HEADQUARTERS FIFTH MILITARY DISTRICT, New Orleans, La., May 2, 1867.—1. On the 12th of February, 1866, the Legislature of the State of Louisiana passed the following act, by which the residence qualification for policemen in this city was increased from two to five years, to take effect after the election then pending

to take effect after the election then pending for a new Mayor:—
"Section 1. Be it enacted by the Senate and House of Representatives of the State of Louislana, in General Assembly convened: That from and after the next election of Mayor for the city of New Orleans, the police of said city shall be organized by an ordinance determining the number of officers and men of which it shall be composed, and the places and innotions to be assigned to said officers and men, respectively, as well as the salary to be allowed them, and the uniform, they shall wear; Provided, That the salary of each policeman shall be eighty dollars per month.

"Section 5. Be it forther enacted, etc., That officers and men shall be selected from men who can read and write the English language, and who shall give evidence that they are citizens of the United States of America, and that they have resided in the city of New Orleans upwards of five consecutive years."

The object of this act was to exclude ex-Union was faithfully carried out by the newly elected Mayor, John T. Monroe, and every ex-Union soldier discharged to make room for those of rebellious antecedents.

To annul this unjust proscription, so much of

To annul this unjust proscription, so much of the above act as requires a residence of five years is hereby suspended, and a residence qualification of two years adopted.

The Mayor of this city, Edward Heath, is hereby directed to adjust the present police force so that at leost one half of said force shall be composed of ex-Union soldiers, and all acts and ordinances, State or municipal, in the way of this adjustment, will be disregarded.

Major-General P. H. SHERIDAN, GEORGE L. HARTSUFF, Assistant Adjutant-General, LETTER FROM HON. H. WILSON.

HIS TRIP INTO THE SOUTHERN STATES. NEWBERN, N. C., April 29—To the Editor of the Inaependent—My Dear Sir:—You will remember our conversation at our last meeting, regarding the opportunities we of the North now have to do good to our countrymen of the South. Every step I take, everything I see and hear, confirms the views I then expressed. Opportunities and duties go together. Opportunities invite to actions, and duties bid us act; and it will be a source of regret in coming years if ties invite to actions, and duties bid us act; and it will be a source of regret in coming years if we of the loyal States fail now to improve these opportunities and to perform these duties.—Never did men inspired by patriotism, liberty, justice, humanity, and religion have before them a field of labor so inviting. In this field of action which God, in His providence, has opened to us, the loying heart, the tender conscience, and the enlightened reason can work outgreat results for the country, for humanity, and for results for the country, for humanity, and for

Congress having laid down the conditions of final settlement, those conditions will be accepted. It is of vital importance that these States should pass into the control of men who are for the unity of the Republic, impartial freedom, equality of rights and privileges in law and in lact, for the education of the people, and for their improvement and elevation. We of the North have won in the field, have won in the public councils. Ideas, principles, and policies which we deem vital to the country are embodied in the conditions we have required our countrymen of the South to adopt. We have sought not to dishonor or degrade any, but to protect and lift up the oppressed, the poor, the dependent. The long contest of "justice in conflict with avarice and oppression," in the words of Jefferson, is over. The passions, prejudices, and butter memories engendered by the great struggle should be forgotten in this day of our triumph. In the Congress having laid down the conditions of

long conflict of ideas it was duty to country, to an, and to God to meet the men of the h front to front, face to face. When war it was that to demand its vigorous proon. Whe, hostilities ceased, it was the his fest duty ever imposed upon us to see that the people we had made free in name should be free in fact—that they should be citizens, with equality of rights and privileges. That great duty has been performed by the adoption of terms and conditions that will be compiled

Now a noble work may be accomplished the people of the North, who have saved the country and the cause of liberty. That work can only be accomplished by the promulgation of truth with inflexible firmness, but in love, charity, and patience. This people, I am sure, need that the causes of the Rebellion, the responsibilities of the Rebellion, and the results of the Rebellion, should be presented to them from the standpoint of truth in the spirit of from the standpoint of truth in the spirit of kindness. They have been, and continue to be, fooled to their cost. "It is," said John Quincy Adams, "among the evils of slavery that it taints the very sources of moral principle," "establishes false estimates of virtue and vice," "perverts human reason." Slavery did its perfect work among our country men of the South, and the truth in all its integrity, proclaimed in loving kindness, can alone restore this "perverted human reason." Efforts to advance the cause of national unity, of universal freedom and equality of rights of universal freedom and equality of rights and privileges, of impartial justice, of educa-tion for all races, and of general progress, will be met with opposition from those who mourn over the "lost gause," or by coldness, indiffe-rence, or contempt. But if our people are firm, persistent, patient, forbearing, we can achiev which patriotism, humanity, and

religion will approve.

I deem it of vital importance to have the issues clearly defined and sharply drawn between unity and secession, loyalty and disloyalty, liberty and slavery, equality and private lege, education and ignorance. The good of the country and the interests of the Rebel States imperatively demand that these issues should imperatively demand that these issues should be made at once, and that men should go where their principles lead. The ever-loyal men, nine-tenths of the freedmen, many compromised by the Rebellion—with it, but not of it—and some repentant Rebels, will act together, standing square on the platform of the Union Republican party. The secessionists evidently fear and dread a contest in which they already see that they must go down where their "lost cause" has gone. If the friends of the country, emancipation, civil rights, suffrage, and education will aid in speakers, workers, papers, and means of information, I am more confident than ever that these States will papers, and means of information, I am more confident than ever that these States will send true men to Congress, and put progressive men in control of their affairs. They can do it if they will work. Every thoughtful man who sees the condition of these States, who comprehends the pressing needs of this people, who wishes to see peace, law, order, prosperity, wishes to see peace, law, order, prosperity, and fraternal affection prevail, and our country and fraternal affection prevail, and our country become the leading Christian nation of the globe, may contribute to advance this work. Northern capital is needed to develop the material interests of these States and make the wasted fields to bloom again. Northern labor is required to enlighten and instruct. The Christian people of the North, whose arms have triumphed and whose ideas have conquered, have now a glorious opportunity, by the blessing of God, to confer lasting benefits upon these States and this people. I trust they will hall and improve it, Ever yours,

SENATOR WILSON'S SOUTHERN TOUR.

HIS RECEPTION AND SPEECH AT AUGUSTA, GA. AUGUSTA, Ga., May 8.—Senator Wilson gets on rather slowly in his Southern tour. He spoke on Monday evening in Alken, South Carolina, and here to-day. The meeting here was held in the open air, and in front of the Court House. Under the fine shade trees there some three thousand colored people, of both sexes and of all ages, had congregated, the dusky mass being lighted up here and there by white faces; but these were few, and only on the outside margin of the throng. The pillars of the portico from which Senator Wilson spoke were decorated with flowers and evergreens. Two colored men acted as standard-bearers for the national flag. General Sweeney occupied a seat upon the portico.

occupied a seat upon the portico.

Mr. Blodgett, formerly captain of Rebel artillery, now Mayor of the city by military appointment, introduced Mr. Wilson to the meeting.

RECONSTRUCTION.

LOUISIANA.

MPORTANT SPECIAL ORDER OF GENERAL SHERIDAN

— REORGANIZATION OF THE NEW ORLEANS
POLICE—HALF OF THE PRESENT FORCE DISMISSED—EX-UNION SOLDIERS SUBSTITUTED.

HEADQUARTERS FIFTH MILITARY DISTRICT,
New Orleans, La., May 2, 1867.—1. On the 12th of
February, 1866, the Legislature of the State of
Louisiana passed the following act, by which
the residence qualification for policemen in
this city was increased from two to five years,
to take effect after the election then pending

without restraint, fear, or influence of fraud, then the State shall be admitted. If anybody threatens yon because you intend to vote for the Republican party, I want you to remember these words:—If any men menace you it will be a good reason why your State shall not come into Congress. The man who would turn off a laborer for voting to change the Constitution of Georgia so as to secure his right of suffrage and his equal rights before the law, who would drive his wife and child out of their little cabin, is a dishonorable, unmanly fellow, unworthy to live in a Christian land. (Cheers.) If the terms and conditions inid down by Congress be honestly carried out, I believe the delegations from those States will be admitted, and the question closed forever; but I say to you to-day, If in Georgia, or any other state, any man is dismissed from employment or turned out of doors by a Rebel on account of his voting, I will vote to confiscate the Rebel's property. (Loud cneers and much excitement.) Liberty has triumphed. Its friends are triumphant. We are masters of the country, and we have made up our minds not to the country, and we have made up masters of the country, and we have made up our minds not to leave one root or fibre of slavery to breed dissensions in the future, (Applause) What right has a man who confis-cates the right of a poor workingman to comcates the right of a poor workingman to complain if his own property is confiscated? (Voices—"He has no right.") I warn such men everywhere that we will not submit to it. Therefore I say to you, colored men, get registered. Go and vote—vote according to the dictates of your conscience—vote for your country—vote for liberty, for justice, for education, for the development of the resources of your State. Do not be afraid that anybody will turn your wife and children out of doors. We will see to that. (Cheers.) Speaking of the attempt to get the Supreme Court to Interfere, Mr. Wilson said the supreme Court would do no such thing, and if it did, it would have no effect, as Congress, with the nation at its back, no such thing, and if it did, it would have no effect, as Congress, with the nation at its back, is the political power of the country. If the plan proposed by Congress were rejected, he would make a guess that Georgia would be immediately converted into a territory; but if the terms and conditions imposed by Congress were complied with, honestly and in good faith that would be the end of all our troubles; otherwise he could not tell, and nobody could tell, what might come to pass.

that would be the end of all our troubles; otherwise he could not tell, and nobody could tell, what might come to pass.

There was great enthusiasm manifested by the colored people, but the whites were silent and reserved. Senator Wilson said, in one of his recent! speeches, that he had been treated kindly and courteously by all classes of people in the South. That statement is literally correct. Wherever he has gone not the first indication of hostility to him or of disloyalty to the Government has been shown. The white citizens of the South have manifested little integrest in his mission, and generally avoided the meetings at which he spoke. Among them he has made no political converts; indeed, they seem to concern themselves very little about political questions. They do want to see their States reorganized on a permanent basis, for they expect prosperity to follow reconstruction. Now business is stagnant; employment is hard to get, and is very poorly remunerated. Food is scarce and dear, and actual want is placing its unmistakable stamp on many, too many, pallid faces. Political warfare seems, under such circumstances, cruelly out of place. If these States are willing to reconstruct under the Military bill, fully and fairly, as they appear to be, every obstacle to their doing so should be smoothed away. It is no as they appear to be, every obstacle to their doing so should be smoothed away. It is no time for politics; it is a time for charity and

benevolence, Senator Wilson leaves here to-night for At-

NORTH CAROLINA.

PROGRESS OF THE REPUBLICAN PARTY AMONG THE

COLORED PEOPLE. RICHMOND, Va, May 8.—The radical party appear to be more successful in disseminating their doctrines in North Carolina than in any other of the ten unreconstructed States. Union Republican meetings are being held throughout that State by the freedmen, at which resolutions endorsing the radical party are generally passed. One of these meetings, in Pasquetank county, resolved to accept the platform of the Republican party of North Carolina, adopted at Raleigh

on the 27th of April.

Of a meeting in Moore county a correspondent writes:—"On yesterday we held a Union meeting, and while engaged there was a party of secessionists in the woods near the place shooting off guns and making all manner of sport. We can't stand this much longer. The secessionists of Moore aim to overpower the loyal men. What shall we do? We are bound to have some protector, for justice we cannot get. Many don't mind false swearing. When we rent land we get but a third, and often not

In I earson county over one thousand colored In I carson county over one thousand colored rersons recently assembled, and endorsed the Republican party. It was the first time the beautiful flag of the Stars and Stripes was unfurled in Old Pearson over the heads of the enfranchised colored people. They marched under with great enthusiasm. The colored men of earson are not to be influenced by threats, flattery, or whisky, but will vote in solid mass with their friends, the Republicans.

The colored men of Gates county, in mass

meeting assembled, adopted the following:-Resolved, That we will co-operate with the Union Leagues of the loyal States in care with the Union Leagues of the loyal States in completing the great moral and political reforms which the suppression of the Rebellion has rendered necessary and prac-

Resolved, That we concur with our white friends and advisers in the adoption of the words "Union, Liberty and Equality" as a motto for the Republican party and the flag of our country.

## From Havana.

New York, May 9 .- The steamer Eagle, from Havana, brings news that very little had transpired there since the sailing of the last

steamer. The case of the Ocean Home is still unsettled. The Spanish authorities continue to detain the vessel at the expense of \$50 per diem, and this is the seventh day of detention. They also claim a fine of \$175,000. Our Consul-General, Mr. Savage, energetically protested against this, and endeavored to have matters settled.

A meeting of the importers was called to discuss the impending tariff, and also the financial condition of the grocers. Many heavy failures have taken place lately, and more are daily expected.

Bank Failure in New Orleans. New Orleans, May 8.—The City Bank, a private concern, failed yesterday. Liverpool and New York houses are mainly affected thereby. The cause is said to be the decline

MOUNT ST. GOTHARD.-English engineers have been during the past winter studying the pass over Mount St. Gothard, with a view of establishing a railway across it. According to their report, the line could be completed in five years. The longest tunnel would be over three miles.

THE NORTH GERMAN PARLIAMENT .- The following is the present distribution of parties in the North German Parliament: - Conservatives. 58: liberal conservatives, 40; national liberals, 79; centre, 27; left, 19; Hanoverians and Sax-

ons, 30; Poles, 13. -The Legislative Assembly of Brunswick has, by a unanimous vote, called upon the Ducal Government to support any steps of the Federal Executive having for their object the defense of Luxembourg.

# EUROPEAN ADVICES.

Latest by the Cables and Steamers.

THE PEACE CONGRESS.

THE ORGANIZATION AND PIRST DAY'S PROCEEDINGS -FRANCE CLAIMS THE NEUTRALIZATION OF LUXEMBOURG AND RAZING OF THE PORTRESS-PRUSSIA DEMANDS THE GREAT POWERS' GUAR-ANTES-ENGLAND RESITATES.

London, May 8 .- The first session of the Peace Congress, after its organization in this city yesterday, was not merely a formal meeting of the Great Powers' representatives, as some persons here assume, but one at which the Luxembourg question was discussed with a desire to bring the difficulty between France and Prussia to a speedy close. The diplomatists met in the same room in Downing street in which the Schleswig-Holstein Conference of 1864 assembled. The names of the Plenipotentiaries are as follows:-

England—Lord Stanley, President. France—Prince de La Tour Auvergue. Prussia-Count Bernstorff. Austria-Count Apponyi. Russia-Baron Brunnow. Italy-Marquis D'Azzlio.

Insembourg—Baron de Tornaco.
Belgium—M. Van de Weyer.
Netherlands—Baron Bentinell. The proceedings are to be kept secret till the close of the Congress. This much, however, is known, that France is willing to accept the neutralization of Luxembourg, and razing of the fortress, so that it may not

remain as a menace. Prussia is not disposed to consent to this unless all the Great Powers now represented in the Congress give a guarantee of the settle ment. The giving of this guarantee would bind them to engage in war against the future designs of either power (France or Prussia) seeking aggrandizement in this direction. England hesitates to give such a guarantee. and is rather in favor of the idea of the people of Luxembourg for annexation to Belgium The guarantee question being discussed, and points at issue and bases of action being defined, the session was adjourned to Thursday, to enable the representatives to have tele graphic communication with and receive instructions from their respective governments.

### PREPARATIONS FOR WAR.

ACTIVE WAR MOVEMENTS OF FRANCE AND PRUSSIA. London, May 8.—Meantime, pending the issue of the deliberations of the Peace Congress, great war preparations are going on on both sides, notwithstanding official denials to the contrary. France is buying arms both in England and Spain, and Prussian troops of the regular army are being held in readiness to support the garrison in Luxembourg.

COUNT BISMARK'S OPINION. BEBLIN, May 8 .- Count Bismark, in conversation on the aspect of affairs on Tuesday, declared that the situation is now more serious than ever it was before.

RUSSIA ARMING.

In addition to the Count's opinion, I may state that Russia is looking out for her chances of aggrandizement in the East and Poland by the opportunity of a general war. Muskets are being converted into breech-loaders for all the Russian army.

WHAT THE PEOPLE THINK.

The general opinion on the Continent is that the maintenance of peace depends on the action of the London Conference. Fears are entertained that the failure of the representatives there assembled may bring on a general European war, in which each country, caring little for the Luxembourg question or the future position of the people of the Grand Duchy, will endeavor to forward their own particular designs by force of arms.

NAPOLEON TO COMMAND A FRENCH ARMY-HIS GENERALS AND STRENGTH BY SEA AND LAND.

Paris (April 26) Correspondence of Independance Belge \* \* \* There are to be three active armies, one under

Paris (April 25) Correspondence of Independence Belge.

\* \* There are to be three active armies, one under the special command of the Emperor, having under him Marshals McMahon and Bazaine: Marshal Regnault de Saint Jean d'Angely, of the Imperial Guard, and Marshal Niel, head of the staff. This is the army—20,000 strong at least—which is to operate in Luxembourg and to march towards Berlin.

The army of the Upper Rhine is to be under the command of Marshal Canrobert.

Another army, called the army of the Eibe, is to be under the command of General Count de Pailkao; while a fourth army of reserve is spoken of as under the orders of Marshal Baraguay d'Hilliers. I need not say that this is as yet a mere rumor. But this I can add, and say without the least over-statement, that, if not at this moment, in a very short time, the Government will be in a position to place in line 427,000 men and 700 places of cannon. At the latest date there were 20 battalions of Chasseurs and two corps of armee provided with the Chassepot gun. Two hundred and fifty ambulances are ready; 20,000 horses have been bought in Hungary, and, finally, it is said that \$20.0f\$, the small cannon, the marvellous effects of which the Elendard and other journals have spoken of, have been distributed among the regiments. The support of Italy island to be certain.

King Victor Emmanuel will place at the disposition of his most lutimate ally seven armor-plated vessels and \$0.000 men, on condition that they be supported by France. The active support of Holland, who, it is said, will send \$0 armed vessels immediately to the Baltic, is also relied upon, and in case Russis should join Prussia, the northern powers would immediately enter into a league with France.

THE PROSPECTS OF MEDIATION.

THE PROSPECTS OF MEDIATION. DIVERGENT INTERESTS OF THE MEDIATORS-PRUS SIA'S POWER AND ALLIES.

SIA'S POWER AND ALLIES.

From the London Times, April 26.

So far as M. Paulin Limayrac and the Constitutionnot may be taken to be the expression of the Emperor Napoleon's mind, it would seem easy to acquit the French Government of all blame in that unfortunate matter of Luxembourg. France, we are told, seeks no quarret; she neither offered nor intended any provocation. She only complains of Prussia's dog-in-the-manger policy. She cannot conceive why that power, which made so good a job of its last year's venture, should grudge its neighbor a little business in the same line, and stand in the way of a bargain in which France was ready to pay down hard cash. France looked upon the Grand Duchy as no man's land—a mere waif thrown upon her borders by the great wreck of the old German Confederation, an "unconsidered trifle," which she might as well "snap up" as anybody else, " "
The degree of authority that the mediating powers may exercise on the interested parties will depend on the earnestness and unanimity with which they go to work. France, if we may believe M. Paulin Limayrac, shows sufficient delerence and complaisance. She even holds aloof from the negotiation, not to embarrass the mediators' action, and seems willing to await their award. Notwithstanding any amount of biostering, we should not expect to find Germany hore intractable, Bismark has at all times shown himself a deep gamester, fully competent to reckon the terrible odds. He 4s not the man to be led astray by the mere outcry of beerhouse enthusiasm. He is fully aware that is many of the newly annexed districts loyalty to Prussia has struck no very deep roots. He knows full well what reliance may be put on the fidelity of his southern allies. However desperate he may have seemed in his venture, there has aiways been method and calculation in his audicity. Had not Austria's trial been Italy's opportunity, it is questionable whether Prussia would ever have struck a blow for German supremacy. There are but few instances of a big builty fairly and del

three against two. Independent of the sacredness of their peace-making massion, they should feel how easy it is for might to throw its weight into the scales with right. There was a moment, as the world is aware, in which a decisive attitude on the part of France would, in the summer of last year, have damped the warlike arder of Prussia and Austria, and prevented the hostilities out of which the present complication arose. Only those who undertake to curb other people's ambition should themselves be inaccessible to all covetous slongings. "He who is without sin, let him cast the first stone." The want of the policeman has long been feit in Europe. But how can the office be intrusted to any one who is not above the temptation of his neighbor's pockets? Had Russia nothing to gain and Austria bothing to retrieve by war it is not likely that a cannon could be fired on the Rhine without their permission.

# JEFF. DAVIS.

Writ of Habeas Corpus Issued by Chief Justice Chase-He is to be Taken Before the United States District Court at Richmond.

The Writ of Habeas Corpus.

WASHINGTON, May 8.—The following writ was issued by the Circuit Court at Richmond, for the immediate rendering up of the body of Jefferson Davis, and put in the hands of the District Marshal for execution:—

District Marshal for execution:—
The President of the United States to BrigadierGeneral Henry W. Burton, and to any person or persons having the custody of Jefferson Davis, greeting:
We command you, that you have delivered the body
of Jefferson Davis, by you imprisoned and detained,
as it is said, together with the cause of such imprison
ment and detention, by whatsoever name, the said
Jefferson Davis may be called or charged, before our
Circuit Court of the United States for the District of
Virginia, at the next term thereof, at Richmond, in
said District, on the second Monday in May, one
thousand eight hundred and sixty-seven, at the opening of the Court on that day, to do and receive what
shall then and there be considered concerning said
Jefferson Davis.

SALMON P. CHASE,

Witness: SALMON P. CHASE, Chief Justice of the Supreme Court of United States, WILLIAM H. BARRY, Clerk of the Circuit Court of the United States, Richmond, District of Virginia, May 4, 1887.

The writ was drawn by the counsel of Mr. Davis, and presented to Judge Underwood, in Alexandria, and theregranted, as its date shows, on the first day of this month. Though granted then, the order for its issuance appears not to have been made until to-day. The writ, though bearing the name of Chief Justice Chase, was issued by order of Judge Underwood. The explanation is that, according to the usage of the courts, the Chief Justice being absent, Judge Underwood. Underwood, to a certain extent, personates the Chief Justice, and issues writs of nabeas corpus

in his name.

Mr. L. H. Chandler, United States District Attorney for the Eastern District of Virginia, returned from New York last night, where he had been to consult with Mr. William M. Evarts in reference to the approaching trial of Jeff. Davis. This morning Mr. Chandler had a long interview with Attorney General Stanberg. interview with Attorney-General Stanbery upon the same subject, and will leave here tomorrow, it is said, for Richmond.

Mr. Davis, when he arrives at Richmond on Sunday, will still be in miltary custody, and will not be produced in court till Monday. It is stated that he will be kept in the Libby Prison where apartments will be assigned.

Prison, where apartments will be assigned.

The Crime, the Trial, and the Punish-

RICHMOND, Va., May 7.—In July, 1862, the Congress of the United States passed a law in relation to treason and confiscation, from which the following are extracts:-Every person who shall hereafter commit the crime

Every person who shall hereafter commit the crime of treason against the United States, and shall be adjudged guilty thereof, shall suffer death, and all his slaves, if any, shall be declared and made free; or, at the discretion of the Court, he shall be imprisoned for not less than five years and fined not less than \$10,000; and all his slaves, if any, shall be declared and made free. Said time shall be levied and collected on any or all of the property real and personal, excluding slaves, of which the said persons so convicted was the owner at the time of committing the said crime, any sale or conveyance to the contrary notwithstanding.

any sale or conveyance to the contrary notwithstanding.

If any person shall hereafter incite, set on foot,
assist, or engage in any rebellion or insurrection
against the authority of the United States or the
laws thereof, or shall give aid and comfort to any
such existing rebellion or insurrection, and be convicted thereof, such person shall be punished by
imprisonment for a period not exceeding ten years,
or by a fine not exceeding \$10,000, by the liberation of
all his slaves, if any be bave, or by both of said
punishments, at the discretion of the court.

This act shall not be construed in any way to affect
or alter the prosecution, conviction, or punishment of
any person or persons guilty of treason against the
United States before the passege of this act, unless
uch person is convicted under this act.

This law is, perhaps, now to become the solution of all the difficulties in the case of Jeff.

tion of all the difficulties in the case of Jeff. Davis. There are various reasons why it will be wise to make this use of it. The statute does not treat of treason in the abstract. It affixes a certain punishment to certain dofinite acts, assuming, however, all the time that those acts are part of the crime of treason. It evtends a certain grace in naming a penalty less than death; but to have the benefit of this mitigation of the ancient severity of the law, the prisoner must be tried by this statute; and if the counsel of Davis assents to his trial under this statute without protest—if he does not claim the higher legal sphere of the Constitu-tion, venturing the higher possible penalty— then he admits that the acts committed by his tient constitute him a traitor, and thus will be

made in favor of the Government the only point the country cares to have made in this case. It is to be hoped the case may be determined in this easy way; for a trial of Davis for treason in any way but under this statute would be a elemn judicial farce. There is no matter of fact for trial, since so many facts are notoriously known, that fact enough would doubtless be admitted by the prisoner. There would then be only to determine the question of law—do such facts constitute the crime of treason against the United States? Now this s a political question. It is a question whether illegiance to a State or to the United States is higher. In short, it is the question of State rights. This political question has been settled by the national armies—by a great war. It has been determined by the final appeal to arms been determined by the final appeal to arms that the central Government is supreme. How unnecessary, then, to have any mere formal declaration of this settlement by a court! How silly to tempt such a declaration, when it is possible that the Court, defying the decision of the war, might give us another such wonderful judgment as that in the Milligan case! Indeed, in view of such possibility, it is hardly too much to say that trying the case under the Constituto say that, trying the case under the Constitu-tion, it would not be so much Jeff. Davis as the Supreme Court of the United States that would e on trial-Judex damnatur cum nocens absol-

be punished without exposing us to the re-grouch of meting death to a man who was the creature of circumstances, and who, at the worst, did only what our theory of popular will compels us to admit is sometimes justifiable.

Men may err in their choice of the times; but is error crime? The ten thousand dollars could easily be paid, and, in view of the two years' imprisonment already inflicted, the court may use its discretion to inflict the fine only .- N. Y

Markets by Telegraph.

New York. May 9.—Chicago and Rock Island. 90½;
Reading, 100½; Erie, 68: Canton. 43½; Cleveland and
Pittsburg. 73: Pittfourg and Fort Wayne, 97; Michigan
Central. 109; Michigan Southern, 68½; New York Central. 97½; Illinois Central. 114: Cumberland preferred.
11½; Hudson River, 97; U. S. Five-twenties of 1862;
10½; do. 1864. 105½; do. 1885. 106: new issue, 107½; U. S.
Ten-forties, 99½; Seven-thirties, 106½ for first issue: all
others. 100½; Sterling Exchange, 100½; at sight. 1105;
Gold. 137½; Money, 5@6 per cent.

New York. May 9.—Cotton steady at 27c. Flour
active, and 106015c. higher: 9500 barrels sold: State,
611°25@14°60; Ohlo, \$167°0616; Western, \$11°35@15°65;
Wheat quiet; 5000 bushels sold; No. 2 \$278. Corn dull
and 1@52. lower; quotations nominal. Oats 2c. higher.
Rye firmer at 2c. advance; 3000 bushels sold: Western,
61°37@1°68. Beef quiet; new Mess. \$14.506@21; extra
Mess. \$19°30@23°75. Pork dull; new Mess. \$21'10;
prims, \$19@19°50. Lard quiet at 12½@15c. Whisky
quiet, Markets by Telegraph.

—At Syracuse, a priest, named Rizzi, has married a nun, and among the monks who have become husbands is a Jesuit, Perez Da

### FROM CLEVELAND.

Railroad Convention - Prize-Fight in

CLEVELAND, May 9.—At the Railroad Convention held here yesterday, all the principal railroad and steamboat lines in the country were represented. Samuel Sloan presided. The object of the meeting was a settlement of the existing difficulties regarding freight. The meeting was held with closed doors. No decision was arrived at, and the Convention adjourned to meet at Chicago to-morrow. A resolution to take no freight, except that pre-paid for the Baltimore and Ohio Railroad was passed.

A steamer will leave here to-night for a point on Felee Island, in Canadian territory, conveying the principals and a party to witness the prize-fight between Bill Davis and Elliott on Friday. The affair has been kept very quiet, and there will probably be no efforts to prevent the fight from taking place.

### The Freshets.

Easton, May 9 .- The Delaware river at this point has risen 24 feet, and is now, at 9 o'clock, at a stand. The water in the Lehigh river is falling, and no loss has been reported except a few rafts carried off.

The Delaware Division Canal is under water, and the amount of damages cannot be ascer-

### LEGAL INTELLIGENCE.

The Magilton Homicide.

The Magilton Homicide.

COURT OF OYER AND TERMINER—Judges Brewster and Pierce.—The Court reassembled at 3 o clock yesterday afternoon, when the delense produced several witnesses who had seen the prisoner more or less demented, and acting as if he was under the influence of spirits.

The Commonwealth called witnesses who knew the prisoner, and had never seen abything strange in his conduct. Dr. William Pepper, of the Pennsylvania Hospital, testified that he had seen oxaluria in healthy urine after it has stood a good while. On cross-examination, he said the patient's power of mind is usually as strong as ever when oxaluria is discovered. The Court then adjourned until this norming.

THIS MORNING'S PROCEEDINGS.

morning.

This Morning's Proceedings.

Mr. Dwight, in opening for the Commonwealth, said:—Whoever has spent the closing of a summer atternoon at the top of a high mountain, will have found his whole being gradually filled with light and beauty. The air is luminous not only with the glory of the descending sunbeams, but is suffused with the rays which are given back from the wide extent of country stretching on every side away. The hills beneath have lost their rugged cutlines; the forests seem like a velvet robe with which nature has adorned herself. The lakes and the silver threads of the rivers sparkle gaily, and the long reaches of green meadow lands are exquisitely fair. As you turn to descend, you go over some desolate tract of the mountain's side, or enter into the recesses of a wood, or skirt along some cavernous glen, till at length you reach the giant base. And the valley is all the darker, the forests around are the more sombre, for the brightness and loveliness which had filled you far up on the distant peak.

It is thus, gentlemen, that you have been descending into the valley, not of the shadow of death, but of death itself, in its hideous realities. You have left far above you the scenes of peace and virtue, in which right-minded men have their walk, and have come down to lace the details of an awful crime. And what a contrast! There is quiet and kindliness. Here is turmoil and butchery. There all is blithe and winsome. Here all is dark and repulsive. When we turn to the cheerfulness of our hearthstones, the light of yonder house seemed quenched into the very blackness of darkness. Not farther is the beauty of summer hours from the glimness of stormy winter, than in Adam Magliton's home in April, from Adam Magliton's home in April, from Adam Magliton's home in have the last vibration of the church tower bell has died upon the air.

The testimony of the defense consists of five parts. The first consists in whatever may have been wrested for the benefit of the prisoner on the cross examination of th

the direct testimony which the prisoner produced to contradict the witnesses of the Commonwealth. Third, an alibit. Fourth, his honesty; and fifth, his insanity.

You could not identify the prisoner by his nose, or his mouth, or his forehead; when you take them together, and take the combined effect produced on the eye, you know the man and distinguish him wherever you can see him; that is the way with Mr. Nesbie, who thought he was too well dressed for a workman, and in his homely language said he looked like a boss. So far as the alibi is concerned, the defense utterly fails. I do not know what Mr. Mann exactly meant by saying that he murdered this lady for \$4. In one sense it is a matter of fact. Four dollars was all that he obtained from this murder. What his motive was in,going to that house and commuting this fearful crime, what his design was, I know not. The secret is all within his heart. The motives are all slumbering there; but as a matter of fact all the reward he obtained in this world, so far as the bloody deed was concerned, was the sum of four dollars. He got more than Probat, who murdered eight human beings, and got just \$170 each. This man got more than twice that much. Berger, when he murdered Miss. Watts, got \$55, and a deed which he hid away. He, though, subsequently owned that there were \$5500 in that house, and his motive was to get that money and run away with some woman in Germantown. Some day we shall find out the motive of Winnemore.

He blows hot with one breath and cold with another. In one breath he attempts to prove an alibl, and in another he says I was at the house, and did the deed, but am not accountable, owing to a diseased condition of my mind.

Mr. Dwight then considered the portion of the detense relative to his insanity. For eleven years of this life we know not what he did. No one comes forward—doctor, mother, brother, or sister—and testifies that they saw him have a fit during that time. It is assumed throughout the whole of the case that this man had epileptic fits. It

der, or from the 16th of March up to that time, the 2 th of April.

I remember, gentlemen, when I was a little boy at home, they used to make a cake called one-two-three-four cake. They would put one quart of flour, half a pound of sugar, half a plut of milk, and eggs to suit. Counsel for the defense are like the cook mixing that cake. They come here, roll up their sleeves, put on a three-cornered hat, and get to work making up a cake, with one broken head, two doses of laudanum, three trances, and fits to suit, and this cake they call defense; and the prisoner stands by, like the little boy in "Mother Goose," and says.—

"Party cake, patty cake, baker's man, So I do, mother, as fast as I can; Roll it and brand it with insun-ity, Put It in the oven and bake it for me,"

In regard to Dr. Pancoast's theory of the oxalate of lime, Mr. Dwight argued that it would be as reasonable and sensible to suppose that the prisoner had been eating onions, which would produce this sait, as that the prisoner was insane. Every incident of the bloody deed was gone over, following the prisoner from Broad and Shippen streets into Magliton's house, and up to his arrest; his perfect coolness, his wonderfully sane conduct at that all-exciting time; the two \$2 bills, and the prisoner's utter poverty when he left the hotel; that little tell-tale drop of blood near the hydrent.

up to his arrest; his perfect coolness, his wonderfully sane conduct at that all-exciting time; the two \$2 bills, and the prisoner's uiter poverty when he left the hotel; that little tell-tale drop of blood near the hydrant; the treacherous razor; the white hands from which the stains had just been washed—all these terrible items; and it was arrued that these went clearly, undoubtedly to point out the prisoner as the murderer of Mrs. Magliton.

This is a case of circumstantial evidence. Positive evidence is the account of personal knowledge of that which one has seen; but where facts have been established by witnesses by positive evidence the proof of the reality of the alleged or asserted fact to show that he did is circumstantial evidence. If you only prove your facts conclusively in the first place, and then start in the right path, reason will lead you unceringly to a correct conclusion. The Commonwealth, I consider, have completely overthrown this theory of delense, and the case comes down to the question, Did George W. Winnessore murder Dorcas Magliton? I think that your verdict will be such as to show that he did.

Mr. Kilgore followed for the defense. He acknowledged the weight of such a case, and protested strongly against the horry and haste with which the District Attorney had forced them on to triat, and went on to say that if the beautiful and eloquent argument of Mr. Dwight, the Assistant Dis-

SECOND EDITION trick Astorney, had been based upon truth, there could have been no reply to it; but his whole argument was a mistake, being founded upon mistaken

deas.

The geutleman then went on to explain the hard-ships under which the defense had labored during this trial.

DISTRICT COURT—Judge Sharswood. — Thomas Donohue vs. The North Pennsylvania Rallroad Company. An action to recover damages for the loss of pianniff's son, who was run over and killed by a train belonging to the defendants, through the alleged negligence of detendants' employes. The defense denied their want of caution, and alleged that the death of the child was the result of an unavoidable occurrence. On trial.

rence. On trial,
COURT OF COMMON PLEAS—Judge Ludlow.—
Lewis vs. Lewis. An action of divorce. Verdict for

## A STARTLING RUMOR.

Reported Organization and Preparation for Riots in New York-Discoveries and

Disclosures of the Police.

for Riots in New York—Discoveries and Disclosures of the Police.

We have received directly from the police authorities of the city information of recent organizations which are now in progress for the purpose, and with the distinct object, of resisting by violence and bloodshed, if necessary, the execution and enforcement of the Excise and other laws which are obnoxious to a large class of our citizens. The information is of a startling character, well calculated to excite general alarm—and we should not make it public on any dess reliable authority than that of the Police Department, or for any other object than that which prompts that department to give it, namely—to deter the parties concerned in these conspiracies from attempting to carry them into execution, by warning them that the proper authorities are fully prepared to resist and defeat them.

It has been for a long time evident that the enactment and enforcement of the Excise law has engendered among the lower classes, especially of our foreign-born population, a feeling of hatred towards the police, upon whom the duty devolves of enforcing its provisions. We have foreseen that this would be the natural effect of such a law, and have done our best to enforce the necessity of so shaping its provisions as to avoid so serious a public peril. Thus feeling of hostility has been eagerly fanned by sundry politicians and liquor-dealers, who hoped by this means to defeat the execution of the Excise law. The recent difficulty between Superintendent John A. Kennedy and Police Justice Michael Connolly has added fuel to the flame, and the entire body of foreign laborers are just now ripe for the tumult they have so deliberately planned. The professional thieves of the city are also active in the movement, hoping to reap profit during the progress of the riots.

For several weeks past the disaffected population in the different wards have held frequent secret meetings at various points. At these gatherings the language used has been of the most hostile and bitter

and the Excise Commissioners have been cursed and threatened with vengeance for their strictness in carrying out the previsions of the law. A large number of the liquor dealers who have been denied licenses have taken an active part in these gatherings, and they have spoken with strong resentment of the destruction of their business. In short, the meetings are described as having been wild and frenzled in their denunciations and threats of vengeance.

Fully aware of these proceedings, the Police Commissioners, through Superintendent Kennedy, have placed a select number of reliable special detectives on the alert, and these officers succeeded in obtaining access to the meetings, in some instances taking active part in them, when they deemed themselves to be objects of suspicion. The detectives have "spotted" nearly every prominent leader in the movement, and in some cases they have kept continuous watch upon their daily movements. The Superintendent of Police has the names and residence of all these ringleaders, and the details of the entire movements are also fully known.

Of course we have no positive details of this

Of course we have no positive details of this projected riot for publication, as the Police authorities consider them safer in their custody than with the general public. Enough has been told, however, to warn our readers of the dan-gers which threaten the community, and measures should be taken accordingly. In case a riot should break forth in our midst, the public may rest assured that the authorities are well prepared for such an emergency, and cannot be

prepared for such an emergency, and cannot be again taken by surprise.

It may be well in this connection to give a few figures relating to the fatal casualties occurring during the riots of 1863. The Police have ascertained, beyond any doubt, that there were eleven hundred and fifty-five persons killed or died of their wounds received during the 13th, 14th, 15th, and 16th of July, 1863. Of these there were twenty-five soldiers, policemen or negrees killed, leaving the number of reoters who met their deaths from wounds remen or negrees killed, leaving the number of reoters who met their deaths from wounds received, eleven hundred and thirty. It will be well also for those connected with this movement in any way to remember that none of the ment in any way to remember that hone of the military organizations of the city, all of which are at the disposal of the public authorities in case of necessity, are now absent, as they were in 1863.—N. Y. Times.

## LATEST SHIPPING INTELLIGENCE.

PORT OF PHILADELPHIA..... STATE OF THERMOMETER AT THE EVENING TELE-

CLEARED THIS MORNING.
Barque Kensington, Baker, Rotterdam, Workman & Co.

Barque Western Wave, Lock, Belfast, Ire., do.

Brig Delopa, Nelson, Antwerp, C. C. Van Horn.

Schr W. W. Marcy, Champion, Portland, Preston Coal Co. Schr S. J. Vaughan, Vaughan, Weymouth, J. J. Dovey

For additional Marine News see Third Page.

& Son.

Schr Reading RR. No. 50, Corson, Norwich, do.

Schr V. Sharp, Sharp, Marbiehead, Caldwell, Gordon & Co. Schr E. G. Irwin, Atkins, Milton, Schr Mary Anna, Adams, New London, Rommell & Huster. Schr W. Tice, Tice, Ipswich, Van Dusen, Lochman &

Co.
Schr M. Tilton, Fitzinger, Salem, Tyler & Co.
Schr F. Nickerson, Kelly, Boston, do.
Schr A. Hammond, Paine, Portland, do
Schr A. Hammond, Paine, Portland, do
St'r Diamond State, Taibet, Baltimore, J. D. Rnoff. ARBIVED THIS MORNING.
Schr J. R. Ford, Adams, from Petersburg,
Schr John Shay, Vaughan, from Boston.
Schr Port Royal, Moore, from Norwich.
Schr Mary Anna, Adams, from Norwich.
Schr W. Tice, Tice, from Middletown.
Steamer H. L. Gaw, Iler, 13 hours from Baltimore,
with mdse, to A. Groves, Jr.
Steamer Diamond State, Talbot, 14 hours from Baltimore, with mdse, to J. D. Ruoff.

MEMORANDA. Steamship Chase, Harding, hence, at Providence 7th Steamship Chase, Harding, hence, at Providence 7th instant.
Schr J. C. Brooks, Burgess, hence, at Boston7th Inst.
Schr J. E. Johnson, Smith, for Philadelphia, salled from Fall River 5th inst.
Schrs C. Tilton, Somers: J. H. Allen, Seaman: and S. Wilson, Nowell, hence for Boston, at Holmes' Hole 5th inst., and salled again.
Schrs M. C. Farr, Maloy, and Wm. Collyer, Taylor, hence, at Providence 7th inst.
Schr G. B. Morris, Artis, for Philadelphia, sailed from Portsmouth 5th inst.
Schr J. E. Pratt, Nickerson, for Philadelphia, cleared at Boston 7th inst. Schr J. E. Pratt, Nickerson, fer Philadelphia, cleared at Boston 7th inst.
Schr E. H. Naylor, Somers, hence for Boston, at Holmes' Hole 7th inst.
Schr R. H. Wilson, Mull, and W. B. Darling, Baxter, for Philadelphia, salled from Providence 7th inst.
Schr F. St. Clair Edwards still remains ashore at Gay Head, nothing having been done towards getting her off. She might probably be pumped out with a steam-pump.
Schr Charles N. Page, Fink, is ashore three miles south of Shark river, N. J.

NEW YORK, May 9.—Arrived, steamship Eagle, from

NEW YORK, May v.—Afriven, steamship Chicago, from Liverpool.
Steamship Chicago, from Liverpool.
SQUAN BEACH. May 2.—The schr C. E. Paige, o
Philadelphia, is ashore south of Squan Inlet. She has
no water in her. Two more schooners are ashore
north of Barnegal; their names have not yet been
ascavialized.

NEW YORK, May & -Arrived, stodinship Pali Kee String, from St. Jago de Cuba. Brig Elizabeth, Adoboce, from Singapore. Brig F. Butler, Bartiett, from Calbarien. Returned-Erig Atalira, Richards, for Para, has re-