Los Angeles Daily Herald.

VOLUME I. LOS ANGELES, FRIDAY MORNING, NOVEMBER 21, 1873. NUMBER 44.

Los Angeles Herald.

Is Published every morning except Monday, by

THE HERALD PRINTING COMPANY,

OFFICE—Herald Steam Book and Job Printing House, Spring street, opposite the Court House.

TERMS:

Per annum, by mail or express.....$10
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Three months " " 3
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AN ESSAY ON ELEMENTARY LAW IN SCHOOL.

Read by Robert M. Furlong before the Teachers' Association.

The subject which I have selected for essay, is one that cannot be wholly unfamiliar to any of you. Yet it is a topic that I never heard discussed; never have listened to in form of an essay; never have seen a disseration upon, except in the works of writers on jurisprudence.

Perhaps I should offer an apology for advancing a theory which many will pronounce impracticable, but, begging leave to differ in opinions with those who will thus consider it, I will simply state my ideas on the subject at the risk of being termed a wild and impracticable theorist.

In the brief space allowed for an essay it is impossible to be so compresive as to include all the means by which any certain end can be attained, therefore, I shall not expect to enter into all the minutiæ of the subject by particularizing or showing the precise manner in which a course of law studies should be conducted in the school room, but will confine myself more to the advocacy of the study of that science as a study of practical importance and of the highest utility.

The introductton of the study of elementary law in the public schools merits the attention of educators, and it deserves also the consideration of those who have a supervisory control over and who legislate for the common schools of our country. More particularly the former because it is for the educator, the practical teacher, to originate and advance new theories on educational matters and present them for the consideration of the law makers. But this cannot be considered as a new subject, or a new theory. The Romans learned the utility of having law studied in the common schools, many centuries ago. Cicero informs us the very boys were obliged to learn the twelve tables by heart, as a *carmen necessarium* or indispensible lesson to imprint on their tender minds an early knowledge of the laws and constitution of their country. However, we of the present age do not profit by their experience, but entirely dispense with the study of law in educational institutions and universities, which is all the country affords. I will take up the topic here by asking why is this? Some one will reply by saying, "there is no necessity for it, and will speak of its unutility; another will say that it is impracticable. Let us examine these objections separately and see how well tne points are taken.

First, then as to a necessity for it. It is a duty; upon this point I will dwell at some length.

Every person considered either as an individual, or a member of society, owes certain duties both to himself and the government under which he lives. The performance of these duties is essential to the happiness of the individual and the well-being of society. Through their non-performance the delinquent suffers, and society suffers also, from the injury resulting to its member. The duty he owes to himself is to know himself; to study his own organization, his own being, to learn its requirements, and knowing them, to follow the rules that nature has designed for his guidance.

It is for the educator to point out these duties and and teach a proper observance of them. Ample provisions for this are made in the course of studies adopted by our Boards of Education. The pupil is required to study the anatomy of the human system, and thus learning the organic structure of his own body—learns the physiological function of each particular organ, then the hygienic laws upon which his physical health and consequent happiness depend. This is a wise provision in our school regulations, for Anatomy, Phsiology and Hygiene deservedly rank among the first of the sciences that should be taught, even in a rudimentary education.

We thus see that the heads of our educational systems wisely consider it as indispesible to an education, and as one of the duties which every person owes to himself and his species, that he be conversant with that science which treats of his physical welfare, and to those natural laws which he is subject as an individual human being. They should also consider it as indispensible that he be familiar with those laws to which he is subject as a member of society, and that he have a competent knowledge in tnat science which Sir. William Blackstone has said "is the guardian of his natural rights and the rule of his civil conduct."

To have such a knowledge is a duty that every citizen owes to his country, and the duties that a citizen owes his country should be held paramount to all others excepting only the sacred duty he owes his Creator. For how can he have proper respect for his government or its laws,—how can he revere its institutions, or be imbued with a true spirit of patriotism when he is ignorant of the fundamental doctrines upon which that government, its laws and institutions are based? In a Republic, such as our own country, it is peculiarly necessary that all should possess a knowledge of the elements of law, for here the people themselves are the law-makers, and how are they to frame equitable rules of conduct if unfamiliar with those great principles of Right and Wrong, of Reason and Justice, upon which all just legislation is founded? It is true, many of the legislators who represent the people in different State assemblies *do* possess legal learning sufficient to enable them to perform their work, but it is safe to say that a majority *do not*, but have to depend solely upon the interpretation of a law as given by the others, or else remain in ignorance of it. Hence it is that we find our legislative bodies ruled by a few individuals, while the great mass of the would be Solons who claim to represent the people are wholly incompetent to perform the work in which they engage. They are mere balloting machines which, under the management of skilled partizan leaders vote "aye" or "no" as the operators dictate. And those *operators*, those *leaders*—heads of cliques in legislative assemblies are not always *honest* men. Hence it is we have so much unwholesome legislation.

The press and people throughout the country denouuce our law-makers as a class of corruptionists, dishonest men, these imputations are in a great measure unjust; the majority of our legislators are honest men, so far as the general sense of that term goes. The people endeavor to select men of integrity to represent them. And many of those representatives enter the halls of legislation with the best of intentions, expecting to faithfully carry out the wishes of the people. But let us see them once there; they are perhaps learned men, familiar with books, posted in the current news of the day, skilled in the arts and sciences, familiar with all, save that one science, the work in which they are about to engage, of it they perhaps know little or nothing, in all probability they never had an opportunity of learning. *The schools did not afford them one.* Yet being clothed with power, they engage in the great work of repealing or amending old laws, and enacting new laws which they perhaps have never before read! But they find men there who are skilled in political science, who have made it a special study: Corporation agents and Representatives of monopolies, who by their superior skill become leaders, and to whom the others must submit, becoming mere tools in their hands, and unwittingly working against their own convictions. Through the chicanery and cunning devices of these political sharps our honest, but unskilled representative is outwitted at every point, like a back-woods farmer among the sharps of a great city. From this it must be apparent to all that the corrupt and unjust legislation which the people so bitterly complain of, is the result *not* so much of *bribery* and *fraud*, as of incompetency on the part of Representatives. But how is this to be remedied? and is it not time it were remedied? that this defect in the education of our legislators were supplied? Is there not a necessity for it? certainly there is, and it were an easy matter to show from the present political aspect of the country, that there is an *imperative necessity* for it. But what is the remedy? I propose the universal panacea for all such intellectual defects, and for all bad government,—*educate—educate*! Let the youth of the land be taught the elements of law; let them be instructed in the science of government; let them at least learn thoroughly the constitution of their country, and the State in which they live. They will thus acquire a taste for law studies which can be cultivated in after years. As they advance in life they will read works on political economy, on legislative science, and legal enactments; more than this they will take a deep interest in the laws by which they are governed and endeavor to become familiar with them. Thus will the masses become learned in a science that so intimately concerns their happiness as individuals, and their welfare as a people—as a nation; thus they will see their needs and know how to provide for them by appropriate legislation; thus at least they will be enabled to obtain enough competent men to creditably represent them in legislative assemblages, and to faithfully execute the laws when enacted. But where is this to be taught, or if not taught, how is it to be learned? Will people learn it by intuition? No! the science of law requires much study, and able instructors also to expound it. The public schools are the universal institutions of learning in this country, in them are the masses educated, let law be studied and taught there, step by step as are the other sciences. Says a celebrated writer on political science, "It is perfectly amazing that there should be no other state of life, no other occupation, art or science, in which some method of instruction is not looked upon as requisite, except only the science of legislation, the noblest and most difficult of any. Apprenticeships are held necessary to almost every art commercial or mechanical: a long course of reading and study must form the divine, the physician, and the practical professor of the laws: but every man thinks himself born a legislator." The same author says again: "How unbecoming must it appear in a member of the legislature to vote for a new law, when he is utterly ignorant of the old! What kind of interpretation can he be enabled to give who is a stranger to the text upon which he comments?"

Concluded To-morrow.

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She may now be considered thoroughly familiar with the theory and philosophy, as well as with the application of these two tongues; and she may safely be recommended as a candidate of great promise, for teaching the French and Spanish languages.
P. FIODA, Prof. Modern Languages.

UNIVERSITY OF CALIFORNIA.
Josephine Lindley has been declared by the Faculty entitled to this Certificate of Proficiency in the departments of Geology and Natural History, (Botany and Physical Geology,) Belles Lettres, (English Literature, History, Ancient and Modern,) Chemistry, Modern Languages, (French and Spanish.)
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LESSONS IN THE FRENCH and Spanish languages will be given to classes or in private, commencing on
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Private lessons.....$ 1 00 each
Twenty lessons..... 15 00
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ON AND AFTER NOV. 1, 1873, trains will run as follows, leaving
WILMINGTON—7:45 A. M. and 1 P. M.
LOS ANGELES—10 A. M. and 3:45 P. M.
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☞ First-class passenger cars will run regularly.
No Charge for Storage to Merchants in the Country.
JOHN MILNER, Agent at Los Angeles.
oc2tf E. E. HEWITT, Supt.

PACIFIC MAIL STEAMSHIP CO.
SCHEDULE FOR NOVEMBER, 1873.
THE STEAMERS
Mohongo & Orizaba
For Santa Barbara, San Pedro, Anaheim Landing and San Diego.
STEAMER ORIZABA, CAPT. H. J. JOHNSTON,

Leaves San Francisco.	Arrives San Pedro.	Leaves San Pedro.	Arrives San Francisco.
Nov.....1	Nov.....3	Nov.....6	Nov.....8
Nov.....13	Nov.....15	Nov.....18	Nov.....20
Nov.....25	Nov.....27	Nov.....30	Dec.....2

STEAMER MOHONGO, CAPT. G. H. DOUGLASS,

Nov.....7	Nov.....9	Nov.....12	Nov.....14
Nov.....19	Nov.....21	Nov.....24	Nov.....26
Dec.....1	Dec.....3	Dec.....6	Dec.....8

The Mohongo will call at San Simeon and San Luis Obispo.
STEAMER GIPSY,
For San Diego and all way ports, carrying OILS, ACIDS, POWDER, etc., not allowed to be carried on passenger steamers, will leave San Francisco November 29th.
Freight on OILS, to San Pedro, 50 cents per case.
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Steamers leave San Francisco November 4th and 19th. All call at Mazatlan, Manzanillo and Acapulco, and all except steamer of November 4th, at San Diego.
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Steamers leave San Francisco November 1st and 15th.
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To New York, steerage..... 50
To San Francisco, cabin..... 15
To San Francisco, steerage..... 8
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oc28

PELICAN SALOON,
Spring Street, opposite the Post Office.
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The CHOICEST WINES, LIQUORS AND CIGARS always on hand. no2-1m

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