

## By Telegraph.

**Frauds on the National Revenue.**  
Pitt-HOLE, November 17.—Within the past few days, the Government officials have brought to light facts which show most extensive frauds against the Internal Revenue Department. Yesterday, the officers seized wells Nos. 47, 54 and 76, three of the largest on Thomas Holden's farm. The Government claims amount to \$143,000, of which \$88,000 is owned by the United States Petroleum Company, and about \$60,000 by large operators here, who, it is alleged, last night made all their interests over to a second party. The Government has notified the owners of working interests in the wells not to deliver any more oil to the United States Company, until the claim is paid. There is much excitement on the subject, and it is feared that the bottom has not yet been found.

**From Washington.**  
WASHINGTON, November 17.—The Administration candidates for Congress in North Carolina have generally been defeated, and Hon. Bedford Brown, who is reported chosen in the Fifth District by a close vote, is probably the only one, as far as heard from, who can take the test oath. The others all "aided" the rebellion openly, and would undoubtedly plead guilty if brought to the bar of the House.

It is mentioned as a somewhat singular fact, that no despatches have been received from Gov. Perry with reference to the recent important action of the South Carolina Convention. The omission attracts more attention, because in all minor matters that have occurred he has kept the President fully advised.

The full proceedings of the Convention are awaited with interest, there being doubts in the minds of some as to the thoroughness of the amendment Act, as passed.

It will probably, however, be found "in order," excepting, perhaps, the Convention may have seen fit to attach thereto the public declaration of the Secretary of State, and the (reported) opinion of the President and Attorney-General, to the effect that "the powers of Congress would be restrained" by the passage of the amendment. This, I feel pretty sure, was added to the Act.

So far as I have been able to ascertain, the proposition to adjourn Congress to Philadelphia will meet with very little favor. Indeed, it is regarded more as a threat to the hotel and boarding-house keepers to induce them to "come down" than anything else. In either case it will probably be the "attempt without the deed," for Congress will not adjourn, nor will the landlords and the buxom widows abate one postal stamp in their exactions.

The chief topic of conversation among politicians continues to be the sending of General Logan to the Juarez Government in Mexico. He has all along back in his electioneering speeches denounced the Maximilian occupation in unmeasured terms, and has said that "Max. must get out of there." General Grant, who is a candidate for the next Presidency, and is supported by a very formidable "ring" of military chiefs and politicians in the North-west, has often, of late, in private communications, spoken in like manner. We certainly have army enough (about 200,000,) with no end of material of war in depots, for the purpose of war. If hostilities ensue in Mexico, Napoleon will find the population of the country against him, as was that of Old Spain against Bonaparte, and he will be further from his base of supplies. He has, however, a large navy for a base, and it must be acknowledged that the laying up of so many of our vessels, and the discharge of the excess of the officers and crews, don't look much as if war was apprehended.

I have reason to believe that the War Department will back General Baker, its chief detective, in the trial impending upon indictments in our courts.

Mr. Crawford, of Georgia, who was one of the Southern Commissioners to this Government pending the breaking out of the rebellion, is here.

It is stated in Republican quarters that the President has given orders that detectives shall be no longer about the White House.

The canon about freedmen's distresses and privations at this point is exposed to-day by a statement from the Freedmen's Bureau.

Brigadier-General Frank Fessenden has been appointed a Major-General of volunteers.

It is said that there are immense "rings" in attendance upon Government sales, and that transfers among themselves and outsiders are made upon schedule.

**GOVERNOR HUMPHREYS SUSTAINED BY PRESIDENT JOHNSON.**—On the 18th ultimo, the Sheriff of Covich County arrested an officer connected with the Freedmen's Bureau, for assault and battery on a citizen. In default of bail, the officer was committed. A few days after, a body of troops, headed by one Lieutenant Gibson, 58th United States Colored Infantry, released him and arrested the Sheriff. The facts being reported to Governor Humphreys, he referred the matter to General Osterhaus. That officer refusing to act, Governor Humphreys telegraphed the President, stating the case and asking for orders. On the 3d, Governor Humphreys received a despatch from Secretary Stanton, stating that the President had ordered the release of the Sheriff, and the officer—Lieutenant Gibson—to be relieved from command. This action of the President is a gratifying evidence of the fact that he recognizes the supremacy of civil law.

**LARGE BUSINESS IN NEW ORLEANS.**—The *Picayune* notices two instances of large business in New Orleans. It states that one house on Canal street, engaged in the wholesale and ready-made clothing business, sold for the month of October last, goods to the amount of \$450,000. During that month, the great banking house of Pike, Lapeyre & Brother paid over their counter an average of \$1,400,000 per day. Last Saturday, at this bank, 1,200 checks were paid between bank hours, the total amount of which was \$1,700,000. One of the peculiarities of Mr. Pike's bank is that the head of the firm acts as the principal paying teller, paying all the checks and conducting the exchange business.

## The President's Position and Views as to Restoration.

Hon. A. K. McClure, a prominent and influential politician of Pennsylvania, sends to the *Franklin Repository*, of which he is editor, a sketch of an hour's interview with President Johnson, which we copy below. Those portions of it which repeat the President's views are of general interest; the comments and speculations in which Mr. McClure himself indulges will of course pass for what they are worth. He says:

However reticent the President may be on some issues, he seems to have no reserve as to the policy he conceives to be the true one to bring back the insurgent States. He discussed the position of those States and their people with great interest and occasional warmth, and with a frankness that left no doubt as to his purpose. He holds that they were never out of the Union; that secession, however accomplished as a fact, cannot be accomplished in law; that the supreme authority of the Government in those States was not overthrown by the rebellion, but simply in abeyance; and of course it logically follows his premises that, since the rebellion has ceased, the States resume their proper place in the Union, and restoration is accomplished. This, in brief, was the stand-point from which the President discussed the question of reconstruction for more than an hour, and answered suggestive objections at times with an earnestness that demonstrated how ardently he is working to give success to his policy. I could not but remind him that his theory stripped all traitors of the protection they might claim as public enemies; that it would stamp as guilty of treason within the law every man who aided the rebellion, and of necessity demand at his hands commensurate punishment for what he must hold as unmitigated crime, as appalling murder and desolation, for which there is no extenuation to be plead. "You have," I added, "given us on every hand the nation's monument of Mercy—where will be its monuments of Justice? Davis is a proclaimed assassin, as well as a traitor—his agents have died, another Wirz will follow—how are the principals to atone to a people doubly bereaved in their homes and in their chief sanctuary of power?"

To this the President answered, with much animation, that the measure of and time for atonement were yet for the future to determine. I shall not soon forget the emphasis with which he declared that the South must come back and be a part of us, "and," he added, "it must come with all its manhood. I don't want it to come eviscerated of its manhood." To this proposition, abstractly, there could be no objection made. We want the South with all its manhood; which I would conceive to be Southern people with their treason abandoned and their crimes punished—not punished revengefully; not in imitation of the guillotine of France or the Inquisition of Spain; but by making the leaders who conspired to overthrow the Government strangers to its honors and its citizenship, and thus, through life, the monuments of the power, the justice, and the magnanimity of the mightiest nation of the earth. The President said that such may be the measure of punishment; that he had pardoned but few who would come under such a rule; that there are exceptions to all rules, and there were both civil functionaries and army officers who might be pardoned with propriety. He said that he had not yet gone as far in his amnesty, either general or special, as Mr. Lincoln proposed. He explained, what is not generally known, that his pardons are mainly of business men, many of whom were Union men, who must have pardons to enable them to sell or mortgage their lands, or to get credit in their business operations, and added that he had not yet reached the consideration of such cases as Lee, Stephens, Longstreet, Beauregard, and others of that class.

He spoke freely of the proposed trial of Davis, and said that as yet the Government had not taken any steps in the matter. If he is to be tried in Richmond, the trial must necessarily be postponed until the civil authority is fully restored, and then it will be a question of consideration under the condition of affairs which may at that time exist. As Virginia is still practically under martial law—certainly wholly under military rule—I judge that many moons may wax and wane before we can have a great State trial. I do not question the wisdom of this delay, for it is certainly better for the Government to avoid the danger of defeat in attempting to convict of constructive treason in Washington, than to force a trial which might

afford a technical escape for Davis, and leave the great question undetermined. If I were going to guess on the subject, I would say that Davis is more likely to be paroled during the next year than to be tried, and if he is ever hanged, he must do it himself.

The President is clearly adverse to confiscation, and that question is practically settled. Whatever might be the views of Congress, confiscation is not possible with an Executive determinedly hostile to it and with the pardoning power in his hands. I infer, however, that on this point Congress will harmonize with the Executive, as a number of even the radical leaders, such as Greeley and Sumner, openly oppose it. If our credit can be sustained otherwise I am content. Five years hence we shall all be wiser on that point than now.

I believe that the President will wield all his power to effect the admission of the Representatives of the rebellious States into Congress during the next session. The Senate being organized, the question cannot come up there until it is brought up in order; but there will be a strong pressure to force the admission of the Southern members, by placing their names on the roll when the House meets. This Mr. McPherson will not do, and on all votes of instructions he will call only those who are returned from States clearly entitled to representation. The law forbids him to do otherwise, and he will be faithful to it. The question of their admission will then agitate the House, and I fear make a sad breach between the President and Congress. The South is encouraged by the position of the Administration to be impudent in its demand for admission, and it is not improbable that it will in the end be admitted. I have seldom seen Congress struggle against power and hold out to the end.

On the future of the freedmen the President talks well. He displays more sense than sentiment on the question, and means to solve the problem fairly, as demanded by civilization and humanity. Of their ability to win a position that will enable them to be incorporated into our system of Government as citizens he is not eminently hopeful, but feels that it must be fairly tried, with an open field for the negro. That failing, he looks upon colonization as the only alternative.

### Jefferson Davis.

#### ACTION OF CHIEF JUSTICE CHASE.

We have taken pains to examine into the law and decisions touching the proposed trial of Jefferson Davis, reference to which was had in a recent article in the *Intelligencer*, founded mainly upon statements published in the *Republican* of this city.

As to the power to hold special terms, it is provided by the celebrated Judiciary Act of 1789, that the Circuit Judge and District Judge together, or the Judges of the Supreme Court, may order a special term to be held in cases of crime. There has been no statute since to affect this power.

As to the charge against Jefferson Davis, it is, we believe, well settled that in the crime of treason there can be no accessories, and that all persons participating in any way in acts of treason are principals. The Supreme Court, in the case of the United States against Bollman and Startwort, held that "if war be actually levied—that is, if a body of men be actually assembled for the purpose of effecting by force a treasonable object—all those who perform any part, however minute, or however remote from the scene of action, and who are actually leagued in the general conspiracy, are to be considered as traitors."

This opinion is cited and affirmed as indisputably the law by Chief Justice Marshall, in the case of Aaron Burr, page 312, of the report of Burr's case, edition of 1864.

Therefore, Mr. Davis may be tried in any State or Territory where hostilities may have been waged by the rebel military—in Virginia, Maryland, Pennsylvania, the District of Columbia, Tennessee, Kentucky, &c.

Now as to the military aspect of the question. In the case of the United States vs. the insurgents of Pennsylvania, which was heard in the Circuit Court of the United States for the District of Pennsylvania, in the year 1797, before Mr. Justice Iredell, of the Supreme Court of the United States, and Mr. Justice Peters, United States District Judge of that District, and which may be found reported on pages 513 and 514 of the third volume of Dallas' Circuit Court Reports, the Court, after reviewing the circumstances rendering a special session of the Circuit Court in the two Counties of Pennsylvania, in which the indict-

ment alleged to have been committed, and after affirming the right of the Court to hold such special session, in its discretion, in the proper County, proceeded to pronounce its judgment, as follows:

"But even if it were practicable on legal principles to direct a Special Court, can it be thought convenient or safe in the present state of Northampton and Bucks Counties to do so? It is evident that nothing but an armed force has recently been sufficient to quell the insurrection and to arrest the insurgents; and we hope that it will never be expected from the exercise of a judicial discretion that a court of justice shall be voluntarily placed in a situation where the execution of its functions and the maintenance of its authority must depend on the same military auxiliary."

And upon these grounds the motion for holding the special term of the court in either of the Counties referred to was denied.

#### [National Intelligencer.]

#### JUDGE CHASE AND MR. DAVIS.

The *Louisville Journal* is responsible for the following adroit thrust at the Chief Justice:

"We hardly think that Chief Justice Chase would be hardly competent to try Mr. Davis. His legal opinions expressed years ago would render the conviction of Davis by him utterly inconsistent with his past decisions. A number of years ago, in a fugitive slave case at Oberlin, Ohio, he decided that the State Court should take the fugitive from the Federal officers, and he called upon the Governor to put forward the militia to enforce the order of the court. It will be remembered that in this case Judge Swan intervened to prevent an armed collision between the Federal and State authorities, and was subsequently sacrificed for the part taken by him in the matter. Judge Chase has been for many years an advocate of nullification, and as such rendered the decision alluded to above. By the same principle upon which he once urged the military authorities of Ohio to resist Federal authority, would he be required, in order to preserve his consistency, to acquit Jefferson Davis, whose crime consists in obeying his own State in resisting the Federal Government. If, however, Judge Chase should change his opinion and convict Mr. Davis, the decision would be lacking in moral force, because it would be universally said that he changed for the simple purpose of punishing a political enemy. Who shall insist, therefore, that Mr. Davis shall be tried by a judge who is not, as is Mr. Chase, fully committed to the doctrines of nullification? The trial of Mr. Davis before a civil tribunal may be productive of much good to the country, although, as we anticipate, the President should pardon him in the event of his conviction.

Gov. HOLDEN.—In alluding to the recent despatches from Washington to Govs. Sharkey, Perry and Holden, to retain their places till further orders, the *Raleigh Sentinel* says:

These despatches have nothing to do with the recent elections in any of the Southern States. The failures of the Conventions and Legislatures of the Southern States to do all that the Government requires of them is the reason, and the sole reason, why the President determines to continue with us the Provisional Governments, and, of course, the exercise of military authority.

There is nothing in this that ought to surprise, much less alarm the Southern people. President Johnson has given the South the fullest proofs of his sympathy and kind intentions towards us. The military rule which he has exercised has been mild and conservative. While our people would prefer to have civil law and rule entirely restored, yet, in North Carolina especially, we have had no cause to feel that we have been treated harshly by the administration of General Schofield or Ruler. General Ruler has been considerate and conservative, and has administered his office in a manner that has met the appreciation generally of the people. With the present military force in the State, few disorders of any kind have occurred, and we feel confident that none can occur, even if it lasted for months to come, which would be seriously offensive to either party. If we are to have military rule, we hope General Ruler will be continued, for we have every confidence in his ability and in his disposition, to treat our people with kindness and consideration, while he observes at the same time the obligations imposed upon him by the Government.

We have felt it our duty to say this much, because it is due to the President and to General Ruler, and at the same time to quiet the fears which interested persons in the gubernatorial election, have been disposed to excite. We repeat, the election of Mr. Worth as civil Governor cannot have the effect of continuing military rule and authority in the State a day longer than it would have been if Governor Holden had been elected. A knowledge of Jonathan Worth's past and present position, principles and course, can but strengthen the State in the confidence of the President, the Congress and the people of the North.

Advices from Spain inform the Government that the Queen has issued a decree positively forbidding the extension of negro slavery within the Spanish Colonies.

## Auction Sales.

### Handsome Furniture, &c.

#### By Levin & Peixotto.

THIS (Thursday) MORNING, 23d, at 10 o'clock, we will sell, before our store, without reserve, Mahogany Hair-seat Sofas, do. Chairs, Cane-seat and Windsor Chairs, Tea and Card Tables, French Bedsteads, Bureaus, Wardrobes, Cribs, Mattresses, Carpets, Parlor Stoves, &c.

#### ALSO,

1 fine Cart, (new,) Buggy Harness, Copper Kettles, Wheelbarrows, &c. And \$800 in North Carolina State Coupons.

Sale positive. Terms cash. Nov 23

#### Furniture.

#### By Levin & Peixotto.

IN addition to the articles advertised above, we will sell, THIS MORNING, at 10 o'clock, 1 large Extension Table, 2 Marble-top Pier Tables, Trundle Bedsteads, Bureaus, Secretary and Book-case, Clothes Press and Matting, Wilson & Wheeler's Sewing Machine, nearly new.

#### ALSO,

13 shares Gas-light Stock. Nov 23

#### Tract of Land, 200 Acres.

#### By Levin & Peixotto.

ON MONDAY, the 4th December, at the Court House, we will sell, A TRACT OF LAND, consisting of 200 acres, more or less, situated seven miles from Columbia, on the Camden Road, bounded by lands of Thomas Gates, sr., and James Dinkins and others. Particulars at time of sale—which will be positive—and terms cash. Nov 23 them

#### South Carolina College.

THE Stated annual meeting of the Board of Trustees of the South Carolina College will be held at the College Library, on WEDNESDAY, 29th inst., at 7 o'clock p. m. L. L. FRASER, Jr., Sec. Board Trustees. Nov 23 6

#### NOTICE.

DURING my absence from the State, Mr. G. ELLHARDT will attend to my business. All persons having claims against me, will present them to him for settlement, and all indebted will please make payment. JOHN MAYER. Nov 23 1\*

#### STOLEN,

FROM the subscriber, on the night of the 12th inst., a large dark bay HORSE, with a star in his forehead, left hind foot white, and his hind quarters inclined to droop. A reward of \$25 will be paid for the return of the horse, or any information so that I can get him. Mas. S. B. DEWITT, Darlington C. H. Nov 23 1\*

#### Acacia Lodge No. 94. A. F. M.

A REGULAR communication of this Lodge will be held THIS EVENING, at 7 o'clock, in the Hall of I. O. O. F. This being the night for the election of officers, brethren will please be punctual, and come prepared to pay their dues. By order of the W. M. E. O. WITHERINGTON, Secretary. Nov 23 1

#### Thornwell on Truth,

MINISTERING CHILDREN, GRAPES OF ESCHOL, THE BOW IN THE CLOUD, Family Prayers, (McDuff.) Morning and Night Watches, H. More's Private Devotions, The Prophet of Fire, Sunsets on the Hebrew Mountains, and a large collection of choice Religious and Theological Works. For sale now by Nov 23\* TOWNSEND & NORTH.

## CABBAGE.

THREE crates fine NORTHERN CABBAGE, for sale by RICHARD O'BRIEN, South side Gervais street, near Assembly. Nov 23 3

## To Rent,

MY late RESIDENCE, at the corner of Bull and Upper Boundary streets. ALSO, THE BRICK HOUSE at present occupied by Mr. Wm. H. Heyward, on Laurel street. Both places are commodious and comfortable, with every convenience for a respectable family. Possession will be given first of January next. J. W. PARKER. Nov 23 1

## Lime, Hair, &c.

### PARKER & FRIPP,

(Corner of Main and Camden Streets.) HAVE now in store a large and full supply of LIME, CEMENT, PLASTER PARIS, HAIR and BUILDING MATERIAL generally, which they offer at a very low figure. Consumers would do well to call before purchasing elsewhere. Nov 23\* 2

## LIQUORS, CIGARS, ETC.

### PARKER & FRIPP,

(Corner of Main and Camden Streets.) HAVE just received an assortment of choice LIQUORS, CIGARS, &c., which they offer in quantities to suit purchasers. Their stock consists in part of: Cases Bourbon Whiskey, Monongahela Whiskey, Cognac Brandy, Blackberry Brandy, St. Julien Claret, St. Domingo Wine, St. Domingo Punch, Arrack Punch, Haut Sauterne Wine, Star Gin, Gin Cock-Tail, Raspberry Syrup, St. Domingo Bitters, Ginger Cordial, baskets Champagne. ALSO, Boxes AMERICAN SEGARS, Boxes SPANISH SEGARS, &c., &c. Nov 23 2\*