THE COURTS.

The King-O'Neil Trial—Medical Testimony—Insanity Hypothetically Established.

THE TENTH NATIONAL BANK.

Peremptory Mandamus Against the Board of Apportionment—The End Not Yet.

The Aldermanic Squabble—The Democratic Candidate Triumphant.

Frederick Gill (colored), one of the crew of the American bark Dirigo, had been charged some days ago, before Commissioner Shields, with having on the 20th of December, at Palermo, Sicily, assaulted the master of the ship, Mr. Thorne, with a dangerous weapon. It turned out, however, upon the examination that Gill was really the aggrieved party, having been shot during "the muss" in the ear with a pistol. The Commissioner discharged him yesterday.

The Marine Court, Part 2, presided over for the term by Judge Shea, was yesterday adjourned over till this morning, in respect to the memory of ex-President Fillmore, deceased.

The Woodhull-Claflin alleged libel suit has occupied another day of the General Sessions Court. The lightest skimming of the testimony is all that the public can desire to know at this late day of the ground of an action disreputable to all the principals in it.

In the Supreme Court, General Term, yesterday the Assistant Aldermanic squabble as to who was to be King Stork of that institution—the democratic or republican—was decided by Judge Davis sustaining the election of the democratic member, Assistant Alderman Strack.

THE KING-O'NEIL TRAGEDY.

Close of the Testimony for the Defence—Medical Experts Giving Their Views of Emotional Insanity in General and King's Case in Particular—Probable Summing Up To-Day.

The most interesting day thus far in the trial in the Court of Oyer and Terminer, before Judge Brady, of James C. King for the killing of Anthony F. O'Neil, was yesterday, and although it was the tenth day of the trial, by which time the public is rather apt to get tired and lose its interest, there was the same undiminished crowd in the court room. Judge Brady and the jury and counsel on both sides and the prisoner all looked refreshed after their day of rest. Of course the feature of the day was the calling by Mr. William F. Howe of various medical experts to give their testimony on behalf of the prisoner, a testimony he and Mr. John O. Mott had been most sedulously engaged in procuring and upon which unquestionably the fate of the prisoner depends more than all the other evidence offered. There was some other testimony, but it was of comparatively minor importance, the feature of the day being the medical evidence. With this latter testimony the defence closed their case. Some rebutting evidence will be given this morning and then ex-Judge Beach will begin to sum up. It looks now as though the case would reach the jury to-morrow. In the subjoined report will be found all the material points of yesterday's testimony:—

TESTIMONY OF GEORGE M'CANN.

The first witness called was George McCann, of No. 142 East Eighteenth street, janitor of the Stuyvesant Building, who testified that Mr. and Mrs. King, children and servants occupied apartments there in 1871, and that Mr. King kept his family in good style.

TESTIMONY OF DR. ISAAC L. KIPP.

Isaac L. Kipp, M. D., examined by Mr. Howe, to whom have been entrusted the preparation and management of the defence from the insanity theory standpoint—I am medical examiner to the Mutual Life Insurance Company; I don't remember having examined the prisoner except from my registry, of which I produce a copy; it is entered April 16, 1869, in the register, in the examination of James C. King. (The prisoner was here directed to stand up.) The doctor continued—I remember his features; his application for a policy was rejected; he made an unfavorable impression; looking at this paper, I find he stated in his answers he had one uncle insane; that he had met with business troubles and that his mind was sometimes disturbed; I knew then that the company didn't want him.

To Mr. Phelps—I disliked his looks much; I examined his heart and lungs; he weighed 130 pounds; his height is five feet nine and a half inches, as stated by himself; I have no distinct recollection of the examination of his heart; whether he was subject to palpitation or cough was derived from his statement; whether he had relatives subject to pulmonary or other hereditary disease, he answered in the negative.

To Mr. Beach—The reason why I didn't like him was because he appeared delicate and somewhat excited; I don't recollect that he revealed any business troubles to me.

To Mr. Phelps—I judged from his general appearance there was no indication of any particular disease.

ADDITIONAL TESTIMONY OF FRANK J. DUPIGNAC.

Frank J. Dupignac was here recalled. He testified that he identified telegrams to him from King, August 8 and 10, 1872, requesting a meeting in New York; that of the 10th asked, "What is the meaning of these papers?" They were the papers in the replevin suit of Mr. Foulke, for whom witness was then counsel against King. The witness further stated that on the 12th of August, after he had notified King that he would no longer act as his attorney, King called at his office and had an interview with him and his opponent, Mr. Foulke, which lasted some hours.

District Attorney Phelps—What was the subject of that conversation?

Mr. Beach protested that the conversation was privileged.

Judge Brady said there were numerous decisions that a communication to a lawyer in presence of a third party is not privileged. In this case the third party was his opponent and the lawyer was his opponent's attorney.

Witness then stated, in response to Mr. Phelps' question, that the subject of the conversation was Foulke's replevin suit against King and King's domestic difficulties. A portion of it related to effecting a compromise.

TELEGRAMS PUT IN EVIDENCE.

The defence here offered in evidence a telegram from O'Neil to the baggage master, Shore Line, New York:—"Please tell the lady with the large gray trunk not to go East to-day," and another to O'Neil, from New Bedford, Mass., July 29, 1869, asking to have papers sent on. It was signed A. E. K.

TESTIMONY OF DR. ERNEST D. PAGE.

Ernest D. Page, M. D., of No. 27 West Twenty-sixth street, examined by Mr. Howe, testified that he knew and examined the prisoner in 1869; his lungs and heart were affected and he was suffering from nervousness; he found his manner very irrational and he was highly excited; prisoner was then stopping at the Ocean House, Newport; attended him at the Clarendon, in 1870, and nervous and excited was his general condition; the prisoner subsequently brought his father to witness to be treated, and on that occasion made the remark, "We are all a set of lunatics;" he attended prisoner's children, and one of them had convulsions; the prisoner came to witness one day and said he thought he had "raised blood" during the night, and his tongue was cut; the witness told him to go to a dentist, and he went, and came back and said the dentist told him there was nothing the matter with his teeth; some time afterwards—this was in 1870—witness left his office one day, the prisoner being there sitting down, and on his return saw the prisoner lying on the sofa, his hands clenched, his mouth drawn aside and foam on his mouth; it was an epileptic fit; he communicated his domestic troubles to witness, and after that he was more depressed; the day before the homicide witness saw prisoner; he was very downhearted at one moment and the next he would sing "Goodby, John."

To Mr. Phelps—I am a physician of twenty years standing in this city; on the occasion of the epileptic fit I left him in my office before that, having an altercation with my partner, Dr. Dalzelle; the symptoms of the epileptic fit, which I noticed as he lay on the sofa when I came back, were paleness, blood on the mouth, foam on the mouth, and marks of finger-nails on his hands; I administered chloroform and stopped the convulsions; he remained fully an hour in the office before he was able to leave.

TESTIMONY OF DR. AUGUST F. FRECH.

August F. Frech, M. D., examined by Mr. Howe, testified that epilepsy was a paroxysm of unconsciousness combined usually with clonic symptoms, and that it was to some degree hereditary. The doctor then described at length the symptoms of a well developed epileptic attack.

TESTIMONY OF EDWIN R. ABBOTT.

Mr. Edwin R. Abbott testified—I knew Mr. King; just after his domestic difficulties begun he came over to Goshen and saw me; he told me about his difficulties; I met him again about ten days before the shooting in Twenty-third street; he seemed even more excited than before; he shed tears and talked about his children; I advised him to do no harm to any one and to live for his children; I suggested to him to come up with his children for a month or two at Susquehanna, where I was keeping a hotel.

The Court here took a recess.

TESTIMONY OF EDWIN E. HOGAN.

After recess, ex-Justice Hogan was called. He testified, in answer to Mr. Mott, that he saw the prisoner in Jersey City, in the fall of 1872; on a Monday morning in that month, the prisoner walked into a palace car on the Jersey Railroad, where witness was speaking to some ladies; paced up and down the car, and said to witness: "Judge, there's a man in the rear car has got my wife; what am I to do?" witness replied, "Take legal steps against him;" he said he had done that, and the damned scoundrel was trying to take his children from him; witness kept King in conversation all the time up to Jersey City, then King said, "Look at them now, look at them now;" witness looked and saw a gentleman putting a shawl over a lady's shoulder; King was very much excited; he paced up and down the car hurriedly; when he first came into the car the remark he made was, "The impudence of the damned scoundrel, to bring my wife into the very car where I was sitting."

TESTIMONY OF DR. HENRY GOULDEN.

Henry Goulden, M. D., examined by Mr. Howe, testified that he was a physician, residing at No. 28 West Twenty-second street. His practice was chiefly in France. He explained the difference between the "grand mal" and the "petit mal" in epilepsy, and the tendency of persons suffering from it to excitement and insanity. Mr. Howe then put to him a long hypothetical question, setting forth the prisoner's antecedents and the facts proven by the defence, embracing the prisoner's actions for the last five years, his various attacks of epilepsy, and his actions when he heard the deceased had interfered in his home affairs, up to the time of the shooting, and asked if under this state of facts he considered the prisoner at the time of the shooting to be sane or insane. This hypothetical question is another of those all-embracing difficulties that have been in late cases so adroitly put by the same counsel, and the answer to it was awaited with considerable interest.

Witness, amid breathless silence pervading the court room, such was the eagerness to hear the reply, answered, "He was insane."

The reply was naturally received by the friends of King as something to relieve the otherwise direct testimony of shooting, and to give him a chance to bridge over that danger when the case comes to rest with the jury.

The Court then adjourned till this morning.

TENTH NATIONAL BANK.

Peremptory Mandamus Granted Against the Board of Apportionment—Opinion of Judge Donohue in the Case.

The long and hotly contested litigation by the Tenth National Bank to get $252,000 from the city on account of alleged advances to the New Court House Commissioners has resulted in a partial victory for the bank. Judge Donohue, of the Supreme Court, before whom the argument was recently heard on the motion for a peremptory writ against the Board of Apportionment, rendered yesterday the following decision:—

OPINION OF JUDGE DONOHUE.

Motion for a peremptory mandamus to the respondents in substance directing them to put the Comptroller in a position to pay the relator's claim, if correct. The effect of the mandamus will not be to legalize or establish the claim, but merely put the relator in a position to try its right, without expressly deciding that the relator is entitled to recover all claimed. There is proof on which to give them the right to try. It is somewhat of a disgrace to the wisdom of the law in this age that no direct remedy exists against a county, but the claimant is driven to the fictions of the common law to make men do a duty the law throws on them. The case illustrates the need of a direct remedy. The most difficult point in the matter to determine is not the rights of the parties, but how the case stands. After several years' litigation, the relator is only now asking to be put in a position where its claim may be finally passed on. No blame rests on the county officers in contesting a claim they deny, but the bank has the right to have the contest in such a shape that when a fair verdict is rendered it shall have been final. Issues and a verdict here would produce no such result. After such a verdict a new writ to the Comptroller must issue, and a return and issues on that would compel a second trial. This should not be, and neither the county nor relator should be put to this expense. If the effect of this writ was to deprive the county of a trial the Court would hesitate to grant the relief asked; but when the Comptroller is asked to pay when in funds he may contest the debt if the question is an open one, which it is hardly worth wasting time now to inquire, because if not the Court should grant the writ. The Court has not the mere arbitrary power to grant or withhold proper remedies; it is their duty to exercise not a mentor but a judicial discretion, and that only is exercised when the Court either finally decides or puts in motion the final decision of questions before them. The writ asked for here simply effects the object of putting the Comptroller in a position when asked by the bank to pay to raise all questions on the right of the bank to recover, and the result on that will be to end all claims on the county or put the bank in a way to get their money without further expense. This the relator has the right to ask, and in giving it the Court simply performed a duty, and saves both parties from useless expense. The relators should have an order for a peremptory writ.

THE BOARD OF ASSISTANT ALDERMEN.

Election of Assistant Alderman Strack as President Sustained by the Supreme Court, General Term—The Opinion of Chief Justice Davis.

The legal dispute over the election of President of the Assistant Board of Aldermen, and how, as between the contestants, Wade and Strack, the case came before the Supreme Court, General Term, for decision, are matters of recent and familiar history. A decision in the case was rendered yesterday morning to the effect that nothing in the charter prohibits the reorganization of the Board of Assistant Aldermen at any time, and the action of that body in recently electing Assistant Alderman Strack as its President is therefore sustained. Judges Donohue and Daniels concur in this decision. Judge Davis presented a lengthy opinion, the principal points of which are embraced in an epitome of the same given below:—

OPINION OF JUDGE DAVIS.

After stating the facts of the case he states that if a vacancy happens to occur in the office of President of the Board of Assistant Aldermen by death or resignation, or removal of the incumbent from the city, or any other event, the Board is clothed with ample power "to choose a president from its own members," under section 6 of the new charter. The act of making such choice would not be "recognizing" within the sense within which that word is used in the act. The intent of the restriction was to prevent the substitution of a new organization for the existing one while the latter was in full force and operation, and not to prevent that kind of reorganization which springs from the happening of vacancies on the ending of fixed terms of office. The disposition of the case depended upon whether the respondent's election was made to supplant an existing office by removing him from a continuing term, or to fill a vacancy which had occurred from the expiration of an official term, and that in turn depended upon the question whether the resolution of the Board passed at the election of the relator declaring him to be elected president for the year 1873 was a lawful designation or limitation of his term of office. Had the Board the power to make the relator president for one year, leaving the succession for the second year open to a further choice, or was it bound to elect one for all and for the full period of the term of assistant alderman? The charter of 1870, under which Mr. Wade was elected, contained no declared term of office. The statute (sec. 8 Revised Statutes) therefore provided that the office should "be held during the pleasure of the authority making the appointment." That pleasure was declared by the resolution electing Mr. Wade for the year 1873. Did the provisions of the charter of 1873, "and when once chosen he cannot be removed before the expiration of his term as alderman or assistant alderman only by a vote taken on a call of the yeas and nays of four-fifths of all the members of the Board," operate to extend the duration of the relator's office beyond the year 1873? This language was not retroactive. Statutes were not applied retrospectively by mere construction. In conclusion, the Court holds that the relator was not legislated to a term of office beyond that for which the Board had chosen him; that on the expiration of that term his office was vacant by lapse of time, and that, until his successor was chosen, he was discharging the duties by force of the general statute which provides for such discharge, and that the Board, after such expiration of the term, was, in choosing his successor, acting upon an exigency which required no removal, and was exercising its original and lawful authority.

BUSINESS IN THE OTHER COURTS.

SUPREME COURT—GENERAL TERM.

The Street Opening Mandamus Cases.

Before Judges Davis, Daniels and Donohue.

It will be remembered that some time since, in Supreme Court, Chambers, motions for writs of peremptory mandamus requiring the Comptroller to pay the relators sums claimed to be due them respectively for services in proceedings taken for the making of various public improvements in this city, including the Riverside Park and street openings, were made on behalf of John A. Bagley, as engineer and surveyor in five cases, and James S. Hennessy in two cases, Charles G. Cornell, William Wood and Gratz Nathan as commissioners of estimate and assessments. The amounts claimed were in the aggregate $44,250, and were adjusted and allowed by the Court on the confirmation of the Commissioners' reports. The writs were denied at Chambers, on the ground that the relators' remedy was by action at law. They appealed to the General Term, where a decision was announced yesterday, Judge Daniels giving the opinion. The Court holds that the Comptroller's answer that he has "not collected from the assessments and has not in his hands the amount required to pay the claims made or any sum whatever," and that what had been collected was paid out, was a valid defence against the granting of the writs; that the relator, Bagley, was a subordinate of the Commissioners, and had no right to resort to the city itself or to the fund for his pay; that his services were done for the Commissioners and they must pay him, they alone being empowered by the law to receive the money for the city; and that it was their province to disburse it among the subordinates employed by them. As to the Commissioners themselves the Court holds that their proper remedy is by action of law.

Validity of Paving Contracts.

John L. Brown sued the city upon a claim for regulating, grading and setting curb and gutter stones on Tenth avenue, from Manhattan to 155th street, and flagging sidewalks, under a contract with William M. Tweed, as Commissioner of Public Works, in September, 1870. Judge Van Brunt, in Supreme Court, Circuit, dismissed the complaint on the ground that the contract was not founded on sealed proposals, and that the certificate of the commissioners appointed under the act of 1872, that they were "satisfied that there has not been any fraud in relation to the making and entering into the contract," was not in accordance with the requirements of the act requiring them to certify that "no fraud has been perpetrated in relation thereto or in the performance thereof." The General Term yesterday affirmed the judgment.

The Big Pipes.

A suit was brought against the city by John B. Green for $59,000 for laying Croton water mains, called "the big pipes." The suit was decided against him, and yesterday this Court reversed the judgment below and ordered a new trial.

Pay of Police Justices.

Anson P. Smith, assignee of James Coulter, Police Justice, brought suit to determine the question whether Justice Coulter was entitled to $10,000 or $5,000 salary. The judgment of the Court below was for $5,000 salary. The General Term yesterday reversed the judgment and ordered a new trial.

Decisions.

Hilderbrand vs. The People.—Writ of error dismissed. Opinion by Judge Daniels.

Copperman vs. The People.—Writ of error dismissed. Opinion by Judge Davis.

Isham, executor, vs. Davison.—Judgment affirmed. Opinion by Judge Donohue.

Jay, receiver, vs. De Groot et al.—Order to stand over to bring before the Court the proceedings in revivor. Opinion by Judge Davis.

The People ex rel. Daniels and Another vs. Cushman.—Proceedings and judgment reversed. Opinion by Judge Davis.

The People ex rel. Eldridge vs. Friedlander.—Proceedings affirmed. Opinion by Judge Donohue.

Stevenson vs. The Mayor, &c.—Order affirmed, with costs. Opinion by Judge Daniels.

Canda, assignee, vs. Keeler.—Judgment affirmed. Opinion by Judge Donohue.

Hill vs. McKenzie.—Judgment ordered for the plaintiff on the verdict. Opinion by Judge Davis.

Oxley vs. King et al.—Judgment affirmed. Opinion by Judge Donohue.

Tenth National Bank vs. Darragh.—Judgment reversed and new trial ordered, with costs to abide event. Opinion by Judge Davis.

Huston vs. Weber et al.—Judgment affirmed. Opinion by Judge Daniels.

Brown vs. The Mayor, &c., of New York.—Judgment affirmed. Opinion by Judge Davis.

Greene vs. The Mayor, &c., of New York.—Judgment reversed and new trial ordered, with costs to abide event. Opinion by Judge Donohue.

Toole vs. Garvin.—Motion for new trial granted, costs to abide event. Opinion by Judge Daniels.

Willis vs. Weaver.—Judgment reversed, and new trial ordered, costs to abide event. Opinion by Judge Davis.

The People ex rel. Wade vs. Strack.—Judgment for the defendant on the case submitted, with costs. Opinion by Judge Davis.

Dees vs. Wandell.—Decree of Surrogate affirmed. Opinion by Judge Donohue.

McVea vs. The Mayor, &c.—Judgment affirmed. Opinion by Judge Donohue.

Dupuy vs. Wintz.—Order affirmed, with costs. Opinion by Judge Davis.

The Continental Bank Note Company vs. The Industrial Exhibition Company. Order affirmed, with costs. Opinion by Judge Daniels.

Mundorf vs. Mundorf.—Order affirmed, with costs. Opinion by Judge Daniels.

Getty vs. Spaulding et al.—Order modified and affirmed as modified. Opinion by Judge Daniels.

The Continental Bank Note Company vs. The Industrial Exhibition Company.—Order affirmed, with costs. Opinion by Judge Daniels.

The New York Floating Dry Dock Company vs. Leaman and Another.—Order.

The People ex rel. Baker vs. The Board of Apportionment.—Motion denied. Opinion by Judge Donohue.

SUPREME COURT—SPECIAL TERM.

Decisions.

By Judge Van Brunt.

Crocker vs. Thompson et al.—Judgment for defendant, with costs.

Greene vs. The Hanover Insurance Company.—Demurrer overruled.

Bache et al. vs. Purcell; Kitchen vs. Conklin et al.—Judgment for plaintiffs.

Hume vs. Hanly et al.—Judgment for plaintiff, with costs.

Weeks vs. Gersan et al.—Findings modified.

SUPREME COURT—CHAMBERS.

Decisions.

By Judge Donohue.

Winchell vs. Winchell.—Motion granted.

In the matter, &c., Farrell; Tyng vs. N. S. Submarine Torpedo Boat Company; In the matter, &c., Harmony Fire Insurance Company.—Granted.

Miller vs. Brown (two cases).—Granted and referred to John S. Patterson.

Schuster vs. Moelke; In the matter, &c., Anderson; Tradesmen's National Bank vs. Seeley.—Memorandums.

Tenth National Bank vs. Board of Apportionment—Granted. See opinion.

SUPERIOR COURT—SPECIAL TERM.

Decisions.

By Judge Monell.

Whiteworth et al. vs. Erie Railway Company.—Order settled and entered.

Roe vs. Roe.—Findings settled.

By Judge Sedgwick.

Miner vs. Beekman et al.—Order of reference granted.

Watson vs. Brennan.—The plaintiff should have judgment. See opinion.

SUPERIOR COURT—TRIAL TERM—PART 1.

Decision.

By Judge Spier.

Camp vs. Fitzsimmons.—Judgment for plaintiff.

COURT OF COMMON PLEAS—SPECIAL TERM.

Decisions.

By Judge Larremore.

Webster vs. Webster.—Reference ordered to T. H. Langdon.

Sands vs. Sands.—Reference ordered to A. C. Anderson.

Lake Shore O. L. Railway Company vs. Hess.—Motion denied, with costs to abide event.

Smith vs. Smith; Kubel vs. The People of the State of New York.—Applications granted.

Moser vs. Moser.—Divorce granted; custody of child awarded to plaintiff.

Marx vs. Isenberg.—Motion denied.

Windship vs. Tinkler.—Preliminary objection sustained. (See memorandum.)

COURT CALENDARS—THIS DAY.

Supreme Court—Chambers—Held by Judge Donohue.—Nos. 71, 77, 81, 85, 90, 97, 98, 99, 100, 102, 110, 117, 118, 121, 178, 185, 187, 189, 207, 212, 220, 247, 266, 268, 274, 278, 283, 293, 306, 308, 310, 323, 324, 325, 326. Call 327.

Supreme Court—General Term—Held by Judges Davis, Daniels and Lawrence.—Nos. 137, 145, 147, 148, 150, 151, 152, 154, 155, 158, 160, 161, 162, 163, 164, 165, 166, 21, 37, 167, 168, 169, 171, 172.

Supreme Court—Circuit—Part 1—Adjourned until Monday.—Part 2—Held by Judge Van Brunt.—Nos. 237, 480, 1676, 1666, 436, 114, 1216, 1734, 2532, 3034, 3113, 1758, 1760, 1762, 1764, 1768, 1770, 1772, 1774, 1776.

Superior Court—Trial Term—Part 1—Held by Judge Monell.—Nos. 899, 845, 637, 741, 871, 731, 865, 533, 341, 1595, 1647. Part 2—Held by Judge Freedman.—Nos. 880, 830, 898, 650, 870, 1490, 718, 158, 632, 902, 904, 906, 908, 910, 912.

Court of Common Pleas—Trial Term—Part 1—Held by Judge Loew.—No. 2273. Case on.

Court of Common Pleas—General Term—Held by Judges C. P. Daly, Robinson and J. F. Daly.—Nos. 57, 3, 14, 31, 32, 44, 45, 68, 33.

Marine Court—Trial Term—Part 1—Held by Judge Spaulding.—Nos. 3794, 2338½, 3468, 3316, 3212, 3356, 3364, 3342, 3344, 3454, 3458, 3462, 3466, 3470. Part 2—Held by Judge Shea.—Nos. 3205, 3421, 3115, 3293, 3473, 3321, 3413, 4375, 3457, 3459, 3461, 3463, 3467, 3469, 3475. Part 3—Held by Judge Joachimsen.—Nos. 4517, 4394, 4134, 2020, 4546, 3931, 4607, 4386, 4617, 3890, 3251, 4178, 4000, 4532, 2720.

BROOKLYN COURTS.

The trial of ex-City Treasurer Sprague has again been postponed, this time until the first Monday in April. Mr. Sprague is still confined to his house by illness, and Mr. Van Cott, the principal prosecuting counsel, is also unable to leave the house in consequence of a fracture of one of his legs, received a short time since.

John Rhodes sued Joseph Ryall in the City Court yesterday to recover $6,000 for injuries alleged to have been received by being knocked down and trampled upon by a horse belonging to the defendant. Verdict for defendant.

The estate of John Carroll was claimed by two women, each of whom claimed to be his wife. Margaret said she married him in England; that he deserted her, and that she subsequently found him living with another woman as his wife in Brooklyn. Wife No. 2, who is known as Elizabeth Carroll, said she was married to him in this country, and claimed to be his legal wife. Carroll returned to England, and died there intestate. Surrogate Veeder, of Brooklyn, granted letters of administration to Elizabeth, and now Margaret has brought suit in the Supreme Court, Circuit, for admeasurement of dower.

UNITED STATES CIRCUIT COURT—CHAMBERS.

The Alleged Treasury Frauds—Supervisor Hawley Not To Be Released from Bail—Trial This Month.

Before Judge Benedict.

Judge Benedict yesterday rendered the appended decision in the matter of the motion made on Saturday to have Supervisor Hawley, indicted with Sanborn and Vanderwerken, released from his bail:—

The motion made herein to release defendant (Hawley) upon his own recognizance is based upon two grounds. The first is that the District Attorney, having been afforded an opportunity to try the defendant at the present term, has omitted to do so. As to this ground, it is indeed true that, by transmitting the cause from the Circuit to the District Court the District Attorney could have tried the defendant before this. But the failure to embrace this opportunity to try the defendant which was afforded should not avail to discharge the defendant, for the reason that it could not be foretold with certainty that it could not be reached in the District Court during the week to which the jury business in the Court was necessarily limited, while if the cause were transferred to the District Court and not then reached, it would be impossible to remand it to the Circuit in time to try it before the month of May. The other ground on which the application is made is based upon the affidavit of the defendant Hawley, that he is informed and believes that the District Attorney does not intend ever to try him upon the present indictment, but on the contrary has summoned another Grand Jury for the purpose of procuring a different indictment against him. In reply, the District Attorney declines to say whether he intends to try the defendant upon the present or a different indictment, but he does say that he intends to try the defendant for the transactions referred to in this indictment, and that he will be ready to try him at any day after the 21st of this month. Upon such a statement by the District Attorney it would be improper to release the defendant from his bail. The motion to discharge the defendant Hawley upon his own recognizance must, therefore, be denied. I cannot avoid noticing, however, the demand for a speedy trial. Such a demand made by any person charged with crime should always be granted if practicable. And in the case of an important public officer charged with crime it is especially important to the public that he be either punished or acquitted without delay. In this instance, therefore, when both sides avow a readiness to go to trial, I shall direct a jury to be summoned to attend the Circuit Court on Wednesday, the 25th of March, on which day, if it be possible for the Circuit Judge to attend, I will take up the trial of the case. Counsel on both sides will be expected to be ready on the day above named, inasmuch as I have no other time at my disposal prior to May.

SUPREME COURT—SPECIAL TERM.

Ethelbert S. Mills' Transactions With Other People's Money.

Before Judge Pratt.

The Brooklyn Trust Company brought suit against the estate of the late Ethelbert S. Mills to secure title to the Post Office building in Washington street, which Mills, as charged, bought with money taken from the Trust Company while he was its President. The case was reported in the Herald at the time it came before the Court. Yesterday morning Judge Pratt rendered the following decision in the case:—

The Post Office property was purchased by Mr. Mills, now deceased, in his lifetime, with the moneys of plaintiff. He was then their chief officer, with control of their business, money and books, and used their money to promote his own interests. The principle of law is well established which the plaintiff now invokes, that in all such transactions the claimants may follow the money and any property in which it may have been invested, and that any purchase of property should be deemed to have been made by their officer with their money for their use and benefit. Judgment is ordered accordingly for the plaintiff as prayed for in the complaint.

UNITED STATES SUPREME COURT.

Washington, March 9, 1874.

In the case of Governor Kellogg, of Louisiana, vs. H. C. Warmoth, in the Louisiana Circuit, the Court was petitioned to allow an appeal to the Supreme Court of the United States, but the motion has been refused on the ground that the record does not show a final decree.

In the case of the City of Davenport et al. vs. Darks, the latter sued in the Circuit Court for Iowa on behalf of himself and others as stockholders in the Chicago, Rock Island and Pacific Railroad Company, to restrain the city from enforcing a tax for general revenue against the company. A demurrer insisted that the company should have been joined in the action; that the complainant had a complete remedy at law, and that the tax was a valid one upon the property of the company. The Court overruled the demurrer and enjoined the tax. Without passing upon the other questions it is here held that the company should have been joined, and as it was not, the demurrer should have been sustained. The decree was reversed. Mr. Justice Davis delivered the opinion.

No. 206. Stowe, appellant, vs. The United States—Appeal from the Court of Claims.—This was an affirmance of a judgment against Stowe on a contract for the delivery of grain to the government in the early part of the war. Mr. Justice Davis delivered the opinion.

No. 205. Eldred vs. Sexton—Error to the Supreme Court of Wisconsin.—This was a contest concerning the title to certain lands in Wisconsin. It is here held that the plaintiff's entries were invalid, and rightfully cancelled because they were made before the lands had been proclaimed for sale at the price fixed by law, and that as the entries of the defendant were made after the lands were properly put into the market they were valid. Judgment affirmed. Mr. Justice Davis delivered the opinion.

No. 8. Original—State of Florida vs. Anderson.—Demurrer overruled.

BOARD OF ASSISTANT ALDERMEN.

The Question of the Presidency Settled at Last.

At the opening of yesterday's session of this Board Assistant Alderman Simonson (republican) was, on motion of Assistant Alderman Charles M. Clancy, called to the chair as temporary presiding officer. It being understood that the Supreme Court General Term had rendered a decision in the long contested case of the rival presidents, considerable excitement existed among the politicians around the City Hall.

On the conclusion of the reading of the minutes of the previous meeting Alderman Clancy moved that the decision rendered by the Supreme Court Judges to-day (yesterday) be now read, which was adopted, whereupon Mr. William H. Molony, the clerk, read the lengthy document, a synopsis of which is given in the law column of the Herald, awarding the seat to Assistant Alderman Joseph P. Strack, the democratic candidate of the present majority. The strife between the democratic and republican members of the Board since the election of Mr. Strack last January, in the place of Mr. William Wade, the President, elected last year by a combination of republicans and Apollo Hall democrats, and supposed to be entitled to the position, agreeable to the new charter, until the end of this year, has been very intense and at various times very bitter; yet the good feeling existing between the opposing parties has always been of the pleasantest kind.

As soon as the clerk had finished reading the decision Alderman Clancy moved to print the document in full in the minutes, but the motion was amended so that 250 copies be printed for the use of the members, and thus adopted.

On motion of Alderman Healy a committee of two were appointed to conduct the new President to the position to which he was elected, and confirmed in by the Court.

Messrs. Healy and Wade were appointed such committee, and conducted the gentleman to the chair.

Alderman Simonson received Mr. President Strack with proper dignity, complimenting him on the victory he has achieved, and resigned to him the chair.

President Strack, on assuming the gavel, pledged himself, in his endeavor to conduct the functions of his office to the best of his ability, to decide on all questions coming up before him with fairness and impartiality, and requesting at the same time the co-operation of the members in carrying out the difficult task imposed upon him.

The regular order of business was proceeded with, which consisted merely of routine matters, such as the appointment of a number of Commissioners of Deeds.

The Committee on Ordinances reported an ordinance concerning the slippery vault coverings, similar to the one introduced before by Assistant Alderman Stephen N. Simonson, which the Mayor vetoed on the 2d inst. The new ordinance conforms to the measures which the Mayor pointed out as defective in his veto message.

The report of the committee was adopted unanimously, as well as the new ordinance.

Assistant Alderman Clancy, in a feeling manner, announced to the Board, that by the morning papers he had noticed the death of ex-President Millard Fillmore. "Our statesmen are fast passing from our midst," said the Alderman, "and it is no more than meet that the proper respect, which they enjoyed while living, should be paid them when dead." He therefore offered the following resolution:—

Resolved, That in view of the demise of ex-President Millard Fillmore, on the 8th inst., his portrait, which graces the Chamber of this Board, be draped in mourning for thirty days.

Which was unanimously adopted.

The Board then adjourned until Thursday afternoon, the 12th inst.

CITY CHAMBERLAIN'S OFFICE.

City Chamberlain Lane states that the following was the business of his office during the past week:—

Balances February 28	$1,572,313
Receipts	1,096,816
Payments	841,178
Balances March 7	1,827,951

CITY AND COUNTY TREASURY.

Comptroller Green reports the following disbursements and receipts of the treasury yesterday:—

DISBURSEMENTS.	No. of Warrants.	Amount.
Claims paid	149	$106,684
Payrolls	246	41,464
Total	395	$148,148
RECEIPTS.		
From taxes of 1873 and interest		$7,196
From arrears of taxes, assessments and interest		41,613
From collection of assessments and interest		3,597
From market rents		2,360
From water rents		156
From licenses—Mayor's Office		84
From sales of City Record (one week)		27
From fees and fines—District Courts		44
Total		$55,081

RECENT ROBBERIES.

Superintendent Matsell received reports yesterday morning that robberies had been committed the previous day in the houses of P. W. Verplanck, No. 145 East 128th street, Elisha Kingsland, No. 247 East 117th street; and J. V. Briggs, No. 235 East 124th street. In each of these cases the thieves were successful in carrying off a quantity of property. No clew to any of the robbers has yet been obtained, but the police say they are diligently hunting them.

MARRIAGES AND DEATHS.

Married.

DICKEY—MULHOLLAND.—At Greenpoint, on Wednesday, March 4, 1874, by the Rev. Thomas W. Haskins, WILLIAM DHU MCNAUGHTEN DICKEY, of Belfast, Ireland, to ROSA, second daughter of the Rev. John Gelston Mulholland, of Brooklyn, N. Y.

Belfast papers please copy.

DOUGLASS—REYBERT.—On Monday, March 2, at the residence of the bride's parents, by the Rev. William Wing, ABRAM L. DOUGLASS, of Brooklyn, E. D., to SARAH ELIZABETH, daughter of S. G. Reybert, Esq., of New York.

FORCE—ROBERTSON.—At Morristown, N. J., on Thursday, March 5, at the residence of the bride's mother, by the Rev. R. N. Merritt, LOUIS L. FORCE, of Augusta, Ga., to AGNES JACKSON, daughter of the late Alexander Robertson.

SMITH—SMITH.—On Thursday, March 5, by the Rev. Dr. Searle, of Brooklyn, CARMAN T. SMITH to MISS S. ADDIE SMITH, both of Harlem. No cards.

Died.

AUSTIN.—On Monday, March 9, WILLIAM AUSTIN, aged 73 years.

Relatives and friends are respectfully invited to attend the funeral, on Wednesday, 11th inst., from his late residence, Westville, Conn.

BARNEY.—Suddenly, on Sunday, March 8, at the Windsor Hotel, DANFORD N. BARNEY, in the 66th year of his age.

Relatives and friends are respectfully invited to attend the funeral services, on Wednesday, March 11, at eleven o'clock A. M., at the residence of his brother, Ashbel H. Barney, 101 East Thirty-eighth street, corner of Park avenue.

BENSON.—At New Rochelle, on Sunday morning, March 8, Mrs. CLARISSA BENSON, in the 68th year of her age.

Her relatives and friends are respectfully invited to attend the funeral, from the Methodist Episcopal church at New Rochelle, on Wednesday afternoon, March 11, at half-past three o'clock, without further notice.

BREMER.—On Sunday, March 8, after a short, severe illness, NICHOLAS A. M., twin son of JOHN and CATHARINE BREMER, aged 4 years, 2 months and 8 days.

Relatives and friends, also the members of St. Johannes Lodge, No. 301, I. O. O. F., and the Manhattan Lodge, No. 15, A. O. G. F., are respectfully invited to attend the funeral, from St. Matthäus' church, corner Broome and Elizabeth streets, on Tuesday, March 10, at one o'clock P. M.

CARTY.—On Monday, March 9, JOHN CARTY, a native of Navan, county Meath, Ireland, aged 64 years.

Relatives and friends are respectfully invited to attend the funeral, on Wednesday, 11th inst., at two o'clock P. M., from his late residence, 181 Ludlow street, New York.

CARVALLO.—On Friday evening, March 6, ANNIE JUDSON, widow of Manuel Carvallo, Minister Plenipotentiary and Envoy Extraordinary from the Republic of Chili to France, England and Belgium.

The friends of the family and of her sisters, Mrs. John P. Ridner, Mrs. Frederick Bokee and Mrs. O. H. Mildeberger, are invited to attend the funeral, at Trinity chapel, on Tuesday, the 10th inst., at one o'clock P. M., without further notice.

CLANCY.—THOMAS CLANCY, aged 11 years, of consumption.

The relatives and friends are invited to attend the funeral, from his grandmother's, Mrs. Meehan, No. 235 Elizabeth street, on Wednesday afternoon, at one o'clock.

COYLE.—On Monday, March 9, after a short but severe illness, ANNE, beloved wife of Michael Coyle, aged 29 years.

Relatives and friends of the family, also those of her brothers, Patrick and Francis Lautry, are respectfully invited to attend the funeral, from her late residence, 153 Van Brunt street, South Brooklyn, on Wednesday, March 11; from thence to the Cemetery of the Holy Cross, Flatbush.

CREIGHTON.—Of congestion of the brain, on Sunday, March 8, DAVID JOHN, son of William and Margaret Creighton, aged 8 years, 6 months and 25 days.

Relatives and friends are invited to attend the funeral, from the residence of his parents, 400 Court street, Brooklyn, on Tuesday, March 10, at two o'clock.

Toronto (Can.) and Cold Spring (N. Y.) papers please copy.

CROMBIE.—In Brooklyn, on Sunday, March 8, MARY S. CROMBIE, in the 74th year of her age.

The funeral services will be held at her late residence, 342 Livingston street, Brooklyn, on Tuesday, March 10, at half-past one o'clock P. M.

Boston papers please copy.

DALE.—On Monday, March 9, SAMUEL WILLIAM, son of James and Elizabeth Dale, aged 3 years, 8 months and 10 days.

Funeral on Wednesday, March 11, from his parents' residence, corner of Robins avenue and Lexington street, East Morrisania, at one o'clock.

DAY.—On Sunday, March 8, ELIZABETH DAY, aged 77 years.

The relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, 207 Park avenue, Brooklyn, on Tuesday, March 10, at eleven o'clock A. M.

DEVOE.—On Sunday, March 8, RACHEL, widow of Daniel Devoe, in the 71st year of her age.

The relatives and friends of the family are respectfully invited to attend the funeral, at her late residence, at Yonkers, N. Y., on Wednesday, the 11th inst., at one o'clock.

DEWEY.—At the residence of her uncle, 134 East Seventy-first street, on Monday, March 9, ALLIE M. DEWEY, aged 7 years, 10 months and 24 days.

Her remains will be taken to Vermont for interment.

DE WITT.—On Sunday, March 8, CATHARINE BRONK, wife of Peter De Witt, in her 83d year.

Relatives and friends are respectfully invited to attend the funeral, from her son's residence, No. 417 East Twenty-fourth street, on Wednesday, March 11, at two o'clock.

DIMOND.—On Sunday, March 8, of pneumonia of the brain, ELIZA JANE, wife of William H. Dimond, aged 37 years, 10 months and 8 days.

The relatives and friends of the family, also the members of John D. Willard Lodge, No. 250, F. and A. M., are respectfully invited to attend the funeral, from Thirty-fifth street Methodist Episcopal church, on Wednesday, March 11, at twelve o'clock M. The remains will be interred in Woodlawn Cemetery. Train will leave Grand Central depot at half-past two o'clock P. M.

DOHENEY.—On Sunday, March 8, MICHAEL DOHENEY, a native of the parish of Galmoy, county Kilkenny, Ireland, in the 72d year of his age.

The relatives and friends of the family are respectfully invited to attend his funeral, from the residence of his son-in-law, M. McDonald, 28 Monroe street, to-day (Tuesday), March 10, at two o'clock precisely.

DONN.—On Monday, March 9, OLIVER PERRY, infant son of O. P. and C. J. Donn, aged 9 months and 15 days.

Funeral services at No. 133 West Twentieth street, this (Tuesday) afternoon, at four o'clock. Friends of the family are invited to attend. The remains will be taken to Washington, D. C., for interment.

Washington and Alexandria (Va.) papers please copy.

DONOVAN.—On Monday, March 9, DENIS JOSEPH, only child of Bartholemew and Catherine Donovan, aged 7 months and 4 days.

The funeral will take place from his parents' residence, No. 1,200 Third avenue, on Tuesday afternoon, at two o'clock.

ELSEY.—On Monday, March 9, JAMES ELSEY, aged 75 years, 11 months and 20 days.

Relatives and friends of the family; also the members of New York Lodge, No. 330, F. and A. M., are respectfully invited to attend the funeral, from All Saints' church, corner of Scammel and Henry streets, on Wednesday afternoon, 11th inst., at two o'clock.

EMANUEL.—In Brooklyn, on Sunday morning, March 8, FANNIE, daughter of Michael and Frances Emanuel.

The relatives and friends of the family are respectfully invited to attend the funeral, from the residence of her parents, 115 Gates avenue, Brooklyn, on Wednesday afternoon, the 11th inst., at two o'clock.

FARRELL.—On Sunday, March 8, 1874, THOMAS FRANCIS FARRELL, eldest son of William and Sarah Farrell, aged 2 years, 5 months and 10 days.

The relatives and friends of the family are respectfully invited to attend the funeral, on Tuesday, March 10, at twelve o'clock, from the residence of his parents, 103d street, near Boulevard.

FINCH.—On Monday, March 9, CARRIE A. FINCH, adopted daughter of Ezekiel and Sophia Finch, aged 16 years.

The relatives and friends of the family are respectfully invited to attend the funeral, at the Church of the Transfiguration, Twenty-ninth street, near Fifth avenue, on Wednesday, 11th inst., at one o'clock.

FITZPATRICK.—On Sunday, March 8, ISABELLA FITZPATRICK, age 24 years.

The relatives and friends of the family are respectfully invited to attend the funeral, on Wednesday, at one o'clock P. M., from St. Luke's church, Hudson street, between Barrow and Christopher streets, without further invitation.

FITZPATRICK.—On Sunday, March 8, JOSEPH WILLIAM FITZPATRICK, eldest son of John and Ellen Fitzpatrick, aged 2 years, 3 months and 20 days.

The friends and relatives of the family and those of his uncle, Richard H. Bermingham, are respectfully invited to attend the funeral, on Tuesday, March 10, at one o'clock, from the residence of his parents, 234 East Thirty-sixth street.

FRENCH.—In Brooklyn, on Monday, March 9, at the residence of her nephew, Nicholas Doyle, CATHARINE FRENCH, a native of the parish of Ballamore, county Wexford, Ireland, in the 60th year of her age.

The friends and acquaintances of the family, also those of her nephew, are requested to attend her funeral, on Wednesday, March 11, from No. 330 Gold street, at nine o'clock A. M., to the Church of Our Lady of Mercy.

GAUGHAN.—On Monday, March 9, JOHN GAUGHAN, a native of county Sligo, Ireland, in the 62d year of his age.

The relatives and friends of the family, and those of his son Bryan, are respectfully invited to attend the funeral, from his late residence, 149 Leonard street, on Wednesday, March 11, at two o'clock P. M.

GAY.—At Stamford, Conn., on Monday, March 9, ADELINE L., wife of William Gay, in the 54th year of her age.

Relatives and friends of the family are invited to attend the funeral, from her late residence, on Thursday afternoon, March 12, at 2½ o'clock.

GIDDINGS.—On Sunday, March 8, CATHARINE GIDDINGS, the widow of Alanson Giddings, in her 73d year.

The relatives and friends are respectfully invited to attend her funeral, from the Union Avenue Baptist church, Greenpoint, on Tuesday, March 10, at two o'clock P. M.

Buffalo and Lockport papers please copy.

GRIFFEN.—On Sunday, March 8, at three o'clock P. M., after a short illness, JANE M. BISHOP, wife of Henry G. Griffen and daughter of the late Jesse Bishop, of Sing Sing, Westchester county, in the 52d year of her age.

Funeral from her late residence, No. 77 East Tenth street, on Wednesday, 11th inst., at twelve o'clock. Relatives and friends are respectfully invited to attend, without further invitation.

HENAGHAN.—PETER HENAGHAN, native of county Mayo, Ireland, aged 33 years.

The friends of the family are respectfully invited to attend the funeral, from his late residence, 278 Division avenue, Williamsburg, E. D.

HORTON.—At her residence, Upper New Rochelle, on Sunday, March 8, NANCY JANE, widow of Benjamin W. Horton, aged 61 years, 2 months and 25 days.

Funeral on Wednesday, March 11, 1874, at twelve o'clock. Carriages will be in waiting at New Rochelle depot on the arrival of the nine o'clock A. M. train from Grand Central Depot.

HUFF.—On Monday, March 9, DEBORAH, infant daughter of Peter and Amelia C. Huff.

The relatives and friends are invited to attend the funeral, from No. 749 Washington street, on Wednesday morning, at ten o'clock, without further notice.

KIMBALL.—On Monday, March 9, of pneumonia, WILLIAM EUGENE KIMBALL, aged 24 years and 3 months.

Relatives and friends of the family are respectfully invited to attend the funeral services, at the residence of his brother, Robert J. Kimball, No. 205 Carlton avenue, Brooklyn, on Wednesday, March 11, at three o'clock P. M.

LECKEY.—On Monday, March 9, JAMES LECKEY, aged 58 years.

The relatives and friends of his family are requested to attend his funeral, on Thursday, March 12, at nine o'clock A. M. His remains will be taken from his late residence, No. 30 James street, Brooklyn, to the Church of the Assumption, where a requiem high mass will be celebrated.

LEEDER.—On Saturday, March 7, ELIZA LEEDER, in the 51st year of her age.

The relatives and friends of the family are invited to attend the funeral, from her late residence, Catharine street, West Farms, on this day (Tuesday), at two o'clock P. M.

LORD.—In Brooklyn, on Monday, March 9, 1874, SILAS GEORGE, only son of George S. and Isabella S. Lord, aged 3 years and 9 months.

The relatives and friends of the family are respectfully invited to attend the funeral, at the residence of his parents, No. 24 Middagh street, corner Willow, on Wednesday afternoon, at three o'clock.

MELLISS.—In this city, on Monday afternoon, March 9, suddenly, DAVID M. MELLISS, in the 54th year of his age.

Notice of funeral to-morrow.

MORGAN.—On Thursday, March 5, at his residence, No. 314 Leonard street, Brooklyn, E. D., WILLIAM C. MORGAN, late civil engineer with Henry Meiggs in South America.

MORROW.—On Sunday evening, March 8, JAMES MORROW, in the 50th year of his age.

The relatives and friends are respectfully invited to attend the funeral, from his late residence, No. 649 Hudson street, on Wednesday, March 11, at one P. M.

Belfast and Newry papers please copy.

MULLER.—On Monday, March 9, AHREND MULLER, of Scharmbeck, Osterholz, Germany.

Notice of funeral hereafter.

MURRAY.—Chevalier HUGH MURRAY, officer of the Pontifical Zouaves, killed at the storming of Manresa, in Spain, on Thursday, February 5, 1874.

A solemn requiem will be celebrated for him on Wednesday, at nine o'clock, at St. Alphonsus' church, South Fifth avenue, near Canal street. Members of the Catholic Union and others are invited to be present.

MCGOVERN.—On Monday, March 9, 1874, KATE, the beloved wife of Philip McGovern, aged 35 years.

The friends of the family are requested to attend the funeral, on Wednesday, March 11, at one o'clock P. M., from her late residence, No. 878 Seventh avenue.

Waterbury (Conn.) papers please copy.

MCQUEENEY.—On Monday, March 9, KATE MCQUEENEY, aged 21 years, 7 months and 9 days.

The relatives and friends of the family are invited to attend the funeral, to-morrow (Wednesday), at two o'clock, from 332 East Twelfth street.

MCWHORTER.—On Monday, March 9, ALEXANDER MCWHORTER, aged 58 years.

Relatives and friends of the deceased are respectfully invited to attend his funeral, from his late residence, No. 332 Jay street, Brooklyn, on Wednesday afternoon, the 11th inst., at two o'clock.

NOLAN.—On Sunday, March 8, JOHN NOLAN, aged 65 years.

Relatives and friends are respectfully invited to attend the funeral, at his late residence, 58 Oliver street, on Tuesday, March 10, 1874.

PAULISON.—At Ridgefield Park, N. J., on Sunday, March 8, JOHN R. PAULISON, in the 72d year of his age.

Relatives and friends are invited to attend the funeral, on Wednesday, March 11, at one o'clock, from the First Presbyterian church, Hackensack. New Jersey Midland Railroad train leaves foot of Cortlandt street at 11:40 A. M.

POLLEY.—At Montclair, on Saturday, March 7, MELISSA L., wife of William Polley and daughter of the late Deacon John H. and Lavinia C. Clark, formerly of Brooklyn.

The friends of the family are invited to attend the funeral, from the residence of her mother, in Montclair, on Tuesday, 10th inst., at half-past three o'clock P. M., without further notice. Train leaves foot of Barclay street at 2 o'clock P. M., returning at 5:10 and 6:45. Carriages will be in waiting on arrival of the train.

POTTER.—On Monday evening, March 9, GEORGIA, daughter of Israel T. and Sarah L. Potter, aged 8 years.

Notice of funeral hereafter.

PURCELL.—On Sunday morning, March 8, of a short and severe illness, JOHANA, daughter of the late John Purcell.

Funeral takes place from her late residence, No. 212 East Forty-fifth street, on Tuesday afternoon, 10th inst., at one o'clock. Relatives and friends are invited to attend.

ROGERS.—On Monday, March 9, MARY A. ROGERS, only daughter of Andrew B. and Mary E. Rogers, aged 17 years, 3 months and 3 days.

Notice of funeral hereafter.

SANDS.—On Monday, March 9, at her residence, ELIZABETH, widow of Jesse M. Sands, in the 49th year of her age.

The relatives and friends of the family are respectfully invited to attend the funeral services, on Wednesday, 11th inst., at four o'clock P. M., at St. Mark's church, corner of Tenth street and Second avenue.

SMITH.—Suddenly, at Passaic, N. J., on Sunday, March 8, SARAH P., widow of William P. Smith, in the 60th year of her age.

Relatives and friends are invited to attend her funeral, from her late residence, Passaic avenue, above Paulison, on Wednesday afternoon, the 11th inst., at three o'clock. Train leaves New York at 1:45.

Philadelphia papers please copy.

SMITH.—In Commack, L. I., on Monday, March 9, of pneumonia, CALEB SMITH, in the 65th year of his age.

Relatives and friends are respectfully invited to attend the funeral, from his late residence, on Wednesday, March 11, at two o'clock P. M.

SULLIVAN.—On Sunday, March 8, 1874, after a lingering illness, MICHAEL SULLIVAN, aged 68 years.

Relatives and friends of the family, also the Seventh ward branch of the St. Patrick's Mutual Alliance and Benevolent Association, are respectfully invited to attend the funeral, on Tuesday, March 10, 1874, at two o'clock P. M., from the residence of his son, Daniel J. Sullivan, No. 16 Eldridge street; from thence to Calvary Cemetery for interment.

THOMAS.—At her residence, No. 62 Lexington avenue, on Sunday morning, March 8, SUSAN C., eldest daughter of the late Captain George Thomas.

Relatives and friends of the family are respectfully invited to attend the funeral services, on Tuesday afternoon, March 10, at four o'clock.

THROCKMORTON.—At San Francisco, Cal., on Friday, February 20, SUSANNA, wife of Samuel R. Throckmorton and daughter of the late Edmund Throckmorton, of Red Bank, N. J.

VAN SCHAICK.—On Monday, March 9, WILLIE JENKINS, eldest child of William M. and Lizzie R. Van Schaick, aged 1 year, 11 months and 15 days.

The relatives and friends are invited to attend the funeral, from the residence of his parents, 428½ Clinton street, Brooklyn, on Wednesday, March 11, at one o'clock P. M.

WARD.—On Monday, March 9, at the residence of her uncle, Andrew J. Martin, No. 141 Pacific avenue, Jersey City (late Lafayette), Miss MARY ELIZABETH WARD, daughter of Charles D. and Margaret E. Ward, aged 27 years and 2 months.

Relatives and friends are invited to attend her funeral, on Thursday, the 12th inst., at one P. M., from the Methodist church in Lafayette avenue, Jersey City, N. J.

WHITMARSH.—On Friday, March 6, after a short illness, FRANCES ASHTON, daughter of the late Richmond Whitmarsh, of this city.

The relatives and friends of the family are respectfully invited to attend her funeral, at Grace church, on Tuesday, 10th inst., at half-past nine o'clock A. M., without further invitation.

WOLFF.—On Sunday, March 8, BENJAMIN S., son of Dorothea and the late Samuel Wolff, aged 15 years.

The relatives and friends of the family are respectfully invited to attend the funeral, from the residence of his mother, No. 39 East Thirty-first street, on Wednesday morning, March 11, at half past nine o'clock precisely. Members of the Temple Emanuel are specially invited.