Bay on Thursday, in handling a gun from one to the other, it accidentally went off and wounded one of them dangerously in the shoulder.

Java Sugar and Pepper,  
For sale on liberal credit, by  
HOLLINS & M'BLAIR,  
November 29

American.

BALTIMORE.

THURSDAY, DECEMBER 6, 1864.

This day the house of delegates are to take into consideration the granting a charter to the Union Bank of Maryland. Numbers of citizens having called on us for the papers which contained the letters on the subject of banks, published in this paper are informed they may be supplied with them at Keatinge's book-store, in a pamphlet published this day.

ELEVEN TH DAY'S DRAWING.

Prizes drawn in the CATHOLIC CATHEDRAL CHURCH LOTTERY on yesterday:

Prizes of 100 dollars:

Nos. 5344 12065 12300.

Prizes of 50 dollars:

Nos. 3802 4802 14741 20654.

Prize of 25 dollars:

No. 16133.

Prizes of 20 dollars:

Nos. 14303 19307 916 8551 2671

10787 18645 1903 3305 5939 11521

7032 5304 17930 19179 13351 1111

14365 5740 7564.

39 prizes of 15 dollars

Tickets drawn this day 200. Gain this day 490 dollars—Total gain next 480 dollars.

Adjourned till Saturday next at 10 o'clock, at C. J. Myer's tavern.

1600 tickets are now drawn—

The first blank draw after 2000, is entitled to 500 dollars.

All's not lost that's in danger.—[We had a sort of a presentiment that we should soon hear more of the French frigate, which in our last, we stated to have come down the Bay, with the intention of going quietly home. She would have done so, but that wicked wigm., CAPTAIN HOBHAM, neither disposed to keep the peace himself nor suffer it to be preserved by others, with a most uncivil design, and with malice aforethought, placed himself directly in the path along which Monsieur wished to proceed in a decent, orderly, and inoffensive manner. Eh bien! dans un pareil embarras que doit faire Monsieur La Brosse? In such a predicament what ought M. La Brosse to do? Why, like a good christian, who did not wish to violate the sabbath, nor to break through the sixth ordinance, of the catalogue, he came to anchor off Crump's Hill: where he now is safe and snug.—The Lord High Admiral with his lady, we are well assured were on board. They slept at Hampton on Monday night. One report is that they have both returned to Baltimore; another that they are still at Hampton; and a third that she had returned to her father, and that he has re-embarked in the frigate; the captain of which is resolved to go out immediately and chastise the insolence of the English B. . . . Here now, we have a beginning and a middle, and to make the line complete we want only a catastrophe or end. We hope Captain Hobham will not be in a haste to stroke his colours; we expect yet to have two or three paragraphs out of the business, which in the present dearth of news would be of great consequence to our interests; this expectation would be defeated by a precipitate surrender. [Norfolk Gaz.]

The Pilot boats left the British frigate La Revolucionaire, of 40 guns, Captain Hobham, at anchor on the tail of the Middle Ground; the Imperial Frigate Le President, of 44 guns, Captain La Brosse, in Lynnhaven. Captain Hobham discovered the Frenchman about one o'clock P. M. on Sunday, coming down the bay; the flood having just m.d., and there being but little wind, both ships came to anchor; on the first of the ebb the British frigate got under weigh, and took her position off the Cape. About five o'clock this morning firing was heard in that direction. The French may have resolved to go out; and there is no Hell Gate through which to escape, as through a back door out of the Chesapeake.

JUDGE CHASE—On Friday last, in the house of representatives of the United States, the committee, which had been appointed to consider and report upon the case of Mr. Chase, presented the following report, which was referred to a committee of the whole house, and was to have been taken up yesterday:—

REPORT

Articles exhibited by the house of representatives of the United States in the name of themselves and of all the people of the United States, against Samuel Chase, one of the associate justices of the Supreme court of the United States, in maintenance and support of their impeachment against him, for high crimes and misdemeanors.

ARTICLE I.

That, unmindful of the solemn duties of his office, and contrary to the sacred obligation by which he stood bound to discharge them "faithfully and impartially, and without respect to persons," the said Samuel Chase, on the trial of John Fries charged with high treason, before the circuit court of the United States, held for the district of Pennsylvania, in the city of Philadelphia, during the months of April and May, one thousand eight hundred, whereas the said Samuel Chase presided, did in his judicial capaci-

ty, conduct himself in a manner highly arbitrary, oppressive and unjust viz:—

1. In delivering an opinion, in writing, on the question of law, on the construction of which the defence of the accused materially depended, tending to prejudice the minds of the jury against the said John Fries, the prisoner, before counsel had been heard in his defence:

2. In restricting the counsel for the said Fries from recurring to such English authorities as they believed applicable, or from citing certain statutes of the United States, which they deemed illustrative of the positions, upon which they intended to rest the defence of their client:

3. In debarring the prisoner from his constitutional privilege of addressing the jury (through his counsel) on the law, as well as on the fact, which was to determine his guilt, or innocence and at the same time endeavouring to wrest from the jury their indisputable right to hear argument, and determine upon the question of law, as well as the question of fact, involved in the verdict which they were required to give:

In consequence of which irregular conduct of the said Samuel Chase, as dangerous to our liberties, as it is novel to our laws and usages, the said John Fries was deprived of the right secured to him by the 8th article amendatory of the constitution, and was condemned to death without having been heard, by counsel, in his defence, to the disgrace of the character of the American Bench, in manifest violation of law and justice, and in open contempt of the rights of juries, on which, ultimately rest the liberty and safety of the American people.

ARTICLE II.

That, prompted by a similar spirit of persecution and injustice, at a circuit court of the United States, held at Richmond, in the month of May, one thousand eight hundred, for the district of Virginia, where the said Samuel Chase presided, and before whom a certain James Thompson Callender was arraigned for a libel on John Adams, then president of the United States, the said Samuel Chase, with intent to oppress and procure the conviction of the said Callender, did over-rule the objection of John Bisset, one of the jury, who wished to be excused from serving on the said trial, because he had made up his mind, as to the publication from which the words, charged to be libellous, in the indictment, were extracted; and the said Bisset was accordingly sworn and did serve on the jury, by whose verdict the prisoner was subsequently convicted.

ARTICLE III.

That, with intent to oppress and procure the conviction of the prisoner, the evidence of John Taylor, a material witness on behalf of the aforesaid Callender, was not permitted by the said Samuel Chase to be given in, on pretence that the said witness could not prove the truth of the whole of one of the charges, contained in the indictment, although the said charge embraced more than one fact.

ARTICLE IV.

That the conduct of the said Samuel Chase was marked during the whole course of the said trial, by manifest injustice, partiality and intemperance: viz.

1. In compelling the prisoner's counsel to reduce to writing, and submit to the inspection of the court, for their admission, or rejection, all questions which the said counsel meant to propound to the above named John Taylor, the witness:

2. In refusing to postpone the trial although an affidavit was regularly filed, stating the absence of material witnesses on behalf of the accused; and although it was manifest, that, with the utmost diligence, the attendance of such witnesses could not have been procured, at that term.

3. In the use of unfeeling, rude and contemptuous expressions towards the prisoner's counsel; and in falsely insinuating that they wished to excite the public tears and indignation, and to produce that infubordination to law, which the conduct of the judge did, at the same time, manifestly tend:

4. In repeated and vexatious interruptions of the said counsel, on the part of the said judge, which, at length, induced them to abandon their cause and their client, who was thereupon convicted and condemned to fine and imprisonment.

5. In an indecent solicitude, manifested by the said Samuel Chase, for the conviction of the accused, unbecoming even a public prosecutor, but highly disgraceful to the character of a judge as it was subversive of justice.

ARTICLE V.

And whereas it is provided by the act of Congress, passed on the 24th day of September, 1789, intitled "An act to establish the judicial courts of the United States," that for any crime, or offence, against the United States, the offender may be arrested, imprisoned, or bailed, agreeably to the usual mode of process in the state where such offender may be found; and whereas it is provided by the laws of Virginia, that, upon presentment by any grand jury of an offence not capital, the court shall order the clerk to issue a summons against the person, or persons offending, to appear & answer such presentment at the next court; yet the said Samuel Chase did, at the court aforesaid, award a capias against the body of the said James Thompson Callender, indicted for an offence not capital; whereupon the said Callender was arrested, and committed to close custody, contrary to law in that case made and provided;