The Press.

THURSDAY, JULY 6, 1865.

STATE ITEMS.

—A boy living at Van Stork Shaft, near Carbondale, with his uncle, Robert Gilmore, was riding up to the top of the shaft in a car, his uncle being, when, as he went to step from the car, he missed his step and fell back into the deep hole some five hundred feet, and was killed instantly. His head was so disfigured by the terrible fall that he could not be recognized. He was a bright Scotch lad, and had been in the country but a few weeks.

—A young woman attempted to commit suicide at the Scott House, Pittsburg, on Saturday afternoon. She had engaged to meet her lover there, but he failed to keep his engagement. This, together with the loss of her baggage containing all her money, so worked upon her mind that she took a dose of laudanum; but by the skill of a physician, her intentions were thwarted.

—A young son of Mr. Murray, of Summerhill, Cambria county, aged about thirteen, was drowned while bathing in the Conemaugh, a very small stream at that place. He had undertaken to dive from bank to bank, and while near the opposite bank, was seized with a cramp and drowned.

—The Susquehanna Dental Association holds its annual session in Scranton on Wednesday, the 12th inst. The association is composed chiefly of the leading dentists along the Northern and West Branches of the Susquehanna, and numbers about ninety members.

—A corps of engineers from Pottstown is now engaged in surveying the route of the proposed railroad to run from a point on the Reading railroad near Pottstown, to a point on the East Pennsylvania railroad. Several routes will be surveyed.

—The citizens of Westmoreland county contemplate erecting a monument to the brave men from that county who have fallen in the war. Subscriptions are being raised for that purpose.

—Major Isaac Barto, an old and well-known resident of Washington township, Berks county, died on Wednesday night last. He was about eighty years of age.

—General John F. Hartranft, of Montgomery county, is urged by the Union men for the nomination for Surveyor-General of this State.

—The York County Agricultural Fair is to be held about October 1st.

HOME ITEMS.

—Colonel Northrop, the rebel Commissary General, and peculiar *protégé* of Jeff Davis, is now living in North Carolina in great distress. Having turned his office some five months before the evacuation, in consequence of repeated charges of inefficiency, made against him in and out of Congress, he went to North Carolina, where he applied himself to farming. He was enabled to make a start in this new field of enterprise, through the kindness of some friends, who just as he had planted his crops, Sherman's army came that way and ruined all. He is left without any means for the support of a large family, his property in Charleston, South Carolina, having been either destroyed by fire or confiscation.

—In the Second Comptroller's office in Washington, during the month of June, there were 12,096 accounts revised, embracing 101,495 vouchers, each one of which was critically examined, in accordance with the laws and regulations on that subject. The amount of expenditure involved in these accounts amounted to $22,295,000. In addition to which, the accounts of all expenditures from the treasury for the War and Navy Departments, and the Pension and Indian Bureau of the Interior Department, were kept.

—A singular interchange of emigration is going on between Missouri and Illinois. Missourians, who have been secessionists, are moving to Illinois, and purchasing lands, while large numbers of the Illinois farmers are going into Missouri. The Unionists of the latter state make it uncomfortable for secessionists, and compel them to seek new homes, the Illinois farmers buying their lands at low rates, and selling their own at high rates.

—A terrible tornado recently passed through Birmingham, Conn., causing much destruction of property. Among other freaks, the horse shed attached to the Methodist Church, one hundred feet in length, was lifted and carried ten feet from the foundation, and dropped on an open lot, a mass of splinters.

—Miss Sylvia Ann Howland, the wealthiest lady in New Bedford, died on Sunday morning, at the age of fifty-nine. She was worth between one and two millions, and her income last year was $188,000. For many years she had been a member of the firm of Isaac Howland, Jr., & Co.

—William Bell, who murdered Mrs. Ruth Britden, on the 3d day of December, 1863, at Ela, Lake county, Illinois, was hung at Waukegan, Lake county, Illinois, on Friday, June 30th. This is the first case of capital punishment that has ever occurred in that county.

—Three soldiers have been sentenced to twelve years each in the Connecticut State Prison for breaking open a coffin containing the remains of another soldier, and stealing $60, which they knew to be sewed up in his pants.

—The Quebec correspondent of the Toronto *Globe* states that operations to erect fortifications at Quebec are to be pushed forward. At Point Levi, four forts, each to hold about 3,000 men, and ditches several miles long, are to be made.

—On Sunday, Assistant Surgeon Wm. D. Sunderland, U. S. N., was garroted in open day in Richmond, Va. A man seized him, whilst another administered to him chloroform, and, at the same time, robbed him.

—The wheat, corn, potatoes, oats, and grass crops of Northern Iowa are represented as being most cheering.

—On Saturday last, for the first time in many years, the jail in New Bedford was without a tenant.

—One hundred and thirteen couples were married in Louisville last month.

—A pauper one hundred and three years old is in a Rhode Island almshouse.

FOREIGN NOTES.

—A blacksmith at Versailles is said to have discovered a composition almost as hard as iron, which can be applied under the hoof without causing the horse the slightest pain, and costs seventy-five per cent. less than ordinary horseshoes.

—A statue is to be erected to Melanchton in the market-place of Wittenburg, in juxtaposition to that of Luther. It was to have been uncovered on *the anniversary* of the publication of the "Confession of Augsburg," the 25th of June.

—Baron Liebig's extract of meat is attracting attention at the International Exhibition at Cologne. Its price is twenty-four shillings per pound, and a pound would make sufficient soup for a battalion.

—A Russian lady of high rank recently burnt herself to death while smoking a cigarette.

—People continue to die of starvation in the streets of London and Glasgow.

—The Prince of Wales, it is said, won on Derbyday ten thousand pounds.

THE CITY.

GIRLS' HIGH SCHOOL EXAMINATION.—The following questions were propounded to candidates for admission into the Girls' High School yesterday:

GRAMMAR.

1. Name and define the different classes of nouns?

2. Name the auxiliary verbs? Which may be used as principal verbs? Which are defective? Why?

3. Give the appropriate prepositions after changed, accord, remedy, compare, and taste?

4. Correct the following sentence, and give the reason for each correction you make: Mr. Seward wrote to and cautioned the British Minister against the violating our neutrality laws, which, he said, was intended to have been made in good faith."

5. Name four nouns not the names of sciences that are plural in form, and either singular or plural in meaning? Explain, as far as you can, when they are singular and when plural?

6. Conjugate the verb "To end" in the active voice, subjunctive mood, past tense, in three different forms?

7. Explain fully the difference in meaning between "A red, white, and blue dress" and "A red, a white, and a blue dress?" Give the principles of the English language applicable?

8. What adjectives are not compared? Why?

9. Name four adverbs of place, four of number, four of comparison, four of order, and four of time?

10. What do conjunctions generally connect? Give the exceptions to the rule? Illustrate in each case?

PARSING.

THE LABORER IN HIS GARDEN.—*Bamper.*

"*Proud* of his well-spread walks, he views his trees
That meet the barren interval between
With pleasure more than even their fruits afford,
Which, save *himself* who trains them, none can feel;
These, therefore, are his own peculiar *charges*:
No meaner hand may discipline the shoots,
None but his *aged apprentice* here. *Ward* is weak,
Distempered, or has *lost* prolific powers,
Impaired by age, his unrelenting hand
Deems to the knife; nor does he spare the *soft*
And succulent, that feeds its giant growth
But barren, at the expense of redundancy twigs
Less ostentatious, and yet studded *thick*
With hopeful gems."

Parse the words italicised.

HISTORY OF THE UNITED STATES.

1. Give an account of the voyage of Gasper Corterreal in 1501?

2. What explorer discovered the Mississippi river, and to what nation did he belong?

3. The frontiers of what States were laid waste by an Indian war in 1763?

4. What was the stamp act of 1765?

5. What measures of hostility did Lord Dunmore use against the colony of Virginia in 1775?

6. What were the principal events of the life of James Monroe?

7. What was "Nullification," and what was its date?

8. Who was President of the United States in February, in March, and in April, 1841?

9. What two States were admitted into the Union in 1845?

10. How did the war between the United States and Mexico commence?

BOYS' HIGH SCHOOL EXAMINATION.—The following is a list of questions propounded to candidates for admission into the Central High School yesterday:

ETYMOLOGY AND DEFINITIONS, BY PROFESSOR MCLURE.

Give the prefix, root, suffix, and meaning of each of the following words; and a sentence, consisting of not less than twelve words, showing the correct use of the word defined: Alliteration, corroborate, effervescence, extravagant, inheritance, insatiable, perspicacity, refrigerator, superfluous, unmitigated.

DEATH OF JAMES DUNDAS, ESQ.—James Dundas, a distinguished citizen of Philadelphia, died at his residence, Broad and Walnut streets, on Tuesday last, after a painful and protracted illness, of which paralysis and heart disease were the prominent features. Mr. Dundas was born at Alexandria, Va., in the year 1788, but has spent the most of his life in this city. He was at one time President of the Pennsylvania Bank, and at the time of his death was President of the Horticultural Society. He devoted much of his time and means to the pursuit of horticulture in its various branches, and possessed a garden and hot-house which contained a larger variety of rare plants than could be found in any other collection, public or private. Mr. Dundas leaves no children. His nearest connections are nieces and nephews.

FATAL RAILROAD ACCIDENTS.—On Tuesday evening, about a quarter past nine o'clock, as the Washington through mail train South was approaching Washington, in the Twenty-third ward, four men were observed on the track. The whistle was blown, and the party made an effort to get off the track. One of the men, named Dennis Darrah, was caught by the locomotive and dragged under the wheels. The whole train passed over him, literally cutting him in two. Another one of the party, Frank Devlin, late a member of the 121st Regiment, P. V., was struck by the cowcatcher and thrown a distance of fifty feet. He was also instantly killed. His neck was broken, his skull fractured, and his brains mashed out the stream and nearly every rib being fractured in two or more places. Both the unfortunate men resided in Frankford.

A lad named Baker, residing in Placidelpace, off Second street, below Christian, was run over on Tuesday morning by a freight train on Washington avenue, and instantly killed.

LINCOLN MONUMENT FUND.—The following sums have been received by James L. Claghorn, treasurer of the Lincoln Monument Association, at the office, 921 Chestnut street:

Neptune Lodge, No. 53 I. O. O. F.	$10 00
Hebrew Congregation, Beth El Emeth, per Alfred Cohen	79 00
Clio Literary Union Society, per Alfred J. Oslheimer	10 00
John Shadt, Maynak	2 00
Bridesburg M. E. Church	5 00
Delaware Tent, No. 13, Daughters of the Forest, West Philadelphia, per Mrs. C. Marshall	20 00
First Colored Wesley Methodist Church, per George W. Woolford	17 35

THE PHILADELPHIA LIBRARY CLOSED.—The Philadelphia Library will be closed for two weeks from Monday next, for repairs and cleaning.

SERIOUS FALL.—Michael Welch fell on a curbstone yesterday morning in Manayunk, and broke his leg.

THE COURTS

Supreme Court—Before Justice Thompson.

THE COZZENS HABEAS CORPUS CASE—THE REPORT OF JUDGE DONOHOE TO BE AT A LOSS—THE PROVOST MARSHAL, COL. FRINK, FINED FOR CONTEMPT IN HAVING DISREGARDED THE HABEAS CORPUS—FINAL DISCHARGE OF THE CASE AND DISCHARGE OF THE RELATOR FROM CUSTODY.

The Commonwealth ex rel. Cozzens vs. H. A. Frink et al. This case came up yesterday as per adjournment from Saturday.

Mr. Gilpin for the Sheriff, Mr. Howell, presented a further return to the writ of attachment in his hands to the effect that the other respondents, three subordinates of Colonel Frink, named therein, were produced by him in court as commanded. It this appearing that *all* the parties were at length in court, Judge Thompson directed the case to be called.

F. C. Brewster, Esq., on behalf of Mr. Cozzens, then read the following in the nature of exceptions to the return to the writ of habeas corpus made by Col. Frink on Saturday:

And now, July 5th, 1865, the relator files the following exceptions to the original return, and additional return to the writ of habeas corpus in this case:

1. Because the said returns do not show to the Court as by said writ the respondents were commanded, the cause for or upon which the relator has been arrested and detained.

2. Because the said returns do not traverse or attempt to traverse any of the facts alleged in the petition on which this writ was issued, and on those facts the relator has been assumed to have authority in law to order the arrest of the relator.

3. Because the act of Congress of March 3, 1863, under which said return is made, has expired by its own limitation—the rebellion, during which said act was to take effect, being at an end.

4. Because the acts of Congress which are in support of said return are void, with the Constitution of the United States, and are void.

5. Because said returns show no cause for arrest or detention of the relator.

And the relator, reserving all right to resist upon his aforesaid exceptions, traverses the allegation in said return that he has been arrested, and is held under the authority of the President of the United States, and he denies the truth of said allegation, and respectfully prays that the respondents be required to make due proof thereof.

And the relator prays that he may be discharged from the unlawful arrest and confinement, because there is no warrant set forth in or annexed to the return.

In opening the argument for the relator, Mr. Dougherty said that he approached the subject with manifested great diffidence, since it involved a great constitutional question, and the constitution in its nicest part. The gentleman who represents the respondents, in the course of his remarks on Saturday, took the ground that State courts have no jurisdiction where the defendant is by order of the United States. He differed with this position, and cited numerous authorities against it, viz: Hurd on Habeas Corpus, page 166; Brightly's Reports, page 9, Olmstead's case; same reports, page 28, Lockrighton's case; Commonwealth vs. Murray, page 67; from all which he read copious quotations. As to the act of the 3d of March, 1863, upon which the return of this case was based, it must stand or fall by the clause in the constitution which says "that the privilege of the writ of habeas corpus shall not be suspended unless when in cases of rebellion or invasion, the public safety may require it." He maintained that the rebellion was at an end—our armies have been disbanded; the great commander of the Army of the Potomac, as it has ceased to be an army, has left the headquarters, and is now stationed in Philadelphia, the armies of the rebels have capitulated, and are dispersed to their homes; the rebel prisoners of war have been discharged, and all the prisoners in confinement by sentence of court-martial have been released. The President, by proclamation, has declared the ports open; by another proclamation the passport system is abolished as unnecessary; by proclamation, provisional governors have been appointed for many of the States, including South Carolina. For these reasons, and others patent to all, it is apparent that within the broad limits of the republic but one flag floats, but one Government is obeyed, and all being entitled to its authority, rebellion is at an end. The learned counsel may argue that it is necessary that the President of the United States should, by proclamation, declare the rebellion to be at an end. He submitted that was not necessary. Suppose the President should not, or see proper to issue such a proclamation, are we to be deprived of our liberties forever? Personal liberty is too precious and inalienable a right to be at the caprice even of the President of the United States. Mr. D. therefore contended that such a proclamation was unnecessary, and referred at some length to the suspension of the writ of habeas corpus, and to the restrictions in the proclamation of the 15th of September, 1863, by which its operations were limited to certain classes, and argued that the relator in this case, Mr. Cozzens, did not come within either or any of the classes therein enumerated; and, therefore, was entitled to his discharge. In any event, Mr. C. being a citizen, and not in either the land or naval service, the act of Congress and the proclamation could not apply to his case, as it could and he seriously asserted that the "public safety" required him to be released forthwith. If the warrant be exhibited, Mr. D. would undertake to show that it read, "Arrest Mr. W. H. Cozzens, a citizen." The President never declared the writ suspended in the case of private citizens, by proclamation. Mr. D. then read and quoted from the pamphlet of Mr. Horace Binney upon the constitutional power of Congress to empower the suspension of the writ of habeas corpus. He read from page 22, to show that it was only in times when there was organized resistance to the Government, and the "public safety" required it, that it could be exercised. He also quoted from pages 23, 25, and 28, to show that the personal liberty of the citizen was not aimed at by the clause of the Constitution providing for a suspension of the writ in certain cases. The right of personal liberty is the principle on which the Constitution itself depends, and the silence of the Constitution, when it does not speak plainly upon the point, is the negation and prohibition of the power. In relation to the power of Congress over the matter, he further quoted from the pamphlet—page 35.

Courts are open. We are in the midst of a population loyal and devoted to the Government from the first; and, therefore, the rebellion being ended, and the public safety not requiring it, he maintained that to restrain the relator, or restrict him in his liberties, was in violation of the Constitution of the United States. No cause is shown, except that he is held by order of the President. The cause of such holding should be set forth in the return. If the President of the United States can at this day arrest and hold in confinement any citizen, without cause show, he can do more than would have been tolerated in Great Britain two hundred years ago. Mr. D. further quoted from page 57 of Binney's pamphlet, in reference to the act of Congress, March, 1863, and read extracts therefrom. Even in England the writ of habeas corpus was suspended only in cases of treason, or suspicion of treason. The cause of the commitment must also be shown.—*Pages 71, 72, and 73, Binney's pamphlet.*

Judge Knox, on Saturday, said to the counsel the reason was made because of the decision of the court-martial recently held in this city. Mr. D. denied this, and believed it could not be so, and unhesitatingly pledged himself, in the course of his remarks on Saturday, took the ground that State courts have no jurisdiction where the defendant is by order of the United States. He differed with this position, and cited numerous authorities against it, viz: Hurd on Habeas Corpus, page 166; Brightly's Reports, page 9, Olmstead's case; same reports, page 28, Lockrighton's case; Commonwealth vs. Murray, page 67; from all which he read copious quotations. As to the act of the 3d of March, 1863, upon which the return of this case was based, it must stand or fall by the clause in the constitution which says "that the privilege of the writ of habeas corpus shall not be suspended unless when in cases of rebellion or invasion, the public safety may require it." He maintained that the rebellion was at an end—our armies have been disbanded; the great commander of the Army of the Potomac, as it has ceased to be an army, has left the headquarters, and is now stationed in Philadelphia, the armies of the rebels have capitulated, and are dispersed to their homes; the rebel prisoners of war have been discharged, and all the prisoners in confinement by sentence of court-martial have been released. The President, by proclamation, has declared the ports open; by another proclamation the passport system is abolished as unnecessary; by proclamation, provisional governors have been appointed for many of the States, including South Carolina. For these reasons, and others patent to all, it is apparent that within the broad limits of the republic but one flag floats, but one Government is obeyed, and all being entitled to its authority, rebellion is at an end. The learned counsel may argue that it is necessary that the President of the United States should, by proclamation, declare the rebellion to be at an end. He submitted that was not necessary. Suppose the President should not, or see proper to issue such a proclamation, are we to be deprived of our liberties forever? Personal liberty is too precious and inalienable a right to be at the caprice even of the President of the United States. Mr. D. therefore contended that such a proclamation was unnecessary, and referred at some length to the suspension of the writ of habeas corpus, and to the restrictions in the proclamation of the 15th of September, 1863, by which its operations were limited to certain classes, and argued that the relator in this case, Mr. Cozzens, did not come within either or any of the classes therein enumerated; and, therefore, was entitled to his discharge. In any event, Mr. C. being a citizen, and not in either the land or naval service, the act of Congress and the proclamation could not apply to his case, as it could and he seriously asserted that the "public safety" required him to be released forthwith. If the warrant be exhibited, Mr. D. would undertake to show that it read, "Arrest Mr. W. H. Cozzens, a citizen." The President never declared the writ suspended in the case of private citizens, by proclamation. Mr. D. then read and quoted from the pamphlet of Mr. Horace Binney upon the constitutional power of Congress to empower the suspension of the writ of habeas corpus. He read from page 22, to show that it was only in times when there was organized resistance to the Government, and the "public safety" required it, that it could be exercised. He also quoted from pages 23, 25, and 28, to show that the personal liberty of the citizen was not aimed at by the clause of the Constitution providing for a suspension of the writ in certain cases. The right of personal liberty is the principle on which the Constitution itself depends, and the silence of the Constitution, when it does not speak plainly upon the point, is the negation and prohibition of the power. In relation to the power of Congress over the matter, he further quoted from the pamphlet—page 35.