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PRINCIPLES GOVERNING THE CONDUCT OF THE APPEAL.

A Government of white men for white men; and no political miscegenation.

Loyalty to the Union of the States: Fidelity to the Constitution in its true extent and meaning: Obedience to and maintenance of all law, State and National, constitutionally enacted.

Resistance to Tyranny, Usurpation and Oppression, of one man or many; and to all encroachments upon the rights of freemen or of States, or upon the just and Constitutional prerogatives of any Department of the State or National Governments.

No Establishments of Military despotisms, no enthroning of martial law, no suspension of the writ of Habeas Corpus, no slaying of citizens by Military Commission, no interference with the Courts, no letters de cachet, in time of peace.

Strict subordination of the Military to the Civil Power.

No standing armies of States in time of peace

Restoration of disfranchised citizens to all rights and privileges of which they have been disseized; no prosecutions or disqualifications for political opinions; for the Past, oblivion of offenses; for the Present and Future, Union, Peace, Law and Order.

Perpetual assurance to all freemen of the African race, of all the civil rights of freemen

No Repudiation, by State or Nation, of any honest and lawful debt.

No revival of old party differences; but a Union of all Conservative men, of all former parties, who revere the Constitution, to restore the old land-marks of the Government.

No legislation to plunder one portion of the country for the profit of another portion.

Whatever is just; whatever is right; whatever is of good repute, and worthy of the descendants of English freemen

For President of the United States,

ANDREW JOHNSON,

OF TENNESSEE.

[Subject only to the decision of the National Democratic Conservative Convention.]

THE MORALITY OF POLITICS.

The noblest speech that we ever heard uttered by the lips of man, was made by that peerless orator, Sergeant S. Prentiss, in 1844, in Nashville, on the morality of Politics.

In every country where the people rule, they are too little in the habit of weighing the fairness, the honesty, and the morality of public measures, and the means which parties use to win victories withal. The crooked and tortuous policy of monarchical diplomacy, and the habitual over-reaching of one nation by another, are rivalled, and in republics surpassed, by the manœuvrings of cabals, the vile means to which caucuses resort, and the unscrupulous chicaneries of legislation. The evil is greater and grows more rapidly and rankly, and becomes more a settled and fixed vicious habit in republics, because in them responsibility is infinitesimally divided, and a vote may almost always be explained away, and there are, at any rate, many knaves to keep each other in countenance.

The consequence is that liberty soon degenerates into license, Legislatures register the costs of secret caucuses and cabals, corruption becomes the most certain means of securing the adoption of measures; and the most disreputable and universal and dishonoring devices of legislation and partizanship are resorted to, to attain questionable ends.

Mortal diseases afflict the body, and pestilential ones saturate it with their poison, long before the symptoms appear; so that commonwealths often seem flourishing and prosperous after a long course of dishonest and immoral legislation, and when the disease, of which such legislation is the cause, has spread through the whole system, and thrusts its poisonous roots even into the heart of the State.

This is the worst feature of all the late legislation of Congress in regard to the Southern States, that it is dishonest and immoral. It is unmanly, ungenerous and ignoble; and these characteristics are the symptoms of the deadly disease which perhaps no medicine can cure. Everything that is enacted seems to proceed from bad motives, and to seek to attain evil means. All is immorality and corruption. In the words of a Northern journal:

"Bad men, actuated by the most corrupt motives, have been plundering the country from one frightful extreme into another for the past three years. Their legislation at Washington has been the most atrocious that ever disgraced civilization. Gigantic fraude go unpunished, gross corruptions are whitewashed or covered up, unprincipled character wield the greatest power, and to despise the Constitution, to break down the bulwarks which the fathers of the republic erected to reach the acme of republican distinction in Washington. Impeachment is leagued with and is only another name for repudiation. To punish a temporary political offender they would crush forever the credit of the nation. To destroy the Democratic party they would not hesitate to drag the country into the vortex of irretrievable bankruptcy, anarchy and ruin. The more effectually to subdue not already subdued portion of the country, once in rebellion, they have brought to their aid a race of barbarians and clothed them with all the prerogatives of the reigning race of the land; and through their instrumentality they hope to perpetuate and strengthen their hold upon a political power they were only created to abuse. To fulfil up their narrow-minded oligarchy they have laid violent hands upon that gallant soldier, Gen. Grant, and are endeavoring to use him for their partisan purposes. With the prestige of his name and the assistance of the Southern negro vote they expect to carry the next Presidential election, and thus entail upon the American people another four years of intolerable misrule."

Perhaps no more grossly immoral or dishonest measure was ever proposed than that which Congress would have enacted, if Mr. Stevens had insisted upon it, of which he became ashamed, but which was re-proposed by another, less scrupulous than he. Of that measure, as proposed by Mr. Stevens, we borrow the language of the New York *Times* to say, in words not too severe:

It is not easy to conceive of a more fraudulent or unjustifiable political proceeding than this. Congress enacted a law declaring that unless the whole number voting amounted to a majority of the registered voters, the Constitution should not be adopted. Those opposed to the Constitution, acting under this law and for the purpose of carrying out their views, abstained from voting. They were entitled to do this by the law. They were in fact invited to do it as the best means of giving effect to their wishes. And now Mr. Stevens proposes to repudiate openly and shamelessly the provisions of the law on that point. It is a naked and simple fraud—one of which Mr. Stevens ought to be heartily ashamed. Party necessity may do much—but it cannot give a semblance of decency to such a proposition as this.

What object it is intended to serve it is not easy to see. It may be Mr. Stevens seeks in this way to get into the Senate two more Radical Senators to vote for the conviction and deposition of the President; but the motive, if this be it, only adds to the turpitude of the scheme. Nor is it easy to see how the State Government is to be organized, the legislature summoned and the Senators elected in time to take part in the trial. Perhaps it is thought they may reach Washington in time to *vote*, and not to hear the evidence or the argument.

The Constitution might be again submitted to the people of Alabama under the new law—and the people of the State might be held to abide by that result. There would be nothing, perhaps, out of the way in this. But to impose upon them a Constitution they have distinctly rejected, transcends the ordinary limits of party unscrupulousness.

It was not suggested, by the Committee of the House which recommended the instant admission into the Union of the negroes of Alabama, that there was any doubt as to the meaning or construction of the former act, or that the people of Alabama were misled or deceived about the effect of staying away from the polls. They shamelessly propose, after having established a law and made it doubly certain by a failure to repeal it, to declare that it was not the law, and that those who acted under it should be defrauded of their votes. Here is the sentence of the report, which contains this impudent declaration:

The principle, therefore, that a majority of the votes cast should govern, has been restored, and your committee can see no reason why it should not govern in the present case.

These legislators, the New York *World* says, can see no reason why the people of Alabama should not be defrauded of their right to reject a Constitution, which no man in New York would submit to for a moment, by a law passed after the election in which they rejected it! There is no one so depraved as to be morally blind to the enormity of this proposition. "All in favor of the resolution will rise, and those opposed will keep their seats," says the Speaker of the House of Representatives. One-third of the voters rise, and two-thirds keep their seats. "The resolution is carried," says the Speaker.

Those who did not rise object, and insist that their votes must be counted. "Oh, no," says the Speaker; "since I put that question, I have decided to require both sides to vote by rising, and as you did not rise I 'can see no reason' why the principle adopted after that vote was taken 'should not govern' in your case."

We say, with the *World*:

Whether indignation or contempt should prevail in the breast of any honest man who reads this report is difficult to decide.

And we also profess it to be our conviction, after a somewhat extensive acquaintance for thirty years with those whom the *World* calls Statesmen, that we would not trust, in any transaction of life or business, any man who has voted or shall vote, for so enormous a scoundrelism as is proposed to Congress in the case of Alabama. The man who will do a dishonorable, unfair or dirty act as a legislator, will do the same in private life and business, if the inducement offered be of sufficient magnitude. It is useless to undertake to separate the man from the politician. Dishonest legislation is only one of the symptoms of the general dishonesty of the people. A Northern Congress legislates as the Northern people inspire it to legislate. It breathes their passions, utters their sentiments; and if its legislation is ignoble, it but reflects the general ignobility, which swaggers or sneaks among crowds of negroes, up and down Pennsylvania Avenue, mingles with Æthiopia in the galleries of the Senate, and flows through all the social sewers of Washington

How utterly corrupted and demoralized men who were once lovers of truth and justice can become, under the pestilential influences of partizanship, is singularly exemplified by the following passage from the New York *Tribune*, which cannot be characterized as it deserves, by any language fit for the columns of a respectable journal:

We rejoice that the withdrawal of the bill to place Alabama under a new Constitution has not resulted, as was generally supposed, in the killing of the bill, which has been again (in substance) reported to the House by the Reconstruction Committee. We regretted that Mr. Stevens should have seen fit to yield to the clamor raised against his bill. We hold that the asserted assumption and terrorism whereby the rebels of Alabama prevented the ratification of that instrument by a majority vote was a most culpable conspiracy, which should not be allowed to prevail. Congress, in recalling before that conspiracy, concedes a virtual triumph to the rebellion. We knew that Andrew Johnson had backslidden from his declaration that "Loyal men, black or white, shall rule America," but did not believe that Congress could be induced to follow his example. This certainly seems to us a step in that direction, and we therefore deplore it.

The dishonesty of the proposed legislation more strikingly appears by the provisions of the Alabama Militia Ordinance, which will be in full force the moment that State is admitted under the sham Constitution made by the miserable scum who assembled at Montgomery. We take the following summary of its provisions from a communication in the New York *World*, and only wish that we could compel every honest man in the North to read it:

In the first place, instead of the ordinary compulsory service, this Alabama militia is to be *volunteer*. The reason is obvious. The white man will not serve side by side with the negro if he can help it, and by making the service voluntary the white man stays out, and the force will thus be, as is desired, composed entirely of negroes. In the next place section four provides for a force of 21,800, with a power in section twenty-four to the Legislature to at any time amend this section four so as to increase the number of troops to any extent desired. Next to be noted is the time limit fixed allowed by section seven to the Commander-in-Chief of this Ethiopian army; that is to say, the Governor. He is to have an Adjutant-General and a Quartermaster-General, and an Inspector General, and a Commissary-General, a Paymaster-General, a Surgeon-General, and a Judge Advocate General, with three Aids-de-Camp. And then, if not satisfied with this array, may detail in addition "such officers as he may deem proper." High salaries and fat perquisites are attached to all these offices, and well may the people groan at the idea that this system would impose upon them to pamper the knaves and bullies who would cut their throats. Section eight means that the bogus Governor is to have power to draw he chooses with his troops—that is the English of it. Sections thirteen and fourteen open a system whereby the bogus courts are to come to the aid of the bogus Colonels where a emancipated "caveat." Certain portions of section fifteen provide that the Sheriff is to exact fines from recusant militia before judgment has been rendered, and that militia officers are to override the whole legislation of the saints in Congress by putting Coffees who will not drill at involuntary labor before they have been convicted of any offense. Section nineteen gives Cuff half a dollar a day for the use of his horse when called out to guard the liberties of the State on occasion. This will be a big item in the taxes, not to speak of losses by the horses stealing horses so as to serve in the cavalry. And now to the three closing sections of this ordinance, which are as three steel nails to safely rivet and bind the whole thing together. First comes section twenty-four, which ordains: "The General Assembly of the State of * * * * * may at any time amend or repeal this ordinance." What a magnificent grant of power that to each Legislature, each freely loil Legislature is to be given in relation to this whole subject all power that a sovereign State convention may possess. Then comes section twenty-five, which declares it the duty of the bogus Governor to so distribute his troops "as to ensure the public safety." Now this is quite in the Roman vein, isn't it?—to beware lest harm come to the Republic and all that sort of thing; but in plain English it means that if the Black Crook "constitution" is forced on Alabama, and a portion of the whites at any time are goaded into resistance, His Illegality, the bogus Governor, may pour down his whole 21,800 cut-throats upon that people—to rape, burn, murder, and destroy. Then comes section twenty-six, which apportions the companies of this militia to the various counties of the State. Four of the counties were abolished, and to thirty-nine of the remaining fifty-eight, in which there are white majorities, are assigned sixty-six out of the one hundred and forty companies to be raised. Nineteen counties having negro majorities, are to have seventy-four companies, so that even were the white men willing to go into this organization, the bulk of the Alabama militia would still be negroes, and this, too, when by the census returns of 1860 the voting population of the State stands 108,410 whites and 90,693 negroes, or a white majority of 17,807.

It will always be much wiser to discuss the honesty and fairness of measures of legislation, than their policy or impolicy, their expediency or inexpediency. Congressional legislation, even on ordinary subjects, is, for the most part, only a series, too often incoherent, of shifts and expedients. On the subject of reconstruction, the whole is dishonest, unfair and disgraceful. For, how little soever it may seem so to legislators, a man ceases to be a gentleman when he votes for a dishonest measure, or assists, as a legislator, in doing that which it would be unworthy of a gentleman to do in the transactions of private life. In England, the gentleman ranks above the nobleman; and a Prince of the blood, guilty of an ungentlemanly act, would be sent to Coventry, in any military mess in the kingdom. The Norman blood does not brook ungentlemanly dealing, and the Saxon nature instinctively loves fair play. The Reconstruction legislation is all *foul* play, and such things, done in private life, would soil the hands of a gentleman forever. The truth is, that the majority of the members of the present Congress are not fit to legislate for a Republic. They do not seem to have the slightest idea that there are any noble instincts in human nature to be appealed to; but they habitually appeal to all that is brutal and mean in man, and rely upon it as the surest means of effecting their purposes, even with the conquered, but not tame or cowed people of the South. In a word, they are not gentlemen, but snobs and sneaks.

Speaking, for example, of the pending measures to remove disabilities from a few Southerners, the New York *Tribune* says:

A little generosity of the kind Mr. Bingham proposes is *one of the best investments the loyal people can make*, and will do more than almost any other thing to prepare the way for a complete restoration of harmony and fraternity.

Upon which the *National Intelligencer* pertinently remarks:

Of course all "loyal" politicians will heed the hint. Levying black mail is usually denounced. This is like it, as an earthquake is like a shaking floor—different in degree. The object is support to their party. Southern white men refused it. The whole of them are outlawed and attainted, and then their own rights are sold to them, one by one, in consideration of their votes, and those which they can influence. Was ever highway robbery so brutal? Was ever pocket-picking so mean? Was ever dishonesty so devilish? "A good investment." The *Tribune* closes: "Let the bill pass." Yes, let it pass. Choke him until he promises to be your slave. You have struck him down. Keep hard your clutch on his windpipe till he pays you for the breath he is to draw. If he consents, "let the bill pass."

"BOUND HAND AND FOOT."

"Mr. Butler said that the Managers of the House would be bound hand and foot by this decision." The decision here referred to, in the telegraphic report of the proceedings of the High Court, was that the Chief Justice is the proper person to decide in the first instance points of law or evidence—as the Presiding Officer of the Senate, sitting to impeach the President of the United States. This ruling was made by the Chief Justice, in view of his high responsibilities under the Constitution. It was a deliberate and matured judgment of the highest judicial officer of the Government and is most clearly a sound and correct view of his duties, under his solemn oath of office. And yet by this the Impeachment Managers acknowledge themselves to be "bound hand and foot." *Bound* by the decision of the Chief Justice! *Bound* by the Constitution! *Bound* by Justice! This can be regarded as nothing less than treason and disloyalty. What right has the Chief Justice to place any constitutional restriction—any legal manacles upon the sacred hands and feet of the Managers? Strike off the manacles and let the dagger and the brand be uplifted high in the very Temple of the Constitution by the hands of Radical loyalty.

SUPPRESSING A NATIONALITY.

But though France, Austria and England may have no right to remonstrate with Russia against violating a treaty for which neither of them has shown a great respect, a joint intervention, diplomatic or otherwise, in behalf of Poland, would be enthusiastically applauded by all parties in Europe, especially by the Liberals. The decree for the absorption of Poland into Russia is an act of monstrous iniquity which has hardly a parallel in the history of the nineteenth century. It is difficult to see how a Government, in many respects so far-sighted as that of Russia, and which, in the Eastern question, pleads in justification of its plans against Turkey the rights of the Christian nationalities of that country, should ever have conceived the idea of suppressing, by decree, a nationality. —*New York Tribune.*

Is it any worse to "suppress, by decree, a nationality," than to prevent by arms eleven States from forming one, and to suppress it when formed? On what ground can it be pretended that Poland has any more right to the restoration of her nationality, long ago extinct, than the Southern half of the United States had to its independence?

Russia has conquered Poland three or four times, when the latter has rebelled. Now it *absorbs* it into itself, making it a Russian Province. The United States conquer the South, suppress the Confederate States, and make them Provinces, governed by an absolute and unmitigated Military Despotism. Is this not "an act of monstrous iniquity,"—at least as monstrous as the "decree for the absorption of Poland into Russia?" Russia and the United States are particularly loving allies. The Czar has his Poland, as our Congress has its South, to torment and tyrannize over. The two have the same ideas as to the proper mode of dealing with a conquered people. It is rather insolent in the zealous defender of one, to rebuke the other, especially as it is not known that the Czar has anywhere set emancipated negroes over white men, or employed them to manufacture Constitutions.

TENNESSEE.

—The real Governor of Tennessee is Dr. Boynton, Brownlow's son-in-law, says the Louisville *Democrat*. But the Knoxville *Herald* thinks Pap Thomas is the man. Perhaps the former is civil Governor, so called, while the latter is certainly the military official.

The Nashville *Banner* is responsible for the following: The man who represents Gibson county in the Legislature is one McNair. Some time since a younger brother, while in this city, was seized with the smallpox, and the "truly loil" Representative nursed him. For this he sought in a bill of $180, and asked the old gentleman to pay it. McNair, senior, refused, and Representative McNair sued and obtained judgment against his own father. The old gentleman indignantly appealed the case to a higher court. We have heard of fellows murdering their own grandmothers to sell her remains for soap grease, stealing the coppers off dead darkies' eyes and kicking the corpse because they were not quarters, gobbling rings from their mothers's ears and slapping the old lady because she didn't like it; but all these little eccentricities have been laid in the shade, eclipsed out in the cold, and slink back into nothingness, when compared with the actions of the honorable gentleman from Gibson.

—The Nashville *Gazette* says: There are thirty-five Democratic and Conservative papers published in Tennessee, of which nine are dailies and the rest weeklies. Of these, thirteen are set down as out and out Democrat, while twenty-one are classed as Conservative, and one, the Memphis *Bulletin*, as "doubtful."

Like Adam's recollection of his fall.

—At an election for municipal officers in LaGrange, Tenn., a few days ago, a negro named John Clay was elected as one of the Aldermen, but at the organization of the Board, having been convinced by some one that he was ineligible, he retired.

—A dispatch from Columbia brings the welcome intelligence that the Conservatives swept the field in the election which was held at that place on Saturday. The new Mayor and seven Aldermen are sound to the core. Only two Radical Aldermen were elected. A large number of negroes voted against the League candidates, and the new men were left entirely out in the cold.

—Joseph Howard escaped from custody at Alexandria last Wednesday night, and a reward of fifty dollars is offered for his capture. He was charged with horse stealing.

—The Nashville *Banner* of the 29th says: We learned from passengers on the yesterday afternoon train that the election at Gallatin went off quietly, with the exception of one or two street fights. Capt. Phillips went into the town yesterday morning with fifty of his self-constituted negro militia, armed and equipped. Col. Lieb, Commandant of the Post, fearing that a serious riot might result from the threatening attitude of the militia and the determination of the citizens to bear no encroachments upon their liberty and peace, disarmed and dispersed the band of ruffians. This doubtless saved a bloody collision, for which the militia, special police and citizens were but too well prepared. We also heard that the militia endeavored to vote with arms in their hands, but that this was prevented by the special police, until such as belonged in the county put away their arms and voted on an equal footing with the white men. It is also stated that the militia were disarmed by the police. The race for Chancellor was considered close, with, however, the chances in favor of Judge Barry.

—L. L. Handeman, was arrested at Franklin, on Friday night, for a burglary committed at Clarksville on the previous Sunday morning. He claims to live at San Antonio, Texas,

BY TELEGRAPH.

Night Dispatches.

WILMINGTON.

Wilmington, N. C. April 1.—Political excitement is intense all over the State, both candidates for Governor, also Ex-Governors Graham and Vance and other leading men are canvassing the State, and not less than two hundred speeches per day are being made.

JACKSON.

Jackson, April 1.—In the Convention to-day, the report of the Legislative Committee was adopted on its third reading.

The Immigration Committee submitted a plan of immigration, which provides for forming a stock company whose object will be to purchase, lease and improve land, and have power to borrow money on mortgages.

WEATHER AND RIVERS.

Louisville, April 1.—The weather is cloudy and warm.

The river is falling steadily.

Business on the levee is only fair. The Westmoreland, from Cincinnati for New Orleans, passed down. The John Kilgour did not get off last night, but left this morning for New Orleans.

St. Louis, April 1.—The weather is cloudy and warm, with indications of a storm.

FOREIGN.

London, April 1.—The negotiations between Prussia and Denmark in regard to the disputed territory of Schleswig-Holstein, still continue. It is reported that the Danish Commissioners recently asked the session to Denmark of the Island of Alsen, in the Baltic, and the Fortress of Duppheim on the mainland. The latest telegrams say that Prussia has decidedly refused to accede to the request of Denmark.

Madrid, April 1.—The Spanish Government will grant Cuba an army organization similar to her own.

SAVANNAH.

Savannah, Ga., April 1.—A. A. Bradley, a negro lawyer, is circulating in this city and adjoining counties the following circular, which causes great excitement: "Notice to all bad men in the city of Savannah who now threaten the lives of the leaders and nominees of the Republican party, and of the Presidents and members of Union Leagues of America: If you should strike a blow, the man or men will be followed, and the house in which he or they take shelter will be burned to the ground. Take heed, mark well! Members of the Union, rally, rally, rally, for God, life and liberty!"

ST. LOUIS.

St. Louis, April 1.—A report from Fort Laramie says the Cheyenne and Northern Arapahoes will be fully represented at the Indian Council. The Sioux are not in yet, but are soon expected at Laramie.

Passengers by the Santa Fe coach, which reached Hays City, Kansas, on the 28th ult., report that on the Wednesday previous, a band of Indians robbed a train camped on the Arkansas river, twenty-five miles below Fort Dodge, of twenty-five mules, and the next day they robbed another train of six mules and all its provisions. They were said to be Cheyennes.

RICHMOND.

Richmond, April 1.—In the Convention to-day resolutions were called up inquiring into the conduct of Judge Underwood. He made a statement denying having offered any bribe to the Executive Committee, to be paid by Mr. Sprague, if they favored Mr. Chase for President. The resolutions were then indefinitely postponed—ayes, 80; nays, 17.

Hoyhurst, the Chairman of the Executive Committee, rose afterwards, and renounced his published statement.

A negro was in the chair to-day, for the first time since the session began.

It is understood that Gen. Schofield will shortly issue an order removing Gov. Pierpont, Joseph Mays, as Mayor, and Thos. U. Dudley, as City Treasurer.

WASHINGTON.

New York, April 1.—A Washington special says that the difficulty between Butler and Grant has been amicably settled.

Another special says the position assumed by Associate Justice Grear, of the U. S. Supreme Court, when the McCardle case was called up on Monday, gives rise to considerable comment. After Judge Black had concluded his remarks, Judge Grear submitted the following paper which was read: "Ex parte W. H. McCardle—This case was fully argued in the beginning of this month as a case which not only involves the liberties and rights of the appellant in this case, but of millions of our fellow-citizens, and the country had a right to expect that it would receive the immediate and solemn attention of the Court, and by the postponement of this case the Court has subjected themselves, whether justly or unjustly, to the imputation that we had evaded the performance of duty imposed upon us by the Constitution, and waited for legislative interposition to supersede our action and relieve us from our responsibility. I have only to say, *pudet hoc opprobria dicere nam patiuntur repelli*, or, literally translated, I am ashamed that such opprobrium should be cast upon the Court, and that it cannot be refuted.

CONGRESSIONAL.

HOUSE.

WASHINGTON, April 1.

The House met at 12 m., and the reading of the Journal was dispensed with, and it resolved itself into a Committee of the Whole and proceeded to the Senate chamber.

SENATE.

At four minutes past twelve the managers, the House as a Committee of the Whole, and the President's counsel, having taken their usual places, the Court of Impeachment was called to order by the Chief Justice, and the minutes of yesterday's trial read up to the mention of the vote cast by Chief Justice Chase, to decide the vote on the question of retiring for deliberation, when Sumner made a motion to correct the Journal by inserting as an expression of the Senate's opinion that the said vote of the Chief Justice was unauthorized and of no effect, and said, "on this motion I demand the ayes and nays," which were taken, and resulted as follows: Yeas, 21; Nays, 27. So the motion was disagreed to.

The question as to the admissibility of Burleigh's testimony about the conversation between him and Gen. Thomas, was then submitted to the Senate, by the Chief Justice, but before the vote was taken, Frelinghuysen inquired "if the managers intended to connect the testimony of the witness, with the respondent's."

Butler answered affirmatively.

Stanbery then rose and said that the Court had at length reached the domain of law and question requiring careful consideration and argument. He stated the question to be, whether or not the declarations of Gen. Thomas were to be used against the President, though not proven to have been authorized by him. It is alleged that the *gravamen* of the offence charged in the first three articles consist in the issuing by the President of the letter of authority to Gen. Thomas. In the fourth article, the offence charged is a conspiracy with Gen. Thomas to obtain, by force and intimidation, the office of Secretary of War. These were the only articles whose consideration was necessary as yet. We have no proof of anything said by the President before or after giving this letter of authority. The purpose of the present attempt was to show the President's intention in issuing it, by the production of irrevelant testimony about remarks made by Gen. Thomas without authority of the President.

The President's intentions should only have been shown by the orders themselves. The order and letter of authority given to Gen. Thomas did not make him a general agent of the President, as they authorized him to do only certain specific things. When the proper foundations of the proof of a conspiracy is laid, then the declarations of one of the supposed conspirators may be demanded, to implicate the accused, and then only. In this instance, no such foundation of proof has been laid; and even if it were admitted, which he denied, that the letter of authority constituted a relation between the President and Gen. Thomas, of principal and general agent, it would not be maintained that the letter was in itself, proof of a conspiracy. The nature of the order was according to the usual formula, to designate an officer, known to the law, to execute the duties of an office established by law. It would not be asserted that all the officers appointed by the President became his special or general agents. The President and his appointees were alike officers, and responsible to the laws. The managers say they expect hereafter to show a connection between the declaration of Gen. Thomas and the respondent.

Butler—I did not say hereafter.

Stanbery—Did you not say you had done it heretofore?

Butler—No.

After considerable discussion between the managers and the President's counsel, the yeas and nays were demanded and taken—yeas 29, nays 11.

Burleigh was then called, and said that on the evening of the 21st of February, he went to see Gen. Thomas at his residence, and he told him that he had been appointed Secretary of War *ad interim*, and had gone to the Department and demanded possession, and that Stanton asked him if he would give him time to remove his papers. Witness said he understood Gen. Thomas to say that he had already issued orders as Secretary of War, and also that he intended to take possession at 10 o'clock. In reply to inquiries by witness, Gen. Thomas said he would use force to obtain possession if it was refused him.

Butler, "Did you have any conversation with Gen. Thomas while he was acting as Adjutant General?"

Evarts inquired what date the question applied to.

Butler said his appointment to that office was made the week before he attempted to gain possession of the War Department.

Evarts then asked what was the purpose of the testimony.

Butler said it was to show that Thomas has attempted to reduce his brother officers from their duty, just as Absalom had sat at the gates and tried to draw off the people from their allegiance to King David.

Evarts—"Do you intend to put Absalom into your question?"

Butler—"No! I used him as an illustration." [Laughter.]

After a recess of fifteen minutes, Butler read the questions which he proposed to put to the witness, viz: As to what he had heard Thomas say to the clerks of the War Office during the week prior to February 21st.

Evarts objected on the ground of irrevelancy.

Butler made a short reply, and Evarts rejoined, denying that the ruling which permitted the introduction of the declaration made subsequent to the 21st of February, allowed the presentation of a declaration made previous to that time, and said there had been no proof adduced in support of the assertions and villifying remarks made about Gen. Thomas, and that they were uncalled for, certainly at the present time.

Bingham argued briefly in reply, and cited authorities in support of the position of the managers.

The Chief Justice ruled that the question could not be put, no evidence having been offered in proof of a conspiracy before February 21st. The question was then submitted to the Senate, and resulted, yeas 23, nays 22, and the question was put. The witness said that he heard Thomas make an address to a number of clerks in the War Office, about a week or ten days prior to February 21st, in which he said he intended to relax the harsh and arbitrary rules made by his predecessor, and regarding the clerks as gentlemen, said they could go out and come in when they pleased, if they were absent only a reasonable time.

Butler asked if Stanton had acknowledged that the testimony given by the witness before the House Committee was true.

The question being objected to, was withdrawn.

Butler then asked if Gen. Thomas had, since February 21st, reasserted any portion of his conversation with him (Burleigh) in regard to breaking the doors of the War Department was objected to by Evarts, as were also several modifications of the question, which was finally put as follows:

Have you had any conversation with Gen. Thomas since the first one, and since his appointment as Secretary of War *ad interim*, wherein he said anything about using force in getting into the War office, or in any other way reasserting his former conversation, and, if so, what he said?

Witness replied that he had asked Gen. Thomas last week, why the performance promised, had not come off? And he answered that it was because he had been arrested by the Marshal early in the evening, other wise he would have beaten in the doors, etc. On a cross-examination by Mr. Stanbery the witness said he went to the War Office on business with Adjutant General Thomas, who made some address to each of the four or five clerks as they came into the office, to the effect that he would not hold them to a strict accountability about coming to work at precisely 9 o'clock, but that on resuming his position as Adjutant General he was disposed to relax somewhat, and revise the rules made by his predecessor, and he should of course expect a faithful performance of their duties. He spoke only to the employees of his own department.

Samuel Wilkinson was then called. He testified that he had known Gen. Thomas six or seven years, and had a conversation with him on the afternoon of February 21st, at the War Department, in which Thomas said that since the affair had become public, he felt free to talk about it without reserve. He stated that he had demanded possession of the War Office, and Stanton had asked if time could be allowed him to remove his papers, which he (Thomas) had granted; he expressed to witness his intention to demand possession on Monday following, and would, if necessary, call on the General of the Army for assistance, which he thought could not be refused; at Willard's Hotel, that evening, he reiterated the same intentions, except that he would carry them into effect next Monday; he seemed to mean what he said.

Cross-examined by Evarts: Is connected with the press. Thomas told him on Friday that he had issued an order to close the department on Saturday. Witness did not know whether it was issued as Adjutant General or Secretary of War; on direct examination, said he had heard Gen. Thomas say that he claimed to be Secretary of War.

Geo. W. Carter testified that he had known Gen. Thomas many years; saw him at the levee of the President on the 9th inst., and said to him: "General, the eyes of Delaware are upon you, and the people ask you to stand firm." He replied he "intended to, and that in a short time he would kick that fellow out." He did not say who it was he intended to kick out, but witness inferred it was Mr. Stanton.

Cross-examined by Mr. Stanbery: Saw Gen. Thomas before the last time in New Castle, Del.; did not speak with him then; do not remember when or where I ever spoke with him before; did not come from Delaware to see Thomas, but when in the East room felt a desire to see him and the rest of the Cabinet, and being from the same State, wished to pay his respects to him; Gen. Thomas was pointed out to him by Mr. Tanner, and he introduced himself; the idea of "kicking out" did not come from witness; did not say whether he approved of the line of conduct which Thomas spoke of taking; witness communicated this conversation to Mr. Tanner that night, and to several the next day. Among them was a Mr. Smith, from Delaware, whose name was not John, but William, and he came from the Brandywine; witness was summoned before the Committee about the 13th; directly after his examination saw Mr. Thomas in the Committee room.

Butler asked, "did Gen. Thomas thereupon admit what you had sworn was true?" which was objected to and sustained.

The Court adjourned at ten minutes past five, the Senate going into executive session.

TELEGRAPHIC MARKETS.

New York, April 1.—Cotton is active, excited and fully ¼c better; sales 13,000 bales: Uplands, 28c. Rice quiet; Carolina, 10½@11½c. Coffee is quiet but firm. Molasses quiet. Flour, very dull, 5@10c lower. Wheat, 10@2c lower.

Dry Goods firm; heavy brown sheetings, best makes, 18½@19c; other articles are unchanged.

The most active money market to-day since the squeeze commenced. Sterling, 9½@9¾. Gold, 38½@38¾. Governments, 1c@¼c off. Old Tennessees, ex-coupons, 68.

New Orleans, April 1.—Cotton is excited and prices have advanced; sales 8000 bales; middlings, 28c@28½c; receipts 312 bales; exports 3511. Flour firm and steady; superfine, $10. Corn higher, $1 05@1 10. Oats firm, 78@80c. Pork quiet but firmer, $26 75. Bacon firmer; shoulders, 12c@12½c; clear sides, 16½@16½c. Lard quiet: prime tierces, 17½c; kegs, 17½@17½c. Gold, 38½@40. Sterling steady and unchanged. New York sight ¼c premium.

St. Louis, April 1.—Tobacco steady. Flour firm and unchanged. Wheat steady; western, $2 60@2 75. Corn 85@88. Oats, 72@76. Barley $2 80. Rye $1 60. Pork $24 90@25. Bulk shoulders 10½. Rib sides 12½. Clear sides 13½. Bacon, clear sides 15½@15¾, but held for 16; clear rib sides 14@14½; shoulders firmer 11½; canvassed sugar cured hams 18. Lard 16@17.

Cincinnati, April 1.—Flour and Wheat unchanged. Corn firmer, 86@89c. Oats better, 70@71c. Rye dull, $1 80@1 82. Barley unchanged. Tobacco steady at full rates. Pork $24 75, but held for $25. Bulk shoulders, 10½c; sides, 13c. Bacon shoulders 11½c; sides, 14@15½c. Lard dull, 16½c. Hay dull, and $1 lower. Eggs, 19c.

Louisville, April 1.—Tobacco active; sales 229 hhds; lugs $5 25@6 75; fair leaf, $16. Superfine Flour, $8 50@8 75. Corn, 82@83c. Lard, 16½c. Mess Pork, $25. Bacon shoulders, 12c; clear sides, 16½c. Bulk shoulders, 11½c; clear sides, 14½c. Whisky, raw free, $2 20.

London, April 1.—Consols closed at 93½; 5-20s quiet, at 72@72½.

Liverpool, April 1.—Cotton closed active and buoyant; sales 30,000 bales; prices not so high as at times during the day. The market closed firm. Uplands, on the spot, 11¼d; to arrive, 11¼; Orleans, 11¾d. Breadstuffs closed quiet but steady.

FUNERAL NOTICE.

PATTISON—The friends and acquaintances of Col. Geo. Pattison and family are respectfully invited to attend the funeral of his son, Capt. Trios. F. Pattison, at the Second Presbyterian Church, this Thursday afternoon, at 4 o'clock. Services by the Rev. T. D. Witherspoon. Hacks at J. C. Hoist & Co.'s.

DIED.

RYAN—In Memphis, Tenn., on the 1st of April, 1868, of typhoid pneumonia, Mr. John William Ryan, formerly a merchant of Philadelphia, in the 40th year of his age.

Philadelphia papers please copy.

AUCTION.

Valuable Property at Public Sale for City Scrip.

ON THURSDAY, APRIL 2d AT 12 O'CLOCK, at our Salesroom, 276 Second street, we will sell for Moses Levy, Esq., that valuable LOT at the southeast corner of Hill and Robinson streets, 99½ feet front on Hill by 71 feet on Robinson, divided to suit purchasers. CITY SCRIP WILL BE TAKEN AT PAR in payment.

Title perfect.

RYSTER, TREZEVANT & CO.,
mh31 td Auctioneers.

Administrator's Sale.

ON APRIL THE 11TH, 1868, AT 10 O'CLOCK, A.M., I will sell, at the premises, corner Real and Dejoda streets, Memphis, Tenn., One Carpenter Shop and contents, said property belonging to the estate of Fred. Sutter, dec'd.

FRITZ PFAMPERT,
mh31 td Administrator of said Estate.

NEW ADVERTISEM'NTS

MASONIC NOTICE.—A SUMMONS is hereby issued to the officers and members of Hamilton Lodge, No. 229, to attend a Master Masons' Lodge, at the lodge room (Angerona), Odd-Fellows' Building, THIS THURSDAY, April 2d, at 7½ o'clock, for important special business. Every member of the Lodge is expected to be present at this meeting.

All Master Masons in good standing are fraternally invited to meet with us.

H. J. LYNN, Master.
W. H. Butts, Secretary. apl 1i

D. A. Clarke, Memphis, Tenn. J. B. Drury, Late of Cartmell & Drury, Memphis, Tenn.

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