

THE ASSASSINATION.

THE TRIAL ON MONDAY

INTERESTING TESTIMONY.

THE EXPLOSION AT CITY POINT.

HOW IT WAS DONE AND WHO DID IT.

Details by the Engineer in Charge.

Rejoicing Over the Terrible Deed.

THE REBEL LEADERS IN CANADA.

THE WITNESS MONTGOMERY RECALLED.

Contents of a Dispatch to Richmond.

More Important Evidence to be Given To-Day.

Special Dispatch to The N. Y. Tribune.

WASHINGTON, Monday, June 12, 1865.

The testimony at the conspiracy trial to-day was more than usually interesting.

To the Associated Press.

WASHINGTON, Monday, June 12, 1865.

The reading of the record of Saturday having been concluded, the following witnesses were examined:

EXAMINATION OF MRS. L. GRANT.

By Mr. Foster—I reside in Warrenton, Va., on the Waterloo pike; I recognize the prisoner with the gray shirt on (pointing to Payne,) as a man whom I saw in the road in front of my house, having three Union soldiers in his charge; an attempt was made to kill the prisoners, and the man Powell (meaning Payne) tried to prevent it; and I heard him say that he was a gentleman and wished to be treated as such; that if they attempted to kill the man he had captured, he would defend his prisoner at the peril of his life; one of the prisoners was killed when the party left the road, and I did not see them afterward; the affair occurred last Christmas.

Cross-examined by Judge-Advocate Holt—I was speaking of the affair afterward to a citizen and telling him how this man tried to save the Union soldiers, when I was informed that his name was Powell; I had not seen him before, nor have I seen him since until to-day; but am certain he is the man.

By the Court—He was dressed as a Confederate, and I thought they called him Lieutenant; there were no marks of an officer upon him, but he looked more genteel than the common soldiers.

EXAMINATION OF JOHN GRANT.

By Mr. Foster—I am the husband of the witness who just left the stand. At the time of the affray which occurred in front of my house about Christmas last, I was returning home, and was within 300 yards of my house, when the firing on the road commenced; all I learned was that the prisoner at the bar, who went by the name of Powell, had tried to save the lives of two Union soldiers; the prisoner was not an officer, so far as I am aware.

EXAMINATION OF J. P. PATTERSON.

By Mr. Cox—I am an ensign in the navy; I have known the prisoner, Michael O'Laughlin, about six years; on the afternoon of Thursday, the 13th of April, we came together from Baltimore to Washington, reaching here between 5 and 6 o'clock; we came up the Avenue and stopped at Rullman's Hotel; I then went into a barber's shop to get shaved, and the prisoner proceeded up the street, but rejoined me before I had been shaved; he was not out of my company at any other time that evening; I went up the Avenue with him to look at the illumination, but did not go further than Seventh-st.; we went to the Canterbury about 9 o'clock, and stayed there about three-quarters of an hour, after which we returned to Rullman's Hotel, getting there between 10 and 11 o'clock; we remained there about half an hour, and then went out again; the Avenue was so crowded during the evening that it was almost impossible to get along; I can state positively that the prisoner was not near the house of the Secretary of War in Franklin-square at any time on Thursday evening; we retired between 1 and 2 o'clock on Friday morning; the prisoner was at his room when I called next morning; he was not with me on Friday afternoon; on Friday evening I met him at Rullman's Hotel; he was then with me until 10 o'clock, and then went out with a man named Fuller; that was after the assassination; we had arranged to return to Baltimore on Friday morning, and I proposed to stay until evening, which we did.

Cross-examined by Judge-Advocate Holt—It was impossible for the prisoner to have been at the house of the Secretary of War before 10 or 11 o'clock on the evening of the 13th of April, as I did not part with him at any time; when he joined me at the barber-shop, after leaving me on Thursday afternoon, he told me he had been to see Booth; that was between 5 and 6 o'clock; the next morning he was to go and see Booth, and I called for him at the National Hotel, but he was not there; I then went to his room and saw him there; he said he had been to see Booth, but did not see him—that Booth was out; he did not state his object in endeavoring to see Booth.

By Mr. Cox—He did not say anything about Booth's owing him money; he merely said that he had been to see Booth; on Friday morning he told me he had not seen Booth.

By Judge-Advocate Holt—I had no particular reason for staying in town until Friday morning; I suggested to the party in whose company I was, O'Laughlin among the number, that we should remain until Friday evening; had no special reasons for so doing; O'Laughlin did not make any suggestion of that kind; the arrangements for our visit to Washington were determined on Monday in Baltimore, Thursday being the day fixed; I suggested the day; the party did a great deal of drinking while in Washington; it would be impossible for me to say how many times we drank; I do not think it could have been more than ten; one of the party, Mr. Early, was not sober.

EXAMINATION OF R. H. SWEENEY.

By Mr. Aiken—I am acquainted with J. M. Lloyd; met him on the 14th of April last at Marlborough and rode with him a portion of the way from Marlborough toward his home; he seemed considerably under the influence of liquor; he drank or attempted to drink on the road, at last he put the bottle to his lips; the bottle contained liquor.

Cross-examined by Judge-Advocate Holt—I drank with him; could not tell which drank most; both drank from the same bottle; he seemed to be considerably excited, which I attributed to the influence of drink; he was alone in his buggy; I was on horseback; he was excited in conversation and general deportment; I do not think I was excited myself; I suppose he knew what he was doing and where he was going; at least, I thought he was able to take care of himself.

By Mr. Clappitt—Have known J. S. Jenkins, a brother of Mrs. Surratt, for 16 years; have heard it said of him that he was a zealous Union man; on one occasion a Union flag was raised within 100 yards of the house in which I boarded, and there being a rumor that an attempt would be made to cut it down, Mr. Jenkins formed one of a party who stood guard around it all night; I heard that he came to Washington to get votes for the Union ticket in Maryland, but I don't know anything of that; I believe him to be to-day a consistent Union man.

By Judge-Advocate Holt—I have never acted against the Government, that I know of; I was strictly neutral in my conduct and feelings in regard to the Rebellion; was perfectly indifferent as to whether the Rebellion failed or succeeded.

By the Court—I parted with Mr. Lloyd, on the occasion of which I have spoken, about six miles from Surrattsville; did not take more than one drink out of the bottle from which Mr. Lloyd drank.

MOTION TO INTRODUCE NEW EVIDENCE.

Mr. Aiken, counsel for Mrs. Surratt, stated that when, on Friday last, he announced that he would not delay the Court after the other counsel for the accused had closed their defense, he had not learned some important facts since communicated to him. On Friday afternoon last he visited Surrattsville and Marlborough, and while on that visit acquired some facts which he believed to be of considerable importance in the case of

the accused, Mrs. Surratt. He therefore asked the privilege of introducing that testimony. The witnesses would probably be present to-morrow and their examination might not occupy more than a couple of hours and would not be likely to affect materially any rebutting testimony which the Government might have to offer.

MOTION GRANTED.

Judge-Advocate Holt stated that, inasmuch as some important testimony for the Government still remained to be taken, and the witnesses might not arrive to-day, but would be present to-morrow, there would be no loss of time; he was, therefore, disposed to grant the request of counsel.

EXAMINATION OF ASST. ADJT.-GEN. E. D. TOWNSEND.

By Judge-Advocate Holt—Q. State whether you are acquainted with G. J. Rains, a Brigadier-General in the Rebel military service? A. I was very well acquainted with G. J. Rains, who, in 1861, resigned his commission of Lieutenant-Colonel of the 5th Regular United States Infantry.

Q. Were you acquainted with his handwriting? A. Yes, sir.

Q. Look at that indorsement and state whether you believe it to be in his handwriting (exhibiting a paper to witness)? A. To the best of my knowledge and belief it is.

[The paper referred to was given in evidence without objection. It is dated Dec. 16, 1864, and is addressed to Capt. Z. McDaniel, commanding Torpedo Company, and signed John Maxwell. It sets forth in substance that in obedience to the order of the person to whom it is addressed and with the means and equipment furnished by him, the writer left Richmond on the 26th of July, 1864, for the line of the James River, to operate with the horological torpedo against the enemy's vessels navigating that river. The writer was accompanied by R. K. Dillard, whose services were engaged for the expedition. After sundry adventures these two men reached City Point before daybreak on the 9th of August last, and the writer gives the result of his operations as follows: "Requesting my companion to remain behind about half a mile, I cautiously approached the wharf with my machine and powder covered by a small box; finding the Captain had come ashore from a barge then at the wharf, I seized the occasion to hurry forward with my box; being halted by one of the wharf sentinels, I succeeded in passing him by representing that the Captain had ordered me to convey the box on board; hailing a man from the barge, I put the machine in motion and gave it in his charge; he carried it aboard. The magazine contained about 12 pounds of powder; rejoining my companion we retired to a safe distance to witness the effect of our efforts. In about an hour the explosion occurred; its effect was communicated to another barge beyond the one operated upon, and also to a large wharf building containing the enemy's stores, which was totally destroyed. The scene was terrific, and the effect deafened my companion to an extent from which he has not recovered. My own person was severely shocked, but I am thankful to Providence that we have both escaped without lasting injury. We obtained and refer you to the inclosed slip from the enemy's newspapers, which afford their testimony of the terrible effects of the blow. The enemy estimated the loss at 58 killed and 126 wounded, but we have no reason to believe it greatly exceeded that. The pecuniary damage we heard estimated at \$400,000; but of course we can give you no exact account of its extent. The writer details the capture of the vessel Jane Duffield, by a party of which Acting Master W. H. Hinds, of the U. S. Navy, and the writer were members. The capture occurred on the 17th of September last in Warwick River. The party further states that he was finally compelled to abandon these operations in consequence of the vigilant watch kept upon him and his coadjutors by our forces. The indorsement on the letter were by Z. McDaniel, Capt. of C. A. Secret Service, and G. J. Rains, Brigadier-Gen., Superintendent—that of the letter being to the effect; that R. K. Dillard and John Maxwell were sent by Z. McDaniel into the enemy's lines by authority of the writer for some such purpose, and that when the tremendous explosion occurred at City Point on August 9, the supposition was strong that it was done through this agency. A further indorsement was as follows: "Certified copy forwarded to War Department, June 3, 1865. (Signed, J. Kellogg, A. A. G.)"

Assistant Judge-Advocate Bingham, by permission of the Court, placed on record certified copies of the Journals of the Senate and House of Representatives of the Congress of the United States, showing that Abraham Lincoln and Hannibal Hamlin were elected President and Vice-President of the United States for four years from the 4th day of March, 1861, and that Abraham Lincoln and Andrew Johnson were elected President and Vice-President of the United States for four years from March 4, 1865.

GEN. TOWNSEND RECALLED.

Assistant-Adjutant Gen. Townsend being recalled, testified that on and after the 4th day of March, 1861, until the 15th day of April, 1865, when he died, Abraham Lincoln acted as President of the United States; that for four years preceding the 4th

of March, 1865, Hannibal Hamlin acted as Vice-President of the United States; and that from the 4th day of March, 1865, until the 15th of April same year, the day of the death of Abraham Lincoln, Andrew Johnson acted as Vice-President of the United States.

PAYNE'S PRETENDED INSANITY.

Mr. Doster stated that he had received a note from Assistant Surgeon Coddington, of the Government Hospital, informing him of the death of the wife of Dr. Nichols, and asked that Dr. Hall be substituted for that gentleman; as the proper person to examine into the question of the alleged insanity of the prisoner Payne. The proposed substitution was accordingly made.

The President of the Commission gave notice that the report of Dr. Hall would be expected to-morrow morning.

RE-EXAMINATION OF RICHARD MONTGOMERY.

By Assistant Judge-Advocate Burnett—Q. Examining that paper and state when and from whom you received it? A. I received that letter from Clement C. Clay, jr., on the evening of the 1st or 2d of November, 1864.

Q. State whether you saw Mr. Clay write any portion of that paper? A. Yes, sir; a very considerable portion of it.

Q. You know that to be his handwriting? A. Yes, sir; he wrote that letter in the house in which he was residing on Clark-st. I think that is the name) at St. Catherine's, Canada-West.

Q. To whom did you deliver the papers? A. To the Hon. C. A. Dana, Assistant Secretary of War.

Q. (Exhibiting to witness a second paper)—State whether that is a copy of the letter which was made by you for more convenience in reading? A. It is; that is a correct copy.

Q. There are certain blanks and omissions here, had you any instruction with reference to giving information as to what would be asserted? A. Yes, sir; I was instructed to deliver that letter to Mr. Benjamin, Secretary of State of the Confederate States, and to tell him that I was informed of the names to put in the blanks; there are several blanks.

Q. What was the reason for omitting the signature of this letter? A. That was for my safety principally, and so that it might not be used as evidence against the writer; both reasons were given to me by Mr. Clay.

Q. Do you know at what time Clement C. Clay left Canada? A. About the 1st of January, I think.

The letter was then read bearing date St. Catherine's, C. W., Nov. 1, 1864, and addressed to the Hon. J. P. Benjamin, Secretary of State, Richmond, Va. It gives a detailed account of the circumstances connected with the St. Albans raid—the writer stating that Lieut. Bennett H. Young, who led the raiders, was well known to him as one whose heart was with the South in her struggle, and that in his attempt to burn the town of St. Albans and rob the banks, he acted according to the writer's instructions, and urging the Confederate Government to assume the responsibility in the premises. The letter also speaks of a Capt. Chas. H. Coles, an escaped prisoner, of the Rebel Forrest's command, who was captured on board the steamer Michigan on Lake Erie, while engaged in an attempt to capture that vessel and liberate Rebel prisoners on Johnson's Island. The writer protests against Cole being treated as a spy, and gives various reasons why he should be regarded as a prisoner of war, and concludes with the statement that "All that a large portion of the Northern people, especially in the Northwest, want in order to resist the oppressions of despotism at Washington is a leader. They are ripe for resistance, and it may come soon after the Presidential election." The letter was not signed, the reason given being that no signature was necessary as the messenger presenting it and the person to whom it was addressed could identify the authors.

THE WITNESS NORTON.

Messrs. Jacob Schaver and Willis Hamilton, citizens of Troy, N. Y., being called for the prosecution, testified that they had been intimately acquainted with Marcus P. Norton, a witness in this case for the prosecution, for a number of years; that in the city of Troy, N. Y., where he resides, his reputation for veracity and integrity is very good; that they would believe him on oath or otherwise; that they knew him to be a lawyer in good practice and that an attempt which was made to impeach his character proved unsuccessful.

EXAMINATION OF HORATIO KING.

By Judge-Advocate Holt—I live in Washington City; have held the position of Assistant Postmaster-General and Postmaster-General of the United States; made acquaintance, while here, of Marcus P. Norton, a lawyer of Troy, N. Y.; have known him quite intimately for eight or ten years; have always regarded him as being scrupulously honest and correct; from my knowledge of his character I would unhesitatingly believe him under oath.

By Mr. Doster—Have never lived in Troy; do not know what Mr. Norton's reputation in that city is; have had some connection with him in reference to a patent; never heard any one in Washington speak otherwise than favorably of him; never heard of any attempt to impeach his character for veracity.

By Judge Holt—During March last I saw Mr. Norton in this city, and had frequent conversations with him; in one of those conversations he mentioned to me the circumstances of a person having abruptly entered his room in the National Hotel; do not remember for whom he said the person inquired.

By Mr. Doster—Q. Did you ever hear Mr. Norton say

he had overheard a conversation between Booth and the prisoner Atzerodt at the National Hotel? A. He made some allusion to it about the 15th of May, which was, I think, the date of his letter.

Judge Burnett handed to the witness a letter, which was identified by him as the one he had received from Mr. Norton about the 17th of May, and from which he read as follows:

"I believe Johnson was present on the evening of March 3 and the morning of March 4 last. I know of something which took place at the National Hotel last Winter between Booth and strangers to me, which, since the death of our good President, has thrown me into alarm and suspicion, and about which I will talk with you when I see you."

CLAY'S HANDWRITING.

William H. Rohrer, being called for the prosecution, testified to his knowledge of the handwriting of Clement C. Clay of Alabama, and identified the letter given above as having been written by that person.

There being no further witnesses, the Court adjourned.

Resume of Monday's Evidence.

WASHINGTON, Monday, June 12, 1865.

A witness was called to-day who showed that O'Laughlin was with him on the night of April 13, and not at Secretary Stanton's as had previously been testified. It was also shown that the explosion at City Point in August last was owing to a Rebel torpedo. Witnesses were called to establish the character of Lawyer Norton—a Government witness—for credibility.