I saw by their faces that he was dead! Yes, he had fallen on his head and been killed instantly. Jabez's little girl was now quite an orphan, for she had lost her mother some time before. She dearly loved her erring father, and, contrary to the rules of the company, he allowed her to accompany him in his van, making her hide herself when the train stopped, for fear she should be discovered. But besides his innocent little companion, the unfortunate man carried with him something very different, even that which at times deprived him of his reasoning faculties. My inopportune visit to him, coupled with this, brought about the catastrophe I have described. He never spoke after being picked up. His little maid was disconsolate, and how could I comfort her? My pupils, and four o'clock ball and other duties, and the probable remonstrance of the [illegible], troubled me little then. Weeks and [illegible] passed away. My day's journey had [illegible] sorrow and death, and the grief [illegible] with it haunts me still.

The Free Press.

BURLINGTON, FRIDAY, AUG. 13, 1869.

G. G. BENEDICT, Editor.

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The Council [illegible]—What it Has Done.

The Council completed its business and adjourned on the 5th. Its work may be briefly summed up thus: it has voted to call a Constitutional Convention in February next, and to submit to it articles of amendment to the Constitution as follows:

Forbidding the chartering of Private Corporations by special acts.

Providing for biennial sessions of the Legislature and biennial elections of State and County officers.

Changing the mode of appointing the Judges of the Supreme Court from the elective to the appointive system, with a term of six years.

Permitting women to vote, on the same terms as men.

Abolishing the Council, and providing a new mode of amending the Constitution.

Some of these recommendations will come with more weight than others. That in reference to the Judiciary system, for instance, was adopted unanimously; while that on woman suffrage, if adopted at all, was adopted by a snap game, a majority of the Council being, in fact, opposed to it.

As we understand the case, however, that article of amendment was not adopted by any rule of parliamentary usage or of common sense. The facts were as follows. The Council stood seven to six upon the measure, the majority being opposed to woman suffrage. Mr. [illegible], after making a speech against woman's voting, was called out of the State, and left accordingly. Advantage was taken of a short absence of [illegible] regular opponent to the measure, [illegible] to spring a vote, which accordingly [illegible] the proposition to admit women to vote—the Chairman, Mr. [illegible], being one of the five voting in the negative. Mr. Dewey returned and claimed the right to vote, which after some pretty sharp debate, was conceded, and the vote, when he was recorded, stood six to six—a tie. Not having secured a majority, of course the measure [illegible]. But the Chairman thereupon deemed it necessary for him to throw a casting vote, and did so, this time voting aye, so as to neutralize the former vote, and seeing his way clear, we suppose, to throw two votes against the [illegible]. [illegible] As a Censor he was entitled to one, and only one vote; he had no more right to vote twice than any other member had. As we look at it, it would have been just as correct for him to vote twice for [illegible] against the measure, [illegible] for it. If this kind of a decision of a question can hold water, we shall be very much surprised.

On the question of abolishing the Council, the Council stood, we believe, four for to nine against; but the majority evidently deemed it their duty to submit the matter to the Convention, and an article was adopted accordingly. On which, and other matters connected therewith, we shall have more to say hereafter.

Church and State.

Decidedly the most interesting legal paper we have read for a long time is the opinion of Judge Jameson of the Supreme Court in Chicago, which accompanies his decision in the case [illegible] of Bishop Whitehouse of Illinois vs. the Rev. Mr. Cheney, an Episcopal rector in Chicago. Our readers will doubtless remember the offence for which it was proposed to try him. He was being guilty, as it was said, of dropping the words "regenerate" and "regeneration" [illegible] in the baptismal office. [illegible] Bishop Whitehouse, desiring to rid his diocese of heresy, [illegible] "this right was wrongly, even opprobriously overruled. There is probably not in the world a tribunal—certainly not a civil tribunal—and I doubt if ever before there was a court Christian, that overruled summarily an objection of this kind. The right of challenge is a common right that cannot be renounced or taken away."

The canon also provides that the bishop may institute proceedings against a presbyter upon information obtained from any one of three sources,—from a majority of the vestry of the church, from three presbyters, and from private rumor. This rule was held by the judge to be exclusive; the bishop had no right to proceed outside the canon. The Episcopal commission, however, by virtue of which the court ecclesiastical was constituted, purported to proceed upon "credible information;" he had been "credibly informed" so and so. Clearly they had no right to exercise jurisdiction in the premises. They stood upon no proper foundation. As well, says Judge Jameson, might the first five men who should come together in the streets say, "Here, Charles E. Cheney has been guilty of an offence against his church; we are a court, and we will try him."

The presentment, too—the paper [illegible] responds to an indictment in a [illegible] which [illegible] law—was deemed insufficient [illegible] at common [illegible] drawn, without specificat[illegible] It was so loosely [illegible] circumstance, or [illegible] of day, or place, or [illegible] of witnesses, as to make it invalid, and any trial under it illegal. Mr. Hoffman, the chief American authority on Church Law, is cited as declaring such an indictment or presentment to be bad according to all systems of law, whether civil, common, military, canon, or ecclesiastical,—as absurdly illegal; and the Judge adds for himself that it is abhorrent also to every principle of common sense.

Now what right has the civil tribunal to interfere in these ecclesiastical affairs? This is the first question that rises in one's mind upon hearing of the application for an injunction. Are not Church and State distinct in this country? If difficulties arise in church courts, must not higher courts of the same church settle them? Plainly, yes; if there be no civil rights involved. But Mr. Cheney avers that he has been educated for the business of a minister in the Episcopal church, that he has followed this calling for many years, that it brings him a salary of $4,000 a year, besides a parsonage free of rent. And the Judge holds that deposition from the ministry—the intended, or at least possible, result of the trial—will prevent Mr. Cheney from exercising his profession as a minister of the Gospel in the Episcopal Church, either in this country or in England; the injury will not only be a real injury, but an irreparable one. The career for which his education and inclination have specially fitted him, is quite at an end. His business—if we may so speak of the clerical profession—is blasted. To quote the Judge's words, "it is, so far as his temporal rights are concerned, very much as though his arms were clipped off by the [illegible] enabled to earn a living for himself and his family, were at once annihilated."

The Judge discusses the various legal remedies which might be resorted to, in case the trial should proceed, [illegible] and pronounces them all inadequate. [illegible]

Our interest in the decision of the court is enhanced by the fact that the Judge is connected with the church in which the difficulty has arisen. This is, on the whole, a fortunate circumstance. No other denomination will have to bear the brunt of the decision. No one who reads the opinion, however, can be greatly at a loss as to which wing of the church has the personal sympathy of the Judge. [illegible]

It is necessary to add, to explain the last sentence, that the Rev. Mr. Cheney had obtained an injunction to stay proceedings in the Church court, and that Judge Jameson had been applied to, to remove the injunction. So the matter is hung up for the present, but it is to come before the Supreme Court in September. On the 5th inst., the ecclesiastical court held a session, and after protesting at length against the action of Judge Jameson, [illegible] in the hope that they may then get permission to complete their inquisition for heresy.

Sub-Marine Cables.

Ocean telegraphy seems likely to make giant strides in the course of the next ten years. No sooner was one Atlantic cable an assured fact, than the project was formed of laying a second; and now that this has been achieved, we get news of similar enterprises in various directions. The business is no longer attended with any special risk. As an investment it has been found to pay; and [illegible] men no longer hesitate to take shares. The cost of dispatches by the English cable has been lately much reduced, and each time to the profit of the Company. Indeed, we see not why there should not follow here a result like that experienced in the postal department of Great Britain, when the letter rates were dropped to one penny; the business would be so largely increased, the use of the wires would become so general for [illegible] matters as well as for larger that increased dividends would be sure to follow upon reduced rates. Then the laying of sub-marine cables is not now attended with such risk as formerly, and, besides, great improvements have been made in their manufacture.

We hear already of an "American" cable to be added to the French and English lines. A company has been formed in London with the design of laying a sub-marine wire from Cuba to Aspinwall; and another line is undertaken to join Panama with various ports on the Pacific coast of South America, extending their line as far as Tumbez in Peru. There is a good prospect that ere long we shall have telegraphic communication as far south at least as Santiago, in Chili. In fact some portion of the line is already in operation. What effect it will have upon these backward, turbulent, revolutionizing South American republics, to come into hourly interchange with such communities as England and the United States, one can only conjecture. It must help them to wheel into line with the stable and progressive nations.

A company has been organized also to lay a telegraph cable from Scotland, by the way of the Orkney and Faroe Islands, to Quebec; and it is intimated that this line, immediately upon its completion, will be purchased by the British Post Office Department. Portugal, too, begins to think that it may be well for her to be put in communication with the rest of mankind by lines of sub-oceanic telegraph; and early in the next year a line is to be laid from Falmouth, Eng., to Gibraltar and Malta. This latter point is already connected by cable with Egypt, and the line from Egypt to Bombay, will be put down next April. We do not know that any one has yet undertaken to bind Shanghae to San Francisco, by a sub-aqueous cable; but this last and greatest feat of ocean telegraphy will, we believe, ere long be attempted and achieved. The difficulties are immense, apparently insurmountable; but the work may be accomplished before the completion of the overland route, by way of Behring's Straits. This last is slow and difficult of construction, and will be extremely hard to maintain and operate. In some way, we doubt not, the obstacles presented by the coral reefs, the submerged mountain ranges, and the vast and irregular depths of the Pacific, will be overcome, and China hold direct and instantaneous intercourse with Oregon and California. Then will human thought be able to put a girdle round the earth inside of the forty minutes that Puck asked for.

"Abolish the impost duties on coal!" This seems to be the general cry. The coal-holders, or the miners, or whoever may have been to blame, begin to find that they have overshot their mark. The entire country does not propose to become tributary to the greed of a few monopolists, or to submit patiently to the unreasonable demands of a few thousand miners, [illegible] for a day's work as other laborers can obtain. There are other interests in the country besides that of selling and owners of coal mines. The use of coal has now become so general that the strike of the miners was a wide-reaching act of injustice, a sort of indirect wholesale robbery. [illegible] So say we, all of us. [illegible]

[illegible] A Japanese colony have purchased [illegible] land, and begun to plant the [illegible]

[Correspondence of the Free Press.]

From Washington Territory.

[illegible]

[illegible] REPORT OF SPECIAL COMMITTEE [illegible]

To the Honorable Council of Censors, now in session:

[illegible]

Again it is urged that the Council of Censors is a body unknown to sister states, and has arrived at that "respectable old age" in our own, that entitles it to funeral honors. We are unable to see any force in this argument. The very soul of an organic law—of a constitution for a commonwealth, is permanency. The people demand some permanent law so that legislatures of partisan bias shall not trample upon the rights of minorities. Again, Vermont has very many institutions not enjoyed by sister states, and this fact furnishes no argument against them.

Nor is the plan recommended by the minority of your committee cheaper than the existing mode. We are of opinion if the Legislature, once in ten years have power to reach the Constitution that a large portion of their time will be occupied in "tinkering" it. No member will think he can subserve the interests of his constituents unless he strikes some blow at the Constitution which his fancy may dictate, and thus, if no unwise changes are made, much time will be taken up, and great expense to the State incurred.

The other powers delegated by the people to the Council of Censors ought not to be surrendered. Through them the people hold a check over the different departments of the government. Executives may become usurpers, legislatures may become corrupt, and both become unfaithful "guardians" of the people. Public taxes may be unjustly "laid" and public moneys squandered, and impeachments may be demanded in cases where a corrupt legislature would screen offenders.

The proposition to abolish the Council has been agitated several times before, but without success; and although in deference to the wishes of a portion of our people who call for this change we may be constrained to vote to submit the proposed amendment of the minority to a Convention, still in justice to ourselves we are bound to express our views against the wisdom of such a change.

Respectfully submitted,
H. HENRY POWERS,
For majority of Committee.

Abstract of the Report of the Special Committee of the Council of Censors on the Judiciary.

After stating the qualifications necessary to the proper and efficient discharge of the duties assigned to the judiciary department, viz: 1. Superior intellectual abilities, eminent learning, and moral purity in the judges; 2. Their exaltation above the reach of the demoralizing influences which attend upon periods of partisan strife, and which are so inherent [illegible] popular governments; and, 3. Permanency of official tenure,—the committee enter into the consideration of the relative merits of the two systems of election and appointment with regard to the judges, both in England and the United States. The motives which probably influenced the framers of the Constitution of Vermont to adopt the system of popular election, instead of following the wiser method adopted by those who framed the Federal Constitution, are [illegible] stated. The report continues:

[illegible]

Your committee, to avoid any possible misapprehension, beg leave to say, that they do not intend their report shall be regarded as an assault upon the system of town representation. But the point we are making is, that while this mode of representation, for certain reasons, is defensible in respect to the power of the [illegible] to make the laws, it is wholly indefensible, being unequal and corrupting, in respect to its power to create the judges who shall [illegible] judgment upon the laws made by [illegible] constituted.

It is the judgment of your committee that the second condition to be secured, namely, the exaltation of the bench above the reach of the demoralizing influences which attend upon periods of partisan strife, and influences of a kindred sort, will also be fully attained by adopting the mode of appointment recommended.

The third condition, that of permanency of official tenure, remains for brief consideration. In the judgment of your committee the office should be in some degree permanent. The independence of the judges is essential to the fearless discharge of their duty, and can be secured in no other way. But your committee have not thought best to recommend that the tenure should be for life, as is the case in respect to the Federal Judiciary. They are of the opinion that a shorter period will best meet our peculiar condition, and best accord with the prevailing judgment of our people. Your committee recommend the period of six years as being the proper term. [illegible]

Closely connected with this branch of the subject is the question of compensation. Your committee think it proper to recommend that the Constitution be so amended as to provide that the judges of the Supreme Court shall, at stated times, receive for their services a reasonable compensation, which shall not be diminished during their continuance in office. But they have not thought best to fix the amount by constitutional provision. The fluctuations in the value of money and in the price of articles of merchandise, render a fixed compensation inadmissible. But your committee feel justified in saying that the present salary of the judges is inadequate. They are, or should be, when appointed, in the earlier middle period of life, before they have been permitted to reap the rewards of professional labor to the extent to place them in a position of pecuniary independence. To induce such a lawyer to accept a seat upon the bench, the compensation must be sufficient to enable him to do so with a reasonable confidence that it will cover all the expenses of current life, and to enable him to lay by a sufficiency for the retirement of old age. Without holding out this prospect in the form of an adequate salary, the best talent and accomplishments cannot be secured. Moreover, it is undoubtedly true that the money saved by a prompt, energetic, efficient discharge of the duties of the office, thus limiting the duration of the terms of court, and saving the expense of the attendant jurors, officers, and other attendants witnesses in State causes, fuel, etc., would compensate the State ten times over, for what shall be paid in an increased salary. A most careful husbandry of time on the part of the members of the Legislature for the past few years, [illegible] would be better far in the matter of the practice of a wise economy, than grudgingly eking out a salary to their hard-working servants on the bench, so small that they are, some of them, compelled from very necessity to disclose to the committee of that body that their [illegible] for the want of a salary adequate, with the greatest observance of economy possible, to enable them to purchase shoes for their feet. These things have been true, and are disgraceful to the State which suffers them to be.

Every consideration requires that this wrong should no longer continue. Careful not to make the office one of such emolument as to be sought after by any man competent for the place from motives of gain, the Legislature should be equally careful on the other hand, to see that it is a reasonable and just compensation for the service rendered.

Your committee append herewith an article embodying the proposed amendments:

[illegible] for the Committee.

ARTICLE ——.

SEC. 1. The Judges of the Supreme Court, and the presiding judges of the county courts, shall be appointed by the Governor, by and with the advice and consent of the Senate.

SEC. 2. The term of office of the judges of the Supreme Court and the presiding judges of the county courts shall be six years; provided, that [illegible]

[illegible]

a few whose names the world will not willingly let die. As a shining example, Mr. Watson mentioned Hon. H. J. Raymond, whose life and work was sketched, and of whom it was said that the highest of all eulogiums may be spoken of him, that he through his own labors left the world better than he found it.

Patient continuance in well doing is the test of all excellence, as well as the source of all success. Success is the deity that most men worship, victory is what they regard. But that which makes victory possible is little considered. The student's toil, the soldier's drill alone can secure the triumph. In this World happiness never comes to men without labor, labor is never endurable unless it brings success; and success will never be reached unless the man's heart is in his work.

In conclusion the speaker urged each hearer to persevere in his employment whether humble or [illegible] are well suited to each [illegible] a work you love [illegible] never be ashamed [illegible] you conscious of your powers [illegible] when the [illegible] comes [illegible] "The hour [illegible] the man"—be you the man—assured that [illegible] has furnished the hour.

The Alumni Dinner

took place at 2 o'clock at the American Hotel. A numerous gathering of Alumni filled the tables and an unwonted attraction was given to the occasion in the presence of some forty [illegible] of the wives, daughters, or lady friends of Alumni. This new feature appeared to give universal satisfaction, and was a fruitful topic in the after dinner speaking.

President Englesby occupied the head of the tables, and after an abundant and varied repast had been disposed of, called up, in fitting phrases, some of the gentlemen of note. A complimentary allusion to President Angell brought that gentleman to his feet. He expressed his gratification in meeting the Alumni, and at finding the tables graced with their fair faces. He was glad to see the *Alumnæ* or *Alumnisses*, and must congratulate his friend Hon. C. W. Willard on this incipient triumph of woman's rights. Passing to a graver strain he expressed his recognition of the fact that the great strength of a college lies in the affection of its sons. Such affectionate interest has thus far supported and strengthened the hands of those in charge of this institution, and if they could now also count on the interest of the ladies, they would go on with fresh heart and courage.

GEN. PETER T. WASHBURN, Governor elect, was next called up. He said that as a graduate of another college, he should feel almost like an outsider here if it were not that his election as a member of the corporation, and his presence here on a former occasion of this kind, had admitted him to citizenship. This institution bears the name of the State, and is entitled to the fostering care of the State; yet without the interest and aid of the Alumni, it could not flourish. With such support success is sure. He did not believe that the larger colleges like Harvard and Yale could to-day render so valuable aid to their sons, as this college is furnishing to hers. [illegible] (Applause.)

Mr. Englesby, alluding to the duty of recalling the memory of alumni who have [illegible] the Institution, requested Judge [illegible] Benedict, of Brooklyn, to respond to an appropriate sentiment at the death of Hon. Henry J. Raymond.

We give Judge Benedict's remarks at length:

Mr. President and Gentlemen of the Alumni: I hope it is not expected of me, on this occasion, that I should enter into any critical remarks upon the character or career of him whose seat is vacant. [illegible]

[illegible]

I know, gentlemen, of the [illegible] Mr. Raymond felt in this institution, where he received the instruction which enabled him to become what he was. He loved to talk of his college life. He never forgot his college friends. He was willing and able to give to his Alma Mater powerful aid. But he is gone. [illegible] a powerful and a good man has been [illegible] from among us. I only hope that the memory of his virtues may not be allowed soon to pass away.

The remarks of Judge Benedict were received with strong interest and deep feeling.

President Englesby, alluding to the fact that Vermonters once greeted New Yorkers with the "beech seal," was glad to extend a different welcome to our New York guests; and called on Prof. Draper of New York, who responded briefly in appropriate terms.

At this point the following lively lines by J. S. D. Taylor of St. Albans, who has so often contributed to such gatherings by his ready pen and genial humor, were read by Rev. O. T. Lanphear; and provoked immense merriment.

WELCOME TO THE "ALUMNISSES."

I'd sooner be in Jericho,
Well bearded tho' I be,
Than here in this Jerusalem,
But for the Pharisee (fair I see.)

In this august Sanhedrim of
Magistri et Doctores,—
A solemn Golgotha, as 'twere,
Wan't not for these sorores.

Some twenty years or more I've sat
With publicans and sinners,
A company all Sad-ucee (sad you see)
At these Alumni dinners.

Who wonders that through Holy Writ
Our thought should seek expression,
When all we know of pure and good
Are with us here in session.

Our Alma Mater's glorious sex,
Our wives, our loves, our daughters,
All welcome, welcome, three times three,
To these our old headquarters.

What cold ascetic of us all,
But with full heart confesses,
The feast of reason is a myth,
Without Alumnisses.

How gorgeous now this dining hall!
What untold wealth revealing,
In kidderminster, tapestry,
In groined and gilded ceiling.

In service—gold and silver chased,
As tho' for guests imperial,
Piled high with every luxury,
Substantial and ethereal.

To us, at last, there is revealed
The full Olympian glory;
The nectar and ambrosia
Of mythologic story,

When goddesses with festive gods
Ate, spake, and sipped their nectar,
With no Good Templar there about
As critical inspector.

When Jupiter on Juno smiled,
All loveliness bedecked in,
Forgetful, for that blissful hour,
How often she'd henpecked him.

No longer may the Ages dark,
Debase with vows monastic,
The Church and fair Humanities,
The holy and scholastic.

[illegible]

Pres. Angell [illegible] The graduating [illegible] Messrs. Ferguson [illegible] an exception [illegible] the young gentlemen [illegible] were well delivered [illegible] in a single instance. The music of the [illegible] suitable and [illegible] finely in the [illegible] both for speaking and for music. The church was crowded [illegible]

The degrees conferred were as follows:

The degree of [illegible]

The degree of *Doctor of Medicine* upon the graduates of the Medical Department.

The degree of *Master of Arts* [illegible] on FRANK W. [illegible] and on NICHOLAS [illegible]

The Honorary degree of *Master of Arts* on LOUIS [illegible] of Burlington, and on [illegible]

The degree of *Doctor of Divinity* on Rev. CHARLES CARROLL PARKER, of Gorham, Me.

The degree of *Doctor of Laws* upon Lieut. General PHILIP H. SHERIDAN, U. S. A.

After the exercises the [illegible] and marched to the American Hotel for

Corporation Dinner.

President Angell presided at the principal table, with the Governors of the State, past and prospective, sitting on either side. Grace was said by Rev. J. L. [illegible]. At the conclusion of what may perhaps be termed the substantial portion of the entertainment, President Angell, rising, remarked that he supposed by the cheerful noises which he heard proceeding down the table that the cloth was metaphorically removed; and in accordance with the time honored custom he would in behalf of their Alma Mater extend to her children a most hearty welcome. He reminded them that it was the time for them, not her, sitting as they were beneath the roof-tree, to make speeches. At the same time he would say a word about the work accomplished during the past year. It had been earnest and successful, and he trusted they were satisfied with the results judging from what they had seen and heard. This was the first year and the first opportunity which the Univer[illegible]

[illegible]

Not Oxford, with her fabled descent from Alfred, nor Naples with her proud charter from the second Frederic, can boast a lineage more lofty than this college from that honest farmer.

And now, sir, in conclusion, a personal word to you. Since I have been here I have been often called to admire the surpassing beauty of the lake and distant mountains. I have travelled also through the West. Let me tell you, sir,

[illegible]

VERMONT EDITORS' AND PUBLISHERS' ASSOCIATION.—The annual meeting of the Vermont Editors' and Publishers' Association will be held at Brattleboro on Thursday evening, August 26th, 1869.