The Weed Libel Suit.

SUPREME COURT—CIRCUIT—PART III—DEC 13—Before Judge Mason and a Jury.
George Opdyke ext. Thurlow Weed.

This case came on for trial to-day. The Court room was quite full. David Dudley Field and ex-Judge Emott appeared as counsel for the plaintiff, and Wm. M. Evarts and Edwards Pierrepont for defendant. The following Jurors were impanneled: Charles B. Cornell, Herman Cushman, Thomas Warren, Benjamin Way, Caspar J. Westervelt, Marcus Klinger, Hans J. Hanson, Wm. Holden, Henry Harris, Edward M. Seaman, John Drinker, and H. K. Bull.

Several Jurors were challenged for favor, and four peremptorily—two by each party.

Mr. Pierrepont moved that the Court direct that the defendant have the affirmative under the pleadings, the answer admitting everything set out in the complaint. The answer avers that the defendant "did not make the statement of facts contained in the said articles, extracted and quoted in said complaint, without careful investigation, and upon such information as was sufficient to convince men of ordinary judgment that each and all of the same were true." Under Section No. 165 of the Code, the defendant is entitled to prove his case affirmatively, and there is nothing whatever for the plaintiff to prove.

Mr. Emott claimed that the plaintiff was entitled to prove damages and malice. Would the jury be bound to give a verdict for damages without any evidence being offered? The extent and character of the circulation of the newspaper are to be proved.

The Court was very much inclined to think that the plaintiff, having the privilege of proving, by extraneous evidence, malice and damages, was entitled to the affirmative.

Mr. Evarts argued at length to show that the defendant, having the burden of proof, should have the right to begin and to close the case.

The Court ruled that the plaintiff should have the affirmative.

Counsel for defendant excepted.

Mr. Emott opened for the plaintiff. He said: Gentlemen of the Jury—The attendance in this court-room indicates the degree of public interest felt in the present controversy. The parties are not absolutely unknown probably to any of you. Let me warn you, gentlemen, against any impression from any source that this is a political suit. It is true that both the parties have occupied prominent positions in politics, and, strangely enough, they happen to belong to the same political party. The action is not brought upon charges which affect simply the political standing, character or conduct of the plaintiff. Such charges might be passed by like the idle wind. The defendant has, in the most deliberate and solemn form, brought charges which affect the personal character, reputation and integrity of the plaintiff. George Opdyke has been well known as the chief magistrate of the chief city on this continent. Long before he was chosen as such he was well known as a prominent and leading merchant of this city. He stands to-day charged, in one of the most widely-circulated public prints, with swindling; with being a speculator upon the needs of his country in the hour of its trial; with being ready to sell his soul for gain when other men's souls were burning with patriotism; with being a perjured wretch in the highest seat of magistracy in this great city. I will not stop to read the articles containing the libels. They are wholly the production of the defendant, whose counsel stand here to-day, as they say, to justify the charges. We tell them that, as we have invited the justification, we are prepared to meet it. Thurlow Weed has been for years of the same political association with the plaintiff. He has been in intimate relation with those who have controlled this Government for the last four years. May I not say that from his reputed familiarity with those who indulge themselves in schemes of profit and plunder such as he has charged upon this defendant, (and I say it not designing to make any imputation beyond what my words convey,) charges of this description would come with greater force and receive additional weight and increased circulation in the community? Nor is that all. The defendant, as you know, wields a pen whose power is not exceeded, is hardly equaled, by that of any other journalist in this country. He has done as much as any other living man to build up the party which now governs the destiny of this country—a party the impress of whose action will be felt not only upon the history of this country but of the world. He is one of the great authors in the world of thought of that which is now rapidly becoming history in the world of action. He has been for years in this State a leader and a guide—I might say, the leader and the guide—in politics, with an influence not limited to this State, but spreading all over the Union. He controlled, and even after he had sundered his relations with it, he was allowed to employ a newspaper whose influence and whose circulation we shall give you some evidence respecting—an influence which was not inferior to that of any other vehicle which he could have adopted to attack the character of any one, or to accomplish any purpose, for evil or for good, which he might conceive. But the case does not stop here. Using that vehicle he added to that the bold and characteristic act of affixing his own initials to the article which he saw fit to publish, and sent it forth as the missive, not of an unknown newspaper writer, not even presumed to be the work of the senior editor of *The Evening Journal*, but with his mark set upon it as the author and boldly avowing its truth. And now what are the charges? If, gentlemen, you are entirely unfamiliar with the publication which is brought here to-day, I venture to say you will be astonished at the magnitude of the crimes which this man has averred against the plaintiff, and at a loss to conjecture the motives which could have induced him to make so reckless as well as so wicked a libel. (Counsel here stated in substance the charges contained in the alleged libels. The words are given below in evidence.) The plaintiff is charged with being a thief, a perjured official, with swindling both his country and his friends, with availing himself of his high position to cheat his friends and put property into his own pocket, with taking advantage of the necessities of a man who was among his nearest political and personal friends, with corruptly trafficking in public offices of the highest trust and responsibility. Gentlemen, $50,000 is not more than an adequate punishment for such an offence if the defendant fails to establish the truth of those charges. And yet it is not money for which this action is brought. There has not been a moment since the charges were made when a simple statement that the defendant believes them to be unfounded and false, and a simple regret, would not have put an end to this controversy. Now, if we do not receive from you a verdict whose magnitude shall ring as loudly and as widely as these charges have done, the plaintiff goes from this Court dishonored, if not disgraced. No trifling amount can answer the demands of justice if this defense be not made out. I doubt whether that will be the issue upon which this cause will finally go to you. There is no mistake in this issue. Either Geo. Opdyke is a heartless, corrupt, perjured scoundrel, or else the author of these publications is a libeller, attacking a man's dearest possession with the most defamatory aspersions that human malice can invent. Can you give a verdict too large if such charges are not sustained? Can you give too large a verdict not only to punish him, but, what is more, to warn others who may hold similar positions, lest they commit like offenses? There is no power that is equal to that which is wielded by the conductors of the public Press. They can inflict wrongs that no other class of people can possibly equal. Men talk about the abuse of the privilege of counsel in speaking against witnesses and parties in court. The counsel's voice dies, and his words are scarcely heard beyond the room in which they are spoken. Not so with the printed words, they are scattered broadcast over the country and are seen and read by thousands upon thousands. Gentlemen, we look to you to see justice done, and these wrongs redressed.

Counsel for plaintiff put in evidence the following portions of the article published in *The Albany Evening Journal* of June 18, 1864:

This man has made more money by secret partnerships in army cloth, blankets, clothing, and gun contracts, than any Jew sharper, Jew or Gentile, in the city of New-York. * * * G. W. Fury, Opdyke's soon-to-be-in-law, made a claim upon the supervisors for damages sustained in the destruction of guns in the process of manufacture under a contract with the government. Mayor Opdyke was, by virtue of his office, a member of the committee before which this claim was allowed. Opdyke disclaimed any personal interest in the gun claim. Fury denied, in the journals, that Opdyke was interested, and made an affidavit, which was submitted to the committee, swearing that *he* was the sole owner of the gun contract. Opdyke, therefore, sat in the committee investigating the claim of his son-in-law, and at an early day received a check for $100,000. It is alleged that $25,000, received from the government on the contract, was forgotten in making up the claim against the city. But though the city paid hastily and promptly, "Oily Gammon" was more "to grief." He refused to divide profits fairly, and Mr. McNeil, member of the present legislature, commenced a suit against George Opdyke for a sixth part of the $100,000. In presenting this claim to the Supervisors, Opdyke declared, and his son-in-law, Fury, made oath, that the former had no pecuniary interest in it. In answering Mr. McNeil's complaint Opdyke denies that Fury was ever interested, and swears himself is the owner of the share claimed by the plaintiff. And this answer to McNeil's complaint is sworn to by Opdyke! This, therefore, is Mayor Opdyke's position. To gratify himself to and importunity and dunning for the tax-payers of New-York, on a committee, he disclaims being interested in the gun claim, and to that disclaimer his son-in-law adds an affidavit. The claim is allowed and paid. A partner, after selling the ex-mayor a swindler, prosecutes for a share of profits; and in his defense, Opdyke made oath that he owns the largest share of the contracts which, before the claim was paid, he had repudiated! * * * * * More than a year ago, Mayor Opdyke and others reminded Gen. Fremont that when he was a candidate for President in 1856 he was weakened by pecuniary embarrassments; and that as his friends intended to run him again, it would be wise to put his affairs into a better shape. The General assented, giving to Messrs. Opdyke, Morris Ketchum and D. D. Field a schedule of his debts. These friends formed themselves into a Mariposa Mining Company, mortgaging the mines for one million five hundred thousand dollars, with the proceeds from which all the General's debts were to be paid. But difficulties arose, which, however were adjusted by the payment, by Gen. Fremont, of two million four hundred thousand dollars, in Mariposa stock, to Messrs. Opdyke, Ketchum and Hoey, and a contingent fee of two hundred thousand dollars to David Dudley Field, esq. And said the confidential and real friend of Gen. Fremont, who gave me this information, "there were other sacrifices and extortions, during the negotiations, that would make Jews blush."

Counsel also put in the following from the article published in *The Albany Evening Journal* of June 23, 1864:

Mr. Gibbs, the carbine patentee, says that in the "claim" submitted to the supervisors, on which $100,000 was paid, there is a large swindle. * * * * Opdyke can, if he chooses, enlarge the field of inquiry so as to embrace the alleged sale of the office of Surveyor of the Port of New-York for the moderate sum of $10,000; the copartnership with "Nothing to Wear" Butler, in the Custom-House "labor contract;" and the "shoddy" blankets that were rejected in New-York and subsequently worked in at Philadelphia.

Philip TenEyck sworn; examined by counsel for plaintiff: I was one of the publishers of the Albany Evening Journal in June, 1864; the defendant, Weed, was not then in any way connected with the paper; he had no interest in it whatever; we printed the Daily, Weekly, and Semi-Weekly Albany Evening Journal; they all contained pretty much the same reading matter.

Q. What was the extent of their circulation—the paper containing this libel? (Objected to; objection overruled; exception taken.) A. The aggregate circulation of the three editions was from 23,000 to 25,000, mainly in the State of New-York, west of the City of New-York; it had a limited circulation in this City; it exchanged with pretty much all the prominent newspapers in the State, and to some extent outside of the State; the Weekly edition was about 17,000; the Semi-Weekly not more than 2,500; it was sent to the Governor and some of the officers in the State House.

Cross examined—The paper was not circulated by public authority among public officers; it was sent as a matter of favor to them, and also to the Crier of the Circuit Court.

Re-direct—It was sent to subscribers in the State Legislature; there was a dispute about its being a State paper; Judge Hogeboom gave it as his opinion, prior to June last, that it was not.

Alexander Wilder sworn—Examined by Counsel for plaintiff—I live in New-York City; I belong to the staff of *The Evening Post*; my duties lead me to Albany every Winter; I am acquainted with *The Albany Evening Journal*; it circulates in places where I have seen it—generally among members of the Whig party and Republican party; occasionally among leading members of the Democratic party; I have known the paper ever since I was a boy.

Q. What has been its character and position? (Objected to.) A. It was a political paper, first anti-Mason, then Whig, then Republican; as such, it was taken by persons having sympathies with it; it having been once or twice the State paper it got a circulation in different counties of the State on that account, it stood among the first-class papers in the State. I knew nothing of its circulation out of the State; never saw it except in some literary association; I have found it taken in most of the departments at the State Hall, and taken, I should judge, by the average of our county officers; wherever I have been I have found it.

Cross-examined—It is difficult to say exactly what I mean by being on the staff of *The Evening Post*; I am correspondent generally at Albany during the sitting of the Legislature; I have been one of its reporters here—police, and about the city; I do not now hold that capacity; I now assist in the office.

Q. Have you any knowledge of it except as seeing it in *The Evening Post*? A. If I understand your question, I should say I have not.

Q. Do you hold the office of health warden? A. I do not; I was assistant health warden last year; I think the nomination came from the City Inspector, with the approbation of the Mayor, confirmed by the Board of Aldermen, also by the Mayor, I suppose; while I held the office I was on *The Evening Post*.

Re-direct—Q. Have you any particular knowledge by what mayor you were confirmed? A. I have not.

Manton Marble sworn.

Examined by counsel for plaintiff—I am editor of *The World* and was such in June 1864, a daily paper in this city.

Q.—Have you taken notice of the articles, portions of which have been read this morning? (Objected to.)

Counsel for plaintiff proposed to show that these articles were republished in *The World* at the request of the defendant, with a view of showing malice.

The Court.—You did not allege in your complaint that it was published in any other journal.

Counsel for plaintiff claimed that a reiteration of the same slander or libel was admissible.

The Court excluded the testimony, to which ruling Counsel for plaintiff excepted, and then rested the case, whereupon the Court adjourned till to-morrow at 10 o'clock.

CITY ITEMS.

COUNTY VOLUNTEER COMMITTEE. — NEW BUILDING FOR THE ENROLLMENT.—EXCITING.—Supervisor Orison Blunt, Chairman of the Committee on Volunteering, has begun the erection of a building in the Park, adjoining the Park Barracks, for the use and occupation of the Committee in the work of enrollment. The flooring has already been laid, and a portion of the sides. The length is to be 200 feet, facing Broadway, and the width 50 feet. It is to be occupied by the large squad of clerks and others engaged at present on the enrollment at Nos. 71 and 73 Duane-st. When these buildings were hired by the Committee, an understanding was had that if the proprietor desired, it must be vacated at an hour's notice.

A day or two since Mr. Blunt was notified that the portion of the building used by the Committee was required by other parties. As a consequence, the ground in the Park before alluded to was selected by Mr. Blunt. The proprietor of the building gave the Committee till the fifteenth of the present month, that they might be enabled to complete their building and suffer no annoyance. Therefore, the notification having been given on the 12th inst., three days are allowed in which to erect a building large enough to accommodate desks, &c., for the accommodation of nearly 1,000 clerks.

Recruits still come in lively, thirty-five having been received yesterday. Mr. Blunt continues to pay the bounties to those enlisting in either branch of the service, Army or Navy. Three year recruits receive $300; two year recruits receive $200; substitutes for three years receive $600; substitutes for two years receive $400; and to any person bringing a recruit the sum of $20 is paid.

BULL'S HEAD—With an inadequate supply of all kinds of slaughtering animals, and keen weather to sharpen the appetite, prices have taken a sudden jump quite alarming to the consumer, but equally gratifying to the feeder and speculator. On the strength of the rise, speculators posted West in fast trains, hoping to secure fresh droves before the country people shall have heard of the advance. The telegraph has its wires called into requisition, and droves have been bought even before this is written. Beeves advanced fully a cent a pound, sheep about two cents, and hogs a cent and a half, over last week's rates.

BOARD OF SUPERVISORS.—The Board met on Tuesday, at the call of the chair, upon the recommendation of the Committee on Annual Taxes. A communication was received from the Mayor transmitting the resignation of Jacob Theiss as Marshal of the Fifth District, and appointing J. W. Somerindyke to fill the vacancy. On motion of Mr. Purdy, the Board advised and consented to the nomination of the Mayor. A communication was received from the Controller transmitting the Annual County Tax Levy for 1865. By the following will be seen the amounts required for the maintenance of the County Government for the coming year:

Legislative Department	$322,500 00
Executive	2,986,415 61
Judiciary	378,300 00
Miscellaneous	3,067,650 83
Total	$6,754,866 44

Under the heading of Miscellaneous the following items are found:

State Taxes	$2,592,659 65
Common Schools for State	462,000 00
New-York Juvenile Asylum	55,000 00

The Judiciary embraces the following items:

Salaries	$229,300 00
Officers' and Witnesses' Fees	80,000 00
Coroners' Fees	60,000 00

The Executive Department will require the following:

Police Fund	$2,194,547 56
Supplies for Police	55,900 00
Police Contingent Expenses	25,000 00
Salaries	68,150 00
Boats	44,000 00
Maintenance of Harlem Bridge	2,700 00

The Legislative Departments have the following items:

Advertising	$20,000
Armories and Drill Rooms	15,000
Election Expenses	65,000
Lighting, Cleaning and Supplies for County Offices	43,000
Printing and Stationery	60,000
Repairs to County Buildings	11,000
Salaries Legislative Department	32,000
Support of Prisoners in County Jail	8,000

The following is a comparison of the expenditures for the year 1863 and of those of former years:

In 1861 the expenditures were	$4,251,381 12
In 1862 the expenditures were	4,456,225 24
In 1863 the expenditures were	5,785,782 13
In 1864 for 11 months	4,860,253 09
Estimates for 1865	6,754,866 46

The increase is in State Taxes, Police Fund, increase of salaries and interest on war bonds.

Total amount of appropriations for 1864 was $6,204,037 10. This makes an increase of $550,828 47.

On motion of Mr. Purdy, 1,500 copies were ordered to be printed in document form.

Adjourned to Wednesday at 12 o'clock m.

FIRE IN AVENUE C.—The upper portion of the two-story building, corner of Avenue C and Fifth-st., was badly damaged by fire on Monday night. The second floor was occupied by James Hughes as a daguerrean gallery. Loss on stock about $600. The first floor is occupied by Phinando Reese as a grocery. Loss on stock by water, $300. The building is owned by R. Christiansen, and is damaged to the amount of $600. Insured.

ATTEMPT TO OBTAIN LETTERS.—John Williams, alias George Lewis, yesterday called at the Post-Office and asked for the letters in box No. 1,908, belonging to the Importers and Traders' Bank. The clerk asked him if he had an order for them, and on his replying in the negative, requested a bystander to detain him until an officer could be sent for. Lewis broke away and ran up the street, but was arrested by Officer Corrigan, of the Second Precinct. Mr. James Buell, Cashier of the Bank, appeared before Justice Hogan and made a complaint against the prisoner for attempted grand larceny, and he was committed in default of $1,000 bail.

PRESENTATION TO GOLDWIN SMITH.—In acknowledging the gift of a collection of historical and statistical books, by their authors or publishers, through Mr. H. T. Tuckerman, Prof. Goldwin Smith writes:

NEW-YORK, Dec. 8, 1864.

DEAR SIR: My most hearty thanks are due to you, and to all those who have united with you, in this act of courtesy and kindness toward your English guest.

No gift could be more welcome to one so deeply interested as I am in all that relates to American history, intellect and character. I shall regard these books partly as a trust placed, by you and your friends, in my keeping; on my shelves they will be open to all who may wish to consult them; and I shall be most happy if they are the means, in my hands, of diffusing a better knowledge of America than, to the misfortune of both nations, but especially of mine, has hitherto been possessed by most English critics of American affairs.

"My visit to America is now drawing to a close; and this pleasant gift crowns three of the happiest and most instructive months of my life. I shall bear with me to England the memory of great enjoyment, a most grateful sense of the overflowing kindness which has everywhere surrounded me, and a desire stronger, if possible, than ever to see friendship reign between the beloved land of my birth and the almost equally beloved land which I am now leaving. I am, dear sir, very truly yours,

"GOLDWIN SMITH.

"Henry T. Tuckerman, esq."

FIREMEN'S RIOTS.—Upon the occasion of an alarm of fire on Tuesday morning, at about 1 o'clock, a collision occurred between the rival Engine Companies Forty and Fifty-three, which resulted in a serious fight. The Companies had long entertained ill-will toward each other, and a disturbance of lighter character had taken place between them on Monday, on the corner of Broadway and Leade-st.

The collision of Tuesday morning occurred on the corner of Broadway and Maiden lane. Pistols were the principal weapons used, and a number of shots were fired. The following firemen were injured, and carried to the New-York Hospital: John Grimes, Fifty-three engine, cut in the head; John Carroll, Fifty-three, gun-shot wound in the back; Hugh Bonner, Forty engine, contusion of the head; John Collins, engineer of steamer Thirty-eight (a spectator of the fight,) gunshot in the neck; Joseph Cash, Forty engine, stab in the breast and contusion in the head. The latter is very seriously hurt and is retained at the Hospital; the others have been discharged, with their wounds dressed. Few arrests were made.

Just before midnight Hose Companies Nos. 16 and 45, while proceeding to the fire in Avenue C, met at the corner of Second-ave. and Houston-st. A fight was the consequence. In the melee pistols were freely used. One of the members of No. 16, named George Schnatz, was slightly wounded in the side, the ball striking a rib and glancing off. The members of No. 45 finally drove those attached to No. 16 from their carriage, overturned it, and then left.

ATTEMPTED SUICIDE.—On Tuesday morning Fanny Wright, a miserable woman residing in Church-st., near Liispenard, purchased a small bottle of laudanum at the drug store No. 515 Broome-st., and proceeding to an adjoining liquor store, procured a glass of ale, and with the remark that it was her last drink poured the contents of the vial into the glass and drank it off. She was taken to the 4th Precinct Station-house. Police-Surgeon Kimball administered the necessary emetics, and in a short time she was pronounced out of danger.

[Advertisement.]
PETROLEUM.

Our readers will find elsewhere an advertisement of the New-York and Liverpool Petroleum Company. Daniel S. Dickinson is the President, and he is associated with gentlemen of experience in the business. A careful study of the prospectus will reveal the advantage of the investment. The discovery of petroleum is so recent, and the necessary demand so large and increasing, that this Company may be and is proceed upon a permanent basis. Their prospectus speaks frankly and fairly, and the name of Mr. Dickinson, who has here, we believe, for the first time associated his name with any corporate enterprise, should satisfy the inquirer that it is not a mere speculation. All of the funds paid in form the working capital of the Company, and no one connected with it is interested in selling the Company land or property at a fictitious value or at any profit. Stockholders are mutually interested in all the profits of the company. A limited number of shares are offered at a subscription price of five dollars per share, without further tax or assessment, which is but half the par value. Several of the trustees are located in the oil region, and have expended their wealth and experience in the business, and have a personal supervision over the Company's affairs, and it is expected that large quarterly dividends will be regularly paid from the 1st of January. Subscriptions at the price indicated will only be received during the present month.

[Advertisement.]
PRESIDENT PETROLEUM COMPANY, PRESIDENT, VENANGO COUNTY, PENN.—It will be seen that the Officers and Directors of this organization are of excellent commercial standing and influence. Liberal advantages are offered to subscribers, they getting the property at first cost price, viz.: in the neighborhood of $140 per acre for first class oil territory. The territory is very ample and great prospects are entertained of large returns. Messrs. L. H. SIMPSON & Co. No. 64 Cedar-st., N.Y., supply pamphlets and all information. $100 paid in now secures $600 of the original stock. Office of the Company, No. 71 Broadway.

[Advertisement.]
A SPECIAL NOTICE.—Goldsmith's Penmanship, Bookkeeping and Business Affairs, No. 736 Broadway. Those only who enter their names prior to the Holidays will be received at half prices. Lessons may be extended to May 1.

[Advertisement.]
DYSPEPSIA!
A CURE WARRANTED.

Dyspeptic has the following symptoms:
1. A constant pain or uneasiness at the pit of the stomach.
2. Flatulency and Acidity.
3. Costiveness and Loss of Appetite.
4. Gloom and Depression of Spirits.
5. Diarrhea with griping.
6. Pain in all parts of the System.
7. Consumptive Symptoms and Palpitation of the Heart.
8. Cough, with Phlegm in the Throat.
9. Nervous Affection, and want of Sleep at night.
10. Loss of Appetite and Vomiting.
11. Dizziness, Dimness of Vision, and Loss of Sight.
12. Headache and staggering in walking, with great Weakness.

Out of the thousands of cases of Dyspepsia that have used Dr. Wishart's Great American Dyspepsia Pills, not one of them has failed of a perfect cure. We warrant a cure in every case, no matter if of twenty years' standing. Sold by druggists everywhere, and at Dr. Wishart's Office, No. 10 N. Second-st., Philadelphia, Pa. All examinations and consultations free of charge. Send for a circular. Price $1 per box. Sent by mail, free of charge, on receipt of money.

SOLD BY HELMBOLD'S DRUG AND CHEMICAL WAREHOUSE, SIXTH AMERICAN HOTEL, AND BY DRUGGISTS EVERYWHERE.

[Advertisement.]
LADIES', MISSES', and CHILDREN'S RUBBER SOLE BALMORALS, warranted the cheapest and most durable shoe in the market. CANTRELL, No. 613 Broadway.

[Advertisement.]
QUESTION—What shall I buy for the Holidays?
ANSWER—A WHEELER & WILSON SEWING MACHINE.
Where shall I buy it? At No. 629 Broadway, corner of Twenty-second-st., of J. T. EXTON.

Obituary.

Whereas, It has pleased Almighty God, in His divine wisdom, to take from among us our friend and classmate, Samuel Walden Cooke; therefore be it

Resolved, That while bowing with resignation to His blessed will, we deeply deplore the loss of one who was so highly esteemed by us all, as well for his talent, as for that laudable ambition and diligent application to his studies, which secured to him the high position he held in his class.

Resolved, That we feel a saddened pleasure in the recollection of those kindly relations which existed between the deceased and our College course, and which so strongly bind before us our departed friend, in the character of a Christian gentleman.

Resolved, That it is a source of consolation to reflect that, although his early age he was so suddenly summoned to the presence of his Creator, his life was one which would fit him to become "an inheritor of the kingdom of Heaven."

Resolved, That to his afflicted family we tender our heartfelt sympathies, knowing well how great a loss they have sustained in the death of so dutiful a son and so affectionate a brother.

Resolved, That we do attend his funeral as a class, and that we wear the usual symbol of mourning for thirty days.

H. P. SERMONS,
D. W. BURTNESS,
E. R. JONES,
Committee of the Senior Class of Columbia College.

SHARP ORDER OF GEN. BUTLER.—Gen. Butler has issued an order for the protection of the enlisted men in his command, as follows:

"*General Orders No. 163.*—It has come to the knowledge of the commanding general, by frequent complaints of private soldiers, that officers borrow money of the enlisted men of their commands.

No practice could be more demoralizing to both officers and men. Enlisted men do not feel themselves at liberty to refuse their officers. Men, if they loan money to their officers, expect favors in return, and there is an end to discipline, and an incentive to favoritism. Officers borrowing money of their men do not regulate their expenditure within their income, and find themselves unable to repay it.

This practice must be stopped. Hereafter it will be held cause to recommend for dismissal any officer who shall borrow money or incur debt to an enlisted man. After the next payment any officer who shall be indebted to an enlisted man, and has not paid him, will be recommended for dismissal upon complaint of his creditor."

COMMERCIAL MATTERS.

Sales at the Stock Exchange—Dec. 13.

U. S. 6s 1881 con.		Fourth Nat. Bk.		Reading.	
3,000	117¾	50	96	400	137¼
50,000	117¾	Canton Co.		800	137
U. S. 6s 5-20 Con.		300	36	600	137¼
50,000	109¾	50	36¼	Mich. Central.	
315,000 new	109¾	200	b30. 36¼	350	131
U. S. 5s 10-40 Cp.		Del. & Hud.		Mich. So. & N. I.	
18,000	107¾	50	218	200	73
1,500	102	Penn. Coal.		100	s30. 72¾
U. S. 5s 74 Coup.		100	199	500	72¾
5,000 end	110	157	200	200	72¾
Treas. Nts. 7 3-10		Cum. Coal prf.		100	s10. 72¾
19,000 A & O		300	52	100	s20. 72¾
small	121	200	51¾	300	b15. 73
35,000 lrge.	121	50	51¾	Mich. So. Guar.	
40,000	122	Quicksilver Min.		8	142
US 6s Or W 1 yr		300	95¼	Illinois Central.	
3,000	112	900	95¼	300	129¾
U. S. 6's 1 yr. ctfs		300	95¼	100	s15. 129¾
10,000	97¾	50	95	100	s30. 129¾
Mo. 6s H. & St.		100	s30. 95¼	Cleve. & Pittsb	
Jo. Iss.		Nicaragua Tran.		11	110
1,000	85	300	7	Chi. & N. W.	
Ohio & Miss. cer		Quartz Hill.		100	42¾
55,000	35¾	300	9	100	b30. 43¼
5,000	35¾	200	9¼	200	s10. 43
3,500	35¾	100	9¼	200	43¼
Erie 1st mtge.		500	9¼	Sh. & N. W. Pref.	
2,000	105	Mariposa Min.		500	76¼
Erie 2d mge 1879		500	36¾	Chi. & R. I.	
1,000	119	200	36¾	200	107
Buff NY & E. l m		200	b10. 36¾	200	107¼
6,000	101	300	36	600	107¼
Hud. R. 1st mtge.		American Coal.		300	107¼
1,500	108	400	85	500	b10. 107¼
Ill. Cent. bonds.		At. Mail S. S.		100	b30. 107¼
1,000	120	100	165	Chic., Bur. & Q.	
Chic. & NW. l m.		N. Y. Cent.		100	117¼
2,000	97¾	200	121	Mil. & P. du C.	
Pit. Ft W. & C. 1st		Erie Railway.		50	54
1,000	112	650	94	100	54¼
1,000	112¾	100	b30. 94	Pit. Ft. W. & C.	
Mil. & St P. 1st m.		1,000	93¾	500	105
2,000	93	100	b10. 93¾	100	s30. 104¾
McC. & W. 1st m.		100	s10. 93¾	400	104¾
2,000	68	New-Jersey Cen.		100	s10. 104¾
Evansv. & C. bds.		100	175	Hudson River.	
5,000	105	Alton & Ter. H.		200	b60. 118
Am. Exch. Bank		100	54¼	100	117¼
10	125	Cin. H. & Day.		200	118¾
Bank Commerce.		15	123	400	117¼
5	116	Bank of Republic		100	117
35	118	10	104	100	s30. 117

SECOND BOARD.

U. S. 6s 5-20 Coup		Quicksilver Min.		Mich. So. & N. I.	
40,000	109¼	100	95	100	73
30,000 n. is.	109	50	94¾	200	73¼
U. S. 5s 10-40 Cou.		Marip. Min. Co.		200	73¼
10,000	101¾	500	35¾	Ill. Central.	
1,000	101¾	Erie.		100	130
Treas. No. 7 3-10.		500	93¾	Cleve. & Pitts.	
25,000 A & O 1 2 1		750	94	1,200	112
U. S. 6s 1 yr. ctf.		500	s10. 95¾	Chi. & N. W. Prf.	
2,000	97¾	Reading.		200	76¼
Missouri 6s.		800	137	Mil. & P. DuCh	
5,000	63¼	200	136¾	300	54
Ohio & Miss. Cer.		Mich. Cen.		200	b60. 55
10,000	35¾	90	s30. 132¾	Pitts. Ft. W. & C.	
Canton.		400	134	200	105
200	36¼	Chi. & R. Island.		Chi. Bur. & Q.	
Cum. Coal Pref.		500	107¾	30	118
400	51¾	100	107¾		

TUESDAY, Dec. 13—P. M.

Gold opened at 234¾ and was steady for several hours. Upon the return of Gen. Warren the rate was pushed up to 235¾, but it soon fell to 234, and closed at 234¼. Government stocks early in the day were in demand at full prices, under an impression that an official announcement would be made by the Secretary of the Treasury that no more gold-bearing stocks of any kind would be issued. This was not done, and the 5-20s fell to 108¾ for the new issue. It is understood that $30,000,000 of 10-40s would have been taken by leading dealers in United States securities, thus bringing the issue of that loan up to $100,000,000 upon the Secretary giving the assurance required, and officially withdrawing the 5 per cents. New-York bankers are ready to help the Treasurer in all legitimate ways, but they are not disposed to buy twenty millions of bonds and find the department, under the plea of necessity, in the market with another loan long before their purchase could be distributed. As long as the department vacillates in its policy there will be little encouragement to operate largely in its bonds.

Railroad bonds continue neglected. Bank shares are all firm and wanted at full prices. Fourth National sold at 96, American Exchange at 125, and Bank of Commerce at 118. Railroad shares did not maintain the advance of yesterday at the Stock Exchange. At the Second Board the market was firm, and in some cases higher. Michigan Central rose to 134. The disposition to buy railway shares is not strong, and the market remains in the hands of brokers. Money is abundant among borrowers on call, and borrowers have refused to take money at 6 per cent. In commercial paper no change, and 7@10 per cent covers a wide selection of prime to fair names. The Sub-Treasury is collecting small notes for the use of the army, which requires ten millions in notes of $50 and under.

For exchange the quotations are: Bankers' Sterling, 60 days, currency, 257; 60 days in gold, 109¼; 3 days, in gold, 110¾; Merchants', in gold, 108@108¼; France, 5.10@5.13.

The business of the Sub-Treasury was: Receipts $1,815,180 85; for customs, $140,000; payments, $1,624,678 80; on account of loan, $157,000; balance, $31,460,007 91.

Freights are dull; the engagements to Liverpool are 50 tuns Heavy Goods at 7s. 6d.; 1,000 bbls. Naphtha at 6s., and per steamer, 300 boxes Bacon at 30s.; to London, 50 tuns Cedar at 12s. 6d., and 50 tuns Oil Cake at 15s. 9d.; to Hamburg, 400 cases Tobacco at 17s. 6d.; to Marseilles, 1,000 bbls. Petroleum at 6s. 3d.

For printing cloths *The Providence Journal* says the market is very active. Goods have advanced fully three cents a yard. The sales and resales of goods belonging in Providence amount to 100,000 pieces. The gleanings from other New-England States will amount to 54,000 pieces. The following are the sales: 2,000 pieces 56x60, 25c.; 8,000 pieces 60x64, 25c., early in the week; 4,000 pieces 60x64, 26½c.; 2,000 pieces 60x64, 27c.; 16,000 pieces 64x64, 27c., early in the week; 55,000 pieces 64x64, 28c.; 27,000 pieces 64x64, 29c.; 43,000 pieces 64x64, 30c. Total, 154,000 pieces.

The Bank of New-Jersey, at New-Brunswick, N. J., has been converted into a National Bank, under the title of "The National Bank of New-Jersey."

The Pottsville Miner's Journal, of Saturday last, reports:

The quantity of coal sent by railroad this week is 54,031.06—by canal, 22,726.13—for the week, 86,377.19, against 82,459 tons for the corresponding week last year. The present snap of cold weather will stop shipments by canal except for the line, unless it should moderate again—but even if it should, the season may be considered as closed by the canals.

The whole quantity sent for the week is 209,117 tons, against 192,918 tons for the corresponding week last year.

The increase for the year about closing has dwindled down to only 428,098 tons over the year 1863. This is much less than was anticipated. The loss from all the regions for the three months, commencing the first week in September, reached about 350,000 tons.

An evening paper, referring to the business of the American Coal Company, says:

The Caledonia mine, owned by this corporation, has been put in working condition, and will, it is expected, yield, during next year, 600 tons per day of semi-bituminous coal. The company saves a large expense in transportation by using exclusively its own boats. In anticipation of the increased production from the opening of the Caledonia mine, the Company has made contracts for an increase of fifty per cent in the number of boats. Notwithstanding these additions to the property of the Company, it will still still have a balance on hand sufficient to enable the directors to declare a dividend, without touching the surplus.

The following is a statement of Coal transported on the Delaware and Hudson Canal for 1864, ending Dec. 10.:

	For the week.	For the season.
Del. and Hud. Canal Co.	16,730	848,066
Pennsylvania Coal Co.	8,736	501,490
Total tuns	25,466	1,349,556

For the same period last year:

	For the week.	For the whole season
Del. and Hud. Canal Co.	3,772	828,150
Pennsylvania Coal Co.	9,938	661,955
Total tuns	13,710	1,490,105

This is the final report of the season.

The Cincinnati and Chicago Air Line Railroad Co. earned upon the Line from Richmond to Valparaiso, for the month ending Nov. 30, 1864:

Freight	$31,098 50	Express	$ 3,698 50
Passengers	55,882 75		
Mail	1,062 50	Total	$91,742 25

November, 1863	$51,364 15
January to November 30, 1864	873,800
January to November 30, 1863	416,008
Gain	$349,800

The aggregate amount of exports (exclusive of specie) from the Port of New-York to Foreign Ports for the week ending