

# THE DAILY UNION BANNER.

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Our paper will be published daily at the following rates in Federal currency:

Daily, 1 year,	\$10 00
" 6 months,	5 00
" 1 month,	1 00
Weekly, 1 year,	\$3 00
" 6 months,	2 00
" 1 month,	50

Cash in advance.

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The name of our subscriber entered on our books unless paid for in advance.

No one is authorized to receive and receipt for money for subscription or other work done at this Office, except the Publisher and the Proprietor.

All letters concerning business of the office must be addressed to

J. J. STEWART,  
Editor & Publisher.

## CITY AND SUBURBAN.

**AN IMPORTANT CASE—THE QUESTION OF CONFISCATION IN COURT.**—In the United States Court yesterday, Judge Underwood presiding, Mr. Millson moved to dismiss, without costs, certain proceedings pending against Messrs. P. V. Daniel, Sr., and G. A. Myers, first, upon the ground that, before the institution of these proceedings, the parties had taken the amnesty oath prescribed by the proclamation of President Lincoln; and next, upon the construction of the special pardons granted to these gentlemen by the President, dated in July, and before the libels were issued.

In support of the first ground, he argued that the offer of pardon made by Mr. Lincoln was a continuing act, and did not, therefore, undertake to pardon future offences, as supposed by the Attorney-General, but, until withdrawn, ran into the future and secured amnesty from time, for acts committed after the offer was made; that if this were not so, then none of the offences described in the act of July 17th, 1862, could be pardoned at all, for no one was liable to any of the penalties named in the act before the expiration of the sixty day notice given by the President's proclamation, under that act, and if offences committed, after the date of the proclamation, could not be pardoned by it, then the offer of pardon could have no effect at all; neither upon past acts, for they were not offences under the law, nor upon future acts, if the offer of pardon did not apply to future acts; that the Attorney-General himself seemed to be aware that his position was untenable when he afterwards maintained that the offer of pardon might be accepted and made available if done within a reasonable time; that it was true that an offer not accepted within a reasonable time might be withdrawn, but that no one but the President himself had the right to determine what was a reasonable time, and at what period the clemency should be withdrawn, and a new one substituted upon other conditions, and that until President Johnson, on the 20th day of May, issued a new proclamation prescribing new conditions of pardon, the proclamation of Mr. Lincoln continued to have the same effect as on the day it was issued.

In support of the second ground, Mr. Millson contended that the special pardons, which were dated respectively the 3d and 18th July, only required the parties to pay the costs incurred in suits "hitherto" instituted—that is, before the dates of the pardons. That, although the pardons were not to take effect before the parties accepted the terms, which was done after the suits were instituted, yet, in taking effect then, they were to have all the effect intended by the pardons themselves, and that was, to require the payment of such costs as had been incurred before they were dated, &c., &c.

Mr. Gustavus Myers said that he did not rise to add anything to the able and conclusive argument of Mr. Millson, but only to furnish the Court with some authorities bearing upon the case. He quoted from the "Year Book," 37; Henry 6th, page 21, plea 9; 17 Vining's Abridgement, page 32 (prerogative of the King.) In a note, Vining adds that a charter pardon shall have relation to the date, and not to the delivery, being a matter of record, although of a matter *in pais*. Adjudged Latch 22, in Boston's case.

Judge Joyner of Petersburg, followed Mr. Myers, and said that the acts of Mr. Lincoln and General Grant, after the evacuation of Richmond, are a part of the history of the times, and show that they regarded Mr. Lincoln's proclamation of the 3d of December, 1863, as a continuing offer of pardon. It is true that Attorney General Speed thinks differently, and contends that there cannot be a pardon for offences not committed; that the power of conferring general pardon does not reside in the Executive. I am aware (said Judge Joyner) that under the Constitution he has not this power; but then there is a power to make war, which implies a power to make peace. And this proclamation was a peace-offering from President Lincoln to parties in rebellion to induce them to lay down their arms and return to their allegiance to the United States Government. It was not the work of the President alone, but was the joint work of Congress and the Executive. Herein lies the error of the Attorney-General. The same thing happened on the restoration of Charles II, when an unconditional amnesty was granted, and on the accession of William of Orange, when to the pardon conditions were annexed. These amnesties were not acts of royal grace, but had the sanction of Parliament, which made them continuing.

Judge Joyner informed the Judge that this morning he will furnish him the opinion of Judge Jackson, of West Virginia, in the case of John Knott, in which he takes similar ground.

The case was then continued until this morning, at 10 o'clock, when Mr. James Lyons will speak in favor of the petitioners and Mr. L. H. Chandler on behalf of the Government. General Millson will close the case for the petitioners.

A number of leading citizens and others, interested with marked attention to the arguments which we have only briefly sketched.

## STRANGE STORY—EXTRAORDINARY OFFER BY A MEMBER OF THE CABINET.

WASHINGTON, Nov. 10.—Mr. Schade says he was called upon by several persons last night, as was also Father Boyle, who communicated information purporting to come from a member of the cabinet, to the effect that if Wirz would acknowledge that Jeff Davis was connected with the atrocities at Andersonville, his sentence should be commuted. Although Mr. Schade did not place full confidence in the reports, he considered it to be his duty to relate what took place between himself and the prisoner at his last conference with him. Captain Wirz, in reply to a question, said, "Mr. Schade, you know I have always told you that I did not know anything about Jeff Davis."

He had no connection with me as to what was done at Andersonville, and if I knew he had, I would not become a traitor against him or any one else to save my life."

A young Scotch nobleman, still a minor, has been lately playing at a German watering place, losing on an average £1,500 a day! An English paper hopes that he, at least, respects the Sunday, and thereby saves something by his good bringing up.

## Co-Partnership.

NEW BERN, NORTH CAROLINA, Nov. 1st, 1865.

WE HAVE this day formed a Co-Partnership under the name and style of

WHITFORD, DILL & CO.,

For the transaction of a Shipping and

GENEAL COMMISSION BUSINESS

in this Town, West Side Craven Street, on Old County Wharf.

To the sale of COTTON, NAVAL STORES, TOBACCO, LUMBER, STAVES, SHINGLES, CORN, and all kinds of Produce and Merchandise, and also to the sale and purchase of

Real Estate and State and other Stocks, we will give personal attention.

We are Agents for MURRAY'S NORTH CAROLINA SEMI-WEEKLY LINE OF STEAMSHIPS, between NEWBERN and NEW YORK, and for Sailing Vessels for BALTIMORE, PHILADELPHIA, and other Ports in the United States, and for different Ports in the West Indies. Thus it will be seen that we are furnished by our own vessels with the amplest facilities for the speedy transportation of Freight and Passengers. But in addition to those, there is a Weekly line of OCEAN STEAMSHIP on the same route, and a Tri-Weekly line of Steamers by inland route through Albemarle and Chesapeake Canal to Norfolk, Baltimore, Philadelphia and New York; hence Merchants and Shippers entrusting the transportation of their freight to us, can rely with confidence on its speedy transit.

IT WE WILL MAKE LIBERAL ADVANCES ON CONSIGNMENTS.

All letters addressed to us on the subject of freight or on any other business, will be promptly answered.

J. H. D. WHITFORD,  
GEORGE W. DILL,  
W. M. C. WHITFORD.

[11d-151]

## A BEAUTIFUL CANADIAN PONY

WILL BE SOLD AT AUCTION AT OUR House to-day (Saturday 18.)

[11d-151] BLACKWOOD & CO., Auctioneers.

## ECLECTIC MAGAZINE.

LITERATURE, SCIENCE, AND ART.

New Volume begins January, 1865.

THE ECLECTIC MAGAZINE is as its name indicates, a selection from other magazines and periodicals. These selections are carefully made each month, from the entire range of foreign Periodicals. In this respect it is entirely unlike other monthlies, and has no rival. The following are some of the works from which selections are made:

London Quarterly,	Revue de Deux Mondes,
British Quarterly,	London Society,
North British Review,	Bentley's Miscellany,
Popular Science Review,	Cornhill Magazine,
Saturday Review,	Fraser's Magazine,
Leisure Hour,	Temple Bar,
Westminster Review,	Chambers's Journal,
Dublin University Magazine	Edinburgh Review,
Art Journal,	London National Review.

We have also arranged to secure choice selections from the FRENCH, GERMAN, AND OTHER CONTINENTAL Periodicals, translated respectively, for the English reader, and it is hoped this new feature will add greatly to the variety and value of the work.

### EMBELLISHMENTS.

Each number is embellished with one or more FINE STEEL ENGRAVINGS—portraits of eminent men or illustrative of important historical events.

Volumes commence in January and July of each year; subscriptions can commence with any month.

TERMS: \$5 per Year; Single Numbers, 50 cents. Five Copies, \$20.

The Trade, Clergymen, Teachers, and Clubs supplied on favorable terms. Address,

W. H. BIDWELL,  
5 Beekman St., New-York.

[11d-150]

## COMMISSION, AUCTION

AND

FORWARDING HOUSE OF J. F. FOARD.

THE UNDERSIGNED is prepared to furnish Fish, Guano and Fish Oil to Farmers and Tanners. This guano is a id to be nearly equal to the best Peruvian and much cheaper. Price \$30 cash per ton of 2000 lbs, commissions and freight from ocean added. Orders solicited.

J. F. FOARD,  
Commission Merchant, Newbern, N. C.  
Nov. 13, 1865. 159.

## Bureau of Relief,

(To relieve Clerical distress, especially in the Southern Dioceses.)

Under the advice of Bishops Talbot, Atkinson and Lay. Address contributions of any sort, and applications, to, the Rev. W. E. Doane, Secretary, Hartford, Connecticut.

November, 11 151-1f  
Southern papers are asked to copy this till forhid.

## WORTH ATTENTION.

### GREAT SALE OF PROPERTY.

SPLENDID LOT HOUSEHOLD FURNI-

ture consisting of  
Beds, Carpets, Tables and Chairs.  
1 Elegant China Tea Set.  
Glass ware.  
1 Large Boiler  
Splendid lot Carpenters tools.  
1 Two Horse Ambulance,  
1 Two Horse Wagon.  
1 Buggy, and 1 Rockaway.  
3 Good Horses.  
1 Fine two year old Colt.  
A variety of goods, such as shoe brushes, blacking  
ing, tooth brushes, ladies worked hose, pocket books  
&c., &c.

At auction Saturday 18th Nov. by  
BLACKWOOD & CO.,  
Auctioneers.  
Salisbury, Oct. 15, 2td149

**\$75 REWARD. STOLEN ON NIGHT**  
29th, Oct. a bay Stud Mule, very large limbs and joints, medium size about 8 years old, a little weak eyed. We will give 25 dollars reward for the Mule, and \$50 Reward for the Thief.  
MERONY & BROTHER.  
Nov. 14th, 1865. 2wd147

## FAUCETTE & BRO.,

COMMISSION AND FORWARDING

MERCHANTS,

PURCHASING AGENTS,

AND

GENERAL PRODUCE DEALERS,

NEW BERNE, N. C.

November 3rd, 1865. 3m-138.

## Roberts, Hutchinson, Foster.

BURWELL B. ROBERTS,  
E. NYE HUTCHINSON,  
JEBU FOSTER,

SALISBURY, N. CAROLINA,

EXCHANGE-BROKERS,

Buy and sell Gold & Silver Coin,  
Bullion Bonds and Bank Notes.

INSURANCE FIRE, Life and Marine, Representing a Capital of more than \$10,000,000.

Commission Merchants for the purchase or Sale of Cotton, Tobacco &c.

N. B. Orders from a distance respectfully solicited. Prompt attention given to collection of claims.

References given when required. Office No. 1 Cowan's Brick Row.  
November 8th '65. 1142

D. G. WORTH.

N. G. DANIEL.

## WORTH & DANIEL,

COMMISSION AND FORWARDING MERCHANTS,

T. C. and B. G. Worth's old stand South Water St., WILMINGTON, N. C.

Will give strict personal attention to Sale or Shipment of Cotton, Naval Stores and General Produce. Also, to receiving and forwarding Goods.

Agents for Cape Fear Line of River Steamers to Fayetteville, and Sail Lines to New York and Philadelphia.

Dealers in Cotton, Bagging, Rope, Lime, Plaster, Guano, Ford's Fertilizer, Salt, and Coal.  
November 1st, 1865. pd1md136

## Fall and Winter Fashions.

LATEST STYLES

Mrs. McFARLAND.

Mansion House.

HAVING just returned from the North with a choice STOCK Latest styles of Bonnets Hats, Veils, Ribbons, Feathers, Flowers, Silk belts, fancy Buckles, hair Nets, fancy head Dresses, old ladies' Caps, &c., &c.

Also, is prepared to cut and make ladies dresses, cloaks and children's cloths, in the latest fashions—would be pleased to see her former customers and the public generally. Prices reasonable and prompt attention to orders.  
Oct. 19, 1865—dly126