

him: "How is it that we could not get the same evidence before us, as Grand Jurymen, as you gave here?" He said: "I could not recollect them; I stated to you all that I recollected of that case in regard to the flag-raising; I did not recollect seeing Mr. Grason there, at the flag-raising."

*By the Committee.*

*Question by the Committee.* What was the result of your investigation in regard to the charges against Mr. Grason?

Answer. We dismissed the case by an almost unanimous vote of the Grand Jury. In trying those cases, I thought we would probably have some difficulty in getting the testimony before us; they were slow coming up at first. I complained to Judge Grason, that we could not get them up. He said: "Let me know, and I will have them attached." Then the mind of the Grand Jury was not clear in regard to the law of treason, and I got Judge Grason to point me to the law that was passed. I knew there was a law, passed in 1862, defining treason and seditious language; he pointed out the law to me. I wanted to know what effect that law would have on any cases that occurred previous to its passage. I know the general opinion of laws, is that they cannot go back to punish crimes. Judge Grason refused to give me his opinion; he said: "I would sooner not give my opinion, because I will have cases coming before me of these kind, and I will have to decide, but it is a conceded opinion that no law can affect any crime committed before its passage."

*Direct examination resumed.*

Question. Did he refer you to any one, whom you might be guided by?

Answer. Yes; to Mr. Ensor, State's Attorney; he said: "I will speak to Mr. Ensor."

Question. Did he furnish you with more facility to obtain persons attention?

Answer. Yes.

Question. You indicted some parties for perjury, yourself, did you not?

Answer. Yes.

*The examination in chief of this witness was here concluded.*

*Cross-examination.*

Question. What term of the court was this?

Answer. December term of 1864.