

THE COMMERCIAL.

NEWBERN, N. C., APRIL 4, 1866.

It is impossible that such convulsions should take place in a state, as have recently shaken our government, without effecting great changes in the organic law. We do not allude to such changes as have been made in the constitution of the United States, by the addition of new articles to that instrument in the manner prescribed by the fundamental law itself, and which must, very properly, be regarded as the necessary and legitimate results of the success of one party in the state, and the failure of the other, in a great civil war; we speak of the changes which have taken place in the construction of that instrument, and by means of new meanings attached to the old words.

That written constitutions—parchment bonds—have any appreciable force in restraining a factious majority in the possession of political power, is an assertion which yet needs demonstration in political history. Mankind are so frail—their knowledge so vague—their faculties so limited—that their ideas and conceptions of things are necessarily ill defined and indistinct; but when those ideas and conceptions come to be embodied in the fluctuating medium of language, and combined in a written constitution, it would be miraculous if that constitution were not liable to misapprehension and capable of misconstruction. From the initiative of the government of the United States there have been two classes of politicians in our midst; the one constraining the constitution so freely and loosely, that all power was likely to be absorbed by the central government; the danger to be apprehended from their rule was centralization and the destruction of our federal system, by a central legislative despotism, usurping all the powers of the government. The other class, in its opposition to encroachments upon the rights of the states and of the people, obtained the control of affairs early in the history of our country, and culminated in the unsuccessful effort upon the part of eleven of the states to withdraw from the general government. The reaction which has taken place in the nation, upon the failure of that attempt, against the principles of those concerned in it, is terrible, and seems likely to destroy the government framed by the fathers of the republic, by driving the dominant majority into the opposite extreme of centralization. Its last official consummation is to be found in a bill, passed by overwhelming majorities in both houses of Congress, entitled "An Act to protect all persons in the United States in their civil rights, and furnish the means of their vindication," which was vetoed by President Johnson, on the 27th of March last. This veto we published yesterday.

The future is to determine whether the popular majorities at home will sustain their representatives in the enactment of such laws as the one in question. It is by no means certain that they will not be sustained. The avowed object of the act is to reap the harvest, and to secure for the nation, at large, the fruits which ought to be derived from the successful issue of the recent war. And it is a melancholy reflection for human nature, how easily and completely even the most intelligent classes of even the most intelligent people may sometimes be imposed upon. There seems some inherent proneness in mankind, when once the popular mind has been bent in a particular direction, to great national delusions. The same men whom we find, as individuals, watchful and wary, not readily trusting professions, nor often misled by appearances, as a body, will often swallow, open-mouthed, the most glaring absurdities and contradictions; and the press, which ought to be the detector of such delusions, will often stoop to be their instrument.

President Johnson recognizes the binding force of the provisions of the fundamental law, and interposes by his veto to save the Constitution; but in the gloom which envelops us, the preservation of our federative system seems to depend upon the character and conduct of a single man. He recognizes the fact, that its foundations are laid on ancient and free institutions, which, good from the first, may go on gradually improving, and which alone, among all others, since the origin of civil society, seem at all likely to solve the great problem of how to combine the greatest security to property with the greatest freedom of action. But he tells us if such acts as the one before him become laws, they will amount to an absorption and assumption of power by the general government, which, if acquiesced in, must sap and destroy our federative system of limited powers, and break down the barriers which preserve the rights of the States.

He urges that the bill is another step, or rather stride, towards centralization, and the concentration of all legislative powers in the national government—and that the tendency of the bill must be to re-associate the spirit of rebellion, and to arrest the progress of those influences which are more closely drawing around the States the bonds of union and peace.

We propose hereafter to enter more fully upon the consideration of this bill, and the objections to it, urged in the President's veto message with so much force and ability—especially if the bill should become a law in consequence of its passage by the requisite majority over his veto—as at present seems more than probable. But what we wish to point out now is, that there can no longer be a question but that there is a direct and unavoidable issue arrived at between the President and the controlling majority of Congress, which cannot be shunned or explained away—an issue of principle—an issue in which, according to the President's own statement, is involved the very existence of the government. He is engaged in no child's play. In this conflict there will be blows to take as well as blows to give. He has thrown himself into the "imminent deadly breach," not for the sake of the South or of the North, but in pursuance of "his sense of duty to the whole people, and his obligations to the Constitution of the United States." He needs help in his perilous position; and little as our aid as a State may avail him, he is entitled to and ought to receive the moral support of our fullest commendation.

APologetic.—The appearance of our paper yesterday was very little to our taste. Our professional friends know the difficulties of "starting a paper," and our unprofessional friends will see hereafter that we can do better. An accident to our press caused our issue to be badly printed, and sickness on our own part led to other drawbacks. Besides, we are working with very few exchanges and short of hands. In a few days all will work smoothly we trust. In the meantime our subscription list exceeds our most sanguine expectations, and our advertising patronage is excellent.

TELEGRAPHIC NEWS.—The present press dispatches are almost worthless, so much so, that most of the papers of the South have discontinued them. We are pleased to state, however, that a new system will shortly be inaugurated under the auspices of the New York Associated Press, which will enable us to lay before our readers full details of important news from all points, including lengthy reports of the markets. This system will be in operation in the course of a few weeks. In the meantime we must do the best we can with the present system.

MAP OF NEWBERN.—We are under obligations to C. A. Nelson & Co., for a copy of a very handsomely executed map of Newbern, compiled from actual surveys, by Solon W. Allis, executed by James Plunket, of New York. The map is very creditable to all concerned. Nelson & Co have a few for sale, we understand, at the "Red House," Middle street.

Governor Orr, of South Carolina, has written a letter to a German society in New York, to induce immigration to South Carolina. He asserts that the people of South Carolina are disposed to welcome immigrants among them. By the provisions of the new constitution adopted last summer, foreigners who have declared their intention to become citizens of the United States are permitted to vote two years from the date of their declaration, and three years before naturalization. There is no distinction whatever between natives and naturalized citizens as to the enjoyment of civil or political rights and privileges. The governor says the experiment of German immigration to South Carolina has been tried with marked success. In the district of Pickens, near the Blue Ridge mountains, there is a very flourishing colony numbering about four thousand souls. About seventeen years ago a company purchased some twenty thousand acres of land, which they divided into small tracts, and sold to German immigrants. These immigrants have greatly improved their lands, and have been a very valuable accession to the country. In the center of this settlement is the prosperous little town of Walhalla, containing about fifteen hundred souls.—Charlotte Democrat.

Mr. O'Flaherty undertook to tell how many were at the party: "The two Crogans was one, meself was two, Mike Finn was three, and—and—who the duce was four? Let me see (counting his fingers,) the two Crogans was one, Mike Finn was two, meself was three, and—bedad, there was four of us, but St. Patrick couldn't tell the name of the other." Now it's meself that has it. Mike Finn was one, the two Crogans was two, meself was three, and—by my soul, I think there was but three of us after all."

Gen. Robert E. Lee Before the Reconstruction Committee.

General Robert E. Lee sworn, and examined by Mr. Howard:

Q. Where is your present residence? A. Lexington, Virginia.

Q. How long have you resided in Lexington? A. Since the first of October last—nearly three months.

Q. Are you acquainted with the state of feeling among what we call secessionists in Virginia, at present, toward the government of the United States? A. I do not know that I am. I have been living very retired, and have had but little communication with politicians. I know nothing more than from my observation, and from such facts as have come to my knowledge.

Q. From your observation, what is your opinion as to the feeling of loyalty towards the government of the United States among the secession portion of the people of that state at this time? A. So far as has come to my knowledge, I do not know of a single person who either feels or contemplates any resistance to the government of the United States, or, indeed, any opposition to it. No word has reached me of either purpose.

Q. From what you have observed among them, is it your opinion that they are friendly toward the government of the United States, and that they will cooperate to sustain and uphold the government for the future? A. I believe that they entirely acquiesce in the government of the United States; and so far as I have heard any one express an opinion, they are for cooperation with President Johnson in his policy.

Q. In his policy in regard to what? A. In his policy in regard to the restoration of the whole country. I have heard persons with whom I have conversed express great confidence in the wisdom of his policy of restoration, and they seem to look forward to it as a hope of restoration.

Q. How do they feel in regard to that portion of the people of the United States who have been forward and zealous in the prosecution of the war against the rebellion? A. Well, I do not know. I have heard nobody express any opinion in regard to it. As I said before, I have not had much communication with politicians in the country, if there are any. Every one seems to be engaged in his own affairs, and endeavoring to restore the civil government of the state. I have heard no expression of a sentiment toward any particular portion of the country.

Q. How do the secessionists feel in regard to the payment of the debt of the United States contracted in the prosecution of the war? A. I have never heard any one speak on the subject. I suppose they must expect to pay the taxes levied by the government. I have heard them speak in reference to the payment of taxes, and of their efforts to raise money to pay the taxes, which, I suppose, are for their share of the debt. I have never heard any one speak in opposition to the payment of taxes or of resistance to their payment. Their whole effort has been to try and raise the money for the payment of the taxes.

Q. From your knowledge of the state of public feeling in Virginia, is it your opinion that the people would, if the question were left to them, repudiate and reject that debt? A. I never heard any one speak on that subject, but from my knowledge of the people, I believe that they would be in favor of the payment of all just debts.

Q. Do they, in your opinion regard that as a just debt? A. I do not know what their opinion is on the subject of that particular debt. I have never heard any opinion expressed, but I have never heard any opinion expressed contrary to it. Indeed, as I said in the beginning, I have had very little discussion or intercourse with the people. I believe that the people would pay the debts they are called upon to pay. I say that from my knowledge of the people generally.

Q. Would they pay that debt, or their portion of it, with as much alacrity as people ordinarily pay their taxes to the government? A. I do not know that they would make any distinction between the two. The taxes laid by the government, so far as I know, they are prepared to pay to the best of their ability. I never heard them make any distinction.

Q. What is the feeling of that portion of the people of Virginia in regard to the payment of the so-called Confederate debt? A. I believe, so far as my opinion goes, (I have no facts to go upon, but merely base my opinion on the knowledge I have of the people,) they would be willing to pay the Confederate debt too.

Q. You think they would? A. I think they would, if they had the power and ability to do so. I have never heard any one in the state with whom I have conversed speak of repudiating any debt.

Q. I suppose the Confederate debt is almost entirely valueless, even in the market in Virginia? A. Entirely, so far as I know. I believe the people generally look upon it as lost entirely. I never heard any question on the subject.

Q. Do you recollect the terms of the Confederate bonds, when they were made payable? A. I think I have a general recollection that they were made payable six months after a declaration of peace.

Q. Six months after the ratification of a treaty of peace between the United States and the Confederate government? A. I think they ran that way.

Q. So that the bonds are not yet due by their own terms? A. I suppose, unless it is considered that there is peace now, they are not due.

Q. How do the people in Virginia—the secessionists, more particularly—feel toward the freedmen? A. Every one with whom I associate expresses kind feeling towards the freedmen. They wish to see them get on in the world, and particularly to take up some occupation for a living, and to turn their hands to some work. I know that efforts have been made among the farmers near where I live to induce them to engage for the year at regular wages.

Q. Do you think there is a willingness on the part of their old masters to give them fair, living wages for their labor? A. I believe it is so. The farmers generally prefer those servants who have been living with them before. I have heard them express their preference for the men they know—who had lived with them before—and their wish to get them to return to work.

Q. Are you aware of any combination among the whites to keep down the wages of the blacks? A. I am not. I have heard that in several counties land owners have met in order to establish a uniform rate of wages; but I have never heard, nor do I know of any combination to keep down wages, or establish any rate which they did not think fair. The means of paying wages in Virginia are very limited now, and there is a difference of opinion as to how much each person is able to pay.

Q. How do they feel in regard to the education of the blacks? Is there a general willingness, or a general unwillingness, to have them educated? A. Where I am, and have been, the people have exhibited a willingness that the blacks should be educated, and they express an opinion that that would be better for the blacks and better for the whites.

Q. General, you are very competent to judge of the capacity of black men for acquiring knowledge. I want your opinion on that capacity as compared with the capacity of white men? A. I do not know that I am particularly qualified to speak on that subject, as you seem to intimate; but I do not think that he is as capable of acquiring knowledge as the white man is. There are some more apt than others. I have known some to acquire knowledge and skill in their trade or profession. I have had servants of my own who learned to read and write very well.

Q. Do they show a capacity to obtain knowledge of mathematics and the exact sciences? A. I have no knowledge on that subject. I am merely acquainted with those who have learned the common rudiments of an education.

Q. General, are you aware of the existence among the blacks of Virginia—anywhere within the limits of the State—of combinations having in view the disturbance of the peace, or any improper or unlawful acts? A. I am not. I have seen no evidence of it, and have heard of none. Wherever I have been they have been quiet and orderly—not disposed to work, or rather not disposed to any continuous engagement to work, but just very short jobs to provide them with immediate means of subsistence.

Q. Has the colored race generally as great a love of money and property as the white race possesses? A. I do not think it has. The blacks with whom I am acquainted look more to the present time than to the future.

Q. Does that absence of a lust of money and property arise from the nature of the negro than from his former servile condition? A. Well, it may be in some measure attributed to his former condition. They are an amiable, social race. They like their ease and comfort, and, I think, look more to their present than to their future condition.

Q. In the event of a war between the United States and any foreign power, such as England or France, if there should be held out to the secession portion of Virginia, or the recently rebel states, a fair prospect of gaining their independence and shaking off the government of the United States, is it or is it not your opinion that they would avail themselves of that opportunity? A. I cannot speak with any certainty on that point. I do not know how far they might be actuated by their feelings. I have nothing whatever to base an opinion upon. So far as I know they contemplate nothing of the kind now. What may happen in the future I cannot say.

Q. Do you not frequently hear in your intercourse with secessionists in Virginia expressions of a hope that such a war may break out? A. I cannot say that I have heard it. On the contrary I have heard persons (I do not know whether you call them secessionists or not, I mean those people in Virginia with whom I associate) express a hope that the country may not be led into a war.

Q. In such an event, do you not think that that class of people, whom I call secessionists would join the common enemy? A. It is possible. It depends on the feelings of the individual.

Q. If it be a fair question, (you may answer it or not as you choose,) what, in such an event, might be your own choice? A. I have no disposition now to do it, and I never have had.

Q. And you cannot foresee that such would be your inclination in such an event? A. No. I can only judge from the past. I do not know what circumstances

may produce. I cannot pretend to foresee events. So far as I know the feelings of the people of Virginia, they wish for peace.

Q. During the civil war, was it not contemplated by the government of the Confederacy to form an alliance with some foreign nation, if possible? A. I believe it was their wish to do so, if they could. It was their wish to have the Confederate government recognized as an independent government. I have no doubt that if it could have made favorable treaties, it would have done so. But I knew nothing of the policy of the government. I had no hand or part in it. I merely express my own opinion.

Q. The question I am about to put to you, you may answer or not as you choose. Did you take an oath of fidelity or allegiance to the Confederate government? A. I do not recollect having done so, but it is possible that when I was commissioned I did. I do not recollect whether it was required. If it was required I took it, or if it had been required I would have taken it; but I do not recollect whether it was or not.

By Mr. Blow: Q. In reference to the effect of President Johnson's policy, if it were adopted, would there be anything like a return of the old feeling? I ask that because you used the expression, "acquiescing in the result."

A. I believe it would take time for the feelings of the people to be of that cordial nature to the government that they were formerly.

Q. Do you think that their preference for that policy arises from a desire to have peace and good feeling in the country, or from the probability of their regaining political power? A. So far as I know the desire of the people of the South, it is for the restoration of their civil government, and they look upon the policy of President Johnson as the one which would most clearly and most surely re-establish it.

Q. Do you see any change among the poorer classes in Virginia in reference to industry? Are they as much, or more, interested in developing their material interests than they were? A. I have not observed any change. Every one now has to attend to his business for his support.

Q. The poorer classes are generally hard at work, are they? A. So far as I know they are; I know nothing to the contrary.

Q. Is there any difference in their relation to the colored people—is their prejudice increased or diminished? A. I have noticed no change. So far as I do know the feelings of all the people of Virginia, they are kind to the colored people. I have never heard any blame attributed to them as to the present condition of things, or any responsibility.

Q. There are very few colored laborers employed, I suppose? A. Those who own farms have employed, more or less, one or two. Some are so poor that they have to work themselves.

Q. Can capitalists and workmen from the North go into any portion of Virginia with which you are familiar, and go to work among the people? A. I do not know anything to prevent them. Their peace and pleasure there would depend very much on their conduct. If they confined themselves to their own business, and did not interfere to provoke controversies with their neighbors, I do not believe they would be molested.

Q. There is no desire to keep out labor and capital? A. Not that I know of. On the contrary, they are very anxious to get capital into the state.

Q. You see nothing of a disposition to prevent such a thing? A. I have seen nothing, and do not know of anything. As I said before, the manner in which they would be received would depend entirely upon the individuals themselves. They might make themselves obnoxious, as you can understand.

By Mr. Howard: Q. Is there not a general dislike of Northern men among secessionists? A. I suppose they would prefer not to associate with them. I do not know that they would select them as associates.

Q. Do they avoid and ostracise them socially? A. They might avoid them. They would not select them as associates unless there was some reason. I do not know that they would associate with them until they became acquainted. I think it probable they would not admit them into their social circles.

By Mr. Blow: Q. What is the position of the colored men in Virginia with reference to the persons they work for; do you think they would prefer to work for Northern men or for Southern men? A. I think it very probable they would prefer the Northern man, although I have no facts to go upon.

Q. That having been stated very frequently in reference to the cotton states, does it result from a fear of bad treatment on the part of the resident population, or from the idea they will be more fairly treated by the newcomers? What is your observation in that respect, in regard to Virginia? A. I have no means of forming an opinion; I do not know any such case in Virginia. I know of numbers of the blacks engaging with their old masters, and I know of a good many who prefer to go off and look for new homes; whether it is from any dislike of their former masters or from a desire to change, or that they feel more free and independent, I do not know.

Q. What is your opinion in regard to the material interests of Virginia; do you think they will be equal to what they

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Q. What is your opinion in regard to the material interests of Virginia; do you think they will be equal to what they

were before the rebellion and the changed aspect of affairs? A. It will take a long time for them to reach their former standard. I think that after some years they will reach it, and I hope, exceed it; but it cannot be immediately in my opinion.

Q. It will take a number of years? A. It will take a number of years I think.

Q. On the whole, the condition of things in Virginia is hopeful, both in regard to its material interests and the future peace of the country? A. I have heard great hope expressed, and there is great cheerfulness and willingness to labor.

Q. Suppose that the policy of President Johnson should be as you anticipate, and that you should also realize all that you expect in the improvement of your material interests, do you think that the results of that will be the gradual restoration of the old feeling? A. That would be the natural result, I think, and I see no other way in which that result can be brought about.

Q. There is a fear in the public mind that the friends of the policy in the South adopt it because they see in it the means of regaining the political position which they have lost in the recent contest. Do you think that that is the main idea with them; or that they merely look to it, as you say, as the best means of restoring civil government, and the peace and prosperity of their respective States? A. As to the first point you make, I do not know that I have heard any person speak upon it. I never heard the point separated. I have heard them speak generally as to the effect of the policy of President Johnson. The feeling, so far as I know, now is, that there is not that equality extended to the Southern States as is enjoyed by the North.

Q. You do not feel, down there, that while you accept the result, that we are as generous as we ought to be under the circumstances? A. They think that the North can afford to be generous.

Q. That is the feeling down here? A. Yes; and they think it is the best policy—those who reflect upon the subject, are able to judge.

Q. I understand it to be your opinion that generosity and liberality towards the entire South would be the surest means of gaining their good opinion? A. Yes, and the speediest.

By Mr. Howard: Q. I understand you to say generally that you had no apprehension of any combination among the leading secessionists to renew the war, or anything of the kind, think so. A. I have no reason in the world to think so.

Q. Have you heard that subject talked over among any of the politicians? A. No, sir, I have not. I have not heard that matter even suggested.

Q. Let me put another hypothetical state of things: Suppose the Executive Government of the United States should be held by a President who, like Mr. Buchanan, rejected the right of coercion so-called, and suppose a Congress should exist here entertaining the same political opinions, thus presenting to the rebel States the opportunity to again secede from the Union; would they or do you in your opinion avail themselves of the opportunity, or some of them? A. I suppose it would depend upon the circumstances existing at the time. If their feeling should remain embittered and their affections alienated from the rest of the States, I think it very probable that they might do so, provided they thought it was to their interest.

Q. Do you think that at the present time there is a deep-seated feeling of dislike towards the Government of the United States on the part of the masses of the secessionists? A. I do not know that there is a deep-seated dislike. I think it is probable there may be some animosity existing among some of the people at the South.

Q. Is there not a deep-seated feeling of disappointment and chagrin at the result of the war? A. I think that at the time they were disappointed at the result of the war.

Q. Do you mean to be understood as saying that there is not a condition of content against the Government of the United States among the secessionists generally? A. I know of none.

Q. Are you prepared to say that they respect the Government of the United States and the loyal people of the United States so much at the present time as to perform all the duties as citizens of the United States, and of the States, faithfully and well? A. I believe that they will perform the duties that they are required to perform, I think that is the general feeling so far as I know.

Q. Do you think that it would be practicable to convict a man in Virginia of treason for having taken part in the rebellion against the Government by a Virginia jury, without packing it with reference to a verdict of guilty? A. On that point I have no knowledge, and I do not know what they would consider treason against the United States if you mean past acts.

Mr. Howard. Yes, sir. Witness—I have no knowledge of what their views on that subject are in the past are.

Q. You understand my question? Suppose a jury was empanelled in your neighborhood, taken by lot, would it be practicable to convict, for instance, a person Davis for having levied war upon the United States and thus having committed the crime of treason? A. I think it is very probable that they would not consider he had committed treason.