The Press.

SATURDAY, JANUARY 21, 1865.

☞ We can take no notice of anonymous communications. We do not return rejected manuscripts.

☞ Voluntary correspondence is solicited from all parts of the world, and especially from our different military and naval departments. When used, it will be paid for.

The Law of Evidence.

On all convictions for robbery, burglary, larceny, forgery, and certain other crimes, the defendant, in addition to the punishment prescribed, is adjudged to make restitution or compensation to the owner, who is, however, rendered a competent witness on the trial of the offender. The revisers of our penal code, Judges KING and KNOX, and Mr. WEBSTER, reported a section which is now law, rendering convicts who had served out their time competent witnesses. In their Report on the Penal Code, they say: "This section is new; it is founded on the principle that if the offender has fully suffered the punishment inflicted by law upon his crimes he should be restored to society without any further legal aint. This follows as a logical consequence, from the principle of our penal system, that the great object of punishment is the reformation of the offender. In effect the object of this statute is at present attained through the pardon of the Governor, which is continually invoked to restore such persons to their competency as witnesses, after they have fulfilled the sentence of the law; a large portion of the pardons actually granted by our Governors are given to persons so circumstanced. In England this principle has been introduced into their recent legislation; Pennsylvania, that may justly boast of being the pioneer in the amelioration of the penal laws, will hardly be disposed to be less liberal."

At present, therefore, all criminals are either competent by law, or may be rendered so by the Governor, and we therefore have but to take one step further, and remove the incapacity entirely by act of Assembly. So persons in interest in many criminal proceedings, as we have seen above, are rendered competent, although the recovery of their property may depend entirely upon their own testimony.

Inhabitants in settlement cases, in cases where the overseers of the poor are parties, in suits for breaches of ordinances, borough officers, inhabitants of cities and school districts, are rendered competent by acts of Assembly where they would be held incompetent, by reason of some supposed interest, in taxes, fines, penalties, or forfeitures.

Still further, by express enactment, "The Orphans' Court, or any auditors appointed by them, shall have power to examine, on oath or affirmation, any of the parties to any proceedings instituted in such court respecting any matter in dispute in such proceedings; and the said court shall have power to compel the production of any books, papers, or other documents necessary to a just decision of the question before them or before auditors."

Now, the parties to the accounts of executors and administrators are the accountants, creditors, legatees, distributees, and sometimes devisees and heirs, and by this broad and comprehensive language the courts are clearly vested with the power to examine any or all of them, whether for or against themselves. But No, said the old Supreme Court, in the same spirit which produced Wolf vs. Fink, this is not the meaning. "The language of the act is very comprehensive," said the learned judge, "and well adapted to the purpose for which it was intended, viz: *To enable the court to do justice by an examination, at the instance of the opposite party, of the accountant*, as to the disposition of the assets and the management of the estate, and to compel the production of such books and papers in the possession of *either party* as may conduce to an elucidation of the matters in controversy. The Legislature has conferred upon the Orphans' Court a power undeniably exercised by a court of chancery; but they certainly did not intend to alter all the rules of evidence heretofore considered sacred in courts of law and equity *by the introduction of the mischievous and pernicious principle of enabling a party in interest to give evidence in his own cause!!!*"

Upon this [illegible] of the 5th, the learned Judge puts words into the section that cannot be found in it, and substitutes particulars for generals, so as to enable him to read it, not as the Legislature passed it, but as he thinks it ought to be. The examination is not to be in the power of the court, but of the opposite party, and the accountant is the only one to be questioned against himself, and not to be permitted to testify one word in his own favor, however necessary it may be to lay bare the whole truth—and yet with singular inconsistency any party may be obliged to produce books. But when it is positively declared that the court shall have the power and may examine any of the parties to the proceedings, how can it be said that they shall not be examined because an old common law rule of evidence says they are not competent whether from interest or as parties to the record? Why, the very object of the act is to make them competent, and have not the Legislature the power to alter an absurd rule, the relic of a by-gone age?

There can therefore be no doubt that the Orphans' Court, by express legislative enactment, possess the power to examine all parties to any proceeding, respecting any matter in dispute in such proceeding, either for or against themselves as the court may deem just and proper. Such ought to be the decision of the present day, and no Trphans' Court exercising the power thus given them by express legislative grant need fear the ghost of a decision a quarter of a century old.

The philosophy of the present age is founded on a more charitable view of human nature than was indulged in by the prejudices of our ancestors, whose rules of action were often framed in the darker ages of the human race, and by narrow-minded and bigotted persons. "If," says Mr. TAYLOR, "the rules of exclusion, recognized till lately by the English law, had been really founded, as they purported to be, on public experience, they would have furnished a most revolting picture of the ignorance and depravity of human nature. In rejecting the evidence of parties to the record, and other interested witnesses, the law acted on the presumption, not only that such persons, sooner than make a statement which might prejudice themselves, would commit deliberate perjury, but that, if they did so, juries would be incapable of detecting the falsehood. A more unfounded calumny upon the veracity of witnesses and the intelligence of juries cannot well be imagined."

The Fall of Gold.

When the flag goes up, gold goes down. On Thursday afternoon the sales closed at 210, and yesterday the lowest point was 195. This was fifteen per cent. gained for greenbacks in twenty-four hours. The last quotation was 205, a decline of seventeen per cent. in one week. There can be but one reason for this rapid and remarkable fall; it is the conviction that the rebellion is near to its death. The price of gold has been for weeks undermined; it has hung like an icicle, that, melting imperceptibly, falls suddenly, without apparent cause. Yesterday we had no startling news or rumors of Union victories to bring gold down so far. Its fall was the result of a profound growth of confidence in the ability of the United States to make speedy and honorable peace. This faith expresses itself forcibly in the present panic of the gold market. It will be more emphatic in a few weeks.

Gold is still too high. The premium is unnatural, and is certain to decline. Everywhere the greenback wins victories. SHERMAN's march laid the basis of that firm assurance of the ruin of the rebellion which the great triumph at Fort Fisher did so much to strengthen. The people of Savannah, when they acknowledged the authority of the Government, helped to bring gold down. The cry of despair which reaches us from Richmond proclaims the worth of United States currency, in confessing the worthlessness of the war to divide the United States. Gold cannot withstand the conspiracy of Union armies and rebel Legislatures to bring it down. And down it must come until the difference in the value of currency and specie is reached. There is no sound reason why two paper dollars, which the credit of this great nation is pledged to redeem, should be needed to buy one dollar in gold.

SOUTH CAROLINA.

THE ADVANCE ON CHARLESTON.

CAPTURE OF THE POCOTALIGO BRIDGE.

The Enemy Retreats Towards Charleston.

THE MONITOR PATAPSCO SUNK BY A TORPEDO.

SHERMAN'S TROOPS GONE FROM BEAUFORT.

THE SLAVES ON THE MARCH THROUGH GEORGIA.

THE SEA ISLAND PLANTATIONS.

NEW YORK, Jan. 20.—The United States transport Fulton, from Port Royal on the 17th, and Fortress Monroe on the 19th, arrived at this port today.

The monitor Patapsco was destroyed off Charleston at 2 o'clock on the morning of the 17th, while doing picket duty, by a rebel torpedo. Forty or fifty of the crew went down with her. Their names were not ascertained at the time of the sailing of the Fulton.

On the night of the 14th the 17th Corps and the troops commanded by General Hatch advanced on the Pocotaligo bridge, on the Charleston and Savannah Railroad, and captured it, together with the fortifications and twelve guns, losing in the charge forty men killed and wounded. The guns were spiked. The enemy had evacuated the place during the night, and fell back to Ashep's, towards Charleston. It was thought the enemy will make a stand at that point.

The Savannah *Daily Herald*, formerly the Port Royal *Palmetto Herald*, on the 14th, has the following items:

A preliminary meeting of the Chamber of Commerce took place on the 14th.

The Christian Commission has opened rooms at 147 Bay street. The institution is in great favor with the soldiers.

The band of the 33d Massachusetts gave a concert at the theatre on the 12th. It was attended by all the generals and a large number of citizens, with their ladies.

The Fulton on the 18th passed off Cape Hatteras the Ironsides and a gunboat, supposed to be the Susquehanna, bound North. The same day she passed the former Ericsson, bound South.

The Fulton brings 504 passengers. Among them are Major General J. G. Bayard chief engineer, of the United States army, and Brigadier General J. H. Keacham. The former landed at Fortress Monroe.

—Mr. O'Donnel's Despatch.—

[Special Correspondence of The Press.]

BEAUFORT, S. C., Jan. 12, 1865.

Large arrivals of troops from Sherman's army have given no small commotion to this significant but ordinarily dumb little town. The advance of our forces makes cities of our smallest villages; their departure (of which Georgia is a melancholy witness) leaves nothing behind save it be Sodom and Gomorrah. Beaufort has fared gentlier than reason, for it is to be providential that we have not been eaten out. At last this wing of the army, under Gen. Howard, or at least a very large portion, has crossed over to the main land to resume the thread of history and the needle of war. The 17th and the 15th Corps have, for a half week, populated the Sea Islands nearest the sovereign high-and-dry ground of the Palmetto and Rattlesnake "nationality." The movement of the army will be fast proportionately to the object and ground; the rest is easily measured. It is noteworthy that, through all ranks, none of our heroes forget—on the contrary, all especially remember—that they are on the sacred soil of Carolina, whose original secession, like original sin, brought ruin upon us. If Sherman, sweeps through Carolina, after the precedent of Georgia—and it is generally presumed that he will—to the same effect—this disembowelled State will pay the last penalty. Charleston may or may not be strongly defended (our failure at Wilmington is not likely to improve its case), but defence can only add fuel to the fire. If Carolina still boasts its chivalry, and its inheritance of hate—Satan's courage "never to submit or yield"—soon will come the time of trial. It is not expected, however, that the South Carolinians will prove a particle braver than the Georgians. Sherman may write, "Came, saw, and conquered;" and Carolina, "We have met our enemies, and we are their's."

A CASE WORTHY OF INQUIRY.

The troops which have left committed a few slight excesses in Beaufort, and, as—I learn, quarrelled, perhaps fatally, with one or two of the property-holding negroes; but the general sentiment of the army is generally kindly toward the blacks. A painful exception to this rule has been insufficiently brought to attention. At Ebenezer's Creek, on the march to Savannah, occurs—it was said that, sudden the path of his corps blocked up and encumbered by the thousands of contrabands who followed his march, General Jefferson C. Davis ordered them to be driven to the rear, and, after his troops had crossed the creek, cut the bridge behind him, leaving many hundreds of helpless men, women, and children on the further bank, where they were set upon by Wheeler's merciless cavalry, and sabred, shot, and drowned. This massacre has not yet received denial; but, whether it is true or not that hundreds of these negroes were slaughtered because General Davis deliberately cut them off from all escape, it seems nevertheless true that he abandoned them. In the last necessity an honorable soldier might have hesitated at such a measure; but it seems that the act was both inhuman and unmilitary, the issue of a brutal impulse, and a symptom of the grossest bad generalship. The negroes could have readily crossed the bridge, and followed men who loth to take the frequent and grateful advice of the contraband, and quite able to protect them. Every corps commander found himself crowded by refugees, and Howard, brave and gentle soldier as he is, crossed sixteen bridges (rebuilt as fast as the rebels destroyed them) without sacrificing any poor fugitives in his train. Every noble soldier in the army would deplore such a shameful "necessity" as that which, *Herald* correspondence admitted to General Davis, and, least of all, would General Sherman be disposed to excuse it. He is an inveterate captain, but the boast is now more true than ever that he has brought more slaves out of bondage than all the rest of the generals combined; and, though he professes that his business is not to save or sell negroes, but to put down the rebellion, (particularly when he is beset by recruiters and philanthropists,) yet it would not be surprising to find him, at the same time, holding a little negro child by the hand. Something like this was a well-authenticated scene which happened a short time past. Let us hope, even against permitted fact, that the charge against Sen Davis is untrue; but, remaining as it is, we need not scruple words to make it severe while its subject is under nomination for major generalship.

THE PLANTATIONS.

Beaufort is a small town, with a few streets, and a front of comfortable and sometimes elegant houses along the river, a cool summer resort, an oyster bed, and watering place, once upon a time, for the gentry of Carolina. Over the Beaufort river are the plantations of Ladies' Island, and half a dozen miles beyond, separated by a marsh creek, are those of St. Helena. Paris, Ladies', Helena, Coosa, Port-Royal, and Hilton Head comprise the named cluster of islands which are generally termed "Port Royal," and are variously divided by creeks and rivers The country is level and barren, to all appearance, but the tropic orange, pomegranate, yucca (a dagger-leaved bastard palmetto), the palmetto, ground palm, the magnolia, gray-mossed and mistle-toed live-oak, the Asia tree, and the evergreen, and many beautiful Southern flowers, grow here. Peanuts, of which some kind old "Auntie" presents the grateful stranger with a gratis supply, seem to be native. In the summer these now barren but then cotton-starred and wild-flowered islands wear a face of metamorphis; but the angel of fever is likely to drive the unacclimated resident away from such a paradise.

THE FREEDMEN'S CHURCH.

A visit on Sunday to St. Helena was full of instruction and pleasure. On the way to church the carriage passed hundreds of the plantation hands, neatly clad, and pleasant to the eye and heart, all looking up to give a Sabbath-greeting to the minister. In church old Dennis, a large-headed, benevolent-faced black led off the exercises in prayer, not without repetitions, but certainly without rant, and in excellent sense. Rev. Mr. French, Dr. Torsey, late president of one of the colleges of Maine, and here as a factor of Secretary Fessenden; Governor Stone, of Iowa, and Major (once Professor) Whittlesey, now the judge advocate general of Sherman's army, afterwards addressed in a few apt and simple words the decorous and attentive congregation. General Saxton was also their executive—a bright-eyed, intelligent man, in the prime of life—the plainest of talkers, but best of business men, and, above all, distinguished for his high moral power. The great good he has done through his administration here it is impossible not to witness, and though a few surly whites still complain without cause, that "a negro is better off than a white man," it is only means that equal and exact justice is meted out to all classes, of which the blacks happen to be the greatest, by the proportion of fifty to one. No department deserves more credit for results; and what might have been the condition of these islands, which have done so much to solve the social problem of the war, and make the whole country familiar with the freedmen, if their command had been entrusted to any hard-headed, hard-hearted, incompetent man? Saxton is remembered in the hymns and prayers of the freedmen, an instance of this being given in the spirited native hymns sung at the close of the meeting. These hymns will be noticed again.

THE PENNSYLVANIA FREEDMEN'S SCHOOL.

At a brief remove from the church, and within the shade of some great live oaks, heavily draped with tresses of grey moss, stands the first regularly-built and dedicated free school in South Carolina. It was built of Northern timber, seasoned in Northern ideas (not New England, but Pennsylvanian), and shipped down and round to St. Helena Island. For this all the praise is due to the philanthropic enterprise of the Pennsylvania Freedmen's Association. The moral clock which they have set up in this far-off country looks well enough; but this is not a circumstance compared to "How it goes." The school is but a few months old, and already contains nearly two hundred scholars, who journey to it daily from miles around, and very rarely miss a lesson. The classes are generally as young as those of secondary and grammar schools at the North; they read and write fairly, and add up large sums with a very near approach to accuracy—about all that children of their ages could do. They have also ventured, with promising success, upon geography, grammar, subtraction, and probably the multiplication table. It is interesting to watch them at their lessons, and to see the growing, scholar-look on their faces, thus newly stamped with freedom. They are certainly more well come than some of us thought they would be, and truly fit to be received into the family of men. There were bright, merry, and not uncomely faces among them, as well as dull and blubbered once—but the dull fellows were learning only a few paces slower than the foxish little fellows who were always ready to answer a question first. The second generation promises fair to outstrip their teachers, though never sufficiently grateful, as few children are—but their mothers supply the deficiency, and, as has long been the custom of our white mothers, bake an occasional gift of home made pie There is really much to hope for from the condition of these children of the freedmen, and we may imagine how much is due to their untiring and zealous tutors. Praise is too poor a meed for these noble and self-denying women; success should be their recompense. They are crowned in their work, the fruits of which, after much toil, flourish daily. Patience, gentleness, and an unwearying intelligence have been brought to their task, and the sacrifice will only be comprehended in the results.

AN ARRIVAL OF CONTRABANDS.

Fugitive freedmen, gathered in the march of Sherman's army, have been arriving by boat-loads, frequently, for weeks past. On Sunday evening a cargo of them landed at St. Helenaville in wretched condition, and the superintendents were busy in stowing them away among the narrow accommodations of their poor little settlement. As they stepped from the boat, most of them bore their households upon their backs—burdens which comprehended beds and bedding, bags of rice and corn, household utensils—a weight amazing to the Northerner. With such an overload, a mother sometimes carried her child. Very few had shoes or stockings, and some of the little children had only the shivering cover of a thin frock; yet winter is cold here as well as at the North. Pantaloons made of carpet-rags, and doubly ragged, were one of the most comfortable kind of garments worn. A battered tin-horse (some baby's trinket) was one of the contents of a kettle of things—the strangest thing of all among this whipped, relationless, outcast people. The contrabands were disarmed and roughly directed their children before them. How they learned the accent, where affection was no better than merchandise, is easily conceived. A dozen sick cases had just strength enough to land, and these were laid down build and shivering before the fire. The number has nearly tripled, but up to this time only three or four out of three hundred have died. At the landing an old man met his brother, whom he had not seen for fourteen years. The sufferings of these blacks may not compare with the miseries of Andersonville, but are not black and white common martyrs for each other's sake to the unnatural sin of the rebellion?

PLANTATION ECONOMY.

The cause of the blacks in General Saxton's province rests in good; and in no department is the Government served by more kindly, earnest, and thoughtful men and women. Mr. Reuben Tomlinson, the general superintendent of St. Helena and Ladies' Island, was originally deputed to this field of labor by the Pennsylvania Freedmen's Association, and is well known as a life-long and able friend of the cause of anti-slavery. The flourishing condition of these islands, the comfort and reigning good order of their population, afford one proof of his excellent magistracy; and none will more deeply regret his departure than the black men whom he has labored with such fair dealing to benefit.

The other day a large number of plantation hands were paid advance instalments for cotton raised for themselves to be sent North on commission. One family head received as high as $400. The money thus paid for cotton did not include the whole crop, or the entire resources of the freedmen. They are self-supporting in more respects than one, growing their own corn and ordinary subsistence, as well as earning wages. On some of the plantations they are only partially successful because the Government has improvidently ignored what may be termed their aboriginal right to the soil by selling the plantations from under their feet, and only leaving them a homestead, at permission of the owner or monopolist. As it is, this department of freedmen now pays back to the Government all its expenses.

The people of these islands have, for several years of freedom, proved upon the whole, more productive than could be expected, and as orderly, harmless, and industrious as could reasonably be desired. Their penal calendar is one chiefly of petty offences, and without great crimes. Looseness concerning the marriage relation, a necessary effect of slavery, must not be set down to the most evil motive, and it is gradually disappearing. They have now, as they had never before, a community, a society, and a family circle among themselves; they are disposed to treat each other with kindness, and help all the new-comers from Georgia, whom they were once as unfortunate. Prayer meetings are common in the evenings, with the old-fashioned and half-civilized religious "shout." Many heart-strings have been broken by the rebellion. A rough, but well-featured girl, drawing water from a well, remarked: "I'se not so hard-some as I used to; I take on so 'bout my moder wid de rebels"—an affecting speech under the circumstances. Dialect is becoming more intelligible, and the effect of spelling can be observed in conversation among the young freedmen. The [illegible] world never saw such fighting as our soldiers did.

I am, very respectfully, your obedient servant,

D. D. PORTER, Rear Admiral.

Hon. GIDEON WELLES, Secretary of the Navy, Washington.

WILMINGTON SAID TO BE EVACUATED, AND FORT CASWELL BLOWN UP.

BALTIMORE, Jan. 20.—The steamer from Fortress Monroe brings a report that a vessel arrived there last night from off Wilmington, with the intelligence that the rebels had blown up Fort Caswell, and that Wilmington was believed to have been evacuated. We give this report without vouching for its authenticity.

SUCH RUMORS DOUBTFUL.

NEW YORK, Jan. 20.—In response to an inquiry about the reported capture of Wilmington, the Washington agent of the Associated Press telegraphs as follows:

WASHINGTON, Jan. 20—Noon.—I have just this moment returned from the Navy Department. I heard nothing about the capture of Wilmington there.

BLOCKADERS CLEARING FOR A CLOSED PORT.

NEW YORK, Jan. 20.—The steamer Corsica has arrived here with Nassau, N. P., advices of January 16th. Five blockade-runners cleared on December 23d for Wilmington, and six arrived from that place on the 5th and 7th of January. Two blockaders cleared for Wilmington on the 14th inst.

Wilmington not yet Captured.

BALTIMORE, Jan. 20. — The Fortress Monroe steamer has arrived here after some detention by ice. The following report has been received:

FORTRESS MONROE, Jan. 19.—The steamer Blackstone, Captain Berry, arrived here this morning from off Fort Fisher, bringing 210 officers and privates, wounded in the late assault against that fort. The latest news from the fort is that shortly after the surrender the rebels blew up Fort Caswell and the other minor works defending the entrance to Cape Fear river. At the time of sailing, the smaller gunboats had entered the river, and were actively engaged in searching for torpedoes, preparatory to an advance against Wilmington.

Shortly after the capture of Fort Fisher a diagram, containing a plan of the whole system of torpedo arrangement in Cape Fear river, was discovered, and our naval officers were making search for a key to the diagram, by which means the infernal designs of the enemy would be completely frustrated.

The following is a list of the wounded officers brought up by the Blackstone: Brigadier General Curtis, 24th Army Corps, slightly wounded in the head; Lieutenant Colonel F. Snyder, of the 117th New York, flesh wound in right arm; Lieutenant Colonel Conn, 48th New York, slightly in head; Lieutenant E. C. Skinner, 117th New York, arm; Lieut. Robt. Brien, 117th New York, head; Lieut. Thos. Smedley, 97th Pennsylvania, arm; Lieut. B. Hand, 3d New York, head; Capt. W. H. Shaw, 115th New York; Capt. D. B. Magill, 117th New York, leg amputated; Lieut. J. B. Taylor, 97th Pennsylvania, shoulder; Captain Lawrence, aid de-camp to Gen. Ames, seriously; Capt. Jas. Reeves, 3d New York, leg amputated.

The steamer also brings the remains of Col. Bell, 4th New Hampshire, and Capt. Elliot, 142nd New York.

THE DEFENCES OF THE CITY.

A full description of Fort Fisher has already been given in these columns. A description of the other works, those immediately below the city, and the entrance to Cape Fear river, especially Fort Caswell, which our despatches inform us the rebels have blown up, will be interesting. They to our knowledge, are all the defences of any importance that the rebels have erected for the defence of Wilmington, which will speedily be attacked. One our despatches states that a diagram of the position of all the torpedoes has been discovered. If this statement be true, our gunboats have a safe passage all the way up the Cape Fear river even to the very wharves of Wilmington, a distance thirty-four miles. Following is the description:

FORTS CASWELL AND JOHNSTON are situated on Smithville, which is on the west side the Cape Fear, two miles from its mouth. The former is a work that was built by the United States Government, of granite masonry, with two tiers of casemates and one tier of barbette guns. It is calculated for an armament of twelve 32-pounders, twenty 24-pounders, four 12-pounders, four heavy rifles for raking the approach, six 8-inch howitzers, two 10-inch mortars—in all, about 40 guns. The work is surrounded by a system of advanced works, and is in every respect a first-class and formidable fortification. The Federal Government $671,000. This work has doubtless improved this position, and mounted therein some of their guns. There are minor forts of great strength on the point of sand on the sea beach, outside of Caswell, to command the approach within supporting distance.

Fort Johnston, one of the defences of the city, to Cape Fear river, is situated two miles from Fort Caswell, on the harbor of Smithville, and is very close to the present fort, and occupying the same ground the present town of Smithville, there was formerly a Revolutionary fort of the same name. Fort Johnston cost $6,000, and mounts ten guns.

Between Forts Caswell and Fisher there is a land island, variously known as Bald Head or Smith's Island. It is about fifteen miles in length. Upon this island are a number of strong sand forts supporting each other. The principal of these is Fort Strong, or "Lighthouse Battery." Their purpose is not to command the channels so much as to retain possession of the island, in order that it may not be used by our forces in reducing Fort Caswell.

Fort Quarantine is situated on the west side of Cape Fear river, immediately opposite Fort Fisher, and commands the channel of the stream which bounds the western shore.

FORT ST. PHILIP, a larger earthwork, mounting nine heavy guns, is situated at the southern extremity of Eagle's Island, immediately below Wilmington.

FORT FERNON, a similar but smaller work, is situated on the east side of the river, a few miles south of Wilmington. It is clad with railroad iron. Several water batteries are connected with this work, and line the river shore for miles down Park. These works, with Fort St. Philip, command a number of obstructions which have been placed in the river near their location.

SOUTHERN DATES TO THE 18th.

ACCOUNTS OF THE CAPTURE OF FORT FISHER.

Its Loss Supposed to be from the Negligence of the Garrison.

COMMUNICATIONS BETWEEN RICHMOND AND THE SOUTH CONSTANTLY INTERRUPTED.

WASHINGTON, Jan. 20.—The Richmond *Examiner*, of the 16th inst. says:

"Very was unusually scarce yesterday. There was an interruption of telegraphic communication between Richmond and Mobile, and, so far as we could learn, not a line of news, official or otherwise, was received.

"It appears, from a brief telegram from Wilmington on Monday night, that the bombined naval and land attack on Fort Fisher took place on Sunday, on Monday morning, instead of 10 o'clock on Sunday night, as reported.

"The Yankee force which appeared in the vicinity of Carmanville, N. C., last week, is reported to have gone back towards Savannah.

"The report of Mr. Seddon's retirement from the Cabinet has not been confirmed, nor, indeed, any of the rumors of high military and political appointments circulated by sanguine persons during the last few days.

"We learned that the Secretary of War has directed the provost marshal of Fredericksburg to release Mr. Foote from custody. It is uncertain whether he will proceed to Washington or return to Richmond."

The following is from the Richmond *Whig* of the 18th:

"The arrival of the southern mail on any day may now be considered an exception rather than the rule. We are disposed to acquit the Post Office Department of the responsibility of these repeated failures, as it is evident that whatever efficiency is arrived at is certainly in spite of the most inexorable demands of the army, and the enforcement of the conscription law. We received no exchanges this morning from any point south of Danville, and we are unable to present our usual variety of news items."

The *Enquirer*, of January 18th, contains the following:

"During all of yesterday we were without additional particulars of the capture of Fort Fisher, beyond a correction in the time of the assault, the position having been carried by storm at 10 o'clock on Monday morning, instead of 10 o'clock on Sunday night. The fleet co-operated with the land force. Enough is known, however, to warrant the assumption that the defence of the fort was defective in point of vigilance. It is reasonable to believe that the fleet kept up at least a fitful bombardment during the night, and that the repulse of the land force the preceding evening satisfied the garrison that no second attack would be made until daylight on the ensuing day, and that they were in consequence, in no condition to be retiring to the bomb-proofs, or otherwise seeking shelter and repose for the night. At the hour at which the fort was taken, it was not even tolerably brilliant in the mid-heavens, a circumstance which should have suggested extreme vigilance. The strength of the position, and the fact that Wilmington has the thanks of Congress are due, and are hereby tendered, to Major General Whiting, and the officers and noble, dauntless troops, by whom it was so long defended. The commander of the rebel army was signally defeated and driven from Tennessee. The resolution was a unanimous one."

PURCHASE OF THE NEW-YORK MERCHANTS' EXCHANGE.

[By Telegraph.]

The proposition to purchase the Merchants' Exchange in New York, now occupied as a custom house, of the intention of the Government to purchase the same for one million dollars, according to the terms stipulated in the existing lease.

APPROPRIATION FOR A MINISTER EXTRAORDINARY TO MEXICO.

The House concurred in the Senate's amendment to the consular and diplomatic appropriation bill, including one for a minister extraordinary to the Republic of Mexico.

LIBEL SUITS IN THE DISTRICT OF COLUMBIA.

Mr. WILSON, of Iowa, from the Committee on the Judiciary, reported a bill, providing that in all prosecutions or indictments for libel, in the District of Columbia, the truth thereof may be given in evidence under the general issue as a justification of the libel, and if it appears the matter is true, and published for written good ends, the court shall order the defendant to be acquitted. The bill was passed.

THANKS TO ADMIRAL FORTER.

Mr. RICE, of Massachusetts, from the Committee on Naval Affairs, reported back the following resolution of thanks to Rear Admiral Porter and the officers, seamen, and marines under his command in the recent attack on Fort Fisher, which was unanimously passed.

PROMOTION OF MERITORIOUS OFFICERS.

The House passed the bill as amended by the Senate authorizing the promotion of officers of the navy and Marine Corps for distinguished merit, not exceeding thirty numbers in rank.

UNITED STATES COURTS IN WESTERN MISSOURI.

Also, the bill prescribing the terms for holding the United States Courts for the Western District of Missouri.

TRADE WITH INSURGENT DISTRICTS.

Mr. BRIGGS, of Michigan, offered a preamble setting forth that,

Whereas, It is reported that G. M Land, of Baltimore, received permission from H. A. Risley proceed to South Carolina and to exchange provisions with the rebels for cotton; therefore, be it

Resolved, That the Committee on the Conduct of the War inquire into the facts, and report to this House whether such authority has given or not, and if given, under license to furnish supplies to the enemy, and, if not, to report such a bill as shall prohibit an act so base, bring the guilty to justice, and protect the interests of the Government in future, and to take such other action as may seem to them expedient.

Mr. STEVENS, of Pennsylvania, suggested an amendment, that the inquiry be made as to whether the allegation is true, which Mr. Briggs accepted. The preamble was further amended so as to refer it to the Committee on Commerce, and in this form was adopted.

THE EASTERN VIRGINIA CIRCUIT COURT.

Mr. BOUTWELL, of Massachusetts, from the Judiciary Committee, reported back the Senate bill, which was passed, changing the place for holding the Circuit and District Court of the United States for the Eastern District of Virginia from Richmond to Norfolk.

QUALIFICATIONS AS COUNSEL IN THE SUPREME COURT.

He also reported the Senate bill, which was passed, providing that no person, after the passage of this act, shall be admitted to practice in the Supreme Court of the United States, nor after the 4th of March, in any Circuit or District Court, and the Court of Claims, or shall be allowed to appear or practice in any case or submission, unless by taking the oath of office as provided for in the act of January, 1862, and subscribing the terms and meaning; and any person who shall falsely take the oath shall be deemed guilty of perjury, and subject to all the penalties and consequences of perjury in addition to the pains and penalties of the act of July, 1862.

WHY THE ONE-HUNDRED-DAYS MEN WERE RECEIVED.

Mr. SCHENCK, of Ohio, offered a resolution, which was agreed to, calling upon the Secretary of War to state upon what terms and why the one-hundred-day men were accepted from Ohio and other States, in 1864, and received into the army for one hundred days, and who, therefore, claims by virtue of such service should not be given to States and districts in proportion to the term of service.

On motion of Mr. NOBLE of Ohio, a resolution was passed calling upon the Secretary of War to state why commissions have been given to colonels not in service, believed to exist, and requiring the Secretary to refund the same.

THE AMENDATORY LOAN BILL.

On motion of Mr. STEVENS, the House resolved itself into a Committee of the Whole on the state of the Union on the amendatory loan bill.

Mr. BROOKS, of New York, remarked that the bill to him, was a most bad bill, and he, with others, had stepped to understand it. He should, therefore, like to have an explanation.

Mr. STEVENS replied, that by the act of June last Congress authorized the loan of four hundred million dollars, two hundred millions of which the Secretary of the Treasury had the right to issue in 7 30s, and he had issued all excepting sixty or seventy millions of that amount. They were going very fast, and it seemed to be a favorable loan. The Secretary of the Treasury was of the opinion that the conversion of the entire amount would be more acceptable as a loan than the present form of bonds, and he had accordingly made that request. Instead of this, the same amount of principle as the 7-30s were issued. He gave notice of an amendment that this act shall not be construed to issue legal tender notes in any form beyond what is now authorized by law.

Mr. ALLEY, of Massachusetts, understood this bill provided for no additional loan, but merely changed the form of the one already authorized from 6-20s to 7-30s.

Mr. STEVENS replied that that was exactly what was intended.

Mr. ALLEY, of Massachusetts, asked whether a part was to be issued in legal tender.

Mr. STEVENS replied that it was not intended it should be.

Mr. BROOMALL, of Pennsylvania, inquired whether the 7 30s previously issued were not circulating as currency.

Mr. STEVENS, of Pennsylvania, replied that they might be like promissory notes, not delivered.

Mr. SCOFIELD, for Pennsylvania, inquired whether, under this Bill, it was proposed that the Secretary of the Treasury shall issue seventy millions more legal-tender notes.

Mr. STEVENS replied that the bill did not interfere with the first two hundred millions, as he had already explained.

Mr. MORRILL, of Vermont, said the Committee of Ways and Means did not propose to interfere with the power which the Secretary of the Treasury now had. They did not propose to interfere with the law on the statute book, excepting to authorize the issue of seven thirties. There has been no legal tender issued since the act, and now they simply proposed to give them authority to issue seven thirties to the extent of two hundred millions. That was all.

Mr. PRICE, of Iowa, asked the gentleman from Pennsylvania to accept of an amendment providing for the issue of three per cent. certificates, which may be exchanged for the bonds of the United States.

Mr. STEVENS said he could not accept it. But we take away the power to make them legal tender, and this is enough. The Secretary of the Treasury thought it ought to be left to the same discretion exercised by his predecessor.

Mr. BOLMAN, of Indiana, moved to strike out the clause exempting the interest from taxation, for under state or municipal authority, and argued that while this exemption was for the benefit of capital, the labor of the country had to bear the increased burden. Nothing could be so unwise.

Mr. SHOCKMALL exhibited a note issued under the act which they now proposed to amend, and which was made on its face a legal tender. It was in the form of currency, without coupons. If the currency was further to be increased, he preferred that it be uniform. Blackbeck was to be the notes from taxation. If or under the national authority, and argued that while State or municipal authority, and argued that while this exemption was for the benefit of capital, the labor of the country had to bear the increased burden. Nothing could be so unwise.

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Mr. STEVENS replied that the note which his colleague exhibited was issued under the clause which authorized one description of notes; he conditioned for another. Notes issued under the law had been exchanged for legal-tenders.

Mr. HOLMAN said he would not discuss the question of power, but the objection was that the paper to be issued was to be exempted from taxation. It should be subjected to taxation the same as other property.

Mr. GRISWOLD, of Iowa, expressed his views in favor of equal taxation, and the right as well as the duty of Congress to provide for the present and future necessity of the Government.

Mr. SCOFIELD offered as amendment that the legal tender notes shall be issued under the authority of this act, or under an act to which this is a supplement. This amendment and that of Mr. Holman were severally discussed.

Mr. FRANK offered one, which was rejected, that the currency notes hereby authorized may be used as the best of circulating notes in the same manner as other United States securities.

Mr. BROWN, of Wisconsin offered a proviso that such treasury-notes shall not bear interest. The great mass of the notes issued, which latter were tender, the other bearing interest, which latter were locked up in the vaults of banks, while the former were in the hands of the people. Hence a further depreciation in the currency.

Mr. STEVENS pronounced the gentleman desired to make these notes legal tenders, if the gentleman supposed any one would take the loan without interest, of course that would be advantageous to the Government. We only doubt whether the people would take the loan without interest.

Mr. Brown's amendment was rejected.

Mr. FRANK offered an amendment providing that the notes shall be issued for one, two, and three years, with coupons, and convertible into bonds of the United States. He did not regard these notes to enter into the volume of currency, thereby increasing the relative value of gold.

Mr. KASSON, of Iowa, said the power conferred by Congress under the act to which the pending bill was supplemental had been in force for six months, and by it the power over the inflation of the currency had been reduced more than fifty per cent. They had been told by the Secretary of the Treasury that he wanted the same power which was conferred upon his predecessor, and which he considered necessary for the administration of the Department. The Secretary was opposed to further inflation of the currency unless in an emergency such as this, and for the benefit of the Secretary he (Mr. Kasson) did not feel disposed to tamper with the Treasury Department and the Secretary. Business by with holding from the Secretary the power exercised by his predecessor. Any restriction in the policy which made the Secretary unable to perform the duties of the office for the ensuing year would be disastrous and endangered the success of the remainder of the loan.

Mr. PRICE, of Iowa, said that the national banks were increasing the volume of the currency.

Mr. KASSON replied that they had at first increased the currency, but now a large portion of state issues were merely being converted into Government notes.

Mr. Price's amendment was rejected.

Mr. ALLEY, of Massachusetts, believed, beyond a doubt, that the rebellion would be suppressed, and the credit of the Government re-established in all its parts. They would not find legal tender notes more than seven per cent. discount. He hoped that Congress would tax the State banks out of existence. He believed that the Secretary of the Treasury would never further inflate the currency, excepting from the most urgent necessity.

Mr. DAVIS, of Maryland, endeavored to obtain intelligence as to the effect of this bill, being absolutely at sea.

Mr. BERNAN, of New York, said the effect of passing this bill would be to authorize the Secretary of the Treasury to issue seventy millions of legal tender. The second section of the act. In addition to that, by the issue of a dollar, may be substituted for the seven thirties, which are not legal ten dollar notes, which are not legal tender. In other words, the Secretary would be authorized to issue seven dollar notes, which, by law, he may issue in bonds.

Mr. SCOFIELD said he was not in favor of putting out any more circulating medium of the Government, here or in Europe, and which increases the balance of currency, and making incomes only one-half.

Mr. SCOFIELD asked what was the use of any more legal tender? Why not stop somewhere?

Mr. KASSON knew no other reason than could be given in the case of our armies, who, owing to some disorder of the money market, could not be otherwise supplied.

Mr. SCOFIELD asked where, in such a case, was the capitalist who would not supply the money?

Mr