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THE TRI-WEEKLY PRESS, Mailed to Subscribers, FIVE DOLLARS PER ANNUM, in

ENTRY AND THE PERSON The Press

TUESDAY, MAY 30, 1965.

The Trial of Davis.

[From the Washington Chronicle of yesterday.] [From the Washington Chronicle of yesterday.] If Jefferson Davis shall be put on trial for treason in this District, the care, in its legal aspects, will in this District, the care, or its fight aspects, will present series stilking points of si hilarity to the case of Asron Burr, on his trial at Richmond.

Burr was not present at Blennerhassett's Island Burr was not present as Disinfernassett's Fight when was was charged to have been there levied, nor of a within the State of Virginia, but was ablant in another State, some two hundred miles distant. The indictment, however, charged him with lavying aur on Blennorhussett's Island, in the distric Virginis, with a great multitude of persons to the creating as unknown. In other words, it charged im as being personally present at the island when to war was there levied.

the war was there levied. On the trial, after the presention had introduced shithe evidence in he presention relating to the al-leged levying of war at Biomernassett's Island, the connel of Colonel Burr moved to exclude all far-ther testimony testing to connect him with the mensactions on the Island, as an adviser, procurer, alder, or abetter of said acts performed by others, alder, or abetter of said acts performed by others, at that place, in his absence. In support of this notion Colorel Burr and his coursel made and ar-

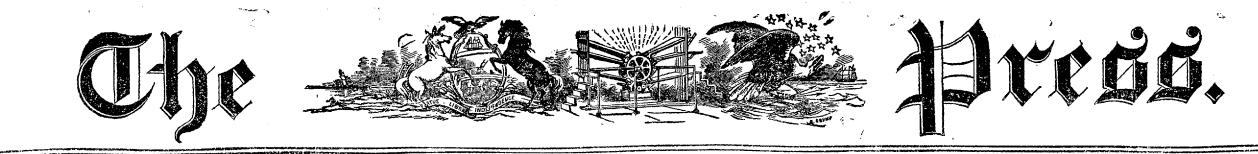
st that place, in the moscles. The apple of this inction Colored liner and his coursel made and ar-gued the following points: Ist. That instance as Colored Barr was not pro-sent as Biomarnessatible Island when the war was alleged to have been there tayled, he could not be implicated in the orime (if any) there committed, except by withen of the coursed law maxim that to their or the course of the course of the tayles of the the course of the course of the tayles of the the course of the course of the tayles the transmission of the course of the tayles of the tayles of the course of the tayles the tayles of the tayles of the tayles and the tayles of the tayles of the tayles and the tayles of the tayles of the tayles and the tayles of the tayles and triables in the tayles of the tayles of the tayles and triables of the tayles of the tayles the tayles and triable tayles of the tayles the tayles of the tayles and triable tayles of the tayles of the tayles of the tayles and triable tayles of the tayles of the tayle of the tayles of the tayles of the tayle tayles and triable tayles of the tayles of the tayles of the tayles and triable tayles of the tayles of the tayles of the tayles and triable tayles of the tayles all accessories in the tayle of the tayles and triable tayles of the tayles and the tayles of the tay

The first, will construct a known of the decision of the United States of America. 2.1. That said ensume-low rules is not in force to 2.2. That said ensume-low rules is not in force to 2.3. That said ensume-low rules is not in force to 3.3. That, even admitting said common-law rule to be in force in this country, still, in order to hold to person reinfinially favour shown or the soil dependence of the States, and or the soil dependence of the states, state problem committed in the infinitement coefficient of the states of the states, states problem is the sind even in the infinitement is a state of the states of the states, states problem is the state state of the states of the states of the states of the states, states problem is problement in the infinitement is a state in the states of the a grancipate stars interparticulary of said common-law rule, although not present present at the lakend. They relied upon the doctrine laid down by the Supreme Court of the United States, in the case of Boliman and Swartwout (4th Granch), in these words: "It is not the intertion of the court to say that no individual can be gaily of this orime who has not appeared in arms against int sognity. Our the same was had put the same source, ship ma God.

" 15 is not the intertion of the court to say that no individual can be graity of this orima wao has not appeared in arms against his sountry. On the contrary, if war he setually avriant, that its, if a body of men be actually assembled for the purpose of effect-ing by force a traceously object, all inservice nor-form any part, however winning or lowever results from the scene of action, and who are actually leagued in the general constitute, are to be considered as traitors." They crew a clisication between such acts, per-God. The following classes of persons are excepted from The benefits of this prolaumMon: First. All who are or shall have been protonied (vi) or otherwises, or otherwise domestic or foreign agents of the pretended Uonfederate Govern-mont.

mont. Second. All who left judicial stations under the United States to aid the rebuildon. Third. All who shall have been military or naval efficers of raid pratended Confederate Government, above the rank of colonel in the army or licatement formed by an absence, as are purely accessorial in their character, (as, for instance, merely advising and inciting others to levy war,) and such auxillary

zets as constitute a part in the war levied by them. in the navy. Fourth. All who left seats in the Congress of the a who everely advises, incites and instigates others to ievy war against the Gocomment, without himself performing any overt act immediately enclidary to the war lovied by them, cannot be guilty of treason under our Constitution, lithough he would be guilty in England, by virtue of the common law tale above montioned. But they Incisted that, if permitted to proceed with the evi-Infisient that, if permitted to proceed with the evi-derce, they would be able to show that Colonel Burr had done much more than morely to advise and in-stigate the slieged treasonable susemblage on Blan-rerhassett's Island; that he had not only procured that assemblage, but had actually provided and fur-hished all the maches to be used by the issurgents in levying and carrying on war against the United States. In other words, they insisted that they would be able to prove that Colonel Burr had par-formed such overt acts, immediately uncliary to the war levied on the island, as consultated a part therein, within the meaning of the Sapremo Osurt in the case of Boliman and Swartwout, and so rendered him a principal in the crime of treason there consummated. They further contended that, if a principal in the crime of treason consummated at the island, he must be considered as having been constructively must be considered as having been constructively present, and, therefore, was properly charged in the indictment as if actually present.
These ware the principal polers discussed, at great iength and with consummate ability, in Burris case.
That some of the same points may be raised on that if this District is manifest. How far the raised of the Same points may be raised on that if all of this District is manifest. How far the raised in this District is manifest. How far the raise as presention while as the farmed of the same points may be raised on that if the prosecution in Burris case was the will be seen in the case in a presention will be seen if the raised in stall rebailion, and the estimated if the prosecution in Burris case was the want of sufficient evidence to prove that any war was levid for an the case in the opinion of the Ourt, was necessary to constitute a levying of war, Mr. Hay, the United States Attorney, frankly admitted the the ordence of it but transactions on Blennerhassett's Island did not come up to the constitution of Barse in the case ind been decided in the farmer, no the the second of the United States. The was necessary to constitute a levying of war, Mr. Hay, the United States Attorney, frankly admitted for sale respined to the president to paradon by any the indicate. For the case and the parase and directs of the case and the paraset with the facts of the case and the paraset and the paraset is the shale of the united states. The secretary of State will establish rules and regulation y whereof I have herenuto set my how the fact of the United States to be and the sale of the case in the the seal of the Court whereof I have herenuto set my how the fact of the United States to be affired.
The was necessen to dow the the bounds of the fact of the United States to be and the paraset to the present of the state set to the present of the seal state in the other points raised and discont with the facts of the case and the paraset to the present of th must be considered as maying been constructions present, and, therefore, was properly charged in the indictment as if actually present. These were the principal polets discussed, at great length and with consummate ability, in Burr's case. That some of the same points may be raised on the battle was actually fought within the bounds of the District. in July, 1864 Celef Justice Marsball, in Burr's case, carefully abstained from committing himself conclusively in the question whether the common law rule that whatever will render a man an accessory in felony will make him a principal in treason, was in force will make him a principal in treation, was in toke as a part of the isw of treason of this country; but at the same time he very clearly indicated his opt-nion that it was not. He adhered, however, to the position taken in the case of Boliman and Swat-Wont, that when war is setually levied, for a treaposition taken in the case of Bollman and Swart-word, that when war is setually lovied, for a trea-general consultance, and one the, being leagued in the general consultance, and one the boll leagues of the setual principal traitor. And he gave this filtuatration of what character of auxiliary sols would, in his opinion, constitute "a part" in a war levied at a "remote" place: "There is no difficulty in affirming that there must be a war, or the orime of levying it cannot exist; but there would often the considerable difficulty in affirming that a particular art did or did not involve the of levying war. If, for example, an army should be actually raised for the avort at the point runt to work and very deliberately before a jusce would vanture to decide that an evert at a file wing award wanture to decide that an evert at a file work gave had not been committed by a commission in the rebuilts applicated in the very deliberately before a jusce would vanture to decide that an evert at a file work gave had not been commission in the runt act of levying war had not been commission in the rebuilts applicated and work deliberately before a jusce would wanture to decide that an evert at a file wing war had not been commission in the rebuilts applicated and army with provisions; or, by a recruiting effect and leaguing thisself with the robuilts differed army with provisions; or, by a recruiting effect army with provisions; or, by a recruiting offect army with provisions; or, by a recruiting offect h opinion, consistence we part in a war levice as a "remote" place: "There is no difficulty in affirming that there must be a war, or the orime of levying it cannot exist; but there would often beconsiderable difficulty in affirm-ing that a particular act did or did not involve the person committing it in the yull act in the fact of levying war. If, for example, an army should be actually raised for the a rowerd purpass of carrying on open war sgainst the United States and sub-vising their Grovernment the point must be weighted wery deliberately before a just would wenture to decide that an evert act of levying war had not been committed by a camp, but who, kuowing its object, and leaguing himself with the robels applied that army with provisions; or, by a recruiting effect holding a commission in the robe leaving who, though never is camp, executed the particular duty assigned to him." If such acts 23 376 here mentioned, performed at a place "remote" from the scene of schul war, will implicate the parsen performing them "in the with inplicate the parent performing war," it may be safely assumed that sufficient suffered substances that the problem of th guilt and in the fact of levying war," it may be safely assumed that sufficient evidence can be ab-



## VOL. 8.-NO. 259.

war, is liable to prosecution in the district where the war is actually levied, or only in the dis-

the war is actually levice, of only in the dis-trict where he performs such ancillary acts-in support of the position that he is lible to prosecution in the place where the war is actu-ally levied, though not present, we printed, on

Saturday, some foreible arguments in the form of

extracts from the "notes" of our follow-citizen, J. J. Combs, E:q., appended to his resently pub-lished work, "The Trial of Aaron Barr," &s. We

commend this work to the attention of all who de-

sire clearly to understand the questions likely to

arise on the trial of M7. Davis. We acknowledge curselves indedted to it, mainly, for the substance

AMMESTY PROCLAMATION OF PRESIDENT JOHNSON.

THE OATH OF ALLEGIANCE PRESCRIBED.

List of Excepted Rebel Officials, Civil

and Military.

By the President of the United States of America.

A PROOLAMATION.

f this article.

## PHILADELPHIA, TUESDAY, MAY 30, 1865.

been drawn with reference to obviating that objection. There is, as we conceive, but one really debatable question which can arise on the trial of Davis for treason in this District, provided the prosecution shall be skillfully conducted. That question is this one which we noticed in our resue of last Saturday morning, viz: whether he who performs such acki place, as will constitute a part in the fact of levying the war is actually levied, or only in the dis-treated as and later and the district where the war is actually levied, or only in the dis-the the modifications made noticing, and which may the the modifications and such others, if any, not contravening the sati conditions, and which may the the modifications and the general code of laws are dilary acts the dist over the the modifications made notices, and which may the the modifications and such others, if any not contravening the sati conditions, and which may the demotion is the district where the operations and which may the distribute a performs such and the dis-the constitutions and such others, if any not contravening the sati conditions, and which may the demotion the district where the operation is the district where the war is actually levied, or only in the dis-the operation is the familiary acts. THE TRIAL. MORE TESTIMONY FOR THE DEFENCE The Veracity of the Government Witcontravening the said conditions, and which may be deemed expedient by those framing the new State government. To avoid misunderstanding, it may be proper to say that this proclamation, so far as it relates to Slato governments, has no relevence to the States wherein loyal governments have all the while been maintained. And, for the same reasons, it may be proper to further say that, whether members of Uongress from any State shall be admitted to their seats con-stitutionally, rests exclusively with the respective Honces, and not to any extent with the Elecentive. And still for the, that this preclamation is intended to present to the people of the States wherein the rational authority has been subvorted, a mode State governments have been subvorted, a mode by which the National authority and hear suggended and the loyal State governments have been subvorted, a mode to ortical authority has been subvorted, a mode to ortical authority are the state wherein the state ortic may be re-established within the said states or in any of them; and while the mode pre-sented is the best the Executive can suggest with the present improves in a would be acceptable. Given under my hand at the city of Washington, the eighth day of December, A. D. cas thoursand eight hundred and sixty three, and of the Inde-perdence of the United States of Americe the ty by the States: Was II, szwarp, Secretary of State, nesses Strongly Assailed.

STATEMENT OF MRS. SURATT'S COUNSEL. Von Steinaker Called a Deserter, Horse-

thief, and Swindler. DR. MUDD AN INJURED MAN.

His Anxiety to Cive Information to the Gociphty-slath. ABEAHAM MINUTER By the President: WM. H. SEWARD, Secretary of State, vernment Checked by Fears

of Assassination. WASHINGTON, March 26, 1864. By the President of the United States,

> ATTEMPT TO DISPROVE PAVAL'S IDENTITY.

By the President of the United States, PROULAMATION. WHEREAS, it has become becessary to define the cases in which insurgent enemies are entitled to the benefits of the preclamation of the Fresident of the United States, which was made on the Stated by of December, 1803, and the manneer in which they shall proceed to avail themestres of their benefits. And whereas, the objects of their benefits. And whereas the objects of their benefits and they be the United States. And whereas the anneasy therein proposed by the Prendent was offered with reference to these objects of alone. The Rebel Conclave in Canada.

HOW THE YELLOW FEVER CLOTHING PLOT WAS WORKED UP.

WASHINGTON, May 29. After the reading of the provious day's record Mr. Clampitt, on behalf of the counsel for Mrs. Suratt, read a paper, as follows :

And whereas, the annexty therein proposed by the Provident was officed with reference to these objects alone. Now, therefore, I. Abraham Lincoln, President of the United States, d- hereby proclaim and declare that the said proclamation dogs not apply to the decess of persons who, at the time whom they cose to obtain the benefits thereof, by taking the oach thereby preseries in military, paral, or civil cenfinement or custody, or under boads or on paralo-of the United States, as prisoners of way, or persons defaited for offtheses of any lind, either before or after coulded on the person who, being at large and here by personers of way, or persons defaited for offtheses of any lind, either before or after coulded on the contravy, it does apply only to these persons who, being at large and here from any arrest, crithement, or duress; shall voluntarily come forward and take the said oath, with the purpose of restoring peace and establishing the mellowal authenticy. Priseners excluded from the ampesty offored in the reference, like all other offonders, and their ap-plication will receive due consideration. I do further declare and proclaum that the oath of next, in the foreles of a State or Terribary mot in instruction, who, by the laws thereof, may be qualified for administering oaths. All offores and proclaum the state of a State or terribary related as give certificates thereen to the persons respectively by whom they are and, when duch file evenement. All offores and certificates thereen to the persons respectively by whom they are made, and such offi-evenement. After the reading of the previous day's record Mr. Clampiti, on behalf of the counsel for Mrs. Surati, read a paper, as follows: Mary E. Sorati, one of the accussed, in asking for the recall of Henry Van Steinsker, a withdee for the receal of Henry Van Steinsker, a withdee for the receal of Henry Van Steinsker, a withdee for the schertight the breaking out of the way, he was a momber of General Blenter's shall, serving in the caracity of a topyraphical engineer dimoer; that, shortly after the breaking out of the way, he was a momber of General Blenter's shall, serving in the caracity of a topyraphical engineer dimoer; that while under sentence of death at or near Guan-berland, for attempting to desert to the enemy; that is or about the mouth of Mar, 1872, he made a se-cond attempt to desert, who bester success, and or the so-called Confederate Stats, in or about the mouth of Mary, 1882, soattered between Win-chester and Romney, Virginia, and that most of the so-called Confederate Stats, in or about the mouth of Mary, 1882, soattered between Win-chester and Romney, Virginia, and that most of the so-called Consult, of the Second Vir-general J. E. B. Stant, of the Second Vir-general J. E. B. Stant, of the Second Vir-ginia Infantry, as a private, and dreak salt dist, ard that he was de-alled are an assisted to Capital Okcar Herick, an engheser officer of the staff of Elay of General Edward Johnson, of the su-called Confederate States Army, and remained with bin during the Peneryivania campeins of the su-called Confederate States Army, and remained with bin during the Peneryivania campeins Almost charges; that he stole as an engineer officer, or received the say of one that be was frequencily in the guard-house for shooting or threatening to shoot negroe the so-called Confederate States Army, and two cher gentlemen in Faild systics; that he haver franked in add service as an engineer officer, or received the gray of one that be sub frequencily in the guard-house for The secretary of State will keep a register thers-of, act will, on spatientian in proper cases, issue certificates of such records in the customary form of chicked certificates. In testimony whereof I have hereunto sat my hand and caused the seal of the United States to be offixed. Depower the city of Washington, the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-four, and of the Indepen-dence of the United States the eighty-sighth. [L. 5.] \_\_\_\_\_\_ ABRAHAM LINUULN. [L. S.] By the President : WM. H. SRWARD, Scoretary of State.

REORGANIZATION PROCLAMATION

Q. Where were you? A I was home at the time. Q. His horee's head was that way? A. So, sir; he when his mantal condition appears to be best? A. 1 Which dis mental control arrival arrival arrival and an arrival arriva walked Q. That is all you know about that? A. Tes, sir. Q. That is all you know about that? A. Tes, sir. Q. You say not find not. Q. How do you know that they had left the house on Saturday? A. Heccuse their horses were grans when I Features to the house at four of lock in the attactor. Q. How did you know that the mea were gone? A. I thought so. Instanty v. A. 1 have real a fact. Makey works mp on lineanity ward medical jur syndresco.
G. What works on medical jurispradence have you found a factor of the second secon honght so. R. You did not know it? A No, sir.

Testimony of Juliana Blois (Colored.) By Mr. Ewing: Q. State whether you formerly lived if house of Dr. Samtel A. Madd. A I did. R. Whee did you go there to live, and how long did who stay? A I went there on Garistmas before last intamas.

who slay? A 1 went there on Guristmas below last Garlstmas. G Did yoz ever know of any Corfederate officers or Softlera heigs abont 05. Modd's bette? A No. sir. G Did you ever as Andrew Gwynn, Bea Gwynn, or the hean-exhibiting to witness a portrait of Sucat-at 10 with ours? A. 1 did rot. G Did you ever hear the names of Bea Gwynn, An-diew Gwynn, or Sofait meaning of the house while for were is there? A EO, sir. G Bate what sort of a master Dr. Samuel A. Modd wei, A. He treated may wery well, as also sit that were proma him; he was yony kind to us all; I lived with the of the move of the output of the soft of the soft of the soft of the sort of a master Dr. Samuel A. Modd wei, A. He treated may wery well, as also sit that were proma him; he was yony kind to us all; I lived with the ow of.

hine year, and he never space a series word to machat linkew of. U. Did you ever know o' his whipping Mary Sammes? A. Mw, sir; he never shruck her that I know of. G. Do you know what Mary Sammes left the house for A. On One Surdar eventing mark Mudd hold her noi to go eway, but sho would go; the poxt mutraing sht (Mars Mudd) struck her with a little switch; I do kothonk she hurt her, as the awitch was a small one. G. Dr. Femu I Mudd nover whipped her at all? A. Nd sir; I never heard of him striking her. G. What is the graves i rejutation of Mary Sammers among the colored people arcuid there? A. Bucis not a grat truth teller, sir, because she has told lies on mat.

A four than they are because and has been and and. A Do you know what the colored folks around there eperanly thick of ler? A. Well, they generally thick the is that. D Do you know what the colored folks there think of Mylow Simns as a trath-toller? A. They thought the same of him as of Mary ; if he got chary with you hew onld tells all to my on for thouses of satisfaction. 9. That was the general opinion about him? A. Yes, 62.

4. A Did you over hear Dr. Samuel Mudd talk about the Government of Kr. Lucchn? A. I never did. C. You left there two days to're last Christmar: do yen hnow any ining about Dr. Samuel Madd going gway on that day? A. Dr. Samuel Madd's wife told me he was going to Washington to buy a cooking-tione store. Q Where have you lived since you left Dr. Samuel Mudd's? A With Mr. Well, in Bryantown. The Commission then took a recess until two o'clock, at which time the book y reaseandid.

Testimony of Dr. George D. Mudd.

FOUR CENTS. 

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THE WAR PRIESS. (PUBLISHED WBEELY.

THE WAR PRESS Will be sent to subscribers by mall (per snum in advance) at ..... Fire copies...... Ten copies..... Larger Clubs than Ten will be charged at the same

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Are to the setter-up of the Club of tan or twenty, an extra copy of the paper will be given. And a country of the second second

Dr. Mudd. Testimory of Dr. Blandford. C. Wissedc you live? A in Prince Georges coun-'t. abcut tweety miles from its edity. () Stale whether or not. during lexi spring or win-tes, you eccompanied Dr. Mudd towards Washington P A. dud. on the lith of Apul, to dischore, to stiend a splate foverancest harresthere. Gatate who was in company with him? A. His Product we antive lat the same hofore the hore, and I remeared there with him fill 12 o'clock evanishing horses; they wells of Bn leforing quality, and I remeared there with him fill 32 o'clock evanishing horses; they wells of Bn leforing quality, and I mild popurchases during my stay there is a tabout half past 12 o'clock I leithing, and m.deau cancements have him spain if went to Washington, you left his prother with him at Giseboro? A. Yes, sir. G. Lid yon find him there whon your charact? A first, we part what have the ord form inder of the ord, when you started for Washington, you left his prother with him at Giseboro? A. Yes, sir. G first, we part to hond him there whon your charact? A first of the the parts have the ord in the forks of the losed, net me the spons handred yords from the bridge:

United States to aid the robeliton. Fitth. All who resigned or tendered resignations of their commissions in the army or navy of tas United States to ovade duty in rosisting the robel-

THE RECORGANIZATION OF NORTH CAROLINA. By the President of the United States of Americe, A PROULAMATION. Whereas, The fourth recision of the fourth article of the Uossiliution of the United States declares that his United States shall guarantee to every State in the United States that guarantee to every State in the United States that form of govern-ment, and shall protect each of them against inva-sion and domectic violence; And whereas, The President of the United States is, by the Constitution, made Ucamandier-in-Chief of the army and navy, as well as chief evil excen-tive efficient of the United States, and by soleran cath faithfully to execute the effice of President of the United States, and to take care that the laws be faithfully excented; and whereas, The rebellion which has been waged by a period of the people of the United States snales the properly constituted authorities of the Government thereof in the most violent way and revolting from, but where organized and armed United States to events duty in fostating and foot-flow. Sixth. All who have expanded in any way in treating otherrises that lawfully, as prisoners of war, persons found in the United States sorvice, as officers, soliters, seemen, or in other capacities. Soveth. All persons who have been or are ab-senters from the United States for the purpose of other the schedular.

Seventh. All persons who have been or are av-sentes from the United States for the purpose of alding the tobellon. Exploit. All military and navel officers in the rebel service who were educated by the Government in the Military Academy at West Point or the United States Naval Academy. Ninth. All persons who hold the pretended offi-ces of Governors of States in Insurrection against the United States. Tenth. All persons who loft their homes within the jurisdiction and protocilon of the United States and passed beyond the Federal military huss into the so-called Confederate States for the purpose of slding the rebellion. Eleventh. All persons who have been ongaged in the destruction of the confinerce of the United States upon the high eeas, and all persons who have made raids into the United States from Canads, or been engaged in destructions from the United States. Twetth, All persons who st the time when they neck to obtain the beens who at the time when they seek to obtain the beens who at the time when they seek to obtain the beens who at the time when they seek to obtain the beens who as the inter who other the sure of the persons who as the inter who other united States.

hand and ostised the set of the order set of the order staffixed. Diene at the city of Washington, the twenty-minin city of May, in tace year of our Lord ore thousand eight hundred and sixty-[L.S.] fire, and of the independence of the United States the sighty-minth. ANDREW JOHNSON. Due the President:

By the President: WILLIAM H. SEWARD, Secretary of State. We append to this most important document the two charses preclamations which had previously bten issued by the late President, on December 8

1863, and March 25, 1854 : WASHINGTON, Dec. 8, 1863.

tabilated judicial expection of the pardoning power; and Whereas, With reference to said rebellion the Pre-sident of the United Scates nas issued several pro-clamations with previsions in regard to the Hosra-tion of slaves; and Whereas, It is now defined by some personal here-tofore engaged in said rebellion to resume their sile-ginzee to the Called States, and is rolmagurate by al. State governments within and for their respec-tive signer.

put in force in the rest beings to the State Department, applicable to the geographical limits afore-tand. Third, That the Scoretary of the Treasury pro-ceed to moins to exploitment essessors of taxes and collectors of outsoms and internal revenue, and nuch other officers of the Treasury Department as one sufficient of appointment essessors of taxes are sufficient of the treasury Department as are sufficient of the treasury Department and pressure laws of the distinct and the geo-graphical limits aforesaid. In making appoint-ters, the proference shall be given to qualified loyal percens residing within the districts and not be found, the percens residing the other States of districts elselish estimates of the district shall not be found, the percent residents and put into excention the pescal laws of the United States within the said State, gleing to the loyal resident's the proference of exploitment; but if sufficient is included proceed to hold courts within the said States, in accordance with the provisione of the act of Ourgress. The Attornoy lienchail will instruct the proper officers to libel and bring to judgment, confiscation, and sale property subject to confiscation, and onfore the demblistration of judging to the Navy take pos-ression of all public per-perty belonging to the Navy take pos-ression of all public per-perty belonging to the Navy In partment, that the Secretary of the Navy take pos-ression of all public property of the Interior path more the laws in relation to the faiterior Depart Mard and caused the seci of the united States to all second. That the Secretary of the Interior path the tree provision of the second on the formation tor-source. The the secient of the faiterior bes

PRESIDENT JOHNSON. THE BRORGANIZATION OF NORTH CAROLINA.

OF

for the ableship on a second s

J. W. OLAMPITY. Judge Advosele Helt said that he was not informed where the witness was, but he was perfectly willing that he should be recalled if found. Geteral Wallace inquired whether the Jadge Advo-wite had ever declined or refused to fame ino proper summout for the rempositation of the witness? Judge Advocce Hoit es'd that he had out, but, on the centrary, had signified his desire to scours his sitead. Suce. suce. Gaueral Wallage said that he made the inquiry for the

Geerzment thereof in the most violent way and revolting from, but whose organized and armsd forces have now been almost entirely overcome, has, in its revolutionary progress, deprived the people of the State of North Caroline of all civil government; And whereas, it becomes necessary and proper to carry out and enforce the obligations of the United States to the people of North Caroline, in securing them in the enjoyment of a ropphilocan form of government; New, therefore. In obedience to the high and

them in the ebjoyment of a republican form of government; Now, therefore, In obedience to the high and solemn duties imposed upon me by the Constitution of the United States, and for the purpose of ena-bling the loyal people of the said State to organize a State government, whereby justice may be es-tablished, domestic tranquility insured, and loyal citizens protected in all their rights of life, liberty, and property.

 arage Accelere Hole satisfied his desire to secure his stiega.
 since.
 Generel Wallsressid that he made the inquiry for the purpose, if the Judge Advocate had never refused to summon the winnes, of objecting to putting secure and the winnes.
 The Charpet can be added advocate had never refused to summon the winnes, of objecting to putting secure advocate had never network and the secure advocate had never had nev and no others, for the purpose of alterial with automatical states and non-states and vice states and no states and ne state of North Carolina to restruct the state state state state states of north Carolina to restrict the state state state state state state state state states of north Carolina to restrict the state state state state state state states of the state state state state state states and to proper state to the state state state state state states and to proper the state state state state states and to present state state state states and to present state states and the state states and the state states and the state state states and to present state states therefor, and its people of the states of the United States therefor, and its people to protoction by the United States therefor, and its people to protoction the state state state states and the state states and the states and the state states and the state states and the state states and the states and the states and the states and the

therefor, and its people to protection by the United States against invasion, insurrection and domestic Violence. Provided, that in any election that may be here-firer held for choosing delogates to any State Con-vention as aforesaid, no person shall be qualified as an elector or shall be eligible as a immedre of such Convention unless he shall have proviously taken and subscribed the oath of amnesty as set forth in the President's proclamation of May 20th, A. D. 1885, and the source of the State of North Oarolina in force immediately before the 20th day of May, A. D. 1861, the date of the so-called orbitance is assession. And the so-did Convention, when conveneid, or the Locification which may be thereasiter assembled, will preserve the qualifications of electors, and the eligibility of persons to held office under the Con-stitution and is of the State, a powor the people of the several States comprising the Federal Union favor rightfully exercised from the origin of the Government to the present time; und I du hereby direct: "First. That the military commander of the Da-pariments and all officers and persons in the mili-tary and naval service, ald and assist the sald pro-visions flevernor in carrying into effect this pre-clamation; and they are exploined to abstal from in any way kindering, impeding, or discouraging the loyal people from the organization of a State government as beroin suthorized. Second. That the Secretary of State proceed to put in force all laws of the United States, the oad-ministration where beings to the State Depart-ment, applicable to the geographical limits afore-state. ble to the perfect concerned, to the steerase, and, if permitted, in my indgment, will be discreditable to ins-count. Liv. Clempitt. May it p'ease the court, I do not desire itative of the court has special problem in the degree that a member of the court has special, but I materatory my position May it please the court, so one of the coursel for firs. Surnit, we are here standing within the portals of this courts as one of the coursel for firs. Surnit, we are here standing within the portals of this courts as one of the coursel for firs. Surnit, we are here standing within the portals of this courts in the avery control in our power, consistent which oursel in the ord in prostice at a we do it for the purpose. If possible, of since data we do it for the purpose if possible, of since data we do it for the purpose if possible. Including the acoused. It is, at the tame time, our chend, the whould spread before the court the cha-racter of the withers on the part of the precedulon who has made this explanation. I hopsit will be satisfac-tory to he court. Guernil Yellace. It is not satisfactory to me, for the preasor the has sought by that paper. Guernil Yellace. It is not satisfactory to me, for the paper with the case of his cleant. May the head to be added the privi-lege which he has sought by that paper. Guernil Howa, The ladge Advocate has stated that if even bie heads in the mas to be and only and of the paper with the case of his client. May the could be result found has had no objec-ion to his recail. May the sourt we are to be and with a state of has the data the sage of the court who has the do and has the secolar the bas the data that for even bielacker could be result found has had no objec-ion to his recail. May the secolar is a court ow with a state that if the paper with the gap in accordance with a state the aver presen id this paper in accordance with a state. Jest form. A yole way then have the own the second upon the

evel form. General Wallace. Yes, we understand that. A vole was then taken by the commission upon the nestion of allowing the paper to be entered upon the cords, and the result of the vole was anaounsed to be bat the paper should not be entered. The wincesses above referred to by the defence not reing present, the commission proceeded as follows : Testimosy of ELr. Davis.

Q. Where do yon reside? A. At Dr. Samael Mudd's Q. How long have you resided thore? A. Ginee the to fixmury last. Q. Whet was your employment there? A. Working the farm

p the farm G. Have you been there constantly since you first rill there on the sho f January? A I have; I was been from the plantsilon oulf one night. G. Doyou tenumber what night that was? A. No. 1; I don't really know; it was in the month of Jaqu-

Testimony of William L. Wall. By Judge Holt; Q. Are yon a merchant in this dit? A. I am an anction and commission merchant. Q. State whether, last summer, you received on con-eigment, from a person representing binself as J. W. Earris, certain trunks and goods? A. While I was out of town, last August, my book-keeper received, from a party pamed Herris, a lot of sairts and coats, which be desired to be toid at auction : the next mora-ing the book-keeper said re woold soit them; he asked for an advance on them, and slike. I think, was the smount advanced, and the goods were sold the next mount advanced, and the goods were sold the next mount advanced and the goods were sold the next mount is the there in the said slike. I think, was the smount advanced, and the goods were sold the next mount is the there is a sold the marks which were on these thom at all.

1 sorred thim out into packages of a down and solution. d. Bo you remember whether any truth was marked Wo. 1? A. We marked them is solidor them. By the Goutt & Did is seen to be new clothing? A. I hough the short is bailed a bafe investment, but, on houting forther. I saw it was new; it appeared to be creamed down into the truth. Q What amount did the shirts bring? A I see by the account seles, which I have here, that the whole amount was \$142.90.

Testimony of Thomas L. Gardner. C. State whell ero rat you came up in company with Dr. Mucd to Washington, lest spring? A I did, sir. G, state the date of the yish? A. The 25d day of March, I think, sir. G. State what time you left your home is come up? A On the 23d, in the morning, after the neual breakfast time.

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Testimony of A. Brennier. Testimony of A. Brennier. By Jadge Holt : (). Were you employed last sum-mer in the service of Mr. Wall, commission merchant, in this city? A. Yee, sir. Q. State whether in the menth of August, a may re-preming binneed? Marris, localit a package of goods for Wall certain packages of goods for sais? A. A man certaing himself Marris, localit a package of goods to the store for rate; I thought has a suber returning bome and fadvurced him filosupoid them and cold them there three of the pain there, were 12 down which, but there turned out to be more; I realseed an August from him, directing it, which I have here; it is dated a: Toronto, September 1st, 1844 and he states that he had written to use previously in respect to five tranks con-taining How solen shirts and 25 coats. but had received no rospones, and atked me to send him a check on Kew York for the proceeds. **Testimony of Willigent Z. Wall.** By Judge Hult; Q. Are yon a merchant in this city? Eight Squares of Buildings Destroyed.

DREADFUL DESTRUCTION OF LIFE AND PROPERTY.

Curcego, May 29 .- The Tribune has a special

despatch from New Orleans, dated the 26th instant, which says: "The ordnance depot and magazine at Mobils exploded at two o'clock yesterday. The shock was terrific, and the whole city was shaken to

its foundations. Eight squares of buildings were desiroyed. Five hundred persons were buried in the ruins. The loss is estimated at \$8,000,000. The ori-

the ruins. The loss is estimated at \$5,000,000. The ori-gin of the explosion has not yot been ascertained." Manufalis, May 57-wia Carno, May 20,-The Buildin's New Orleans special of May 20 says: On the evening of the 24th, the main ordnance deput, in Marshall's warehouse, Nubbile, blew up with a terri-ble explosion. About 300 persons were killed and May wounded, thousands being burled in the ruins. Eight entire spusces of the city were demolished, and about sight housands being of ordina destroyed.

and about eight thousand balas of cotton destroyed. The steamers Colorel Cowles and Kate Dale, with

all on board, were entirely destroyed. A great por-tion of the business centre of the city was destroyed. The total loss in estimated at \$3,000,000. General

Granger rendered prompt rollef to the sufferers. The cause of the explosion is uncertain. The ord-nance stores which exploded were a portion of these

surrendered by Dick Taylor, and were in course of

removal when it occurred. The saliro city was more or less injured by the explosion.

CALIFORNIA.

A Morse Race and an Earthquake-Ar-

rest of Mexican "Emigrants" for Con-spiracy. San FRANCISCO, May 24.—The great two-mile

SAN FRANCISCO, MAY 24.—The great two-mile heat between Norfolk and Lodi came off yesterday afternoon the Ocean House course. In the first heat the horses kept close tegether, swung into the homestratch side by side, and creased the score together, making a dead heat. Time, 5m, 4535, The Norfolk won the second and third heats. Time, 3m, 423 58, and 3m, 51 4-55. A heavy sheek of earthquake was fell in this city and throuchout Southern (Ballformis, the morphur-

and throughout Southern California this mornh No damage was done, although many houses were

The steamer Mosos Taylor arrived last evening with the passengers who left New York on the 22d of April. The steamship Golden City arrived to day with the New York passergers of the 1st lust. SAN FRANCISCO, May 25.-Twenty-two men of the bark Brontes, Mexican emigration party, were arrested by the police last night, on a charge of con-

spiracy to seize the Poruvian steamor Colon, lying in the harbor, in which to put to set to attack

French commerce, as a privateer, under Mexican colors. The case will be examined before the autho-

The ovidence in the case of the Panama pirates

Blot among Coal Miners in Ohio;

OINCINNATI, May 29.-A despatch to the Com-mercial from Massilon, Obio, gives the particulars of a riot among the coal miners in that vicinity,

growing out of resistance made by the Mineral Union organization to new men, not members of the

Union, being set to work. The 45th Regiment of National Guards have been called out to restore order, and have arrested a number of the leaders. Great excitement prevailed, and further violence is

Restoration of Telegraphic Commutent tion with the Southwest. Louisville, May 29.-The Southwestern tele-graph lines are now open for all business to Mom-

is clearly against them so far.

rudely shaken.

apprehended,

<text> a do have proved to year of the Navy take poset is non the plantalion colly one night.
a. Do you trummber what algab is how as algab is the was? A. No. control of all public proventy belonging to the Navy take poset is not all opiole proventy belonging to the Navy take poset is not all opiole proventy belonging to the Navy take poset is not all opiole proventy belonging to the Navy take poset is not all opiole proventy belonging to the Navy take poset is not all opiole proventy belong that to the Navy take poset is not all opiole proventy belong that to the Navy take poset is not all opiole proventy belong that to the Navy take poset is not the opinic poset is not the opinic poset is not the opinic poset is not the Navy take poset is not the opinic poset is not the set of the theory poset is not the opinic poset is not poset is no a bone (we or inra hours followe Dr. Mudd stey there? A. About a field Dr. Mudd Externer? A field Dr. Mudd Externer? A field Dr. Mudd Externer? A. There were a no such words a spoken in the hours to my knowledge? I about a sub there a field Dr. Mudd Externer and the field Dr. Mudd Externer and Externer at the field Dr. Mudd Externer at the field Externer at the field Dr. Mudd Exte bells, in the relation in the relation of the indiction of the states of war, is and which partons fully as pieches of war, and which partons for the indiction of the indiction in the indiction indit indiction indit indiction indiction indicti It is understood that, by the suthority of the Surgeon General, Secretary SEWARD'S right arm, which was broken by the fall from his carriage, was yesterday released from the bandages in which it has been conincd since the fracture, and that the EFFACING THE TRACKS OF THE LATE WAR -IL EFFACING THE TRACKS OF THE LATH WAR -It is a curious fact that the track of the march of Sher-man's army is already nearly effaced, and on the very forts taken by Grant vegetation is already luxuitant. The soil vindicates its fertility even among the lines of battle. The people-or rather the secsh-are very elamorous for the United States Government to rebuild the bridges and rail-ways at its own expense, and would like to see it reconstruct Richmond. This is very much in the vein of the Frenchman who, according to Dr. Franklin, having failed in making a deady assault ich his energy with a rechot poker, asked him if he would not at least pay him for heating it,-Corrè-spondence of the N. Y. Heraid, Secretary made the first use of his hand in counter. signing the President's proclamation of that date. PAYMENT OF THE TROOPS. Some of the troops are being paid off to day, but the larger number will be mustered out, and sent in detachments to districts whore paymesters are located, in order to receive their pay. DEPARTMENT OF VIRGINIA. It is ramored that Major General H. THOMAS will be placed in command of the Department of Virginia.