The Surratt Trials.

[CONCLUSION OF YESTERDAY'S PROCEEDINGS.]

Mr. Merrick concluded his address on behalf of the defence:

But feeling themselves grow weak, the prosecution produce Wm. C. Cleaver. He was sworn, and he saw that man come upon the steamer, a man who had been convicted of a crime without a name. It was murder, and a murder above all, but murder most foul and unnatural. Has the United States Government so low that it must seek such tools? Not Cleaver alone, but Cleaver manipulated by Conover, and Conover manipulated by Ashley. Incorporated with this man Conover, the schemer and deviser of all the perjury of the Arsenal trial; Conover, the idle poet of a monthly magazine; Conover, the tool of Montgomery, who sits beside the counsel for the prosecution! Conover, manipulated by Conover and dug out by Ashley, is brought here to ask the jury to take his oath against this young man. Ah! gentlemen of the jury, not only disbelieve, but spurn such testimony from you.

David C. Reed is also relied upon, but he (Mr. Merrick) contendedly was contradicted at every material point by Lloyd. Does he deal out justice? Who is Paul C. Reed? Does he deal out justice? Who is Paul C. Reed? Does he deal out justice? Ah! not for the money the liquid world bring, but that he might rob the victim and his fame blacken. The counsel said one of the witnesses for the prosecution dealt out liquid fire. Ah! You gentlemen know that the character of Reed in this community, and it is unnecessary to speak of him further. Another witness is Sesna Gedeon. Her testimony, when she said she saw John Surratt on that night, made an impression upon the jury; but she went too far, and it was shown that she never before gave such testimony before Captain Olcott, when she was previously examined. The Government had her testimony in the Bureau of Military Justice, and it did not correspond with the testimony here given. Her testimony on this stand, and the prosecution knew it and did not check her.

He (Mr. Merrick) was, after that evidence, prepared to believe more about this prosecution than before. This woman was contradicted by Rachel Hawkins, by Eliza Haver and by Susan Jones Rachel Hawkins said she knew Atzerodt, Atzerodt and husband says she did. Rachel says that at the assassination Susan said she did not see John Surratt for two weeks. But Rachel is not the only one, for Mrs. Clarvoe says she said that she had not seen Mr. Surratt for two weeks, and there is not a man upon the jury who will not believe Mr. Clarvoe. Miss Fitzpatrick also settles this question, for she says that Surratt was there on the third of April, she got him some supper, and it was then that Mrs. Surratt said Susan, pointing to John. "This is my son: don't he look like a gentleman?" Susan is also, beside this good angel, the bad angel of this case. Miss Fitzpatrick testifies to contradict, and the friend of the accused is made to contradict her. Weichman, the fiend, the accursed fiend, whose conscience is driven before him with burning lash, says Surratt did not take supper with his mother on April 3. Susan Jones's testimony was then shown to be false, but he (Mr. Merrick) believed, with a full belief and conviction, that she all he was saying, that that woman was lying with the oath of the United States government. St. Marie says that Surratt admitted his presence in Elmira, but admitted if the jury believed him. Why is St. Marie here to begin the tragic? The tragic of the yellow earth has been the knell of many a man's honesty. What brought St. Marie here? Does he so love America that he would give up Surratt merely for that love?

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At this point, 12 o'clock, the Court took a recess for half an hour.

Resumed—Mr. Merrick resumed and said he thought he had shown that the testimony of Surratt's presence here was not to be relied upon, and that from its infamous character it could not be a whole case for the prosecution. He thought he had also demonstrated that it was physical impossibility for Surratt to have got here. It will be remembered, also, that none of his friends come from the grave as a last protestation for him here, and he (Mr. Merrick) asked if the jury had been proved beyond the possibility of doubt, for his presence has been proven to be false by respectable witnesses as were ever sworn upon the stand. In reference to the Booth letter, in a witness's juror believes a name or does not, believe him, accordingly to the instincts of an man. Mrs. Surratt's Surratt in Elmira.

The jury heard Carroll's testimony, and that witness had not been contradicted. Witnesses were called to contradict Carroll, but instead of contradicting he confirmed him. Mr. Richmond and Mr. Carroll testify in no way to make it unmistakable truth to Surratt's presence in Elmira. Mr. Carroll positively identified Surratt as being in Elmira on the 14th. He held he positively recognized him, at a by-one-only, by his voice, motion, deportment, and manner. Three witnesses for the defence do not swear to distance, but they recognize him from action, conversation and manner.

As to Dr. Bissell, throw his testimony out, if you choose, and throw him to the other side, where he on find conspicuous witnesses, and Surratt's presence in Elmira is still proven. Another circumstance is worthy of consideration. Three Elmira witnesses for the defence identify the peculiar coat worn by Surratt, and we show that the coat was made in Montreal, and we bind Surratt to the coat in Elmira. Here is a witness to Elmira the prosecution shows him to be there in that identical coat. The witness and the prosecution sees him in that coat except Mrs. Gennery and Brown. Having then shown that Surratt was not here, that Surratt had no connection with Booth and Mrs. Surratt, and, at the present time, it is a circumstance to show he was not in the conspiracy. He (Mr. Merrick) proceeded to review the testimony of Weichman, and he did not leave Montreal upon Booth's mandate.

McMillan says Surratt told him that Booth summoned him because the plan was changed. What plan? It is shown what plan was proposed. There was to be a change of plan, but is it shown what plan was changed? McMillan's testimony must be taken with great allowance, for he sees the reward glittering in the distance, and he acknowledges that he is entitled to the reward, if any reward is to be given. He has been incarcerated also in McMillan's testimony that he falsely stated his escape from Richmond, and he is considering McMillan's testimony that of Conover, and he would be taken with it.

Mr. Merrick read Cameron's testimony to show that McMillan was not connected with the plot. There are certain circumstances that may justify you in believing that there was a plan to abduct, but it must be remembered that the President was not killed in a scheme to abduct. The killing showed a new conspiracy, which the jury not to the conspiracy to abduct had nothing to do. But the prosecution says that there is also, beside the black angel, the bad angel of this case. Miss Fitzpatrick confess to contradict, and the friend of the accused is made to prove a alibi to contradict her. Weichman, the fiend, the accursed fiend, whose conscience is driven before him with burning lash, says Surratt did not take supper with his mother on April 3. Susan Jones's testimony was then shown to be false, but he (Mr. Merrick) believed, with a full belief and conviction, that she all he was saying, that that woman was lying with the oath of the United States government. St. Marie says that Surratt admitted his presence in Elmira, but admitted if the jury believed him. Why is St. Marie here to begin the tragic? The tragic of the yellow earth has been the knell of many a man's honesty. What brought St. Marie here? Does he so love America that he would give up Surratt merely for that love?

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Re-examining, Mr. Merrick examined and said he thought he had shown that the testimony of Surratt's presence here was not to be relied upon, and that from its infamous character it could not be a whole case for the prosecution. He thought he had also demonstrated that it was physical impossibility for Surratt to have got here. It will be remembered, also, that none of his friends come from the grave as a last protestation for him here, and he (Mr. Merrick) asked if the jury had been proved beyond the possibility of doubt, for his presence has been proven to be false by respectable witnesses as were ever sworn upon the stand. In reference to the Booth letter, in a witness's juror believes a name or does not, believe him, according to the instincts of an man. Mrs. Surratt's Surratt in Elmira.

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POLITICAL.

The Virginia Republican Convention.

BRUNSWICK, Va., Aug. 1.—This morning, at an early hour, the neighborhood of the African Church was filled by about three hundred people awaiting the opening of the doors, and the streets were alive with others coming to the place appointed for the meeting of the convention.

The Republican headquarters and the hotels looked lively with political discussions, and there was evidently a good deal of excitement.

Promptly at 10 o'clock the doors of the church were opened, and the building was instantly filled, still having about two thousand persons outside.

Up to this time very few of the white Republicans relatively applied by the county resolutions had made their appearance. The white present were about 1 in number, and the negroes who had attended the April Convention, 1. Quite a few were inside to adjourn to the Capitol Square, and the crowd outside, believing it to be their convention, proceeded to elect officers.

Mr. J. W. Hunnicutt made a short address to those inside, in favor of adjourning to the Square. He counseled harmony in the deliberations of the body, for they were like day looked to by the whole country, and by hundreds of thousands of men, who have fathers had looked proverbially forward to such a day as this. The country was watching and their prayers were looking joyfully for a deliverance in the Convention, and he hoped them to be disappointed. This was a mass convention, and he wanted all Republicans represented in it. Those who could not endorse the proprietY of adjourning until to-morrow, at the polls, in order to give the white people time, who had not attended this meeting, time to come in, if they would not come in, the blame would be upon themselves.

Several motions were made to adjourn, and failed, great confusion reigning around the speakers' stand.

Mr. Baker and Sterling (both white) attempted to address the body. Baker declared he would speak, as the Republican party, in journals, and Sterling talking the opposite.

The colored speaker, Alexander Baker, tried to put him off, and a row seemed imminent.

The platform was adopted without a dissenting voice, and the meeting was declared to be adjourned until one o'clock on Friday morning.

To-night the appointed meeting of a Republican Convention in the Capital of the State, in its stead, a number of the members of Congress, Convention appeared and organized a meeting in the Hall of the House of Delegates, Fields Cook, colored, in the chair. Several speeches were made, complaining of the action of the convention today as hasty and premature.

Mr. Crenshaw, white, of Henrico county, complained that Friday morning he was called upon by that county delegation to represent it in the Committee on Organization, and been refused.

H. D. Berkley, a colored radical of Lexington, complained that the action of the Convention was conducted, and the county delegates crowded out by the Richmond representatives. It was left said, a premeditated affair, as the State Central Committee had not been brought against the Church, he contended, taught obedience to authority, and the good faith of the Church was ready. He protested against the meeting to-day. It was no Convention, and should be called one. He wanted all classes and overtroody represented at a convention, and hoped the colored men would see that such a one was held. He wanted to have the Republican party in Virginia, did not intend, nor did the colored people intend to be led by Mr. Hunnicutt, Mr. Botts, or any one who wanted to use them for the purpose of getting office.

A committee was appointed to wait on Mr. Botts and see if he could address the meeting to-morrow, and adjourn to meet at one o'clock. It is understood he will address the meeting; to-morrow morning.

It is stated by influential Republicans that the proceedings here was in the city of Richmond, and that the Republicans are in progress which will prove a split in the party.

Canvassers are being held to-night to arrange for a convention of the Republicans called by Mr. Botts, and which was unanimously approved by the convention. Mr. Botts is confident and asserts that Secession is treason, and that treason is a crime, and that the Republicans are the loyalists, the payment of the public debt, and the repudiation of the Confederate debt, and a liberal system of internal improvements.

The following is the concluding paragraph:

"Let Swing and peace be the watchwords to all civil and political rights to the rank and file of the land, and let the Republican party be the wires mixed and reduced into the war by accustomed and well-tried hands, and let the rights of the conscription or otherwise; but exclusion from all political rights and privileges, have been unfortunate; if they had the power."

Resources of the Southern Boards of Aldermen.

The following resolutions issued yesterday:

HEADQUARTERS FIFTH MILITARY DISTRICT, NEW ORLEANS, August 1, 1867.—The Boards of Aldermen and Assistant Aldermen of the city of New Orleans are hereby readjusted, as follows:

A. W. Boothby, Thomas Cottman, J. McCloskey, Williamson Smith, Norman Whitney, George Clark, Thomas McKnight, Thomas Cottman, Jr., Jos. Bell, Jr., Board of Aldermen, and Thomas S. Moore, T. H. Higginbotham, P. H. Cummings, J. C. Cologne, E. Jacobs, Wm. Mitchell, C. Colcock, J. B. Cunningham, J. P. Montamat, V. Prospere, John Fitzpatrick, George H. Hunt, H. H. Strucken, J. F. Kraus and P. Kaiser, the Assistant Board of Aldermen, are removed; and A. D. Grieb, James Graham, Jas. Dunn, Jos. Bell, John R. Clay, E. W. Burbank, K. G. Stapleton, R. S. Stevens, Wm. Mitchell, F. E. Dumas are appointed to the Board of Aldermen, and John L. Stormy, S. S. Straight, Jas. H. Stevens, Jas. Bell, T. B. Lawrence, S. S. Lewinez, C. C. Sampson, E. S. Gaulet, Jas. Lapice, E. Hicey, Oscar J. Dunn, John Goache, Edmund Flood and F. W. Perkins are appointed to the Board of Assistant Aldermen for the ensuing year.

The reasons for removing these persons are to be found in the recent resolutions to which they have reduced the city credit, and the efforts which they have made and are making to prevent the carrying into effect the plan was formed on that very day. Richmond fell, and the confederacy was broken up. Booth, with an infamous mind, saw what he had loved passing away, and he broke alone, throwing the idea of murder, as the dirty plainly shows, and there is no evidence that the conspiracy was formed an hour before the time specified in the diary. The gentlemen cannot get out of their money in the diary, and you must take the formal conspiracy, and the conspiracy, and the only man who could give any information on the subject.

Booth says he wrote a letter for the *Intelligencer*. Where is that letter? The defence wanted to get the declaration in, but the court said it cost as he (Mr. Merrick) thought wrongfully; for the motive could Booth have had to do it? At that time. The diary must be taken as evidence, and it makes a case that the jury is resolved. But they still claim a verdict. Who claims a verdict? Who claims it? He (Mr. Merrick) and parties in this case—one was the government of the United States, represented by the Attorney. The Attorney-General represents the United States; why is not the Attorney-General here?

Mr. Pierrepont said if an answer was wanted he would say yes.

Mr. Bradley asked if Mr. Pierrepont represented the Attorney-General.

Mr. Pierrepont said he did.

Mr. Merrick said he thought it different, but he would have yours to employ additional counsel; what was behind all this.

Mr. Merrick here referred to some remarks made by Mr. Pierrepont early in the trial, in which he said that the trial would set at rest reports about certain individuals, and was prominent that records would be produced. Where are those records? Where are those reports? Where, once, and were withdrawn. Why was this? Did they find a hole and of the conspiracy, and in reference to Mrs. Surratt, which the President was not? Would that conspiracy have been that access was not denied to the President? Can the scene of that day ever be forgotten? President and philanthropist went to the Executive mansion to ask a respite for Mrs. Surratt and access was denied.

Mr. Merrick depicted the visit of Annie Surratt to the President, when she was denied access, and he asked who stood in the way of the ends of justice, the Secretary of War or the President? Where is the bureau of military justice now clerk there, or is it true that the bureau of military justice is a terrible now sleeps in the waters of the Hudson, and that another has been put in its place? Was there not something behind this case?

Is it not known that in the lower House of Congress public accusations were brought against the Secretary of War, and the President, and others? What was the Bureau of Military Justice to do with this case? and yet, he (Mr. Merrick) has a deep interest in this case. The Bureau of Military Justice is a part of the terrible machinery of the government, and yet he has been made a victim, but the Bureau of Military Justice? Judge Holt has certainly lost his discretion in his pursuit.

In continuation Mr. Merrick contended that the Bureau of Military Justice knew of the falsification of much of this evidence, and has withheld it from the Court. Mr. Carrington, too, has been the very ceremonies of the grave, and brought Mrs. Surratt here for trial. Is it not enough to try the living, or will the prosecution set the ghoul and tear the corpse from the grave and tarnal ize? Mrs. Surratt is here, and her presence has been felt. It is present always with Judge Holt, and he cannot hid the spirit down, and when they come to stand before the bar of God, Mrs. Surratt will then appear against Judge Holt. Mr. Carrington said the members of the Military Commission were denounced as murders. Not so. He (Mr. Merrick) did not denounce the Commission, although that court was declared illegal, but he did denounce the men who stood behind, and who suppressed material facts and would not let the diary be known.

They proved the toothpick and the spur, but not the diary, and now they bring the diary to commit another murder, and now will the prosecution try to do the work of the devil? The prisoner was put upon the stand, and he said he gave Mrs. Surratt the conclusions of religion. He was not permitted to repeat what Mrs. Surratt said, totwithstanding the objection between two priests, with the world behind her and eternity before her, and yet had of guilt laid at the feet of her accused. Why was not her declaration admitted? Did they fear she would lie? No; but, hardened of heart, reckless of guilt, and indifferent of justice, they would not let her voice be heard. But still it falls upon their ears; that voice of a woman in a nameless grave, whose very body has been refused to a bleeding daughter. But the District-Attorney says that Surratt fled, and flight is an evidence of guilt, and it is said to have left his mother. He did not know his mother's extremity and if he did he was hiding, or about that time. Flight to Surratt's case was no confession, for under the circumstances, Mr. Merrick argued, any man would have fled, so power had usurped the place of the courts of justice.

He also stated that the Catholic Church in connection with the trial, and he proceeded to detail that Church from the accusation that had been brought against her. That Church, he contended, taught obedience to authority, and the good faith of that Church was ready. He protested against the meeting to-day. It was no Convention, and should be called one. He wanted all classes and overtroody represented at a convention, and hoped the colored men would see that such a one was held. He wanted to have the Republican party in Virginia, did not intend, nor did the colored people intend to be led by Mr. Hunnicutt, Mr. Botts, or any one who wanted to use them for the purpose of getting office.

A committee was appointed to wait on Mr. Botts and see if he could address the meeting to-morrow, and adjourn to meet at one o'clock. It is understood he will address the meeting; to-morrow morning.

It is stated by influential Republicans that the proceedings here was in the city of Richmond, that the Republicans are in progress which will prove a split in the party.

Canvassers are being held to-night to arrange for a convention of the Republicans called by Mr. Botts, and which was unanimously approved by the convention. Mr. Botts is confident and asserts that Secession is treason, and that treason is a crime, and that the Republicans are the loyalists, the payment of the public debt, and the repudiation of the Confederate debt, and a liberal system of internal improvements.

The following is the concluding paragraph:

"Let Swing and peace be the watchwords to all civil and political rights to the rank and file of the land, and let the Republican party be the wires mixed and reduced into the war by accustomed and well-tried hands, and let the rights of the conscription or otherwise; but exclusion from all political rights and privileges, have been unfortunate; if they had the power."

There is a steady increase of yellow fever at Vicksburg, and the impression is growing that the State was reduced to division, humiliation, penury and misery, and the prosecution of the public honor and general prosperity of the State. Now Colfax is here, and nothing less than death would do with all opposed to them who have committed crime, if they had the power.

Resources of the Southern Boards of Aldermen.

The following resolutions issued yesterday:

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He was followed by Mr. Hunnicutt, who urged now walking delivery across the river at this point, causing delay in the progress of