THE DAILY BEE
OFFICE SAINT CHARLES STREET, No. 73 Chartres street.
NEW ORLEANS: WEDNESDAY MORNING, JUNE 7.

Auction Sales this Day.

By E. M. Jacobs, at No 36 Exchange Alley, Furniture, Dry Goods, &c.—At No 118 Customhouse street, Iron Safe.

The New Amnesty.

As the purpose of President Lincoln's Amnesty was to weaken the rebellion and hasten the conclusion of the war, the object of President Johnson's Amnesty can only be to confirm the overthrow of the rebellion and define the conditions of peace. Coming after hostility had everywhere and in every way ceased, it has no threats for persistent resistance, no rewards for voluntary submission. One should be judged in the light of war policy, the other in the light of peace policy. In the latter view, there were but three questions, how far to carry punishment, where to limit clemency; there were but three options, universal prosecution, universal forgiveness, arbitrary discrimination.

Holding the defeated rebellion to be treason, and having so emphatically declared that this treason must be made odious by exemplary punishment, it would have been a signal self-contradiction had he proclaimed a total oblivion of the past. On the other hand, only a qualified amnesty was consistent with the tenor of his previous utterances. Lines had somewhere to be drawn in favor of some and against others who had equally incurred the penalties of treason, and it would seem illogical to urge against the exception of any one class from its benefits an argument which would not lie as well against all the exceptions.

Nevertheless objections are already intimated as to some of its excepting classes. For example, the Cincinnati *Commercial* referring to the 14th exception, observes: "Why a discrimination is made against those whose taxables are over $20,000 we confess is incomprehensible. He is no greater criminal who holds taxable property to the value of $20,000 for $100,000 than he who holds less," etc. But with as much reason the same journal might marvel at the distinction between a Colonel and a Brigadier or a Major or a Lieutenant General against the latter, for grades of rank cannot any more than degrees of wealth be accepted as absolute measures of criminality.

The doubt and anxiety felt as to whether the 13th exception applies to paroled prisoners have been considerably appeased by the opinion of Gen. Canby, who does not think it has that application. But its real intent will soon be manifest in the instructions of the Secretary of State.

Meanwhile it is well to consider that the present amnesty is not conclusive of either punishment or pardon. The proviso leaves the door open for unlimited pardon at last, and though doubtless unlimited pardon refer from being contemplated, still the person within the excepted classes is beyond the pale of clemency.

Even after judicial conviction this clemency could be invoked. Indeed, Executive pardon, as provided for in the Constitution, no doubt supposes judicial conviction of offenses against the United States, and it has been doubted whether prosecution and punishment for such offenses could be absolutely and perpetually stayed by anything short of trial and acquittal or conviction and pardon.

RETURN OF GOV WELLS.—Gov Wells, having returned from his visit to Washington, resumed the Executive office in this city yesterday. A contemporary refers in this connection to statement made upon pretty good authority, that Dr. He. Kennedy is also to return from Washington in a few days authorized to resume the Mayoralty.

We are indebted to Judge J. N. Carrigan, State Librarian, for copies of the "Acts," (in French and English), passed by the First General Assembly of the State of Louisiana, at its first and second sessions, held and begun in the City of New Orleans, on the 4th of October, 1864; also the "Debates of the Senate of the State of Louisiana, sessions of 1864-65, M. F. Bigney, Official Reporter"; with reports of State officers, etc. These volumes are issued in neat form from the press of W. R. Fish, State Printer.

The steamer New Era left Shreveport on the 18th ult, met that on the evening of the 4th inst. 40 miles above Alexandria. Arrived at Alexandria on the morning of the 5th and left same day at 12 o'clock. M. The river falling fast with 10 feet water on the falls. Past steamer T. S. Cooley near the mouth of Black river with the gunboat Missouri in tow (disabled) Steamer Pike at mouth of Black river bound down.

Correspondence Regarding Municipal Affairs.

WASHINGTON, D C, May 21, 1865.

SIR—I have duly notify you as Treasurer of the city of New Orleans, not to pay at the perit of your securities any warrant drawn upon you for pay of individuals, material for public uses or other purposes whatsoever that may have been made or authorized by Colonel S. M. Quincy, a Colonel of a colored regiment of U. S. volunteer troops, or any other person acting or pretending to act under the appointment of Major General Banks, Commanding General Department of the Gulf, or said General Banks acted contrary to law, as the proceedings are disapproved by the President of the United States, in suspending the civil authorities of the city of New Orleans and enforcing the laws and ordinances instituted for its good government.

I have the honor to be sir,
Your obedient servant,
(Signed) J. MADISON WELLS,
Governor.

To J. S. WALTON, Treasurer City of New Orleans.

MAYORALTY OF NEW ORLEANS,
CITY HALL, June 1, 1865.

Major General N. P. Banks, Commanding Department of the Gulf

General—I have the honor to make the following report concerning the present state of the City Government:

Mr. Hawkins, the City Comptroller, reports to me that during my absence at the crevasse yesterday, he received a letter from Governor Wells, informing him that the change in the Municipal Government had been set aside or disavowed at Washington and notifying him to cease all further payments in making payments under the penalty of his bond; that thereupon he had ceased drawing warrants, and, I am informed, took possession of twenty-five or more vouchers which had been approved by the different Bureaus, and were in the Secretary's office. I am also informed that a similar letter from Governor Wells was received by the City Treasurer, in consequence of which certain Deputy Street Commissioners, appointed during my administration, were refused their pay. I have not seen Mr. Walton, and cannot report as yet as to his probable action, as I understand that he desired to consult with me in the matter, but my absence under circumstances prolonged beyond office hours, I cannot therefore state what position he will assume.

In the peculiar circumstances in which I find myself placed, I have thought it my duty to report the facts to you before taking any action in the premises.

I have the honor to be, very respectfully, your obedient servant,
(Signed) S M QUINCY,
Col. U. S. Vol., Acting Mayor.

Headquarters, Department of the Gulf.
New Orleans, La, June 2, 1865.

[Extract]

3. Col. S. M. Quincy, Acting Mayor of the city of New Orleans, having reported that the City Comptroller doubts his authority to execute all the duties of his office, he is hereby directed to draw such warrants, and perform all such other official acts as may be necessary to maintain the government of the city, and secure public peace and public health, for which this shall be sufficient authority, until official instructions shall be received from the Government at Washington.

By command of Major Gen BANKS
J. H. STROUD,
Capt. and A. A. Gen.

Official:
NATHANIEL BURNE,
First Lieut. and A A Adj. Gen.

MAYORALTY OF NEW ORLEANS,
(City Hall, June 3, 1865.

Major General N. P. Banks, commanding Department of the Gulf—

GENERAL—I have the honor to report, that in compliance with Special Order No. 146, the City Comptroller has resumed his official duties.

I have the honor to be, very respectfully,
Your obedient servant,
(Signed) S. M. QUINCY,
Acting Mayor.

Bill in the Tennessee Legislature to Exclude from Voting all but Original Union Citizens.

Nashville, May 29.—The Senate bill on elective franchise was passed to-day by the decisive vote of 16 to 5, and went to the House.

Under its provisions the following persons are permitted to vote:

1st. Every free white man twenty-one years of age, a citizen of the United States, and publicly known to have entertained unconditional Union sentiments from the breaking out of the rebellion until the present time.

2d Every white young man, an inhabitant of the State and a citizen of the United States, arriving at the age of twenty-one since March 4, 1865, provided he shall not have engaged in rebellion against the authority of the United States.

Section 4th provides for the registration of voters.

Section 5th provides for challenging voters upon the administration of an oath to support the Constitution of the United States and laws and proclamations made in pursuance thereof, and the amended constitution of Tennessee, with the acts of the Legislature in accordance therewith.

This bill is substantially the same as that before the House, reported by Mr. Arnell, from minority of Judiciary committee, except that in the latter the 5th class of voters named above is not recognized, and the admission of those temporarily disenfranchised is limited to five years instead of six.

DEATH SENTENCES COMMUTED.

Indianapolis, May 31.—The President has commuted the sentence of Bowlus, Hodigan and [illegible] to imprisonment for life.

[illegible] shall be [illegible] 5th July [illegible] commuted, [illegible] to the penitentiary for life, [illegible] Lookwood, [illegible] was the right [illegible]

DEATH OF GENERAL BARRY.—The Louisville Journal of the 27th says: The news of the recent death of General Barry, U. S. A., reached this city yesterday morning. He died at his residence in Washington City, on the morning of the 24th, of paralysis, after a lingering illness of several months. He was a native of Virginia, and was 70 years of age. He was a brave and meritorious soldier, and his death will be deeply felt by the army and his numerous friends.

New Orleans Bee

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The Status of Paroled Prisoners Under Exception 13 of the Amnesty Proclamation.

The following correspondence explains itself:

New Orleans, June 5, 1865.

COLONEL—I have the honor to request that you will inform me whether in the opinion of Gen. Canby, the prisoners surrendered and paroled under the agreement between Gens. Canby and Taylor, are embraced in exception No. 13 in the President's proclamation of 29th ult., or whether they are at liberty, unless debarred by some other exception, to present themselves to the proper authorities and take the oath required under that proclamation.

I am, very respectfully, your most obedient servant,
JAS. H. CURRLL,
Major C. S. A.,
Paroled Prisoner of War.

To Lieut. Col. C. T. Christensen,
A. A. Gen. Department of the Gulf.

Headquarters, Department of the Gulf,
New Orleans, La, June 5, 1865.

MAJOR—I am directed by the Major General Commanding to say, in reply to your communication of the date, that he is of the opinion that "the prisoners surrendered and paroled under the agreement between Gens. Canby and Taylor," except officers of certain high grades, are not "embraced in Exception No. 13 of the Executive Proclamation of the 29th ult."

The same proclamation directs, however, that the details for administering the amnesty oath shall be carried out under the instructions of the Secretary of State, and until these instructions have been promulgated there is no authority here with power to act in the matter.

Very respectfully, your obedient servant,
C. T. CHRISTENSEN,
Lieut. Col., A. A. G.

Major James R. Currell, C. S. A., paroled prisoner of war, 102 Canal street, New Orleans.

Freedmen to Retain Possession of Abandoned Lands till Crops are Gathered.

The following circular has been issued by General Howard, Chief of the Freedmen's Bureau, and approved by the Secretary of War, who orders all military authorities to sustain and aid the several state commissioners in the execution of its provisions:

"WAR DEPARTMENT, BUREAU OF REFUGEES, FREEDMEN AND ABANDONED LANDS,
Washington, May 22, 1865.

"Whereas, a large amount of land in the State of Virginia, and in other States that have been in insurrection, has been abandoned by disloyal owners, and is now being cultivated by freedmen, and whereas, the owners of such lands are attempting to obtain possession of them and thus deprive the freedmen of the fruits of their industry, it is ordered that all abandoned lands in such States, now under cultivation by the freedmen, be retained in their possession until the crops now growing shall be secured for their benefit, unless full and just compensation be made for their labor and its products and for expenditures.

"The above order will not be so construed as to relieve disloyal persons from the consequences of their disloyalty, and the application for the restoration of their lands by this class of persons will in no case be entertained by any military authority. O. O. HOWARD,
"Major General,
"Commissioner of Freedmen, Refugees and Abandoned Lands."

"WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, May 29, 1865.

"All military authorities will assist the Commissioner of the Bureau of Refugees, Freedmen and Abandoned Lands, and aid him in the execution of the above order.

"By direction of the Secretary of War,
"E. D TOWNSEND,
"Ass't Adj General.

Message from Gov. Clarke, of Miss. on the Situation.

The message of Gov. Clarke, of Mississippi, of which the following synopsis is given by the St. Louis *Democrat* of the 1st inst, was intended for the called session of the Mississippi Legislature which the military authorities refused to allow to sit and legislate.

After adverting to the responsibility, his action in calling the Assembly together, and the trying circumstances under which they meet, he admits the war is ended and that with the power of the confederacy of the Southern States, and expresses satisfaction that his humble part was performed with fidelity to his State, and in obedience to her laws.

He admits that the Southern States will return to the Union, and says the circumstances surrounding them will induce them to consent, but necessarily being the result of military power will render the organization a delicate and difficult task. He advises the adoption of the speediest measures to accomplish this in accordance with the rights of States and liberties of the people, alludes to the unprecedented magnanimity with which the people of Mississippi, in 1861, through their authorized delegates in convention, severed their connection with the Union, and says the conditions was not hasty, but the subject had occupied the minds of the people for many years, and causes which would have justified revolution impelled them to secession. With no purpose of aggression but for defence alone did Mississippi raise armies in obedience to her laws and ordinances to repel invasion. The Northern States which have demonstrated their earnestness to preserve the Union as essential to free government and liberty, and which have, by the exercise of power, astonished the world, cannot desire the abasement and destruction of a people whom, in the contest, they found equal to themselves in all except numbers and resources. But by concession of equal rights alone can the full consent of the people be obtained. He recommends the calling of a Convention to repeal the ordinance of secession, remodel the State Constitution, and enlarge the power of the Legislature. He then recommends the passage of various acts; but the validity of many of them, they are omitted.

The message concludes as follows: "The terrible contest through which the country has just passed around is every section the fiercest passions of the human heart, and in many instances has led to the commission of crimes of the most malignant character, until lawlessness seems to have culminated in the assassination of Mr. Lincoln and the attempt to assassinate Mr. Seward.

For those atrocious acts, so repugnant to the instincts of the American heart, and so much opposed to the principles regulating our social life, you feel, I am sure, in common with the whole people of this State, the profoundest sentiments of detestation. The period, too, at which they occurred was most inauspicious for the fortunes of the country.

They have inflamed the minds of the Northern people, although right thinking men, when embittered feelings have passed away, will not attribute them to the Southern people, yet for the present this may retard an adjustment of our laws and social institutions on such basis as will most speedily give quiet repose to the people and country. It is alleged that the immediate parties engaged in the assassination have implicated a number of gentlemen well known for their adherence to the cause of the South, amongst them Jeff. Davis, and Jacob Thompson, of this State." This implication is repeated by Governor Clark on account of the purity of the private character, personal integrity, honor, truth and uniform Christian morality of the said gentlemen. But he says if the evidence justifies the charge their names and character will be tarnished forever.

The Court to Try Jeff. Davis.

Col. John W. Forney writes from Washington to the Philadelphia *Press*:

"The trial of Jefferson Davis and John C. Breckinridge will take place before the Superior Court of the District of Columbia. There seems to be no purpose on the part of the government to surround the occasion with any special *éclat*, nor, indeed, is there the slightest necessity for giving a dramatic appearance to that which should simply be the execution of justice in the briefest time consistent with fair dealing and fair hearing to the parties accused.

"The Chief Justice of the Superior Court is the Hon. David C Cartter, a native of New York, who represented one of the Ohio districts in Congress from 1849 to 1859. He had occupied several positions in his new State—among others that of president Judge of a population and intelligence equal to the entire present of our country at the South American court of Bolivia as resident Minister. He resigned and returned to Ohio about three years ago. After Congress had reorganized the courts of this District and legislated out the Judges, President Lincoln, anxious to secure men of ripe experience, capacity, and unchallenged loyalty, appointed Judge Carttar at the head of the new court, and associated with him Hon. Abraham Olin, of New York; Hon. George P. Fisher, of Delaware, and Mr. Wiley, of Georgetown. It is before this court, and probably before Judge Carttar alone, that the great criminals will be tried. It is proposed to which quarters that Chief Justice Chase should preside, but I do not think the idea will be carried out."

Gloomy Picture of the Condition of the Late Confederacy last Spring by Robert Toombs—His Reasons Why it Must Fail.

New York papers of the 25th have the following letter from Ex-Senator Toombs of Georgia, an extract from which has been already published:

Washington, Ga, March 24, 1865.

"DEAR DUDLEY—Mr. C. C. Clay, the late Commissioner to Canada, who has been spending about one month with us, leaves to morrow for Richmond, and I avail myself of the opportunity of writing to you.

I have the most painful apprehensions for the future, and they arise solely from my entire conviction of the total inadapatity of Mr. Davis, and your humble servant, to the duties of his and my respective offices. We have given him all the men who would volunteer, followed him all the men we could assist at first from eighteen to thirty-five, then up to forty-five, then all from seven teen to fifty. And the army is smaller to-day that less efficient than on the day the first Conscript bill was passed. Now Congress has given him all the negroes, and the result will still be the same, superadded to the most fatal mistakes whose have ever darkened our premises. The negro, first, is indisposed to work for Secondly, if I am wrong in that, he is not fit for our soldier. If he is capable of making a soldier, he ought to be and will be a Yankee soldier. If the—thirds of the white freemen (we Mr. Davis and myself have ingeniously abandoned their 3 negroes) have fled from a standard to which all the hopes of a free man are centered, opposed to what they indignitly inflicted by the Yankees upon their wives, children, friends, [illegible] Yet they have fled, fighting against their homes and property, wives and children, and country and all that men hold dear, they ought to be retained by Yankee opposers! Look out. Have they a keener sense of injustice than ourselves? Hearts, then their motives, I do not, they ought to be shot.

[illegible] Yankee [illegible] Yankee [illegible] Yankee [