THE SOUTH.

LEE'S ADDRESS TO THE REBEL ARMY.

He Declares an Amnesty to Deserters.

He States that the Discipline and Efficiency of His Army Have Been Greatly Impaired.

Advance of the Union Forces Into Stafford County, Va.

The Rebels Look for Mobile to Be Attacked.

THE REBEL CURRENCY.

Another Financial Scheme, Having for Its Basis the Impressment of the Basis of the Debt and Subsequently the Repudiation of the Debt Itself.

Tapping of the Telegraph by the Rebels,

&c., &c. &c.,

[From the Richmond Whig, Feb. 13.]

Our latest exchanges from the South embrace the following dates:—Columbia, February 7, Charleston 4, Augusta 5, Macon 2, Columbus 1, Atlanta 1; Montgomery, January 31, Selma 29, Mobile 28.

The Confederate postal system is a great institution—worthy of the days of Noah.

A large fire in Marianna, Fla., destroyed the Court House, telegraph office, Finley's store and Nickles' Hotel. The loss was very great.

The Movement Down the Mississippi.

[From the Mobile Register.]

A letter dated Osyka, Miss., January 27, states that reports from the river concur as to the passage of large numbers of troops down the river to New Orleans. One report estimates the number at forty thousand cavalry. Military preparations on a large scale are also said to be going on at Baton Rouge, and another raid is expected soon. Mobile is generally supposed to be the object of these extensive preparations.

Raid Into Stafford County by Our Cavalry.

[From the Richmond Whig, Feb. 13.]

Passengers by the Fredericksburg train yesterday afternoon stated that it was reported in Fredericksburg that a Yankee cavalry force, variously estimated, accompanied by a large wagon train, had reached the upper part of Stafford county, Va., and was moving in the direction of that town. We give the rumor for what it is worth, but we can see no reason why so heavy a force should, at this season of the year, attempt a raid or march through a country as bare of provisions and forage as a Yankee is of principle.

The Southside Railroad.

[From the Richmond Whig, Feb. 13.]

We have to note no change in the military situation on the Southside Railroad since our last issue.

Rebel Raid on Our Telegraph Lines near Cabin Point.

[From the Petersburg Express, Feb. 11.]

We learn that recently a detachment of Captain Shadborn's scouts tapped the Yankee telegraph wires in and about one mile from Cabin Point. The Yankees soon discovered the disconnection and sent out an operator and an ambulance, containing materials for repairs, guarded by an escort of thirty-five negro cavalry, to discover and re-establish the break. When the party came in sight our scouts charged upon them, killing eleven of the negroes, capturing twenty-four horses, the ambulance, and the materials in it, the operator and the driver, and put the balance of the negroes to flight. The captured were safely brought off. The only loss among the scouts in this affair was one killed—a man named Morris—formerly in the Yankee service, but who, since he joined our scouts, has behaved in the bravest and most acceptable manner. Since their operations in General Grant's rear, Captain Shadborn's scouts have turned over to the government one hundred and twenty horses and eighty mules and some valuable material.

General Grant has thoroughly fortified his rear. He is now nearly as strong in that quarter as he is in front. This is done in order to prevent raids similar to Colonel Wade Hampton's celebrated cattle expedition. Every road is strongly barricaded, and heavy lines of works extend in every direction.

The Yankees have recently extended their picket lines from near Ream's station two miles further towards Monk's Neck bridge. This was done in connection with their late movement towards Hatcher's run.

A rumor reached the city yesterday afternoon that barges, with reinforcements for Grant, had entered the James river. It needs confirmation. If there were any transports there it is questionable whether they really had troops on board, as it is more than probable that General Grant regards it expedient to send reinforcements to Sherman rather than squat more men in the trenches in front of Petersburg or Chapin's Farm. The transports, if not imaginary, which is not improbable, may be intended for this purpose.

Blasts from Lee's Bugle.

HIS ADDRESS TO THE ARMY AND THE COUNTRY.

GENERAL ORDERS—NO. 2.

HEADQUARTERS, ARMIES OF THE CONFEDERATE STATES, Feb. 11, 1865.

In entering upon the campaign about to open, the General-in-Chief feels assured that the soldiers who have so long and so nobly borne the hardships and dangers of the war require no exhortation to respond to the calls of honor and duty.

With the liberty transmitted by their forefathers they have inherited the spirit to defend it.

The choice between war and abject submission is before them.

To such a proposal brave men, with arms in their hands, can have but one answer.

They cannot barter manhood for peace, nor the right of self-government for life or property.

But justice to them requires a sterner admonition to those who have abandoned their comrades in the hour of peril.

A last opportunity is offered them to wipe out the disgrace and escape the punishment of their crimes.

By authority of the President of the Confederate States, *a pardon is announced to such deserters and men improperly absent* as shall return to the commands to which they belong within the shortest possible time, not exceeding twenty days from the publication of this order, at the headquarters of the department in which they may be.

Those who may be prevented by interruption of communication may report within the time specified to the nearest enrolling officer or other officer on duty, to be forwarded as soon as practicable, and upon presenting a certificate from such officer showing compliance with this requirement will receive the pardon hereby offered.

Those who have deserted to the service of the enemy, or who have deserted after having been once pardoned for the same offence, and those who shall desert or absent themselves without authority after the publication of this order, are excluded from its benefits. Nor does the offer of pardon extend to other offences than desertion and absence without permission.

By the same authority it is also declared that *no general amnesty will again be granted*, and those who refuse to accept the pardon now offered, or who shall hereafter desert or absent themselves without leave, shall suffer such punishment as the courts may impose, and no application for clemency will be entertained.

Taking new resolution from the fate which our enemies intend for us, let every man devote all his energies to the common defence.

Our resources, wisely and vigorously employed, are ample and with a brave army, sustained by a determined and united people, success, with God's assistance, cannot be doubtful.

The advantages of the enemy will have but little value if we do not permit them to impair our resolution. Let us, then, oppose constancy to adversity, fortitude to suffering, and courage to danger, with the firm assurance that He who gave freedom to our fathers will bless the efforts of their children to preserve it.

R. E. LEE, General.

LEE ACKNOWLEDGES THAT THE DISCIPLINE OF HIS ARMY IS GREATLY IMPAIRED.

GENERAL ORDERS—NO 3.

HEADQUARTERS, ARMIES OF THE CONFEDERATE STATES, Feb. 11, 1865.

The discipline and efficiency of the army have been greatly impaired by men leaving their proper commands to join others in which they find service more agreeable.

This practice, almost as injurious in its consequences as the crime of desertion, by the articles of war, exposes the offender to a similar punishment, and subjects the officer receiving him to dismissal from the army.

It is therefore declared that the provisions of General Order No. 2 of this date, from army headquarters, apply to such men as have left their proper commands and joined others without being regularly transferred. They will receive the pardon promised in that order upon complying with its conditions, or suffer the consequences attached to neglecting it.

The names of such absentees will be forthwith reported to these headquarters by the officers with whom they are serving, and immediate measures taken to return them to their proper commands.

As soon as practicable an inspection will be made, and charges will be preferred against those who neglect to enforce this order.

R. E. LEE, General.

GENERAL LEE'S ORDER.

[From the Richmond Examiner, Feb. 13.]

General Lee issues a general order, as Commander-in-Chief, summoning his army for the spring campaign with a tone like a trumpet. He makes a final appeal to strag- [illegible] is probably their last chance to bear a hand [illegible] and [illegible] struggle of the war. [illegible] in the crowning [illegible]

The Rebel Public Debt.

ANOTHER SCHEME OF FINANCE—MEDIUM, TOBACCO, MEAT, FORAGE AND TREASURY BONDS TO BE IMPRESSED, ETC.

[From the Richmond Enquirer, Feb. 13.]

The reduction of the public debt simultaneously with the dedication of the productions of the country to the defence of the nation, is imperatively demanded as well by sound policy as by even and exact justice. If the exigencies of the occasion demand that private property should be given up to public good, it equally demands that no discrimination between kinds of property be made, and, more than all, that one kind of property shall not be fostered and protected by the sacrifice of all other kinds. And especially is this true when the property thus sought to be made good has been obtained for not one-tenth its full value. The indebtedness of this confederacy in bonds, certificates and notes, amounts to *about two thousand millions—for which the government has not received the specie value of two hundred millions.* Can there be any wrong or injustice in reducing this indebtedness, and bringing it within the capacity of the resources of the country to pay, and to provide for its payment at about what the government received for it.

If the public debt be reduced to four hundred millions, and its interest—say four per cent—made payable in specie, the bondholders will be actually benefited, receive more than they paid and the country be relieved of a great burden, which now oppresses all classes and paralizes the arm of many to contribute to the public defence.

All nations have recognized as a legitimate measure the arbitrary reduction of the public debt. Where the principal is irredeemable the interest has been reduced. Thus England, in 1718, reduced the interest on part of the permanent debt from six to five per cent—saving annually £328,500; and, in 1727, a further reduction of from five per cent to four per cent—by which the annual charge was diminished £3,360,934. In 1748 the four per cents were reduced to three per cent. This was done on the 29th November, 1749. The stockholders were to receive four per cent until 25th December, 1750; from that time till the 25th of December, 1757, they were allowed three and a half per cent, after which time the interest was reduced to three per cent. In the year 1751 several of these stocks were consolidated into one fund, amounting collectively to £9,137,821. This was the origin of the present consolidated three per cent annuities. Various other stocks were consolidated at the same period, to the amount of £17,700,224, forming the commencement of the present three per cent reduced annuities." Again: "The new three per cent annuities, originated in 1830 by the conversion of the new four per cents, which had been formed in 1822, from the navy five per cents." The stock created in three and a half per cents in 1830, was, in 1844, reduced to three and a quarter per cent, effecting an annual saving in interest to the amount of £621,893. In 1854 the rate of interest was further reduced to three per cent, and after 1874 may be further reduced.

We find France, in 1854, reducing her five per cent rentes into four and a half per cents, by decree of the 14th of March, and diminishing her annual charge 18,000,000 francs. In Spain the alterations of the public debt through conversions, changes of an arbitrary or expedient character, have affected no less a sum than £215,615,000. In the twenty-three years (1836—1858), Massachusetts paid her colonial debt off at the rate of one for eleven and forty for one. The present price of gold in these States were the rates at which Continental debt was converted. These examples in the history of other nations might be greatly extended, but are referred to now to show that conversion and reduction bear no relation to repudiation.

To make what remains after conversion and reduction more valuable than what it was before is no more repudiation than the taking of all the cotton, tobacco, &c., is robbery; and if the latter may be taken with propriety for the public defence, so the former may be made with justice for the public credit. The reduction of the debt to $400,000,000, at four per cent, would remove that ocean of figures on which our finances are now tossed in imminent peril of swamping. These thousands of millions bewilder one, confuse all ideas of enumeration, and do much to destroy our credit. Two thousand millions. Think of it? Who can estimate it? Who can comprehend it? Not the people whose bone and muscle are to pay it. *Not that army in the trenches, hatless, shoeless, foodless, naked, hungry, suffering.* Shall these men, after years of such suffering, work and toil through long years of labor and privation, and bequeath to their children the legacy of work and toil to reimburse the bondholder, who, having now paid one dollar of gold value, then demands ten? *Let the cotton, tobacco, meat, forage, negroes, all be taken, and then let the bonds be taken likewise.*

Having reduced the public debt to four hundred millions, at four per cent, payable in specie, and retired every bond, certificate and note, leaving the country free from that which is now most unpatriotically called "trash," it will become necessary to supply a new currency. Two hundred and fifty millions of notes, fundable in four per cent specie paying bonds will furnish that currency. These notes paid out for the cotton, tobacco, &c., would give a currency to which gold could never bear the inordinate proportion it sustains to the present currency, because of its being fundable in specie paying bonds. The indebtedness of the country would then stand four hundred millions four per cent bonds—two hundred and fifty millions of notes exchangable for two hundred and fifty millions of four per cent bonds, or six hundred and fifty millions of four per cent bonds for which the government would hold as redemption fund the cotton, tobacco, &c., of the country—a fund amply able to pay the debt and provide in a great measure for carrying on the war. Taxation then upon the "endless chain" principle, returning to the treasury each quarter the amount demanded for public expenses, would place our finances on a firm and sure footing.

Prices in the South Increasing with the Expansion of the Rebel Circulation.

[From the Richmond Examiner, Feb. 13.]

The *new* circulation of the Treasury has now reached the limit of five hundred millions of dollars. The plethora of money is not felt to be so great as it was with the old issue, from the fact, first, that the *aggregate circulation of the old was nearly double as great;* and second, that prices were not more than half so high. It is quite an anomalous circumstance that, with five hundred millions of dollars in circulation, there should be a scarcity of money at the Treasury, a scarcity of money in the banks and a scarcity of money in all places where it is usually held in mass. The anomaly, however, is not difficult to explain.

By artificial means and means wholly unnecessary and unwarrantable the value of this money has been so depreciated that it requires at least fifty times as much of it to make any and every sort of purchase at presents as it did of old. The consequence is that *each individual citizen must carry in his pocket fifty times as much money for current expenses* as he formerly found necessary; so that if formerly it required a circulation of ten millions of dollars to perform the every day business of the inhabitants of a specific area of territory, it now requires just fifty times as much of the present currency, or five hundred millions of Confederate notes, to perform the same functions for the same territory. It is very easy to see, therefore, why money is scarce with a circulation of five hundred millions outstanding. It is all in the pockets of the people. The people are obliged to possess great quantities of it to be able to make purchases at all; and each individual having a heavy amount on his person, it is very plain that an aggregate of five hundred millions must be kept in pretty active circulation, and has not much time to rest in the strong boxes of bankers or in the vaults of the Treasury.

Now, if the Treasury were to go on issuing its notes of circulation until the aggregate amount of paper ascended from five hundred to six, seven, eight, nine or ten hundred millions of dollars, the effect would be to render sixty, seventy, eighty, ninety, or a hundred dollars necessary to the purchase of what fifty dollars will now command; and the more exaggerated anomaly would be witnessed, of a circulation amounting to, say a thousand millions of dollars being extant, simultaneously with the existence of the same scarcity of money in its usual depositories, as now prevails.

The fact is that the *speculators of the confederacy have mounted guard over the Treasury.* They put up a new battery around it every day or two, in the shape of a new broker's shop, and their guns now bear down upon it from every direction. They do not mean that their hoarded goods, wares and merchandise, groceries and specie shall be depreciated by any circulation which the government, in its necessity, may put forth. They elevate the price of their property with each additional issue from the Treasury. They have got the exact gauge of this business of paper money; and though the confederacy may load itself with hundreds of millions of debt, and the soldier and producer may find their pay looing in value every day, yet their property improves upon the common distress—they prosper as the country bleeds.

The Exchange of Prisoners.

[From the Richmond Examiner, Feb. 13.]

The NEW YORK HERALD confirms the statement of a general exchange of prisoners, "including colored troops"—as if we had ever refused to give a colored soldier in exchange for a white one. When the colored soldier indeed happens to be a slave, we cannot return him to those who stole him from his master; but with this exception colored troops are always exchangable.

The Union State Convention of Connecticut.

NOMINATION OF CANDIDATES FOR STATE OFFICERS.

NEW HAVEN, Conn., Feb. 15, 1865.

The Union State Convention assembled at Brewster Hall, in this city, to-day at ten o'clock, and was called to order by J. G. Batterson, Esq., of Hartford. The attendance is large. Hon. Benjamin Douglas, of Middletown, was appointed temporary chairman; and H. T. Sperry, of Hartford, and Joseph R. Cowles, of Norfolk, secretaries. The proceedings were opened by prayer by the Rev. Dr. Patton, of New Haven.

Hon. W. W. Boardman, of New Haven, was elected permanent president of the Convention, with twenty-one vice presidents, and the following secretaries:—H. Lynde Harrison, of Branford; H. T. Sperry, of Hartford; A. H. Camp, of Norwalk; F. A. Palmer and Charles K. Gorham.

Mr. Boardman, on taking the chair, made an eloquent Union speech.

On motion, Hon. Wm. A. Buckingham, of Norwich, was nominated for Governor, and Roger Averill, of Danbury, for Lieutenant Governor, by acclamation.

The Convention then gave three rousing cheers for each of the candidates.

After a little discussion as to the mode of balloting, the Convention nominated for the remainder of the ticket the following gentlemen:—

For Secretary of State—J. Hammond Trumbull, of Hartford.

For Treasurer—Gabriel W. Cotte, of Middletown.

For Comptroller—Lemuel W. Cutler, of Watertown.

The ticket is the same as that of last year.

A New Jersey Editor Fined.

TRENTON, Feb. 15, 1865.

In the United States Court E. N. Fuller, editor of the Newark Journal, was fined one hundred dollars for publishing articles against the United States Enrolment law. He pleaded guilty, and made a statement to the Court which mitigated his offence.

THE STATE CAPITAL.

Report of the Legislative Committee in Favor of a Paid Fire Department,

&c., &c., &c.

NEW YORK LEGISLATURE.

Senate.

ALBANY, Feb 15, 1865.

BILLS REPORTED.

To incorporate Christ's Infant Asylum, New York.

Incorporating the American Railway Literary Union.

Relative to Oakland street and Union avenue, Brooklyn.

The Metropolitan Health bill.

Amending the charters of the Republic and Washington insurance companies, New York.

For a paid Fire Department in New York. A majority report. Messrs. Shafer and Smith dissent from it.

A communication was received from the authorities of the city of New York offering the new Court House to the State for a Capitol.

REPORTS.

Relative to wharfage along the Hudson river.

Relative to the Allaire Works of New York.

To amend the charter and extend the boundaries of Buffalo.

To amend the charter of the Suffolk Steamboat Company.

Fixing the compensation of members of the New York Common Council.

To incorporate the Brooklyn and New York Turkish Bath Company.

To incorporate the Lyric Theatrical Association of New York.

To amend the act relative to Exterior street in New York.

To prevent animals from running at large in cities.

BILLS NOTICED.

To amend the charter of Rochester.

To incorporate the American Phrenological Society.

To increase the tax on salt.

Authorizing certain horse railroad companies toincre ase their fares.

BILLS INTRODUCED.

Relative to sewerage and drainage in New York.

Providing for a review of the Supreme Court decisions in the Court of Appeals.

Relative to taxation of moneyed corporations and individual bankers.

BILLS PASSED.

Incorporating the Oswego Historical Association.

Amending the charter of the Long Island City Water Company.

The Assembly resolution for a recess from the 17th to the 23d inst. was concurred in.

Mr. FIELDS moved a resolution asking of the Comptroller of New York a statement of accounts of the several District Attorneys of New York since 1845.

This was briefly debated, Mr. Shafer contending that the resolution was specially aimed at Mr. Nelson J. Waterbury, when it was laid on the table temporarily.

Mr. FIELDS denied that it was aimed particularly at Mr. Waterbury, although, he said, according to common rumor, he was a defaulter to the amount of some fifteen thousand dollars; but, if his accounts are correct, the resolution can do him no harm.

Mr. MURPHY said he would vote for the resolution because of his friendly relations with Mr. Waterbury, and, after what has been said, an investigation is due to him.

Adjourned.

Assembly.

ALBANY, Feb. 15, 1865.

To fund the bounty debt of Schenectady.

To amend the charter of the Union Theological Seminary of New York.

To incorporate the Practical House Painters' Association of New York.

To incorporate the Society of St. Paul the Apostle in New York.

To incorporate the Farmers' and Mechanics' Lodge of Odd Fellows of New York.

Relative to criminal offences in the Metropolitan Police districts.

Relative to the reconstruction of the Third and Fourth Judicial districts.

BILLS PASSED.

To authorize the Lackawanna and Delaware Railroad Company to hold real estate in New York.

The SPEAKER presented a communication from the Board of Supervisors of New York, transmitting resolutions tendering the New York Court House for the purposes of a State Capitol.

Also the annual report of the Auditor of the Canal Department on tolls, trade and tonnage.

Mr. WOOD, from the Committee on Canals, presented the majority report, protesting against the passage of an act by Congress authorizing the construction of a ship canal around Niagara Falls.

To incorporate the Atlantic Base Ball Club of New York.

To incorporate the Union League Club of the city of New York.

The New York State Census bill.

To incorporate the New York Sharpshooters' Club.

EVENING SESSION.

THE CONSTITUTIONAL AMENDMENT.

The special order being the consideration of the bill ratifying the amendment to the constitution abolishing slavery, speeches in support of the measure were made by Mr. Angel, of Cattaraugus, Speaker Hoskins, and Mr. Platt, of Suffolk.

Adjourned.

Paid Fire Department.

REPORT OF THE MAJORITY COMMITTEE OF THE LEGISLATURE.

The committee report that they have listened to many statements and arguments submitted in favor of and opposed to the bill, and, while many general charges have been made against the members of the New York Fire Department, the committee desire to put upon record their conviction that, although there are undoubtedly some, perhaps many, unworthy members in that department, yet the majority are men whose connection with the department is prompted by a laudable devotion to the public interest, stimulated by that love of adventure and fearlessness in the face of danger which, in any sphere of action, should be accepted as a type of the loftiest heroism. It cannot be denied, however, that the lustre of its earlier days has been tarnished by a spirit of insubordination and violence which has too often led to a breach of the public peace. This fact has been conceded, and it has been urged by the friends of the present system that by a new code of regulations, adopted within a few weeks, these scenes of disorder and violence will be less frequent, and may perhaps be altogether avoided. Yet it must also in fairness be stated that there is reason to suppose that this reform has been inaugurated under the apprehension that any longer delay in instituting it might lead the public to demand unanimously the adoption of such a remedy as is proposed in the bill herewith reported.

* * * * * * *

In regard to a paid department it is claimed that the present system is one which the city of New York has literally outgrown; that the repose of its citizens should not be subject to unnecessary disturbance at all hours of the day and night by the clanger of bells and the rush of thousands of excited men. It is within the recollection of many that the halls of the mansions of the city were encumbered with the fire buckets, which were a necessary adjunct of the fire apparatus of the day; but the city long since outgrew the necessity of a resort to these. Hand engines were for many years the sole dependence. The introduction of the Croton water occasioned great changes in the department system; but these changes were gradual, as the mains were extended. Recently a still more important change has been accomplished by the introduction of steam fire engines, which have been long enough in use to secure the confidence of the public in their efficiency; and it is this new element that has demonstrated the feasibility of a system which proposes to dispense with a large portion of the manual force now employed; and the substitution of horses for traction will also contribute to this result.

The larger cities of Europe years ago adopted a system similar to the one now proposed, and it has been found that a paid system is exceedingly effective at a very small cost. In our own country many cities have experimented with the new system. In Baltimore, with a population of 212,000, the force employed consists only of one hundred and fourteen officers and men, seven steam fire engines, two hook and ladder companies, and thirty-four horses. The expense for 1864 was $63,000. In Cincinnati, with a population of 161,000, the force for 1863 was one hundred and fifty-five officers and men, with eleven steam fire engines, two hook and ladder, two hose reel carriages and seventy horses. The expenditures for the same time were $94,000. In Boston, with a population of 178,000, the expenses by the paid system were $105,000. In St. Louis, with a population of 161,000, the expenses for 1863 were $79,000. In each case the transition from a volunteer to a paid system has been effected without collision or difficulty.

On the ground of economy your committee, while they are not prepared to adopt the sanguine views entertained by the advocates of the measure which look to a reduction of fifty per cent upon the annual expense of the present department, have no hesitation in expressing the belief that the expenses of a paid department, placing the allowances on a liberal scale, can be kept within the limits of the expenditure demanded by the present system. The question, however, is to be regarded in other economical respects. It is believed that the waste of water will be much reduced in the paid department. * *

It is susceptible of proof that in those cities under a paid department the rates of insurance are reduced materially, these rates being graduated according to the supposed risk.

Many persons believe that trouble may be encountered in effecting the change proposed. If this forcible resistance is well founded there can be no stronger argument adduced for a change. But the committee believe that the reverence of law is a sentiment to which every other preference of the volunteer firemen will yield.

No interference with the noble charity of the Fire Department Fund is proposed.

Police Intelligence.

SERIOUS AFFRAY IN A PORTER HOUSE—A MAN DANGEROUSLY STABBED.

On Tuesday evening George Welsh and Barney Lynch met in the drinking saloon, 211 East Thirty-fourth street, and while there became involved in an altercation. After exchanging a few hot blows Welsh seized an old sword, with which he stabbed Lynch in the groin, inflicting a wound which, it is feared, may prove fatal. The alarm being given, officer Rusher, of the Twenty-first precinct, ran up and arrested both Welsh and Lynch. They were taken to the station house, and the sergeant in charge directed that Lynch should be immediately conveyed to Bellevue Hospital, which was done. Yesterday morning Welsh was arraigned before Justice Kelly, and held to await the result of his victim's injuries. Lynch lives at 609 First avenue.

COUNT JOANNES VS. HORACE GREELEY.

AN INTERESTING SUIT FOR LIBEL.

The Count Tries His Own Case.

HIS LIFE IN ENGLAND AND AMERICA.

How the Title of Count Was Conferred Upon Him,

&c., &c., &c.

Court of Common Pleas.

Before Judge Daly.

FEB. 15.—*George the Count Joannes vs. Horace Greeley.*—The trial of this curious libel suit was commenced to-day in the presence of a number of actors, theatrical critics and prominent members of the bar. Among those present we noticed Edwin Booth, Manager Stuart, of Winter Garden; John Sefton, of Wallack's theatre; E. H. House (theatrical critic of the *Tribune*) and Judge Cardozo, all of whom appeared to take a lively interest in the proceedings. Mr. Williams appeared as counsel for Horace Greeley, while the Count undertook the management of his own case. Some little delay was experienced in getting a jury acceptable to the plaintiff, but at length twelve good and lawful men were empannelled to try the case.

THE COUNT'S OPENING SPEECH.

Count Joannes, in opening the case, stated that it was an action for malicious libel, perpetrated by the defendant in the columns of the *Tribune*, April 25, 1864. The plaintiff had been in public life for the last thirty years. The defendant had been a public man for a like period, and, like the plaintiff, had risen from the lowest ranks of society to the proud position he now occupied, by his industry, study and attention to business. On the 25th of April last the plaintiff had a benefit at the Academy of Music. A day or two prior to the benefit the *Tribune* published the following communication:—

We are requested to state that the announcement that Mr. Edwin Booth and Miss Avonia Jones will play for the benefit of the Count Joannes at the Academy of Music is without foundation, and is a gross attempt at imposition.

For this false and malicious libel the plaintiff has laid his damages at ten thousand dollars. The defendant, in his answer, says that the matter alleged to be libelous is true in substance and in fact, and prays that the complaint may be dismissed, with costs. It was an old saying that the lawyer who tried his own case had a fool for his client. This case, however, he thought was an exception to the rule, for he had made law his study and spent three years at it. Besides this he had travelled extensively in Europe, and by his talents as an author had earned the title of Chevalier, which was conferred upon him by Count Sartaria in London. In a republican country like this the title of Count might not be appreciated, but it should not be despised. Should his friend, Professor Morse, who was dubbed Chevalier by the Emperor of Russia, be despised by his countrymen because of the honor that was conferred upon him? Certainly not. Then, why should any one sneer at the plaintiff on account of a similar honor conferred upon him? The defendant having admitted the publication of the libel, there was very little for the plaintiff to prove beyond producing certain papers. Yes, Mr. Greeley had founded his defence either on the rock of truth or falsehood, and it was for the jury to say which of the two—the plaintiff or the defendant—had perjured themselves. The most aggravating point in this case was the fact that his daughter, Avonia Jones, was induced to authorize the writing of the libel. A daughter induced to libel and slander her own father. Was there anything more abominable in the sight of Heaven. The plaintiff immediately wrote a letter to the editor of the *Tribune* complaining of the libel and asking for a correction and an apology. The correction and apology came, and the plaintiff was content, he being the first man who compelled Horace Greeley to make an apology. The next day, however, the plaintiff was astonished to find an article in the *Tribune* equally as libelous as the first, and a note from Miss Avonia Jones stating that it was by her own request that the libelous notice appeared in that newspaper, and that she never gave her consent to play for the plaintiff's benefit. A note from Edwin Booth, to the effect that the statement that he was to appear at the Academy of Music for the plaintiff's benefit was wholly unauthorized, was also appended. In reply to a letter from the plaintiff, complaining of the filial impiety of his daughter, the *Tribune* then published a letter from Miss Jones, in which she denied that she owed the plaintiff any filial duty whatever; that she had not been under his care since she was three years old, and had only seen him three or four times since he had separated from her mother. In conclusion, the writer expressed the belief that she owed nothing to her father, but everything to her mother, Mrs. Belinda Jones. The statements contained in this letter were in a great measure false. When Miss Jones came to New York the plaintiff proposed to play in Macbeth for her for nothing, and he aided her materially in adapting some pieces to her peculiar style of acting. He spoke to Mr. Booth, Mr. Wheatley and Miss Jones' sister about getting up this complimentary benefit at the Academy of Music, and had every reason to suppose that Avonia Jones and Edwin Booth would appear, so that there was some foundation for the announcement. In order to show his standing in the theatrical profession he then read a letter from Edwin Forrest asking him to accept of a complimentary benefit at the Metropolitan theatre, Boston, and suggesting that he should perform the part of Hamlet. Mayor Lincoln, Fletcher Webster, and other well known citizens of Boston, also invited him to give a representation, which was complied with. While in Boston the plaintiff sued Governor Andrew for a debt which he would not pay, even to the present day; and this was the reason of his having been persecuted in that city and obliged to come on to New York. The plaintiff then referred to the pecuniary damage inflicted by the alleged libelous announcement in the *Tribune*. Instead of the Academy of Music being filled with a large and fashionable audience it was scarcely half filled, and the receipts, instead of being $1,200, dwindled down to less than $600. All this was on account of what appeared in the columns of the *Tribune*. So much for the plaintiff. Now, who is the defendant in this case? Is he a low lived wretch? No. Is he a man of no wealth? No. Is he a man of no social worth? No. Is he a poor man, begging from door to door? No. He is a man rolling in luxury. Is his newspaper a poor miserable sheet of no importance? No; it is a great paper and possessed of great influence. The HERALD has the reputation in Europe of being the most influential paper in this country. I think the *Tribune* may be set down as second only to the HERALD. Its circulation as stated by the proprietor himself is from seventy to seventy-five thousand daily. In 1840, Horace Greeley and myself went hand in hand for the election of General Harrison. I have not changed my political faith since, but Horace Greeley has. He has become an apostate and has taken up with the dark side of the picture. (Laughter.) It was Horace Greeley who first published that poem commencing with the words—

"Tear down that flaunting lie;"

and because I threw down the gauntlet to him, and stigmatized the writer of the foul libel as a traitor, he became my enemy. I had been attacked in the *Sunday Mercury* for a space of five years, and when I came to New York I went and had a conversation with the proprietors upon the subject. They said they were convinced that I was a wronged man and promised not to repeat these assaults upon me. I paid them money for advertising and was on the best terms with them; one of the proprietors asked me for my *carte de visite* even, and I gave it to him; what was my astonishment to find that the *Mercury* subsequently copied a gross libel from the *Leader* and gave a woodcut of Count Joannes, taken from this very identical photograph of mine which I had presented them with a few weeks previously. You all know what it is to have the enmity of Horace Greeley. It was he who called my friend General McClellan a coward, and had used his influence to defeat his election.

TESTIMONY OF THE COUNT.

Count Joannes then took the stand and testified in his own behalf as follows:—The documents which I hold in my hand are the original invitations extended to me by Edwin Forrest and Mayor Tieman, of this city, and Mayor Lincoln and others, of Boston, to appear on the stage in the character of Hamlet; the copy of the *Tribune* I hold in my hand is the one which contains the libel; I bought it myself; I commenced life as an actor in 1815, in Boston, under the patronage of my friend Macready; I have performed in London, at the Drury Lane theatre, also in Paris, where Prince Napoleon (who was my guest while an exile in this country), was one of my best patrons. I have given upwards of one hundred representations of Hamlet, and have played in Macbeth and various other plays of Shakspheres; I studied law some twenty-five years ago, and devoted three years to the profession; I practiced a good deal in Boston, where my retaining fee was fixed by the courts at one hundred dollars. I was very successful there. Indeed, when it was known that the Count Joannes was engaged in a suit, the other side generally came forward and wanted to settle. (Laughter.) In reference to my literary talents I would say that I commenced to write at the age of sixteen years; that I wrote the life of General Harrison; also delivered an oration on Shakspore; studied architecture with my friend Davis; wrote the criticisms for the National Academy, which my friend Professor Morse said were the best things of the kind that ever appeared on this side of the Atlantic. I took despatches for Daniel Webster to the court of England; was introduced to all the royal families on the continent and received the honor of knighthood from Count Sartaria for public services rendered him in London. I did not change my name when I took the title of count; I only Latinized it from Jones into Joannes, which is the Latin for Jones. The witness then went on to say that he received a flattering reception at the hands of the Crown Prince of Prussia during his sojourn in that country. Upon his return to America he proceeded to Virginia, where he lived three years. At Richmond he delivered a lecture on architecture, which was attended by the Mayor and all the prominent men of the place. In fact, there was not a branch of the arts or sciences that he did not know something about. He might have been unsuccessful in some of these branches, but he never made a bad failure in any of them.

THE COUNT UNDER CROSS-EXAMINATION.

Q. As to this title, how did you get it? A. I will read you my letter of appointment as produced on the trial in Boston. [The witness here read Count Sartaria's letter of appointment.] The appointment was made while I was in London at the house of my friend Mr. Gay; I could have filled the position of Secretary of Legation at London, only for this appointment.

Q. How is that? A. The constitution of the United States prevented any citizen holding a position of emolument from accepting any honors at the hands of a foreign government; so I would have had to throw up my title of count if I accepted the post of secretary; the salary was [illegible] $4,000 a year, but I declined the offer and accepted the honor conferred upon me by Count Sartaria.

Q. The production of the papers here is to show your standing in the community? A. Yes.

Q. You claim the title of the Count Joannes, then? A. I do.

Q. Where were you born? A. I cannot answer that question. No man can tell where he was born of his own knowledge.

Q. When were you born? A. I could not tell.

Q. How old do you call yourself? A. I really could not say.

Q. How came you into possession of the title "George, the Count Joannes?" A. I refuse to answer any further questions on that point.

Mr. Williams—I will have to ask for the ruling of the Court.

Judge Daly—You must answer.

Witness—I was created Count by his Excellency Count Sartaria.

Q. When did you last arrive in New York from Europe? A. I arrived at Boston in 1860, and came from there to New York in 1864.

Q. Did you bring an action against Francis H. Underwood in Boston? A. I did.

Q. Was it tried? A. The records of the court will show whether it was or not.

Mr. Williams—I suppose I am entitled to an answer?

Judge Daly—Yes.

Witness—Well, it was.

Q. Was there a report of the trial published in any of the Boston papers? A. There was.

Q. Was there a report of the trial in the *Advertiser?* A. I believe there was.

Q. Was Professor Leiber, of Columbia College, in this city, examined? A. He was.

Q. Did he not testify to the best of his belief the title which you claimed was conferred without authority? A. That is a lie? (Sensation.)

Q. Did he not so testify? A. He might have done so; but it is not true.

Q. The person who conferred the honor upon you had been in London about two years and a half, you say? A. Yes.

Q. The report in this paper says he had only been there five months; how is that? A. That is a mistake. The *Advertiser* is an abolition sheet and I am a democrat; that accounts for it.

Q. Are you a Roman Catholic? A. I am a Catholic.

Q. Do you say you are not a Protestant? A. I am a Catholic. Do you understand what that means?

Mr. Williams wished to put the report of the Underwood trial in evidence.

Count Joannes objected, except to that portion which had been read. The paper was opposed to him because he was a democrat, and was prejudiced against him and his cause.

Mr. Williams—Where are the originals of these documents? A. In the safe of the St. Nicholas Hotel.

Mr. Williams—In the absence of the originals I wish to put this report in evidence. The plaintiff has read a portion of the report, and we are entitled to hear the balance.

Count Joannes—I read it at your request only; not for myself.

Judge Daly—If that is the case the defendant would not be entitled to read the balance of the report.

Mr. Williams—The jury in the Underwood case found that the words were not libelous. Was not that the verdict? A. I was not in court, I think, when the verdict was rendered.

Q. The judge charged that it was conclusive from the evidence that you were not a Count? A. He may have done so; but he had no right to do so. That was a matter for the jury to determine.

Mr. Williams then read the charge of the Judge to show that there was no evidence of the validity of the plaintiff's claim to the title of Count.

Q. Among those who were present when this title of Count was conferred upon you was there not a Mr. Buckingham? A. There was.

Q. Was he not considered a great practical joker? A. I don't know that he was; he was celebrated for his scholastic acquirements.

Q. According to the best of your knowledge were you not born in England? A. I don't know whether I was or not; I believe I was christened there; I recollect seeing the record of my christening in London.

Q. What are your first recollections in regard to this country? A. My first recollections are coming across the ocean when I was about five years of age.

Q. Do you consider yourself an American? A. I do, most certainly; I returned to England in 1834 and came back to America in 1836, then went to England in 1841 and returned in 1860.

THE BARRATORY SUIT.

Mr. Williams—Is this report of the Barratory suit against you in Boston correct?

Count Joannes—What are you reading from?

Mr. Williams—From the *Advertiser?*

Count Joannes—Oh, the *Advertiser.* Why that paper would swear black was white. (Laughter.)

Q. You sued the city of Boston once? A. Yes, because they would not let me vote; I was registered as George Jones, and when I announced myself as the Count Joannes they refused to let me vote.

Mr. Williams then proceeded to question the witness in relation to the twelve different suits referred to in the barratory complaint, beginning with the suit against the City of Boston, and ending with the case of Stephenson vs. Stephenson.

Q. You say you are a lawyer; did you not in the Court of Sessions, a few days since, state that you were not one? A. I said I was not a counsellor by certificate.

Q. Are you a counsellor or not? A. Not by certificate.

Q. Have you since you have been in New York brought a suit against John Clancey, editor of the *Leader?* A. Yes.

Q. Did you not bring a suit against Horace Day? A. Yes.

Q. Did you not bring a suit against Mr. Fiske? A. I did; he was the person who wrote the libelous article in the *Leader.*

Q. Did not Judge Russel and District Attorney Hall say that an indictment against Horace Greeley for libel would not hold good? A. They said it would be impossible for a jury of twelve men to convict him; but they said there would be no difficulty about convicting the editor of the *Leader.*

Q. Did you not bring a suit against the editors of the *Express?