THE SUN.

IT SHINES FOR ALL

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NEW YORK, SATURDAY, JUNE 3, 1865.

PRICE ONE CENT—IN GOLD TWO CENTS IN CURRENCY.

The Latest News

By Telegraph to the N. Y. Sun.

HO! FOR TEXAS!

Departure of a Fleet from Fortress Monroe.

25 LARGE VESSELS UNDER WAY.

THE MOBILE DISASTER.

Thrilling Details.

The City Shaken to its Foundations.

THE CONSPIRACY TRIALS.

Attempt to Prove Payne Insane.

AN EXPRESSIVE LETTER TO BOOTH.

Local and Miscellaneous News.

General Sherman's Movements.

HONORS PAID HIM YESTERDAY.

A Couple of Short Speeches.

&c., &c., &c.

The Texas Expedition.

Departure From Fortress Monroe.

(Correspondence of The Sun.)

Fortress Monroe June 1.—The Texan Expedition, under the command of Major General Godfrey Weitzel, which has been fitting out in this harbor, during the past week, is now fairly on its way to the point of destination, somewhere along the coast of that State. Preparatory to its sailing, orders were issued to the commanding officer, on board each vessel, to proceed first to Mobile Bay, in the vicinity of Forts Morgan and Gaines, with the view of making a rendezvous at that harbor, in order to coal the steamers and thoroughly clean them before proceeding any further southward. The steamers composing this expedition are among the largest and best adapted to a long sea voyage of any known to the mercantile service, and were chartered especially by the different quartermasters in New York and Philadelphia, and otherwise for this purpose. The major portion of the fleet, containing fifteen of the largest steamers, has already sailed, while the remainder, composing the steamers Star of the South, Richmond, Western Metropolis, Tonawanda, C. C. Bary, J. R. Everman, Empire City, Rebecca Barber, Cumbria and Fillies, are now lying in the Roads, and will sail either this morning or to-morrow. Everything seems auspicious for the safety and success of the steamers with the troops, to reach the point of rendezvous in about a seven days' sail. The weather has been fair for the past week, with every prospect of continuing so for some time to come.

From New Orleans.

Great Land Slide at Algiers, Etc.

Cairo, Ill., June 1.—New Orleans dates of the 27th ult., are received. Gen. Canby will establish his headquarters in that city in a few days. Another great land slide has occurred below Algiers. A fearful crevasse is impending, threatening immense destruction of the crops and other descriptions of property. Five millions of dollars had been received at New Orleans to pay off the troops of Gen. A. J. Smith's Corps, stationed around Selma and Montgomery. The recent expedition from Baton Rouge captured Col. Hatch, Collector of Customs at New Orleans under the rebels; also, all the records of the Custom House during his administration. Col. Hatch says that the books and records of the Custom House prior to secession are secreted in New Orleans. Ten thousand Union prisoners, from Tyler, Texas, are at the mouth of the Red River, en route North. Gen. Forrest has arrived at Memphis. The people of Northern Mississippi are represented as greatly impoverished and destitute.

Passports.

Discontinuance of the System.

Washington, June 2.—The following official notice was issued to-day:

DEPARTMENT OF STATE, WASHINGTON, JUNE 2, 1865.

Whereas, pursuant to the order of the President, and as a means required by the public safety, directions were issued from this Department under date of the 17th of December, 1864, requiring passports from all travellers entering the United States, except emigrant passengers, directly entering an American port from a foreign country; and whereas the necessities which required the adoption of the measure, are believed no longer to exist, now, therefore, the President directs that from and after this date, the above order referred to, shall be, and the same is, hereby rescinded. Nothing in this regulation will be construed to relieve from due accountability any enemies of the United States, or offenders against their peace and dignity, who may hereafter seek to enter the country, and at any time be found within its legal jurisdiction.

(SIGNED) WILLIAM H. SEWARD, Secretary of State.

The Disaster at Mobile.

Particulars of the Explosion—Over 300 Lives Lost—Eight Entire Squares of Buildings Blown Down—Burning of Steamers and Cotton Along the Levee, Etc.

From the Mobile NEWS of the 25th, we have the following interesting particulars of the disaster in that city:

The main ordinance depot of the United States in this city was blown up at 2 o'clock this afternoon, making a tremendous report, and spreading the wildest consternation throughout the city. The magazine was located in the Marshal's office. The appearance of the city in that neighborhood begeals description. Major Gen. Granger, accompanied by Col. Shipley, went to the scene of destruction almost before flying shells ceased to explode, and immediately took steps for the relief of the suffering, and for the safety of the city. The following order from him will explain the course to be pursued:

HEADQUARTERS U. S. FORCES, 2.50 P. M.

A sad calamity has overtaken us at an unexpected moment, resulting in the loss of many valuable lives, and a great destruction of property, from an explosion of the main ordnance depot in this city. Whether this fearful calamity was the work of foul incendiaries, or the result of carelessness, is for us to determine. Stringent measures will at once be taken to fix the responsibility upon the guilty parties, and bring them to summary punishment. Brigadier General Dennis will immediately place guards to insure safety to both citizens and soldiers, and all persons are ordered to remain quietly at home until no further danger is apprehended.

(Signed) G. GRANGER, Maj. Gen. Commanding.

It is impossible at present to arrive at definite information of the number lost. However, 200 will scarcely cover the number, exclusive of wounded. Men were thrown down and seriously wounded at a distance of half a mile from the explosion. Many persons are known to be burried beneath the ruins, and the commanding General has used all available labor to rescue those still alive. All the prominent buildings, from St. Louis street up, including Water, Commerce and Front streets, are about completely demolished. The steamer Kate Dale was lying at the wharf, opposite the Shippers Press, and with another steamer were torn to pieces, and it is reported that every soul on board them was lost. The shock made the city tremble like an aspen, shaking every building to the foundation; the crashing of broken glass was heard in every direction, and the falling walls made the earth resound like the rumbling of an earthquake. There are at least four entire squares of building blown down at the burning ruins. Shortly after was witnessed a scene which no tongue or pen can describe, or imagination conceive. Four or five blocks entire were one conglomerated mass of ruins, two-thirds of which were on fire, while every two or three seconds shells exploded, and fragments and bullets whistled through the air, which prevented the bravest men from coing near. Added to the flames of demolished buildings, were burning steamers along the levee, and from 8,000 to 10,000 bales of cotton, which rendered the scene still more grand. Not a warehouse in that portion of the city was left standing, and thousands of men worked hour after hour among debris bringing forth one after another of writhing and dead victims. A number of bodies recovered are so burned and mutilated that recognition is impossible. It is estimated that the number of killed will reach 300. When it is taken into consideration that nearly all the workshops, foundries, cotton presses, etc., which covered a vast area, were destroyed, in which were employed a large number of men, from whom so far no accounts have been received, it will be seen that the estimate of 300 will be below the proper figure. A great amount of damage is done to the city in a pecuniary point of view, variously estimated at from five to ten millions of dollars. Eight squares of large and costly buildings were entirely destroyed. The windows of the custom house were completely demolished, not a whole pane remaining. The news offices shared the same fate. All the buildings on Royal street, from Conti street to the Mobile and Ohio Railroad depot, had the windows knocked out, the glass being strewn in minute particles all over. Various partitions were blown down. The TRIBUNE building was made a complete wreck of inside by the entrance of a shell, weighing about sixty pounds, through the roof, which fell among the material of the office, smashing things generally. Cabs, carriages, etc., on Royal street were capsized, and horses, in some instances, fell as if shot down. The shock seemed to effect the horses a great deal more than human beings. Those that were not knocked down instantly seemed stunned and paralyzed, and did not recover for some minutes. The force of the shock may be imagined when it is known that a man was killed instantly on board the Kate Dale by the concussion. Not a mark was visible upon his body, when taken up a few minutes after. The loss in property is immense. Below St. Michael street, doors and windows suffered most. A continued wreck meets the eye looking up this street, growing more confused and losing semblance of buildings entirely as the vision nears the square nearest where the magazine stood. On Commerce street, warehouses and cotton sheds, which lined the upper portion are now but a mass of ruins. Buildings on corners seemed to suffer most, some of them being razed within a few feet of the ground. Various offices and commission houses on Front street sustained comparatively little damage. On the river facing, the doors and windows were all smashed and broken in, but beyond this the injury done them was slight. Nearly all the cotton was destroyed belonging to private citizens. Some Government was also burned. The steamers Col. Cowles and Kate Dale were entirely destroyed. There were about 200 tons ammunition, consisting of musket cartridges, cannon powder, and a large number of blank musket cartridges, and a quantity of loaded shells, grape, canister and solid shot, principally for field and siege guns, the amount of powder reaching 30 tons, and was contained in the warehouse. It was brought from Gainesville, and is about one third of the ammunition surrendered by the rebel General Taylor.

The Conspiracy Trials.

Continuation of the Testimony.

Washington, June 2.—After the reading of the record, the examination of the witnesses for the defence was resumed.

TESTIMONY OF THOS. REYBOLD.

By Mr. Ewing—Q. State how long you have been in Washington? A. I have not lived permanently in Washington only since the last Monday of December, one year ago, at which time I came to Washington for Mr. Ford. I was employed at that gentleman's theatre to take charge of the house, to see to the front of the house, and purchase everything that was to be purchased for the house. Any repairs to the house were done at my orders. That was my business there. In the absence of either of the Messrs. Ford, I went in the box office and sold the tickets. Q. State whether you know anything as to any of the locks of the private boxes being broken, and, if so, what you know? A. I think it was during Mrs. Bowers' engagement in March, about the 7th, when, being one day at dinner, Mr. Merrick, of the National Hotel, asked me to reserve some seats for him that evening in the orchestra. I told him I would do so. Mr. Merrick had not arrived by the end of the first act, and, as is customary for all reserved seats not occupied at the end of the first act to be taken by other persons wanting seats, those seats were taken. Shortly after that Mr. Merrick, accompanied by his wife, Mr. Martin and several ladies came in, and I was informed of their arrival, and asked what I had done with the seats reserved for them? I went to see about them and found that the usher had filled them. I then took them up stairs to box 6, which was locked and could not be entered. I then crossed to boxes 7 and 8, generally termed the President's box, which were also locked. I endeavored to force it open by applying my shoulder to the door, but failing in that, I used my foot and succeeded in kicking it open. Q. State whether that tier led into the box which the President occupied at the time of the assassination? A. It did. By request, when the President occupied the box, we would take the partition out, and the two boxes would then be occupied as one. Q. When the two boxes are thrown into one, by which door do you enter the President's box? A. The door of box 8. Q. Do you know whether that was the door that was used on the night of the assassination? A. Yes, sir. It was the other door could not be used. Q. Do you know whether the lock that was broken was afterward repaired? A. I do not; I never examined it afterward; I suppose it was my place to have reported the fact, and though I frequently passed into the box afterward, I never thought of having the lock fixed. Q. State whether you have any knowledge of Booth occupying either of those two boxes shortly before the assassination? A. I cannot say precisely the time, but it was two weeks, I think, prior to the 14th that Mr. Booth engaged private box No. 15 and in the evening of that day came again to the office and asked for an exchange of the box for box 7, one of the Presidential boxes, and one in which a hole was found to have been bored; he occupied that night either box 7 or 8; I cannot swear positively which box. Q. State whether you saw anything of Booth that morning, after the President occupied the box? A. I cannot say whether it was after or before that time. I saw him that morning. He got a letter from the office that morning. Q. State if you know any reason why the rocking chair in which the President is said to have sat that night should have been in the position in which it was? A. The position in which it was then, was the same in which I had placed it myself on the other occasions, when the President occupied that box, and the reason was that it placed in any other position the rockers would be in the way. The removal of the partition left a triangular corner to the left of the salient angle of the box, and the rockers were into this corner, and were out of the way; that was the only reason why I put it there. Q. Examine that rope [exhibiting to witness the rope found in the carpet bag of the prisoner Spangler] and state whether you know of any such rope being used about the theatre, and whether from its flexibility you would judge that it had been used? A. From its appearance I think it has been used; if it had not it would be brighter in color; it is like the ropes that we generally used in the "flies" for drawing up the scenes—what is called a border rope. Cross-examined by Assistant Judge Advocate Bingham.—Q. You say that kind of a rope was used in the theatre in fixing up the "flies." A. The wings, or at least the border. Q. If the rope had been used in the theatre, its proper place would not be in a carpet sack half a mile away, would it? A. No, sir. Q. The rope that Spangler used, which you have described, is a permanent fixture, is it not? A. Sometimes we use a great many of those ropes, and then take them down, and they lay up in the loft until we need them again.

TESTIMONY OF HENRY E. MERRICK.

By Mr. Ewing—Q. State your business? A. I am a clerk in the National Hotel. Q. State whether or not, some time before the assassination of the President, you went to Ford's Theatre, and Mr Reybold showed you to a box? A. Yes, sir; it was on the evening of the 7th of March; I had my wife and other ladies with me, and we were shown to a box on the right side as you pass down the dress circle; it was the box nearest the entrance; I do not know the number; the door was forced open by Mr. Reybold, who was unable to find the key; the keeper, I think, was forced off; at least the screw that held the upper part of the keeper came out, and it whirled around and hung by the lower screw; we then entered the box and remained there during the play.

TESTIMONY OF JAMES LAMB.

By Mr. Ewing—Q. State where and in what capacity you were employed at the time of the assassination of the President? A. At Ford's theatre, in the capacity of a scene painter. Q. Examine that rope (exhibiting the rope to witness, found in Spangler's possession) and state whether you ever saw any ropes like that used in the theatre? A. I have; but all ropes of this description bear some similarity; ropes like that are used in the theatre for suspending borders that hang across the top of the scenes; they are called border ropes. Q. What is the length of ropes used for that purpose in the theatre? A. Not less than 50 feet; they are used for raising and lowering the borders; these borders are long strips of canvas which are painted to represent interiors and exteriors; sometimes when it is necessary to alter them they are lowered upon the stage for the purpose of being repainted; the ropes used are about the length of this one. Q. Examine it carefully and state whether it has the appearance of having been used? A. It has the appearance of having been chafed, and a new rope would be a little stiffer, it strikes me. Q. Does it look as if it had been used as a border rope? A. It is the same kind of a rope that is used for that purpose, but, if it had been so used, I think there would be a knot here; one end appears to have been cut. Q. Did you see anything of the prisoner, Edward Spangler, after the assassination? A. I saw him on the following Saturday; I was in the Theatre, loitering about, from ten o'clock until the military took possession of the building, and saw Spangler several times during the day on the stage; there were several others there. Maddox, a man by the name of Jake, Mr. Gifford, Mr. Wright and Mr. Carland.

TESTIMONY OF WM. E. SMITH.

By Mr. Ewing—Q. State your residence? A. I live in Washington, and am Superintendent of the Botanical Gardens; I was in Ford's Theatre at the time of the assassination, and saw Booth pass off the stage. Q. Did you see Mr. Stewart get on the stage? A. Mr. Stewart was about the first that got on the stage; it is my impression that Booth got off the stage before Stewart got on it; I saw Stewart turn round and look up at the box in which the President had been murdered; I did not watch him any further.

RE-EXAMINATION OF JACOB RITTERSPAUGH.

By Mr. Ewing—Q. When you were examined for the prosecution the other day you spoke of Spangler having slapped you in the face after your return from following Booth, and of his saying: "Shut up; don't say which way he went?" A. Yes, sir. Q. Did you not make the same statement the next day, when you were in the Theatre, to Mr. Lamb, and on the night of the assassination to Mr. Carland, when he aroused you from sleep? A. Yes, sir; Mr. Carland, when he awoke me, asked me what Ned said to me, and I told him that Ned slapped me on the mouth, and said: "Don't say which way he went." Q. Were you not on the stage in the afternoon of the day of the assassination? A. Yes sir. Q. State what you and Spangler saw? A. I saw a man in the dress circle smoking a cigar, and I asked Spangler who he was; he said he did not know, I then said we ought to tell him to go out, and Spangler said that he had no right there. I resumed my work and after a while looked around again and saw the man sitting in a private box on the right hand side of the stage, after that the man went out. Was the man near enough to hear what Spangler said? A. Yes sir.

By Mr. Ewing—Q. What time in the evening was that? A. About six o'clock in the evening of the day on which the President was assassinated, just before we went to supper.

By Judge Advocate Bingham.—Q. Where did you say that man was? A. In a private box, one of the lower boxes in the dress circle, on the right hand side of the stage.

TESTIMONY OF LOUIS J. CARLAND.

By Mr. Ewing—Q. State whether you are acquainted with Jacob Ritterspaugh? A. I am. Q. State whether you saw him in Mr. Gifford's room on the night of the assassination, after the assassination? A. I did; he was asleep, on my awakening him he appeared frightened and thought I was Mr. Booth; I asked him where Mr. Spangler was, he told me he did not know; that when he last saw Mr. Spangler he was standing behind the scenes, just after Mr. Booth ran out the back part of the theatre and that he said to Mr. Spangler, "That was Mr. Booth"—when Spangler slapped him in the mouth and said—"You don't know who it was, it might have been Mr. Booth and it might have been somebody else." Q. Did Mr. Ritterspaugh tell you that Spangler slapped him in the face and said, "Don't say which way he went." A. No, sir. Q. Where was Spangler when you first saw him after the assassination? A. In the theatre, on the stage; I was in his company until Sunday night, when I went to the Hermans House and he went to sleep in the theatre; I suppose he left me to go there to sleep. Q. Where was he during Saturday and Sunday? A. On the Saturday night after the assassination he was going to sleep in the theatre as usual, but there was some talk about burning the theatre and being a heavy sleeper he was afraid to sleep there, so he came to my room and I let him sleep there all night; on Sunday morning I went to church and met him again in the street, near the theatre; we walked around that afternoon and parted in the evening.

The rope found in the carpet bag of Spangler was exhibited to the witness, which he stated that it resembled one used by Mr. Spangler and Mr. Ritterspaugh, about two weeks before the assassination, to carry up some lumber to the 4th story of the theatre; he thought it had the appearance of having been used and of having lain out of doors.

TESTIMONY OF JAMES LYON.

By Mr. Ewing—Q. Are you acquainted with Jacob Ritterspaugh? A. Yes. I saw him on the day after the President's assassination. Q. Did he say anything to you as to a conversation he had with Spangler directly after the assassination? A. Yes. He was grumbling, and said it were well for Ned that he had not something in his hand at the time. I asked him why, said he, "He struck me last night a very hard blow, and said, "Shut up," at the same time saying, "You know about it!" Q. In what connection did he say that happened? A. He said he was acquainted with Booth, and remarked to Spangler just after Booth ran out, "I know who that was—that was Booth who ran out." Then Ned said, "Shut up; keep quiet; what do you know about it?" Q. When did he say that was? A. That was while the party, Booth or whoever it might be, was leaving the stage—that is, making his escape. This man Jake rushed up and was making this explanation, "I know him, I know him; that man was Booth." Ned then turned round and struck him with the back of his hand, and said, "Shut up, you know nothing about it; what do you know about it? Keep quiet." Q. Did Jacob Ritterspaugh say that Spangler said to him, "Do not say which way he went," or words to that effect?" A. He did not, I am sure.

Cross-examined by Judge Bingham—Q. State now exactly what he said to you on that occasion? A. He said: "I followed out the party—was close at his heels; I said to Spangler, I know him, or words to that effect." Q. He said he was right at Booth's heels, did he? A. No; not that; he said he was nearby. Q. Did not you say that he said that he followed the party close at his heels? A. Well, I say he did, and that he received a blow from Spangler.

TESTIMONY OF O. W. BUNKER.

By Mr. Ewing—Q. State your occupation? A. I am clerk at the National Hotel in this city. Q. State whether, after the assassination of the President, you found any articles in Booth's room at the National? A. I found a large-sized gimlet, with an iron handle, in the trunk; I afterward gave it to Mr. Hale, who was attending to Booth's business. Q. Do you know whether John McCullough, the actor, was in Washington the 1st of April? A. I think that the last time John McCullough registered was on the 11th of March; he left the house on the 26th of that month. Q. Did you see him in the city after the 26th of March? A. I did not.

TESTIMONY OF CHARLES B. HALL.

Examined by Mr. Ewing.—Q. State where you have been living for the past two or three months? A. I have been acting as clerk for Mr. Wharton, a sutler at Fortress Monroe. His store is inside the fortifications at what is called Old Point. Q. State whether you are acquainted with the prisoner Arnold? A. I got acquainted with him at Mr. Wharton's store. He came there the latter part of March or the first of April. I could not state the date. It was on Sunday. He was assisting me at book-keeping. He stayed there two weeks and one day, I think. I saw him every day. Q. State whether or not, if so, Arnold made any application for employment? A. He did, I think, by letter, about the first of March. Q. At what time was the answer written? A. I could not tell that; it was about a week before Arnold came. I wrote for him to come.

TESTIMONY OF JAMES LUSBY.

Examined by Mr. Stone.—Q. Where do you reside? A. In Prince George County. Q. Are you acquainted with John M. Lloyd? A. Not very much. Q. State whether you saw him in Marlboro in April last, on the day when Lincoln was killed? Did you see Mr. Lloyd on the evening of that day at Surratsville? A. I and he went there that day from Marlboro. Q. What was Lloyd's condition at the time? A. He was very drunk. Q. Did you see the prisoner, Mrs. Surratt, there that day? A. I saw her as she was starting out to go home. The buggy was there waiting for her, and she left about fifteen minutes afterwards.

Cross-examined by Judge Holt.—Q. You drove up on one side of her house, and Lloyd went round to the other side, did he not? A. Yes. There was a front yard. He went through. When I first came I went into the bar-room and took a drink. Q. Did you see Mrs. Surratt when you first came? You didn't see her in the bar-room, did you? A. No. Q. And you didn't see her when she first came up? A. No. Q. You didn't see her until after you got you drink? A. I disremember whether I got my drink when I first saw her or not. Q. You say Lloyd was drunk; how do you know that fact? A. I have seen him before. Q. Did you see him drinking? A. Yes, and took drinks with him. Q. Which drank the most? A. I never measured mine. Q. Were you as tight as he was? A. Not quite as tight. Q. Were you not as tight after you had the additional drink you had the advantage of taking at Surratsville while Lloyd went around to the kitchen? A. I don't know; I never tried to pass even with him; I did not say I was drunk; I don't know whether I was, though I had drank with him right smart that day.

By Judge Burnett.—Q. Do you live at Surratsville? A. No, a mile and a half below. Q. What has been your business for the last two or three years? A. I have been a farmer all that time; I have never been away from home further than Washington in my life. Q. Mr. Lloyd was sober enough, was he not, to drive his own horse and take his fish, &c., into the kitchen? A. He drove his own horse; I didn't see him go to the kitchen. Q. Did you see him fix Mrs. Surratt's buggy? A. No. I don't know anything about that. Q. How long before you arrived at the house had you seen him? A. I came along with him from Marlboro, sometimes in front and sometimes behind him. Q. How far is it from Marlboro to Surratsville? A. About 12 miles. It is a fast drive of about two and a half hours. Q. Did you stop to get any drinks on the road? A. No. Q. Then he was two and a half hours without getting any drinks before he came to Surratsville? A. Yes, sir.

TESTIMONY OF MATTHEW J. POPE.

Examined by Mr. Doester.—Q. State where you live? A. I live down at the Navy-Yard and keep a livery stable. Q. State whether or not on or about the 12th of April the prisoner Atzerott called at your stable and wanted to sell a bay horse? A. There was a gentleman called at my stable, to sell a large bay horse, blind of one eye. Q. Look at the prisoner Atzerott, and see if you recognize him as that person? A. I do not know; the features are nearly alike; if he is the one, he is not nearly so stout a man as he was then. Q. State what time of day it was. A. It was some time in the afternoon. Q. Did he stay there the rest of the afternoon? A. His horse stayed there some 2 or 3 hours; then he Atzerott went over to the restaurant and took a drink; he next went away with a man named John Barr, after a time he came back, and the man who brought the horse there took him away. Q. Don't you remember the man Barr, was drunk at the time? A. He had been drinking a little; I don't know whether he was drunk or not. Barr was one of the mechanics at the Navy Yard. Q. You are certain this was before the assassination? A. Yes.

TESTIMONY OF MISS MARGARET BRONSON.

By Mr. Doester.—Q. State where you live? A. In Baltimore. Q. State whether you have ever seen the prisoner? A. I first saw him at Gettysburg, I do not remember the time. It was immediately after the battle of Gettysburg. I was there as volunteer nurse. He was in my ward, and very kind to the sick and wounded. I don't know whether he was there as a nurse or not. He went by the name of Powell, and by the name of doctor in the hospital, where he seemed to be attending the patients, both Confederate and Union soldiers. Q. About what time did you leave the hospital? A. The first week in September. Q. When did you meet the prisoner, Payne, again? A. Some time that Fall or Winter, I do not remember when I met him at my own house. He remained there only a few hours. I had very little conversation with him. Did he state to you where he was going?

Question was objected to by Judge Bingham on the ground that the declarations of the prisoner could not be received in evidence.

Mr. Doester replied that he intended to set up the plea of insanity in the case of Payne, and while the declarations of the prisoner would not be admissible to prove his innocence, yet to prove his insanity, his declarations were acts, and therefore admissible.

Judge Bingham replied that the counsel had laid no ground for this course of examination to prove insanity.

Mr. Doester said that the prosecution themselves had laid the ground by proving a series of acts of assassination, which he should claim were the work of an insane man.

Judge Bingham remarked that he supposed it was the theory of the counsel that a man might take a knife large enough to butcher an ox, rush past all the attendants in the house, wounding and maiming them, stab a sick man in his bed again and again, and escape punishment on the ground that the acts were too atrocious for a sane man to commit.

Mr. Doester replied that all the circumstances connected with the assassination bore upon themselves evidence of the work of an insane man. The prosecution had proved that the accused entered the house by a stratagem very likely to be resorted to by an insane man, without the slightest possible disguise, stopping for five minutes to talk to a negro on his way, after committing the deed, making no attempt at concealment, leaving his pistol and hat there in the room, and throwing away his knife, deliberately, where it could be found, in front of Mrs. Surratt's door; getting on his horse and riding away so deliberately, that a man on foot could follow him for a square; then instead of escaping as he could very well have done, on his horse, turning his horse loose, wandering about the city, and finally going to the house, of all others, where he would be liable to be arrested. He claimed that the prosecution in the proof of these acts, has laid abundant ground for the examination he was now making, and he called attention now to Payne's stolid manner in Court, so different from that of the other prisoners.

Mr. Clampitt said that he did not deny the right of counsel to set up the plea of insanity, or any other plea for his client; but he rose indignantly to protest against his bringing in the house of Mrs. Surratt as a place where such a man would be most likely to be arrested. There was no evidence that the house of Mrs. Surratt was a place he would be likely to go to for the purpose of hiding and screening himself from justice.

Objection sustained by the Court.

Q. Where did you see him the third time? A. In January of this year, at my own house. He represented himself to be a refugee from Fauquhar County and gave his name as Payne. He stopped at my house six weeks and a few days, I think. He left about the beginning of March. Q. In what way did his quietus show itself? A. He was a great deal in his room; he seemed to be reserved and I thought to be depressed in spirits; he was remarkable for not saying anything. Q. Was not his depression so remarkable as to be commented on by the rest of the boarders? A. I think not. Q. Do you know how the prisoner happened to leave your house? A. He was arrested by the authorities and sent North, to Philadelphia. Cross-examined by Col. Burnett.—Q. He was arrested as a southern refugee was he not, and made to take the oath of allegiance? A. I do not know what he was arrested for, as I never knew the reason why; he was taken to the provost-marshal's office, and was afterwards released and returned to the house. Q. Do you know whether he came directly to Washington when he left in March? A. I do not. Q. Did he make any acquaintances in Washington while he was boarding at your house? A. He never was out but one night to my knowledge. Q. How many persons boarded at your house? A. I do not know. Q. Was the only other Southern refugee boarding at your house? A. None but him.

By Mr. Doester—Q. Was not the prisoner, during the month of January, long enough away to have made a journey to Canada and back again? Not to my knowledge.

TESTIMONY OF MARGARET KAIGHIN.

By Mr. Doster—Q. State whether you are a servant in the house of Mrs. Branson? A. Yes, sir. Q. Did you see the prisoner Payne there? A. Yes; he came there in January or February. Q. Do you remember a any time a controversy that Payne had with the negro girl there? A. Yes; he asked her to clean up his room there; she said she would not do it; he called her some names and slapped her and struck her, and stamped on her body, trying to kill her; the negro girl went to have him arrested.

TESTIMONY OF DR. CHARLES NICHOLS.

By Mr. Doster—Have I at any time given you an intimation of the answers I expect you to give before this Court? A. You have not. Q. State what your official position is and your profession? A. I am a doctor of medicine, and superintendent of the Government Hospital for the Insane. I have occupied that position thirteen years. Q. Please define moral insanity? A. When the moral or effective faculties are affected exclusively by disease of the brain, I call it moral insanity. My impression is that insanity is oftener caused by physical disease than by moral causes. Q. Is active service in the field among soldiers at any time the cause of moral insanity? A. It is not a frequent case. I have, however, known cases of moral insanity among soldiers. Insanity has increased very much in the country during the present war; much more proportionately than the increase of the army; the increase is accounted for by the hardships of a soldier's life. Q. What are some of the leading symptoms of moral insanity? A. The cases are as diversified as the individuals affected. If a man, for instance, believes an act to be right, which he did not believe to be right in health and which people generally no not believe to be right, I would regard that as a symptom of moral insanity. Q. Is great taciturnity considered a symptom? A. It is a frequent symptom of insanity though. I can conceive how taciturnity could exist without insanity. Q. Is it or not possible for a mad man to confederate with other mad men or sane men in their plans? A. I would say it is not impossible, but that it is unfrequent. Mad men very seldom confederate together in plans. Q. Is it a symptom of insanity if one apparently without provocation commits a crime? A. I should regard it as giving rise to a suspicion of insanity, but not as proof of it at all. Q. Is or is not conduct different from the usual mode of the world the best proof of insanity? A. I will answer that by saying that no single condition is a proof of insanity in every instance, but that an entire departure from the usual conduct of men would be regarded as strong ground to suspect the existence of insanity. Q. If one should try to murder a sick man in his bed without ever having seen him before would it be presumptive proof of insanity? A. It would give rise in my mind to a suspicion that the man was insane, I should not regard it as proof. Q. If the same person, should at the same time, try to murder four other persons in the house, none of whom he had seen, would it not strengthen that suspicion? A. I think it would. Q. If the same person should cry out while stabbing one of the attendants "I am mad—I am mad," would it not be further ground for suspicion that he was insane? A. Such an exclamation would give ground, in my mind, to a suspicion that the man was feigning insanity. Insane men rarely make such exclamations. Q. Do you not remember cases in your practice where madmen have told you they were mad? A. They frequently do it in this way: An individual knows he is regarded as insane, and if taken to task for any improper act, sometimes a man will excuse himself on the ground that he is insane, and therefore not responsible. Q. If a person having committed the acts I have mentioned, should go to a house with a piece of his drawers for his hat, seeing the house in possession of soldiers, would not that be additional proof of insanity? A. I can hardly see what bearing that would have on the question of insanity. Q. I understand you to say that mad men seldom disguise themselves; the disguise in question consisted in a piece of drawers taken for a hat. I asked whether the disguise indicated the work of a sane or insane man? A. It would depend upon circumstances; I don't recollect the case of an insane person dressing himself in garments of that kind for the sake of disguising himself. Q. If this same person after his arrest should express a strong desire to be hung, would that be additional ground for suspicion of insanity? A. I think it would. Q. Would it be further ground of suspicion if he seemed totally indifferent during his trial, and laughed when he was identified, betraying a stolidity of manner entirely different from his associates? A. I think it would. Q. If the same person during his trial and during his confinement never spoke until spoken to at a time when all his companions were peevish and clamorous; if he never expressed a want when all others expressed many; if he continued the same expression of indifference, while others were nervous and anxious; if he continued immovable, except a certain wildness in the movement of his eyes, would it not be additional ground for believing him insane? A. I think it would. Q. Are not madmen usually insanaed by persons of strong will? A. Yes. Q. Would it not be possible for a person who could exercise such control on a madman to direct him to commit a crime and secure its commission? A. I should say that it would be very difficult, unless it was done in a few minutes, if the plan was laid and the directions given. Q. If a man should own slaves, and believe in the Divine origin of the institution, and fight in its defence, and believe that he had also fought in defence of his home—if this man, I say, should attempt to assassinate men who are the leaders of those he believed were killing his friends, would not that give rise to the suspicion that he was laboring under a fanatical delusion?

Question objected to by Judge Bingham. Mr. Doster replied that he would waive the question, and put it in this form: Q. Under this state of facts, would or would not the inference of insanity result therefrom? A. It is impossible for me to give an opinion upon a hypothetical case.

TESTIMONY OF MR. DAWSON.

Q. Are you a clerk in the National Hotel in this city? A. Yes, sir. Q. Look at that letter, and see if it was ever received in the National Hotel? A. It was found among the initial letters a couple of weeks before I was here. I noticed it, and the initials struck me as rather peculiar.

Mr. Pittman, at the request of the Court, then read the following letter:

"South Branch Bridge April 6th 1865.

Friend Wilkes. I received yours of March 12th, and reply as soon as practicable. I saw French, Brady and others about the oil speculation; the subscription to the stock amounts to eight thousand dollars and I add one thousand myself which is about all I can stand now, when you stick your well so deep enough. Don't fail. Everything depends on you and your *Helpers*, if you can't get through on your trip after you *strike tile strike* through Thornton Gap and cross by Capon Romney and down the branch; and I can keep you safe from all hardship for a year. I am clear of all surveillance, now that Infernal Purdy is best. I hired that girl to charge him with an outrage, and reported him to old Kelly, which sent him in the shade; but he suspects too much. Now, had he better be STRENGTHENED or GOOD? I send this up by Tom, and if he don't get drunk, you will get it the 9th. At all events, it can't be understood if lost. I can't half write. I have been drunk for two days. Don't write so much highfalutin next time. No more, only Jake will be at Green's with the hands. Burn this. Truly yours,

(Signed) "LION."

"Sue Guthrie sends much love."

"Mailed at Cumberland, Md., May 8."

This letter, according to the post mark, was mailed at Cumberland, Md., May 8, although it is dated May 6.

TESTIMONY OF MR. PLANT.

Q. State your occupation? A. I am a dealer in furniture. Q. Have you visited Ford's Theatre to-day, and examined the keepers on the private boxes? A. Yes, and according to my opinion the keeper of boxes seven and eight, were made loose by force applied from the outside.

The Court after some further proceedings, adjourned till ten o'clock to-morrow morning.

An Incident of the Trial.

Washington, June 2.—During the recess hour Miss Anna Surratt entered the Court-room and took a seat near her mother. She was dressed in deep mourning and her eyes had the appearance of being heavy with grief. She occupied the same seat during the afternoon proceedings, being just below the raised bench occupied by her mother. The sorrowful eyes of the mother were almost constantly bent on her daughter with a look of indescribable yearning.

News Items.

(By Telegraph to the New York Sun.)

DURING the month of May requisitions to the amount of ninety-seven millions of dollars were made on the Treasury for the pay of the armies.

A FORT on of the bluff above Columbus, Ky., fell into the river yesterday, carrying with it Fort Halleck and several buildings. It is feared that a number of lives were lost.

SECRETARY MCCULLOCH has just addressed the following circular to the Collectors of Customs: "All restrictions heretofore placed by the Treasury Department on the exportation of anthracite coal, are hereby removed."

THE Washington police have taken possession of Seaton Hall, with the jewelry, implements, etc., of the New York Manufacturing Jewelers' Association, and arrested the principal and assistants, on a charge of swindling.

THE British steamer Bosphorus reports, that on May the 31st, off Cape Sable, she collided with the schooner Northern Chief, of Gloucester, sinking her immediately. Out of a crew of eleven persons, five only were saved.

TRADE has fairly opened with the people of Northern Alabama. Two steamers have gone below from Cairo, Ill., laden with merchandise for that section, which sells readily at satisfactory

(Continued on the Last Page.)