THE MARYLAND NEWS SHEET

VOL. II---NO. 198. BALTIMORE, SATURDAY, MAY 10 1862. PRICE TWO CENTS.

MARRIED,

On the 6th instant, by Rev. A. A. Reed, SAMUEL I. JAY to Miss SUSIE M. AUSTIN, all of this city.

DIED,

On the 7th instant, TIMOTHY McNAMARA, in the 72d year of his age.

On the 8th instant, LEWIS UHL, in his 25th year.

Suddenly, on Wednesday evening, 7th inst., Mr. HENRY S. COULTER, in the 6th year of his age.

On the 6th instant, PHOEBE ANN, wife of Nevia, aged 1 year and 13 days, youngest daughter of Joseph H. and Sarah A. Kager.

On the 7th instant, JAMES I. DOWNING, son of the late Howell and Marian E. Downing, in the 24th year of his age.

WAR AND OTHER NEWS.

In the Senate of the United States the House bill to prevent the practice of polygamy in the territory of the United States and other places, and annulling certain acts of the Legislature of Utah, was reported with amendments. A resolution was adopted calling upon the Secretary of War for the Official Reports of Commanders of Divisions at the battle of Shiloh. The Committee on the Judiciary reported a resolution taking order on the impeachment of Judge Humphreys, of Tennessee, and concurring in the action of the House.

In the House of Representatives a resolution was adopted tendering the thanks of the House to Gen. McClellan and the army of the Potomac, for the recent successes on the Peninsula. The debate on the bill to render freedom national and slavery sectional, was resumed. It was opposed by various members, Mr. Carlisfield among others, who declared that the measure was nothing more, nor less than a measure to emancipate indirectly the slaves of Maryland. The vigorous protests against the passage of the bill prevented the taking of a vote upon it and pending a motion to recommit, the House adjourned.

It is difficult to understand the object of the attack upon Sewall's Point, as reported in the telegram from Fortress Monroe, unless it was to afford Mr. Lincoln, who was present as a spectator, an opportunity to witness a naval engagement. That nothing was accomplished by the movement is perfectly evident even by the muddled account furnished by the Associated Press. The engagement commenced shortly before noon on Thursday last. The Federal squadron conducting the attack, was composed of the Monitor, Naugatuck, Seminole, Susquehannah, Dacotah and San Jacinto, six of the strongest and most efficient vessels in the service. For about two hours the bombardment was heavy and continuous, the fire from the gunboats, and from the Rip Raps being responded to, sluggishly at first but briskly afterwards, by the battery at the point. At a quarter past two the barracks in the rear of the battery were burned by the shells from the squadron. A quarter of an hour later, the Merrimac quietly steamed up towards the point, and the gunboats ceased firing, and, according to the correspondent of the *American*, at a signal from the flag-ship drew off, "using their greatest speed" in getting back back to Fortress Monroe. At five o'clock the Merrimac was still off the point. "As I close my letter," says the correspondent, "at half-past five, she is still in the same position; but there seems to be no prospect of an engagement." Thus ended the demonstration upon Sewell's Point.

The only other news of interest from the peninsula, is that information had been brought to the Fortress by a boat from Yorktown of a severe battle at West Point, on Wednesday, in which the Confederates are said to have been repulsed with heavy loss. It is doubtful, however, whether they ever designed to make a stand at any place where they would be brought within range of the shells from the gunboats.

From Williamsburg, under date of the 8th instant—Thursday—we are informed that the details of the engagement are so voluminous that it will be necessary to await the report of General McClellan. We are informed, also, that the official list of the killed and wounded before Williamsburg, being too long to transmit by telegraph, will be forwarded by mail. We need no more than these intimations to prove the desperate nature of the struggle in question, and the fearful list of casualties by which it was attended. The expedition up the York River is pronounced to have been most successful, the Federal troops now occupying West Point. Heavy firing has, however, been since heard in that direction, but the particulars are not known. We are also assured that the main body of the enemy has crossed the James River, and that the Confederates have made their last stand in Virginia.

In addition to General McClellan's report, an officer in the army of the Potomac writes that fifty thousand Confederates, under General Johnson, were defeated at Williamsburg; that Franklin's division is near West Point, and was engaged with the enemy all day yesterday, and that, although he considers the day's operations a success, no particulars had been received, but it was thought advisable to send him heavy reinforcements.

Somewhat different in tenor from the Associated Press despatch is the official report of General McClellan, which was written yesterday. Before entering upon his own movements, he makes the important statement that the Galena, which was to have gone up James river for the purpose of flanking the Confederates, and of cutting off their retreat, was aground off Hog Island; but it was supposed that she would be gotten off without the loss of her coal. The Federal troops were in motion, and a junction had been formed with Franklin's division, but whether the latter were disembarked at West Point, or at some other landing place between that place and Yorktown, is not stated. As General McClellan makes no mention of the retreat of the Confederates across James river, we presume that the story is not believed by him.

Further details in regard to the taking of New Orleans, the action of the municipal authorities, and the surrender of the forts, are given in the unofficial letter of Commodore Farragut, and in the extracts from the columns of the New Orleans *Picayune*. The success of the Federal operations on the lower Mississippi appears to be complete.

GOTTSCHALK AND THE OPERA.

Our readers may recollect that great disappointment was expressed and considerable feeling elicited, in consequence of the change of programme which was made at a late hour on the last night of the engagement of Mr. Gottschalk and the artists who accompanied him on their previous visit to this city. We are assured by the manager that the failure to perform the opera as announced was deeply regretted by him, and arose from circumstances entirely beyond his control. In the early part of the day, although Susini was sick, he nevertheless expressed his belief in his ability to sing in the evening, and it was not until nearly five o'clock in the afternoon that his condition was found to be such as to absolutely preclude the possibility of his appearance at all. It then became necessary at that late hour to substitute a concert for the opera as announced, but to include one scene from the opera. All the pieces—twelve in number—which usually constitute the evening's entertainment in concert, were given, but the scene of the opera, which was in addition, could not after all be produced in consequence of the illness of Madame Susini. Unfortunately, the manager was absent during the evening, and could make no propea explanation, and thus it happened that the audience were left to draw conclusions unfavorable to the management. We make this statement at the instance of Mr. Strakosch. We have reason to believe that it is entirely true, and that he really endeavored to do all within his power to fulfil, to the best of his ability, his promises to the public. He desires us to state further, that the concert which is announced for Tuesday evening next, will be carried out in exact accordance with the programme. If by reason of illness on the part of any of the artists, or from any other cause, this should not occur, the money taken for seats will be refunded. The sale of tickets will commence on Monday morning at nine o'clock, at the music store of Mr. McCaffrey on Baltimore street.

THE EMILIE ST. PIERRE—TESTIMONIAL TO THE CAPTAIN.—A subscription has been originated on 'Change for a testimonial to Captain Wilson, of the Emilie St. Pierre. The subscribers state that it is "to mark their admiration for Captain Wilson's gallant conduct and British pluck, evinced in re-capturing his vessel from a greatly superior force; and these sums are given without the slightest reference to Northern or Southern feeling." We understand the amount already subscribed exceeds £100. Yesterday morning the crew of the Emilie St. Pierre arrived here from New York in the steamship Etna. The mate is detained by the British consul to answer any inquiries as to the ship. On nearing the great landing-stage about 6 o'clock, the returned crew were informed of their vessel being in the river, but they doubted it until assured of the fact by reading it in the newspapers. On learning the gratifying intelligence their joy knew no bounds. They broke forth into loud huzzas, which were repeated again and again with increasing enthusiasm. They also sang one or two of our national songs, including "Rule, Britannia," dwelling with uproarious effect on the passage "Britons never shall be slaves."

The State debt of Indiana amounts to eleven millions four hundred thousand dollars.

LATEST NEWS.

TELEGRAMS.

IMPORTANT FROM FORTRESS MONROE.

Bombardment of Sewall's Point by the Federal Fleet—The Merrimac Comes Out, but Does Not Venture Outside the Range of the Rebel Batteries—A Battle at West Point—The Enemy Defeated with Great Loss.

FORTRESS MONROE, May 8.—Shortly before noon to day, the Monitor, Naugatuck, Seminole, Susquehannah, Dacotah and San Jacinto steamed up towards Sewall's Point.

Capt. Lardner, of the Susquehannah, had command of the expedition.

As soon as our fleet came within range, they opened with shot and shell over Sewall's Point, most of which were good shots. It was nearly half an hour before a reply was made from the Point. The Rip Raps also soon joined in the action, and the Naugatuck opened with good effect upon the Rebel works. Several shots were fired by the Rebels from their single gun on the extremity of the Point, when one of the Monitor's bells struck in the vicinity and doubtless disabled the gun, as it has not been heard from since.

The position of the Monitor was far in advance of the rest of the fleet, and she continued in motion till within a mile or so of the Point, when considerable execution must have been done by her accurate firing.

The Naugatuck kept in the back ground, the great range of her Parrott gun enabling her to do so.

Sewall's Point battery replied briskly for a while, the Rip Raps battery firing occasionally, whilst a continual fire was kept up from our gunboats.

At about 1 o'clock black smoke was seen to arise from the Rebel works, occasioned by Shart's combustible shells, which our ships showered upon the enemy, and which either set the woods on fire or the quarters of the enemy. The smoke, however, soon disappeared.

Nothing of special moment occurred until a little before two o'clock, when the firing of the Rebels on the Point became very feeble.

The Monitor about this time returned from her advanced position, and rejoined the fleet. From the distant view had, nothing of her could be seen but a small black dot on the water.

About 2½ o'clock very dense black smoke arose rapidly from Sewall's Point, caused by the burning of the barracks or other buildings.

About half-past two o'clock the Merrimac made her appearance, when the fleet, with the exception of the Monitor, Naugatuck and Dacotah, returned toward the Fortress. Various manœuvres were made to tempt her down, but she was evidently unwilling to come beyond the range of the batteries on Craney Island and on Sewall's Point.

At 5 o'clock the Merrimac was still off the Point. The Monitor is ready to attack her, and all other preparations are in readiness.

The Seminole has returned to the lower Roads.

As I close my letter, 5½ o'clock, the Merrimac is in the same position; but there seems to be no prospect of an engagement.

The boat from Yorktown brings information of a severe battle at West Point on Wednesday afternoon, in which the enemy was repulsed with heavy loss.

FROM THE ARMY OF THE POTOMAC

The Battle of Williamsburg—The Expedition up the York River Most Successful—The Rebels Retreating Across James River.

WILLIAMSBURG, May 8—The details of the engagement of Monday are so incomplete and voluminous, that it will be necessary to await the report of General McClellan, which is now being prepared. Deserters from the enemy are hourly arriving. General Jamison has been appointed Military Governor and Provost Marshal of the town.—The official report of the killed and wounded being so lengthy to send over the military telegraph line, has been forwarded by mail.

The expedition up the York river has been most successful, and now occupies West Point. Heavy firing was heard in that direction, but particulars are not known. Yesterday the advance guard of our cavalry had a skirmish with the rear guard of the enemy about seven miles from here.

The main body of the enemy have retreated across James river.

The general impression with military men, is, that the Rebels have made their last stand in Virginia. For a distance of some miles beyond Williamsburg, the road is lined with broken army wagons in the retreat of the enemy.

Brigadier-General James A. Van Allen has been appointed Military Governor and Commander of Yorktown and Gloucester, with Capt. Cross Hall commander Aujutant. Gen. Van Allen has appointed Capt. Revere, of the 44th New York, to be Provost Marshal.

THE LATEST.

The Galena Aground in the James River—Gen McClellan's Army Moving—A Junction Formed with Franklin's Forces.

WASHINGTON, May 9.—The following has been received at the War Department:

WILLIAMSBURG, May 9—12 M.

To the War Department:

I heard some [illegible] ago that the Galena was aground off Hog Island. Hopes not probable for the season that Capt. Rogers does not throw over his coal. I have sent him all the assistance he asks.

My troops are in motion and in magnificent spirits. They have all the air and feelings of veterans. It would do your heart good to see them.

I have effected a junction with Gen. Franklin.—Instructions have been given, so that the navy will receive prompt support whenever and wherever required.

GEORGE B. MCCLELLAN,
Commanding.

FROM WASHINGTON.

Arrival of Official Despatches from New Orleans—Secession Flags Captured.

WASHINGTON, May 9—Captain Bailey has arrived here with despatches to the Navy Department from Com. Farragut. He brought with him a number of secession flags, including that of the Palmetto regiment, and the one which was hauled down from over New Orleans City Hall.

The dates are to the 29th ult, at which time Commodore Farragut was taking every means to secure the occupation of the forts all along the coast by Gen. Butler's forces.

Wounded Officers

WASHINGTON, May 9.—Col. Egoffstein, according to a late letter, is recovering from the effects of a wound received in North Carolina. The amputation of his leg will not, as was first thought, become necessary.

Lieutenant-Colonel Potter, now here, is convalescent, and is on his way to rejoin his regiment in that State. Both these officers command New York troops.

The Austrian Minister.

WASHINGTON, May 9.—The Austrian Minister, Chevalier Hulseman, is about to return home for a summer sojourn.

Meeting of the Conservatives in Congress.

WASHINGTON, May 9.—The following notice was read from the Clerk's desk immediately after the adjournment of the House to-day:

"There will be a meeting of the conservative members of Congress in this hall to-morrow, Saturday, 10th, at 2 o'clock, P. M. All conservative members, from all the States, are invited to attend, to consult together as to the best means to defeat the schemes of the Abolitionists and Secessionists."

Seamen Wanted for the Navy.

WASHINGTON, May 9.—The Navy Department is in immediate want of seamen. Extra inducements have been offered in the way of advances; and in addition, the seamen are reaping a harvest of prize money. A single one of the recent captures, it is estimated, will yield to each seaman on the capture of vessel $1,200 to $1,400. A fine chance for the New Eng and fishermen.

Release of Federal Prisoners.

WASHINGTON, May 9.—Capt. Farnum and Lieut. Dempsey, of New York 79th Highlanders, who were taken prisoners at Bull Run, arrived here today from Richmond, having been passed to our lines at the Shenandoah under a flag of truce.

Our Success on the Peninsula.

WASHINGTON, May 9.—A private letter from an officer in the army of the Potomac to a United States Senator, dated on the 8th, says: "We have whipped 50,000 of the Rebel's best troops, led by Joe Johnston in person; and our noble troops have shown conclusively that the Yankees are much better soldiers than Dixie's best.

"The Rebels fought well until General Hancock gave them the bayonet, when they took to their heels and run like hounds. General Franklin is near West Point, and was engaged with the enemy all day yesterday, with a loss on his side of 100 killed and wounded. He considers the day's operations a success, but we have no particulars. We are pushing up heavy reinforcements. This must demoralize the Rebels greatly. When they left here they abandoned the strongest position I have ever seen."

News from San Francisco and China.

SAN FRANCISCO, May 7.—Arrived ship Phantom thirty-three days from Hong Kong.

Hong Kong markets of March 29 quote Gallego flour at $16. Teas for the United States continued brisk demand at previous rates. Tonnage was in brisk demand with few available vessels in the harbor.

THE BATTLE OF WILLIAMSBURG.

THE LOSS IN HOOKER'S DIVISION.

From the New York Tribune, May 9th.

WASHINGTON, May 8.—The following despatch is from a commander of a corps in our army on Yorktown peninsula, to his wife in this city:

WILLIAMSBURG, May 6.

We had a hard fight yesterday in front of the Rebel works covering this town. General Hooker kept General Longstreet in check till about 3 P. M, when General Kearney's division came into action, and the engagement continued till after dark. A moment before our reinforcements arrived, the men gave way, being out of ammunition, and we lost some guns. We afterwards recovered our ground and held it. During the night the Rebels retreated, and at 7 A. M. we occupied their works. General A. P. Hill commanded a Rebel brigade, and Longstreet the whole. We lost between 500 and 1,000 killed and wounded. We found 600 wounded in this town, besides other prisoners.

The *Tribune* also states that two companies of the 8th Illinois cavalry are reported captured by the enemy.

TWO AMERICAN MARRIAGES IN PARIS.—Two American marriages have lately taken place at the American Legation in this city. Mr. De Silver, of New York, till lately engaged in trade in China, was married to a young French lady, and Miss Emma France, of Baltimore, married the young Baron von Leutrum Ertringen, of Austria.—*Cor. N. Y. Times.*

The murderer of the Warden of the Connecticut State prison, Gerald Toole, has been found guilty and sentenced to be hung on the 19th September next.

CITY INTELLIGENCE.

THE PATUXENT RIVER TRADE.—The summer arrangement of the Potomac river steamers goes into effect on the 17th instant, the fine steamers George Weems and Mary Washington leaving Baltimore every Saturday, Tuesday and Thursday morning at 6 o'clock, and return on the alternate days. On Monday and Wednesday the boat comes direct to Baltimore from Hill's Landing. The fine boats of this line call at all the landings on the Patuxent river, and at Fair Haven and Plum Point, both going and returning. The price of passage has been fixed at a very moderate rate, and from the well known experience and gentlemanly conduct of their commanders, we feel sure that the George Weems and Mary Washington are destined to do a thriving business for their enterprising owners.

MISS WESTERN.—The lovers of the drama will certainly regret the departure from the city of Miss Western. Tonight she closes one of the most successful engagements which have ever been played in Baltimore. Night after night, in all kinds of weather, the theatre has been crowded to witness her personations. She is certainly endowed with great dramatic powers, and character in her hands becomes a thing of life. With a voice clear and sweet, elegant manners and good person, she instinctively grasps the idea of the author, and with passion and discrimination portrays the part she essays with truthfulness and great effect. The friends she now numbers in this city is the best compliment which can be paid to her merit, and she will leave an impression here which will welcome her return with an enthusiasm amounting to devotion. Her rendition of the character of Meg Merrilies, on last night, was a splendid piece of acting, and clearly demonstrated that there are no walks in the drama so high that she cannot tread in them. Those who desire to witness her last performance in this engagement, should secure tickets during the day, as the theatre will no doubt be crowded to excess.

CAUGHT HIM.—Mr. John Wright, policeman of the Baltimore and Ohio Railroad Company, yesterday succeeded in arresting one of the two "confidence men" who fleeced W. H. Hopkins, a colored preacher, of $25, on Thursday last at Camden station. The two parties engaged in the transaction were together, but one of them managed to escape, in a manner unknown to Officer Wright, who came to assist Mr. Wright. He was taken to the Southern district station-house, where Hopkins called and recognized him as one of the party who had swindled him on Thursday. He denied that he was in possession of the money which had been taken from Hopkins, but offered to pay him the sum of which he had been defrauded. At an examination, Justice Showacre released him on his own recognizance in the sum of $500 to appear for a further examination on Monday.

THE NEW ALMSHOUSE.—Yesterday afternoon the First Branch of the City Council determined on the location of a site for a new Almshouse. The Committee on the Almshouse had present a report in which they recommended the exchange of what is known as the Goldsborough farm site, containing one hundred acres, for a track of land belonging to the Canton Company, containing 66 acres. Mr. Norris offered as a substitute for the bill a proposition to use lots No. 4 and 5, of the city property situated on the Franklin road. The merits of the several sites were discussed for three evenings when yesterday afternoon Mr. Cromer offered a substitute for the whole, authorizing the Mayor, City Comptroller and City Register to purchase from the Canton Company fifty acres of land, provided the price of the same did not exceed $150 per acre. The last proposition was adopted by a vote of 17 yeas to 2 nays, Messrs. Sauerwein and Streeter voting in the negative. A resolution was also adopted directing the Committee on the Almshouse to confer with the contractors and learn from them whether they are willing to continue their contracts and furnish the work on the new site.

THE UNITED STATES COURT-HOUSE BUILDING.—Some ten days ago a resolution was passed by the City Council directing the removal of the bricks which have been piled on Fayette street, above North street. The Collector of Customs, on the resolution becoming a law, wrote to the United States Secretary of the Treasury and informed him of the fact, when the Secretary issued an order to Messrs. Osborn & Co., the contractors, directing them to proceed with the work. Accordingly, the work has been resumed. In a day or two the excavation will be commenced, and in ten days a supply of stone will be received and the cutters put to work. Mr. James Appleyard, an experienced master builder, is superintending the work.

PROPERTY SALES.—Yesterday, Col. S. H. Graydon the premises, a lot of ground, situated on the corner of Ostend and Howard streets. Purchased by John Coats for $6,000. Also, a lot on Conway street, near Gay street, having a front of 12½ feet, and a depth of 62 feet. Improved by a two-story brick dwelling, and subject to a ground rent of $25.

ACCIDENT.—Yesterday afternoon a young man named William Hudson, an employee of the Baltimore and Ohio Railroad Company, was severely injured in attempting to arrest the progress of a number of cars, which had broken loose from a locomotive engine, while he was engaged in coupling cars, when his right hand was caught between the bumpers and badly crushed. He was taken to the office of Dr. Dashiell, who dressed the wound.

CHANGE OF MARKET HOURS.—Yesterday afternoon the First Branch of the City Council passed an ordinance fixing the hours for opening and closing the several city markets, as follows: Hours for opening, 6 o'clock, A. M.; closing hour, 10½ o'clock, A. M. These hours are for the months of May, June, July, August, September and October.

NARROW ESCAPE FROM DEATH.—A woman, a domestic in the family of Mr. Zane, living on Eden street, near Gough, on Friday night retired to bed, leaving a candle burning on a stand near the bed, the clothing of which took fire. Fortunately she awoke before the flames had gained much headway, and succeeded in extinguishing them.

A SERIOUS CHARGE.—Henry Drexler, a man of fifty-four years, was yesterday before Justice Shoemaker upon the charge of violating the person of Christobel Dumas, a child of eight years. He was committed to jail in default of bail in the sum of $5,000 to await the action of the Grand Jury.

PROCEEDINGS OF THE CITY COUNCIL

(Regular Session.)

FIRST BRANCH.—Present—WM. S. CROWLEY, Esq., President, and all the members.

The PRESIDENT announced that the first business was the substitute for the ordinance authorizing the creation of an almshouse on the property of the Canton Company, which repeals the ordinance forbidding the erection of the buildings on the Goldsborough farm. Without any discussion the substitute was rejected.

Mr. CROMER offered a substitute authorizing and empowering the Mayor, Comptroller and Register to purchase fifty acres of the Canton property as a site for the almshouse, providing the cost per acre does not exceed $150.

At the request of Mr. NORRIS, Mr. Cromer withdrew his proposition, when the vote was taken on the proposition of Mr. Norris, to substitute lots Nos. 4 and 5 of the city property on the Franklin road, and it was lost.

Mr. CROMER then renewed his substitute.

Mr. SAUERWEIN offered as a sub-title for the whole, authorizing the erection of the buildings on the Goldsborough site. Lost.

The vote was then taken on the substitute offered by Mr. Cromer, to purchase the property of the Canton Company at a price not to exceed $150 per acre, and it was passed by a vote of 17 yeas to 2 nays.

Mr. DUERHART moved to recommit the bill. Carried.

Mr. SAUERWEIN offered a resolution authorizing the Committee on the Almshouse to see the contractors and secure their assent to the removal of the site, and furnish the same to the Branch.

Mr. MILLER offered a resolution to the same effect.

The subject was laid on the table to enable Mr. Norris to present an ordinance for leasing certain lots belonging to the city, on West Fall's avenue. Laid on the table.

Mr. YOUNG presented a petition from W. F. H. Odion, asking permission to erect a steam engine on his premises, corner of Central avenue and Lombard street. Referred.

Mr. KIRKWOOD presented a report from the Committee on Markets, fixing the hours for holding markets at from 6 o'clock in the morning to half-past 10 o'clock, A. M., during the months of April, May, June, July, August and September. Passed.

Adjourned.

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

A resolution to take one of the extra men in each of the hook and ladder companies, and appoint them as "tiller men," with extra pay, was received from the First Branch; read, and laid on the table.

Mr. MILLER called up the resolution appropriating $500 for exterior repairs to the Maryland Institute building, and moved to amend by substituting the sum of $750. After some remarks from Messrs. Miller and George, the subject was laid on the table until Monday next.

Mr. GEORGE called up the ordinance making some alteration in the water tax, which, after amendment, was passed.

Adjourned.

LAW INTELLIGENCE.

SUPERIOR COURT—JUDGE MARTIN.

Johnson's administratrix *vs.* M. L. Shipley.—Equity. Not concluded.

Joseph Taylor *vs.* Henry Bell. Two cases. *Non pros.* for want of jurisdiction.

Tyson *vs.* same. *Non pros.* for want of jurisdiction.

Bank of Commerce *vs.* same. Same.

John E. Berry *vs.* James H. Luckett. Two cases. Same.

James Dunlap, &c. *vs.* same. Same.

George's Creek Coal and Iron Company *vs.* Great Falls Iron Company. Off; without costs.

COURT OF APPEALS OF MARYLAND.

DECEMBER TERM, 1861.

ANNAPOLIS, May 8.—(Special docket.) Nos. 20, 21 and 28 continued.

No. 27. Appeal dismissed per order filed.

No. 18. Dawson *vs.* Chappell and others, and No. 19. Chappell *vs.* Dawson. Cross-appeals from the Circuit Court for Montgomery county. These cases were submitted on printed arguments by R. J. Brent for Chappell and others.

There will be no other arguments heard during this term of the Court.

Amusements.

HERRMANN.—To-night Herrmann closes his engagement in this city, after meeting with unabated success throughout the entire season. The marvellous tricks which he has performed have excited the admiration and wonder, and in many instances awakened a feeling of superstition, in those who have witnessed him. The closest observance has failed to discover the slightest information calculated to solve the mystery of his art, and nightly his audience leaves him wondering whether he is really human. The performance last night was one of the best which he has yet given, and elicited the warmest approbation of the intelligent and fashionable company which thronged every part of the Theatre. Madame Herrmann, in the little opera of *Les Noces de Jeannette*, has made a most favorable impression. Her voice is one of much power and great sweetness, and she controls it with discrimination and skill. This afternoon at half-past 2 will be given Herrmann's farewell *matinee*, which is given for the express benefit of ladies and children. Children will be admitted at half-price. The programme for this afternoon will contain the gems of all his performances, and promises to be one of the most entertaining exhibitions he has yet given here. This evening will be given the last of Herrmann's performances. It will comprise the whole of the charming opera of *Les Noces de Jeannette*, and his new comic programme. He will also, this evening, instead of throwing cards, introduce a new trick, called the Flying Photographs, when he will distribute two hundred of his *carte de visite* to all part of the house. Remember, this is his farewell performance.

HOLLIDAY STREET THEATRE.—Miss Lucille Western bids adieu to-night to the play-goers who, for a period of six weeks, she has delighted with her brilliant exhibitions of versatility and power. The bill offered for her closing performance is one well calculated to show off her talents to the advantage. It comprises the drama of *Lucretia Borgia*, (from the French of Victor Hugo), and the drama, founded upon one of Cooper's Novels, entitled, *The Wept of the Wish-Ton-Wish*. On Monday night two new stellar attractions—at least in this city—will be presented to us—Mr. and Mrs. J. H. Allter—(a former a judicious able actor, and the latter—(a fair daughter of Richmond, Va.,) an artist of exquisite grace and rare beauty. For a number of years she ranked foremost among the prominent favorites of Wallack's Theatre, New York, and the hundreds of our play-goers therefore, herself and her brilliant talents will need no introduction.—The piece selected for their *debut* is a startling drama, credited to Miss Laura Keene, at whose theatre, it had a memorably prosperous term of performance—and entitled "*McCarthy, or The Peep O'Day.*" It is founded upon an episode in the Irish Rebellion of '98, and has been brought up with startling skill and effect it is said. It will be given at this theatre in a style little, if any, inferior to its original production at Laura Keene's.—Much of the scenery, machinery, &c., used in its performance in New York, have been transported hither, and will be employed in the production of the piece here.

EVACUATION OF FORT LIVINGSTON, &c.

SYNOPSIS OF REPORT OF ACTING MASTER L. W. PENNINGTON, COMMANDING UNITED STATES SCHOONER HENRY JANES, OF PORTER'S MORTAR FLOTILLA.

The Henry Janes appeared off Fort Livingston, April 26th, finding there the United States schooner Kittatinny and George W. Mangham. The schooner Oneota also came up afterwards. Acting Master Pennington was informed that the Rebels in the fort hoisted the secession flag every Sunday and on that day only.

On the 27th a flag of truce was discovered on the fort, and Acting Master Pennington proceeded thereto in his first cutter, a boat from the Kittatinny accompanying, which, reaching the shore a few minutes in advance, hoisted the American flag on the ramparts of the fort. But fifteen persons were found in the fort—6 men, 4 women and 5 children—nearly all of them residents of the island.

From one of the women, whose husband was among the troops that occupied the fort, much information was obtained. She stated that the fort was in charge of Col. Theoure and 330 soldiers in all—chiefly French and Italians. They were poorly clad, with but little to eat. Fort Livingston is about eight hours from New Orleans by tug.—The Bee that carried the troops from the fort was still up the bay out of reach of the vessels. This steamer was partly owned by the pirates on the Cheniland, part of whom are Union men and also are most of the people on the opposite side.

The "Temple," a small battery above Fort Livingston, was also evacuated—only two guns of small size having been left. At Fort Livingston there were found eleven 32-pounders, complete; three 12-pounder howitzers; two 24-pounders; one 8-inch columbiad, new, painted red; one 80-pounder rifled cannon; three spare field carriages; 1,000 32-pound shot; 70 conical shell, and other articles of minor importance.

The officers' department was comfortably furnished, with abundance of wine and a large quantity of paper, which they left behind. The fort is in good order, and the ordnance, &c., in good condition. Lawson, U. S. N., whose boat was the first to reach it.

Col. Theoure, anticipating an attack from the vessels, abandoned the fort and set fire to it, and also fired a brig loaded with cotton ready to run out. One of the first acts of Angelo Junata, whom Acting Master Pennington had previously known, and who was one of the number found at the fort, was to present him with $80 in Confederate notes, which he stated was his six months' wages.

FROM WASHINGTON.

Special Despatches to the New York Herald.

TROUBLES OF THE SENATE WORKING PEACE.

The troubles of the republicans in Congress are thickening. While half a million of our volunteers are fighting the battles of the Union, and pouring out their blood and their lives to vindicate the Constitution, a little band of reckless political gamesters here are proposing to trample upon that same Constitution, because its provisions in regard to African slavery are obnoxious to their peculiar political views. The Wilsons and Sumners, and Lovejoys, are actually urging an infringement of the Constitution as palpable as that of the Toombses, and Wigfalls, and Davises of the South.

The passage of the District Emancipation bill has attracted hither hundreds of slaves from Maryland, many of them belonging to men whose loyalty has never wavered. Some of the masters have sought to recover the fugitives under the provisions of the Fugitive Slave law, and the cases have passed through all the legal proceedings preliminary to the delivery of the slaves. The abolition faction are now loudly demanding that for this reason the execution of the Fugitive Slave law shall be arbitrarily suspended in the District. The proposition, it is said, meets with some favor in the Cabinet; but the true friends of the President are confident he will never consent to thus commit political suicide, and appear before the country in the attitude of striking for the Constitution with one hand and striking at it with the other

Special Despatches to the New York Tribune.

THE RUMORED DRIVING THE CONFEDERATES ACROSS THE CHICKAHOMINY.

There is no confirmation from official sources of the batch of rumors sent to the Baltimore *American* from Fortress Monroe, and telegraphed over the country. If Gen. McClellan had won such a victory over the Confederates, and driven them across the Chickahominy river, he has had ample time, as communication is uninterrupted, to telegraph the news, which according to the *American's* correspondent, reached Fortress Monroe at noon yesterday. This and the other stories not officially confirmed are discredited.

THE CASE OF J. NAPOLEON ZERMAN,

There is reason to believe that the Senate will reconsider the hasty vote by which Admiral J. Napoleon Zerman, whom the Navy Department considered unfit to be a Master's Mate, was confirmed as Brigadier General. There is said to be evidence against him which puts that on which Count Schweinitz was dismissed to the blush.

Special Despatches to the N. Y. Times.

THE TAX BILL.

The Tax bill, it is now considered certain, will be passed very nearly as reported by the Senate committee. The revenue of twenty cents a pound on tobacco, to be manufactured after the passage of the bill, may be increased. No one believes that the stocks on hand will be taxed—the revenue being quite ample from this source without committing an act so unusual and unjust. The House has decided in this by an almost unanimous vote, and the Senate committee have affirmed this view of the question. It is due to dealers who hold stocks to make this statement.

THE FIRST MAIL TO NEW ORLEANS.

The Connecticut steamer will sail from New York on the 12th instant, for New Orleans, taking the first United States mail to that port since the secession of the State. An agent and corps of clerks will go out on her to re-open and re-organize the postoffice in that city.

THE FORCE UNDER GENERAL MCCLELLAN.—Now, that our "entire force" is "considerably inferior to that of the Rebels" is such a monstrous error that we are bound to believe McClellan meant something else, or that the despatch has been falsified, unintentionally, of course, in its transmission over the wires. Without going into any minute particulars, we may say that there are at least three *corps d' armee* on the peninsula, any two of which would be a match for the enemy.

Besides, if it was true that our force is inferior to that of the Rebels, McClellan is surely too much of a soldier to communicate that fact to his opponents. It would be a strange thing, indeed, if, after the newspapers have been sedulously restrained from giving the least information to the foe, the General commanding should undertake to proclaim his own inferiority of numbers.

THE PRESENT PHASE OF CONFISCATION is as follows: In the Senate, Messrs. Clark, Collamer, Harlan, Cowan, Sherman, Willey, Henderson, Harris and Wilson are upon the select committee. Mr. Harlan is substituted for Mr. Trumbull, who declined to serve. The House committee on confiscation proposes that the President seize the property confiscated, but proceedings *ad rem* for its condemnation must be had in the U. S. Court of the District where it is situated. Meantime, the Secretary of the Treasury is authorized to use and occupy the property seized, and to sell such as is of a perishable nature. Thus, and in this, the bill is said to differ from all the others before Congress. So soon as the President takes military possession of any district or country, he is required to seize all the confiscated property within it, comprising that belonging to certain leading classes at once, and that of all who continue that long rebellious, at the expiration of 60 days after the passage of this act.

FROM NEW ORLEANS.

Mayor Monroe's Message—The Picayune's Comment—The American Flag Torn Down—Condition of the City.

The *American* of yesterday afternoon contains the following interesting news from New Orleans, taken from the *Picayune* of the 28th ult., received at that office:

THE MAYOR'S MESSAGE.

As we intimated in our morning edition, the special meeting of the City Council held last evening, to receive, consider and act upon a message from the Mayor on the existing state of things, after the reception and reading of the message, adjourned till 10 o'clock this morning.

At the appointed hour, there was a large assemblage of citizens in and around the City Hall, and on the opening of the Council Chamber the space allotted to spectators was instantly filled with deeply interested citizens, anxious to ascertain the decision of the Council on the momentous subject submitted for consideration.

Seven Aldermen and thirteen Assistant Aldermen were present in the joint session of the two Boards.

On motion of Alderman Stith, the Mayor's message was again read—as follows:

MAYORALITY OF NEW ORLEANS,
CITY HALL, April 25.

To the Honorable the Common Council:

GENTLEMEN—At 1½ o'clock P. M., to-day, I was waited on by Captain Bailey, second in command of the Federal fleet now lying in front of the city, bearing a demand from Flag Officer Farragut, for the unconditional surrender of the city of New Orleans, and the hoisting of the United States flag on the Custom House, Post Office and Mint.

He also demanded that the Louisiana flag be hauled down from the City Hall. I replied that Gen. Lovell was in command here, and that I was without authority to act in military matters.

Gen. Lovell was then sent for, and to him, after stating that his mission was to the Mayor and Council, Capt. Bailey addressed his demands.

Gen. Lovell refused to surrender the city or his forces, or any portion of them; but accompanied his refusal with the statement that he should evacuate the city, withdraw his troops, and then leave the city authorities to act as they might deem proper.

It is proper here to state that, in reply to the demand to haul down the flag from the City Hall, I returned an unqualified refusal.

I am now in momentary expectation of receiving a second peremptory demand for the surrender of the city. I solicit your advice in this emergency. My own opinion is that, as a civil magistrate, possessed of no military power, I am incompetent to perform a military act such as the surrender of the city to a hostile force; that it would be proper to say, in reply to a demand of that character, that we are without military protection; that the troops have withdrawn from the city; that we are consequently incapable of making any resistance; and that, therefore, we can offer no obstruction to the occupation of the place by the enemy; that the Custom House, Post Office and Mint are the property of the Confederate Government; and that we have no control over them; and that all acts involving a transfer of authority must be performed by the invading force alone; that we yield to physical force alone, and that we maintain our allegiance to the Government of the Confederate States.

Beyond this a due respect for our dignity, our rights and the flag of our country, does not, I think, permit us to go.

Respectfully, JOHN T. MONROE, Mayor.

Alderman Dupre then offered the following resolution, which, without debate, was unanimously adopted:

The City Council of New Orleans having been advised by the military authorities that the city is indefensible, declare that no resistance will be made to the forces of the United States.

Resolved, That the sentiments expressed in the message of his Honor the Mayor to the City Councilors in perfect accordance with the sentiments entertained by this Council and by the entire population of this metropolis, and that they are respectfully requested to act in the spirit manifested in said message.

On motion of Alderman Stith, the Council then adjourned till half-past 6 o'clock this evening.

Editorial Comments of the Picayune.

THE DUTY OF THE HOUSES.

We have great satisfaction in reading the several proclamations of Mayor Monroe, addressed to the people of this city, with references to the duty devolving upon them, at the present solemn and critical epoch. Truly as he says in that, which has also the sanction of the Committee of Safety, through its President, one of our most and most prominent citizens, the circumstances, so sad and ancholy as they are, in which we are now placed, require on our part the exercise of the utmost wisdom and forbearance.

We have no control over our men, our substance and our exertions are the defences of our beloved city, and we have nothing wherewith to reproach ourselves in the way of dereliction or neglect of duty to accomplish that object. We have not succeeded. A superior force, availing itself of facilities of approach we had not the power to resist, and of an army in which we were not a public or community [illegible]

It now devolves upon us to meet the exigency with dignity—not with craven submissiveness on the one hand, nor, as the Mayor says, with indecent alacrity on the other; but with calm and reliant hope for the moment, which we may confidently trust is not remote, when our brethren and countrymen will achieve our deliverance.

Meantime, we have domestic interests, near