THIRTY-SEVENTH CONGRESS.—FIRST SESSION

SENATE.

WASHINGTON, April 21.—Mr. LANE, of Indiana, presented a memorial from colored people of Washington city, in favor of colonization of their race in Central America. Mr. L. said that he was aware that the free colored people of the United States had not the same rights as white citizens. But he was in favor of the right of petition to the largest degree. Therefore he presented this petition of the colored people, who were to become freemen. He recapitulated the victories of our armies, especially in the West, and declared that he considered the abolishment of slavery in the District of Columbia as a victory as great as any of them, though it was a bloodless one. He had no idea that any harm would come of the passage of that act, as predicted by some. He had long favored it in his own State. He was in favor of freedom and colonization of the African race; voluntary colonization, and the encouragement of it, by which the negroes would be moved out from among us, and assisted in a region adapted to them. The memorial was referred.

Mr. POWELL, of Kentucky, submitted the following:

Resolved, That the Secretary of State be and he is hereby directed to inform the Senate how many residents or citizens of the State of Kentucky have been arrested or removed from said State by his order or direction, and confined or imprisoned outside the limits of said State, since the first of September last; that he state the names of the persons arrested, and the camps, forts, or prisons where they are or were confined; how long they and each of them have been imprisoned; and that he give the number and names of the persons so arrested and imprisoned who have been released, and the names of the persons so arrested who are still confined, and the place or places where they are imprisoned; and that he report to the Senate the names of all the citizens of Kentucky that have been imprisoned by his order.

Mr. SUMNER, of Massachusetts, objected, and the resolution went over.

Mr. HALE, of New Hampshire, introduced a bill providing for the selection of jurors to serve in the several courts of the District of Columbia. Referred to the Judiciary Committee.

Mr. LATHAM, of California, called for the vote on the bill for establishing a steamship line between San Francisco and China, which was pending at the close on Friday evening last, when his amendment as a substitute for the original bill had been accepted by the Senate in Committee of the Whole; but it being indicated by Messrs. Fessenden and Collamer that further debate of the measure was desired, the matter went over.

The resolutions of Mr. McDOUGAL, of California, making various inquiries into Brig. Gen. Stone's arrest and imprisonment, came up as the order of the morning hour.

Mr. McDOUGAL proceeded to speak upon the remarks made by Mr. Wade, of Ohio, chairman of the Committee on the Conduct of the War, the other day, and showing therefrom that testimony had been taken against persons in secret without their having knowledge of the charges made against them, and they had been arrested and imprisoned under these illegal and tyrannical circumstances. Such was the case of General Stone.

Mr. WADE denied that testimony had been taken in secret by the committee and acted on. General Stone had been made aware of the charges preferred against him.

Mr. McDOUGAL said he understood the gentleman to claim as a virtue for the committee that they had taken his evidence and no one was aware of its character except the officials who were to act in the premises—and read from the official report of Mr. W.'s speech to that effect.

He proceeded at length to depict the tyrannical and cruel course pursued in regard to this kind of imprisonment, and cited the classical illustration of subjecting one to the different grades of punishment in hell, as a test to be compared with the terrible infliction of being under suspicion on earth, and declared that this quality of suspicion was thus made the counsel of this nation. He referred also to a remark of Mr. Wade's to the effect that though they had not technical evidence, the committee had found it necessary to hold parties with a view to the protection of the Government—and asked what evidence had they—for technical evidence was the very poorest sort of evidence, devoid as it was of showing the *animus*. These are the rules—he would not say law, to which we are subjected. He held that these things were in connection with a systematic war upon the regular army. Even he that is chief of that army has been assailed, and is now pursued while before Yorktown. But it had happened that he had built his eyrie too high upon the rocks for the owls and vultures to reach him.

In this connection Mr. W. also noted that Surgeon General Finley had been ordered by the Secretary of War to report himself at Boston—an officer who had organized the medical corps of this great army. In his case it wasn't imprisonment in Fort Warren, the Surgeon-General being an old man. But the circumstances of an interview between Secretary Stanton and Dr. Finley showed its true nature. He related that the Secretary was condemning the doctor for writing a letter to a surgeon in Philadelphia in regard to malfeasance in office, when the Surgeon-General remarked that he was perfectly content to be reprimanded after court-martial and adjudged worthy of it, and Secretary Stanton replied in effect that he had power more speedily to dispose of such matters, and that he could strike his (Dr. Finley's) name from the rolls if he chose. These were the circumstances antecedent to Surgeon-General Finley's removal to Boston. Who is this Secretary of War that he does these things? Doubtless he expected fame and renown in doing them. Who is he? A man who received large bounties from the last administration, and was a Breckinridge Democrat till after the result of the Presidential contest.

There is an old saw about rats leaving a sinking ship, and Mr. Stanton has since come forward to give advice to the administration. He was not a Democrat, he was not a Republican, if he (Mr. McD.) knew anything of either. He was simply a man that belonged to the party that might be in power.

Mr. McD. quoted and spoke in earnest condemnation also of some portions of Mr. Wade's speech, in which he spoke of the "hellish" traitors, and the chastisement to be visited upon the people of the South, denouncing them as a cry for blood, appealing to the passions of men, and incompatible with christianity and the high principles which should govern this great nation towards our erring fellow-citizens.

Mr. WADE responded at length, and with some warmth. He defended the committee, and then turning to what he considered the purpose of the attack, accused Mr. McDougall with a purpose of assailing here, everywhere, and through the judicial tribunals those who would crush this rebellion. He referred to the late arrest of Ex-Secretary Cameron, as a part of the system to be pursued. A colleague of his in the other House, who never had any sympathy with this Government, was at the head of the movement. But this rebellion is to be put down by whatever means God Almighty may put in our hands—and we are not to be turned from our determination by any mawkish sentiment or sympathy for traitors. They were assailed here now by the same class of speeches—that this and that was unconstitutional—as made by John C. Breckinridge when here, because they undertook by force to deal with traitors.

He proceeded to defend the committee from the charge of being an inquisition, as made by the Senator, and sent to the clerk's desk the official record of the committee, from which it appeared that the committee, on the 29th of January, were informed by General McClellan that Gen. Stone was in the city, and that he (Gen. McC.) desired that Gen. Stone's evidence should be taken. On the 31st of January Gen. Stone appeared before the committee, and was informed of the general character of the charges made against him, and made his own explanation in his own way. The committee then appointed a sub-committee, who waited on the Secretary of War, and informed him that there was a conflict of evidence in the case.

That is, sir, the inquisitorial course taken against Gen. Stone. He was among the very first called in before the committee, in regard to the Ball's Bluff affair. And it was at the suggestion of that very immaculate commander, (Gen. McClellan,) as so regarded by the gentleman from California, that General Stone was brought there.

Mr. W. proceeded at length to denounce those who never had anything to say against traitors, though so anxious about the Constitution.

In the course of his remarks he alluded to Mr. Powell, of Kentucky, having the other day contrasted the former Senators of Massachusetts with the present ones, as he thought in an unpatriotic way, and indicated that the illustrious Clay had been succeeded by a traitor.

Mr. POWELL said he did not see why he should be dragged into this controversy. Kentucky could take care of herself.

Mr. WADE intimated that Ohio and other troops had to go to the aid of Kentucky.

Mr. POWELL said Kentucky had sufficient troops in the field for her defence at any time.

Mr. WADE said yes; but they are on both sides.

Mr. POWELL said that, wherever they were, they were brave men; and in no battle, on either side, had they been ordered to the rear.

Mr. WADE said the Ohio regiment ordered to the rear at Pittsburg Landing were composed one-half of Kentuckians.

Mr. POWELL declared him to be mistaken.

Mr. SUMNER, of Massachusetts, disclaimed having any feeling on this subject, or having had any connection with it, as he had seen it stated in the newspapers that General Stone had been arrested through his instrumentality. He thought that Gen. Stone was entitled to have as speedy a trial as possible.

Mr. McDOUGALL made some response to Mr. Wade, and objected to the substitute offered by Mr. Wilson, of Massachusetts, as not likely to elicit the information desired.

Mr. DOOLITTLE, of Wisconsin, thought it best to refer the resolution to the Committee on the Conduct of the War.

Mr. McDOUGALL objected, and moved to refer to the Military Committee.

Mr. HALE, of New Hampshire, thought the subject of too much importance to be dismissed in this manner, and that the inquiry was proper, and made of the right party.

Mr. FESSENDEN, of Maine, thought also that the inquiry was proper, and if there was no imperious military necessity for the delay, General Stone ought to have a trial. The matter really, however, belonged to the Executive Department and discretion.

Mr. McDOUGALL was willing then that his resolution should be referred to the Committee on Military Affairs.

Mr. KING, of New York, as a member of the Military Committee, objected to the suggestion.

Mr. CHANDLER, of Michigan, indignantly repelled what he termed the mean insinuations against the Committee on the Conduct of the War as having been an inquisitorial body, and declared it false, untrue, that they had acted on *ex parte* statements, as alleged. They had done no such thing.

Mr. McDOUGALL, interposing, asked if the gentleman meant to say he had told a falsehood? Does he say so?

Mr. CHANDLER would not be interrupted. From whatever source it was alleged, it was without foundation. It was untrue.

Mr. McDOUGALL—Will the gentleman answer my question?

Mr. CHANDLER said no; he would not. He made the general declaration, and it was for the gentleman to determine whether it applied to him or not.

Mr. McDOUGALL—Don't point your finger at me then. You will be made—

The Chair called to order, as it had done two or three times previously.

Mr. CHANDLER then concluded his remarks.

Mr. GRIMES, of Iowa, thought the Senate should come back to the legitimate subject before them. A call was made for information. The resolutions of the Senator from California might be too specific, but the general purpose was legitimate and proper, and he thought the substitute of Mr. Wilson, of Massachusetts, would answer the purpose.

Mr. BROWNING, of Illinois, thought they had a right to call for the party, but the act of the Secretary of War was of course the act of the President, and he thought the gentleman from California had in his zeal cast condemnation unjustly.

Mr. McDOUGALL said he had appealed not only for Gen. Stone, but for the heart of the nation—but he found he was appealing in vain. He protested against this and all like outrages. He was willing to have the matter referred to the Military Committee, and made that motion.

Mr. TRUMBULL, of Illinois, agreed with the view that the Executive was bound to furnish the information, and therefore thought Mr. Wilson's resolution ought to pass, and hoped the gentleman from California would accept it as a substitute.

After some further conversation, Mr. McDOUGALL accepted Mr. Trumbull's suggestion, and the resolution was passed as follows:

RESOLVED, That the President of the United States be requested to communicate to the Senate any information touching the arrest and imprisonment of Brigadier General Stone, not deemed incompatible with the public interest.

The Senate then adjourned.

HOUSE OF REPRESENTATIVES.

Mr. ELLIOTT, of Massachusetts, offered a resolution calling upon the Secretary of the Treasury to furnish this House with a statement of the amount of money expended in the Department of the West. Adopted.

Mr. NIXON, of New Jersey, offered a resolution requesting the Secretary of War to furnish the House with a statement of all the appointments of Brigadier-Generals from the regular or volunteer service, with the date of appointment. Adopted.

Mr. COX, of Ohio, offered the following:

RESOLVED, That the Secretary of War inform this House upon the following facts:

1st. What has delayed the reply to the resolution of this House calling for information as to the age, sex, condition, &c., of the Africans employed in Gen. Wool's Department?

2d. What number of slaves have been brought into this District by the army officers or other agents of the Government from the State of Virginia, since the enemy abandoned the possession of Manassas and other lines of the Potomac?

3d. What number of fugitives from Maryland and Virginia are now in the City of Washington, their sex and probable age?

4th. What number is now or has been sent to Fredrick, Maryland?

5th. How many are now fed and supported by the money of the United States, appropriated by Congress to prosecute the war?

6th. By what authority negroes, old and young, male and female, were sent from Virginia by railroad to Philadelphia; and at whose expense, the amount of expenses, and the purpose for which they were sent?

7th. If he has not the means to answer these inquiries that he take the necessary steps to obtain the information.

Mr. LOVEJOY, of Illinois, moved to lay the resolution on the table.

Mr. COX demanded the yeas and nays.

The resolution was then laid on the table by a vote of yeas 65, and nays 31.

The SPEAKER stated that the regular order was a resolution offered some time ago by Mr. Diven, of New York, that the Attorney General be requested to take proceedings to recover from J. C. Fremont and E. L. Beard the sum of money obtained from the Treasury, on the order of said Fremont payable to said Beard, as set forth in the report of the Select Committee to inquire into contracts of the Government.

Quite an excitement seemed to exist among the Republicans at the calling up of this resolution.

Mr. DIVEN, of New York, would submit a few remarks on this resolution. He said if Fremont was guilty, he ought to be convicted, and if innocent, acquitted. His object was to give Fremont a trial. He condemned at great length the acts of Fremont, especially the prices paid for fortifications.

Mr. COLFAX, of Indiana, defended Fremont, but admitted the prices paid by Fremont were very extravagant. He thought this question ought not to be brought up until this war was closed. He then referred to the Ball's Bluff disaster.

Mr. THOMAS, of Massachusetts, said if the gentleman would not attack a General while in the field, he ought not to attack one while in prison.

Mr. COLFAX—I have made no attack on any one.

Mr. THOMAS—If your remarks relative to Ball's Bluff don't mean an attack, they mean nothing.

Mr. COLFAX, resuming, said, in the name of justice do not strike down these Generals while they are in the face of the enemy.

Mr. MALLORY, of Kentucky, thought the friends of General Fremont ought not to object to this process by which he can be enabled to have a trial and defend himself.

Mr. BLAIR, of Missouri, denounced General Fremont in general, and said the honest men of Missouri had suffered because of these California speculators, brought in there by Fremont. In conclusion, he said that the President had again placed Fremont in charge of a command where he could do neither good nor hurt.

Mr. STEVENS, of Pennsylvania, replied to Mr. Blair, saying that this was a sweeping charge against the President. He characterized the report of the Committee on the Conduct of the War as a "school of scandal" to blacken the character of a patriotic General.

Mr. STEVENS moved to lay the resolution on the table.

Mr. DIVEN, of New York, moved to modify the resolution by striking out the name of Fremont.

The resolution, as modified, was laid on the table.

Mr. POTTER, of Wisconsin, submitted the following:

RESOLVED, That the Secretary of War be requested to inform this House whether the prisoners taken on the steop Velina were released by the United States Commissioner at Baltimore with the knowledge and consent of the Military authorities of the Department of Maryland; also, by what authority Colonel Gunter, of Virginia, who refused to take the oath of allegiance, was released on a conditional parole, which bound him only not to take up arms against the Government while the Eastern Shore counties of Virginia remained under the United States authority; also, by what authority the said Gunter was allowed to visit the camp of the 6th Maryland regiment at Lafayette square, Baltimore, to search for runaway negroes.

Mr. VALLANDIGHAM, of Ohio, proposed to debate the resolution, which carried it over under the rules.

Mr. ALDRICH, of Minnesota, called up the resolution subjecting certain military persons to trial. Passed.

The House adjourned.

PROCEEDINGS OF THE CITY COUNCIL

(Regular Session.)

FIRST BRANCH.—The Branch met at 5 o'clock.—Present WM. S. CROWLEY, Esq., President *pro tem.*, and all the members.

Mr. NORRIS presented a petition from James Mullen and others asking to have a gas lamp erected at the corner of Dolphin street and Foster alley. Referred.

Also a report from the Joint Standing Committee on City Property, with a resolution appropriating $175 for repairing the house of the Eastern Spring. Laid on the table.

Also a report from the same committee, with a resolution adverse to the petition of Peter Kephart, asking permission to erect a frame building at the foot of Montgomery street.

Also a resolution directing the Harbor Master to have timber and rubbish removed from the foot of the same street. Laid on the table.

Mr. BARRON offered a resolution to refund to the United States Government the sum of $100,000, advanced for the support of the police last summer. Laid on the table.

Mr. DUKEHART moved a reconsideration of the vote which passed the bill fixing the levy of indirect tax. Carried.

He moved to strike out 25 cents and insert 15 cents.

Mr. NORRIS moved to lay the bill on the table. Lost.

The amendment to insert 15 cents was then put and adopted, and the bill repassed.

Mr. STREETER presented an ordinance to provide for the education of deaf-mutes, residents of the city of Baltimore.

Mr. DUKEHART called up the ordinance levying a tax of 1 per cent. on the $100, as sinking funds for the redemption of funded city debt. Passed.

Mr. BURKE offered a resolution appropriating $250 for the repair o the Hillen street bridge.

Mr. NORRIS offered a resolution appropriating $100 for repairs to Eutaw square. Referred.

The bill relative to fines and penalties, which came from the Second Branch amended, was called up, and the Branch refused to concur.

Mr. NORRIS called up the bill appointing a collector of taxes and prescribing his duties. This bill is a codification of all the laws relative to the City Collector and his office.

The Branch adjourned without disposing of the bill.

SECOND BRANCH.—Branch met. CHAS. J. BAKER Esq., President, in the Chair, and all the members present.

An ordinance to levy and collect a direct tax of 16½ cents on every $100 worth of assessable property within the limits of direct taxation in the city, as prescribed by the General Assembly, was received from the First Branch. On motion of Mr. MILLER, the sum of 30½—as reported by the Committee of Ways and Means—was substituted, and the ordinance as amended was passed by a unanimous vote.

The Branch then adjourned.

Amusements.

HOLLIDAY STREET THEATRE—*East Lynne.*—The new play of *East Lynne, or The Elopement*, written expressly for Miss Lucille Western, who personates its chief character, Lady Isabel, will be given tonight for the first time, and all auguries known to the theatre unite in indicating a crowded and brilliant audience on the occasion. The product on of a new play is not in itself calculated to create any very marked excitement in the theatrical world, but the sympathetic popularity enjoyed here by the beautiful story of Mrs. Henry Wood, attaches to its dramatic version a degree of interest which renders its production to-night a very decided event among the theatre-going circles of our city. The new play appears to be judiciously cast, the entire company appearing in it, and is said to have been very carefully gotten up in its mechanical details.

HERRMAN'S FIRST NIGHT.—We are requested to state the sale of tickets for Herrmann's first performance, which takes place on Monday evening next at the Front Street Theatre, will commence at McCaffrey's, on Thursday morning. The Theatre is being fitted up in the most comfortable style, and as there will no doubt be a rush for seats on the opening night, parties should avail themselves of the opportunity of securing places in time, although it may not be amiss to state that from the peculiar construction of the house the performance can be witness with satisfaction from any part of it.

LAW INTELLIGENCE.

U. S. CIRCUIT COURT—JUDGE GILES.

Butcher *vs.* Bourr. Before reported. The counsel in this case were yesterday engaged in the argument of points of law. The case will be given to the jury to-day.

TEST OATH VETOED IN KENTUCKY.

Nat. Gaither, Jr., Secretary of State, delivered a message to the House of Representatives of the Kentucky Legislature, from the Governor, which reads as follows:

EXECUTIVE DEPARTMENT,
FRANKFORT, March 8, 1862.

Gentlemen of the House of Representatives:

The following bill, entitled

"An Act to Amend Section 9, Chapter 47, Revised Statutes, Title, Husband and Wife."

"Sec. 1. BE IT ENACTED, by the General Assembly of the Commonwealth of Kentucky, That hereafter no minister of the Gospel, or priest of any denomination, shall solemnize marriage until, in addition to the present requirements of law, he shall file in the county court's office of the county of his residence, a written affidavit subscribed by him and sworn to before some person legally authorized to administer an oath of the following purport and effect: 'I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of this State, and be faithful and true to the Commonwealth of Kentucky, and the laws and government thereof, so long as I continue a citizen thereof, and I do further solemnly swear (or affirm) that I have not joined in, aided or abetted the so called Confederate States, or either of them, in their rebellion against the United States or in their invasion of this State, and that I will not so aid, assist, abet or comfort them therein, directly or indirectly, so long as I continue a citizen of this State, so help me God.'

"Sec. 2. That any minister of the Gospel, or priest of any denomination, who shall, after this Act takes effect, solemnize marriage without first complying with the provisions of the first section of this Act, shall be guilty of a misdemeanor, and shall be subject to a fine for every such offence, upon the presentment of the grand jury, of not less than fifty, nor more than five hundred dollars,"

Has been presented to me for my signature, and I herewith respectfully return it, with the reasons I cannot sign it.

The Federal and State Constitutions were designed to operate equally, uniformly and impartially upon all citizens; no matter what may be their political opinions, condition or calling in life; no classes are preferred; no unjust or invidious distinctions are made. These positions are sustained by Section 1, Article 13th, title "Bill of Rights," in the Constitution of Kentucky, which is as follows: "That all freemen, when they form a social compact, are equal, and that no man, nor set of men are entitled to exclusive separate public emoluments or privileges from the community, but in consideration of public services." And also by Section 6, same title and article, in which it is declared: "That the civil rights, privileges or capacities of any citizen shall in no wise be diminished or enlarged on account of his religion."

It was the design of the framers of those instruments to prevent a union of Church and State; to prevent the interference of politics with religion, or religion with politics; to define and separate, secular from spiritual duties; and, in my judgment, to ignore and discountenance all test oaths in the performance of religious ceremonies. The ministers of the Gospel, remembering all our fathers had suffered from this, memorialized the Convention which framed our Constitution upon this subject, and it was this very grievance, to wit: a test oath, as a condition precedent to solemnizing marriages, which called forth the ever-to-be-remembered complaints and protests of the clergy in Virginia, especially from the old Baptists and Presbyterians, about eighty years ago, in the Virginia House of Delegates, which gave birth to Mr. Jefferson's immortal bill for religious freedom.

It seems to me the bill is framed upon the fallacious assumption that, because the civil government sees fit to make use of ministers of the Gospel, to accommodate and protect itself from frauds in the superintendence of the civil contract of marriage, therefore they are civil officers, and ought to be required to take the above oath to support the Constitution, with the super-rogatory addition not to commit treason. A man cannot support the Constitution and at the same time commit treason. Solemnizing marriage is a religious duty; so held by all the ministers who perform it. The Catholics hold the rite of matrimony as a sacrament (others so hold baptism) instituted by Christ and kept by Him invested with all the sacredness in its order that belongs to the others. It is regarded by them, as by all other denominations, as a religious act; and as citizens of the Commonwealth, their rights under the Constitution ought not to be diminished or interfered with by unnecessary and annoying requirements.

In this abridgment of their rights the clergy may become justly alarmed, believing that this test oath may become the entering wedge to others that may be enacted with as much reason, restricting them in the full and free exercise of all other religious rights. By this dangerous precedent all others may be swept away from them. Cannot the Legislature, following the same proper, with as much propriety require a similar oath before any other religious rite can be performed—the rite of baptism, the burial service, the holy communion, or any other religious duty enjoined in the different systems and modes of worship? Why not, with the same propriety, require them to take the oath before they can be permitted to preach from the pulpit? Why not, with the same propriety, disciminate between Catholics and Protestants? For, not many years ago, the spirit of intolerance and religious persecution was so rife in our country that a powerful party was formed upon the idea, that their faith was inconsistent with our institutions, and which threatened for a time the destruction of their church, and, as I believe, of the Constitution.

If the right exists, and it be good policy to administer these oaths to all the clergy as a class, precedent to the performance of this duty, may it not, with equal propriety, be claimed that you can discriminate between the various denominations of Christians, and may not the Protestants impose test oaths on Catholics, or the Catholics upon the Protestants, if they happen to have political power, or the Protestants, as they widely differ in their political opinions, impose them upon each other, under the caprice or prejudice of the hour? I think the principle and policy all wrong, and dangerous in the extreme. I therefore object to the bill—

First.—Because it strikes a class of our citizens, and that the best and most self-sacrificing of our citizens, as a class where duties have no connections with politics, and who are the ministers of God, to attend to our spiritual welfare. I would not make this a political question. If the bill becomes a law, it cannot be avoided; and while I do not believe it will do any good in any view I can take of it, I fear it will produce additional bitterness and strife, especially at this time, when all our efforts should be directed to soothe and allay the terrible excitement now raging throughout the land. Let us render unto Cæsar the things that are Cæsar's, and unto God the things that are God's, and keep Church and State divided in the spirit of our institutions.

Second.—It is partial and unequal; an imputation upon the clergy, proceeding upon the erroneous idea, I believe, that the clergy, as a class, are disloyal—no such test being required of other civil officers who have the right to solemnize marriage.

Third.—I object to it because the solemnization of marriage by a minister is purely a religious ordinance, so far as the minister has any relation to it. It is not in any real sense, a civil officer in the transaction; the civil government makes use of him merely as a convenience in effecting and proving a civil contract already made by the parties interested through the clerk of the county court, and therefore, has not heretofore required of him the oath administered to civil officers. What he does in solemnizing marriage is as purely an ordinance of worship as administering baptism, or burial of the dead, or the Eucharist, or conducting any religious service. In proof of this, we need only appeal to the fact that in the Roman Catholic Church the solemnizing of marriage is a sacrament, just as much as baptism in other churches. In Protestant churches the order for the solemnizing of marriage, whilst not a sacrament, is yet a part of the ritual of worship, in the Presbyterian Church, it is found in their church government, as you will find it in that of the other churches ordinances, as the communion, baptism, confirmation, and the burial of the dead. It seems to me, therefore, to be just as proper to enact that ministers of the Gospel shall not administer baptism, or confirmation, or bury the dead, except on first taking a test oath to the civil government, as to solemnize marriage.

Fourth.—If it be insisted that marriage be also a civil contract, and the minister a civil officer in effecting the contract, the answer is obvious. The State cannot know ministers of the Gospel as such, but only as a class of citizens, to whom, as a matter of convenience, and out of respect to popular feeling and usage, the State very properly entrusts the public evidencing of the contract. The recognition of them as civil public officers is the very essence of Church and State; and evidently, heretofore, our laws have not intended this, as they have required *no oath of office*, but simply a license from the county court to protect against imposition. If I am correct in this statement of the case, the proposed enactment is clearly contrary to the spirit of our Constitution, and of the great American principle of the entire separation between the civil and spiritual government. The very term *solemnize*, suggests the origin of the marriage ceremony as religious, and not civil.

Fifth.—The whole matter of test oaths is specially odious to every American freeman acquainted with the history of the struggle against tyranny which won our free system. It was the test oath, on account of which the martyrs of English liberty cheerfully suffered. There it was against the religious test as a condition precedent to civil rights. This act simply adopts the converse proposition, in my judgment, to wit: civil test oath as a condition precedent to the exercise of pu ely religious functions. While I condemn in the most unqualified terms, the practice resorted to by some dangerous, some indiscreet, and I am reluctantly compelled to say, bad men, of preaching politics from the pulpit, or otherwise desecrating their sacred calling in their newspaper effusions, I am free to say, it is as much contrary, in my judgment, to the American doctrine of religious liberty, to require a civil test oath in order to perform a religious office, as to require a religious test oath in order to exercise civil privileges.

Sixth.—The enactment, if intended to protect society against treasonable preachers, is altogether needless, since ministers and priests are not privileged classes, but simply, private citizens, and amenable to penalties far more terrible than the loss of a marriage fee, for doing any of the things which this oath binds them not to do.

Seventh.—If the enactment be intended to catch anti-Lincolnite ministers, or force them up to the fanaticism of a malignant religious loyalty, it is utterly ineffective. The operation of the law will be most likely this, with all except the most fanatical and avaricious of the ministers, to write the minister called on to discharge this pleasant office of religion for any of his flock, will advise them with the license to secure the services of the neighboring justice of the peace, or some brother who is not a non-juror like himself. He will let them perform the civil part of the duty in witnessing and certifying the contract, and then proceed him self with the usual religious exercises. Then we will see whether the grand jury will indict him for the crime of praying. I do not believe that one preacher in four will take the oath; and if I am not greatly mistaken, some of the most ardent Union men will be the first to refuse it.

Eighth.—The inevitable effect of the enactment, as I believe, will be to stir up intense feeling for and against ministers, and add fuel to the present bitterness. Its effect, as I think, will be to confirm the present tendency of our religious people to adopt and ape the miserable mixing up of civil and religious ideas in reference to the ministry, which have heretofore distinguished New England, and out of which has grown the clerical leadership in civil things, and consequently abolition preaching, out of which has grown our present troubles.

Believing, as I do, after much reflection, that the law can do no good, especially as the danger to Kentucky has passed, and that it will be an unnecessary annoyance to the clergy, who do not need such a test of loyalty, I respectfully return it to you for reconsideration, with these, my reasons, for withholding my signature.

B. MADDOFFIN.

The bill was postponed till the November session of the Legislature.

BOARD OF TRADE.

Committee of Arbitration for the month of April.

HOOPER C. EATON, JOS. A. BUCK, | WILSON P. BRYANT, C. MORTON STEWART, J. HY. G ESE.

Monetary and Commercial Rebiew.

BALTIMORE, April 21, 1862.

There was a little more activity in Stocks to-day than for some days past. There were no transactions in Government securities; for United States 6's 1881 94 was asked; the same rate was asked for those of 1867, but there were no bidders at these figures. In State stocks we notice sales of $5,000 Maryland 6's 1870 at 91⅝, and $5,000 do. do. at 95, closing at 96 bid for coupons, and 91⅝ bid, 95 asked for inscribed; there was also a sale of $4,000 North Carolina 6's at 63¾, a slight decline, closing at 63¾ bid. The only sale of City stock was $2,100 6's 1890 at 97, at which rate the market closed firmly for both the old and new issue. In Railway bonds the only sale was $5,000 Northern Central 6's 1885 at 72, closing at 72 bid, 72¾ asked; for Baltimore and Ohio 6's 1862 61 was bid, 61 asked; do. do. 1888 83 bid, 86 asked; for Northwestern Virginia 6's first mortgage, guaranteed by the city, 88¾ was asked, but there were no buyers; do. do. second mortgage, guaranteed by the Baltimore and Ohio Railroad, 81 was bid; for Central Ohio 7's 1861 70 was bid. In Railway shares there was nothing doing; Baltimore and Ohio closed at 56¼ asked, and Northern Central at 29½ bid, 29¾ asked. We notice a sale of 15 shares Citizens' Bank at 99¾. Other stocks remain unchanged. Mining stocks very dull.

SALES AT THE BALTIMORE STOCK BOARD.

MONDAY, April 21, 1862.

$5,000 Maryland 6's '70		91⅝
5,000 do. '70		95
4,000 North Carolina bonds		63¾
1,000 Baltimore city 6's '90		97
1,000 do. '90		97
100 do. '90		97
4,000 Northern Central Railroad bonds '85		72
1,000 do. do. '85		72
15 shares Citizens' Bank		99¾

The following are the rates at which the Baltimore Brokers are buying and selling Gold:

	BUYING.	SELLING.
Gold	1@1¼ per ct. prem.	1⅛@1¼ per ct. prem.

PRICES AND SALES OF STOCKS IN NEW YORK.

BY TELEGRAPH.

Through WILLIAM FISHER & Son, Stock and Bill Brokers No. 22 South street.

	1st Board	2d Board
Virginia 6's	56⅝	00
Missouri 6's	49⅝	49⅝
Tennessee bonds	56⅝	56
North Carolina bonds	63⅝	00
American gold	101⅝	00
Canton Company	14	00
Erie Railroad	20⅝	20⅝
New York Central Railroad	82⅝	82⅝
Reading Railroad	42⅝	42⅝
Rock Island	00	60

The New York *Herald* of yesterday says:

The week closed on Saturday on a steady though inactive stock market, prices showing but little variation from those of the Saturday previous. Money was very abundant indeed at 5@6 per cent. The receipts of the Sub-Treasury in deposit continue very large; on Saturday the total receipts were $2,981,201. Exchange closed dull at 112@¾, gold 101⅝@¾. The total imports for the week ending on Saturday were $3,206,000.

The following are the official returns of the trade of the port of New York for the week and since January 1:

IMPORTS.	1860.	1861.	1862.
For the week	$3,869,859	$629,574	$1,222,204
Dry goods	968,050	2,038,617	1,081,209
General merchandise	3,214,809		
Total for the week	$3,869,859	2,667,991	3,206,413
Previously reported	71,023,708	53,608,358	49,131,708
Since January 1	$74,893,567	56,176,349	52,338,121

EXPORTS OF MERCHANDISE AND PRODUCE.	1860.	1861.	1862.
For the week	$2,166,227	2,642,772	2,458,639
Previously reported	22,437,286	35,674,605	34,903,292
Since January 1	$24,503,513	38,317,277	37,361,831

EXPORTS OF SPECIE.	1860.	1861.	1862.
For the week	$635,618	none.	693,432
Previously reported	7,841,717	2,896,252	12,032,063
Since January 1	$8,477,335	2,896,252	12,725,495

BALTIMORE MARKETS.

MONDAY, April 21.

COFFEE.—Some small sales are making to the trade, but scarcely worth reporting. The market is steady at quotations, viz: prime Rio at 20@20⅛ cts; fair to good do at 19@19½ cts; common do. at 18@18⅜ cts; Laguayra at 21@22 cts, and Java at 26@27 cts per lb. The stock of Rio in first hands is now about 32,000 bags.

FLOUR.—The market is rather dull to day, the only demand being for choice retailing brands of Howard Street and Ohio Super, which may be quoted at $5 25 per bbl. Extra Howard Street and Ohio Flour are in good supply and are held at $5 50 per bbl., while standard City Mills brands are ranging at $5@5 12½, and Extra do. at $6 25@6 37½ per bbl. The only sale reported to-day was 100 bbls. Howard Street Extra at $5 50 per bbl.

RYE FLOUR AND CORN MEAL.—The market for Rye Flour is very dull, and without sales we quote it at $3 37½@3 50 per bbl. There is only a moderate demand for Corn Meal. We quote it at $2 87½ per bbl. for both Baltimore and Brandywine.

GRAIN.—The receipts to day were rather light, caused principally by the inclement weather. The market was consequently dull, although we have no change to note in prices. The offerings at the Baltimore Exchange only reached 9,761 bushels, viz: 1,080 bushels Wheat, 6,621 bushels Corn, 1,900 bushels Oats, and 158 bushels Rye. We notice sales of 300 bushels white Wheat at 158 cts., and 300 do. do. inferior quality at 117 cts; nothing done in red. We continue to quote common to medium white at 125@135 cts; fair to good do. at 145@150 cts.; and prime to choice do. at 155@160 cts.; fair to prime Pennsylvania red at 120@128 cts., and Southern do. at 122@131 cts. per bushel. There was a moderate demand for Corn; sales of 1,750 bushels white at 61 cts.; 538 bushels do. at 58 cts.; 110 do. mixed at 57 cts.; and 900 bushels yellow at 56 cts. The market for Oats was dull, the only sale reported being 150 bushels Virginia at 36 cts., we quote at 38@40 cts. for fair to prime Pennsylvania, and 36@38 cts. for Maryland. Rye was dull—no sales reported; Pennsylvania may be quoted at 70@72 cts., and Maryland at 67@68 cts. At the Maryland Exchange the offerings were 425 bushels Wheat, 1,720 bushels Corn, 1,600 bushels Oats, and 600 bushels Rye, making a total of 3,275 bushels. The sales reported were 300 bushels red Wheat at 128 cts; 110 bushels white Corn, mixed, at 56 cts.; 490 bushels yellow do. at 56 cts; and 550 do. do. at 55 cts.

MOLASSES.—The market continues dull. With light stocks and a very moderate demand prices remain unchanged. We notice a sale to-day of 20 hhds. Cuba Muscovado at 50 cts per gallon. We continue our previous quotations, viz: Cuba Muscovado at 22@26 cts; do. clayed, sour and sweet, 20@24 cts; Porto Rico 26@36 cts; and New Orleans 50@52 cts per gallon.

PROVISIONS.—There is nothing of importance doing in Provisions, and quotations are about the same as last noted. Pork.—We quote Western Mess at $13; Prime Mess at $12; Prime at $10, and Rumpsat $9 per bbl. Bulk Meats are in good request; we quote Shoulders at 4¾ cts., Sides at 5¾ cts. for light, and 5¾ cts. for heavy do. Hams we quote at 4¾@5 cts. per lb. Bacon.—We now quote Shoulders at 5 cts; Sides at 6@6¼ cts. per lb.; Hams at 6¾@7 cts. for plain and sugar cured, and 9 cts. per lb. for fancy do. Beef is steady at $12.50 per bbl. for Baltimore No. 1; at $15@16 for do. Mess, and $17 per bbl. for Extra Mess. Lard.—We are without sales; the market is firm at our quotations, viz: Western, in bbls. and tierces, at 8⅛@8¾ cts; do. in kegs (regular packages) 8¾ cts; city rendered Leaf 7¾ cts., and refined 9¾ cts per lb.

RICE.—There is no Rice here, but we quote it nominal at 5@5¾ cts. for good to prime Carolina.

SALT.—The demand for Jobbing lots from store continues quite light. We now quote as follows, viz: Ground Alum 110 cts. per sack; Jeffrey & Darcy's 175 cts.; Worthington's and Worthington's 185 cts., and Ashton's fine at 205 cts. per sack. From store Turks Island is selling at 35 cts. per bushel.

SEEDS.—The season for Cloverseed is nearly over, and there is now scarcely anything doing. We quote nominally at 5@5½ per bushel for Cloverseed in small parcels; $2.12½@2.25 for Timothy, and $1.85 per bushel for Flaxseed.

SUGARS.—The market is rather dull, the only sales being small lots to the trade. We continue to quote as follows viz: Cuba and English Island, common to good refining at $6.50@7; do. do. fair to good grocery at $7.25@7.75; do. do. prime $8@8.25; fair to good Porto Rico at $7@8; do. prime to choice at $8.50@8.75; Havana, boxes, at $7@8.75.

WHISKEY.—There is nothing worthy of special notice in the market for Whiskey to-day. The sales reported are 50 bbls. Country at 23⅜ cts., and 50 bbls. Ohio at 24⅜ cts. per gallon, which is a slight decline on the prices of last week. We quote City and Ohio at 24⅜ cts., and