FINE ARTS.

MR. CADART—THE FRENCH ETCHING CLUB.

Messrs. Cadart and Luquet, Managers of the French Etching Club, not at all discouraged by the very moderate success of their last year's venture, have returned again this season, and have opened a new collection of paintings, drawings, etchings, terra-cottas, and bronzes at the Derby Gallery. We have not yet seen the exhibition, but shall visit it, before many days, and tell the readers of THE TRIBUNE what we find there. We trust, for their own sakes, that these gentlemen have so far profited by their former visit, as to have made their present selection of pictures with the knowledge that we are not exactly a society of innocent children—knowing nothing and capable of being pleased with anything—but that a few among us, at least, can tell a good picture from a bad one. The truth is, that Messrs. Cadart and Luquet have not a little forgotten, in the excess of their business zeal, the respect that is due to others, and we think it only right they should know that they cannot make statements at random without being called to order. We were not a little surprised the other day, on receiving from Paris our copy of the useful and entertaining "Chronique des Beaux Arts," the light paradchute which accompanies the somewhat heavy-flying "Gazette des Beaux Arts"—to read in it the following paragraph: "It is well known that last year, M. A. Cadart, the young and courageous publisher, who has raised his house to the most honorable rank in spite of a thousand obstacles, visited America with etchings and pictures. Nearly all were sold, and the Americans were seized with a strong passion for our school, of whose existence, the leavings and sweepings of our studios, sent over there by the ship-load by the dealers in copies, had not given them even a suspicion. This year, Cadart goes over with a still more choice selection, and hopes to find the public—*whose education has been begun by him at so much peril and with so many risks*—better prepared to receive him. We cannot announce this attempt to establish serious art-relations between the old Europe and the young America without expressing the pleasure it affords us."

If it were worth while, we might amuse our readers by translating, also, a few paragraphs—still more absurd, but not so open to the charge of misrepresentation—from Mr. Castagnary's Introduction to the Volume of Etchings for the year 1866 (and very poor etchings they are) published by the Aquaforte Society of which Mr. Cadart is the Director. But we are not concerned to expose the conceit, the assumption, the "bounce," to use an expressive bit of slang, of this writer. We will say, briefly, that Messrs. Cadart and Luquet make a grave mistake in surrounding their enterprise with such a cloud of puffery. It may do in Paris, and we believe there is no country where puffery, and mutual admiration, and flattery, are so persistently and unblushingly practiced, as in France—but to the class in this country which Mr. Cadart hopes to reach, his method of management is very offensive. He made himself ridiculous here in the same way last year, and departed amid unextinguishable laughter after the absurd scene of his attempted picture-sale, where, if he was not altogether in the wrong, he showed himself at least extremely wanting in tact. We are sorry to see that he appears to have learned nothing from that experience, but has returned altogether persuaded that brag, and puffery, and swagger, are sure to win in the land that has produced Barnum and Andrew Johnson. We are quite content to let him learn, by sad experience, whatever lesson the fates have in store for him; but we have some regard for truth, and some sense of gratitude, and we shall not allow the claims of men who have worked among us for years, patiently, unpretendingly and most honorably, in the service of the best art of France and Germany, and with the most cordial good-will to the artists of our own country, to be contemptuously slighted. The house of Goupil & Co., represented in America by Mr. Knoedler, is entitled to all the honor which the "Gazette des Beaux Arts" so impudently claims for its own protégé, Mr. Cadart, and nothing but a mere mercenary spirit could have prompted it to write what we have quoted above, for it is easily capable of proof that Goupil & Co. have never put an obstacle in the way of other houses in this country, but have at all times shown a large and generous spirit. For ourselves, although it is needless, we hope, to say that we speak from the most disinterested motives, we have long looked upon Mr. Knoedler as one of the men most to be depended upon in every effort made to advance the true interests of art in America. There is no narrowness nor meanness in him, and we owe to him, before all other men, the familiarity that has been gained in this country within the last ten years in the knowledge of the works of the best European artists. He has, of course, never pretended to be a teacher, he leaves to bolder and more enterprising spirits the office of reclaiming a whole nation from barbarism, and giving them new ideas—but he has taken pains that as fast as anything good, or great, or notable, was presented abroad, in Europe at least—for his business does not lie with England—we should see it, and have a chance at it, and we are glad to believe that he has found the Americans willing to pay the price of good work. We will not now undertake to give the long list of names of which France and Belgium are justly proud, and whose works have been imported by Goupil & Co., year after year, into this country. But, in the great Exhibition of 1862, in the French and Belgian Division of the immense collection of pictures, we found only a few men of mark, and those among the younger ones, with whose works Mr. Knoedler's galleries had not made us tolerably familiar. And of these few, we have since had an abundance of specimens, to enable us to follow them in their progress or decline.

We do not by any means wish to be understood as objecting to competition. We are glad to welcome it. But, let it be honorable, and just, and modest. Mr. Cadart will, no doubt, make us acquainted with new names, but time must prove whether their merit be equal to their novelty. We should like to know Corot, and Courbet, and Ribot better before assisting at their apotheosis. We know that a vigorous claque is doing its best to make them famous, but it is well to remember that it takes more than a claque to make a genuine fame.

FRENCH AND FLEMISH PICTURES AT THE TENTH-ST STUDIO-BUILDING.

We have delayed, longer than we ought, to speak of the collection of pictures which Mr. Pilgeram, the agent for the house of Gambart of London, has brought over to this country, and which is now on exhibition in the gallery of the Studio-Building in Tenth-st. While cheerfully giving the company who have the direction of these yearly importations, of which this is the fifth, credit for energy and perseverance, we must express our surprise that their character does not improve from year to year, but rather, on the whole, deteriorates. There may be reasons for this of which we know nothing, nor are we concerned to know; the facts are all that it is in our commission to deal with. It may be, that the best pictures cannot be procured; it may be that, as the second best sell readily, it is not thought worth while to run the risk of bringing over the more costly; it may be that Mr. Cadart has not yet brought us up to the proper point where good work can be submitted to us with a reasonable prospect of our appreciating it; but whatever the reason, it seems to us pretty certain that Mr. Pilgeram and his principals do not think it worth while to show us the same class of works that they would show to the citizens of London and Paris. This, however, is the company's affair, and we leave them to find out their mistake, if it be one, at their leisure. If we speak of it at all it is as no spirit of ill will, for we are obliged to Mr. Pilgeram for the few good pictures he has brought over, but because we are interested in the pecuniary success of every undertaking, native or foreign, that gives us the opportunity to study pictures; and therefore we feel naturally discontented that those who have the means and opportunity to show us the best, should put us off with inferior productions.

One of the most striking pictures on these walls is by an artist not hitherto heard of, we believe, in America, Mr. G. E. Hicks, of the Royal Academy. It is called "Before the Magistrate," and represents a scene familiar enough, we dare say, to those who frequent the police courts in Dublin or Cork. An old Irish termagant, whose natural sweetness of temper has not been improved by the drink she has probably been indulging in, has been brought up before the magistrate by a stout policeman, on the complaint of an elderly goatlewoman and her daughter, who have, as we think, charged her with stealing a bonnet and beating her employer. These figures occupy the center of the picture; at the right hand are the magistrates seated or standing about their table, and listening, with cool indifference and practiced patience, to the overflowing of the old woman's rage, while the clerk, an excitable, hot-headed little fellow, in vain attempts to quiet her, in despair of ever getting down her evidence if she continues to rattle on at her present pace. At the left of the picture a crowd of spectators are huddled behind the bar that divides them from the court, while just within it, and waiting their turn for trial, are two or three petty offenders who have quite forgotten their own uncomfortable situation in the excitement of watching the antics of this furious old beldame. The subject is neither very elevating nor very interesting, but the picture acquires a considerable degree of merit and interest from the skill with which the artist expresses character. The painting is mannered, and not always true, but many of the heads are worthy of the German Knaus in their directness and quiet humor. The face of the old codger who has been stealing the ducks, which are adding their quacking to the general hubbub—and these ducks, by the way, are capitally painted—is extremely natural; he looks as if he were used to the clatter, and probably has a wife at home who gives him as good a dressing every day as this old woman is now giving the bench of magistrates. Another good face is that of the young Irish lad, in the very center of the composition, who watches the old hag's tantrums with the same delight with which he would a shindy at Donnybrook Fair. No doubt she catches her young countryman's beaming eye, occasionally, and is egged on by it to still further utterance.

Clever as this picture undoubtedly is, it would hardly have claimed so much of our attention if there were not a paucity of pictures capable of giving us a higher pleasure. Alma-Tadema, whose name we heard for the first time last year through Mr. Pilgeram, sends two pictures which increase the interest in him created by his "Gallo-Roman Women" and "New Year's Presents" of last year's exhibition. "The Poet" seems to us the better of these two pictures, although the "Dance in Rome" is not without vigor. This last resembles more a suggestion from some Pompeian painting on wall or vase than an original attempt at the realization of an incident of manners in the Rome of the first century, but "The Poet" is a genuine attempt at character-painting. This man does not look like our modern ideal of a poet, but he answers our notion of the matter-of-fact unimaginative Roman breed. This man might be Ovid, or even Virgil; he has hardly bonhommie enough for Horace, but he looks as if he could be as dull as the best of them. The details of the apartment are well painted; the books, the bronze table and the Mosaic work of floor and wall, these things could hardly be done better; the artist, no doubt, enjoyed working over them. We praise the attempt to bring before us the scenes of a past age, its men and women, its manners and customs, but we should like more spontaneity of feeling, a less labored restoration as if the artist had wrought with a classical dictionary at his side. The detail of Gérome's large picture, "King Candaules," is an instance of how an imaginative painter—even when not of the first order—chooses rather to invent than to copy, and so gives his picture a savor of life and reality by preserving a harmony of conception. Alma-Tadema's "Poet" and "Dancers" are moderns, necessarily so, since they are not copies from the antique, bronze or modern, and there is an incongruity between the faces, which look like men and women of to-day, and the costume and accessories, which are copied from the antique with painstaking accuracy. Gérome's people are also moderns, but they are not out of keeping with the things about them, since these things also are plainly the invention of the artist—invention playing about the merest hint of antiquarian truth. This picture of Gérome, however, is not at all pleasing. The subject is unnecessarily coarse, and it is not prudery which makes us say so. The figure of Candaules's wife is by no means beautiful, and the painting of her body is hard and waxy. It is not a work to add to Gérome's reputation, and we are sorry to see it exhibited. The water-color drawing by him, "Greek Children at Prayer," is much better worth studying. Ley's "Proposal" will disappoint those who enjoyed last year his fine "Studies for Frescoes"—this is the poorest thing we have ever seen from his hands. The figures are stiff and ungainly, there is no expression in the faces, and the surroundings—most rare with this great painter—are without any interest or beauty whatever. His two pupils, Lagye and Koller, hardly make amends for the master's failure. Lagye seems to be a mere imitator, and Koller—although his "Faust and Margaret" of last year had much in it that was pleasing, both in conception and execution—seems to have gone over bodily to Düsseldorf, and in "The Parting," repeats all the traditions of that now outgrown school. Heilbuth, almost always doubly interesting, both in subjects and in his way of treating them, disappoints us in his "Absolution of the Venial Sin." The subject is one too trivial for a man of his powers to have chosen, and he has not been able to elevate it by any revelation of character worth studying. It is pleasant, however, to see a bit of St. Peters faithfully painted, and to know just where we may some day find a famous painting. All this mummery, it seems, takes place directly in front of Domenichino's "Last Communion of St. Jerome."

De Jonghe has a pretty picture more carefully painted than has been his wont of late. There is a very fine water-color by Meissonier, which must surely find its way into some one of our private galleries. Next to Mr. Belmont's "Chess-players," and Mr. Wolfe's "Smoker," it is the finest Meissonier that we remember seeing on this side the water. The original sketch for Millais's "Order of Release," will be interesting to amateurs, but cannot we have a good specimen of Millais's full power, if only to look at? We believe a collection—even a small one—of first rate English pictures, including Turner, Holman Hunt, William Hunt, Millais, Hook, Sandys, Rossetti, Burne Jones, Madox Brown, Arthur Hughes and Brett would prove a most attractive and remunerative exhibition. The tenth is we are being overrun with secondhand third-rate continental works, and the public will be glad of a change. For the rest, this gallery of Mr. Pilgeram contains many specimens of men who have sent us much better work within the past two or three years; their reputations will assuredly suffer if they insist on proving that they, too, can, if they choose, paint indifferent pictures.

THE METROPOLITAN POLICE.

ANNUAL REPORT OF THE POLICE COMMISSIONERS—CRIMINAL STATISTICS—LICENSES—THE EXCISE LAW—THE TENEMENT HOUSES.

Among the facts which are embraced in the Annual Report of the Metropolitan Police Commissioners, now in the hands of Gov. Fenton and soon to be published, are several that may interest if they do not startle the public. It is shown that during the year 97,[illegible] arrests were made, and that of these 9[illegible] were for offenses of the greatest class, such as homicides of all grades, arson, burglaries, robberies and the like, but of the 9[illegible] persons only [illegible] were convicted, while 4[illegible] were acquitted on discharged without trial, 1[illegible] remain to be tried, and 6[illegible] were disposed of. For the high crime of homicide alone the police apprehended [illegible] persons, but only 15 of the number were convicted, while [illegible] were either acquitted or discharged without trial, 1[illegible] remain to be tried, and of the disposition of the other [illegible] the police have been able to ascertain precisely nothing.

These figures ought to be sufficient to justify Mr. Hawley's remark that "there is something radically wrong in the administration of the law in this city," but we have yet more remarkable data in the returns relating to a crime which is more than winked at by the politicians, namely, the receiving of stolen goods. It is believed that with the extermination of the receivers the majority of the thieves that infest the metropolis would find their occupation gone. Yet we find that of 1[illegible] receivers of stolen goods whom the police have taken into custody this year only [illegible] have been convicted, while 1[illegible] have been either acquitted or discharged without trial, 1[illegible] remain to be tried, and of the disposition of 1[illegible] the police know nothing. Mr. Hawley, who, by the way, is chief clerk to the Commissioners of Police, says: "It will be seen that a large proportion of those who are not convicted do not escape because they are innocent, but by reason of defects in the administration of criminal law in this city."

Capt. Charles N. Brackett of the City Hall police preferred 23,8[illegible] complaints against the various city railway companies for running their cars in violation of the corporation ordinance requiring them to take out licenses; yet not one dollar of the $14,4[illegible], which should have been paid into the city treasury by the railway companies, has been recovered. It is but fair to add that the question of the city's right to require the city cars to be licensed is yet in litigation. Of the vast multitude of complaints which the vigilant police captain at the City Hall has preferred against hackmen, cartmen, stage drivers, junk-shop dealers in second-hand articles and other persons who are required to be licensed, the majority, we learn, have been "settled," whatever that may mean. At any rate, the Corporation Attorney's labors in this branch of his duties have yielded only about $4,000. Chief Clerk Hawley, remarking upon this circumstance, says that our laws with respect to hacks, hackmen, and others, are modeled upon those of Paris and other well-governed European cities, but he further remarks that the administration of the laws here and in Paris is widely different.

The Grand Roster of the Metropolitan Police Body bears 2,501 names—of which 337 are of Brooklyn policemen, 2[illegible] policemen on Staten Island, 14 in Yonkers, and 8 at West Point. It is recommended that the force in Brooklyn be largely augmented, and the premises there divided; and the recommendation would seem timely, since over the river they have less than one policeman to every 1,200 inhabitants. The cost of this colossal police force for the year ending on the 1st of November, as reported to Gov. Fenton, was $[illegible]. But as the expenditures for new police stations, rents, and the like, is borne by the Cities of New-York and Brooklyn independent of the appropriation for the support of the police, it may safely be said that the cost of maintaining the Metropolitan Police has reached the respectable aggregate of $[illegible] a year. The Police Commissioners characterize the system of providing station-houses for the Metropolitan Police through the City Government as neither judicious nor economical, and they therefore recommend a change in the law.

The Metropolitan Police, as he said to have been the Board of Excise. They performed the labor, executed the Excise Board's orders, and are to receive nine-tenths of the annual revenue of liquor-venders' licenses. Therefore, the police report of excise matters may be taken as substantially the report of the Board of Excise—a pretty fair way, which is yet to be written. When the Board entered upon its duties spiritious and malt beverages were sold in 2,[illegible] places within the boundaries of the Metropolitan District, and of the keepers of these places only [illegible] pretended to hold license from any authority, leaving about 8,500 venders who were transacting business in open defiance of an old and well-known statute. Since then the Excise Board have granted and delivered 3,7[illegible] licenses for the sale of strong liquors, and [illegible] for beer selling, making 5,607 licenses. Three of the licensed have surrendered their papers, and paid only $46.66 each license. But all others have paid either $[illegible] or $[illegible], and the sum which the Board has received from these venders is $[illegible]. Of this total New-York County paid $[illegible], Kings County $[illegible], Queens County, $11,[illegible], Richmond County, $4,[illegible]. The law, as everybody knows, has been inoperative in this city, with, of course the exception of the time intervening between its attempted enforcement and the hour when our political judges had perfected their injunction machines; but in Brooklyn, where an early decision affirming the constitutionality of the law was rendered, the Courts have returned $3,775 from fines for violations of the law. Over-expended, $165.50, and our Court of Special Sessions, sorry but not one of our four Police Courts has exacted a solitary dollar of the prescribed fine for selling liquors without license. Judge Gardozo granted 704 injunctions, Judge Brady, 199, and Judge McCunn, 21, and, pending a decision hereon by the Court of Appeals the Excise Commissioners are lying on their oars. Instead of recommending any modification of the law, the Commissioners say that "if the law, as it was passed, can have a fair and impartial trial for a year or two, it is believed that the result will justify the experiment, and prove to the public the value of the system."

The Police Commissioners, in managing the recent general election, expended $[illegible],169, and in the charter election, $[illegible],847, and they believe that the aggregate is less by about $[illegible],000 than the municipal authorities would have spent in giving us an old-fashioned, rough-and-tumble scramble between the thieves and shoulder-hitters of the Eighth Ward and those of the Sixth.

Capt. Bowen G. Lord of the Police Sanitary Company makes a fearful record against the tenement houses of this city, of which he says there are more than 4,000 without proper means of escape in case of fire, and he particularizes 11 tenements of from four to six stories each, containing a population of 425 and having each only one staircase.

LABOR.

To the Editor of The N. Y. Tribune.

SIR: Hearing that a number of mechanics were needed in Nassau, N. P., the scene of the late fire and hurricane, I would ask you for information about where the agent can be found in New-York. By answering in THE TRIBUNE you will oblige a number who wish to go. Yours respectfully,

THOMAS C. HERBERT.

West Troy, N. Y., Nov 2, 1866.

Immediately after the disasters at Nassau referred to by our correspondent, there was so great a demand for carpenters at that place that a free passage was given a limited number from this port. Free passage is no longer furnished, but we understand that mechanics in several branches of labor, and especially in house building, can probably find employment in Nassau, and in other parts of the Island of New-Providence. A Cunard steamer runs between New-York and Nassau every month.

To the Editor of The N. Y. Tribune.

SIR: I recently saw a statement in THE TRIBUNE that that many people were flocking to New-York, wanting work, and that little work could be obtained. There is room here for 5,000 at good wages, both male and female, boys and girls, and plenty of provisions. Still, there is a lack of tenements, though plenty of land to build tenements on. If some of your capitalists had $100,000 to spend in lands, the minerals would pay them 10 per cent—that is, the coal that it contains would double the amount they have to pay for it in three years. Good coal lands can be bought from $100 to $150 per acre, within one mile of three railroads, and two more being built, when the number of men as above stated could get employment for next six months. There is a want of laborers.

The above is in reply to S. R. Halliday, House of Industry, Five Points, No. 155 Worth-st., New-York. Z. KNAPP.

Pittston, Luzerne County, Pa., Dec. 13, 1866.

CIVIL COURTS.

SUPERIOR COURT—TRIAL TERM—DEC. 21—Before Justice McCUNN.

RIGHTS OF THOSE WHO PLAY FARO AND LOSE—STRICT PLEADING REQUIRED.

John B. Stainard agt. Henry S. Eytinge et al.

This is an action to recover a sum of money lost at a faro table. The defendant's counsel moved to dismiss the complaint upon the ground that it did not contain facts to constitute a cause of action. After the arguments of counsel, Judge McCunn rendered the following decision:

This action is based on the 14th section of article 3, title 8, chapter 20, Revised Statutes. The section is in these words: "Every person who shall, by playing at any game, or by betting on the sides or hands of such as do play, lose at any time or sitting the sum or value of $25 or upward, and shall pay or deliver the same or any part thereof, may, within three calendar months after such payment or delivery, sue for and recover the money or value of the things so lost and paid or delivered from the winner thereof. The complaint contains no averment that of the money sought to be recovered, "$25 or upward" was lost at a time of sitting. The defendants say this is a fatal omission, and move accordingly to dismiss the action, as the point raised by the motion appears not to have been judicially determined in any reported case. I have bestowed honest thought upon the question, and the result of my deliberation is that the defendants assume a tenable ground, and that the complaint exhibits no cause of action. It is a fundamental and familiar rule of pleading that every substantive fact necessary in law to the maintenance of the action must be covered by an appropriate averment in the declaration or complaint. (Bacon's Abridgment, 'Pleas,' A. Gould's Pleading, 49.) The Supreme Court of the United States thus propounds the principle: "Every fact is necessary to be found on the jury in order to sustain the plaintiff's right of recovery, the declaration or complaint must contain an averment of such fact, in order to let in proof of the fact." (Bank of the United States agt. Smith, 11 Wheaton, 171.) In our own practice the rule is not materially varied, and it is settled law under the code that "every fact which the plaintiff must prove, and which the defendant has a right to controvert in his answer, must be distinctly averred in plain, concise, and direct language." (Gamery agt. Fowler, 4 Cond. 665. Fay agt. Grimstead, 10 Barb. 321. Bridge agt. Payson, 5 Sand. 210. Stoddard agt. Onondaga Co. Conference, 19 Barb. 274.) The reason of this rule is too obvious to require illustration. Now, in the case before us, it will not be denied that the loss of "$25 or upward at a time or sitting" is essential to the plaintiff's right of recovery. The statute gives him no right of action for the recovery of a loss even at a single sitting. The only allegation of loss in the complaint is, that "on or about the 12th of September, 1865, the defendants won at gaming," &c. This is a formula of statement usually employed to cover an indefinite period of time, and cannot be construed as equivalent to an allegation that the plaintiff lost $25 or upward at a sitting. Hence, the complainant omits an essential averment, and so is fatally defective. At common law no action lays for money lost at gaming. The spirit of that gentlemanly system of jurisprudence would not tolerate the idea that a man, after taking the chance of winning, should come into court and demand restitution of his loss. He was excluded from the benefit of its process by the maxim in pari delicto potior est conditio defendentis. But early in the reign of Queen Anne a statute gave the loser a right of action for his money, and that statute was the original of our own statutement. But few cases under this law are reported in the English books, for the reason, that the parties have been willing to expose themselves to the odium of endeavoring to evade or defeat the court what they had fairly lost on an equal hazard. However, in 2 Strange, 1,079, 2 Wm. Blackstone, 1,528, 2 Henry Blackstone, 368, and in 2 Vesey, 544, I do find cases arising under this statute, but in none is it controverted that the declaration should contain an averment of every fact which the law makes essential to the plaintiff's right of recovery. On the contrary, the necessity of such averment is assumed as a postulate. On reason and authority, then, the complaint in this action is fatally defective. I cannot permit the plaintiff to amend. In this particular the code invests the courts with a very liberal discretion, but it prescribes one restriction, which is, that the amendment must be in furtherance of justice. I cannot see how justice would be promoted by enabling a person to recover money which he had fairly staked and lost, when, if he were winner, he would indisputably pocket his gains. I will administer this law when a suitor brings himself under its operation, but I will not strain its construction in his behalf. The plaintiff here is clearly entitled to no indulgence.

THE VALUE OF LOST COMMISSIONS.

Augustus Weiss agt. Charles Dellinger.

The plaintiff had an office at No. 194 Pearl-st., where the defendant also had the upper floor. The plaintiff was a commission broker. Dellinger was given to understand that a good light is essential to this business, it being impossible to sell some samples of cotton in one office which is nearly half in another owing to the difference in the light. The best light in this office, it appears, came through the side of the other, and this being closed the light was the front door, owing to curtain reflection, was during a great part of the day useless to the plaintiff. The defendant, to the proper party, that the lights were really closed by a sub-tenant. Mallon, without his authority or direction.

The jury rendered a verdict for plaintiff for $[illegible].

SUPREME COURT—TRIAL TERM—Before Mr. Justice ROBERTSON.

ADJOURNED.

Augustus C. Downing agt. Freda, Tarbuse.—Order vacated and the charge, with $10 costs.

Lawrence Moore agt. Henry D. Sheet.—See memorandum with circuit, special Term.

Samuel Parsons agt. Thomas E. Marsh.—Motion granted, and cause referred to a referee, &c.

Adolphus Hennessy agt. James Lynch, Sheriff.—Motion granted, and judgment marked "leave to appeal."

John D. Lindsay agt. Geo. Hamilton.—Motion dismissed, with $[illegible] costs.

Before Mr. Justice MOORE.

Sylvester Sampson agt. Adam Tier.—Order to amend complaint dismissed, with $[illegible] costs.

Before Justice MOORE.

Benj. T. Sampson agt. Patrick H. Drake.—Motion for leave to serve a [illegible] granted, without costs. Case to stand for terms.

Before Justice ROBERTSON.

Zachariah Pool agt. John J. Shaw.—Motion for a new trial denied, and judgment ordered for defendant, with costs.

Wm. Wood agt. John L. Rose.—Motion granted, without costs.

James G. Wyckoff agt. Jacob Farley.—Motion granted, and causes referred to a referee, &c.

Joseph Sparrow agt. Wm. Wilson et al.—Motion for amendment, &c., denied, with $[illegible] costs.

Before Justice MOORE.

[illegible] agt. [illegible].—Motion granted, without costs.

Before Justice ROBERTSON.

THE ATLANTIC MALL STEAMSHIP COMPANY DECISION.

In the Matter of the Application of Thomas M. Wheeler and others.

The arguments in this proceeding, which has been brought under the statute by signed stockholders of the Atlantic Mail Steamship Company, against the alleged election of Messrs. Wheeler and others as directors of that company, have been heard, and the matter was submitted yesterday. The petitioners claim that the election was illegal, first, because the proxies were not signed by the stockholders, or authorized by them, and secondly, because the proxies were not signed by the stockholders, or authorized by them, and secondly, because the proxies were not signed by the stockholders, or authorized by them, and secondly