# BALTIMORE.

## Its Contracts with Chicago.

## The Manner in Which Business Is Done in the Monumental City.

## How Its Ladies Dress---Its Hotels, Newspapers, Etc.

### The Mutual Gain to Be Derived from More Intimate Relations Between Baltimore and Chicago.

*Special Correspondence of The Chicago Tribune.*
BALTIMORE, Nov. 20, 1874.

There is probably no city of equal size on the American Continent of which the people of Chicago and the Northwest are so ignorant as they are of Baltimore. We are familiar with Baltimore oysters and Baltimore pianos, and some of our grocers have found it the cheapest market in which to buy coffee, sugar, syrups, and canned fruits; but the mass of our people know little more of it.

The opening of the Baltimore & Ohio Railroad seems a fit occasion for

A BETTER ACQUAINTANCE

and more intimate relations. In this event the Monumental City extends to us both hands, and invites us to "shake;" and, since pleasure and profit alike prompt the cordial acceptance of the invitation, by all means let us do so. Some days ago I left Chicago to study Baltimore and its prospective trade-relations with the great Northwest, and now hasten to report my impressions.

A glance at the map shows Baltimore's location at the head of the Chesapeake Bay, an arm of the sea thrust inland, as if grasping for the trade of the Continent. Its site is diversified by a great variety of eminences. In the multiplicity of its brick structures it resembles Philadelphia; but it has a larger proportion of ornate marble or iron structures, which impart to it an air of greater architectural elegance, and its monuments have made it famous. The general impression made, both by the city and its people, is that of stability united with refinement and good taste.

IT CONTRASTS WITH CHICAGO

in being a hundred years older and about a hundred times as modest. It is impossible for me to convey to the reader all that is implied in this contrast; but the following are a few of the ways in which it expresses itself:

With three-fourths of the population of Chicago, it has *in its banks, and in the hands of individuals, twice as much loanable capital.* The bank-rate of interest is 6 per cent; the street rate from 6% to 10,—the whole averaging not over 8 per cent. Instead of bank-counters that cost $100 a lineal foot, you see here such as cost $10, perhaps not over $5. The Chicago bank-parlor is fitted up with elegant Brussels or Axminster carpets, and other furniture to match. The Baltimore bank-parlor has a bare, common pine floor, and chairs, table, desk, and gas-fixtures, that, in some instances, might sell at auction for $60. One of the richest wholesale grocery-houses in Baltimore, which does a yearly business of $2,500,000, pays a store-rent of $2,500 a year, $1,500 a year for head-bookkeeper, and other help in proportion. Such a firm in Chicago would pay four times as much for rent, and nearly four times as much for clerk-hire.

The contrast is not so great in the furniture of private houses; but, in Baltimore, elegance expresses itself in durable textures, solid construction, and an utter absence of flashy colors.

IN LADIES' DRESSES

this difference is still more pronounced. In Chicago, the typical street-dress architecture is too often a gros-grain silk, with a foundation of mud, thirteen stories of flounces, cornices of point-lace, surmounted by a gorgeous Mansard roof, and streamers of the most stunning colors. I cannot too highly commend the good sense here displayed by the ladies in their street and church costumes. With plain dresses of durable texture, neat and trim, and an utter absence of bright colors, except, perhaps, a timid bow at the throat, the Baltimore ladies, long celebrated *for their beauty and high breeding,* present a tout ensemble quite enthralling to the masculine heart. I have not attended an opera or a full-dress party, but ladies who can thus sensibly dress for church and street can be trusted to make themselves charming anywhere.

IN HOTELS,

if I may judge from the one where I stop, the contrast is decidedly in favor of Chicago. With low rents, and every facility for good living at cheap rates, I am charged in Baltimore $4 a day for accommodations that abound in Chicago at $2.50,—in other words, first-class prices for third-rate accommodations. Within a few squares of the hotel-table where I cannot obtain the simple luxury of a raw oyster, 500,000 cans of the finest bivalves in the world are daily packed and shipped to all parts of the globe. When will hotels learn to furnish their guests with the cheap luxuries of their respective localities?

THE DAILY PAPERS

of the city are a fair reflex of the people themselves. Dignified, sedate, scorning sensationalism and exaggeration, they lack the vim, the enthusiasm, and the enterprise, of their Chicago confreres. They are much too modest in speaking of their own city. They do not seem to realize its commercial advantages, and do not comprehend the vast wealth which the great Northwest, just tapped by the Baltimore & Ohio Railroad, is ready to pour into her coffers. One of the few leading merchants of Baltimore who have visited Chicago and studied the sources of its greatness, expressed to me his admiration and wonder at the ability and enterprise displayed by its leading journals, and gave it as his opinion that they were among the most important causes of Chicago's growth and power. *He added, as his deliberate conviction,* that what Baltimore most needed was a paper like THE CHICAGO TRIBUNE. I entirely agreed with him.

In the treatment of

ITS REAL ESTATE,

Baltimore is peculiar. Its slow and uniform *growth* has led to a very *general system* of leasing land for "ninety-nine years, renewable forever," at an annual ground-rent of 6 per cent. on its market value at the date of the lease. For example, a common laborer, or mechanic, who can command money enough to build a house, *instead of buying a lot upon which to build,* leases it. If the lot be worth $1,000, he pays annually forever a ground-rent of $60. If he builds a house that costs him $1,600, as money here is 6 per cent, this makes his house-rent practically only $120 a year. This is, in effect, to loan him forever the value of the lot at 6 per cent. If the *lot advances* in value he has the benefit of it, since, if he wishes to sell, he disposes of his house at its market value, and the ground-lease at *its enhanced price.* This encourages men of small means to live in their own houses. As a consequence, there are no tenement-houses, actual rents are comparatively unknown, and a larger *proportion* of the people own their houses than perhaps in any other city in the world. This secures a staid, *thrifty population,* and, with a mild climate, cheap fuel, cheap food, and cheap clothing, gives Baltimore a great advantage as a manufacturing city.

From the contrasts already noted it will be seen that Baltimore and Chicago have

MUCH TO GAIN

*from a more intimate acquaintance* with each other. Each can supply the other with what it most lacks. We might infect her with some of *our dash, enthusiasm, and enterprise,* and get, in return, more sensible and economical modes of living and doing business. But it, in this mercenary age, the kind of exchange be not *sufficiently prized, it remains to consider* some of the ways in which each may put tangible money in her purse by establishing more intimate *trade-relations. Chicago and the Northwest* have annually over $200,000,000 worth of produce to sell the Eastern States, Europe, and South America. That Baltimore can handle a large *proportion* of this, will be evident when we look at the facilities for transportation, storage, and transshipment, afforded by the Baltimore & Ohio Railroad, *and the return cargoes* which may be commanded by and through Baltimore, in the way of manufactures, coffee, sugar, and importations from Europe. But, as my letter *is already too long, I must defer this section* of my investigations to another day. K. D.

### Indelible Ink.

The French Stamp Office has just purchased the secret of the composition of an ink absolutely indelible, and which resists the strength of all known reagents. Owing to that discovery, [illegible] be able to put an end to the numerous frauds which are constantly committed to the prejudice of the Treasury, and which consist in restoring to stamped paper, already used, its original purity. The annual loss to the revenue on that head is calculated at 600,000 francs in the Department of the Seine alone. The employment of the indelible ink is about to be imposed on all public officers charged with the drawing up of acts. It will be sold with the stamps at all the shops, and its use will be rendered obligatory by an administrative regulation.

## FISH-CULTURE.

### Report of the United States Fish Commission.

*Washington Correspondence of the New York Tribune.*

The United States Fish Commission, at the conclusion of their summer's work, have returned to this city, and are now engaged in drawing up their annual report. The following facts are a summary of their year's labors:

At the head of the Commission is Prof. S. F. Baird, of the Smithsonian Institute; its Secretary is H. E. Rockwell, of this city. At the head of the naturalists of the Commission was Prof. A. E. Verrill, of Yale College, whose principal subject of investigation is the marine invertebrates. He was assisted by Prof. S. I. Smith and four or five students from the Scientific School of New Haven. Wesleyan University of Middletown, Conn., was represented by Profs. Rice and G. Brown Goode; to the latter was specially intrusted the ichthyological department. Prof. Hyatt, of Boston, assisted by Profs. Saltonstall and Rathbone, represented the Boston Society of Natural History. From Yale, besids those already mentioned, came Prof. D. E. Eaton, with two or three assistants; from Cambridge, D. W. B. Farlow; these two gentlemen gave special attention to collections of *algæ or seaweed.* From Philadelphia, representing the Franklin Institute, came Dr. Joseph Leidy, studying microscopic formations, and Dr. Henry Chapman. The party was, therefore, composed of over twenty scientists, who gave their best time and thought all the warm months in prosecuting "investigations with the view of ascertaining whether any and what diminution in the number of food fishes of the coasts and lakes of the United States has taken place, and, if so, to what causes the same is due; and, also, whether any and what protective, prohibitory, or precautionary measures should be adopted in the premises." To carry out this programme evidently requires a complete zoological, botanical, and physical survey of all the waters of the United States.

It is due to these gentlemen to state that of the whole twenty only two receive salaries or any pay except their actual expenses. The Secretary and the artist are paid by Government out of the appropriation; all the others *give their services to the work of the* Commission, amply repaid by their contributions to science, *and* by the collections of fauna, algæ, etc., that they collect for their several institutions.

The place selected for their headquarters the present year was the pleasant little fishing village of Noank in Connecticut. Situated at the end of Long Island Sound, and looking out on the Atlantic Ocean, midway between New London and Stonington, with a population principally engaged in fishing, it was well suited to the purposes of the Commission. To aid them in their labors the Secretary of the Navy sent the small steamer the Blue Light, Capt. Beardsley, of the Washington Navy-Yard, in command, with a picked crew of eight or nine men. The chief work of the steamer was to carry the party to the scene of their daily labors, and to do the heavy work of dredging and trawling. By this aid of steam, the amount of work done in the season was at least quadrupled. Including the scientific gentlemen, their families, their assistants, the crew of the Blue Light, and the numerous scientists who were often visiting them, about seventy persons were constantly assembled at Noank, studying fishes, their food, their habits, and their habitat.

While investigating the questions concerning *the food fishes of the Atlantic,* great attention has been paid to the food fishes of the lakes and rivers. Under the direction *of Prof. Baird, Mr. Livingston Stone* has been employed on the Macleod River, a branch of the Sacramento, obtaining salmon eggs, of which he secured some 6,000,000. The salmon of the Macleod are a very vigorous fish, growing rapidly, and larger than our Eastern salmon, weighing 20 and 30, and occasionally 50, pounds. This species is especially adapted to the *warmer* waters of the country, and the eggs thus obtained have been distributed in the headwaters of the Susquehanna, Potomac, James, Delaware, and even the Mississippi. They come forward much earlier than those from the colder waters of New *England and Canada, the ova being obtained in* August and September, and the young fishes, fully hatched, intrusted to their future homes in November and December.

Of the 6,000,000 eggs obtained by Mr. Stone, 1,000,000 were restored to their native river, that that source of supply might not be dried up; the other 5,000,000 were distributed in the Middle and Western States; 750,000 were sent to Michigan, and 150,000 to Utah. Half a million were placed in the hatching-house of Mr. Alexander Kent, of Baltimore, to be distributed over Maryland and Virginia, and another large amount to a similar institution at Bloomsburg, N. J. Besides these salmon gathered from Oregon and scattered in the warmer waters of the country, Mr. Charles G. Adkins, of Bucksport, Me., on the Penobscot, has obtained 2,500,000 eggs from that river. These fishes, adapted to the streams of New England and Northern New York, are slower in coming to maturity than the Western fish. They are secured in October and November, and placed in the water in the following February and March. From Maine and Oregon *therefore 7,500,000 salmon eggs have been this* year gathered and distributed in all the rivers of the land that run to the ocean.

But in addition to this, Prof. Baird has succeeded in obtaining eggs of the land-locked salmon of Lake Saber, in Maine. This species of *salmon, though now fresh water, is supposed to* have run up thither from the ocean, but never to have returned. They are a small fish, weighing from 3 to 8 pounds, but very fine eating; 150,000 of these eggs have been secured and distributed among the rivers of New England and Michigan that run into lakes.

*The two principal sources of supply of shad* ova are at Castleton, N. Y., on the Hudson, and Holyoke, Mass., on the Connecticut; and at those two places some 5,000,000 or 6,000,000 eggs have been secured. Salmon eggs are sent across the continent imbedded in moss; but shad are so lively, being hatched in five or six days after they are impregnated, that they can only be distributed as living fishes. Large cans are, therefore, made, holding 10 or 12 gallons of water each, and in each can are deposited 5,000 or 10,000 of the little fishes. These 5,000,000 or 6,000,000 shad have been distributed over New England, New York, Pennsylvania, Illinois, and as far West as Iowa. The Southern States have also received their quota, 50,000 having been for the first time deposited in two streams in Texas; so that three years from this time (it requires three years to bring the shad to full maturity) the shad will be our national fish, and will be caught in every stream in the Union. Some of these shad eggs have been deposited in the tributaries of the Mississippi and of the great lakes. But the latter is an experiment, the shad hitherto having always found his way to salt water. But small shell-fish, of the same species as the shad feeds upon in the bottom of the ocean, having been found in the depths of great lakes, it has been determined to try the experiment of both shad and salmon for lakes.

But it is no experiment to stock rivers running to the sea with food fishes. In 1867 the ova of shad were first carried to the former hatching places in the head waters of the Connecticut. During the three years required for their growth, the Connecticut was so empty of fish that the fisheries of the lower part of the river were wholly abandoned. But in 1870 large schools began to pass up the river, and they have continued to grow in numbers and in weight till this year, when in the height of the season shad were sold on the spot where they were caught at $3 per 100. Streams in Southern Massachusetts have been restocked with alewives, so that 100 tons of fish-food are now taken from streams that six years ago were without a fish; and the supply of this fish in the streams has restocked the mouths of the rivers and the shores with larger and more nutritious fish, attracted thither by the plenteousness of their favorite bait.

It is an interesting fact, developed by these investigations, that the fish, when too young to take care of itself, is best cared for by man, but that when instinct is once fully developed, nature is better than man. The impregnation of the egg is much better secured by artificial means than when left to the fishes themselves; but, when hatched, nature takes better care than man. A few years ago the young fish was carefully cooped up, fattened, and intrusted to himself only when fully started in life. The consequence was that when once left free in his native waters he became the prey of his numerous enemies, against which he had no instinctive resources. But when the young of any fish, first loosened from the yolk-bag, finds itself alone in its native waters, it at once sinks to the bottom, where its color renders it undistinguishable from the sand by which it is surrounded. As it grows up it learns self-preservation by flight, so that the proportion of survivors is found to be larger under the let-alone principle than under man's most careful tuition.

## ARKANSAS.

### The Question as to the New Constitution of That State.

### Was the Action of the Legislature "Without Authority and Wholly Irregular"?

### Letter from Judge Jameson in Reply to the Views of Judge Poland.

*To the Editor of The Chicago Tribune:*

SIR: I have not so far kept pace with events as to be familiar with the grounds of controversy between the factions now troubling Arkansas, and, through her, the Nation; but I will assume the following extract from your issue of Friday last to contain one of the most substantial of those grounds, and will ask your indulgence for a few comments upon it.

It is from a dispatch of a correspondent at St. Louis, in which he cites the rumors there current in relation to Smith and Garland; and he adds to them the following:

Judge Poland asserts that, although both Baxter and Brooks have disappeared from the political arena, yet the question now at issue is: Which of them was elected Governor in 1872? The new Constitution, Judge Poland says, was conceived and adopted in a very irregular manner. The old Constitution provided for amendments only, and prescribed the method for their adoption. No power was delegated to the General Assembly of the State to submit the question to the people whether or not they would hold a Constitutional Convention. Thus it appears that the action of the Arkansas Legislature in the premises was without authority and wholly irregular. A parallel case to this Mr. Poland finds in the celebrated Dorr Rebellion in Rhode Island a quarter of a century ago. The hopes and ambition of Smith rest upon the *illegality of this Constitution.*

I understand from the tenor of this dispatch that the theory attributed to Judge Poland represents the view of the Republicans; and that the opposite theory, that the Convention in question was a valid body, represents that of the Democrats! The point at issue is one of considerable importance. It is, indeed, far more important that it should be rightly decided than that either party should succeed in holding the Government of Arkansas. In truth, it would be better for the country that the Republican and Democratic parties both should be wiped out of existence than that any material question relating to the powers of Constitutional Conventions should be decided wrongly. By a somewhat careful study of this question, I am convinced that the theory announced by your correspondent as that of Judge Poland and of the Republican party, is wrong, and would lead to the most fatal results.

The first point is, whether a Legislature has *power to call a Convention to amend the Constitution,* when the power to do so has not been specifically given to it by that instrument, but when the power has been given to it to propose specific amendments to the Constitution, to be voted upon by the people; which last was, in all respects, the case with the Constitution of Arkansas existing at the time its last Convention was called.

The history of this power of making specific amendments to Constitutions, at the suggestion of our Legislatures, shows very clearly that it was intended to be exercised only when few and slight amendments were desired, and never where a general revision of Constitutions was intended. It is a fact that no attempt to revise an entire Constitution by the action of the Legislature submitting amendments to the people, was ever made until the late cases of Michigan and New York; and that both of those attempts were failures,—the people of Michigan rejecting the whole, and those of New York a large part, of the amendments proposed by their respective *Legislatures. This, to me, is not* a matter of surprise, since, although, in both cases, the new Constitutions were severally framed, in the first instance by a Legislative "Commission," made up of the best men of both parties. They were submitted to the revision of the Legislature itself, made up—unless better constituted than the average of our Legislatures—of the worst men of both parties. When submitted by the Legislatures to the people to be passed upon finally, the chances were that they had been deprived by the Legislature of some of their most valuable provisions, or had had injected into them others that were distasteful *to the people, as partisan or unjust.* What could not be done in New York and Michigan, with the assistance of the able and patriotic men constituting the Commissions, we could hardly expect to be done in other States which should adhere strictly to their Con*stitutions, and attempt to do the work of fully* revising those instruments, not by a Commission chosen from the State at large, but by a Committee of members of the Legislature, generally ignorant of constitutional law, and always devoted to party.

Judge Poland is said to have declared that the *action of the Arkansas Legislature in calling a* Convention to revise the Constitution, under the circumstances stated, was "wholly irregular." By this I suppose he meant that it was so far *unprecedented* that the rule *he contends for is* substantially without exception. On the contrary, there are numerous and weighty exceptions; so much so that I think it established, in the public law of the United States, that it is always in the power of a Legislature to call a Convention, whenever it *may deem it necessary or expedient to do so,* with a view either to amend or remodel the Constitution. The only exception would be, where the existing Constitution should, in express terms, have prohibited the exercise of such a power. If so unwise a prohibition were to be inserted in a Constitution, it seems very clear that *no Legislature organized under it could call a* Convention without being guilty of an act of revolution.

Let us now look at the precedents touching this point. There have been at least twenty-six cases, including that of Arkansas, in which Legislative Bodies have called Conventions, *where the Constitutions then in force contained* no provision authorizing such action. These cases extended all the way from 1789 to 1872. The Conventions were those of Georgia, Jan. 7, 1789, May 7, 1789, and 1838; South Carolina, 1790; New Hampshire, 1791; New York, 1801, 1821, and 1846; Connecticut 1818; Massachusetts, 1820 and 1853; Rhode Island, 1824, 1834, 1841, and 1842, held under the Charter Government; Virginia, 1829, 1850, and 1864; North Carolina, 1835; Pennsylvania, 1837; New Jersey, 1844; Missouri, 1845, 1861, and 1865; and Indiana, 1850. In regard to the last Convention, it should be observed that, although there was contained in the Indiana Constitution of 1816 power to the Legislature to call a Convention every twelfth year thereafter,—that in, in 1828, 1840, 1852, etc.,—the power was not pursued, but a Convention was called independently *of it,* by an act approved Jan. 18, 1850, which met on the 3d of June following.

It is true that, in three or four of these Conventions,—as in that of Virginia, 1829; of Pennsylvania, 1837; of New York, 1846; and of Massachusetts, 1853,—the same objection stated by Judge Poland was raised and discussed. The objection, however, was commonly urged by a minority, whose party or other interests inclined them to look with disfavor upon any change of the existing Constitution. In a large proportion of these cases, the same objection was made as in the Arkansas case: that there existed Constitutional provisions for effecting amendments to the organic law in a more summary manner, by a vote of the people upon propositions made by the General Assembly. There having been provided, it was said, a mode in which amendments to the Constitution might be effected, it was a violation of legal analogy to infer a power to do substantially the same thing in another way, not authorized especially by the Constitution,—the well-established rule being, it was said, that *expressio unius est exclusio alterius.* But, to this reasoning, two answers may be made:

*First*—That the revision of the whole, or of a large part, of a Constitution is substantially a different thing from the proposal of slight and not numerous amendments to it; and that there is no violation of legal analogy when the Constitution provides for doing one thing in a certain way, to infer from that instrument a power to do a different thing in a different way, although not specifically authorized by the Constitution, especially if the power inferred be in harmony with the spirit of our institutions, and in conformity with the general practice of these States in similar cases.

*Secondly*—It has been denied by good legal authority—and, as I think, not without sound reason—that the maxim above cited, *Expressio unius,* etc., is applicable to the construction of fundamental laws. Barto vs. Himrod, 4 Selden's R., 483 (493), per Willard, J. See also Broom's *Legal Maxims,* pp. 540, 541; also, Jameson's *Constitutional Convention,* Sec. 219, 390-397.

It may be stated, further, upon this point, that, in nearly all of the twenty-six cases above mentioned, including that of Arkansas, the Constitutions framed by the Conventions thus called were either adopted by a vote of the people, or, when not submitted to the people, were ratified by their acquiescence in them, notwithstanding the mode in which the Conventions were called.

Another point upon which I wish to touch is, that Judge Poland finds in the celebrated Dorr rebellion, a quarter of a century ago, a parallel case to this in Arkansas. It is difficult to conceive that so eminent a Judge should have so far forgotten the facts in the Rhode Island case, which are fully and clearly set forth in the case of Luther vs. Martin, reported in 7 Howard's U. S. R., page 1, as to make such an assertion. That case, in short, was one in which much of the male citizens of Rhode Island, *of 21 years of age and* upwards, as, by the then existing charter of the State, had no right to vote, conceiving themselves to be a majority of all the male citizens in the State of that age, called a Convention without any legal authority whatever, which framed and submitted to the whole people of Rhode Island, being males, 21 years of age, a new Constitution. It was adopted by a majority of all the people to whom it was submitted, including a majority, as was claimed, of the legal voters; and an attempt was made by force to establish a State Government under it, with Thomas W. Dorr as Governor. The Charter Government resisted, called upon President Tyler for assistance, and, assistance being promised, the so-called rebellion subsided. *Finally* the whole question was carried to the Supreme Court of the United States, by appeal from the Circuit Court of Rhode Island, and the Court decided that such a mode of amending a State Constitution, by the action of persons who were not voters, was illegal. From this recital it is evident that Judge Poland no longer *recollected, if he ever knew,* the facts of the Rhode Island case, when he pronounced it parallel to that in Arkansas.

I have predicted fatal results to follow the *establishment* of the theory of Judge Poland. By that I mean that the construction given by him to the Arkansas Constitution, if applied to that and other Constitutions containing the same provision, of which there are many in the United States, would prevent them from making *any amendment whatever to their Constitutions,* except by the act of their Legislatures submitting propositions to the people. In nearly every one of these provisions, it is required, that an amendment shall become valid only after it *shall have* been acted upon favorably by two successive Legislatures, and then be *adopted by a vote of the people,*—a process which could never be consummated in less than two years, and might extend to four or five years, unless *special sessions, or special elections,* or both, were held. Thus, as no Convention could be called until the Constitution should have been amended, it would follow that, in important crises, as of rebellion or foreign war, the people of such States would be utterly powerless to make such constitutional changes, within the time required, as were necessary to save them from great loss or utter ruin. By a Convention, on the other hand, such changes could be brought about in a few weeks. JOHN A. JAMESON.

CHICAGO, Nov. 24, 1874.

## PROF. SEYMOUR'S CASE.

### Letter of William Welsh, Esq., to *Bishop Stevens.*

*From the Philadelphia Telegraph.*

William Welsh has addressed a letter to Bishop Stevens on the Seymour case, of which the following are the most important passages:

I have received and carefully examined the Rev. Dr. Seymour's pamphlet entitled "The Issue of Fact."

*I quote from it these statements:* "*It is not true* that Bishop Coxe obtained his version of the matter when he was in a Seminary as a visitor of the same in the spring of 1873, for at that visitation, the moment the fact of Father Grafton's lectures was mentioned, I stated to him, in terms too strong and clear to permit the possibility of mistake, that those letters were *delivered without my knowledge or consent,* and that, if I had known of them in time, I should certainly have prohibited them." Bishop Coxe, in his letter to me, dated Oct. 21, 1874, said: "When I expressed my surprise to Dr. Seymour that a volunteer Professor had been introduced by him within the walls of the Seminary, he defended himself on the general ground that 'the person was a presbyter of the Church.'"

I have the deliberately-written statements of two Professors of the General Theological Seminary, made over their own signatures, and dated New York, Nov. 2, 1874. One of them has given a full and minute description of Prof. Seymour's conduct in relation to Mr. Grafton's visit, and I make the following extracts from his letter in my possession:

"I do remember that Bishop Coxe, on that occasion, denying the propriety of admitting any clergyman without due authorization to instruct the students, said, 'Why, even you, Bishop of the Church, would deem that I should be violating the proprieties of the case if I should meet and instruct students in the Seminary without such due authorization,' or words to that effect;" again, "I took occasion, shortly after receiving the information, to say to the Rev. George F. Seymour, D. D., acting Dean of the Seminary, that I had been informed that Mr. Grafton had so visited and instructed the students." "He then replied by maintaining his right and his purpose, when occasions were given, to admit any ordained and recognized clergyman who might wish to visit the students, and whom the students might wish to see." "He also said that they should have free access in the Seminary building without regard to the theological position or views of the clergymen in question." "From the whole tenor of the conversation it was apparent that the acting Dean had known of Mr. Grafton's presence at the Seminary and of his visiting the students, and he expressly stated that Mr. Grafton, while here, had called at his house in the Seminary building, and that he had seen him and conversed with him there."

Prof. Seymour's assertion, if he can verify it, that he did not give his sanction, or even his silent assent, to the instruction given by the Rev. Mr. Grafton, will place him, in my judgment, in a far worse position than if he had sanctioned it. Men rarely, as in Prof. Seymour's case, attempt to justify themselves for what they neither did nor allowed to be done. After Prof. Seymour learned that a noted leader in a movement that should be termed retrograding Churchmanship had lectured to students in the Seminary on two evenings, on subjects which did not appertain to his own chair, and did belong to other Professors, it was his duty to make diligent inquiry into the full scope of the lectures and instructions, and to bring the students before the Faculty for reproof or expulsion, guarding the Seminary against a repetition of this gross abuse of privilege, and of wrong to the other Professors, who are alone authorized to lecture on some of the important subjects treated of by Mr. Grafton. Insult was added to this injury, for one of the Professors tried in vain to induce Prof. Seymour to realize the injustice done to his department. The Professor prepared a cautionary lecture for the Senior class, showing the wrong done to the institution and the students by encouraging and listening to volunteer lecturers, especially when, as in this case, the latter holds extravagant views of important doctrines and usages not sanctioned by this Church. The Professor prepared his address with care, submitting it to another Professor, and it was read in the House of Deputies at my request.

It will be seen that Prof. Seymour never inquired into the particulars of Mr. Grafton's teachings until after his "confirmation was delivered." Yet he made a positive denial of an unknown fact to Bishop Coxe, from notes taken by one or more of his students. Prof. Seymour now confesses, after reading the notes taken by other students, that Mr. Grafton did teach just what Bishop Coxe asserted, but he failed to state that Mr. Grafton reported the case of a woman cured of lockjaw by receiving the Holy Eucharist.

George Henry Higgins, a presbyter of the Diocese of Illinois, thus swears: "I was invited by the said Mr. H. M. Torbert to meet in his room the Rev. C. C. Grafton, of Boston, who was temporarily in the City of New York, on his way to or from Boston; that I accepted the invitation, and met, besides the Rev. Mr. Grafton, three or four of my fellow-students, whom I knew as the intimate friends of Mr. Torbert. The evening was passed in pleasant general conversation, and, towards its close, a suggestion was made, either by myself or by one of the students present, that, if Mr. Grafton's stay in New York was prolonged over one night, we might be allowed to meet him again the next evening, and that he would tell us something of his experience on by swearing that an event known to every student in the Seminary was unknown to the man whose business it was to know it, shows a low condition, both of intelligence and morals. The Rev. Mr. Grafton does not seem to consider such an oath improper, for he thus wrote to me under date of Nov. 6, and sent a copy of the letter for publication in the next issue of the *Churchman:* 'I have taken my oath that Dr. Seymour did not give me access to the students, or know anything about my having any conference with them.'"

My feelings were ever thoroughly kind towards the Rev. Dr. Seymour, but duty to the General Theological Seminary and this Church should lift us above the restraining influence of sympathy.

On hearing that Dr. Seymour, or his friend, was intending on allowing Seminarians and recent graduates to testify under oath, with a view to the publication of a pamphlet, and believing that it would lead to a public scandal, and eventuate in the forcible separation of Prof. Seymour from the Seminary, I made the following arrangement with the Rev. Dr. Houghton: Prof. Seymour and one or more intelligent lay friends, to be selected by Dr. Houghton, were to meet me at his residence on Wednesday evening, the 4th of November, to examine the testimony in my possession, with the view of bringing out all the facts bearing on Mr. Grafton's visit *to the Seminary.* About a quarter of an hour before the time appointed, I received a note from the Rev. Dr. Houghton, stating that Dr. Seymour declined the interview.

You will thus see, my dear Bishop, that I tried hard to prevent this painful exposure of the conduct of maladministration in the Seminary. If I could have a conference with Bishop Coxe, the exposure would be *more thorough, but I have not had any communication* with him since I left New York, and I do not know where he now is. It is due to him, however, to state that he has said, from the first, "that he had nothing to explain, nothing to corroborate; he had very unwillingly given a simple and brief statement of what he believed to be the fact, and he doubted not every attempt to refute it would bring out much more than ought to be known." I have addressed this letter to you as my diocesan, in the expectation that you will confer with some of your fellow-Bishops, and, if possible, induce Dr. Seymour to resign his Professorship. Yours, very sincerely, WILLIAM WELSH.

—It has been decided that the Grand Trunk Company are to build their new passenger station in Montreal at Bonaventure street, and their freight depot at Point St. Charles. This necessitates the building of a tunnel under the Lachine Canal, at Wellington street, so as to shorten the distance. This the city will probably do, at a cost of $130,000, beside giving the Company considerable land. The Company propose spending nearly $1,000,000 in the improvements in that city.

## STATE EDUCATION.

### Herbert Spencer's Position on State Education.

### President Eliot's Report on a National University.

### Are They Right or Wrong?

MICHIGAN UNIVERSITY, Nov. 23, 1874.

*To the Editor of The Chicago Tribune:*

SIR: Last July, President Eliot, of Harvard, made a report on a National University. This report was made to the National Education Association, then holding its meeting at Elmira, N. Y. We confess to somewhat of a surprise at certain positions therein taken, in reference to State education. We are thoroughly convinced that some of the opinions which Dr. Eliot saw fit to express are unsound, and in direct opposition to American thought on this important subject.

But, before refering further to this report, we desire to examine first Spencer's position on this very question.

SPENCER'S POSITION ON STATE EDUCATION.

Herbert Spencer, in Social Statics, takes the very advanced ground that the State has no right to educate. He arrives at this conclusion in a manner probably very satisfactory to himself, though we doubt whether it will be equally satisfactory to the people.

He says, "Inasmuch as the taking away, by Government, of more of a man's property than is needful for maintaining his rights, is an infringement of his rights, and therefore a reversal of the Government's function toward him; and inasmuch as the taking away of his property to educate his own or other people's children, is not needful for the maintaining of his rights,—the *taking away of his property for such a purpose is wrong,*" and therefore the State has no right to educate.

*Now,* to Mr. Herbert Spencer's sensitively-philosophical mind, this may be very fine and very conclusive. But, with all deference to him, we doubt whether the American people, who have so long reaped the benefits of the Public-School system, will be ready to surrender their preconceived opinions, fall into line, and obey his dictum in respect to this question of whether the State should educate or not.

Mr. Spencer may be right, and the American people too intensely practical to be influenced, by a mere technical "right" and "wrong." They may not have reached as yet that high moral elevation from which the English philosopher and economist takes in his view of Nature and of Government. For our part, we hope they have not reached it and may never reach it. We have no desire to look over into that promised land where his fine-spun theories and so-called logical deductions as to the nature and *rights of Government, shall have a practical ap*plication. We prize too highly life, liberty, and the pursuit of happiness, to throw ourselves into the arms of an ignorant rabble, under the protection of a chaotic State. For we are inclined to believe that

THE AMERICAN PEOPLE ARE RIGHT,

and he wrong, and that his ideas of the nature of Government are radically defective.

We differ with him when he says that education is not necessary to the citizen for the maintenance of his rights. We are sufficiently conservative to believe that education is necessary to a community in order that they may be able to understand fully what their real rights are, and thus be prepared to maintain them. For we *confess that we do not see how the fact is to be* avoided, that it is first necessary to know what your real rights are in order to maintain them, and that the teachings of history show you most clearly what safeguards must be thrown around them for their proper maintenance and protection. That it is not safe, or proper, to leave the question of determining what are the rights of citizens, with the Government *de jure,* is shown by the history of all nations, and the very nature of Government itself. It must be left with the citizens as the Government de facto.

The ignorance of the negro, of the American Indian, of the laity during the Middle Ages, and of many of the Oriental peoples, show conclusively that the ignorance of a people not only invites, but make necessary, the most abject slavery imaginable. This is endured to the point of desperation, and then comes revolution, and their last state is generally worse than their first. *Like Spartacus and the gladiators, they* "take arms against a sea of trouble, and, by opposing, end" themselves.

Mr. Spencer has only to look across the English Channel to discover with what admirable effect an ignorant, priest-ridden, and superstitious people enjoy their rights when they are allowed to exercise them, and how soon *their ability to* maintain them passes away. If that is not enough, let him study the history of Spain during the last 200 years.

*Spencer's argument,*

CARRIED TO ITS FULL, LOGICAL CONCLUSION,

prevents the erection of poor-houses and houses of refuge, the adoption of sanitary regulations, and the paving of public streets. If enforced in practice, it would have prevented the digging of the Erie Canal, and the building the Pacific Road.

Is it too much to say that we doubt if the people are prepared to admit the validity of the argument?

"We hold," says Macaulay, "that whoever has the right to hang has the right to educate," and so hold the great majority of the people of this country. *And the public schools and State* institutions of learning will probably continue to exist, social statics to the contrary notwithstanding!

As soon as the question, whether education is necessary to the citizen for the maintenance of his rights, is settled, the other question, of whether the State *should educate, ought also to* be considered as settled. Michigan University, now a leading institution in the country, has, in its successful career, demonstrated the fact that the State can educate, and successfully.

How far this education should be carried, is another question. It of course remains with the people to determine whether education by Government shall stop with the Public Schools, or be carried forward by State and National institutions. If they shall think that the safety of the citizen and the interests of good government are proportionately increased by an advance in education, it is their duty to see that the necessary opportunities for such an education are within the reach of all.

PRESIDENT ELIOT'S REPORT

deals with the question, and we wish to refer to it, convinced as we are that it is inconsistent and unsound. If he had merely taken the position that a National University, to be conducted under supervision of Government, was impracticable, we should have agreed with him. Let that be left with the State Governments. But he was not satisfied with this, and he goes on to show that the Government should not educate, because it is contrary to the nature of Government, or, as he expressed it, contrary to the "conception of Government," and because "Government is not the guardian of the Nation's morals, and does not necessarily represent the best virtues of the Republic, and is not responsible for the National character;" and, further, because the "arguments tending to persuade us that Government should direct any part of secular education" apply "with much greater force to the conduct by Government of the religious education of the people."

If this is true, why does it not apply with equal force to the conduct by Government of Public Schools and Academies? Yet, in this very report, he goes out of his way to support them, and eulogize Massachusetts. He says: "Let us cling fast to the genuine American method—the old Massachusetts method—in the matter of public instruction. The essential features of that system are: local taxes for universal elementary education, voted by the citizens themselves; local Elective Boards to spend the money raised by taxation and control the schools; and, for the higher grades of instruction, permanent endowments administered by incorporated bodies of Trustees."

Now, we submit that he is inconsistent in all this. The principle involved in Public-School education is the same that is involved in State education.

Moreover, President Eliot is very much mistaken when he says that the arguments in favor of secular education by Government apply with much greater force to religious education by Government. In the one case, Government takes charge of a man's conscience, and, in the other, it does not; and we submit whether this is not a great difference, making null at once the argument in favor of religious education by the State. And, besides, it is not necessary for a man to become religious in order to be a good citizen, knowing fully the nature of his own rights, and how to maintain them. Give him a liberal education, and take away entirely the Bible and revealed religion, and then, like Plato and Aristotle, he can still reason out for himself a *high morality,* and, *like Socrates, comprehend* what makes the good citizen as well as the good man. David Hume was no worse a *citizen because he doubted and* disbelieved, and it may be questioned whether Robespierre, "that sentimental murderer, who, as a judge, was *too conscientious to* hang a criminal, but sufficiently unscrupulous to destroy a King," was any better citizen for having been educated under the supervision of the Bishop of Arras; while Catherine de Medicis could not possibly have been more unprincipled, cruel, and licentious, had she been completely ignorant of all the teachings of Catholicism. And, if it is objected that education does not necessarily make a good citizen, any more than religion does, we do not deny it. For we claim that this is all foreign to the subject,—the supreme aim of education, conducted by a Free Government, being to furnish the people with the means of

FINDING OUT THEIR TRUE RIGHTS,

and how to maintain them.

But President Eliot would have us believe that it is not safe to leave this to Government, and cites the condition of the people of China, whose education is under the supervision of Government. To our mind, no more absurd argument could be adduced against education in this country than the one referred to. The position of the two countries is not more directly antipodal, the one to the other, than the interests of their two Governments in respect to education. The Government of China is a despotic monarchy, and the Emperor possesses unlimited power. The interests of his Government do not consist in the highest education of the people. Education is therefore restricted, and carried on in the interest of the Emperor. Such is the