

American, AND Commercial Daily Advertiser

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SATURDAY, APRIL 12, 1866

WANTED.

A MAID SERVANT of good character; who understands house-work. Apply at this Office.

April 11 d4t Hawkins & Maggett, HIVE ON HAND, 150 bbls RYE WHISKY, a part of which is of very excellent flavor.

April 11 d10t 5 cafes Leghorn Hats, COVERED WITH SILK, Just received and for sale by JOHN BUFFUM, No. 84, Bowly's wharf d3c00ft

April 11 d3c00ft Campbell & Ritchie, Have received the United States, from London A PART OF THEIR SPRING GOODS; And expect the remainder by the next arrivals from London and Liverpool.

April 11 d12c00ft John & William Gordon, No. 72, Bowly's wharf, HAVING opened their own ROPE WALK, superintended by Mr. Fitzgerald, an experienced rope-maker, and who was Gordon and Smith's foreman five years, will thankfully receive and promptly execute any orders for CORDAGE

They have for sale, A parcel of good JEROME COFFEE, April 11 d4t

NOTICE.

THE partnership between the subscribers will dissolve on the 1st day of April next, in consequence of the expiration of the term for which it was originally entered into. All persons having claims thereon, or indebted there to, are requested to call on

JOHN GORDON, WM. G. GORDON, WM. R. SMITH, April 11 d4t

Information to Travellers. THE subscribers beg leave to inform the public that on the 1st day of April next, a new, extensive & convenient line of stages, will be established between the cities of Philadelphia and Washington—to run in the following order of time and place:

A stage, with the mail, will leave Branton's tavern, in Wilmington, every Monday & Wednesday at 5 o'clock A. M. and arrive at Chester Town, early in the evening on the same day.

A stage with the mail, will leave Chester Town every Tuesday and Thursday at 5 o'clock A. M. and arrive at Rock Hall by early breakfast.

A comfortable and fast sailing packet, with the mail will leave Rock Hall on every Tuesday and Thursday at 8 o'clock A. M. and arrive at Annapolis, with a favorable wind, in the course of two and a half hours, at any rate, in the course of the same day.

A stage with the Eastern Shore of Maryland and Delaware mails, will leave Annapolis on Wednesdays and Fridays, and arrive at Washington and George Town on the same days.

The stage will leave M'Laughlin's Hotel, in George Town, and Stelle's, in Washington, on every Thursday and Sunday, at 5 o'clock A. M. and arrive at Annapolis on the same days.

A packet will leave Annapolis on Mondays and Fridays, at 8 o'clock A. M. and arrive at Rock Hall on the same days, in time for the stage to proceed on to Chester Town on the same evenings.

The stage will leave Chester Town on Tuesdays and Saturdays at 5 o'clock A. M. and arrive at Wilmington on the same days; from whence stage runs to Philadelphia every day.

Of the subscribers, likewise beg leave to inform the public that he is now established at the anti-slip and well known ferry, Rock Hall, an extra provided good, safe, and commodious accommodations of passengers; that a large and comfortable packet will leave Rock Hall, for Baltimore (on the same days that the mail crosses to Annapolis) at 9 o'clock A. M. and will leave Baltimore, from the lower end of Bowly's wharf, on Wednesdays and Saturdays at 9 o'clock A. M. for Rock Hall. Each of the above packets are well calculated for the conveyance of horses and carriages. Horses and carriages will always be in readiness for the conveyance of passengers on their arrival at Rock Hall, to whatever place they may wish to proceed, in any neighboring part of the country, or to Chester Town, from whence they may be conveyed to the northward or southward, by the regular line of stages, and that the Annapolis packet will leave Annapolis on Wednesdays for Rock Hall, and will leave Rock Hall on Sundays for Annapolis, besides the regular day of carrying the mails, as above mentioned. He also flatters himself, that from his experience in maritime pursuits, and the confidence placed in him by many of the most respectable merchants in Baltimore, whilst following the sea-faring life; that he has a competent knowledge to keep his boats in good order, for the comfort and convenience of passengers, and that he shall merit the patronage of a generous public, which he hereby respectfully solicits.

It is unnecessary to make any comments on the advantages, which entitles this route to a preference; to that round the waters of the Chesapeake Bay. This affords a safe dry route, through a beautiful, level, and fertile country, from the Delaware state, to the seat of government, whilst the other presents one continual scene of hills and valleys, generally filled with sand and mire. Travellers on this route, will not only derive advantage from good roads, shortening the distance, and incurring less expense, but will avoid the danger of injuring their health, by not being exposed to travelling by sea.

THOMAS HARRIS, Rock Hall, DAVID WETHERSPOON, Middle-Town March 19 d002m

From the UNITED STATES GAZETTE.

Extract of a letter from New York, dated April 2, 1866.

Yesterday the Circuit Court of the U. States began its sitting—Judge Patterson was unable to take his seat on the bench, through indisposition, and the court was opened by the district judge, Tallmage. As soon as the grand jury had been sworn and retired, the counsel of Mr. S. G. Ogden stated to the court, that in behalf of his bail, who had been bound by recognizance for his appearance and attendance at this time, they had brought him into court and now moved to surrender him in their discharge. This was consented to by the attorney of the district; and the surrender and discharge of the bail being entered, the district attorney moved the court for the commitment of Mr. O. to the custody of the marshal. This application was opposed by his counsel, who contended that it could not be granted unless some ground was then shown to support it; that the defendant being now in a different court from that in which his recognizance was taken, this court must act upon information then before it, without regard to what had happened elsewhere; and that it was inconsistent with the principles of liberty that any citizen should be imprisoned without knowing precisely the charge made against him.

The district attorney replied, that as the original recognizance had been taken before the same judge who was then on the bench, and was therefore perfectly acquiesced in by all the facts, it would be absurd for him to call for new information to support his detention, and that whether he would order a commitment or not was a matter merely of discretion—of this opinion was the judge, and the commitment was ordered.

Application was then made for a habeas corpus which the judge allowed, and the marshal immediately made a return thereon, stating the commitment, &c. Upon this the court for Mr. O. moved for his discharge, because it did not appear upon the face of the return that he was confined upon a charge of having committed any crime, but his commitment could be considered in no other light than as a general warrant, which was odious to the law and dangerous to the citizen; that the court had no power to remand him to prison unless it appeared that he was charged with a crime, and upon oath. The judge replied that he knew what the prisoner was confined for, and that was cause enough to remand him, which he did; that liberty was to be sure, sweet, but the court would sit but a few days, and an imprisonment for that time would be no great hardship.

Application was then made to admit Mr. O. to bail, to which the judge consented if bail was given for his appearance, &c. in \$20,000. The sum was objected to as excessive, but, being insisted on, bail was given.

Another application was then made to the court by Mr. O.'s counsel, the argument on which was postponed to this day.

Extract of another letter from N. York, dated April 3, 1866.

You are already informed of the proceedings of the circuit court in relation to Mr. S. G. Ogden, as far as his binding and under recognizance with sureties in \$20,000 for his appearance, &c. After this last step, his counsel produced and read his deposition and that of Col. Smith. Mr. O.'s deposition stated, that he had been arrested by a warrant issued by Judge Tallmage, which was to this purpose: "whereas there was strong ground to suspect that S. G. Ogden had been concerned in preparing and providing the means of fitting out a certain ship called the Leander, upon an enterprise hostile to some foreign nation, (name unknown) at peace with the United States, the marshal of the district was commanded to take the said S. G. Ogden, and bring him forthwith before the judge, &c."

Mr. O.'s deposition further stated that this warrant was served upon him at about 9 o'clock of the morning, and that he was not permitted, by the officer who served it, to speak with any person whatsoever, but was told that the orders of the judge were to bring him before him instantly without suffering him to communicate with any body; that when he was brought before the judge he found but three persons there, the judge, the district attorney, and the clerk; that he told the judge he was desirous of having a friend present or sending for counsel, but was informed by the judge that he could send for nobody; that the district attorney stated to him that he was brought there in two capacities, as a party charged with a crime, and as a witness, and was to be examined in both these capacities; that sundry questions were then put to him as a party charged with a crime, some of which he answered, and refused to answer others, alleging that they might tend to criminate himself; that all the questions he did answer, were with their answers reduced to writing by the clerk or district attorney; that he was then told he must be sworn as a witness against others, and in that capacity must answer all questions put to him on pain of imprisonment; that he was accordingly sworn and questions were put to him as to the cargo and destination of the Leander, which he objected to answer, as he had always understood that no man could be compelled to answer any questions which might criminate himself, and that such questions as those put, must have that tendency, because he was con-

cerned in the Leander. The judge and the district attorney told him he must answer the questions or be committed, and, as he still refused, an order for his commitment was made out, when, rather than suffer the disgrace and inconvenience of an imprisonment; he answered all the questions which were put to him. This examination was then read to him and he was ordered again to swear to and sign it, which he refused to do, until he was again threatened with imprisonment.

Col. Smith's deposition stated that he was arrested upon a warrant similar to that issued against Mr. O. at about 9 o'clock in the morning and detained in a room, without being permitted to see or communicate with any person, until 6 o'clock in the evening, when he was carried before the judge and told that he must be sworn to answer all such questions as should be put to him by the judge, and that if he refused he must be imprisoned; that he declared his ignorance of the law, but stated that, if the judge had power to compel him, he would tell all he knew, without the trouble of propounding questions to him, which he did. The judge asserting the power and repeating the threat of imprisonment; that his examination was closed at a little before 12 o'clock at midnight, when he was told that he must find sufficient persons to enter into a recognizance with him for his appearance at the next court, or must continue in the marshal's custody; and that at that late hour he was under the necessity, accompanied by an officer, to call some of his friends from their beds to become securities for him.

I have given you the principal facts stated in these depositions, because they will inform you perhaps more correctly than you have been heretofore of the manner in which this inquisitorial tribunal has conducted itself.

Upon these depositions the counsel of Mr. O. and Col. S. founded an application to the court to lay their hands upon the examinations which had been taken in the manner disclosed by the depositions, and prevent their being used by the district attorney in any part of a prosecution which he might institute either against Ogden or Smith. The counsel contended that the examinations had been taken in a manner tyrannical and unjust and unwarranted by any precedent; that they were extorted by threats which the judge had no right to make; and would not be allowed to execute;—that if the parties had been allowed the benefit of counsel which every man was entitled to, they would never have submitted to answer, and that if the judge had imprisoned them, he would have been liable, not only to an action for false imprisonment, but to impeachment; that the manner in which the business had been conducted was so palpably wrong, it was vain to seek for the cause of it in ignorance; that no instance but this could be produced, where, in order to extort confession from a man under examination, it was made to change forms, as the prosecuting officer might direct, now a party a deponent, and that it was altogether a mockery of justice disgraceful to all concerned in it.

To these remarks, the district attorney replied, that the examinations spoken of were held before the court not in their power; that as public prosecutor he has a right to lay such evidence before the grand jury, as he thought proper without being controlled by the court. That the application was a novel one, and its novelty a sufficient ground to refuse it, and the manner of making it an insult to him and the judge. That in their conduct therefore they had been acting as their duty required them, and that a gentleman ought to have so much respect for him in his official station, as not to suppose that he would give improper evidence to the grand jury.

It was urged in answer, that if the examinations were not before the court, they ought to be; that it was the duty of the magistrate who took them to have returned them with the recognizances; that no evidence should be given to the grand jury that was not legal, the rules of evidence being the same every where, and that if the examinations were offered before a jury impaneled to try the defendants upon indictments found, no man would pretend that they were admissible; that as to the charge of insulting the judge or the attorney, they, the counsel for the defendants, appeared there to perform an important duty to their clients and not to pay compliments to any body; to contend for principles in which the liberty of every man in the community might be interested, and that if in doing their duty, they were unfortunate enough to wound the feelings of the judge, or any one else, they were not to blame; that they could place little reliance on the district attorney, because he had assisted at this worse than Star Chamber court, when the examinations were taken; that his intention as to the use of them was manifest from the warmth of his opposition to the application made to the court, and because he was an executive officer, acting under the orders of the executive of our government, who it is well known, . . . ; that we had yet to thank God that the rights of our citizens were not at the mercy of an executive, nor dependent upon the conscience of a subservient attorney, but rested upon the laws of the land. This was the course of the observations on each side, which occupied the time of the court until after the usual hour of ad-

journalment yesterday. The judge deferred giving his opinion until this morning, when he declared that the examinations and depositions were not evidence; but he would not interfere with respect to them, because he must presume the public prosecutor would do his duty. He censured the counsel of Mr. O. for the manner in which they had argued the question.

NEW-YORK, April 9.

The two houses of the legislature of this State, have passed a resolution, founded on a report of a joint committee, requesting "the senators and representatives of this state in the congress of the United States, to use their best endeavors to have an act passed to release the pretended claim of the United States against this state for state balances."

Defence of the Port of New-York.—A bill is before the Legislature, authorising the Governor, if in the opinion of the President of the United States the situation of our national affairs shall render it necessary, to cause to be built or purchased, for the defence of the city and port of New-York, a naval armament to consist of ten armed sloops, one floating battery, and one or more fire ships.

The flotilla is estimated at 34,500 dolls. The requisite heavy artillery, 34,000 Field pieces, 26,095 Ammunition, 49,340

Total, dolls. 109,935 This appropriation is made in the confidence that such sums as shall be expended by the state, will be reimbursed by the government of the United States.

At a meeting of the committee of merchants held at the Tontine Coffee House, on Monday evening the 7th inst. it was resolved that the following letter addressed to the Secretary of State, relative to the Foreign Commerce of the United States, with the answer thereto, should be published for the information of the merchants.

By order of the General Committee, THOMAS FARMAR, Chairman, JOHN FERRERS, Secretary, New-York, March 11, 1866.

SIR, I have the honor to address you, by direction of a committee appointed at a general meeting of merchants in this city, on the 26th December.

The opinions and wishes of the Commercial interest of New-York, were expressed in their late memorial, since which, nothing has occurred to change their sentiments, or diminish their apprehensions.

Sensible that foreign relations must be intricate, and believing those of the United States to be involved in unusual perplexity, the merchants of New-York have waited in silence, but with anxiety, the development of those measures which the wisdom of government may have devised for the redress of wrongs already suffered, and protection against injuries still apprehended.

Even at this late hour, although warranted as well by the usage of other nations as by our republican institutions, we freely to ask, and confidently to expect every useful information, which can be given without embarrassing the measures of government, they would still preserve the same respectful silence, if they were not otherwise impelled by motives of irresistible force.

The season approaches to commence the most important operations dependent for its success on a continuance of peace. The present stagnation of business, if protracted, would not merely diminish their profits, but must distress those of their fellow-citizens who depend on daily labor for daily bread. It must injure those also who procure, by selling the productions of their soil, articles of subsistence which habit has rendered necessary to comfortable existence.—On the other hand, merchants and insurers must be ruined if the adventure on calculations essentially erroneous. The mechanics with whom they are connected must be involved in the same catastrophe. The produce of our country will then no longer find those markets which gave a spring to national industry, and thus our prosperity will vanish.

Under the pressure of such cogent circumstances, the merchants of New-York hope it will not be deemed impertinent, respectfully to solicit information on four distinct points highly interesting, and which are now involved in dangerous obscurity.

The situation in which we are placed because of her prodigious naval power, which, it is apprehended by some, may be suddenly employed to annihilate our commerce. We wish therefore to be informed whether the injurious principles, adopted by her tribunals, have been relinquished or extended;—whether the measures devised by the wisdom of government to obtain redress, compensation, and security, promise a successful result; or whether the merchants must expect more portentous events.

There was reason to believe that peace had been made with Tripoli, but as no ratification of a treaty has been officially published, the merchants wish to know whether investments for the Mediterranean can be safely made, or whether they must provide against the depredations of Barbary corsairs.

Finally the plunder and outrage to which commerce is exposed in the West Indies, and even on our own coasts, render it very desirable to know whether government contemplates employing a respectable naval force to repress those predatory aggressions.

I am directed by the committee to disavow all imputation, or even wish to pry into the secrets of government, or urge the disclosure of measures which it may deem useful or convenient to conceal; more especially to ask any thing incompatible with your official obligations.

With great respect I have the honor to remain, sir, Your obedient servant, THOMAS FARMAR, Chairman General Committee of Merchants.

HON. JAMES MADISON, Secretary of Department of State, DEPARTMENT OF STATE, MARCH 31, 1866.

SIR, I have received the letter which you wrote me on the 11th inst. by the direction of the committee, appointed by a general meeting of the Merchants of New-York.

The sole force of those engaged in Foreign Commerce at the present crisis, which led to the application, could not fail to awaken the regret, that the cause of Mercantile operations could not in all cases be regulated by a more precise knowledge of Foreign occurrences; that you are doubtless sensible, that a communication of the features of that prospect, which if not multiplied and varied, with the multiplied variation incident on it, must itself become a source of miscalculation, could exceed the duty and responsibility of any government, as it would frequently do the rules of prudence, if therefore, in peculiar cases, where the existence, or the decided approach of events deeply affecting the whole or partial classes of citizens may be known to the government, and not sufficiently within the general means of conjecture and anticipation, that special notifications can be issued, either according to expediency or usage; and it is a just subject of congratulation in this country, that such is the degree of publicity given by the ordinary vehicles of circulation, to Foreign occurrences and appearances, and also the capacity of our Mercantile fellow citizens for appreciating them, that the intelligence of the community is as little dependent in the U. States, on the notifications of the government, as in any country whatever.

Persuaded sir, that the justness of these remarks will at once be perceived, I make no other apology for limiting the answer to your enquiries, to a general assurance of the disposition of the president, to give to every class of citizens, the proper information which it may be with the executive to afford, and to an intimation, that whatever embarrassments or risks may be incident to particular branches of Commerce, the occasion is not of a character to justify the government, in undertaking to predict or define them.

I have only to add, that the delay in acknowledging your letter has proceeded from other duties, pressing both as to time and importance; it was possible, also, that the interval might have produced the means of a more satisfactory answer, to particular articles of your enquiry.

I have the honor to be, sir, With great respect, Your obedient servant, JAMES MADISON, of New-York.

DOYLSTOWN, (Penn.) March 18. Hered and Inhuman treatment! Mary Wykle, daughter of George Wykle, of Augusta County, in Virginia, was decoyed from her parents in the month of February last, by a certain Joseph Black, who has attempted to destroy her life, in various ways, in the most brutal manner. She is now rescued from his hands, and is under the care and protection of William Elsin, Esq. of Bucks County. It is supposed she will be so far recovered, of the wounds she received, as to be in a condition to return to her parents by the first week in May next, at which time they are requested to send for her,—she having an anxious desire to be once more under their protection.

Publishers of newspapers in this commonwealth, and in Virginia, will serve the cause of humanity, by giving the above one or two insertions.

SPARTA, (Geo.) March 8. Died, in Savannah on the 20th ult. Brigadier-General Lachlan M'Intosh, aged 80 years. This gentleman was one of the first settlers of this state, and an old revolutionary officer.

William Hill, who had for some time past acted in the capacity of an assistant to Col. Hawkins in the Creek Agency, and in which station he had conducted himself to the entire satisfaction of the Colonel, on Sunday night the 23d ult. put a period to his existence by hanging himself.—The circumstances, as far as we have been able to learn are; he had been for several days in a deranged state of mind and had made several attempts to destroy himself—as soon as this was discovered he was confined in one of the small rooms of the Factory of Fort Wilkinson, and every thing taken out of the room with which he could injure himself—when he was discovered he was hanging, by means of a small piece of raw hide, which he had put over a small peg—the raw hide being too short to admit of his placing it over the peg, he placed a top of his placing it over the peg, by getting on top of the peg, he high enough to hitch the hide to the peg, and so accomplished his purpose. He had been recently appointed Agent for the Chactaw department.

The Commissioners of Milledgeville sold seventy-five of the Lots, the aggregate amount of the sale was \$1,650 dollars. The sale is postponed until June.

We understand that Benjamin Wall, Esq. is re-appointed by the President of the United States, Marshal for the district of Georgia.

NEW-ORLEANS, Feb. 28. We understand that the collector of this port, received by the last mail an opinion of the attorney general of the United States upon the importation of slaves into this country, in which it is stated that the inhabitants of this