

The Pittsburgh Gazette.

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SATURDAY, AUGUST 7, 1869.

UNION REPUBLICAN TICKET.

STATE.

FOR GOVERNOR: JOHN W. GEARY.

JUDGE OF SUPREME COURT: HENRY W. WILLIAMS.

COUNTY.

ASSOCIATE JUDGE DISTRICT COURT: JOHN M. ELLIOTT.

ASSISTANT LAW JUDGE, COMMON PLEAS: FRED K. H. COLLIER.

STATE SENATE: THOMAS HOWARD.

ASSEMBLY: MILLS S. HUMPHREYS, ALEXANDER MILLER, JOSEPH WALTON, JAMES H. WATSON, JOHN H. KILPATRICK.

SHERIFF: RICHARD S. FLEMING.

CLERK OF COURTS: JOSEPH BROWN.

RECORDER: THOMAS H. HUNTER.

COMMISSIONER: CHAUNCEY B. BOSTWICK.

ESSEX: JOSEPH H. GRAY.

CLERK OF ORPHANS' COURT: ALEXANDER HILANDS.

DIRECTOR OF POOR: ABDEL MOULDER.

We print on the inside pages of this morning's GAZETTE—Second page: Interesting Correspondence from Ohio and New England; and Chippings, Third and Sixth pages: Business and Trade, Markets, Imports, River News. Seventh page: A Home for Little Boys, The Oldest City in the World, The New Ten Dollar Counterfeit and other interesting reading matter.

FERROBROM at Antwerp, 51 1/2.

U. S. Bonds at Frankfurt, 88 1/2 @ 88 1/2.

Gold closed in New York yesterday at 186 1/2.

In a late number of the North German Correspondent, an English Journal published in Berlin, we see it stated that there are sixty American students at the University of Berlin. Heidelberg, Bonn, Jena, Leipzig, and the great mining school at Freiberg, have each probably as many more. If these young men desired to do so, they could not get nearly as thorough an education in this country as they can at these German seats of learning. Surely this cannot be right. America ought to lead the world in this matter as she does in the general diffusion of rudimentary education.

THE OHIO DEMOCRAT are in trouble. Their nominee for Governor, Gen. ROSENCRANS, is likely to be proven a citizen of California, and therefore not eligible. Nor, otherwise, is it certain that he will accept the very doubtful honor of this selection. The Copperhead wing of the party—which, in Ohio as in Pennsylvania, comprehends about all that is of original pure and unadulterated Democracy—seriously meditates upon the expediency of protesting, by way of a bolt, against the nomination of one of "Lincoln's hirelings." These uncompromising politicians have called a State Convention for the 28th of this month, to decide upon the best course. It may have also the agreeable duty of voting upon the declination of ROSENCRANS. In the meantime, the leaders of the party, from all parts of the State, were reported at Columbus yesterday, as in council over the embarrassing situation.

The Dispatch recently suggested that the proprietors of the Allegheny Suspension Bridge should have placed in some prominent position on the bridge a tablet upon which should be engraved the name of the builder of the bridge, and such other important facts concerning that great work as might seem appropriate to be recorded. The suggestion is a good one and should, we think, in some manner be carried out. But it would add much to the beauty of the bridge, if, instead of a mere tablet, a bust, or full length statue of Mr. ROSENCRANS, were substituted. A bust might be placed in a niche in one of the central pier towers, or a statue could be placed in the centre of Federal street where it widens at the Allegheny end of the bridge. Many of the most celebrated bridges in the world are adorned with statuary, and Mr. ROSENCRANS' fame as the greatest bridge engineer in the world would amply warrant such a section on the part of the stockholders in this structure, one of his grandest undertakings.

There is much discussion in the secular and religious press in regard to the course taken by the counsel of Rev. Mr. CHERRY, and the decision of Judge JARVIS in granting an injunction restraining

ing proceedings in the Bishop's court. It appears from the Confession of Faith of the Westminster divines, that the civil magistrate was recognized by them as having authority in such matters. The language of the Confession on this subject is as follows: "The civil magistrate may not assume to himself the administration of the Word and Sacraments, or the power of the keys of the Kingdom of Heaven; yet he hath authority, and it is his duty, to take order, that unity and peace be preserved in the church, that the truth of God be kept pure and entire, that all blasphemies and heresies be suppressed, all corruptions and abuses in worship and discipline prevented or reformed, and all the ordinances of God duly settled, administered and observed. For the better effecting whereof, he hath power to call synods, to be present at them, and to provide that whatsoever is transacted in them be according to the mind of God." Chap. 23, Sec. 3.

It is proper to state that most, if not all, of the Presbyterian Churches in this country have declared in substance, that nothing appertains to the magistracy, or power in reference to the Church, except the protection of her members in the full possession, exercise and enjoyment of their rights, inasmuch as his office, being civil and political, is exterior to the Church. It is declared further that the civil magistrate has no right to "interfere to regulate matters of faith and worship." His duty is "to protect the person, good name, estate, natural and civil rights of all his subjects, in such a way that no person be suffered, upon any pretence, to violate them; and to take order that all religious and ecclesiastical assemblies, be held without molestation or disturbance."

THE ELECTIONS.

The vote in Kentucky and Alabama has been a light one. In the first of the opposition have elected a large majority in each branch of the Legislature, and their State Treasurer, the only officer chosen on a general ticket, has received about two-thirds of the entire poll. Alabama elected six Congressmen and a Legislature on the 3d, but at this writing, we have no definite returns of the result. The vote of Tennessee on Thursday was larger than the State has ever before given, being for the first time participated in both by the white and colored races. Very nearly the entire of that white element which has hitherto been disfranchised for disloyalty, has been relieved from the disability by the policy of Gov. SHERMAN in the administration of the registry-law. It will surprise no one who has observed the course of the canvass in that State, to learn that SHERMAN is re-elected by a very large majority and that the opponents of radical Republicanism, comprising Democratic Conservatives and rebels, have full control of the new Legislature. This body will elect an U. S. Senator, and will also proceed to reverse the existing policy of the State in reference to the suffrage. It is probable that every white citizen will be legally enfranchised, and that the colored suffrage will be materially restricted, if not altogether prohibited for the future. Yet, upon these questions and that of the Senatorship, there are possibly the elements of great discord among the Legislature majority, and the final results may disappoint to some extent the rebel expectations. It will be some days before we can have definite returns of Thursday's poll.

PROGRESS WITH THE INDIANS.

Here it is well past the mid-summer, and we hear nothing yet of the threatened Indian war. Isolated cases of hostile outrages have been reported, but nothing at all which realizes the fearful apprehensions so generally felt at the opening of the Spring. Indeed these fears did not seem wholly groundless. In April and May, the whole broad Indian territory, from between the head-waters of the Missouri and the Arkansas and Red rivers, was fruitful of rumors of a general war. We had quite reliable advices of such threatening preparations among all the leading tribes, as to justify an almost universal expectation that the Plains would witness, during the current year, the last bloody struggle of these savages against the encroachments of civilization. There are good reasons for believing that the danger did actually exist, while the peaceful repose of more than one-half the season in which Indian hostilities are practicable, affords the most acceptable proof that the peril has been averted. The entire Indian territory is to-day at peace.

For this pacific situation we are much indebted to the vigorous campaigning of our troops under SHERIDAN and his lieutenants in the late autumn of last year, and even in the deep snows and bitter frost of December and January. The predatory tribes were pursued to their fastnesses, months after the period when their former experience had guaranteed to them a temporary exemption from any show of our military power, and the severest chastisements ever visited upon these savages were delivered in a winter campaign which was without parallel either for its hardships or for its success.

But not even their punishments would have alone sufficed to secure our frontier from the renewal, in 1869, of Indian aggressions. With these tribes, we now know that, as our own policy has been hitherto administered, peace was robbery, destitution, starvation and death. Depending wholly upon the faithful execution of our treaty-engagements for their supplies of ammunition and of that limited variety of other material which esta-

bles the Indian needs and constitutes the Indian wealth, the tribes were systematically defrauded by our Agents, while our unprincipled traders, licensed and unlicensed, held them by the throat. They were annually driven into hostilities against the frontier, as their only recourse to supply themselves with the necessities of savage life. A tribe which found itself robbed of the stipulated supplies of ammunition and blankets, found as regularly its only alternative to be either starvation or war. The disgraceful facts which have, year after year, been asserted, accounting in this way for the annually recurring Indian wars, have at last secured the most complete proof.

The new Indian policy of the present has completed by peaceful means the work which SHERIDAN'S arms began, and the conviction that white faith is to be honorably kept ensures that repose for our frontier which no respect for our military power, ample as that has been proved, could permanently command among these wretched savages. For the first time in the history of our dealings with the Indians, existing treaties are fulfilled, this year, in their letter and spirit, and every tribe which roams over our territories, or is encamped on the reservations set apart for their homes, is content with a peace which gives to them protection and the supply of their indispensable necessities. Peace Commissioners, enlightened and faithful Superintendents and Agents of capacity and integrity are fast bringing the Indian problem to a satisfactory solution. These are the instrumentalities which have not only averted, for this year, that war of extermination which seemed unavoidable in the Spring, but which, sustained faithfully in the future, must finally accomplish the peaceful civilization of the savage tribes.

RELIGIOUS INTELLIGENCE.

Hon. John Scott, United States Senator from this State, during the last session of Congress was besieged by office-seekers; but gained a quiet Sabbath by placina on the door of his apartment the following notice: All who desire my influence in obtaining or retaining office will materially advance their interests by not calling upon me on the Sabbath day. It will be remembered that the late General Assembly, by resolution, warned the Church against the sin of feildice. The New York Observer, in referring to this action, thinks the crime not so common among the female members of the Church as to render such a warning necessary. Letters, however, have been received from different parts of the country testifying to the frequency of the crime. The Observer's credulity is now shaken. One physician in a small town reports three cases where he had been applied to aid in child-murder; one application being by an Old School Presbyterian minister, another by a lady who was tempted by reading an advertisement in a paper edited by a New School Presbyterian, and a third by a member of Methodist church.

Frequently paragraphs appear quoting singular remarks of ministers, without stating name or denomination. We always like to know the name and affinity of these would-be-over-wise ministers. The following is an illustration: It is reported a Chicago preacher recently refused to say grace at the table, saying it was a mere formality, and "the best grace was to eat moderately, well digest your meal, and then go to work and earn another." For the same reason he refused to pronounce the benediction. Dr. Boggs, who felt aggrieved, because Mr. Tyn officiated in his parish in New Brunswick, New Jersey, has resigned his rectorship, and become a general missionary for the diocese.

The Baptist Home Mission Board are asking seventy thousand dollars from the churches for the education of colored preachers in the schools of the South. It is stated that more than a dozen Philadelphia clergymen have united in the determination to attend no more Sunday funerals unless the necessity is certified by a physician.

Two Christians had quarreled in the morning; in the evening one of them sent a note to the other: "Brother, the sun is going down." Nothing further was needed to effect a reconciliation.

The effect upon the prisoners in the Penitentiary at Joliet, Illinois, from holding prayer meetings and other services, induces the belief in the Warden that he could, with safety, commence reducing the guard force. These prayer meetings are held on the Sabbath, and it is proposed to have a Wednesday prayer meeting and use Saturday for school. There is a Christian Association organized and in a fine working condition in the prison.

Father Paxon, the veteran Sunday School worker, thinks that a Sunday school born in a snow storm will never be scared by a white frost.

Mission Sunday schools flourish at St. Louis in true western style of enterprise. The Advance speaks of several successful schools of this character. The South Mission numbers some thirteen hundred scholars. It was started ten years ago by General Clinton B. Fiske, a whole souled Methodist layman, and his excellent wife. The General has recently started a new enterprise that may in time rival the South Mission. Benton Street Mission, under the superintendence of our friend, Mr. Edward D. Jones, formerly Cashier of the Citizens National Bank of this city, weekly gathers in a

thousand children. Bidde Market Mission has an attendance of nine hundred. The Superintendent, Mr. Morrison, used to be a drayman, and is now a successful merchant.

Deacon Carpenter, of Chicago, offers to forward President Finney's book on Masonry to the first thousand ministers who apply, and enclose twenty cents each for the postage on the same. Apply to Rev. A. Ritchie, 178 Elm street, Cincinnati.

The Congregational churches of New Bedford, says the Advance, have decided to devote Sabbath forenoons to Sunday school, and the afternoon to preaching.

The official minutes of the last Ohio Congregational Conference show the following: Churches, one hundred and eighty-nine; and one hundred and twenty ministers. Pastors, twenty-four; acting pastors, eighty-nine; without pastoral charge, twenty-nine.

The Protestant Churchman gives a case of competition between the choir and the pulpit in a Massachusetts parish, that is humiliating. Two parties existed in the Church, one favoring "fine music," and the other was anxious to have good preaching. The matter was finally compromised by allowing those who desired to devote their subscriptions to the payment of the choir, to designate the fact. After the society was canvassed, it was found that seventeen hundred dollars was subscribed for singing, and only eighteen hundred dollars for preaching. Some of the contributors signed \$25, \$50, and \$100 "for singing"—not a cent for preaching. The sequel may be imagined, discord and discontentment existed.

The new Chicago Congregational Theological Seminary, in course of erection Union Park, is arranged that each suit has a study room and two bedrooms, which are both lighted from the outside. Rev. G. I. Francis, of the last Western Class in the Western Theological Seminary, Allegheny City, has received a unanimous call from the Old School Presbyterian church of Freeport, Pa.

Rev. Mr. Murray, of Park Street Congregational church, Boston, has gone on his customary summer hunting expedition, accompanied by a number of ladies and gentlemen. To the lambs of the flock, says Zion's Herald, whose crying for his presence and comfort may be sung the old nursery rhyme, "Hush-a-by, baby, hunting," etc.

Quite an unusual religious interest prevails in the Reformed (Dutch) church of Clarkstown, Rockland, N. Y. Profane and ungodly men, whose evening haunts were the village store and bar-room, have been made new creatures in Christ Jesus. The new Metropolitan church in Washington City, of the Southern Methodist Episcopal Church, just dedicated, cost seventy thousand dollars. The Washington members gave forty thousand dollars. By request of the Bishops a collection was to be taken up for it in all the churches of that denomination.

THE OIL TRADE.

Interesting to Oil Shippers—Who Shall be by Lease—The Question Settled. Friday morning Judge McCandless, in the United States District Court, delivered the opinion of the Court in the case of the United States vs. Brewer et al., which was argued some days since.

The case attracted great attention among oil dealers, and as given below will be found very interesting and important: THE CIRCUMSTANCES. This is a case stated upon an oil transportation bond. On the 28th of June, 1868, the defendants shipped by railroad from the Twentieth District of Pennsylvania to the Fifth District of New Jersey 1,080 barrels, containing 45,324 gallons of refined oil, in good packages and under legal permits and certificates from the proper authorities. Under like authority the oil was removed from the Fifth District of New Jersey to the bonded warehouse of Reynolds, Frait & Co., in the Second District of New York, without inspection and gauging in the New Jersey District, with the same effect as if the Second District of New York had been the destination set forth in the permit and certificate, which such transportation was made.

The oil was properly gauged and inspected in the bonded warehouse of Reynolds, Frait & Co., on the 30th of July, 1868. By this inspection there was found to be a loss of 6,284 gallons. For the loss of two cents per gallon upon this quantity so lost, this action is instituted; the tax upon the residue of the 45,324 gallons having been properly settled and accounted for. The effect was continued extremely hot weather upon oil barrels, exposed for the length of time ordinarily required for the shipment of the sixty-first section of the Act of the 28th of June, 1868, the weather continued excessively hot. The loss of so much of the 6,284 gallons as exceeds the quantity allowed for leakage, by the regulations of the Department at Washington, arose from the effect of solar heat upon the barrels containing it.

The amount actual leakage on oil, allowed in bond at the time of this loss, allowed by the regulations in pursuance of the 61st section of the Act of the 28th of June, 1868, was not to exceed three and one-half per cent. on any distance exceeding five hundred miles. The distance from the Twentieth District of Pennsylvania to the Second District of New York is in excess of five hundred miles. It is not disputed that an allowance of one thousand, five hundred and eighty-six gallons, or three and one-half per cent. on 45,324 gallons, should be made for leakage, but it is claimed that there should be a deduction for the remaining four thousand, six hundred and seventy-eight gallons because the loss was occasioned by the effect of solar heat upon the article transported.

This is the question for our decision, and I have given to it all the consideration which the multiplicity of my judicial engagements and the demands upon my time would permit.

OIL EXPORT REGULATIONS. Congress wisely encouraged the exportation of oil, for it has become an important element in regard to the balance of trade between the United States and foreign nations. Oil exported was exempt from taxation. If for sale or consumption in the United States, it was subject to a tax of twenty cents per gallon, to be assessed and collected, and paid by the producer or manufacturer thereof, as provided by the ninety-fourth section of the act of July 13, 1866. By the sixty-first section (act third, March, '65), the oil may be removed, without the payment of the duty, under such rules and regulations, and upon the execution of such transportation bonds or other security, as the Secretary of the Treasury may prescribe. Upon such removal it must be transferred to a bonded warehouse, where it is again inspected and gauged, and "the duty shall be assessed and paid on any deficiency or reduction of the number of gallons (beyond such allowance for leakage, as may be established by the regulations of the Commissioner of Internal Revenue) received at the warehouse from the number of gallons as stated in the bond at the place of shipment." Here there is a plain rule of computation, and the percentage of duty being fixed by a regulation of the Department, in conformity to an Act of Congress, becomes a part of the law and of a binding force as if incorporated in the body of the Act.

It is contended by defendants' counsel, in an argument much ability, that the tax is upon the consumption. It is not upon the consumption, but upon the number of gallons. The government is not to ascertain whether it has been consumed, but whether it has been exported. If so, it is free. If not, it is subject to the tax of twenty cents per gallon. Fixing a maximum per centage for leakage, was designed to prevent the possibility of frauds by the withdrawal or abstraction of any portion of the oil during its period of transit. Such being the rule prescribed by competent authority, courts have no right to depart from it, even in case of absolute loss by the action of the elements. The Government is not an insurer. The owner incurs, and must take the responsibility. The simple inquiry is, has he complied with the condition of his bond? Has he produced to the Collector of the Twentieth District of the State of Pennsylvania a certificate showing that such oil has been duly placed in the warehouse designated, from which it cannot be removed except for exportation? It was precisely because the oil has been paid the duties required by law?

It is wholly unnecessary to enter into a discussion to the effect of solar heat upon refined oil, or as to the penetrating and permeating qualities of the liquid itself. It was precisely because the operation of this agency that a rule was necessary to fix the allowance. In some cases there would be no leakage at all, in some less than three and a half per cent., in a majority of cases about three and a half per cent., and in some cases much more. On what principle is a rule of law governing this subject to be relaxed and set aside, because there was extraordinary warm weather in June or July of a particular year? Has not been argued by the counsel for the Government, that the leakage in this case happened in the ordinary way, was produced by the ordinary causes, with the difference, that one cause, solar heat, was operating with more than ordinary power. 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