

THE WILMINGTON HERALD.

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WILMINGTON, N. C., SATURDAY MORNING, JULY 3, 1865.

PRICE TEN CENTS

THE WILMINGTON HERALD.

WILMINGTON, JULY 3
LOCAL INTELLIGENCE.

City Provoost Court, July 7.
The proceedings of the City Provoost Court for yesterday morning are quite full, as there was no examination held the day previous. Nothing very serious was found among them:

Stealing.—Jacob Latham, the gentlemanly negro soldier who relieved the Quartermaster of some choice shoes and then sold them, was sent to his regiment this morning under guard.

Absent without Leave.—Bryant Moore, Henry Patterson, Jas. Lightfoot, Wm. Freeman, Jno. Swann, Lewis Smith and David S. Blane, all soldiers, were sent to their different regiments, with a request that they be punished for being absent without leave, and in violation of orders. They were all caught under the new system adopted, and which would be of infinite good to runaways from camp, if they only knew the secret. It must never be known abroad, and it works so well that a soldier cannot possibly go from camp unless it is known by the guard in a few minutes afterwards.

Fighting.—Benj. Monroe was charged with fighting and flourishing a knife in the streets. He was discharged as his reason had returned after a little time for reflection. Knives are dangerous sometimes and should never be flourished about carelessly unless the owner is after a cell in the guard house.

Drunk.—W. H. McCoven, U. S. steamer *Lenape*, Charles Lucas, (white) and Thos. Hughes, an old offender under this charge, were all disposed of lightly for being drunk. More than two-thirds of the cases, outside of those absent without leave, are charged with drunkenness in the streets, soldiers and sailors more so than others, yet liquor must not be sold them. The regular bars we are sure do not. Now the query is, where do they get it?

False Detective.—John Johnson was charged by detective Duffie with rivaling him in his business but without authority to do so. He went as far as a watch in the matter, so it was said, but no further. The case was not sufficiently made out and he was discharged.

Another Absentee.—Jos. D. Bishop, 27th Regiment, orderly at regimental headquarters, was sent up under guard as usual in such cases.

More Fighting.—Two young men were discharged from the offence of beating an old negro man. Their usual good behavior heretofore was given as a guarantee that such a thing would not occur again.

Old Comfort.—Melser J. Elmer, a negro soldier, was examined and contended in a very silly manner that he belonged to the 57th Massachusetts regiment when tried. He is no such a regiment in existence. He tried to be very silly and was sent to the county jail, said to be a good asylum to retain men's minds, if they are not more affected than he pretended to be.

Religious Notices.
Fifth Street Methodist E. Church.—Rev. S. D. Peeler Pastor, Divine service at half past ten o'clock, A. M. to-morrow.
Front street Methodist E. Church, corner of Walnut and Front streets, Rev. L. S. Burkhead Pastor, preaching at 10½ o'clock, A. M.
Rev. A. P. Repton will preach in the Front st. Baptist Church at 10½ o'clock, A. M.
St. Johns Episcopal Church, corner of 3rd and Red Cross streets, Divine service at 10½ o'clock, A. M. and 8½ P. M.
Seats provided for strangers at all of these churches.

THE EFFECTS OF AN EVIL REPORT.—The evil done to the business of the city, by the report of yellow fever being here, and which has been circulated through the interior of this State, cannot be over-estimated. The report has been so extensive in some parts as to have nearly trebled a panic, inasmuch that a man had as soon order his collins to start on a trip to this city. A merchant living at Tarboro', was heard to say yesterday upon the street that two-thirds of the business from his section intended for this place was turned off at Goldsboro' and sent to Newbern, under the misapprehension that an epidemic was raging here. It has been circulated no doubt by designing persons, who have interest elsewhere, that the trade accumulating here, might be broken and they be benefited thereby. This gentleman from Tarboro' gave as an instance of this fact that the telegraph operator at Goldsboro' stopped two merchants from his place, on their way to this city expecting to purchase a supply of goods, by telling them that yellow fever did exist here and even gave the number of cases said to be reported for one day. Where this operator gets his information, by which he is justified in making such a statement is not known, and he should be careful in making a statement of so important a character unless he has the best authority for its truth. The *Newbern Times* very generously corrects a report published by that paper of an epidemic being here, and it should be the duty of every one knowing the falsity of the report to make a similar correction. There is certainly none here and no fears are for a moment entertained of its being here. Should it appear it will be regarded as the first duty of this paper to notify its readers of the fact.

GEN. ORDER No. 9.—The provost guard were out yesterday inspecting the streets for Confederate uniforms. None were found so far as known. A Pennsylvania captain from Kilpatrick's command, stopping at Bailey's, was the butt of many jokes about an attempt to arrest him by the guard as a rebel captain. He was wearing a small strip of gold lace on the coat sleeve and was thus mistaken for a confederate, but was recognized in time to save them the trouble of *unlacing* him. His friends consider it a good joke that one of Kilpatrick's command should be taken for a rebel.

WARM WEATHER.—The weather was extremely warm again yesterday, the thermometer ranged at 10'clock, P. M., at 91 deg. in the shade, which is decidedly the warmest day experienced thus far.

RE-OPENED.—The Fifth street Methodist Church in this city, closed for several months past, it will be told above re-opens to-morrow and hereafter Divine service may be expected there every sabbath.

The sabbath school of this church suspended during the same time will be re-opened on to-morrow (Sunday morning).

APPREHENDED.—Detective Duffie arrested two men in the lower part of the city last evening supposed to be deserters from Co. "E," 6th Connecticut Volunteers, and whose names are Wallace (alias Wilson) and Jackson. They answer the description of the two men who broke jail in this city some time since, while under sentence for desertion. They had paroles in their pocket certifying to their being at one time prisoners of war, but which are bogus.

DESERTED.—Three sailors belonging to the gunboat *Lenape* in the river opposite Water street, deserted on the evening of the 6th inst. They are supposed to have left the vessel and went to the pontoon bridge, where they stole a small boat belonging to Lt. Drinkard, on duty there, and made their way up the river. They were missing in a short time afterwards and a sergeant with five men were sent in pursuit, but had not returned up to nine o'clock last evening.

THE STEAMER EUTAWPE.—This fine steamer leaves for New York this morning at 6 o'clock, carrying out a large cargo and a full passenger list. She will also have files of *The Herald* and the regular mail for the north.

IN THE CITY.—The paymaster to the troops on duty here, arrived in the city night before last and commenced paying off yesterday. He will no doubt be here for several days before reaching the end of his labor.

THANKS.—Our thanks are due Mr. D. D. Whitlock for a copy of the *Charleston Courier* of the 6th inst. Mr. W. come passenger by government steamer *D. H. Mount* arrived here from Charleston yesterday afternoon.

Terrible Tornado in Wisconsin.

Fifty Dwellings Prostrated Seventeen Persons Killed and one Hundred Wounded—Terrible Suffering, ect.

LA CROSSE, Wis., July 1, 1865.
A terrible tornado has just passed over the village and vicinity of Viroqua, Union county, Wis., prostrating fifty dwellings, killing seventeen persons and wounding one hundred. The suffering caused by the tornado is very great, and a call is made for relief. Mayor Lloyd and Postmaster Lottridge have been appointed a committee in this city to receive donations.

The "Road" Murder Explained—How Constance Kent's Secret Was Kept.

[From the Norwich Chronicle, June 2]
The confession of Constance Kent, and the other circumstances brought to light in connection with this extraordinary case, leave the mystery still, a great measure, unexplained. There is an explanation current in the locality, which certainly gives a more consistent account of the dreadful tragedy, but which we have hitherto refrained from publishing, on account of the painful delicacy of the disclosures it makes. As the story is true, however, to get abroad sooner or later, we can find no good reason for withholding it. The circumstances, as they are reported to us, are these: Mr. Kent, who is an intelligent son of H. R. H., the late Duke of Kent, was provided for by an appointment as Inspector of Factories. While going his rounds he formed an intimacy with a factory girl of singular personal attractions, and having her educated as a governess for his children, he made her Mrs. Kent after the death of his first wife. The step-mother, it is said, exhibited even less consideration for the children of the first marriage than is ordinarily expected in like circumstances, humiliating them by requiring of them the most menial duties. Miss Kent was of a most stubborn spirit, and rebelled against the regimen prescribed for her. The conflict came to a crisis on the day preceding the murder, when, it is said, Mrs. Kent whipped her severely; and it was while smarting under the pain and indignity thus inflicted that she conceived the full revenge of murdering her step-mother's darling child. As the story goes, a domestic, to whom local suspicion has all along been attached, discovered the frightful crime. She was induced to keep the secret, and the father and mother had each, of course, their reasons for adopting the same course. It is frightful to think that the self-accused murderer, known to be such by her own father and two other members of the household, should have been living in the family with them so long after, her presence at the table constantly reminding them of the awful secret they held in common, and if this account is true, it certainly cannot be wondered at that they took the earliest opportunity of getting her removed out of their sight.

The Russian Plague Coming.

The *Washington Republican* says that official information has been received at the State Department, from our Minister at St. Petersburg, that the "Russian plague" is spreading fearfully and is moving westwardly. He urges that proper sanitary measures be taken throughout the United States to prevent its introduction here. Acting upon Minister Clay's suggestion, the State Department has issued circulars to the principal municipal authorities throughout the country, suggesting that every possible preventive be used against the approaching evil.

The Seven-Thirties—Subscriptions Increasing.

PHILADELPHIA, July 2.
The subscriptions to the Seven-Thirty Loan on Saturday were \$3,610,400, including 2,527 individual subscriptions for sums under \$100.

The total subscriptions for the week were \$15,809,150.

A subscription has been started in Baltimore and a fund raised to be loaned to Virginia farmers to enable them to purchase horses, mules, farming implements and seed for future crops, the money thus advanced to be repaid by the borrowers.

CIVIL VS. MILITARY TRIAL.

The Detroit Murder—Letter from Governor Crape, of Michigan, Declining to Give Up the Murderers to the Military Authorities.

STATE OF MICHIGAN, EXECUTIVE OFFICE, FLINT, June 15, 1865.
Hon. EDWIN M. STANTON, Secretary of War, Washington, D. C.

Sir: I have the honor to acknowledge the receipt of your communication of the 5th inst., requesting me to "require of the civil officers of Detroit, Michigan, to turn over to the military authorities at that place, in order that they may at once be brought to trial before a court martial, Lieutenant John A. Schwartz and Lieutenant Arthur C. Ellis of the Second Regiment Veteran Reserve Corps, who are charged with the homicide of one Wasso, a hack-driver."

The facts in this case, as they have been represented to me, are substantially these: A number of officers, on the night of the homicide, were absent from the barracks, either on leave of absence or otherwise, and not on duty, and were in a drinking saloon very late in the night. While there, they made some arrangements with the hackman referred to, to carry them to the barracks, and afterward declined going. The hackman demurred at this, and became abusive, and gathered together a number of other hackmen, threatening the officers. At this, the officers went to Fireman's Hall, where a guard of soldiers were stationed, and, without any right to do so, ordered them into the street, where some difficulty occurred between the soldiers and hackmen. The one who was shot jumped upon his back and attempted to drive off, when some one gave the soldiers orders to fire on him, which they did, and he was shot from his seat and died soon after. As I understand the affair, the officers had no business to call out the guard, as it was not under their control, and the soldiers had no right to obey them under the circumstances. It was, in fact, nothing more than a street row.

These lieutenants, together with private Bachelor and five others, are now held in custody by regular process of a court having jurisdiction, charged with the murder of said Wasso, and the trial of the case is set down in the Recorder's Court of the city of Detroit, for Monday, the 19th inst.

Your request for the transfer of these men from the custody of the civil officers of the State to the military authorities at Detroit, necessarily involves two considerations: Have I the power to comply with the request; and if so, would the exercise be politic and wise?

I do not propose in this communication to argue these questions, nor is it necessary that I should do so, but simply to state very plainly the grounds upon which I must decline to interfere in this case with the due administration of the civil laws of the State.

Although it be admitted that these parties were and are officers in the military service of the United States, yet at the time of the commission of the alleged offense by them, neither of them were in discharge of military duty. The homicide was committed, not within the limits of the camp, but in the streets of the peaceful City of Detroit; and in no sense, and to no extent, is this unfortunate affair connected with the army beyond the simple fact that the accused were at the time within the military service of the United States. It was not an offense against the peace and sovereignty of the United States.

Any principle or construction that would exempt these men from accountability to the State of Michigan, would exempt any person in the military service of the General Government for accountability to the civil government for crime committed anywhere within the length and breadth of the United States.

Whether the provisions of the act of Congress, approved March 3, 1865, embrace offenses committed by persons who may be in the military service of the United States, but who, at the time of such commission, are not engaged on military duty, is a point which it is unnecessary for me to discuss or decide. Conceding, however, that it does so apply, it is perfectly plain to my mind that military courts are not by law invested with the exclusive jurisdiction of certain crimes (among which are murder and manslaughter), when committed by persons in the military service.

It never could have been the intention of Congress that in time of war, insurrection or rebellion, each and every person in the military service of the United States, and subject to the articles of war, should not be exempted from responsibility to the civil tribunals of the country for the crimes committed by him away from camps, and under circumstances in no way connected with the discharge of military duties.

But suppose I should deem it expedient to grant your request to the effect that I "require of the civil officers of Detroit, Michigan, to turn over to the military authorities at that place, in order that they may be at once brought to trial before a court martial," these parties. I cannot find that I have any power under the Constitution and laws of this State to comply with such request. The accused are in the custody of the law, and with its administration the Executive can in no way interfere. His power is limited to that of pardon, which cannot be exercised only after conviction. He cannot even direct or instruct a prosecuting officer to enter a nolle prosequi, and he can in no way interfere with the custody, prosecution and trial of the accused. In view of all the facts in this case, it does appear to me that I have no power to comply with your request, and that if I had such power its exercise would be impolitic and unwise. But supposing it be true that the authority of the military tribunals of the United States is exclusive, then the accused have through the ordinary course of judicial proceedings, a perfect defense for their prosecution by the State of Michigan. They can plead this specially, or in some way bring it before the Court; and if the position is sound their release is assured. Should it be feared, as intimated in your communication, that in this case a fair and impartial trial cannot be had before the civil tribunal, I would say that very liberal provisions have been made under our statutes in

reference to the selection of jurors; the Court in which the trial is had may grant a new trial; and after conviction, the defendants, if they consider themselves aggrieved by any opinion, direction or judgment of the Court, may bring error.

Declining, therefore, to take any part in this matter,
I am very respectfully, yours, etc.,
HENRY H. CRAPO,
Governor of Michigan.

The Contest Between Civil and Military Authorities in Philadelphia.

PHILADELPHIA, June 30.

The contest between the military and civil authorities, growing out of the arrest of W. B. N. Cozzens, still continues. Last night three of the Sheriff's deputies proceeded to Provost Marshal Frink's headquarters with orders to arrest that officer. They were driven away by the Provost Guard, and made a return to the court to-day accordingly. The matter has been postponed until to-morrow at 9 o'clock, when the sheriff will probably call upon the citizens to aid him in arresting the Provost Marshal.

There seems to be some doubt as to whether the application for assistance to enforce the arrest should be directed to the Sheriff or to the Governor.

THE LATE REBEL LEADERS.

Glimpses into Jeff. Davis' Desk—Interesting Correspondence.

[From the Boston Advertiser, July 1]

It was announced some time ago by telegraph that some of the personal baggage of Jefferson Davis had been captured by our troops under General Vogdes in Florida, and that in the trunks taken were many letters and papers which might prove of value to our government and of interest to the public. We have received copies of several of these captured letters, the authenticity of which cannot be doubted, and find in them much readable matter. The letters are all confidential, and much of their contents is matter of a private and domestic character, which is entirely out of place in print, and the publication of which, whether the rebel chief or any one else be the owner of the correspondence, would be an exceedingly bad taste.

There are other passages in the epistles, however, the publication of which violates no private rights, and which the public will be interested in reading.

The first of the letters in our hands, is dated at Jackson, Miss., on the 14th of February, 1861, and addressed by Mr. Davis to his wife, just three days before he had been elected President of the infant confederacy by the convention at Montgomery, Ala., and, as might be imagined, he was full of business, and he wrote briefly. He says his reception at Vicksburg and Jackson was most enthusiastic, and that he is constantly "in a crowd of people and events." He had been summoned by telegraph to Montgomery, and was to leave on the day of writing. In the course of the letter occurs the following:

When the military came out on the route, including a company of boys, how I wished the children could have seen it to be remembered in after years.

The children have seen "military" enough since that letter was written to remember, however, companies of boys, and of old men as well, shedding their blood like water for the infamous cause of which the writer of these lines was the chosen leader. Even then, just one month before by his order the guns of Charleston were opened on the national flag, he saw so little of what was in the future that he looked upon the gathering soldiers only with curiosity, and a wish that his children could see the parade to remember and speak of in the peaceful times to come.

We have a letter to Davis from Major General Earl Van Dorn, a leader who attained some prominence in the early part of the war, but has now been almost forgotten. Much of the letter, which is dated in June, 1863, relates to a proclamation of Governor Reelfo of Arkansas, denouncing the rebel government for sacrificing the State west of the Mississippi in concentrating all the troops at Corinth. Van Dorn says that the people repudiate the Governor's "pernicious opinions," and that he stands almost alone in the State. General Dorn protests against the appointment of Magruder to a Western command, and closes his letter with the following eulogistic reference to General Sterling Price:

The love of the people of Missouri for General Price is so strong and his prestige as a commander there so great, that wisdom would seem to dictate that he be put at the head of affairs in the West. I see the alluring bait to my ambition, the fall of St. Louis, the reclamation of a rich segment of our beloved South from the grip of the enemy, and the glory that might be mine; but I shut all this out from me because I think it is the best interest of the country to do so. I drop whatever glory there may be on the brow of General Price, than whom there is no one more worthy to wear it, and by whom I would rather see it worn.

Mrs. Jefferson Davis, in a letter to her husband, dated March, 1863, at Montgomery, gives an odd glimpse at an incident common to all in a slaveholding community, and reproves herself very naively for a bit of inconsistent humanity:

The poor girl I thought of buying appealed to me as the wife of the President, to take her out of the tavern, and looking so weary, said, "I am so tired of being bought by first one negro trader and then another. If you have a little girl, as they say you have, I will wait upon her till I die if she will only be good to me." It was an extravagant kind of sympathy, which I felt self-reproached for afterwards, though upon inquiry her character proved unexceptionable. I have found Jennie D. a very good boy, &c.

date last December, are rather stiffly worded, as a soldier's military missives are permitted to be. He writes anxiously about the troops to be sent to Bragg to stop Sherman's march on the coast, and does not think any men can prudently be withdrawn from the army defending Richmond. He has sent eight hundred cavalrymen, without horses, to Wade Hampton, and thinks they will strengthen his force very much, and that under present circumstances nothing more can be done. Gen. Lee says he thinks Grant is preparing to make a movement against his line, and remarks, perhaps sarcastically, "All we want to resist them is men." He knew at his headquarters, south of the James, December 6, that Wright's corps left Sheridan on the 3d to rejoin Grant, and already had Gordon's division and another on the way from Early's army to reinforce his own position correspondingly.

One of the letters to the rebel President from the Southwest speaks with more indignation than elegance of "the dunghill policy of fighting at every State's threshold," as urged by "shallow politicians too weak to see beyond the door, and too cramped in patriotism to go beyond it."

Mrs. Davis, in one of her notes to her husband, speaks of her "poor old mother" in a manner which in itself is very pathetic, but in the light of recent events becomes comic in its suggestion of the use which the fugitive President is said to have made in his extremity of the name and infirmity of that same aged mother-in-law.

SPIRITUALISTIC EXCURSION.

Open Air Seance—Strange Scenes.

[From the New York Herald, June 24]

"We are but mortal" is a saying often quoted, the meaning of which is apparent. A class of men may fancy themselves of a celestial organization, and claim relationship with the various saints of the calendar; but their earthly inclinations will break out sometimes even in spite of themselves. Yesterday this was well exemplified in a number of spiritualists, becoming suddenly oblivious of their ultra-mundane character, condescending to proceed on one of those harmless combinations of love and lager usually styled a picnic.

At nine o'clock in the morning the *Weehawken* ferryboat carried a precious freight towards the Palisade Park, situated on the Weehawken side of the river. Youth and age, beauty and (must we say it?) homeliness composed the ingredients for the excursion. Having arrived safely at their destination they debarked and climbed no fewer than one hundred and thirty-two steps in order to arrive on the ground intended for the scene of their festivities. Panting and puffing they attained the necessary elevation, and proceeded in parties to follow the bent of their inclinations. Whether this led them will duly appear. Strange, there was none of that ghostliness we were led to expect. The cheeks of the *demoselles* were as ruddy, their eyes as brilliant and their voices as musical as if they were really human. This may have been a delusion, but it certainly seemed very like reality.

SEANCE.

Various were the ways in which the excursionists enjoyed themselves. Having "shuffled on this mortal coil," they determined to act in accordance with the rules laid down by society for the carrying out of picnics, as sensible people should. Some paired off after the manner of the entrance of the animals into the ark—"male and female of every kind." The pairs sought the most secluded portions of the grove, from which fact we are constrained to believe "the tender passion" is really heaven-born, and even spiritualists are subject to the attack of that naughty blind Cupid, who did not spare even his mother. "Love rules the court, the camp, the grove," and why not the spiritualistic confraternity? They seemed, too, to follow the conventional laws of lovemaking—tender pressures of snow white fingers, an interchange of loving glances and encircling of slender waists; in fact (we blush to tell it,) we saw several cases of occupation.

Some sat down and admired the tooral-tooral scenery, and no doubt went into raptures, and "small blades to them" over the appearance of the Hudson, studded with snow white yachts. But others would carry a little of their perspiration with them and hold a seance. There, on the green sward, they got down in a rectangular manner, leaving a large space in the centre as the platform of their operations. The seance was opened by a long thin gentleman, evidently a medium, rising from his squatting posture. His hair, dark flowing locks, was, after the manner of the craft, combed behind his ears.

"Much learning had made him very pale, and lean and leaden-eyed." We were at a loss as to his intention, when, from a green bag, he abstracted what is vulgarly styled a "fiddle." He drew a long bow across the strings, causing the omission of a most doleful concatenation of sounds, and having scraped a peculiar sort of discordance, and having scraped a symphony, actually commenced singing a comic song. His voice was somewhat hoarse, and sounded like that of the Witch of Ender, and the effect of the song was anything but amusing. The comicality of it could not be seen, and every one looked most lugubrious.

The gentleman, Cassius-like, with the "lean and hungry look," having concluded his musical performance, the kindred spirits applauded, and a brother twin, as regards appearance, vouchsafed an oration. From the frequent interposition of technicalities this was quite unintelligible to us. It was intended to prove that poverty was better than riches, and the question was argued with a zest which no one unacquainted with the subject could assume. Here the seance was interrupted by the introduction of a compound of rain water, old boots and cigar butts, known as lager beer. This quite put a stop to both oratory and music, and all prepared to satisfy the cravings of hunger and thirst with a light and, we hope, wholesome repast.

Thus the seance ended, much to the apparent satisfaction of everybody. We had hoped to witness some table rapping; but we suppose the absence of a table was the cause of our curiosity being ungratified.

ATRY MOTIONS.
Sounds of music emanating from the neighboring hotel prospected us to enter, when we beheld—horror of horrors!—the spiritualists dancing, actually treading the intricacies of a dancing, actually treading the intricacies of a dancing.

[Continued on 4th page.]