1860 THE PENNSYLVANIA CENTRAL RAILROAD. 1860

GREAT DOUBLE TRACK ROUTE.
The capacity of this Road is now equal to any in the country.

THE GREAT SHORT LINE TO THE WEST.
Office No. 2 Astor House, Broadway.
Facilities for the transportation of Passengers to and from Cincinnati, Chicago, St. Louis, St. Paul, Nashville, Memphis, New-Orleans, and all other towns in the West, North-West and South-West, are unsurpassed for speed and comfort by any route.
Through trains for the West leave New-York (foot of Courtlandt-st.) Morning Express, 7 a. m.; Evening Express, 6 p. m. Sleeping and smoking cars on all trains.
Fare always as low, and the time as quick as by any other route.
By this route Freights of all descriptions can be forwarded to and from any point on the railroads of Ohio, Kentucky, Indiana, Illinois, Wisconsin, Iowa, or Missouri, BY RAILROAD DIRECT, or to any port on the navigable rivers of the West, by steamers from Pittsburgh.
The rates of Freight to and from any point of the West by the Pennsylvania Railroad are at all times as favorable as are charged by other Railroad Companies. Merchants and shippers interested in the transportation of their Freight to this Company can rely with confidence on its speedy transit.
The Company also maintains an Emigrant Accommodation line, by which parties emigrating westward enjoy a cheap and comfortable mode of conveyance at one half the first-class rates of fare. J. L. ELLIOTT, Passenger Agent, No. 2 Astor House.
LEECH & CO., Freight Agents, No. 2 Astor House, and No. 1 South Williams-st.
McDONALD & BISCHOFF, Emigrant Agents, No. 8 Battery-place.
THOMAS A. SCOTT, General Sup't, Altoona, Pa.

THE REGULAR MAIL LINE, via STONINGTON for BOSTON, PROVIDENCE—Land Route—The shortest and most direct—Carrying the Eastern Mail.
The steamers PLYMOUTH ROCK, Capt. Joel Stone, and C. VANDERBILT, Capt. D. B. Sturges, in connection with the Stonington and Providence and Boston and Providence Railroad, leaving New-York daily (Sundays excepted), from Pier No. 5, N. R. (first wharf above Battery place), at 4 p. m., and Stonington at 5:30 p. m., or on arrival of the mail train which leaves Boston at 3:30 p. m.
The C. VANDERBILT, from New-York, Monday, Wednesday, and Friday. From Stonington, Tuesday, Thursday, and Saturday.
The PLYMOUTH ROCK, from New-York, Tuesday, Thursday, and Saturday. From Stonington—Monday, Wednesday, and Friday.
Passengers proceed from Stonington, per Railroad to Providence and Boston, in the Express Mail Train, reaching said places in advance of those by other routes, and in ample time for all the early Morning Lines connecting North and East. Passengers that prefer it can take their supper on board the steamer, enjoy a night's rest (unobtrusive), breakfast if desired, and leave Stonington in the 7 a. m. train, connecting at Providence with the 11 a. m. train for Boston.
A Baggage Master accompanies the Steamer and Train through each way.
For passage, berths, state-rooms, or freight, apply on board the steamer, or at the Freight Office, Pier No. 2, North River, or at the office of the Company, No. 10 Battery-place.

CENTRAL RAILROAD OF NEW-JERSEY—Connecting at New-Hampton with the Delaware, Lackawanna and Western Railroad, and at Easton with the Lehigh Valley Railroad.
WINTER ARRANGEMENT—Commencing Dec. 19, 1859.—Leave New-York for Easton and intermediate places, from foot of Courtlandt-st., at 8 a. m., 12 m and 4:30 p. m. For Somerville by the above trains, and at 5:30 p. m.
From Pier No. 2 North River, at 7:30 and 11:30 a. m. and 3:30 p. m. for Easton and intermediate stations; for Somerville by the above trains and at 4:30 p. m.
The 12 m. train from foot of Courtlandt-st., and the 11:30 a. m. from Pier 2 N. R. make a close connection at Easton with the Lehigh Valley Railroad, and thence via Rock Island Pennsylvania Railroad to Reading, without change of cars, and connects at Reading direct for Pottsville and Harrisburg.
Passengers for the Delaware, Lackawanna and Western Railroad will leave New-York at 8 a. m. from foot Courtlandt-st., or the 11:30 a. m. from Pier 2 N. R. only; for Lehigh Valley Railroad at 2 and 3 p. m. from foot of Courtlandt-st., and at 7:30 and 11:30 a. m. from Pier 2 N. R. only. JOHN O. STERNS, Superintendent.

HUDSON RIVER RAILROAD.—From Dec. 12, 1859, Trains will leave Chambers-st. Station as follows: Express Trains, 7 and 11 a. m. and 4:30 p. m.; for Sing Sing, 8:5 and 6:40 p. m.; for Poughkeepsie, 7:30 a. m. and 12:30 and 3:30 p. m.; for Peekskill, 3:15 p. m. A Montreal and Buffalo Passenger Train (with sleeping-cars) leaves 31st-st. daily at 9:30 p. m. The Poughkeepsie, Peekskill, and Sing Sing Trains stop almost of the Way Stations. Passengers taken at Chambers, Canal, Christopher, and 31st-sts. Trains for New-York leave Albany at 6:15 and 10:10 a. m., and at 4 and 9 p. m., and Albany about 15 minutes later. On Sundays, at 8:45 a. m. and 4:45 p. m. A. F. SMITH, Superintendent.

NEW-YORK and HARLEM RAILROAD
WINTER ARRANGEMENT.
FARE TWO DOLLARS TO ALBANY.
On and after THURSDAY, Dec. 15, 1859, trains will leave 26th-st. station, New-York, as follows:
For Williamsbridge—8:30 and 11 a. m.; 3:30 and 5:30 p. m.
For White Plains—12:30 and 5 p. m.
For White Plains—6:15 p. m., from cor. White and Centre-sts.
For Croton Falls—4 p. m., from 26th-st.
For Millerton—3 p. m., from 26th-st.
For Albany—9 a. m., from 26th-st., mail train.
For Albany—7:30 p. m., from 26th-st., express train.
All through trains connect with N. Y. Central R. R. for the West.
Returning, will leave
Williamsbridge—9:40 and 9:30 a. m., 1 and 3:40 p. m.
White Plains—9 and 7:20 a. m., and 4:50 p. m.
Croton Falls—7 a. m.
Millerton—7 a. m.
Albany—11 a. m., mail, and 3:45, p. m., express trains.

NEW-YORK and NEW-HAVEN RAILROAD.
1859. WINTER ARRANGEMENT. 1859.
Commencing Dec. 12, 1859.
Passenger Station in New-York, corner 27th-st. and 4th-av. Entrance on 27th-st.
TRAINS LEAVE NEW-YORK:
For New-Haven, 7, 8 a. m. (ex.); 12:15, 3:15 (ex.); 3:50 and 4:30 p. m. For Bridgeport, 7, 8 a. m. (ex.); 12:15, 3:15 (ex.); 3:50 and 4:30 p. m. For Milford, Stratford, Fairfield, Southport, and Westport, 7 a. m.; 12:15, 3:50, and 4:30 p. m. For Norwalk, 7 a. m.; 12:15, 3:15 (ex.); 3:50, 4:30, 5:30 p. m. For Darien and Greenwich, 7, 9 a. m.; 12:15, 3:50, 4:30, 5:30 p. m. For Stamford, 7, 8 (ex.), 9 a. m.; 12:15, 3:15 (ex.), 3:50, 4:30, 5:30 p. m. For Port Chester and intermediate Stations, 7, 9 a. m.; 12:15, 3:50, 4:30, 5:30, 6:30 p. m.
CONNECTING TRAINS:
For Boston, via Springfield, 8 a. m. (ex.), 3:15 p. m. (ex). For Boston, 12:15 p. m., via New-London, Stonington, and Providence. For Hartford and Springfield, 8 a. m. (ex.), 12:15, 3:15 p. m. (ex.) For Connecticut River Railroad to Montreal, 8 a. m. (ex.) and 3:15 p. m. (ex.) to Northampton. For Hartford, Providence, and Fishkill Railroad, 8 a. m. (ex.) For New-Haven, New-London, and Stonington Railroad, at 8 a. m., 12:15, and 3:15 p. m. For Canal Railroad to Collinsville, 8 a. m. (ex.), and 12:15 p. m., to Northampton. For Housatonic Railroad, 8 a. m. For Bangatuck Railroad, 8 a. m., 3:15 p. m. For Danbury and Norwalk Railroad, 7, 9 a. m., 3:50 p. m.
JAMES H. HOYT, Superintendent.

Medical.

A MILLION BOTTLES HUNT'S LINIMENT SOLD, and a much greater number of the human family may find instant relief, and old defiance to Rheumatism and all the ills which flesh is heir to, requiring an external application. The Lame and Halt have been made sound. The Crippled and Deformed have been made straight, by using this great Remedy, known all over the world for the last TWENTY years as HUNT'S LINIMENT, or STANTON'S EXTERNAL REMEDY. Price 25 and 50 cents. Druggists and Country Merchants sell it. Depot No. 120 Maiden-lane. A. NORTHROP.

BRADDOCK'S Celebrated COUGH MIXTURE is sold by A. B. & D. SANDS, BARNES & PARE, C. V. ELLS & Co., City of New-York.

DAME'S COUGH LOZENGES—Established 15 years—cure CHRONIC COUGHS, COLDS, and all AFFECTIONS of the THROAT and LUNGS. Depot 159 Water-st.

DR. BURDSALL'S ARNICA LINIMENT prepared by combining Arnica with a most healing and penetrating vegetable oil. For all the ACHES AND PAINS human flesh is heir to, it is without equal. RHEUMATISM, BRUISES, SPRAINS, Pain in the Side or Breast, Sore Throat, &c., yield to a few applications. Beware of counterfeits, and buy none but BURDSALL'S original article. Sold by all druggists. Price 25c.

OLIVER'S PULMONIC WAFERS—For COUGHS, COLDS, SORE THROAT, &c. They never fail. Price 25 cents per box, to be had at 476 and 609 Broadway. Manufactured at No. 194 Fulton-av., Brooklyn.

DARU'S COD LIVER OIL JELLY, approved by the Academy of Medicine, is the only curative in WASTING DISEASES, CONSUMPTION, ASTHMA, and all kinds of COUGHS. It is more efficacious than the liquid oil. ALSO, DARU'S PATENT JELLIFIED CASTOR OIL, odorless, tasteless, and taken without nausea, and does not cause pain after use. It is the best purgative for children. For sale at the inventor's, No. 185 4th-av., and all respectable druggists. PENNOYER, PARKER & MOWER, No. 4 Beekman-st., Wholesale Agents.

TO PHYSICIANS.—A Physician of more than 20 years' practice, in one location (in the lower part of the city), desires to dispose of the same on reasonable terms. No better chance to be had in the city. Address Dr. KENNEDY, No. 186 Duane-park.

32 DEATH of AMERICAN WOMEN. 32
"I have carefully examined and analyzed the Graefenberg Marshall's Uterine Cholicum. The ingredients are very valuable in restoring health, and their peculiar combination gives it a direct and favorable influence upon the uterine organs. A. A. YAYNE, M. D., Chemist for the State of Massachusetts."
Female irregularities, weakness, uterine displacements, and all nervous difficulties, and constitutional troubles of women are speedily cured by THE GRAEFENBERG MARSHALL'S UTERINE CATHOLICON. Price $1 50 per bottle. FOR SALE AT THE OFFICE OF THE GRAEFENBERG COMPANY, No. 32 PARK-ROW, NEW-YORK, AND BY ALL DRUGGISTS. ON THE RECEIPT OF $1, FIVE BOTTLES SENT BY EXPRESS, AND CHARGES PAID TO ANY PART OF EXPRESS ROUTE FROM NEW-YORK. Address JOSHUA F. BRIDGE, M. D., Secretary and Consulting Physician, Graefenberg Company, No. 32 Park-row, New-York.

Legal Notices.

APPLICATION will be made to the Legislature, at its ensuing session, for a charter to incorporate a Company to be called the WEST INVERNESS MINING COMPANY, to be employed in sawing paper, purchasing paper, and other incidental purposes. New-York, Dec. 31, 1859. d12 1awfm6M

IN PURSUANCE of an order of the Surrogate of the County of New-York, notice is hereby given to all persons having claims against RICHARD BURKE, late of the City of New-York, deceased, to present the same, with the vouchers thereof, to the subscriber, at his office, at the foot of Astoria-st., East River, in the City of New-York, on or before the 15th day of January next. Dated New-York, the 23d day of July, 1859. JOHN B. TOWNSEND, Executor. jy25 1awfinM

IN PURSUANCE of an order of the Surrogate of the County of New-York, notice is hereby given to all persons having claims against PETER GORMAN, late of the City of New-York, deceased, to present the same with the vouchers thereof, to the subscriber, at the residence of the deceased, in the City of New-York, on or before the 1st day of January next. Dated New-York, 9th day of July, 1859. MARY ANN GORMAN, Administratrix. 1 1aw6m[illegible] Peter Gorman, deceased.

New-York Daily Tribune.

LITERARY.

—Among the forthcoming attractions of *The Cornhill Magazine*, is to be, according to rumor, a New Life of Hogarth the Painter, by Mr. Geo. Augustus Sala, who has been for some time making researches with a view to its completeness.

—The site of Caxton's Printing-Office, in Westminster, has lately been cleared away, for the erection of a splendid hotel, in the hall of which a statue of the first English printer will be placed. Some remnants of the old building remained till a few years since, when they fell down from very age. Great pains were taken in the excavations to discover some of the printers' types which might be expected to be scattered about, but without success. Caxton's press was under the shadow of Westminster Abbey, and the improvements in that neighborhood have brought the locality to notice, after a long obscurity.

—Among the novelties of the season now preparing by the Parisian publishers are no less than five different editions of "The Imitation of Christ," by Thomas à Kempis; and we hear from a city bookseller that the call for handsome copies of this very book, written four centuries ago by a nameless monk in the obscurity of his cloister—for its authorship is matter of doubt—was quite remarkable last week in New-York.

—The first volume of an extensive work, "The Anthropology of the Uncivilized Races," by Prof. Waitz of Marburg, has just appeared at Leipsic. Starting from the results of a thorough examination of Man as he appears in a natural state in the various regions of the globe, the author argues for the unity of the species, and considers it proved by the like conditions of development that are everywhere found to prevail.

—A memoir of the "Life of Ary Scheffer," the painter, is announced by Mrs. Grote, the wife of the banker and historian of Greece. It will be an interesting contribution to Art Biography.

—Leslie's elegantly illustrated volume on "Sir Joshua Reynolds and his Works" was left at his death in a state so far advanced as to admit of its publication, which may be expected in the Spring.

—The old printing and publishing firm of J. Nichols & Son will shortly disappear from the commercial world. They are the hereditary successors of the "learned printer," William Bowyer, and the business has continued uninterruptedly for over 150 years. The services of Mr. J. B. Nichols to English literature, as the compiler of the "Literary Anecdotes of the 18th Century," and the editor, for more than half a century, of "The Gentleman's Magazine," are known to all. The entire remaining stock of these works, and the other publications of the firm, will be brought to the hammer by Messrs. Sotheby during the present season. "The Gentleman's Magazine" (the current series), was transferred three or four years since to Messrs. Parker of Oxford, in whose hands its antiquarian reputation has not suffered, though its literary articles have lost the prominence given them during the editorship of the Rev. John Mitford, who was for years its conductor.

—The possible appearance of a new religious daily journal, started by a proprietary company, on the "limited liability" plan, named *The Dial*, and intended to dispute the supremacy of the press with *The London Times*, is engaging the attention of the public in England. The choice of the staff of its establishment has been matter of much deliberation. Both printer and editor have recently been determined on—the former, Mr. John Tallis of London, a man of great energy, the successful founder of the London Printing and Publishing Company, known by their agency in New-York. The name of the editor is withheld for the present, but he is said to be a Scotchman, and a person of weight and influence with the religious public.

—The system of competitive examinations for the filling vacant employments in the civil service of Great Britain is unquestionably leading to a closer study of the great authors of English literature, whose works form a test of progress in study. The Rev. J. Hunter publishes, for the special use of students of graduating for the middle-class examinations, an edition of "Shakespeare's Henry VIII.," with Commentary, Parsing Notes, Analysis of Sentences, &c., and an edition of Julius Cæsar, with a similar apparatus of comment, by Prof. G. L. Craik, has lately appeared.

—The monthly magazine, *Titan*, it is announced by the publishers, Messrs. Hogg, will close with the current number, completing the 29th volume. It has been known to some extent in this country as the organ of Mr. Gilfillan, and other Scotch writers of a steadier class; but has never enjoyed a transatlantic circulation of any consequence. It is more than likely that others of the old established magazines will disappear before the rivalry of the new shilling periodicals.

—The new volumes published by the Camden Society relate to the great conflict of the 15th Century, and comprise "Narratives of the Days of the Reformation, consisting chiefly of papers from the MSS. of John Foxe, the Martyrologist," and a new "Life of Foxe," by Mr. J. G. Nichols, combined with the Literary and Bibliographical History of the Book of Martyrs.

—Tauchnitz, the famous publisher of Leipsic, is on a visit to England. With most of the English authors of the day his relations have been of so liberal a kind, that it is needless to say he is well received. The newspapers chronicle the fact of his recently visiting Sir E. Bulwer Lytton at his Elizabethan Hall, Knebworth, in Hertfordshire. He has just added Mrs. Stowe's "Minister's Wooing" as the 494th volume of his copyright collection of British authors.

—Two publications of great interest, on early American discoveries, have just appeared at Munich. "Atlas relating to the History of the Discovery of America," comprising fac-similes of thirteen maps of the 15th and 16th centuries hitherto unknown, and lately discovered in the Royal Library of Munich. They are worthy of Spanish and Portuguese early navigators, and comprise delineations of the American coast on the Pacific and Atlantic shores. The editors of the work are Profs. Spinner and Kunstmann, and George M. Thomas. The letter-press is an "Historical Narrative of Voyages," by Prof. Kunstmann, who has also published in connection with the Atlas, "The Log-Book of a Ship belonging to the Third Expedition of Sir Francis Drake, in 1595-6," and edited by Mr. Thomas. One hundred copies only of the two works are printed.

—A little work is announced as having reached a fourth edition in London, on a speciality interesting to all travelers—it is "The American Stranger's Guide to London and Liverpool; at Table, or How to Dine and order a Dinner, and where to Avoid Dining." A similar manual for New-York would be a happy hit for the publisher, if conscientiously executed.

—One of the most peculiar embellished books for the New-Year season in England is the reproduction of the famous old Dutch book "Jacob Catz's Morse Emblems." "Old Father Catz," as he is generally called in Holland, is a "household word" with both young and old, and the ponderous folio, rich with fine old engravings, which comprises his works, is still to be found a cherished heir-loom in some of our Knickerbocker families. In Messrs. Longman's new edition the emblematic plates are in the most finished style of wood engraving, and the letter-press is freely translated and adapted, including aphorisms, adages, and proverbs of all nations.

—Lavater and his work on Physiognomy have so long taken their place among the fixed stars of science, that it is almost startling to see, in the English literary papers, an advertisement from his daughter, Madame Lavater, at Zurich, offering for sale as "a Memoria of her Father," his silver mounted Medicine Chest and Instruments, to relieve her own distressed circumstances. That she should be so far reduced, is a scandal to the scientific world, which ought to be remedied.

—In his edition of "The Platonic Dialogues for English Readers," Dr. Whewell, the accomplished Master of Trinity College, Cambridge, gives another instance of what Sydney Smith called "his weakness—omniscience," by means of a clear and lucid version, appropriate comments, and occasional condensation of immaterial parts, a most interesting and readable volume is produced full of the highest wisdom.

—Even science submits to the potent influence of the season. During the Christmas Holidays, Professor Faraday will deliver at the Royal Institution, London, six lectures on "Various Forces of Matter," in the style of Christmas, and adapted to the capacities of a juvenile audience, inaugurating a new day for the Theater where Davy's sublime discoveries were first unrolled.

—The long announced book of the Rev. George Rawlinson, on "The Historical Evidences of the Truth of the Scripture Records, with special reference to the Doubts and Discoveries of Modern Times," has at last appeared, and is very highly praised by the most authoritative organs of literary opinion. The substance of the work was delivered in the form of the Bampton Lectures, a name that was formerly a bye-word for vacuity and dullness, but which, with two such successful lecturers as Messrs. Mansell and Rawlinson, is displaying signs of life and interest. An American edition may be speedily expected from Messrs. Appleton & Co., who will bring it out in uniform style with the same author's Annotated Herodotus.

ART ITEMS.

—It was once fatal to the success of almost any kind of a public show among our provincial neighbors in Philadelphia and Boston, to first gain a great popularity in New-York. But, the metropolitan character of the this city, being now generally conceded, even by Boston, a New-York indorsement rather helps than injures a public performer or a work of art. This has been very remarkably shown in the case of Church's Andes and Page's Venus, both of which were received with an ovation in Boston, and the Venus has been singularly honored in Philadelphia, where the goddess is now holding her levees before going to the sweet South.

—There were probably never before so large a number of artists in New-York as at the present time, and there is great difficulty in finding an unoccupied room suitable for a studio. That nest of artists in Tenth street, called the Studio, which was regarded as a very wild speculation when it was built, has not a vacant apartment in it; and the liberal proprietor of it, who built it for the accommodation of artists, without any anticipations of profit, is now receiving ten per cent on the capital invested.

—One of the pleasant results of so large a number of artists being congregated here are the artistic reunions and conversaziones which take place under their auspices during the Winter, and are the means of infusing into our fashionable society a taste and a knowledge of art. The association of the younger artists have, the past three Winters, given a series of monthly receptions at Dodworth's Hall, which were eminently successful, so far as the delight they imparted goes, and as they are to be continued the present season, it may be inferred that they have been successful in every sense. The first of these "receptions" will be given on Thursday next. The Committee are, Messrs. Hall, Huntington, and Shattuck.

—The artists of the Studio building are to give exclusive receptions, in which no works will be exhibited but those produced by the cloistered occupants of the building itself. The exhibition-room is rather small for the company generally invited, but as on these occasions the artists illuminate their rooms and receive their friends in their own special apartments, there is room enough for the crowd, and peculiar interest is imparted to the occasion by the opportunity to see the works that the artists have on their easels.

—Apropos to fashionable recognition of artistic eminence. Two very splendidly attired ladies recently made a condescending visit to the studio of one of our distinguished landscapists, and asked the privilege of looking at his pictures. The artist was but too happy to comply with their request, and placed before them a brilliant sunset which he had just finished. His visitors were lavish of those charming epithets which ladies bestow so liberally upon the objects of their admiration. "O! Isn't it lovely! How sweet! How natural!" &c. And then, after gazing at the glowing canvas for a few minutes in wrapt silence, the lady who had been loudest in expressing her admiration, said, with a *nonchalance* which must have penetrated to the very core of the painter's heart, "pray, Mr. G——, is it a moonlight?" The artist meekly replied that it was intended for a "sunset." "O, indeed!" replied the lady. "Pray, Mr. G——, which do you think the most difficult to do, pictures in oils or in worsted?" "Really," replied the astonished painter, "I am unable to say, for I have never done anything in worsted." "Ah!" said the lady, "I find it so difficult in working little dogs to put in the eyes." But these, of course, were exceptional ladies.

—We can never expect to have cheap sculptures, for the cost of producing statuary must always be so high as to place marbles out of the category of cheap art. The owner of a statue must have a house to put it in, and there are but few houses whose construction admits of the favorable display of statuary; but marbles would be much more frequently seen in the houses of our millionaires if they were not so very costly. Barbee's statue of the "Fisher Girl," which was sold at auction a few days since, brought $2,750, and great complaint has been made that the work was sacrificed, and the artist not half paid for it. But, judged by the prices which other works of art command, it was a munificent recompense for the amount of labor bestowed upon it; and there is no other standard of value by which the work of an artist can be estimated. The "Fisher Girl" may be valued at ten times the sum it sold for, when the artist becomes better known; but at present we should say it brought a very encouraging price.

—A new landscape painter, whose works we have not seen, has recently made a sensation in Boston. His name is A. T. Bricher, and some views which he has painted for the Hon. Caleb Cushing are spoken of as having peculiar characteristics, and giving good promise of future excellence.

—We learn that Mr. Belmont has lately purchased a Meissonier, which is said to be a finer example of that artist's manner than his "Chess Players," which Mr. Belmont was anxious to purchase when it was exhibited here two years since. Articles are sometimes said to be worth their weight in gold, to express their great value; but the pictures of Meissonier are worth their weight in diamonds. The "Chess Players," hardly more than a foot square, and containing but two figures, sold for $4,000. The copy of Gerome's "Duel after the Masquerade," sold for $2,500. The exorbitant prices paid for these and other little bits of canvas will, by and by, perhaps, induce our artists to forego their ambition to paint large pictures, and adapt their productions to the demands of art-patrons. Gerome commenced by painting enormous pictures, his "Death of Cæsar" in Goupil's gallery being a specimen of his younger productions; but he had the good sense to contract his canvas, and his works immediately became salable.

THE TWO AGRICULTURAL SOCIETIES.

A disaster, too common in this country, befel the Royal Agricultural Society of England last Summer. Mr. James Hudson, for some twenty years its Secretary, and regarded as honest and trustworthy in every respect, was discovered to be a defaulter to the amount of £1,033, or close upon $10,000. He was immediately suspended from office, and on due substantiation of the charges, ignominiously dismissed. The unhappy man did not long survive his disgrace, for death speedily overtook him. From last May until the middle of the present month, the duties of Secretary were gratuitously performed by Mr. Brandreth Gibbs, an old member of the Society, and an eminent agriculturist. At the half-yearly meeting held on December 14th at the Society's rooms in Hanover Square, the names of ten candidates for the vacant office were presented, and after sundry ballots Mr. Henry Hall Dare was chosen. Mr. Dare served in the army through the Crimean campaign, but has no very great acquaintance with agriculture, we believe. He comes of an Essex family, and his father once represented the County in Parliament. The salary of Secretary is £400 per annum, together with a house, fuel, and lights, but no chance for perquisites.

The Council of the Society have determined to employ a literary and scientific editor for the Journal, at a salary of £500 for his whole time. It is not strange if with so liberal arrangements as this and the money prizes for essays, the Royal Society's Journal should be so much better than anything we have in the United States. Despite the fraud of Mr. Hudson, the Society has funded property to the amount of $50,000 (£10,000), and a much balance at its bankers of about $10,000 more.

Comparisons are odious, we know, but nevertheless they are useful and proper sometimes; and in view of the approaching meeting of the United States Agricultural Society, we wish to say a word to its officers. At the late National Fair at Chicago, over $40,000 were taken in hard cash at the gates, and the Treasurer brought away a surplus of some ten or twelve thousand dollars. Now the Royal Society of England took only £2,144.6. 9., or about $10,500, in all, at the year's Show at Warwick, while the disbursements foot up to £1,674 0. 8., or about $8,000. If, therefore, with one-fifth their admission charge, we can take four times as much money and keep twice the surplus, what is there to prevent our Society from issuing in time as good a Journal, if it will but make a proper beginning and begin at once. We may not have a large an available corps of learned writers to look to, but there is no lack after all of thoroughly practical men who could and would impart much information. Let the Society make a liberal appropriation for editing and printing its Journal and offer generous money prizes for essays, and our word for it, it will raise up around it a host of friends, and increase its prestige. When poor and neglected it may possibly have been driven to nonsensical tricks and empty display to keep something to jingle in its coffers, but now that it has got its first start, it should use its little nest-egg of the Chicago surplus to a good purpose.

The public have contributed about two hundred thousand dollars toward the funds of the Society, and yet at the opening of its seventh exhibition it was absolutely bankrupt. The question naturally presents itself, what has been done with the money? That there has been a most unmerciful system of robbery carried on is beyond a doubt. That any of the officers have been guilty of peculation, we do not believe. But we do think that if a better system of Fair-management had been pursued and competent Superintendents employed, if fewer sums of music and useless banquets and less glittering show had been thought essential, the Society would have been rich to-day. If its friends would bring it into public favor and make it worthy of its present title, let them at the coming meeting make provision to pay so liberal a salary to their Secretary that he can afford to give his whole time and energies to his office; let them offer liberal money prizes for essays; let them furnish their rooms with a suitable library and cabinet; and let them organize a system of correspondence and exchange with domestic and foreign agricultural bodies as efficient at least as that adopted by the New-York State Agricultural Society. A fine museum of implements, plants, and animals, which, with the aid of Government and individuals, might in time be collected at Washington, and which would be always open without charge to visiting farmers; spacious and comfortable rooms; a fine agricultural library; and a first-class journal; would make the Society not only useful but popular.

We hope much from the Presidency of Mr. Wager and the cooperation of certain of his friends, but neither he nor they can make the United States Agricultural Society respected as it should be, unless an instant and radical change is brought about in its management. It is in vain that doubters say we cannot support a decent National agricultural society in America; our farmers have folly as much sense as those of any other country, and they will support a great Society when they see it is worthy of that support. But they never will open their hearts or purses in aid of a mere empty show of a Society that flies to *no* profit from one State to another, leaving nothing more substantial behind it than a batch of medals and a stray porter or so of gorgeous dye.

LAW INTELLIGENCE.

UNITED STATES DISTRICT COURT—Dec. 31.—Before Judge BETTS.

IMPORTANT TO IMPORTERS OF SUGAR.

Zebulon R. Lily et al. agt. The Schooner G. S. Adams.

This was a libel in rem. for damage to 173 hogsheads of sugar by above vessel from New-Orleans to this port.

The claimants contended that the cargo had been properly stowed, and unloaded in good order, and that there was no loss in weight of the sugar, that did not necessarily arise from the nature of the package, the drainage on the voyage, and the perils of the sea.

The libellants alleged that they had to cooper the hogsheads after landing, and that there was a waste of the sugar arising from the vessel's carelessness in discharging. The testimony was conflicting, and the case, having lasted two whole days, was submitted after argument.

The court this morning ordered a decree in favor of the libellants for $69 56, the amount of cooperage incurred, and of reference to ascertain the loss of sugar in this port, without costs.

For libellants—Elliott F. Shepard; for claimants—Benedict, Burr, and Benedict.

U. S. DISTRICT COURT—Dec. 31.—Before Judge INGERSOLL.

THE OCTOROON CASE.

This case, adjourned to-day, came up again for hearing. Mr. Bourcicault, who did not appear in Court, was represented by Mr. H. A. Cram; the defendants, Messrs. Stuart and Flicke, who were present, by Mr. Jernigan and Mr. O'Gorman. Mr. Cram opened for the plaintiff in an eloquent address, to show that he expected to show that the affidavit of his client, from his proverbial reputation for integrity and fair dealing, was entitled to more consideration than those on the other side, however numerous and supported. He then advanced the following points for the consideration of the court:

First: Previous representation at a public theater does not invalidate subsequent copyright; for (so, it was not a publication. The act of Congress in the main follows the Act of Ann, which clearly gives to the author a copyright on any book not printed and published," and time must be entered before publication. The previous publication refers to a book, and not to the recitation of a printed copyrighted book in a parlor or theater. The purchaser of such a book has a right to read it on a stage, with scenic accessories. It was for this that the dramatic copyright act was necessary. And, 2d, previous representation is not such an abandonment, and there must be proof of the abandonment, either by printing uncopyrighted, or by proof as clear as of abandonment of property in a MS.

Second: The defendants are playing without any valid oral license. They only attempted to make a contract, and settled on the basis of a proposed contract, which they immediately repudiated. They show an attempt to keep the piece on their own terms, without the consent of the plaintiff and without any certain compensation. Their affidavits are so contradictory and unreliable that they must be rejected altogether. What remains of their affidavits when the whole is eliminated? The Dramatic Copyright has made no change in the general law of copyright.

Mr. Cram reviewed the testimony at length, and pointed out what he said were fatal contradictions. This maze of contradictions proved that the parties were all along trying to make a definite agreement, and the only definite agreement was the settlement of the first week.

Third: The dismissal of Bourcicault was without legal cause. Mrs. Bourcicault was under no obligation to continue to play in the Octoroon. Her refusal to play was no justification to the dismissal of her husband. Besides, Fields offered a loose *pecuniatus*, which Mr. and Mrs. B. embraced; they went to the theater at 6 o'clock.

Fourth: The contract for the service of plaintiff and wife, and use of piece, was an indivisible contract. It is neither legal nor equitable to give as a penalty or a breach of contract the right to continue to use the piece without compensation.

Fifth: The jurisdiction of courts of Equity over copyrights is similar to that exercised over patents for inventions, and arises from an anxiety to give effect to legal right. The Court, therefore, has the right to determine the disputed title, and it need not be settled at law.

Sixth: An oral contract will give no right in a copyright; the right to perform is a part of and an interest in a copyright, and can only be granted by writing and the formalities prescribed by statute.

Seventh: The construction of all copy cases should be favorable to authors, as the law was intended for their benefit.

The Court would not refuse the injunction unless they considered the defendants the actual owners in equity of the piece.

When the right to a temporary injunction does not depend upon any controverted and doubtful facts, but upon the interpretation to be put upon a written instrument, it is the duty of the Court to interpret it, and grant or refuse the injunction accordingly. A court of equity will not expel the equitable owner of the patent on the application of the legal owner, but by the equitable owner (who it was one entitled to call for the conveyance of legal title.

Last: If the injunction be refused plaintiff, it gives to defendant the product of his labor without compensation, all the substantial value of a piece belonging to that run until the public is tired of it. It also prevents his receiving compensation for its use elsewhere.

He was followed by Mr. Jernigan who in an able argument presented the following points on behalf of the defendants:

I. The plaintiff by his own showing is not entitled to a copyright in the exclusive performance of the "Octoroon."

II. The 4th section of the Copyright Act of 1831 provides, that no person shall be entitled to the benefit of this act, unless on or prior to publication deposit a printed copy of the title, &c., in the Clerk's office, &c. The copy of the title of the "Octoroon" was not so deposited and after the pretended assignment of the piece for a succession of nights and therefore so far as the right to the exclusive performance of the play is concerned, was until after publication.

2. Since the act of Congress of August 6, 1856, (11 Statutes at Large, 138) there are two distinct, separate rights, the right of the author or proprietor of a dramatic composition to print and publish the piece, and the right to perform it, and these two rights are to be carefully distinguished. See Curtis on copyrights, 189.

3. The publication of a dramatic composition by the public performance of it with consent of the author or proprietor, bears the same relation to the copyright for the exclusive performance of it, as its publication by printing bears to the copyright of the book.

4. The plaintiff, therefore, having permitted the public performance of the piece before the entry of the title of the book, it was not entered "before publication," so as to entitle him to the exclusive right of performance.

5. The cases of Coleman agt Wathins, 5 T. R. 245, Murray agt. Elliston 5 B. & Ald. 657, and Mackin agt. Richardson, Amboy 694, decide that a representation of a play is not a publication of the "book," or an infringement of the copyright of the book, under the Stat. 8 Anne C. 19. But this act gave no copyright for the exclusive performance of a dramatic composition, such act not having been passed until 2 Will IV., consequently these decisions have no bearing on the present question.

6. If the representation of the play was not a publication under the law of 1831, then it was not an infringement under that law.

II. The permission given by the plaintiff to represent the play, and its representation under that permission, precludes him from acquiring an exclusive copyright to the representation of the piece, on the same ground that an inventor who permitted the public use of his invention prior to the act of 1839, s. 7, was precluded from obtaining a patent right.

1. This doctrine existed at common law, and was established in this country in the case of Pennock agt. Dialogue, 2 Pet., 1, and Shaw agt. Cooper, 7 Peters, 292.

2. This public use means use in public and not by the public, and the sale of a single machine, or the permission of its use on a single occasion for profit, was held not to the claim of the inventor. (Carpenter agt. Smith, 9 Mees & Wesby, 465; Elliot agt. Aston, Webster's pat. cases, 274; Coutish agt. Keene, 1344, 31 S.)

3. The public representation of a drama under the Act of 1856 is equivalent to the public use of an invention under the patent law as it stood prior to 1839, and as there is no provision in the copyright law analogous to the 7th section of the Patent law of 1839, allowing the public use of an invention for two years without prejudice to the application for a patent, the plaintiff must stand on his common-law right, and is not entitled to a copyright for the exclusive performance of his dramatic composition.

III. The facts disclosed by the affidavits clearly show that "The Octoroon" was not only written for the Winter Garden, but (see Strouse agt. Longman) where the absolute ownership was claimed by the Opera House, the right to perform it was expressly purchased by Mr. Fields for a valuable consideration, and that right was to continue as long as it continued to draw houses, hence

1. This was at least a license to perform it as long as Field saw proper, and is irrevocable. (Cutting agt. Kingsland, 1 How. and 207.)

2. It is a right expressly saved by the proviso in the Act of Congress, and not extinguished by the author's subsequent copy right.

3. That contract has never been rescinded, and the plaintiff could not, by his own unpleasant and improper conduct in withdrawing the piece, acquire a right to rescind it.

4. Mr. Fields exercised no more than his legal right in discharging the plaintiff as stage manager, when his conduct had rendered it fatal to the interests of the theater to retain him.

5. Even had Fields erred in discharging him, it gives the plaintiff no right to enjoin the performance of the play; his remedy was not made by the contract a condition precedent to the right to perform the play, and the Court will not interpolate a condition precedent where the parties have not so agreed; if injured he has remedy on the contract.

6. But it was part of the agreement that Fields could at any time put an end to the employment of plaintiff as stage director.

IV. It is not necessary that the license should be in writing.

1. At common law a license to publish by parol was valid (Southey agt. Sherwood, 2 Meadle, 435; Randal agt. Murray, Jacobs, 211), and could be inferred from circumstances (Platt agt. Boulton, 19 Ver., 437).

2. Since the statute of 8 Anne, which requires every assignment of a copyright to be in writing and attested by two witnesses (see Act, Stat. 11), notwithstanding the comprehensive language of that requirement, it is settled that a parol license is valid, and that such license may even permit remedy by injunction for an infringement of the copyright against any other person than the author or his assignee. Mawman agt. Tegg in Russ. 385; Sweet agt. Shaw, 3 Hunt, 217; Sweet agt. Carter, 5 Hunt, 18; Barfield agt. Nicholson, 2 Law