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REPORT

Of the Committee appointed to prepare a System of General Education.

The undersigned, directed by a resolution of the last Legislature, to prepare a plan or System of Public Education, for the instruction of poor or indigent parents, respectfully REPORT—

That although extensive plans of Public Education, supported by munificent appropriations, have been in successful operation in many of the States, for a considerable period, yet no one, that they have had an opportunity of considering, seems to be adapted in its details, to the civil divisions of this State, the extent of its territory, or the scattered residence of its population. One indispensable requisite in any plan to be adopted is, that it shall be calculated to diffuse equal benefit throughout the whole State, and extend its salutary influence to the greatest possible proportion of the poor and indigent of every county. Other States have been enabled to avail themselves of the preexisting divisions of townships, parishes, and ecclesiastical societies, converting them into school districts, which, from the fullness of their population, they have often been obliged to subdivide, for the purpose of avoiding too numerous a collection of scholars for one teacher, than to combine for the sake of procuring a sufficient number. In some of the States, one sixth, and in others, one fourth, of the entire population is receiving instruction, annually, in common schools alone; and so decided and unambiguous have been the beneficial effects, of these institutions, upon the morals and intelligence of the citizens, and the consequent prosperity of the States where they have been best sustained by public patronage, that a universal conviction has resulted, that the attention of an enlightened Legislature could not be drawn to a subject more momentous in its nature, or more vitally conducive to the stability, and only glory of a free government.

The first obstacle to be surmounted, is that presented by the inequality of the counties, both in extent and population, as relative to each other; and, in many of the counties, the density of the population in some parts, and its thinness in others. This difficulty can only be effectually obviated by a law founded upon a local knowledge of all the counties, though it is probable that such a law might be passed upon the assumed basis of the existing districts for militia companies. Upon this branch of the subject, it is therefore respectfully submitted.

1. That the whole State shall be laid off by law, into convenient school districts.

2. That the Justices of the Peace for each county in the State, shall, annually, and at the same Court when the Sheriff is elected, and immediately before his election, choose by ballot, a majority of the Justices being present on the bench, not less than twelve, nor more than fourteen persons, who are either Magistrates or freeholders of the county residing therein, who, when elected, shall constitute the school commissioners for that county.

3. No ballot shall be counted, unless it have been written on it a number of names equal to the number of persons to be chosen at that balloting, nor shall any one be deemed elected, unless he receive a majority of all the votes given in at the balloting.

4. The person first chosen at the election of any of the said school commissioners, or if there be more than one chosen at the balloting, when a choice shall be made, the person having the highest number of votes shall be deemed chairman of the Board; and for the purpose of ascertaining this with precision, the Clerks of the County Courts shall enter on their minutes, the result of each balloting. But when the commissioners are chosen, they may, at any meeting, elect any other individual their chairman, which choice they shall certify, under their hands to the next County Court, that the Clerk of which may enter the same on record.

5. That the said school commissioners, shall in convenient time after their election, appoint not less than three freeholders, nor more than five, in every school district in their respective counties, as a school district committee, whose duty it shall be to examine instructors, displace such as are incompetent, visit the school at such times and as often as they think necessary, and require of the master such exercises as may show their progress in learning. They may also expel scholars in case of misbehaviour; and no schoolmaster displaced by them, or scholar expelled, shall be received at any other school established by this law. But the schoolmaster or scholar, may appeal from the sentence of the district committee to the school commissioners of the county whose decision on the case shall be final.

6. It shall be the duty of said district

committee, as soon as possible after their appointment, to convene, after ten days notice, at two public places in their respective counties, the freeholders (or free white persons) residing in such district, for the purpose of selecting a convenient site for the district school, and when the selection is made, the district committee shall certify the same to the chairman of the school commissioners.

7. When it shall be so certified to the school commissioners, they shall, as soon as may be, purchase of the proprietor of the land, the number of acres prescribed by law, and thereon cause to be erected the necessary buildings for a school house, and the masters residence, and ever thereafter keep the same in due repair; and if the commissioners and the owner of the land cannot agree as to the purchase, then the commissioners may have the same condemned for the uses aforesaid, under the same rules and regulations as lands may now be condemned by law, for the purposes of Internal Improvement.

8. That the schoolmasters to be appointed under the act shall be elected by a plurality of the votes of the freeholders (or free white persons) residing within the district; but no one shall be considered duly elected, unless he have previously produced to the district committee, who are to preside at the election, a certificate from the chairman of the school commissioners, or from a majority of the board, stating that he is duly qualified to teach reading English, and the common rules of arithmetic, viz: addition, subtraction, multiplication, division, and the rule of three or proportion; and the person producing such certificate who has the greatest number of votes shall be deemed duly elected.

9. Whenever a vacancy occurs, from any cause in the appointment of schoolmaster, it shall be the duty of the district committee to certify the same forthwith, to the chairman of the school commissioners, who shall, thereupon, direct the district committee to convene the electors of the district in the manner above required, for the purpose of appointing a successor; and the result of such election shall be immediately certified by the district committee to the school commissioners. At the end of every six months, the district committee shall give the schoolmaster, at his request, a certificate, stating how long during the last six months, he has kept open school under this act.

10. The schoolmasters shall diligently instruct the scholars, during the hours prescribed by law, in the several branches of learning above mentioned; for which they shall be respectively entitled to demand and receive from each scholar per session; and if the parent, guardian or master, liable to pay for any scholar, shall, on demand, neglect or refuse to do so, the same may be received by warrant before any Justice of the Peace. Every such schoolmaster shall also be entitled for the time he hath kept open school to receive semi-annually at the rate of dollars per annum, to be obtained in the following manner, viz: As soon as he has obtained from the district committee, the certificate herein before mentioned, stating the time he has kept school within the then last six months, and delivered the same to the chairman of the school commissioners, it shall be the duty of the said chairman to give him an order on the County Trustee for the money appearing due on the said certificate, which order being countersigned by the clerk of the said commissioners, and presented to the County Trustee for payment, it shall be his duty instantly to pay the same; and if he shall neglect or refuse so to do, the money due thereon may be recovered by warrant before any Justice of the Peace; and on the trial of such warrant, if six months have elapsed between the assessing the tax herein after directed to be assessed, and the issuing of such warrant, the said Trustee shall not be permitted to allege or plead, that he has no funds in his hands from which the said money ought to be paid; but judgment shall be rendered against him, to be paid out of his own proper goods and chattels; and such trustee may immediately sue for and recover the money from the sheriff, who ought to have collected the tax and paid the money over to him, either by warrant before any justice of the peace, or by suit against him and his securities on their bond. On the judgment obtained upon any such warrant against any parent, guardian, county trustee or sheriff, no stay of execution shall be allowed. And if any such defendant shall pray an appeal from such judgment, and shall not prosecute the same, or shall not on the trial thereof diminish the original judgment, then the appellate court shall render judgment against such defendant, for the sum originally recovered, with interest at the rate of per cent. per annum until the same is paid with double costs.

11. And for the purpose of defraying the expense of the school establishment hereof proposed, it shall be the duty of the justices of each county, a majority being

on the bench, immediately after electing the school commissioners, and before they proceed to the election of sheriff, to borrow, or authorise to be borrowed, a sum adequate to the purchasing all the land and erecting all the buildings necessary for the said establishments within their county, at the same time assessing on the county a tax or taxes, adequate to paying the interest, and per cent. per annum of the principal of the sum so borrowed; the proceeds of which tax or taxes shall be pledged to the creditor or creditors, and shall not be repealed or altered until the whole debt is paid off. And for defraying the yearly expenses and accounting for the same, it shall be the duty of the chairman of the school commissioners to make out, or cause the clerk of the said commissioners to make out, an account of the disbursements for the preceding year, and to return the same together with an estimate of the expenses for the ensuing year to the County Court at its session when the succeeding school commissioners are to be elected, and before the same are elected; and it shall be the duty of the justices of the said court, a majority being on the bench, immediately after making said election, and before they proceed to the election of sheriffs, to assess on their county a tax or taxes, the proceeds of which shall be estimated to be at least equal to meet all the expenses as aforesaid; which tax or taxes it shall be the duty of the sheriffs of the county to collect, under the same rules and regulations that he collects other taxes, and pay over the proceeds of the same to the county trustee, taking duplicate receipts therefor, and return his account with one of the said receipts to the chairman of the county school commissioners, within six months after the said tax or taxes are assessed as aforesaid, under the penalty of dollars. And the sheriff, before entering into office, shall give bond with two or more good securities, in double the sum estimated as aforesaid, payable to the chairman of the county court, and conditioned for his due performance of the duties aforesaid. And it shall be the duty of the county trustee to pay the money over drawn on him by the chairman of county school commissioners, as soon as the same shall be presented, to return his account to the said chairman, and pay over to him the balance of money in his hands, if any, at least fourteen days before the sitting of the court at which said chairman is to make his return as aforesaid, under the penalty of dollars. And the said county trustee, before entering into office, shall give bond with two or more good securities, in double the sum estimated as aforesaid, payable to the chairman of the county court, and conditioned for the due performance of the duties aforesaid.

12. And if the justices of any County Court shall proceed to the election of Sheriff without assessing the taxes aforesaid, then all those who are on the bench when such election of Sheriff is made, shall be liable to the sum estimated as aforesaid out of their own property; and it shall be the duty of the State's Attorney for the said county to commence suit against said justices, returnable to the then next Superior Court for any adjacent county, and said suit shall be triable and tried at the return term, before the said court proceeds to any other business on the docket. And no evidence shall be admitted on the trial of such suit, except the records of the said County Court, or a copy thereof, shewing that the defendants were on the bench of said court and did elect a sheriff without assessing the tax or taxes as aforesaid, and if judgment shall pass against the defendant, the same shall be final to all intents and purposes, without being questioned or questionable in any other court whatever. And it shall be the duty of the clerk of the Superior Court, immediately after the termination of that term, to issue and deliver, or cause to be delivered, to the sheriff of the county where the defendants reside, an execution on said judgment; and it shall be the duty of such sheriff, within days after the delivery, to levy the money due on such execution, and pay it over to the chairman of the county school commissioners, under the penalty of dollars; and the said chairman shall apply the said money towards defraying the school expenses of the said current year.

13. The chairman of the county school commissioners, may at any time visit any district school within his county, and make any order, rule or regulation, for the government thereof, and every order, rule or regulation so made shall be final and conclusive, unless where he dismisses a schoolmaster or expels a scholar, in which case such schoolmaster or scholar, or any one in their behalf, may take an appeal to the county school commissioners, whose decision shall be final. And the said chairman shall report every order, rule or regulation made by him as aforesaid to the clerk of the county school commissioners, and have it entered on their minutes. And if it shall be deemed necessary, on any such visitation, or at a meeting of any

county school commissioners, to examine any witness on oath concerning any matter then and there under consideration, such chairman shall administer such oath, and if such witness knowingly and wilfully answers falsely to a material question, he or she shall be guilty of perjury, and liable to all the penalties thereof.

14. Every county court may, either at the beginning or end of the year, a majority of the justices being on the bench, make some reasonable allowance to its chairman of the county school commissioners.

15. The clerk of the county court shall act as clerk and keep the accounts of the county school commissioners for his county; and every sheriff shall promptly serve all notices, by the chairman of the school commissioners delivered to him to be served; but no such clerk or sheriff shall be entitled to any specific compensation for such services—but they shall be considered as part of the extra services for which county courts usually make allowances.

The foregoing details as to the assessment and collection of a tax for the purpose of defraying the expense of the institution, have been entered into by the undersigned, under a belief, that if the Legislature should adopt that mode of raising a fund, it is of the utmost consequence to the success of the system, that the performance of the duties assigned to the justices, should be enforced by every reasonable sanction, since the neglect of those duties in any one county, would at once paralyze every movement; and enjoining the performance of a public duty at the peril of private responsibility, is but following the spirit of laws already in the statute book. The nature of the remedy assigned to the schoolmasters, arose from the presumption that they would for the most part be dependent upon their salaries, solely, for the actual means of subsistence, and that any delay in the payment of them might prove ruinous.

If however the wisdom of the Legislature should adopt other ways and means for defraying the expenses, such as creating a permanent fund, payable out of the treasury, or setting apart for the same purpose, the Bank Stock belonging to the Public, and its shares in the several navigation companies, some of which, it is understood, are about to become productive, then punctuality would be insured, and the above suggestions superseded. Which is respectfully submitted.

JOHN LOUIS TAYLOR.
P. BROWNE,
JOS. CALDWELL,
DUN. CAMERON.

Nov. 23d, 1825.

Moore's Life of Sheridan.

This is one of the most valuable publications (of its kind) that has issued from the press for a long time. As Mr. Sheridan lived during the most flourishing period of English Literature, and had a close connection with the most brilliant geniuses of his time, the work consequently embraces a rich and highly interesting portion of literary history, biography and anecdote.—Southern Patriot.

EXTRACT.

SHERIDAN.—A curious instance of the indolence and procrastinating habits of Sheridan used to be related by Woodfall as having occurred about this time. A statement of his conduct in the duels [with Capt. Mathews on account of his, S's elopement with the celebrated Miss Linley,] having appeared in one of the Bath papers so false and calumnious as to require an immediate answer, he called upon Woodfall to request that his paper might be the medium of it. But wishing, as he said, that the public should have the whole matter fairly before them, he thought it right that the offensive statement should first be inserted, and in a day or two after be followed by his answer, which would thus come with more relevancy and effect. In compliance with his wish Woodfall lost not a moment in transcribing the calumnious article into his columns—not doubting, of course, that the refutation of it would be furnished with still greater eagerness.—Day after day however elapsed, and notwithstanding frequent applications on the one side, and promises on the other, not a line of the answer was ever sent by Sheridan—who having expended all his activity in assisting the circulation of the poison, had not industry enough left to supply the antidote. Throughout his whole life, indeed, he but too consistently acted upon the principles, which the first Lord Holland used playfully to impress upon his son, 'Never do to-day what you can possibly put off till to-morrow, nor ever do yourself what you can get any one else to do for you.'

Among his habits, it may not be uninteresting to know, that his hours of composition, as long as he continued to be an author, were at night, and that he required a profusion of lights around him while he

wrote. Wine, too, was one of his favorite helps to inspiration.—If the thought, (he would say) is slow to come, a glass of good wine encourages it, and when it does come, a glass of good wine rewards it.

There remain among his papers three acts of a drama, without a name, written evidently in haste, and with scarcely any correction: the subject of which is so wild and unmanageable, that I should not have hesitated in referring it to the same early date, had not the introduction into one of the scenes of 'Dry be that tear, be hush that sigh,' proved it to have been produced after that pretty song was written.

The chief personages upon whom the story turns are a band of outlaws, who, under name and disguise of devils, have taken up their residence in a gloomy wood adjoining a village, the inhabitants of which they keep in perpetual alarm by their incursions and apparitions. In the same wood resides a hermit, secretly connected with this band, who keeps secluded within his cave the beautiful Reginilla, hid alike from the light of the sun and the eyes of men. She has, however, been indulged in her prison, with the glimpse of a handsome young huntsman, whom she believes to be a phantom, and is encouraged in her belief by the hermit, by whose contrivance this huntsman (a prince in disguise) has been thus presented to her.

Of all Mr. Sheridan's unfinished designs, the comedy which he meditated on the subject of Affectation, is that of which the abandonment is most to be regretted. To a satirist, who would not confine his ridicule to the mere outward demonstration of this folly, but would follow and detect it thro' all its windings and disguise, there could hardly perhaps be a more fertile theme. Affectation merely of manner being itself a sort of acting, does not easily admit of any additional coloring on the stage, without degenerating into farce; and, accordingly, tops and fine ladies—with very few exceptions—are about as silly and tiresome in representation as in reality. But the aim of the dramatist, in this comedy, would have been far more important and extensive; and how anxious he was to keep before his mind's eye the whole wide horizon of folly which his subject opened upon him, will appear from the following list of the various species of Affectation which I have found written by him; exactly as I give it, on the inside cover of the memorandum book that contains the only remaining vestiges of this play:

An Affectation of Business; of Accomplishments; of Love and Letters and Wit; of Music; of Intrigue; of Sensibility; of Vivacity; of Science and Importance; of Modesty; of Proficiency; of Moroseness.

In this projected comedy he does not seem to have advanced as far as even the invention of the plot or the composition of a single scene. The memorandum-book alluded to, on the first leaf of which he had written in his neatest hand (as if to encourage himself to begin)—'Affectation', contains, besides the names of three of the intended personages, Sir Babbie Bore, Sir Perigine Paradox, and Feignwit, nothing but unembodied sketches of character, and scattered particles of wit, which seem waiting, like the imperfect forms and seeds in chaos, for the brooding of genius to nurse them into system and beauty.

The rough sketches and fragments of poems, which Mr. Sheridan left behind him are numerous; but those among them that are sufficiently finished to be cited, bear the marks of having been written when he was very young, and would not much interest the reader; while of the rest it is difficult to find four consecutive lines, that have undergone enough of the toilette of composition to be presentable in print. It was his usual practice, when he undertook any subject in verse, to write down his thoughts first in a sort of poetical prose, with here and there a rhyme or metrical line, as they might occur; and then afterwards to reduce, with much labor, this anomalous compound to regular poetry. The birth of his prose being, as we have already said, so difficult, it may be imagined how painful was the travail of his verse. Indeed, the number of tasks which he left unfinished, are all so many proofs of that despair of perfection, which those best qualified to attain it are always the most likely to feel.

His best *bon mots* are in the memory of every one. Among those less known, perhaps, is his answer to gen. T——, relative to some difference of opinion between them on the war in Spain: 'Well T—— are you still on your high horse?' 'If I was on a horse before, I am upon an elephant now.' No, T—— you were upon an ass before, and now you are upon a mule.'

We shall for the present conclude with the following letter, addressed to one of his Stafford electors.

'Cavendish square—Sunday night

'DEAR KING JOHN,

'I shall be in Stafford in the course of next week, and if your majesty does not renew our old alliance, I shall never again