New-York Daily Tribune.

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THE ASSASSINATION.

Official Version of the Suppressed Testimony.

THE REBEL LEADERS IN CANADA.

They Assume Different Names.

IMPORTANT PAPERS DESTROYED

Geo. Sanders Doing the "Dirty Work."

A LETTER FROM JEFF. DAVIS

HE INDORSES THE ASSASSINATION

COMPLIMENT TO SEC. SEWARD.

THE TRIAL ON MONDAY

Special Dispatch to The N. Y. Tribune.

WASHINGTON, Monday, June 5, 1865.

The attempt to make out that Payne is a victim of "moral insanity" promises to be an utter failure, so far the counsel have only succeeded in establishing clearly his immoral sanity.

The Republican of to-night says that in the recent manoeuling of Jeff. Davis he declared he would never be treated alive. After he was safely ironed, on being asked what he thought of the neglect of his generals to make any provision for his safety or for amnesty with the rest of the army, he said he was a prisoner, and it didn't become him to speak of it, but that any man of sense could imagine what he thought.

Almost the entire day of the Commission engaged upon the assassination conspiracy was spent upon Dr. Mudd's case, and a most astonishing amount of downright lying or a wholly unprecedented case of mistaken identity.

The cipher letter brought forward by Government produced something of a sensation. It will be remembered that Gen. Halleck advised Gen. Sherman, on the 16th of April, that the plot included him, and this letter confirms that advice. The letter is written in a mixed cipher of numerals, letters, characters and dots, and does not appear to have laid long in the water.

Suppressed Testimony.

WASHINGTON, Monday, June 5, 1865.

The following testimony in secret session of the Court has been officially furnished for publication. That of Sandford Conover has been heretofore surreptitiously printed in a mutilated form, and hence the necessity of now publishing it entire:

Richard Montgomery, a witness called for the prosecution, being duly sworn, testified as follows:

By the Judge-Advocate—Q. Are you a citizen of New-York? A. Yes, sir.

Q. State whether or not you visited Canada in the Summer of 1864? A. I did.

Q. How long did you remain there? A. I remained there, going back and forth, ever since, within about a week and a half or two weeks time.

Q. Did you or not know in Washington City Jacob Thompson, formerly Secretary of the Interior, and Clement C. Clay, formerly of the United States Senate? A. I did.

Q. Will you state whether you met these persons in Canada, and when? A. I met them in Canada at Toronto, at St. Catherines, and at Montreal a number of times, and very frequently since the Summer of 1864 up to this time.

Q. Did you or not meet George N. Sanders? A. I did.

A. And a man by the name of J. P. Holcomb? A. Yes, sir; Prof. Holcomb.

Q. Can you name any other Rebel citizen of the United States in Canada of note, that you met? A. Yes, sir; I met Beverly Tucker, N. C. Cleary—I think those are the initials—and a great many others under fictitious names; there was another one by the name of Harrington; those are the ones that I principally had communication with; I met another one by the name of Clay, not Clement C. Clay; I met one Hicks up there also.

Q. Under how many different names did Jacob Thompson pass in Canada, do you know? A. It would be impossible for me to tell you; I knew him under three or four, and others knew him under other names; his principal name was Carson.

Q. Do you know under what names Clement C. Clay passed? A. Yes, sir; one of them was Hope, another J. E. Lacey; I have forgotten the initials of his name as Hope; J. E. Lacey was the principal one; another one was Tracy.

Q. State any conversation you may have had with Jacob Thompson in Canada in the Summer of 1864 in regard to putting the President of the United States out of the way or assassinating him? A. During the conversation in 1864 Jacob Thompson said that he had friends (Confederates) all over the Southern States who were ready to go any length for the good of the cause of the South, and he could at any time have the tyrant Lincoln and any others of his advisers that he chose put out of his way; that he would but have to point out the man that he considered in his way, and his friends, as he termed them, would put him out of it, and not let him know any anything about it, if necessary, and that they would not consider it a crime, when done for the cause of the Confederacy.

Q. Did you or not see Thompson some time in the month of January, 1865, and where? A. That was in Canada in Montreal.

Q. Will you state what he then said to you, if anything, in regard to a proposition which had been made to him to rid the world of the tyrant Lincoln? A. He said a proposition had been made to him to rid the world of the tyrant Lincoln, Stanton, Grant, and some others; that he knew the men who had made the proposition were bold, daring men and able to execute anything that they would undertake without regard to the cost; that he himself was in favor of the proposition, but had determined to defer his answer until he had consulted his government at Richmond, and that he was only awaiting their approval. He said that he thought it would be a blessing to the people both North and South, to have those men killed.

Q. This was in January? A. That was in January last.

Q. What time in the month was it? A. It was about the middle of the month; I saw him a number of times; I could not give the exact day of that conversation.

Q. Was it about that time that you saw Clement C. Clay and had a conversation with him? A. No, sir, in the Summer of 1864, immediately after Mr. Thompson had told me what he was able to do. I repeated the conversation to Mr. Clay, and he said, "That's so—we are all devoted to one cause, and ready to go any length;" "to do anything under the sun" was his expression, I remember, "to serve their cause."

Q. Look at these prisoners at the bar, and see if you recognize any of them as having been seen by you in Canada, and under what circumstances? A. I have seen that one without his coat there (pointing to Louis Payne, one of the accused); I do not know his name.

Q. Will you state where and under what circumstances you saw him? A. I have seen him a number of times in Canada; I saw him about the Falls in the Summer of 1864, and I saw him again—I guess it was the last time that him and I had some words—at the Queen's Hotel, at Toronto City, Canada West.

Q. State all that occurred at that time? A. I had had an interview of some time with Mr. Thompson; several others had sought an interview while I was closeted with him, and had been refused admittance; after I was through with Mr. Thompson, and in leaving the room, I saw the man Payne in the passage-way near his door; Mr. Clement C. Clay was talking with him at the time; Mr. Clay stopped me and held my hands, finishing a conversation in an undertone with this man, and when he left me for a moment he said, "Wait for me, I will return;" we then went out and spoke to some other gentleman who was entering Mr. Thompson's door, and he came and bid me good-by, asking me where he could see me in half an hour, and I told him, and made an appointment to meet Mr. Clay; while Mr. Clay was away from me I spoke to his man and asked him who he was; I commenced talking about some of the topics that were the usual topics of conversation among the men there, and he rather hesitated telling who he was. He (Payne) said, "Oh, I am a Canadian;" giving me to understand that I was not to ask any more.

Q. Did you not ask Thompson or Clay who he was? A. Yes, sir; I made some mention in regard to this man to Mr. Clay in an interview I had with him about half an hour after I saw him standing in the passage-way, and he said, "What did he say?" said I, "he said he was a Canadian," and he said, "That is, he is a Canadian," and laughed.

Q. Did he say he was one of their friends, or make any remark of that sort? A. He said we trust him.

Q. What was the idea conveyed by the term Canadian with his laugh? A. That was a very common expression among the friends of theirs that were in the habit of visiting the States, and gave me to understand that I was not to ask any more questions; that their intercourse was of a very confidential nature, and that their business was of a very confidential nature.

Q. Have you been to Canada since the assassination of the President? A. Yes, sir.

Q. State whether you met any of these men of whom you have spoken on your return to Canada, and if so, what conversation you had with them there in regard to the assassination of the President? A. I met Beverly Tucker a very few days after the assassination, three or four or five times.

Q. Where? A. At Montreal.

Q. What conversation had you? A. He said a great deal in conversation about the wrongs that the South had received from the hands of Mr. Lincoln, and that he deemed his death long ago; that it was a pity he did not have it long ago, and it was too bad that the boys had not been allowed to act as they wanted to.

Q. Do you mean by the "boys" the men who were to assassinate him? A. Yes, sir; the Confederate soldiers who were up there who had been engaged in their raids; they used the expression "their boys" in regard to their soldiers and the men in their employ; it is common among them.

Q. Did you not meet with Booth there? A. No, sir; I never saw Mr. Booth in Canada.

Q. Did any of those men of whom you have spoken say that Booth was one of the men referred to by Jacob Thompson who was willing to assassinate the President? A. No, sir; W. H. Cleary told me; I related to him the conversation I had had, or a portion of it, with Mr. Thompson, in January, and he said that Booth was one of the parties to whom Thompson had referred.

Q. Did he say in that connection anything further in regard to him? A. No, sir; he said in regard to the assassination that it was too bad, but the whole work had not been done.

Q. What did you understand by that expression, "the whole work?" A. I inferred that they intended to assassinate a greater number than they succeeded in trying to.

Q. Do you know what relation this man Cleary sustained to Thompson? A. Mr. Holcomb told me I would find Mr. Cleary to be the confidential, a sort of secretary to Mr. Thompson; Mr. Thompson told me he was posted on all his affairs, and that if I sought him at any time that he might be away, I could state my business to Mr. Cleary and it would be all the same; that I could have perfect confidence in him; that he was a very close mouthed man.

Q. Did Cleary make any remark when speaking of his regret that the whole work had not been done; was any threat made to the effect that it would be yet done? A. Yes, sir; he said "they had better look out—we are not done yet;" and remarked that they never would be conquered—never would give up.

Q. What statement did Cleary make to you, if any, in regard to Booth's having visited Thompson? A. He said that he had been there in the Winter, that he thought the last time was in December, he had also been there in the Summer; he said he had been there before December, he thought that that was the last time.

Q. On your return to Canada did you learn from these parties that they supposed themselves to be suspected of this assassination, and were they taking any steps to conceal the evidence of their guilt? A. Oh yes sir, they knew a very few days after the assassination that they were suspected of it.

Q. What did you learn they were doing, if anything? A. They were destroying a great many papers; they also knew that they were going to be indicted in Canada for violation of the neutrality laws a number of days before they were indicted.

Q. How did you learn they were destroying papers about that time? A. They told me.

Q. Which one of them? A. Each of them made mention of that.

Q. What name did you assume in your intercourse with them? A. I assumed my proper name, James Thompson, and then, leading them to suppose that that was my right name, and that I wished to conceal it there so as not to be identified by Clifton spies, I adopted other names; at any hotel I might be stopping, I never registered "Thompson" on the book; I led them to suppose that I wished to conceal that name, but James Thompson was the name that they supposed was my proper name.

Q. Your whole object in all that was simply to ascertain their plans against the Government of the United States? A. Yes, sir, that was my whole object.

Q. Will you state how you became acquainted with this cipher which has just been shown you? A. I saw that cipher in Mr. Clay's house, the private house in which he was stopping in St. Catharines.

Q. When was that? A. That was in the Summer of 1864.

Q. Have you not also been the bearer of dispatches for these persons? A. Yes, sir; I was intrusted with dispatches to carry from Canada to Richmond.

Q. Did you carry them? A. I carried some to Gordonsville, with instructions that I was to send them from there.

Q. Did you receive dispatches in reply? A. Once I did.

Q. Were they carried back? A. Yes, sir; they were carried back.

Q. Did you come through Washington? Did you make them known to the Government? A. Yes sir, each time I delivered the dispatches always to the Government of the United States; I passed nothing that I took except by their permission.

A. From whom were the dispatches received at Gordonsville? A. A gentleman who represented himself to me as being in their State Department, and sent with the answer by their Secretary of State.

Q. And you bore the dispatches to whom—to Clay or Thompson? A. I bore them back to Mr. Thompson.

Q. All of these men, Thompson, Clay and Cleary, represented themselves as being in the service of the Confederate Government? A. Yes, sir.

Q. When was it that you received that dispatch at Gordonsville? A. It was in the Fall; I believe it was in October.

Q. Did you ever hear the subject of the raids from Canada upon our frontier, of the burning of our cities, spoken of among these conspirators? A. Yes, sir; many times.

Q. By Thompson, Clay, Cleary, Tucker, Sanders, and those men? A. Yes, sir; I know that Mr. Clay was one of the prime movers in the matter before the raids were started.

Q. You understood in your conversation with them that all these men fully approved of these enterprises? A. Yes, sir, they received the direct endorsement of Mr. Clement C. Clay, jr.; he represented himself to me as being a sort of representative of the War Department.

Q. Do you not consider that you enjoyed fully the confidence of those men so as that they freely communicated to you? A. I do. I do not think they would have entrusted those dispatches to me unless they had the fullest confidence in me.

Q. Did they or not, at all times, represent themselves as acting under the sanction of their Government at Richmond? A. They represented themselves as having full power to act without reference to them; they repeatedly told me, both Mr. Clay and Mr. Thompson, that they had full power to act by their Government in anything they deemed expedient, and for the benefit of their cause.

Q. Were you in Canada at the time the attempt was made to fire the City of New-York? A. Yes, sir.

Q. Was that the subject of much conversation among these people? A. I left Canada with the news two days before the attempt was made to bring it to the Department at Washington.

Q. That such a project was contemplated? A. Yes, sir.

Q. You knew that it originated there, and had the full sanction of these men? A. Yes, sir.

Q. Do you mean to say the same in regard to the St. Albans raid? A. Yes, sir; I did not know the point where that raid was to be made, but I told the Government at Washington that they were to set out on a raid of a kind before the St. Albans raid. I also told them of the intended raid on Buffalo and Rochester, and by that means prevented those raids.

Q. Capt. Beall, who was subsequently hanged at New-York, was known there as leading in the enterprise, was he not? A. I did not know him by that name.

Q. Was he spoken of among those men? A. I never heard him spoken of; they were in the habit of using their fictitious names in conversation with each other.

Q. You say you do not know anything about Beall? A. No, sir; I knew that the object of his mission was contemplated; I did not know who were to be the immediate executors of the plot; I knew of the plan at the time and reported it.

Q. Did you hear the subject of the funds by which all these enterprises were carried on spoken of among these conspirators as to who had the funds or the amount they had, or anything of that sort? A. Yes, sir; in regard to the raiding, Mr. Clay had funds.

Q. Did you ever hear the probable amount spoken of by any of them? A. No, sir; he represented to me that he always had plenty of money to pay for anything that was worth paying for; he told me he had money.

Q. Do you know in what bank in Montreal these Rebels kept their money and funds? A. No, sir, I do not.

Q. You knew that there was a Bank of Ontario in Montreal? A. Yes, sir, I know that there is such a bank; I know that they deposited in several different banks; they transacted a good deal of business in that I think is called the Niagara District Bank. It is almost opposite where Mr. Clay's residence was in St. Catherine's during last Summer; they transacted a great deal of business at that bank.

Q. What was George N. Sanders's position there, if he had a defined position? A. Mr. Clay told me that I had better not tell him the things that they intrusted to me; that he was a very good man to do their dirty work; that is just what Mr. Clay told me.

Q. He was then doing their work, but it was dirty work? A. Mr. Clay said he associated with men that they could not associate with; that he was very useful to them in that way; that he was a very useful man to them indeed.

Cross-examined by Mr. Aiken—Q. Where are you from? A. New-York City originally.

Q. What time in the year was it that you said Mr. Thompson told you a proposition had been made to him? A. In the early part of the year; in January.

Q. You stated, I think, that immediately after that you saw Mr. Clay? A. No, sir, I did not.

Q. When did you see Mr. Clay? A. Immediately after the conversation in the Summer.

Q. The Summer of 1864? A. Yes, sir, in which he spoke to Mr. Thompson of being able to put the President out of the way whenever he was ready.

Q. Did you ever hear anything in Canada of Mr. Surratt as being connected with the plot? A. I did not.

Q. Did you receive any pay from the Confederate Government for going to Gordonsville with dispatches? A. I received for the services to defray railroad expenses the equivalent of $150 in greenbacks.

Q. Was it not $150 in greenbacks? A. It was; I have forgotten the amount in Canada money; gold was about 200 at the time; I have forgotten what it was that I received, but reported the fact of having received it to the War Department at Washington, and applied it on my expense account as having received it from the Government.

Q. On your return with the Gordonsville dispatches for the Rebels in Canada did you leave a copy of those dispatches here? A. I handed the original dispatches over to the authorities, and those of them that they selected to go ahead I carried on, and those they did not they retained.

By the Court—Q. I want to ask an explanation of an answer you made. I understood you in your testimony to say that after the assassination of the President some of those who had been engaged in it returned to Canada, and you said they expressed regret that they had not been allowed to proceed earlier? A. You misunderstood me. I did not say that any of those who had been engaged in the attempt at assassination or in the assassination had returned to Canada.

Q. But those who directed it from Canada expressed regret that they had not been allowed to proceed sooner? A. One of the parties, the one who represented himself as being a commercial agent, Mr. Beverly Tucker, said it was a pity the boys had not been allowed to act when they first wanted to.

Q. Did you understand why they were prevented in not proceeding sooner? A. I did not; I inferred though from what I had heard from Mr. Thompson before, that he had detained them in order that he might choose a fitting opportunity.

Q. Your impression was that they were detained up to that time by Mr. Jacob Thompson? A. I inferred so because when he spoke of the matter to me in his conversation of January, 1865, he said he was in favor of the proposition that had been made to him to put the President, Mr. Stanton, General Grant and others out of the way, but had deferred giving his answer until he had consulted his Government at Richmond, and was then only waiting their approval.

Q. Did you understand that he had received the answer and had given the direction following that? A. I never understood so. I never asked the question or received that reply.

Q. What was your impression? A. My impression was that he had received the answer; I inferred that he had received that approval, and that they had been detained waiting for that, from what Beverly Tucker said.

Q. I understood you to mention the name of Professor Holcomb in connection with that of Sanders, Clay and others; I would like to know how far you can identify him in the movements, plans and operations of these men? A. I made a proposition to Mr. Clay to carry dispatches for them and to do the work as a means of getting into their confidence, and Mr. Cleary told me before Mr. Holcomb that he had authority to sign his (Clay's) name by power of attorney, and his own, both of them being representatives of the Confederate States Government, as they called it.

TESTIMONY OF J. B. MERRITT.

James B. Merritt, a witness called for the prosecution, being duly sworn, testified as follows:

By the Judge-Advocate—Q. Of what State are you a native? A. I do not know whether I am a native of New-York or Canada, but have lived always from New-York.

Q. What is your profession? A. A physician.

Q. Have you been residing or not for some time in Canada, and if so in what part of Canada? A. I have been in Canada about a year, part of the time at Windsor and part of the time at North Dumfries, Waterloo County.

Q. Were you or not in the month of October or November last in Toronto, Canada? A. I was.

Q. State whether you met there a man by the name of Young? A. I met George Young there.

Q. Did young profess to be from Kentucky? A. I believe that he did; I believe he was formerly of Morgan's Common, Kentucky.

Q. Did you meet a man named Ford of Kentucky, a deserter? A. Yes, sir.

Q. Did you meet a man named Grover, from Louisville? A. Yes, sir.

Q. Did you have any conversation with Young in regard to public affairs at that time? A. Yes, sir, some.

Q. Will you state what he said to you, if anything, in regard to some very important matter being on the table in the interest of the Rebellion? A. He asked me if I had seen Col. Steele before I left Windsor.

Q. Who was Col. Steele? A. Colonel Steele is, I believe, a Kentuckian; what his given name is I don't know.

Q. Was he a Rebel in the Rebel service? A. He had been, as I understood, a Rebel in the service.

Q. Proceed with what Young told you. A. He asked me if Col. Steele had said anything to me in relation to the Presidential election; I told him that he had not; then he said, "We have something on the tapis of much more importance than any raid we have made or can make, or something of that character.

Q. Did he proceed to state what it was? A. I asked him what it was; he said it was determined that Old Abe should never be inaugurated; if I understood it right, that was his expression. I asked him how he knew; he said that he knew he would not be in inaugurated; they had plenty of friends, I think he said, in Washington; he spoke in relation to Mr. Lincoln, and used some uncomfortable terms; called him a damned old tyrant, or something like that.

Q. That was Young? A. Yes, sir.

Q. Did you afterward see Steele and Sanders together? A. Yes, sir.

Q. Do you mean George N. Sanders? A. I do; I was introduced to George N. Sanders by Col. Steele.

Q. Will you state what, if anything, was said in relation to the same matter by either of them on that occasion? A. I asked Col. Steele what was going to be done, or how he liked the prospects of the Presidential election; Col. Steele's expression was, "The damned old tyrant will serve another term if he is elected;" George Sanders said "He would keep himself close if he did serve another term.

Q. Did Sanders say at the same time that Steele said "that damned old tyrant never should serve another term?" A. Yes sir.

Q. Were you afterward in Montreal in the month of February last? A. I was.

Q. Did you or not hear among the Rebels there the subject of the assassination of the President freely spoke of? A. Yes, sir.

Q. Did you or not hear mentioned the names of the persons who were willing to assassinate him? A. I heard Mr. Sanders name over a number of persons that were ready and willing as he said to engage in the undertaking to remove the President, Vice-President, Cabinet, and some of the leading Generals.

Q. What, if anything, did George N. Sanders say in relation to their having plenty of money to accomplish those assassinations? A. Sanders said there was any amount of money to accomplish the purpose; I think that was the expression used.

Q. That was the assassination? A. Yes, sir; he read a letter which he said he had received from the President of the Confederacy.

Q. Meaning Jeff. Davis? A. Yes, sir; which letter justified him in making any arrangements that he could to accomplish the object.

Q. Was there not a meeting of those Rebels at that time in Montreal where Sanders was, and where you were also? A. Yes, sir.

Q. Was it at this meeting that Sanders read that letter from Jeff. Davis? A. Yes, sir.

Q. Will you state some of the language of that letter, the strong language which he used, if the tyranny of Mr. Lincoln was submitted to? A. I do not know as I can use the exact language.

Q. The substance of it? A. The letter was in substance, that if the people in Canada and the Southerners in the States were willing to submit to be governed by such a tyrant as Lincoln, he did not wish to recognize them as friends or associates, or something like that.

Q. And you say that in that letter he expressed his approbation of whatever measures they might take to accomplish this object? A. Yes, sir.

Q. Was that letter read openly in this meeting by Sanders? A. Yes, sir.

Q. After it was read, was it or was it not handed to the members of the meeting and read by them one after another? A. Col. Steele read it, I think; Capt. Scott read it, and Young and Hill.

Q. These were all known as Rebels, were they not? A. I believe they were.

Q. Did they or not all acquiesce, after reading it, in the correctness with which Sanders had read it openly to the meeting? A. There was no remark made as to any misstatement of the letter by Sanders.

Q. As far as you would judge, did it seem to be the sense of that meeting that it was proper to have this object accomplished? A. I did not hear any objection raised.

Q. You said that was in the month of February; can you say at what time of the month that meeting was held? A. I should think it was somewhere about the middle of February.

Q. By whom were you invited to attend the meeting? A. Capt. Scott invited me to attend the meeting.

Q. Was it on that account or on some other that Sanders named over the persons who were willing to accomplish this assassination? A. At that time.

Q. Will you state whether among the persons named John Wilkes Booth was mentioned? A. Booth's name was mentioned; I do not remember that the name John Wilkes was added to it.

Q. Did you see Booth yourself in Canada? A. Not there; I saw Booth in October, 1864.

Q. Can you recall some other names that were mentioned beside Booth? A. Yes, sir; George Harper was one, Charles Cauldwell one, Randall and Harrison.

Q. Did you hear that person (Harrison) spoken of by any other name; did you hear the name Surratt mentioned? A. I heard Surratt's name mentioned.

Q. Do you know whether it was the same person or not? A. I do not think it was.

Q. His name is John Harrison Surratt? A. Surratt's name was mentioned.

Q. Did you see the prisoner Harrolt in Canada at that time? A. I say I saw Harrold; I saw the one who was called Harrison in Toronto.

Q. Would you recognize him; look at these prisoners and see if you recognize him? A. After looking at the prisoners, I should think that the third one on the bench there was the man. (Pointing to Harrold.)

Q. He was spoken of as one who was ready to accomplish the assassination? A. I understood Mr. Sanders to say he was ready to accomplish it or assist in it; his name was mentioned in connection with the others; he went there by the name of Harrison.

Q. Look at the remainder of the prisoners, and see if you recognize any of them; do you remember to have seen the prisoner Payne in Canada? A. I do not; I do not see any other that I should recognize as ever having met in Canada except Harrold.

Q. Did I understand you to say that in the conversation occurring between these Rebels and their friends, there was no reserve at all in discussing the question of the assassination of the President and his Cabinet? A. I do not think you understood me correctly, if you understood me that there was no reserve; there was not a great amount of reserve.

Q. It was discussed freely among themselves, then? A. Yes, sir.

Q. Among the persons named was there not one who bore the name, or, probably it was, of Pine Tobacco? A. I never saw him that I know of, but I heard the name.

Q. Was he in this big talk Sanders spoke of? A. I am not positive whether Sanders used his name or not, but I think he did.

Q. Do you remember that Sanders in speaking of Booth as one who was willing to assassinate the President and Cabinet, mentioned as among the reasons for it that he was related to Beall who had been recently hanged in New-York? A. He said Booth was heart and soul in the matter and felt as much as any person could for the reason that he was a cousin to Beall who was hanged in New-York, whether he was a cousin or not I do not know.

Q. What did he say, if anything in regard to the assassination of the Vice-President now President of the United States? A. He said that if they could dispose of Mr. Lincoln it would be an easy matter to dispose of Mr. Johnson, as he was such a drunken sot it would be an easy matter to dispose of him in some of his drunken revelries.

Q. Did he say anything in regard to Mr. Seward, the Secretary of State? A. When he read the letter he spoke of Mr. Seward, and I inferred that that was partly the language of the letter; I think it was that if these parties and President, the Vice-President and Cabinet, or Mr. Seward, could be disposed of, it would satisfy the people of the North that they the Southerners had friends in the North, and that a peace could be obtained on better terms than it could otherwise be obtained; that they (the Rebels) had endeavored to bring about a war between the United States and England, and that Mr. Seward, through his energy and sagacity, had thwarted all their efforts.

Q. That was suggested as one of the reasons for getting rid of him? A. Yes, sir, for "removing" him.

Q. At a later period, say early in April, did you meet any of these parties? A. Yes, sir.

Q. State who they were and what conversation occurred between you and them? A. I was in Toronto on Wednesday and Thursday, the 5th and 6th of April last, and on the evening of Wednesday I was on my way going to the theater when I met Harper and Ford, they asked me to go with them and spend the evening, and I declined, as I was going to the theater, the next morning I was around by the Queen's Hotel and saw Harper, Caldwell, Randall, Ford, and one Charles Holt.

Q. Did you see a man called Texas? A. Yes Sir.

Q. State the conversation which occurred there between you? A. Harper said they were going to the States and they were going to kick up the damndest row that had ever been heard of yet. There was some other conversation occurred among us, don't now remember what; it was nothing of any importance till in the course of an hour or two I met Harper, and he said if I did not hear of the death of Abe and the Vice-President and Gen. Dix in less than ten days, I might set him down as a d——d fool.

Q. Did Harper speak at the time or not of Booth and Surratt as being at Washington? A. I think that Booth's name was mentioned as being at Washington, but I do not remember hearing Surratt's at that time.

Q. Was anything said in regard to their having friends in Washington? A. They said they had plenty of friends here and that there were some fifteen or twenty going to Washington.

Q. Did you or did you not call afterward and ascertain that Harper had in fact left on the 6th of April? A. On the Saturday afterward I was at Galt; Harper's mother is living some four or five miles from Galt, between that and Paris; I ascertained then that he had been to the place he had been stopping, and Caldwell too, and had started for the States.

Q. After you had ascertained this information, that they had left for Washington, probably for the purpose of assassinating the President, what steps did you take in the matter? A. I went to a Justice of the Peace there for the purpose of giving information to have them stopped; his name was Davison.

Q. State what occurred on your application? A. When I gave him the information he said the thing was too ridiculously absurd or supremely absurd to take any notice of; it would only make me appear very foolish to give such information and cause arrests to be made on such grounds, as it was so inconsistent that no person would believe it.

Q. Therefore did he or not decline issuing any process? A. He declined to issue process.

Q. Do you or not know at what time this man Harper returned from the States to Canada? A. I have no personal knowledge that he returned at all.

Q. What knowledge have you on the subject? A. I was in Galt on Friday again, and I found there from Mr. Ford that he had been home on Thursday, and had started to go back to the States again; that was the Thursday after the assassination.

Q. Did you know while there one Col. Ashley, a Rebel officer? A. I did not know that he was a Rebel officer; I knew that he was a Rebel sympathizer; he was a broker at Windsor, opposite Detroit.

Q. Did you ever see a letter from Jacob Thompson, formerly Secretary of the Interior, to him? A. Some time last Fall, I cannot tell exactly what time, Col. Ashley handed me a letter which he had received from Jacob Thompson assing him for funds for the benefit of the Rebels to carry out their objects in Canada, and he asked me if I could not contribute; he read me the letter.

Q. What did you understand from him and from that letter to be those objects? A. My understanding was that the purpose was to raise means to pay the expenses of those who were unable to pay their own expenses to go to the States and make raids; I so understood the meaning of the letter. I may have misinterpreted it.

Q. Did you have any conversation with Jacob Thompson or Clement C. Clay? A. I had a conversation with Mr. Clay.

Q. At what time? A. In February.

Q. State what it was? A. I spoke to him in Toronto about the letter that Mr. Sanders had exhibited in Montreal—the letter of Jefferson Davis.

Q. Did you state to him what that letter was? A. He seemed to understand the nature and character of the letter perfectly. I asked him what he thought about it, and he said he thought "the end would justify the means;" that was his expression.

Q. Justify the assassination? A. That the end would justify the means.

Q. You say that when you mentioned to him the letter from Jefferson Davis, approving of this plan of assassination, he seemed to understand it perfectly? A. Yes, sir; he seemed to understand it.

Q. You spoke of having heard the name of Surratt? Do you remember that he was at any time pointed out to you while you were in Canada? A. He was pointed out to me once.

Q. At what time was that and where? A. It was in February, and I think in Toronto.

Q. With whom was he there? did you observe? A. I did not observe him with any one; he was walking on the other side of the street, and was pointed out to me as being Surratt, and I am inclined to think it was Scott who pointed him out; when he was pointed out, Scott, Ford and myself were standing on the sidewalk.

Q. How often did you see Booth there? A. I saw Booth there two or three times.

Q. With whom did you generally see him associating? A. I do not know that I could tell; I sat at the table with him once at the St. Lawrence; Sanders was at the same table, and Scott and Steele and myself.

Q. Did you see Sanders and Booth together? A. I do not know that I did any more than at the table; they were conversing with each other; at the table we all drank some wine at Mr. Sanders's expense.

Q. Was not Booth recognized by them all as their friend, and as fully permitted to any enterprise they were engaged in? A. I cannot answer that question for I do not know.

Q. Did you hear what Sanders said of Booth? A. I know what was said in the meeting; outside of that I did not hear any person speak particularly in relation to Booth.

Q. Did you have personal acquaintance with Booth yourself? A. No, sir. I had seen him a good many times on the stage, and knew him very well by sight.

(The photograph of J. Wilkes Booth, exhibit No. 1, was shown to the witness.)

Q. Is that a correct representation of him? A. I should think that was the man.

Q. What is the full name of Harper, of whom you have spoken? A. George Harper.

Cross-examined by Mr. Stone—Q. Did you see the man who was called Harrison, and whom you think is Harrold, more than once in Canada? A. I think I saw him two or three times.

Q. At what time did you see him? A. In February.

Q. What time in February? A. About the middle, or somewhere about the 15th or 20th of the month.

Q. Did you make his acquaintance? A. I did not.

Q. Do you remember who pointed him out to you? A. I think that it was a Mr. Brown and Ford and Holt together.

Q. Was it in a street? A. In a saloon.

Q. Night or day? A. In the evening.

Q. Did you notice him more particularly than the generality of persons in the saloon. A. I noticed him a little more particularly on account of his name having been mentioned in connection with others at Montreal.

Q. Was this in Montreal? A. No, this was in Toronto.

Q. Was Booth in the saloon? A. No.

A. After he was pointed out you saw him once or twice and that he went by the name of Harrison, you say? A. It is my impression that he went by that name; I do not remember to have heard the name of Harrold mentioned at all.

Q. Did you see him after that at any time till now? A. No, sir, I did not.

Q. And you saw him to-day for the first time since that? A. Yes, sir.

Q. How was he dressed then, do you remember? A. I do not know that I do.

Q. I mean the general style of the dress; was he well dressed or not? A. I did not see anything about his dress that particularly attracted my attention.

Q. I do not mean the color of his clothes, but was he genteelly dressed? A. I should think he was comfortably dressed; some people's ideas of gentility differ from those of others.

RECESS.

(The hour fixed by the rules for that purpose having arrived, the Commission took a recess till 2 o'clock p. m.)

AFTER RECESS.

James J. Murphy, Edward V. Murphy and Robert Compagne were duly sworn by the Judge-Advocate as Reporters to the Commission, in the presence of the accused.

James B. Merritt's cross-examination continued by Mr. Aiken:

Q. Where were you born? A. I was born in Canada.

Q. Then you are a native of Canada? A. The first question asked me by the Judge-Advocate was, "what State are you a native of," and my answer was that I could not tell; I can explain that; my people lived in Rome, Oneida County, N. Y.; father and mother were in Canada visiting and taking care of some of their friends at the time I was born; the question was raised the first time I offered my vote, whether I was a native of New-York or Canada, and was undecided.

By the Judge-Advocate—Q. That was what you meant by your answer? A. Yes, sir.

By Mr. Aiken—Q. What is your age? A. Nearly 40.

Q. How often did you visit Canada last Summer and Fall? A. I have been there all the time since May but pretty much, with the exception of a few days in December, that I occasionally went back and forth to Detroit.

Q. What was your business in Canada? A. Practicing medicine.

Q. When did you first meet any of the parties you have named, in Canada? A. Some of them I met the first day I was there.

Q. You went in May? A. Yes, sir; I went in May.

Q. Where were they? A. Ford was there in May.

Q. By whom were you introduced to these parties? A. Some of them introduced themselves.

Q. Were you introduced to any of them? A. then I was introduced afterward to some; Col. Ashley introduced me to Mr. Clay.

Q. Was that the first introduction you had to those men? A. That was the first introduction I had to Mr. Clay.

Q. To any of them? A. Oh, no; I think Col. Ashley introduced me to two or three others there; among the rest was Capt. Scott.

Q. How was it that you were on such confidential terms with these gentlemen? A. Because I was a good Southerner; represented myself as such.

Q. Is that the reason why you were asked to contribute? A. Yes, sir.

Q. On account of your known status there as a Southerner? A. They supposed I was a good Southerner, and I presume that was the reason why Mr. Ashley asked me to contribute.

Q. You spoke of drinking wine with Mr. Sanders—was that before or after the meeting at which the letter was read to which you referred? A. That was after the interview we had in October, but before the meeting at which the letter of Davis was read.

Q. Where was that meeting held. A. In Mr. Sanders's room.

Q. Who invited you to be present at that meeting? A. Capt. Scott.

Q. It is possible that a portion of that letter has been misapprehended; I would like to have you state the main points in it again. A. Mr. Sanders read the letter aloud; I did not read the letter myself; I think that I stated that in the commencement the purport of the letter was that Mr. Davis did not wish to recognize any persons as his friends who were willing to submit to be governed by Mr. Lincoln (conveying the sentiment—the language might be varied a good deal), and that if the President and Vice-President, and some of the Cabinet and the leading Generals could be disposed of, it would satisfy the people of the North that they (the Rebels) had friends here.

Q. That was stated in the letter? A. That was stated in the letter I think; that was the meaning of the letter; the phraseology I, perhaps, do not exactly remember.

Q. We want to know what was actually said in the letter? A. I say that that was the substance; I do not say that was the exact phraseology.

Q. Was there anything more in the letter? A. There was considerable; it was quite a lengthy letter.

Q. Did you make any expressions at the time in the meeting? A. No, sir.

Q. Did you see the Justice of the Peace to whom you referred immediately after that meeting? A. No, sir.

Q. How long was it afterward? A. It was over a month.

Q. What time was the letter read? A. The letter was read in February, and I went on the 10th of April to see the Justice of the Peace.

Q. After the Justice of the Peace refused to accede to your request what did you then do? A. I then called upon a judge of the Court of Assizes, made my statement to him, and he said I should have to go to the Grand Jury.

Q. What did you do then? A. I did not do anything; went home.

Q. When did you first communicate to the Government this information that you have detailed here? A. I think it was two weeks ago to-day.

Q. Since the assassination of the President? A. Yes, sir.

Q. What was your object in keeping this information so long to yourself? A. There was no authority to communicate it to.

Q. But as a good citizen you were bound to communicate it, why did not you do it? A. In the first place, I was not here where I could communicate; I am a practicing physician in North Dumfries, Canada; it is some 500 or 600 miles from here.

Q. There is a Post-office at Dumfries? A. Yes, sir, there is one.

Q. There is one at Toronto and one at Montreal? A. Yes, sir.

Q. Is that the only reason that you have? A. No, sir; I cannot assign any particular reasons why I did not communicate it; the Government, though, was in possession of the information without my communicating, I understand.

Q. Was it not owing to the fact that you are a Southerner in your feelings and affiliations? A. No, sir.

Q. Where were you when Mr. Surratt was pointed out to you, as you state? A. In Toronto, I think.

Q. At what time of the year was that? A. That was in February.

Q. In February, 1865? A. Yes, sir; last February.

Q. Did you have a good view of the gentleman? A. I saw him on the street.

Q. Were you on the same side of the street with him or across? A. On the same side; he was pointed out coming toward me, and on the opposite side; he crossed on the same crossing, and passed on down by me.

Q. What sort of a looking man was he? A. I never saw him but once; he is a man, I should think, as tall as I am, nearly five feet six inches, or seven or eight inches, rather slim, and he wore a mustache.

Q. What was the color of that mustache? A. Dark.

Q. What was the color of his hair? A. I did not notice his hair particularly; I noticed that he had a mustache.

Q. What was the color of his eyes? A. I do not know that I noticed.

Q. How was he dressed? A. Dressed in ordinary clothes, like any gentleman would be.

Q. Dark colored clothes? A. I should think they were, but I might be mistaken.

Q. Are you pretty positive that they were dark colored clothes? A. I would not be positive they were; I would not be positive that it was Surratt, either, because I do not know the man.

Q. What day of the month was that, as near as you can recollect? A. I should think it was somewhere in the neighborhood of the 20th, perhaps; it was after the middle, I should judge.

Q. Who was the American Consul at Toronto? A. I do not know; I do not know an American Consul in the province.

Q. Did you ever meet him? A. Not that I know of.

Q. There was one there? A. I do not know that I ever met him.

Q. When you were drinking wine at Sanders's expense and in convivial conversation with him, did he