

AMERICAN CITIZEN.

"Let us have Faith that Right makes Might; and in that Faith let us, to the end, dare to do our duty as we understand it"—A. LINCOLN.

VOLUME 2.

BUTLER, BUTLER COUNTY, PA., WEDNESDAY, JUNE 21 1865.

NUMBER 98.

THE CONSPIRACY TRIAL

TESTIMONY OF THE DEFENSE.

THE CASE OF O'LAUGHLIN.

Highly Important Proceedings

WASHINGTON, June 12.

The assassination trial drags its slow length wearily along, and now bids fair to occupy the attention of the Commission for two weeks longer. The defendants issued subpoenas this evening for 14 additional witnesses, and the Government has in reserve eight or ten yet to be put upon the stand as testimony in chief, so that it is probable the evidence will not be closed before the latter part of this week.

As directly affecting the prisoners there was no testimony introduced to-day, save that of a witness on behalf of O'Laughlin, who testified that the prisoner was in his company all the evening of the 13th of April, and that they were not at the house of Secretary Stanton on that night. This witness has known O'Laughlin, intimately for several years. He is a reputable witness, and his evidence is of the utmost importance to the prisoner, as it throws a doubt upon the testimony of the Government witnesses who were not acquainted with O'Laughlin, and could not be positive in their identity of the accused when they testified that they saw him hanging about the door of the dwelling on the night of the illumination, apparently watching the movements of General Grant, who was that evening the guest of Mr. Stanton.

Giving the prisoner the benefit of his testimony and of the doubt which by the rule of law should be resolved in his favor, he yet stands clearly convicted of complicity with Booth in his conspiracy as it existed but a short time prior to the assassination.

Witnesses were called to establish the character of Lawyer Norton, a Government witness, for credibility.

Mrs. L. Grant, of Warrenton, Virginia, recognized Payne as the man whom she saw last Christmas in front of her house have three Union soldiers in charge, when an attempt was made by Payne's men to kill the prisoners; but witness heard Payne say he would defend his prisoners with his life. One of the prisoners was killed when the party left the road and witness did not see them afterwards.

On cross-examination witness said that Payne was then called Lieut. Powell and dressed as a Confederate.

John Grant, husband of the former witness, testified to the same effect.

J. P. Patterson testified that O'Laughlin was with him on the night of April 13th, and not near Secretary Stanton's house.

On cross-examination witness testified that O'Laughlin told him he had been to see Booth about six o'clock that evening, and was going to see him next morning.

When witness said O'Laughlin said he had been to see Booth but had not seen him as Booth was out, O'Laughlin did not state his object in seeing Booth. O'Laughlin did not suggest staying in Washington; witness himself made that suggestion.

R. H. Sale testified that J. Z. Jenkins was considered a Union man in his opinion. Witness was perfectly indifferent as to whether the rebellion failed or succeeded.

Adjutant General Townsend testified to the paper offered in the evidence, that it was the President's endorsement on it; was in the handwriting of Gabriel J. Rains, Brigadier General in the Confederate service; the document was dated Dec. 16th, 1863, and addressed to Capt. McDaniel, commanding Torpedo Company and signed John Maxwell; it sets forth in substance, that in obedience to the order of the person to whom it is addressed, and with means and equipments furnished by him, the writer left Richmond on the 26th of July, 1864, for the James river, to operate with Horological's torpedo, against the enemy's vessels. The writer was accompanied by R. K. Dillard. After sundry adventures, these two men reached City Point before day-break on the 9th of August. The writer gives the result of his operations as follows:

Requesting my companion to remain behind about a half a mile, I cautiously approached the wharf with my machine and powder, covered by a small boat.— Finding the Captain had come ashore from the barge then at the wharf, I seized the occasion to hurry forward with my box. Being halted by one of the wharf sentinels, I succeeded in passing him by representing that the Captain had ordered me to convey the box on board. Hailing the man from the barge I put the machine in motion and gave it in his charge,

He carried it aboard. The magazine contained about twelve pounds of powder, and joining my companion we returned to a safe distance to witness the effect of our effort. In about an hour the explosion occurred. Its effect was communicated to another barge beyond the one operated upon, and also to the large wharf building containing the enemy's stores, which was totally destroyed. The endorsements on the letter were J. E. McDaniel, Captain of C. A. secret service, and J. J. Rains, Superintendent.

After introduction of documents showing Abraham Lincoln to have been President of the United States at the time of his death, and certifying to his election on two occasions, and that official request was made and complied with substituting Dr. Hall for Dr. Nichols, to examine into the question of Payne's insanity. The President of the Commission gave notice that the report of Dr. Hall would be completed to-morrow.

Richard Montgomery identified the paper he received from Clement C. Clay, which he gave to G. A. Dana, Assistant Secretary of War. Witness stated he saw Clay write most of it. He was instructed to deliver the document to Mr. Benjamin, Confederate Secretary of State. There were certain blanks to be filled up by names known to witness after he reached Richmond. The letter was dated St. Catharines, Canada West, November 1st, 1864. It gives a detailed account of circumstances connected with the St. Albans raid; writer stating that Lieutenant Bennet H. Young was well known to him as one whose heart was with the South, and that in his attempt to burn the town of St. Albans, and rob banks, he acted according to the writer's instructions, and urging the Confederate Government to assume the responsibility. The letter also speaks of Captain Charles H. Cole, an escaped prisoner of rebel Forrest's command, who was captured on board the steamer Michigan on Lake Erie. White was engaged in an attempt to capture a vessel, and liberate rebel prisoners on Johnson's Island. Writer protests against Cole being treated as a spy, and gives various reasons why he should be regarded as a prisoner of war, and concludes with a statement that a large portion of the Northern people, especially in the Northwest, want in order to oppose oppressions of despotism at Washington is a leader. They are ripe for resistance, and it may come soon after the Presidential election. The letter was not signed, the reason given being that no signature was necessary, as the messenger presenting it and the person to whom it was addressed could identify the authors.

Several witnesses were called to testify to the good character of Marcus P. Norton.

Wm. H. Rohrer identified the handwriting of Clement C. Clay in a letter produced by Gen. Montgomery.

The Court then adjourned.

WASHINGTON, June 13.

The Court adjourned for two hours in order to allow a medical examination of the alleged insanity of Payne, as vouched for by his counsel.

Dr. Hall testified he had examined the prisoner Payne on the order for medical inquiry, relative to his alleged insanity. The prisoner appeared to be well, but his intellect is of a very low order and feeble. Witness thought there were reasonable grounds for believing the prisoner to be insane. It seemed to witness that no man perfectly sane could exhibit the same utter insensibility which the prisoner manifested, whether he was laboring under either moral or mental insanity, but could not give an opinion, moral insanity. There was suspicion; it is generally known that persons insane, have with few exceptions, an unusual frequency of pulse.— The prisoner's pulse was thirty odd strokes above ordinary standard, was perfectly calm, not in the least excited; memory was slow, mind somewhat deformed, could not remember his mother's maiden name.

A commission was appointed, consisting of Dr. Stevens, Surgeon General Barnes, Surgeon Genis and Dr. Hall, to continue the examination of the prisoner.

John T. Hopton, for forty years a resident of Sarratsville, swore to the loyalty and good character of Mrs. Surratt and J. Z. Jenkins. W. W. Hopton and others testified to same effect.

John M. Lloyd testified that John H. Surratt and himself took carbines into witness' house. Surratt called and gave directions relative to them on the 4th of April. In accordance with these directions witness kept the guns ready for use. Witness prepared that night two bottles whiskey.

After considerable unimportant testimony the Court adjourned.

TREASON.

The great drama of rebellion has closed and the government is now starting on a new era. If that era is to be concluded as the last was, by a rebellion, it will be because we failed to profit by our experience and refused to make proper use of the victory we gained.

The recent triumph of the national arms ought not only to give to the Republic a new lease of existence, but with it an immunity from treason evermore. This much it will certainly do if we are but faithful to the laws and true to ourselves. But, if on the other hand, in taking counsel from our impatient desires for a return of the era of general amity and good feeling that existed before the war, we overlook the great crime that has drenched the land in fraternal blood, we need not be surprised if the bloody scenes of the past four years be re-enacted at some future period. It will not do to say that the failure of a rebellion so powerful as the last one will deter men in future from attempting to subvert the Government, and that we can rest in perfect security in the newly acquired strength of that Government. This may be true to-day, and yet the events of another year may falsify it all. Henceforth we have relied entirely upon the good and friendly dispositions of men's minds and hearts toward the Federal Union for its stability, and it needed a great rebellion to teach us that an additional safeguard was necessary. Let us learn still further from our bloody experience, or our security is but fanciful. The law must be clothed with majesty and vigor, and its vengeance must not be thwarted. We have a constitution which makes treason a crime and which affixes the penalty for its commission. Unless we enforce what is here decreed we rob the law of its virtue and the crime of its ignominy. If we wish to prevent a repetition of the offence we must unflinchingly determine it now, that they who trade in treason must expect to pay the penalty of their traffic. The course the Government has determined to pursue in regard to Davis and other leading conspirators is the one we think most likely to serve the interests of the country in this particular. It is known that at least several of them are to be arraigned and tried for treason. The indictments have already been drawn against Davis and Breckenridge, and a true bill found by the grand jury of Washington. The next thing in order will be the trial. Apart from any consideration of the guilt or innocence of the prisoners, it will be of the greatest importance. We trust that it will be conducted with deliberation, and that a due regard will be paid to every legal formality, so that its adjudications of the many important questions involved may afterwards be recognized as the true and proper constructions of the constitution and the laws. We ask only that the efficacy of the law be fully and fairly tested. Let it be determined now what treason is, and by whom and under what circumstances it can be committed. If Jefferson Davis and his associates have not been guilty of treason let them be acquitted of the charge, and let us amend the laws that hereafter the offence will have its proper penalty. If their guilt is relieved by any constitutional or legal rights they have acquired during the war, let them have the full benefit of all such rights and let us do what we can to provide against such escape in future. But if on the other hand they shall be adjudged guilty of treason and the law demand its victims, let it have them. If we interfere to thwart its vengeance we will be treasuring up danger for the future. In the language of Thomas Jefferson "let us hear no more of confidence in man, but bind him down from future mischief by the strong chains of the constitution and the laws." The law must be made a terror to evil doers.

PLEASANT.—At Chicago Gen. Grant had Senator Yates make a speech for him. When it was over, Gen. Sherman was called for. He declined to make a speech he said he was always ready to do anything Gen. Grant ordered him to do, but he said he knew the Lieutenant-General never wished him to make a speech. This response of Gen. Sherman evoked much laughter, and cries from the crowd to Gen. Grant of "order him to make a speech General." To which General Grant said: "I never ask a soldier to do anything which I cannot do myself."

HALLECK.—We hope the report is true, that Gen. Halleck has been superceded by Gen. Terry. We wish we might hope that this will prove to be the last of him if the Government must keep him employed, send him among the Indians, the farthest off possible.

WIT AND WISDOM.

—Looking hard—Our roof.
—How to make all women equally pretty. Put out the candle.
—"I'll die for the flag," cried a treasury clerk.
—"Quoth a soldier, 'My patriot friend, look here. This shield your blood for twelve dollars a month. Ain't like standing red hot for twelve hundred a year."
—The sovereigns that exert the greatest sway in the world, are neither white nor black—but yellow.
—Why are your teeth like verbs? Because they are regular, irregular, and defective.
—The South Carolinians may not be long to the association of "The Straight- outs," but their coat-tails do.
—A wag, on hearing that a man had given up chimney sweeping, expressed surprise, as he thought the business suited him.
—"Keep your dog away from me?" said a dandy to a butcher boy. "Darn the dog, he's always after puppies," said the boy.
—"It is a shame, husband, that I have to sit here mending your old clothes."
—"Don't say a word about it, wife; the least said is the soonest mended."
—Somebody told Sydney Smith that the giraffe at the Zoological Gardens had caught cold. "Fancy," said he, "a giraffe with two yards of sore throat."
—An editor in Iowa has become so hollow from depending upon the printing business alone for his bread, that he proposes to sell himself for a stove pipe.
—A genius named Flaberty, of Washington City, has the following posted on his window,—
"Eggs newly laid here on the shortest notice."
—A minister who presented a new shell of his invention to the War Department, said that he had long preached hell in the abstract, but thought he had got it here in a concentrated form.
—"Madame," said a gentleman to his wife, "let me tell you, facts are very stubborn things."
—"Dearie me, you don't say so," quoth the lady; "what a fact you must be."
—"Father, said a cobbler's lad, as he was pegging away at an old shoe, "they say that trout bite good now."
—"Well, well," replied the old gentleman, "you stick to your work, and they won't bite you!"
—On St. Patrick's Day, as the E— Guards were parading the streets to the sound of "Yankee Doodle," from file and drum, a lover of the patron saint and good whiskey, a sort of "camp-follower," was observed staggering along behind whistling "St. Patrick's Day in the Morning." Some one observed that Paddy's gait appeared rather eccentric. "I know it," said he, "but, d'ye mind I'm striving to march after two whiskey."
SOLD.—"Bob, that's a fine horse you have there, what's he worth?"
—"Three hundred and fifty dollars."
—"No, not so much as that."
—"Yes, every cent of it, another fifty on the top of that."
—"Are you sure?"
—"Yes, I'll swear to it."
—"All right."
—"What are you so inquisitive for?"
—"Merely for assessing purposes, I am the assessor for this ward and only wanted to know what you rated your nag at."
A WIFE IN TROUBLE.—"Pray tell me my dear, what is the cause of those tears?"
—"Oh, such a disgrace!"
—"What is it, my dear? don't keep me in suspense!"
—"Oh, I have opened one of your letters supposing it to be addressed to myself. Certainly it looked more like Mrs. than Mr."

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SUFFRAGE IN PENNSYLVANIA

Why should the tax-paying colored man in Pennsylvania be denied the right of suffrage? Can any one give a single good reason for denying him any of the privileges of a freeman? The relics of the "relie of barbarism," an unmeaning and unreasoning prejudice of color, and an unmanly jealousy of the supposed inferior race, deprived the negroes of the right to vote, and it becomes every good white citizen in these days, when the nation is returning to the foundation principles of the Declaration of Independence, to discard prejudice, that he may be inclined to justice. By prejudice against color we must not be understood as meaning that moral and proper sense of respect for the divine arrangements which repels the idea of intermingling the blood of the races, and which we desire to foster and maintain. We mean that prejudice which deprives a man of the right to liberty and the pursuit to happiness, because he is dark skinned, or of the right to vote for the same excuse. Analyze the feeling and we find we are no more justifiable in it than we would be in not fancying a red headed man or a man with a hare-lip, and therefore denying him the elective franchise.

The original Black code of Louisiana, published by the French Governor Bienville, in 1724, and which continued in force until the cession to Spain and from Spain to the United States, in 1803. It was more stringent in its provisions to prevent amalgamation of the races than any of the laws enacted under the Anglo Saxon American rule from that time to the present. Yet the same code provided for the citizenship of the freed slave. The language is worth quoting: "We grant," says the 34th article, "to manumitted slaves the rights, privileges, and immunities which are enjoyed by freemen persons. It is our pleasure that their merit in having acquired their freedom shall produce in their favor, not only with regard to their persons, but also their property, the same effects which our other subjects derive from the happy circumstance of their having been born free." No other nation but this ever deprived men of rights merely because of a difference of complexion—and among us the idea of doing so is of considerably late origin and is an inspiration of the hateful spirit of slavery. From the adoption of the old Constitution of Pennsylvania in 1790 until 1828, the colored man could vote. I 1837-'38 the word which was first introduced into the 3d Article. The wrong was done under democratic influences—under guidance of the slave power. Yet there is no principle so dangerous to the popular rights as this. If we admit that we may justly deprive one class of freemen who pay taxes sustain the Government of their God-given right of a voice in the selection of rulers and the creation of laws,—then there is no reason why, if deemed expedient, we may not deprive any other class of their vote. A considerable party in this State undertook to say that the soldiers ought not to vote. Had there been a majority of Copperheads in the Legislature, undoubtedly the heroes who were giving their life's blood to maintain the privileges of freemen to us all, would themselves have been denied the dearest privileges of Freemen. It has been lately suggested in some quarters that the principles of a large religious body are dangerous to liberty. If the persons who hold this idea should become a majority, they may propose to overcome the danger by depriving the class of citizens obnoxious to them of the elective franchise.

They would be as just in this attempt to deprive a class of fellow citizens of the right to vote, because they have the power and think it expedient so to do, as we have been in depriving the colored men—another class—of the same right, because we had the power and thought it expedient. If our government is founded on equal rights of men, we must build on that foundation. If, having built, we draw from beneath it one stone, another is thereby loosened, and one after another will be withdrawn, until the structure shall fall. It had begun to topple—we have shored it up and are cementing it to one end until the end of time. Let us see to it that the two great foundation stones, equal rights and universal suffrage are in their places firmly and immovably fixed. The decaying nations of Europe have in their foundations class restrictions and restricted suffrage. Such restriction breeds the desire for another, and gradually the masses of the people are made to succumb to the power of a ruling aristocratic minority. We want nothing of this sort in free America, and hence we give our voice for universal suffrage. Let enlightened Pennsylvania

prove her devotion to the true principle of a Republican Government by giving to every tax-paying freeman within her limits the right to vote, and providing constitutionally that no one but the criminal, in part punishment for crime, can be deprived of the elective franchise.

Let it not be inferred that we are in favor of enfranchising everybody, everywhere, at once, and without distinction of qualification. So far from that, we have no idea of disturbing the restrictions in our Naturalization Laws, or in the laws defining the qualifications of an elector. These restrictions are based on the idea that the new comer should be qualified before becoming an elector, and that a too sudden admission to the polls is fraught with evils. These laws are for the white man. Its principle we would apply to the colored man, here and elsewhere. In Pennsylvania, we contend, his period of probation has been protracted long enough. We know him to be as well qualified as the average, and far better than many who are voters under the laws. Our idea of free and equal suffrage ignores not the idea of fitness, but is based on it, both as to the white and black man. We claim the exclusive right in Pennsylvania to regulate this matter for ourselves, and concede to the other States the same right. We deny the right of another State to dictate to us as to white men, and can claim no right to dictate to other States as to colored men. We have a duty to perform in Pennsylvania, and it becomes us to do it before prescribing the line by which other States shall regulate their conduct. We certainly cannot object to negroes voting in the South, or in any State that chooses to adopt this principle, but before we can consistently demand its adoption elsewhere, we must ourselves adopt it. If for any reason we neglect it, as we have thus far done, we cannot without justification denounce others for not adopting the principle.—Pitts. Com.

How the South Regards it.

The Macon Telegraph, of May 30th, contains an article, which deals squarely with the question: "what shall the South do with the emancipated slaves?" It regards that the question cannot be shunned, but must be dealt with. Here is a single quotation:

Hence, we say, the States have got to take up this business, and in Georgia, this great and knotty question stands us in the face—how are we going to prevent half a million emancipated negroes from being vagrants and public burdens, loafing about in towns and neighborhoods and spreading moral and physical disease among the people? How are we going to make them, instead, useful members of society—good laborers—comfortable, well-fed and happy, as they were before the emancipation? To look at the question in its private as well as public aspect, how are you, Mr. Planter, to prosecute your labors with freedom instead of slaves—maintain discipline and efficiency, neighborhood order and security, suppress vagrancy around you—protect property, secure the comfort and well being of your laborers, and enforce justice and order among themselves? Now these are the great questions we should be thinking and talking over; and dependent upon it we have got to seize them, and upon their solution hangs the question of beggary or comfort, prosperity or ruin for the State of Georgia, and for yourselves and ourselves. Talk about "Yankees." It is time we were all energetic and indomitable encounter with difficulties. Tell us about "Abolitionists." We are all abolitionists by force of events—by the stern logic of war.

The Telegraph thereupon exhorts the Southern people to dismiss their "sulky bickering," bury the dead past, and address themselves to facts as they find them. It concludes thus:

Accept the inevitable fiat of the powers that be, and co-operate with the Government to remedy the mischief as much as possible. Come one, come all, to this work. Now our politics will have some marrow in them. Now our future Ancestors will settle the questions and difficulties affecting the woe of every household. Now we must cease to elect representatives for force of whiskey and tobacco. Now we have got to think and to work, and to do both wisely.

The South, it must be confessed, manifests as much readiness to act dispassionately as could be expected, considering everything. Probably no community ever went through a revolution so complete or sudden as the South brought upon itself. In the game it played it lost all—even its own identity. It would be unreasonable to expect the South to come more cheerfully into the new state of things. It is worthy of being noted, that everything like force and desperate resistance has disappeared; and it is to be admitted that as much progress has been made in conciliations and reconstruction as could have been expected in reason. The difficulties with which some men, in

the North, afflict themselves, are principally imaginary, and not real. They may become so. Till they do, let us not be troubled about them.

THE EMPEROR NAPOLEON.

LETTER TO HIS COUSIN.

REPLY OF PRINCE NAPOLEON.

NEW YORK, June 12.

The following is the letter of the Emperor Napoleon to his cousin:—
Monster and Dear Cousin:—

I cannot refrain from informing you of the painful impression I have experienced on reading your speech at Ajaccio.— In leaving you, during my absence with the Empress and my son, as President of the Privy Council, I meant to give you a proof of my confidence; and I hoped that your presence, your conduct, and your language would testify to the union which reigns in our family; but the political programme which you place under the arms of the Emperor can easily lead the enemies of my Government to judgments which I cannot admit. You add sentiments of hatred which belong no longer to our day.

To apply the ideas of the Emperor to the present time it is necessary to have passed through the stern trials of responsibility and power; and, besides, are we really capable, pigmies as we are, of appreciating all its just value—the grand historical figure of Napoleon as in standing before a colossal statue? We are unable to view the whole at once; we only see the side which strikes our sight, hence the incompleteness of the reproduction and the divergence of opinions. But what is clear to the eyes of every one is, that to prevent anarchy in men's minds that formidable enemy of true liberty, the Emperor had established in his family, and afterwards in his Government that severe discipline, which admitted but one will and one action. I cannot henceforth deviate from the same rule of conduct. Whereon, monsieur and dear cousin, I pray God to have you in his holy keeping.

(Signed.) NAPOLEON.

Prince Napoleon lost no time in making a reply to the imperial censor.— The Presse was exclusively favored with the document. The Prince's reply was:—
Sire, in consequence of your Majesty's letter of May 23d and its publication in the *Moniteur* of this morning, I resign the Vice Presidency of the Privy Council, and also the Presidency of the Universal Exhibition of 1867. Accept, Sire, the homage of the profound and respectful attachment with which I am of your Majesty's most devoted cousin.

(Signed.) PRINCE NAPOLEON.

Palais Royal, May 23, 1865.

Important Circular.

WASHINGTON, June 12.

The following

IMPORTANT CIRCULAR

Has been issued by the Attorney Gen'l; ATTORNEY GENERAL'S OFFICE, WASHINGTON, June 7, 1865.

By direction of the President all persons belonging to the exception classes enumerated in the President's Amnesty Proclamation, of May 29, 1865, who may make special applications to the President for pardon, are hereby notified that before their respective applications will be considered, it must be shown that they have respectively taken and subscribed to the oath or affirmation in the said proclamation prescribed. Every such person desiring a special pardon should make personal application in writing thereof, and should transmit with such application the original oath or affirmation as taken and subscribed before an officer authorized, under the rules and regulations promulgated by the Secretary of State, to administer the amnesty oath prescribed in the said proclamation of the President.

JAMES SPEED,
Attorney General.

—A elegiant, catechising the youth of his church, put the first question from a catechism to a girl: "what is your consolation in life and death?" The girl smiled, but did not answer. The clergyman insisted. "Well then," said she, "since I must tell, it is a young priest named P—, in Spruce street."

—The boundary line of the Confederacy—Crinoline. Jeff. Davis set up his government in the middle, and his wife called him the "president." No wonder she feared that he might hurt somebody, for she knew the power of his dominion.

—The whirligig of time has made some queer changes during a few years. Five years ago Andrew Johnson voted for John C. Breckinridge for President; now he is President himself, and will hang Breckinridge if he catches him.