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ADVERTISEMENTS

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MARYLAND PENITENTIARY.

We have received a copy of the last Annual Report of the Directors of the Maryland Penitentiary, from which we learn that there were remaining in that institution, on the 30th of November last, 287 convicts; 7 more than at the same period in 1844. There were received during the year 98 prisoners; 70 were discharged, their term of service having expired; 7 were pardoned; and 14 died of maladies not peculiar, however, to the prison. The general health of the prisoners is said to have been remarkably good; and with the exception of three or four cases of varioloid, of a light type, there has been no contagious disease or epidemic among them.

Of the 98 convicts received within the walls of the prison during the year, 59 were whites and 39 blacks; and of these only seven were females. Of these 98 there were incarserated for stealing 56; for felony 22; for murder 3; manslaughter 2, enticing slaves to runaway 3; perjury 2. Seventy-eight were born in America; 12 in Germany; 4 in Ireland; 1 in England; 2 in Scotland; and 1 in Africa. Of these convictions 69 were in Baltimore; the remaining 29 were convicted in the several counties of the State.

Some very important improvements have been made in the buildings within the last twelve months under the superintendence of Mr. John N. Murphy. A new workshop, hospital and dormitory have been provided for the females; the old workshop has been taken down and a wash-house erected near the new work shop. The male hospital has been entirely remodelled and enlarged, and an inspection avenue has been placed along it, from which the officer on guard can see, without being seen, all that is going on in the room.—Alcoves or small rooms have been set apart on each side of the hospital, in which patients are placed singly. A drying house has been erected in the yard as a security against fire.

The religious instruction of the prisoners continues ample, ministers of all denominations having access to them. The effect of the discipline on the morals of the prisoners is said to be good; and it is believed that permanent salutary lessons of religion and morality have been awakened or implanted in the hearts of some since their confinement. The Report, speaking of the discipline of the institution, says—

Under the perfect isolation of mind which is now secured among the prisoners, no contagion of vice is spread; and the novice in evil-doing who comes into the prison for the first time, is sure to learn no evil habits there; and the adept in crime who returns to it for a second or a third time, sees and hears nothing to encourage him in his course of infamy, or to which he can ascribe his perseverance in wrong doing; but, on the contrary, all the inmates of the prison, under its present discipline, have only examples of industry and faithful perseverance in duty before them; are encouraged to activity in the execution of their tasks, by proper rewards and words of kindness—and see so constantly the advantage of proper conduct even to themselves whilst in prison—that it can scarcely be, that the favorable impulse given to their good dispositions can be so far lost, after they leave its walls, as not to influence, in some degree, their future lives.

A library for the use of the prisoners is recommended. The Maryland Tract Society has furnished the institution with a number of valuable books; and Miss *Dix*, of New England, a philanthropic lady whose exertions in behalf of the improvement of prison discipline reflect great credit on her, has also presented to the institution a collection of instructive works.—Similar presentations have been made by a number of benevolent persons in this city; and the books thus collected together, it is thought, will prove very beneficial in their influences.

The present arrangements of the Jail of Baltimore City and County are regarded as an evil which defeats the benevolent designs of the State in erecting the Penitentiary; and as the construction of the Jail renders any new arrangement, by which the inmates can be kept apart, impossible, the Report recommends the erection of a new building.

The following paragraph contains some suggestions worthy of the consideration of the Legislature:

We would call your attention to the laws for the punishment of slaves or free negroes committing crimes, less than capital. In the case of the slave, no matter how high his crime, or aggravated the circumstances under which it is committed, if it be one not punished with death, he is only sold out of the State, suffering but a mere change of masters, which, it may be questioned, is no punishment at all. In the case of a free negro, who is convicted of a second offence, the only punishment inflicted on him is to sell him out of the State, it being altogether uncertain whether his case is made better or worse by this, though his offence may be one for which the severest punishment, short of death, should have been inflicted.

It sometimes happens that persons are sent to the Penitentiary insane, and some of the convicts become so after their confinement. In view of these facts the Report suggests that some provision of law be made by which prisoners so afflicted may be transferred to some institution established for the cure and care of insane.

The Report expresses the opinion that there is not a better conducted prison in the United States than the Maryland Penitentiary, and awards due praise for this to Mr. William Johnson, the Warden of the institution.

The apparent profits of the year ending on the 30th November last, were $1,220.-92; but the actual profits were $6,501 68, there having been an apparent loss of $4,-681.61 on the invoiced price of the Vestings which were on hand on the 30th of November, 1844, of which vestings there had been a large amount manufactured under a contract which fell through before its consummation; and there was also a loss of $599.15 on the invoiced price of the stock of Shoes which were on hand on November, 30th, 1844, and which had been accumulating for several years.

The goods on hand on the 30th of November last, belonging to the Penitentiary, were valued at $69,082.30.

THE NAVAL SCHOOL AT ANNAPOLIS.—The subjoined account of this institution is from the Nautical Magazine. The School has been for some time in successful operation, and bids fair to render very useful service to the Navy.

It is contemplated, we understand, to attach a sloop of war to the Naval School to run on short cruises of one, two, or three months. She will be manned by midshipmen, who will thus have opportunities to learn the duties of sailors in all their details and to become familiar with every thing pertaining to all sorts of service on ship board.

We cannot but regard the establishment of this institution as an important feature in the progress of the navy. It provides for the proper instruction of midshipmen; it is a place to which they repair when on shore without being left idly waiting orders for sea; it prepares them for the duties of command before they assume the responsibility of command; it is in short to the Navy what the Military Academy at West Point has so long been to the Army. —Balt. Amer.

NAVAL SCHOOL.

It is generally understood that in September last the military post at Annapolis, Md., was vacated by the garrison and transferred from the jurisdiction of the War to that of the Navy Department, to be occupied as a Naval School. With a view to answer the enquires which naturally arise in the minds of officers respecting an establishment in which all feel a lively interest, we publish the following items of information derived from the most authentic source.

The school, under the superintendence of Commander FRANKLIN BUCHANAN, organized on Friday, the 10th of October. The officers attached and presiding over the several branches of instruction are as follow: Lieut. J. H. Ward, Department of Gunnery and Steam; Surgeon J. Lockwood, Department of Chemistry; Chaplain George Jones, English Department; Prof. W. Chauvenet, Department of Mathematics; Prof. H. Lockwood, Department of Natural Philosphy; and Prof. Girault, Department of French. Passed Midshipman S. Marcy is an assistant and instructer in the use of astronomical instruments.

Lieut. Ward, and Mr. Marcy, also, aid the Superintendent in the military duties of the establishment. Mr. J. Rainbow, U. S. Navy, is attached and in charge of repairs, the grounds &c.

On Monday, the 13th of October, the classes assembled for instruction, and have continued regular recitations since that time.

There are now at the school 36 midshipmen of the date 1819, who are preparing for examination; 13 of the date 1841, who are to remain pursuing studies and attending lectures until drafted for service at sea; and 7 acting midshipmen, appointments of the present year. These last young gentlemen join the institution under a conditional letter of appointment from the Secretary of the Navy. If they are approved by the surgeon and found respectable in intellect and acquirement, they are enrolled as acting midshipmen. By regulation they will remain at the school one year; at the expiration of it, undergo an examination, and if found to have made satisfactory proficiency will be ordered to sea; at the end of a probationary term there, receive as heretofore, a warrant, and after three years of active service return and spend another year at the school preparatory to examination for promotion.

For the principal class the weekly division of time among the several departments for study or lectures or practice or recitation, is as follows: Mathematics, 22 1-2 hours; French 15 hours; Natural Philosophy, 7 1-2 hours; Gunnery, &c., 5 1-2 hours; English, 5 hours; Chemistry, 1 1-2 hour; averaging 9 1-2 hours per day for six days in the week. All the branches except Mathematics and French are taught chiefly though not wholly by oral instruction; in consequence of which the larger proportion of time remains for study in those departments. The course though apparently crowded, is relieved by this arrangement, and by the careful daily division of time, which is so made as to throw different subjects of study into distinct portions of the day.

The class of Acting Midshipmen devote 12 1-2 hours per week to each of the branches, Arithmetic, English and French and attend the lectures on Natural Philosophy, Gunnery and Chemistry.

The text-books used at the school are—in mathematics—Davies' Arithmetic, (for the Junior class,) Bourdon's Algebra, Legendre's Geometry, Pierce's Trigonometry or Maury's Navigation, and Bowditch's Navigator in Natural Philosphy, Peschell's Elements of Physics in French Girault's French Guide, Girault's Colloquiel Exercises, Picot's Narrations, Meadow's French Dictionary; in Gunnery, &c., Ward's Treatise; in Chemistry, Towne's new work.

At the end of each week the instructers report progress to the Superintendent, and the merit of daily recitation made by the individual students in each department. The merit marks range 10 to 0—10 denoting a perfect recitation, and 0 a total want of preparation. From these daily numbers a weekly average is made which determines the relative standing of individuals; and from these weekly averages a quarterly average is made up by the Superintendent, and forwarded to the Navy Department.

These features in the instruction, together with the sword exercises, musket drill and great gun exercise, with target practice contemplated it is believed will render the school popular and acceptable to the Navy.

The fine appearance, order and studious habits of the midshipmen generally, reflect the highest credit upon them, upon the institution, and upon the service of which they are members.

Fort Severn is situated on the Chesapeake Bay at the junction of the river Severn with the harbor of Annapolis and commands a view of the commerce of Baltimore which passes this point, also of a roadsted much frequented in heavy weather by vessels of all classes. The circumstance is important as tending to keep alive nautical associations and the lessons of experience.

The inclosure of the post is by a brick wall, and comprises an area of about ten acres. In an angle of the water front stand the battery, which is a small circular rampart, mounting *en barbette* ten heavy guns and is provided with a magazine and a furnace for heating shot.

The houses formerly occupied by the commandant and subalterns of the post, afford ample accommodations for the Superintendent and most of the other officers of the institution. The midshipmen are made very comfortable in frame buildings which were in use for various purposes of the post, and are put in good repair for the accommodation of the present occupants. Each room contains from three to eight midshipman, according to its size. Two large barrack rooms serve excellently well for recitation halls, and the two rooms of equal size below are used, one for a kitchen, the other for a mess hall.—In this hall the meals are served in the best naval style by the steward well known in the service—Darius King.

The school as thus established and organized, is not the result of new or recent legislation, but simply the gathering and concentrating of means and materials long in possession, and subject to use at the discretion of the President of the United States—the officers being all of the Navy proper placed on duty instead of leave pay, and the buildings the property of Government intended for the occupancy of those appointed to man the fort—whether of the Army or the Navy.

The police and discipline of the establishment are conducted by the Superintendent in person, with the tone, system and energy for which he is distinguished. Aided by the zealous efforts of those having charge of the various branches of instruction, he has already given to the institution a consolidated character which would render it difficult for an observer to detect evidences of its recent origin. Under his administration of affairs, its friends may look with confidence for such development of usefulness from year to year as eventually to produce results which will equal the wants and expectations of the Navy, and will stand as a monument of honor to the Secretary by whose patriotic zealous and judicious efforts it has been founded.

The white Horse.—A letter from Texas to the New York Spirit of the Times says that the "White Horse of the Prairies," seen by the "Ex-Santa Fe Prisoner," and other travellers, has been caught alive.—The writer says:

"I saw him a prisoner tied by one leg, deprived of his freedom, & visited by many as as natural curiosity. He is flea-bitten grey, about 14 hands high, well proportioned, and built a good deal after the pattern of a Conestoga No. 2. His head and neck are really beautiful—perfect Arabian—fac-simile of the Godolphin.—Beautiful ears, large nostrils, great breadth of forehead, and a throttle as large as any I have seen in any blood nag. His beautiful white mane is two feet long, and his foretop in proportion. He was very much lacerated about his head and legs, the effects of the lasso in catching him.—From his appearance he must be quite old—say 20 or 25."

From the National Intelligencer.

THE OREGON QUESTION.—No. 1.

NEW YORK, JANUARY 7, 1846.

I had been a pioneer in collecting facts and stating the case. The only materials within my reach consisted of the accounts of voyages previously published, (including that of Maurelle, in Barrington's Miscellanies,) of the varied and important information derived from Humboldt's New Spain, and of the voyage of the Sutil and Mexicano, the introduction to which contains a brief official account of the Spanish discoveries. The statement of the case was the best I was able to make with the materials on hand, and may be found defective in many respects. Since that time manuscript journals of several of the voyages have been obtained at Madrid. New facts have thus been added; others have been better analyzed, and some errors rectified. Arguments which had been only indicated have been enforced, and new views have been suggested. The subject, indeed, seems to be exhausted; and it would be difficult to add any thing to the able correspondence between the two Governments which has been lately published.

Ministers charged with diplomatic discussions are not, however, in those official papers intended for publication, to be considered as philosophers calmly investigating the questions, with no other object but to elicit truth. They are always, to a certain extent, advocates, who use their best endeavors to urge and even strain the reasons that may be alleged in favour of the claims set up by their Governments; and in the same manner to repel, if not to deny, all that may be adduced by the other party. Such official papers are in fact appeals to public opinion, and generally published when there remains no hope to conclude for the present an amicable arrangement.

But, though acting in that respect as advocates, diplomatists are essentially ministers of peace, whose constant and primary duty is mutually to divise conciliatory means for the adjustment of conflicting pretensions, for the continuance of friendly relations, for preventing war, or for the restoration of peace. It has unfortunately happened that on this occasion both Governments have assumed such absolute and exclusive grounds, as to have greatly increased, at least for the present, the obstacles to an amicable arrangement.

It is morally impossible for the bulk of the people of any country thoroughly to investigate a subject so complex as that of the respective claims to the Oregon territory; and, for obvious, reasons, it is much less understood by the great mass of the population in England than in the United States. Every where, when the question is between the country and a foreign nation, the people at large, impelled by natural and patriotic feelings, will rally around their Government. For the consequence that may ensue, those who are entrusted with the direction of the foreign relations are alone responsible. Whatever may be the cause, to whomsoever the result may be ascribed, it appears from the general style of the periodicial press, that, with few exceptions, the people, both in Great Britain and in the United States, are imbued with the belief that the contested territory belongs exclusively to themselves, and that any concession which might be made would be a boon to the other party. Such opinions, if sustained by either Government and accompained by corresponding measures, must necessarily lead to immediate collisions, and probably to war.—Yet, a war so calamitous in itself, so fatal to the general interest of both countries, is almost universally deprecated, without distinction of parties, by all the rational men who are not carried away by the warmth of their feelings.

In the present state of excitement, an immediate amicable arrangement is almost hopeless; time is necessary before the two Governments can be induced to recede from their extreme pretensions. In the mean while, nothing as it seems to me should for the present be done, which might increase the excitement, aggravate the difficulties, or remove the only remaining barrier against immediate collision.

The United States claim a right of sovereignty over the whole territory. The pretensions of the British Government, so far as they have been heretofore exhibited though not extending to a claim of absolute sovereignty over the whole, are yet such as cannot be admitted by the United States, and, if persisted in must lead to a similar result.

If the claim of Great Britain be properly analyzed, it would be found that, although she has incidentally discussed other questions, she in fact disregards every other claim but that of actual occupancy, and that she regards as such the establishment of trading factories by her subjects. She accordingly claims a participation in the navigation of the river Columbia, and would make that river the boundary between the two Powers. This utter disregard of the rights of discovery, particularly of that of the mouth, sources, and course of a river, of the principle of contiguity, and of every other consideration whatever cannot be admitted by the United States.—The offer of a detached defenceless territory, with a single port, and the reciprocal offers of what are called free ports, cannot be viewed but as derisory. An amicable arrangement by way of compromise cannot be effected without a due regard to the claims advanced by both parties and to the expediency of the dividing line.*

An equitable division must have reference not only to the extent of territory, but also to the other peculiar advantages attached to each portion respectively.

From and including Fuca Straits, the country extending northwardly abounds with convenient seaports. From the 42d degree of latitude to those Straits, there is but one port of any importance, the mouth of the river Columbia: and this is of difficult and dangerous access, and cannot admit ships of war of a large size. It is important only as a port of exports. As one of common resort for supplies; or asylum in case of need, for the numberless American vessels engaged in the fisheries or commerce of the Pacific, it would be almost useless, even if in the exclusive possession of the United States. It must also be observed that the navigable channel of the river from its mouth to Puget's island, is according to Vancouver, close along the northern shore. Great Britain proposes that the river should be the boundary, and that the United States should be content with the possession of the port it offered in common with herself. It is really unnecessary to dwell on the consequences of such an arrangement. It is sufficient to say that, in case of war between the two countries, would leave the United States without a single port, and give to Great Britain the indisputable and exclusive control over those seas and their commerce.

The first and indispensable step towards an amicable arrangement consists in the investigation, not so much of the superiority of one claim over the other, as of the question whether there be sufficient grounds to sustain the exclusive pretensions of either Government.

If the claim of the United States to the whole of the contested territory can be sustained against Great Britain, or if the pretensions of this Power can to their full extent be maintained against the United States, it must be, by either party assuming that the other has no opposite claim of any kind whatever, that there are no doubtful and debatable questions pending between the two countries. This if true and maintained, must necessariiy lead to war, unless one of the two Powers should yield what it considers as its absolute right. But, if there be any such debatable questions the way is still open for negotiations; and both Powers may recede from their extreme pretensions, without any abandonment of positive rights, without disgrace, without impairing national and dignity.

It has been asserted that the title of the United States to the whole Oregon territory was maintained by irrefragable facts and arguments. These must be sought for in the correspondence lately published.—They consist—first, of the assertion of the ancient claim of Spain to the absolute sovereignty over the whole north west coast of America as far north as the 61st degree of north latitude. Secondly, of the cumulated proofs which sustain the claims of the United States to the various portions of the territory, (whether in their own right, or as derived from the acquisition of Louisiana and the Spanish discoveries,) and of the refutation of the arguments adduced by the other party. The first mentioned position would, if it could be sustained, be sufficient to prove, and is, as I think, the only one that could prove, the absolute and complete right of the United States to the whole contested territory.

It is undoubtedly true that "Spain considered the northwest coast of America as exclusively her own;" that this claim "had been asserted by her and maintained with the most vigilant jealously, ever since the discovery of the American continent, or nearly three centuries, as far north as her settlements or missions extended." There were two ways of examining the soundness of that claim; an investigation of the principles on which it was founded, and an appeal to precedents. The Secretary of State has abstained from discussing the principle, but he has said that the claim of Spain to sovereignty "had never been seriously questioned by any European nation; that it had been acquiesced in by all European Governments." This appears to me the most vulnerable part of his arguments.

The early charters of the British monarchs to the colonies bordering on the Atlantic, extended from sea to sea, from the Atlantic to the Pacific ocean, with the single exception which excluded from the grants the places actually occupied by the subjects of any christian nation. The right of prior occupancy was recognised; but the general claim of Spain to the sovereignty of the whole coast bordering on the Pacific was utterly disregarded. Had that claim been considered as unquestionable, had it been acquiesced in, it never could have been supposed that, in any case whatever, England could have a right to bestow to her subjects a single foot of land bordering on the Pacific.

Coming down to modern times, the only nations which have set up any claims or attempted any settlements on the Pacific, north of the country actually occupied by the Spaniards, are Russia, Great Britain, and the United States. All three have asserted claims to the north western coasts of America, irreconcilable with the universal sovereignty claimed by Spain: Russia and England from the time when their flags first floated along the coast and their subjects landed on its shores; the United States from a similar date, or at least from the time when they acquired Louisiana.

If the right of Spain was absolute and exclusive to the whole, there was no reason why it should not have extended beyond the sixty-first degree of latitude.—The right of Russia was founded only on her discoveries and the establishment of some trading factories. She respected the right of Spain only as far as it did not interfere with her own claim. She has, in fact, extended this more than six degrees further south; and to this the United States who had acquired all the rights of Spain, have assented by a solemn treaty. Whatever might be the boundary acquiesced in by Spain, it was not Russia which recognised the claim of Spain; it was Spain which recognised that her claim was not unlimited. And, let it be also observed, that, since Spain still claimed as far north as the sixty-first degree of north latitude, (the southern limit of the Russian factories when first visited by Spanish navigators,) the United States, if they believe the Spanish right absolute and exclusive, ought not to have ceded to Russia a country extending more than six degrees of latitude along the shores of the Pacific.

Great Britain contested the exclusive claim of Spain from the year 1778, the date of Cook's third voyage; and he was the first British navigator that had for more than two centuries appeared on those coasts. This doctrine she has maintained ever since. She did not resist the exclusive claim of Spain by virtue of the Nootka convention but prior to it. It was on that ground that she imperiously demanded indemnity and restoration for the property and factory of one of her subjects, which had been forcibly taken by the Spanish Government.—She even threatened war; and the Nootka convention was the result of those transactions. Whatever construction may at this time be given to that instrument, it is certain at least that Spain by it conceded a portion of the absolute and sovereign right she had till then asserted; that she yielded the right of trade with the natives on all that part of the coast lying north of her actual settlements; and that, by suffering the ultimate right of sovereignty to remain in abeyance she made that pretension questionable which she had contended could not be called in question.

With respect to the United States, without recurring to former negotiations, which were not attended with any result, it is sufficient to advert to the convention between them and Great Britain of the year 1818, concluded prior to the date of the treaty by which they acquired the claims of Spain to the territory north of the 42d degree of north latitude.

The United States at that time distinctly claimed, in their own right and independent of the Spanish claims, that the boundary along the 49th parallel, which had been agreed on as that between them and Great Britain, from the Lake of the Woods to the Stony Mountains, should be extended to the Pacific. To this division of the territory Great Britain would not accede; and the provision for a joint occupancy during the next ensuing years was substituted. A clause was inserted that the agreement should not be taken to affect the claims of any other Power or State to any part of the country west of the Stony Mountains. This provision clearly referred to the claims of Russia and Spain. The northern and southern boundaries of the country, which the two contracting parties might claim, were left undefined: Great Britain probably thought herself bound by the Nootka convention to respect the Spanish claims to the extent provided by that instrument: the United States could not but recognise those derived from discovery, with which they were at that time but imperfectly acquainted, since their own claims were in a great degree derived from a similar source. But the convention decisively proves that the United States did not acquiesce in the antiquated claim of Spain to the absolute and exclusive sovereignty of the whole country; since, if they had recognised that prior claim to the whole they could have had none whatever to any portion of it.

It is therefore undeniable that the assertion of the Spanish claim of absolute sovereignty cannot be sustained by a presumed acquiesence on the part of the only nations which now claim the country. It may perhaps be that their opposition came too late, and that they neglected too long to protest against the Spanish pretension on the Pacific. No stress will be laid on Drake's voyage, which had a warlike character. But the British charters to their colonies show that those pretensions were disregarded at a very early date. There was no occasion for opposition or direct denial, with respect to the Pacific, until the attention of other nations was directed towards that remote country. This was neglected because all the commercial nations were in their attempts to colonize or to conquer, foreign and till then unexplored regions, attracted by countries far more accessible, and were exclusively engaged in pursuits much more important. The East Indies and the West India Islands offered a vast and lucrative field for commercial enterprise and territorial acquisition. With respect to the continent of America, France, England and Holland most naturally planted their colonies on the nearest opposite shores of the Atlantic; & they did it

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* I allude here only to the compromise proposed by Great Britain. Her actual claim, as explicitly thus stated by herself, is to the whole territory, limited to a right of joint occupancy, in common with other States, leaving the right of exclusive dominion in abeyance.

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