An Uncle's Guardianship of a Niece Repudiated.

SUPREME COURT—SPECIAL TERM.
Before Hon. Judge Roosevelt.
THIRD DAY.

JAN. 16.—*Caroline A. Quimby vs. James McBride.*—The Court met at 11 o'clock, pursuant to adjournment, quite a large audience being in attendance, attracted probably by the peculiarly spicy character of the proceedings.

Mr. Norton, of counsel for the plaintiff, proceeded to read sundry letters that passed between the parties in this suit, and commenced with a letter from Mr. McBride, of April 29, 1854, and then letters dated July 13, 1854, August 4, 1854, March, and during other months of that year. There were also a number of letters without date among those read. The general tenor of all those letters was of that friendly, affectionate character which would naturally be expected to be apparent in a correspondence between such near relations as uncle and niece, and all more or less referred to her pecuniary and domestic affairs.

Mr. McBride was recalled by Mr. Fullerton, with a view to prove as to the authenticity of the words "see inside," in one of the letters produced by the counsel on the other side, and stated that they did not look anything like his handwriting.

Mr. Fullerton—This paper I hold in my hand is the third I have received of the kind. I wish to do nothing unprofessional, and do not know what course to adopt. I will hand it up to your Honor without reading it, and the Court can make such disposition of it and the others as it sees proper.

The documents were handed up.

Mr. Smith.—I have received one also.

The Court.—One of those letters revokes the other, and so the case is in *statu quo*. The two first are revoked by the third, and that in effect is revoked by a fourth.

Mr. Fullerton (explaining the order of the reception of the letters.)—This one was addressed to me, and that is the reply to it, and that was the reply to that. This third one was addressed to me within the last three minutes, she says. "I hereby revoke and decare of no effect a letter written by some one to me."

The Court.—There is no sense in that. I don't see where she stands. That speaks of a letter to her, not by her. I suppose there is no doubt as to the genuineness of these letters?

Counsel.—None at all.

The Court.—The lady seems to have a fancy for letter writing just now. (Laughter.)

Mr. Fullerton.—Well, I will read the letters in evidence. My object in doing so is, of course, not to reflect upon the counsel for the plaintiff, orto express an opinion upon the allegations contained in them. The signatures are scratched. The first is addressed to Wm. Fullerton, Esq., Attorney for James McBride, trustee of the estate of the late A. B. Thompson, &c:—

NEW YORK, Jan. 15, 1856.

DEAR SIR—Please take notice that I have this day forbid Messrs. Smith & Norton appearing as attorneys for me in the suit instituted against James McBride, in the matter of the trusteeship, &c. Yours, respectfully, C. A. QUIMBY.

The next one is to this effect, addressed to me and dated the 16th of January, this morning:—

DEAR SIR—Please take notice, that I have this day forbid Messrs. Smith and Norton from appearing or acting as attorneys for me in the matter of my interest in the estate of my late father, or the trusteeship of the same, and I hereby revoke and declare of no effect a letter written to me by some one to me unknown, and handed to me by William Norton to sign. Said Norton compelled me, by threats of the most extraordinary character of the consequences, if I did not do so. Yours, &c., C. A. QUIMBY.

11¾ o'clock A. M.

Mr. Smith—I will read this letter, directed to my partner and myself:—

GENTLEMEN—Irritated and annoyed by the publications in the daily papers of this city, of the testimony in my case, I, in an unguarded moment, allowed myself to direct the discontinuance of the suit, &c.

And then she goes on to say that on reflection,

I therefore revoke the order to discontinue the suit directed to you, and request you to prosecute the same to a final determination. Whatever reflection Mr. McBride may cast on my character, he knows well that they are only made to further his own sinister purposes. Yours, C. A. QUIMBY.

Mr. Fullerton then said that he would call Mr. Norton to the stand, so as to find out all about that letter of revocation.

Mr. William Norton (one of the attorneys for Mrs. Quimby) was then duly sworn.

Mr. Fullerton (handing the witness a paper)—When was this paper now shown to you served on you? A. This paper she has directed to Messrs. Smith and Norton, attorneys, &c., and was handed to me by him last evening, at a quarter past six, in our office in William street.

Q. What did you do in reference to it? A. I consulted with him in reference to it, and we then jumped into a Ninth avenue sleigh, and rode up to Mrs. Quimby's house in Ninth street; we knocked at the door, and William Bolson, a young man now present, opened it, and we requested to see Mrs. Quimby, but could not obtain an interview with her; we then left.

Q. Do you know anything about the origin of this paper No. 2? A. Yes, sir, I do.

Q. Where did it have its origin? A. It had its origin with me; I wrote or composed the body of this note, and my partner, Mr. Bainbridge Smith, copied it at my request.

Q. What did you do with it then? A. I put it in my pocket and kept it there until this morning at 8 o'clock; I then called on the plaintiff, at her residence, and had an interview with her; I found her in bed, sick and much agitated, and prostrated.

Q. What did you do with the paper? A. I submitted it to her—put it into her hands and asked her to sign it; she signed the paper and I brought it away with me.

Q. Was any letter written to her subsequently? A. Not to my knowledge.

By Mr. Smith—What is her condition now as to her mind? A. I found her as said, confined to her bed, with her whole system prostrated, as she informed me, in consequence of the publication of the testimony in this suit by the daily papers.

Mr. Smith here observed that he asked this question with a view to show the present condition of Mrs. Quimby's health and mind, as reasonably accounting for the tenor of the papers in question. Mr. S. also intimated that if the Court thought fit, in the face of these letters, he would of course discontinue the case.

Mr. Fullerton replied, and in the course of his remarks expressed his regret that his friends on the other side had come in contact with such sharp edged tools. So far as his client was concerned his especial desire was that there should be a thorough and complete investigation of the allegations advanced by the plaintiff. He earnestly contended that there was not a single line in all the letters which Mr. McBride had written to his niece, that reflected in the slightest manner upon the moral standing of the defendant. The result of that investigation, painful as it was, would constitute the basis of his final and complete vindication.

Mr. C. B. Smith said that if he conceived that the position of Mr. McBride was that of a man desirous of bringing his niece to the paths of virtue, he would have abandoned this case; but, on the contrary, he was found charging her with a want of chastity, and following her about from hotel to hotel, and telling that she was a woman of abandoned character.

Witness explained that Mrs. Quimby told him that she signed the paper to discontinue the suit through the influence and under the threats of Dobson; I therefore asked her to sign this paper on my hand:—

NEW YORK, Jan. 16, 1856.

MESSRS. SMITH AND NORTON:—

GENTLEMEN—Irritated and annoyed at the publication in the daily papers in this city of the testimony given in my case, I in an unguarded moment permitted myself to direct the discontinuance of the suit. Upon reflection, and by the advice of my friends, I am satisfied this course is prejudicial to my interest. I therefore revoke the order to discontinue the suit directed to you, and request you to prosecute the same to a final determination. Whatever reflection Mr. McBride casts upon my reputation, he well knows the falsity of the charges he makes against me, and made to advance his own sinister purposes. Yours respectfully,

CAROLINE R. QUIMBY.

After some conversation between the counsel, the Court said that he understood the counsel for the plaintiff to abandon the motion to remove Mr. McBride on the ground of improper or criminal acts towards Mrs. Quimby.

Mr. C. B. Smith said that though she abandoned the charge against him of criminal conduct, yet he contended that, from the nature of his answer to this complaint, in which he charges her with being an abandoned character, &c., he should be removed from the guardianship, because it is apparent that he would lose no opportunity in vilifying and sbelling her.

Mr. Fullerton would resist his client's being removed on any ground, because it would tend to his disgrace; but he was authorized to state that when this suit is ended Mr. McBride will himself apply to this Court to be removed from the guardianship.

Mr. Fullerton expressed his willingness to submit the case to the Court without summing up. To this Mr. Smith would not consent. Mr. Fullerton waived his privilege of summing up, and Mr. Smith proceeded to address the Court on behalf of the plaintiff.

The Court said the great fault appeared to be that the defendant had paid her too much money.

Mr. Smith—Precisely so, and then stopping it altogether.

The Court said the difficulty was in taking care of the children, and to protect the woman from herself. She is prodigal and extravagant; if he gave her $20,000 a year she would file a bill against him because he did not give her $40,000.

Mr. Smith would get her consent to have it all placed in the trust fund.

The Court said it was too palpable that there is no foundation for the main matter set up in the allegation against the defendant.

Mr. Fullerton moved for a dismissal of the whole complaint.

The Court, after some further conversation, said—I will dismiss the bill as it now stands, and counsel can draw up a special decree; and if anything occurs to me on the other points to make it necessary for me to look into those other questions, I shall attend to them.

Mr. Fullerton said he was not in the habit of asking for allowances, but he thought this was a case in which Mr. McBride should be indemnified.

Court of General Sessions.

Before Judge Capron.

CASE OF SAMUEL SUYDAM, INDICTED FOR GAMBLING.

Upon the opening of the Court yesterday morning, in the General Sessions, ex-Recorder Tallmadge rose and said he was retained as counsel for Samuel Suydam, who was under indictment for gambling. The case of Mr. Suydam was called yesterday, and he, the counsel, being confined at home with sickness, no one appeared for Mr. Suydam, and his recognizances were forfeited. He would now move that the order to forfeit the recognizances of Mr. Suydam be recalled, and he be allowed to have his trial with the rest.

The District Attorney said, under the circumstances, no proceedings would be taken upon the motion to forfeit the recognizances in the case of Mr. Suydam, and he might appear on Tuesday and have his trial.

Jacob Mitchell, indicted for murder, pleaded guilty to manslaughter in the fourth degree; and besides this no business of importance was done in this Court yesterday.

Court Calendar—This Day.

SUPREME COURT—Circuit.—Nos. 56, 17, 227, 254, 60, 190, 170, 171, 175, 191, 266, 297, 269, 275, 277 to 306. Special Term—104, 17, 31, 32, 64, 111, 1161.

SUPREME COURT.—Nos. 7, 222, 223, 224, 246, 262, 256, 268, 270, 283, 286, 288, 299, 315, 316, 318, 322, 329, 330, 333, 334, 336, 337½, 338, 339, 341, 342, 344, 347, 348, 270, 349, 351, 352, 353, 354, 356, 356, 357, 358, 360, 361, 225, 112.

COMMON PLEAS—Part 1.—Nos. 242 to 267, 102. Part 2.—Nos. 237 to 242.

Charge of Fitting Out the Mary Anne Peck as a Slaver.

UNITED STATES DISTRICT COURT.
Before Hon. Judge Betts.
SIXTH DAY—CLOSE OF THE SUMMING UP—CHARGE OF THE COURT AND ACQUITTAL OF THE ACCUSED.

JAN. 16.—*The United States vs. Manuel Echeverria.*—At the sitting of the Court this morning, Mr. Joachimsen summed up the case on the part of the government. His address occupied over three hours in its delivery.

The learned Judge, at the close of Mr. Joachimsen's remarks, proceeded to charge the jury. His Honor said it was rather owing to the character and subject matter of this prosecution than to any grave question of law or testimony involved in its consideration that it derived its importance and seriousness. It is a suit instituted on the part of the United States government against the defendant on a charge that he had been engaged in carrying on the slave trade upon the coast of Africa; and you are very well aware, no doubt, that, by the positive law of this country, as well as in the general estimation of the civilized community, it is regarded as a very odious and heinous offence. It is, doubtless, familiar to you, gentlemen of the jury, from your knowledge of the history of the trade of the United States, that a very important and extensive commerce is carried on between the ports of this country and the coast of Africa—the Western coast especially—though there is also considerable trade carried on with the Eastern coast. It may be familiar to you also that at an earlier day, when the intercourse between this country and that continent was not so extensive, the objects of trade were mostly those connected with the purchase and transportation of slaves. I am sorry to say that it also appears, both from our legislation, the correspondence with foreign governments, and advices from our commercial agents at many points upon the subject, the slave trade is carried on to a lamentable extent at the present day from South America, especially along the coast of Brazil. At a pretty early day, Congress interposed by special legislation to prevent the extension of this evil, and prohibited all participation on our part in the trade. Congress subjected merchants to very stringent liabilities, if found concerned in that disreputable traffic. One of the provisions of the act was that the vessel and all the equipments on her engaged in it, should be forfeited, and also the party engaged in it should be liable to a public prosecution, and if convicted, to be imprisoned for a term of not more than seven years, nor less than three, and to pay a fine of not less than $1,000, nor more than $5,000. It is under the terms of this act that the present prosecution is instituted, and it would be well, perhaps, for you to understand clearly the terms of that statutory provision to see what it is Congress has forbidden to be done; and then for you to apply to it the testimony adduced, and say whether that testimony in any way establishes that the defendant has rendered himself criminally liable under the law. I will repeat the terms of the act, that you may see the precise question to which you are to address your attention. The second section prohibits the use of any vessel in the slave trade. It provides that no citizen or citizens of the United States, or any other person or persons therein, shall, either as master or owner, build, fit, equip, load or otherwise prepare any ship or vessel at any port or place within this jurisdiction, &c., &c., for the purpose of procuring for sale as slaves for involuntary servitude any negro, mulatto or person of color. Then comes the third section, on which this indictment is especially framed, and which provides, as I before remarked, the penalties to which any person so engaging in the traffic shall be subjected in case of a conviction. It is under the provision of this third section that the indictment presented by the Grand Jury is particularly framed, and no question has been raised on the part of the defendant but that the terms of the indictment are sufficiently comprehensive to embrace the offence. Whatever proofs might establish the offence, as set forth of in the statute, they are adequately embraced in the terms of the indictment in this case. When this trade first began to be noticed in the courts of the United States, and was proceeded against under this act of 1818, it was ascertained that most generally the purpose of the voyage was to be discovered by the nature of the cargo or the equipments of the vessel. Many instances of that kind have occurred in this and in other courts of the United States. The public attention was almost exclusively directed to the equipment of the vessel—to ascertain if she had on board the materials necessary to restrain the slaves when procured, and such a cargo as was likely to be adapted to facilitate the purchase of the negroes when the vessel should have reached the African coast. But it was soon found by experience that parties disposed to prosecute that traffic carefully avoided the furnishing of that sort of evidence against themselves. Vessels were no longer to be found provided with manacles on board, nor the means for creating slave decks, nor appliances to cook for a large number of men, nor an extra number of water casks. It became necessary, therefore, for the Courts, as they did, to say, in expounding the statute and in giving it an effect that would act vigorously in repressing the trade, that the vessel should not be fitted out in a manner pointing directly to the fact that she was about to engage in the guilty traffic. If it was proved that she was set afloat for the purpose of procuring slaves, and made for the coast of Africa, she would be alike guilty. It does not become, therefore, a question of any great moment in this instance to inquire whether this vessel presented in her equipment or loading, or any materials on her, evidence from which you should then presume that she was destined for the slave trade; at the same time that is a matter to which you must advert in the making up of your verdict. The question here is whether or not this vessel was purchased and fitted out and sent abroad with intent to employ her in the slave trade—was that the purpose the vessel had in view?—was that why she was navigated?—was that the object on which she was sent out and ventured?—was there anything in her direction and intention that would subject her to forfeiture if on trial here? If the point is established against the defendant here that that vessel was fitted out for that purpose, and went to the coast of Africa to obtain slaves, then she would be liable to condemnation. Then, the testimony which connects the defendant with her destination, would be the most forcible of his guilt under the statute. With respect to the circumstances connected with the loading of that vessel, you will bear in mind that the trade between this country and the coast of Africa has not risen to much national importance as well as commercial extent. We have a vast amount of traffic with that country, and in many instances vessels that go out there nowadays, carry with them the very cargo that originally was supposed to indicate a culpable object. They carry our commodities, supposed from experience to be the best calculated to secure a trade with the natives of that country; and whether the vessels were loaded with beads, trinkets, or gunpowder or cotton goods, the cargoes would be found to consist of articles which we know the natives have heretofore most readily taken in exchange for slaves. Then, in return, our traders take the various products of that country, such as gold dust, ivory, copal, gums, &c. You are not, therefore, now pressed with the force of the circumstantial weight that was formerly attributed to proof showing that the vessel was laden with articles that would be generally received on the African coast for slaves, because there is enough of evidence to show that there are others on that coast besides slave dealers who willingly trade off the products of the country in exchange for such articles of merchandise. The learned Judge then impressed upon the jury that they should be careful in sifting the evidence as to the character of the cargo of the Mary Ann Peck, with a view to see if it differed materially from the ordinary cargoes sent to the African coast. He then adverted to the vessel clearing for Sierra Leone, and the testimony of the boy as to her course being diverted to the Rio Congo. On that subject, however, the Court appeared to think there was an incompleteness of evidence as to the exact doings of the vessel at that place, if she did go there at all. If the evidence of the boy were reliable as to the alleged suspicions of the vessel at Rio Congo, it was the duty of the jury to examine and weigh the testimony to see how far the defendant was cognizant of them and countenanced them. They were to decide if he employed that vessel to engage in that illegal traffic, as alleged; and he might be employed within the meaning of the statute in various ways, as owner, master, factor, or agent. It was not necessary that he should have paid the money for her, or disbursed it for others; it was only necessary that the jury should be convinced the defendant was a party to the transaction, and entered into it and employed the vessel to pursue the traffic in slaves. If the evidence did not justify them in arriving at such a conclusion as that, then it was the duty of the jury to pronounce him innocent of the offence charged. His Honor, after some general remarks upon the measures which had been taken by the governments of Great Britain, Spain and the United States to repress the slave trade, concluded by observing that there was no disposition there to make victims of any one; that would redound neither to the interests of the country nor the dignity of the law. But it was well all should know that the laws would be upheld, and that those who offended against them would not be spared by reason of the weight of their influence, or through a mistaken sympathy with their character and position.

The jury then retired for about ten minutes, when they [illegible] with a verdict of not guilty.

[illegible] were manifestations of applause in the body of [illegible] on the rendition of the verdict, but they were [illegible] repressed.

Old Europe and Young America.

LECTURE BY MR. GEORGE SUMNER.

Mr. George Sumner, who has recently returned from a tour of Europe, delivered a lecture last evening at the Mercantile Library, on the condition of that continent as contrasted with America. During his visit to the Old World, Mr. S., appears to have been a close observer of the condition of things there, and has made the peculiar policy and domestic institutions of each nation his earnest study. His lecture last evening gave the result of that study, and was listened to throughout with undivided attention, by one of the largest and most respectable audiences which we have ever seen at the Mercantile Library.

Mr. Sumner began by stating that some seven years ago the British government, alarmed at the development of the commercial marine of other countries and the relative falling off of its own, sent a circular to its diplomatic agents, instructing them to inquire into the causes of this change. "The secret of American superiority over us," said one of the most intelligent of these agents, "lies in the better education which their public schools place within the reach of the masters and mates of their ships." But he did not say, (continued Mr. Sumner,) that this education itself was better because it was based upon and developed by freedom. In this lies the great difference between old Europe and young America. To illustrate this fact, and show the effects of education on the material and spiritual destiny of nations, Mr. Sumner selected four countries in which the history of education offers examples of peculiar interest—Holland, France, Greece and Ireland. The report of Cousin has made the Prussian system familiar. But Prussia, (said Mr. Sumner,) must not be judged by her public schools, nor can their value be judged without taking into account the withering influences to which superior instruction is exposed. With many of her wisest professors banished—her men of learning living under the fear of a brutal police master's warrant—with those engaged in the highest walks of science suffering "the pangs which patient merit from the unworthy takes"—we can offer small praise to her government—we can have but little hope of the good to be derived from her schools. The path of learning is onward and upward, and common schools will thrive best where superior instruction is most developed and honored. Shrubs may flourish around the oak, but the roof of lead which continual despotism spreads over knowledge blights alike the tree and the shrub—the university and the school. It is painful, in Berlin, to see in the court circle—in what is called society—the cold indifference, amounting almost to scorn, with which those men are treated who are the pride of science. Ehrenberg, Lichtenstein, Ranke and a galaxy of others are made to feel how little place they occupy in the minds of those who call themselves "the governing classes." They are taught, in presence of their sovereign, to yield precedence to gawky country noblemen, or belaced infantry colonels, who, with supercilious stare, inquire "Who these strange people are!" The grand name and the genial person of Humboldt receive from them, it is true, a certain respect, not for his noble devotion to science, but because Humboldt is a Baron and a Chamberlain! Feeling that the dignity of science and of human nature is humiliated by scenes like this, one would gladly hail in a Prussian monarch the sentiment which animated that king of olden time, who, on a similar occasion, giving, it is true, precedence to talent, said: "I can, if I please, make seven lords out of seven ploughmen, but I cannot make one Holbein out of seven lords." In a passing glance at Austria, Mr. Sumner illustrated the Imperial idea of education by the following characteristic anecdote:—An example of the manner in which Austria proceeds, when bent on pruning down superfluous learning, came under my own observation, at the College of Nagy Enyed, in Hungarian Transylvania. One of the abbots men in Hungary, and one of the soundest jurists of the European continent, Charles Sass, was there Professor of Natural Law. I have listened with delighted attention while, with an elegance of diction and a breadth of appreciation which Burlamqui might have envied, he expounded the principles of his science. The effect of such a course was to arouse young men to further study and to sentiments of patriotic usefulness. This could not be tolerated, and the Austrian Governor of Transylvania duly made his report thereupon to Vienna. The matter came before Prince Metternich himself, who, finding it difficult to reconcile the theory of natural law with his own practice of Austrian law, decided to punish Sass, by depriving him of his Professorship. Here arose a difficulty, however. In any other province of Austria the Professor would, without any ceremony, be turned out to starve, but the statutes of the college prevented removal without proper cause, and the Diet of Hungary being then in session—being then in existence—would have insisted on the maintenance of the statutes. The ingenuity of Metternich found a way of avoiding the difficulty. The Professor could not be removed, but he might, by superior decree, be named to another Professorship. The course was clear—the appointment to return to natural law was revoked, and Charles Sass, the accomplished jurist, was made a Professor of Botany. Knowing as he himself said, as much of botany as the difference between a cabbage and a cauliflower, he found himself thus suddenly called on to explain the minutest details of the classification of plants. The enlightened and paternal government of Austria hoped to find him unprepared, and so gain a pretext for his removal. Knowing this, he bent himself, with admirable energy, to his new duties, and in six weeks was ready with his botanical course. Of all the countries which an American can study, I know of none (said Mr. S.) more interesting than Holland. The facts in regard to Ireland were almost astounding. The developement of the national schools, and the opposition which they met, were pointed out. Honor was rendered to Archbishops Whately and Murray, of Dublin, for their part, some interesting statements from them introduced, and the conclusion announced, that these national schools and the Encumbered Estates act were effecting, silently and irresistibly, a social revolution—a social regeneration of Ireland. France and Greece, as well as Holland and Ireland, furnished the speaker with striking facts and admirable illustrations of the necessary connection between education and freedom, from all of which he drew some practical inferences. If there be, said he, any moral to the tale I have told, it may be summed up in few words:—Pay your school tax without grumbling—it is the cheapest premium of insurance on your property. You are educating those who are to make laws for yourselves and your children; in this State you are educating those who are to elect your judges. Build more school houses—they will spare you the building more jails. Remember that the experience of other countries shows that the developement of free and extended education has been followed by public and private prosperity—that financial success and political tranquillity have blessed those lands which have recognized its importance. Remember that education without freedom is barren in its results—that freedom, without the education of the moral sentiments, runs into anarchy and despotism—and that Liberty, ever vigilant herself, demanding ceaseless vigilance in her votaries—Liberty will not linger long in those lands where her twin sister, Knowledge, is neglected.

NEW YORK CATTLE MARKET.

WEDNESDAY, Jan. 16, 1856.

The demand for beef cattle at Allerton's was not quite so brisk as last week, but prices were well sustained. It was difficult to ascertain accurately the number on sale, as droves continued to come in during the whole day, and at the close further supplies were expected. As near as we could learn, there were about 900 head on sale. The supply of cars at Albany was found to be insufficient to bring the stock to market early in the day, and there is now quite a large number of cattle and sheep on the road. The greater part of the supply was from this State. One extra fine steer, fed in Columbia county, was among the offerings—valued at $400. His weight was estimated at 2,000, or more. There were about 1,800 carcasses of mutton brought into this city on Saturday, which sold as high as fourteen cents per lb., by the carcass. 400 head of cattle, expected by the Harlem Railroad, which were to be sold to-day, if they arrived in time, and would increase the supply to about 1,400 head. There were some few expected from Bergen, and some by the Hudson River Railroad, but it was supposed they would be too late for to-day's market. The average prices were about 11c. and the range 9c. a 12½c. The quality of the stock was middling, with only a few extras, which sold for 12c. a 12½c. Some sellers say that 12c. is the top of the market. It was impossible to ascertain the source from whence the supplies came, or by what conveyance.

Prices.

Beef cattle, extra quality, per 100 lbs	$11 50 a 12 00
" good quality	10 50 a 11 00
" common	10 00 a — —
" inferior	8 00 a — —
Cows and calves, extra	60 00 a 70 —
" " good	45 00 a 55 00
" " common	25 00 a 35 00
Veals	5½c. a 6½c.
" extra	7c. a 7½c.
Sheep and lambs	5 00 a 6 00
" extra	8 50 a — —
Swine	6 25 a 7 00

The supply of beeves at Browning's was about the same as last week, while the prices were a little better; 468 sold at prices varying from 9c. to 12c. per lb. Cows and calves and veal calves are scarce and much wanted. Cows and calves sold as high as $70 a $75 for the best, while veal calves realized 5½c. a 7c. per lb. The following are the sales:—468 beef cattle, $9 a $12; 37 cows and calves, $35 a $70; 23 veal calves, 5½c. a 7c.; 2,007 sheep and lambs, $2 50 a $10.

Memorandum of sales by James McCarty at Browning's.

145	sheep & lambs	$768 65	71	sheep & lambs	$428 22
170	do	876 25	102	do	382 50
14	do	183 00	40	do	294 00
15	do	164 00	92	do	506 00
4	do	46 50	54	do	290 00
4	do	33 32	20	do	100 00
4	do	28 00	55	do	288 75
5	do	25 00	—		— —
99	do	596 75	886		$4,765 52

Average per head ..... $5 32.

All kinds of stock was in pretty good demand at Chamberlain's, with a moderate supply, and at about last week's prices. The sales are as follows:—486 beef cattle, $9 a $11 50; 28 cows and calves, $30 a $50; 2,800 sheep and lambs, $3 a $9; 78 veal calves, live weight, 5½c. a 7c.; 324 hogs, ——.

The receipts of beef cattle at O'Brien's were about the same as last week, with a much lighter demand and a slight reduction in prices. Cows and calves are in good demand, and sell readily at prices varying from $25 to $55. Veal calves are in better demand, and bring higher prices than for some time. The following are the sales:—324 beeves, $8 a $10 50; 24 cows and calves, $25 a $55; 28 veal calves, 6c. a 7½c.

RECAPITULATION.

	Beeves.	Cows and Calves.	Veal Calves.	Sheep and Lambs.
Allerton's	1,300	—	—	—
Browning's	468	37	23	2,007
Chamberlain's	486	24	26	2,800
O'Brien's	324	—	—	—
Total	2,577	39	127	4,807

MARITIME INTELLIGENCE.

ALMANAC FOR NEW YORK—THIS DAY.

SUN RISES ..... 7 21 | MOON SETS ..... morn 3 27
SUN SETS ..... 4 29 | HIGH WATER ..... morn 4 04

Port of New York, January 16, 1856.

CLEARED.

Steamship Nashville, Berry, Charleston—Spofford & Tileston.
Ship Silas Wright, Freeman, Liverpool—Williams & Guion.
Ship Hermine (Bremen), Hashagen, Bremen—E Pavenstedt & Schumaker.
Ship Diadem, Webber, New Orleans—Wm F Frost.
Bark Garland, Vanhorn, Newitas—M H Brickwedd.
Brig Arabella, Day, Aspinwall—Panama Railroad Company.
Brig Northern Light, Sedale, Port au Plata—J S Whitney & Co.
Brig Free Trade (Bd), Elder, St Johns, NF—J S Whitney & Co.
Schr Black Fish, Hotchkiss, Terragona—Van Brunt & Slagle.
Schr Elvira, Pierce, St Kitts—G L Halsh.
Schr Bronites, Brewster, Barbadoes—Wesbery & Weeks.
Schr W A Tille, Moore, Charleston—Dodge & Potter.
Schr Isabella, Faulkins, Boston—Dayton & Sprague.
Schr Paladrum, Avery, Providence—J H Haven.

ARRIVED.

Ship Naples (of Bath), Lovell, Leghorn, Oct 28, passed Gibraltar Nov 29, with mdse and 34 passengers, to C C Duncan. Dec 14, lat 27 53, lon 35 30, spoke bark Clara, from Callao for Boston, 79 days out; 27th, lat 27 08, lon —, signalized a bark steering WNW, showing a signal with red and white horizontal; same day, lat 27 06, lon 64 15, spoke bark Elizabeth Hall, of and for Salem from Zanzibar; 30th, lat 29 58, lon 69, spoke brig Elizabeth Waite, of Thomaston, hence, bound South; Jan 1, lat 33 37, lon 72, spoke bark Leo, hence for Havana.

Ship Galena, Leavitt, New Orleans, Dec 27, with mdse and 3 passengers, to Wm Nelson & Son.

Bark Estelle, Sears, Sierra Leone, Nov 25, Isle of Moyo Dec 20, with palm oil, &c, to Yates & Porterfield.

Bark Jeddo (of Charleston), Kendrick, Newport and St Marks, 16 days, with cotton, &c, to Brodie & Pettes.

Brig Mary E Thompson (of Searsport), Herriman, Rio Janeiro, Nov 28, with coffee, to master.

Brig Walkoading, Peckner, Demarara 22 days, and 17 days from Dominica, in ballast, to John M Smith & Co. Jan 7th, spoke bark Hudson, of and from Norfolk for Barbadoes; 11th, passed schr Mist, steering S, with loss of mainsail and apparently the foremast, as she had a jib set for one. The W has experienced a succession of heavy gales from NE to NW since passing lat 32; been 10 days N of Hatteras.

Schr Wintemoyeh, Morrow, Havana, 12 days, with oranges, to T Gilmartin. Experienced heavy weather; lost jib, stove boat, bulwarks, &c.

Schr Lima (Br), O'Brien, Halifax, 13 days, with fish, to order. 6th inst, lat 36 40, lon 68 40, experienced a heavy gale from SE to NE; had decks swept of galley, wood, water, &c.

Schr Mary Powell, Church, Charleston, 20 days, with rice, to order.

Schr G M Smith, Smith, Wilmington.

Schr G E Dixon (3 masted), Gaskill, Washington.

Schr David O Floyd, Cartwright, Fredericksburg.

Schr S Washburn, Thrasher, Norfolk.

Schr Smyrna, Cornelius, Virginia.

Schr John Lee, Hammond, Baltimore.

Schr Kate, Drake, Seaford, Del.

Schr Irene, Pierce, Milford.

Propeller Westernport, Berry, Portland, with mdse, to Jno Riley.

Propeller Westchester, Clarke, Providence.

Propeller Charles Osgood, Smith, Norwich.

SAILED.

Steamship Nashville, Charleston; ship Palestine, London.

Wind during the day from NW to W.

Miscellaneous.

MISSING VESSEL.—Bark E Schultz (of New York), which sailed from Savannah for Charleston, having cleared from the former port on the 29th ult, has not yet been heard from.

The Eastern steamers, all of which came in this (Wednesday) morning at a reasonable hour, reports having seen a topsail schooner a large fore and aft do, and a sloop, all fast in the ice at Throgs Point. The full rigged brig and the wrecking schr before reported ashore at Hart Island, are in the same position.

The following pilot boats were towed to sea to-day by steamtug Mercury, Capt Lenoc:—Mary Catharine, No 6, David Mitchell, No 5, J M Waterbury, No 10, W J Romer, No 13, C Berg, No 16, and J A Westervelt, No 19.

Herald Marine Correspondence.

ST THOMAS, Dec 19—The bark F S Carenova, Webber, came in yesterday, only seven and a half days from New York. The brig Addy Swift Foster, arrived here on the 16th inst, eight days from New York. The brig Icarian, of New York, from Guadaloupe, in ballast, arrived yesterday in distress.

PHILADELPHIA, Jan 16—Old bark Cordelia, Brevoor, Trinidad de Cuba.

Disasters, &c.

For loss of packet ship St Denis, see news columns.

☞ See Port arrivals.

THE PARTICULARS OF THE LOSS OF THE SCHOONER ELLEN, OF BOSTON.

TO THE EDITOR OF THE HERALD.

The Ellen was from Boston bound for Marseilles. She left Boston on Tuesday, Nov. 13, 1855; nothing of importance occurring excepting very heavy weather until the 20th, when lying to in a very heavy gale from W N W, found that she was leaking very badly. All hands went to the pumps, and found she was leaking 600 strokes per hour. The wind continued to blow very strong gales until 7 A. M., when it moderated a little. We set the jib and steered on our course, although a very high sea was running, the leak increasing on us all the time, and all hands at the pumps. At 10 A. M. sounded the pumps and found fifteen inches of water. Made all sail at 12 M. With constant pumping with both pumps we were unable to keep her free.

On the 21st we found that the leak was gradually increasing.

On the 22d, at 7 A. M., strong winds from S E and squally, the leak increasing fast, and the men nearly exhausted by constant pumping. Tacked ship and run to the Westward, under close reefs, with the hope of falling in with some vessel to take us off, or possibly we might reach land on the coast of Nova Scotia. At 3 o'clock same day saw a ship ahead; held a consultation with the men, when they declared themselves unable to pump much longer; and as it seemed to be our only chance and mercy appeared to be a heavy gale coming on, concluded to leave her, and made a signal of distress. The ship bore down to us, under close reefs, in a heavy sea attended with squalls of rain. Sounded the pumps again, and found we had 2 feet 10 inches water; cut our boat from the stern and she filled immediately, but we managed to bail her out, and gathering a few chickens, ham and a few days' water, we set out for the ship; and, as it was getting dark, we were considered very doubtful whether we would be able to reach her. We left the schooner in lat 41 57 N, long 52 35 W. By constant bailing we reached the ship in safety, about 5 o'clock. She was the George Turner, of Portland, Capt. Hutchinson, from New York for Harre. We got on board in time, as the wind began to blow from the W to very strong, and sended all night under close reefed topsails. It blew a perfect gale and continued for four days. It would have been impossible for us in our little vessel to have kept afloat twenty-four hours longer.

Capt Hutchinson showed us every attention and administered everything for our comfort whilst on board, for which he receives our most heartfelt thanks. We arrived at Havre on the 27th inst, after a very rough passage. Meeting with the Capt Lowber, of the steamer Ericsson, he kindly offered me a passage to New York, which, for his gentlemanly kindness towards me in an hour of adversity, he has my everlasting regards.

Mr Wm Smith, mate of the Ellen, came with me in the Ericsson. ALVAN ROGERS,
Late Master Schooner Ellen.

SHIP JOHN BRYANT, Dyer, from Liverpool for Baltimore, in Hampton Roads, has been cut through by the ice, and the crew were throwing over salt 14th inst.

A SHIP in distress was seen 15th inst, five miles off Highland Light, with loss of all forward sails, trying to work in under mainsail and main topgal ant sail, but made no head way.

BARK ORIENTAL, at Provincetown from Padang, reports Jan 6, experienced very heavy gales; Jan 8, saw three vessels with loss of part of their spars. In the gale of Sunday the Oriental cut away her fore and main topgallant masts.

BARK MARION, Homewood, at the Delaware Breakwater from Rio Janeiro, on the 6th inst, while lying to in a heavy gale from NE, ship pooped a sea which swept the decks and filled the cabin with water; 9th, at 8 PM, Cape Henlopen light bearing W, distant 6 miles, pilot on board, was struck by a heavy N W squall, which carried away spanker boom and gaff, split sails and received other damage; at midnight, blowing heavily from NW and vessel comp etely iced up; got to the Breakwater on the 12th after being 14 days N of Hatteras, with the first officer and three of the crew frost bitten.

BARK BUCKEYE, from Africa for Salem, was seen 24 inst dismasted—see spoken.

THE WRECK of bark Occident, of Freeport, was sold at Parker's Island 12th inst, for $1600, including hull, rigging and sails.

BARK N P TALMADGE, at Charleston from New York, on the 25th ult, lat 36, lon 73, in a heavy gale from SW, carried away foremast with all attached, sprung mainmast and main topgallant mast, and caused the vessel to leak.

LOSS OF THE STEAMER SAM BERRY—The steamer Sam Berry, Capt Guthrie, when returning to Wilmington, (N C), from Beaufort NC, where she had been to render assistance to the schr Ned, on Saturday morning last 4½ o'clock, during a thick fog, struck a reef about three miles south of Masonboro Inlet, and went to pieces. All hands were saved with the exception of a negro man, who was drowned in attempting to reach the shore. There was no insurance on the boat, and she was valued at $20,000.

BRIG FAIRY, Willsby, at the Delaware Breakwater from Rio Janeiro on the second day out, in a pampero off Cape Frio, split foresail and jib, and experienced very rough weather the whole passage.

BRIG ALFARATTA, before reported at Newport in distress, has been hauled to the wharf for repairs.

BRIG VESTA, ashore near the Highland Light, was turned around three times, and drifted about 200 yards along the shore during the storm of the 15th. She remains perfectly tight, and a contract has been made to have her taken off and delivered in Boston, for $1100. The Vesta broke rudder irons, wheel, and spanker boom in the gale.

BRIG MARY ANN, at Charleston from Boston, lost part of deck load.

BRIG SYLVINA, Jordan, before reported at St Thomas in distress and repairing, had lost foremast and sails.

BRIG ICARIAN, of New York, arrived at St Thomas 18th ult from Guadaloupe in distress, having lost her foremast and sails. She was in ballast.

SCHR LEWIS—We find the following, in addition to what we published yesterday, in the Boston Advertiser of the 16th inst, which goes to confirm the loss of the schr Lewis with all her crew:—The body of a man about 40 years of age, undoubtedly one of her crew, was found yesterday morning on Stony Be