THE COURTS.

Judge Blatchford's Decision Against a Commissioner's Commitment.

The Vogt Writ of Certiorari Discharged and the Prisoner Remanded.

BERGH'S PORCINE RAID.

Another Mandamus Against the Comptroller.

THE O'CONNOR ARSON CASE IN GENERAL SESSIONS.

Judge Lawrence, in Supreme Court, Chambers, yesterday, granted an order making the injunction against the Bowery Theatre permanent until the license is paid.

The motion for a bill of particulars in the civil suit against William M. Tweed for $6,000,000, which was to have been argued in Supreme Court, Chambers, yesterday, has gone over for a week.

Joseph Ross, first mate of the American ship Washington, charged with shooting and wounding one Joseph Smith, steward of the said ship, was yesterday brought before United States Commissioner Shields, who held him for examination in $3,000.

In the Court of General Sessions, before Judge Sutherland, yesterday morning, Christina Maer, alias Marks, pleaded guilty to an attempt at grand larceny. The charge was that on the 11th of this month she stole a piece of silk worth $80 from the store of Lord & Taylor, which was found in her possession when she was arrested. Sentenced to the State Prison for two years and six months.

George Devere, who, on the 7th inst., stole a gold watch, valued at $35, from the premises of Richard Keeping, No. 539 Fifth avenue, pleaded guilty to an attempt to commit the offence. He was sent to the State Prison for one year.

CARL VOGT.

THE WRIT OF CERTIORARI DISCHARGED—THE PRISONER REMANDED.

Judge Blatchford yesterday, in a very lengthy decision on the application by a writ of certiorari to review the action of United States Commissioner White, upon whose commitment Carl Vogt is held to await the decision of the Executive with regard to his extradition, discharges the writ and remands the prisoner to the custody of the marshal. Vogt, or Stupp, is charged with the murder of the Chevalier Du Bois de Bianco, at Brussels, on the morning of October 1, 1871; also with arson and robbery in setting fire to the room where the deceased lay and abstracting from a safe in an adjoining room many valuable papers, bonds, &c. The case has excited a great deal of interest among the legal profession and politicians. The prisoner's counsel have not yet exhausted all legal remedy, and there is no doubt that the case will be once more brought to the Supreme Court of the United States.

JUDGE BLATCHFORD'S DECISION.

The following is a very much condensed report of the decision in the case:—

The prisoner has been committed to the custody of the Marshal of the United States by the United States Commissioner, to await the issuing by the President of a warrant for his surrender to the authorities of Belgium, under the treaty of extradition with that country concluded March 9, 1874, on a charge of having committed the crimes of murder and arson at Brussels, in Belgium, on the morning of the 1st or 2d of October, 1871. He is held by the Commissioner and is brought into this Court on a writ of certiorari. It is contended for the prisoner that whatever may have been the law or practice prior to the enactment of the Revised Statutes of the United States, it is now the duty of the Court to examine into the merits of the case on the return of the writ, if it has issued. Upon examining all the cases and authorities bearing upon this case I decide that I have no authority under the writ to review the justness of the decision of the Commissioner. The President, therefore, had due authority for the warrant issued by him for the extradition of the prisoner. The Court, if acting as the committing magistrate in this instance, might have doubled whether the law properly interpreted, would support a charge of forgery for the fabrication of the draft in question, and might have declined to commit the prisoner on the charge, but possesses no authority to rejudge that point on this writ. The furthest the Court could go under this writ of habeas corpus, after ascertaining that there was legal proof before the magistrate tending to support the accusation, would be to bail the prisoner if the particular case were bailable. The clear purport of these views is that the Court may inquire whether the Commissioner had jurisdiction over the case, whether he was authorized to institute an inquiry into the crime, and whether he had before him legal evidence tending to prove the accusation; but that it can go no further and act as a court of review, as it is had before it a writ of error. In this case no one can revise the opinion of the Commissioner but the President. The President has that power. If he should be of the opinion that the evidence taken before the Commissioner was not sufficient to maintain the charge then it would be his duty to withhold a warrant of extradition. If the evidence should be of such a character as to be sufficient then it would be his duty to grant such warrant. The necessities of the case, therefore, do not require that I should express an opinion upon the sufficiency of the evidence upon the hearing before the Commissioner. It is contended for the prisoner that this Court, on these writs, is to review and to examine into the merits of the case as fully as if the proceedings had originally been instituted before it. The treaty with Belgium provides that a preliminary warrant shall be issued by the President for the apprehension of the fugitive, in order that he may be brought before the proper judicial authority for examination, to the end that the evidence of criminality may be heard and considered, and if on such hearing the evidence be deemed sufficient to sustain the charge, it shall be the duty of the examining judge or magistrate to certify the same to the proper executive authority, that a warrant may issue for the surrender of such fugitive. The verified complaint in this case, made by the Consul of Belgium at New York, has annexed to it an original warrant for the arrest of the accused, issued by Mr. Grion, Examining Judge of the Tribunal of First Instance, at Brussels, on the 27th of April, 1872. It purports, on its face, to be issued upon the documents in the case and on motion of the Chief Attorney, bearing date the 15th October, 1871. There is also in evidence a copy of what may be called an indictment of the accused by the Court of Appeals, at Brussels, which states that the Court has seen the documents of the proceedings instituted by the examining Judge. The evidence taken before the Commissioner tends to prove the death of the deceased by violence, the simultaneous burning of articles in the room where he died, the simultaneous stealing from the safe in the same room of securities to a large amount of value, the flight of the accused to England the same night, the previous poverty of the accused, his possession of money in England, his intimacy and acquaintance with the deceased and familiarity with the premises, a previous quarrel with deceased and his flight to this country and the finding in his possession of some of the articles stolen from the safe the night of the murder. Upon these points and others bearing upon the question of criminality the testimony legally admitted contains material for the decision of the Commissioner on the question of fact as to whether there was before him such evidence of criminality as, according to the laws of this place, would justify the apprehension of the accused and his commitment for trial, if the crimes charged had been committed in this place. The Commissioner having decided such question of fact, his decision cannot, on the principles before stated, be reviewed by this Court on habeas corpus. The writ must, therefore, be discharged, and the prisoner remanded to the custody of the Marshal.

Judge Woodruff appends his concurrence to Judge Blatchford's opinion in the following terms:—

I concur fully in the views stated by Judge Blatchford in the foregoing opinions and in the result.

BERGH ON HOG KILLING.

Some time ago Edward W. Davis, proprietor of a hog-slaughtering establishment on the west side, obtained a temporary injunction against Professor Bergh and the Society for the Prevention of Cruelty to Animals to prevent him interfering with the business. Judge Larremore denied a motion to make the injunction permanent, and Mr. Davis appealed to the General Term of the Court of Common Pleas, where the arguments were heard yesterday. Mr. Elbridge T. Gerry was counsel for the society and Mr. A. Oakey Hall for the other side. It will be remembered that Mr. Bergh objected to the mode of killing hogs—hanging the animals up by the heels and then cutting their throats and bleeding them to death, all of which Mr. Davis insisted was a necessary and proper mode of killing them.

Mr. Hall, as he frequently does, mingled law and humor, logic and fancy in the happiest possible manner. After discussing the preliminary law questions involved he took up the question of the legality of Mr. Bergh's procedure in this case. He said that for Mr. Bergh to undertake to erect by his officers and agents, and by himself, courts of pied poudre, for instantaneous and summary justice, would be against the genius of our institutions and our constitutions. It is, perhaps, fortunate for the people of New York that the President of the society in the Prevention of Cruelty to Animals is a man of calm judgment, of cool discrimination, utterly void of malice, one entirely insensible to social indignities of newspaper criticism, and who does his duty as a humanitarian without regard to anything but his own high sense of honor and of public advantage. Nevertheless, the time may come when another president may be a man who is in face, figure and action, a Don Quixote, one who may become more or less insane on the subject of preventing cruelty to animals; one who may become a humanitarian Peter the Hermit, and organize a crusade against all owners of horses and dogs; one who may attempt to enforce in the community the tenets of the Brahmins, who will not allow themselves to tread upon the meanest worm! In the event of such a contingency we ought to remember the maxim, *obsta principiis*, and hold fast to our Saxon precedents.

Mr. Gerry, in reply, urged these points:—First, that the business of the appellants was a public nuisance and not entitled to any protection in equity upon the fact shown; second, that this suit is anomalous and an attempt by persons fearing criminal prosecution in the criminal courts to induce a court of equity to try the issue, and meanwhile to restrain the officers of the law from enforcing it, and third, that the alleged equities are fully denied by both the pleadings and the affidavits.

MANDAMUSING THE COMPTROLLER.

On the 5th of May Mrs. M. A. Schenck, owner of No. 27 Chambers street, where a branch of the United States Court has been held for some time past, under an order of the Board of Aldermen and the Mayor's approval, executed to the city a lease for five years of the second and third stories and part of the fifth floor for the use of the Marine Court, at $12,000 a year, the court room furniture and fixtures to be transferred to the use of the court during the continuance of the lease. They tendered the lease and keys to Mr. Green, who refused them. Application was made to Judge Lawrence a few days ago for a peremptory mandamus to compel the acceptance of the lease by Mr. Green, and it was stated Mrs. Schenck had given $2,000 to the former tenant for the furniture. Judge Lawrence gave a decision yesterday, saying he will grant an order to show cause, but will not grant a writ without argument.

TRIAL FOR ARSON.

The trial of Jeremiah O'Connor, indicted for arson in the first degree, was commenced yesterday in the Court of General Sessions, before Judge Sutherland. District Attorney Rollins appeared for the prosecution. Mr. Orlando L. Stewart defended the accused.

The prosecuting officer, in opening the case, said that the prisoner kept a small grocery store at No. 65 Mott street; that on the night of the 12th of April smoke was seen issuing from the store, which nearly suffocated a family who occupied a room above, but who fortunately escaped; that, upon an examination of the store, two distinct fires were observed, one on the floor and another upon a counter eight feet from the first, showing that it was an incendiary fire. The prisoner was accustomed to sleep in the back part of the store, but on the night in question he was seen to tarry a few moments alone in the store and then leave it. He had only $100 worth of goods in the place and was insured for $700, which he (the District Attorney) affirmed was the motive for the commission of the offence.

THE TESTIMONY.

The first witness called was Daniel O'Connor, the cousin of the defendant, who swore that on the night of the fire he was in the store, and shortly after ten it was locked up and he accompanied Jeremiah to a feed store, where he bought oats for his horse, from whence he went to his stable; they then went to Daniel's apartments, the prisoner intimating a desire to see his wife, who was very sick; after remaining there a while the prisoner left, and at twelve o'clock an officer aroused the witness out of bed and placed him under arrest, he was liberated in a few days. Edward Maher, Daniel Spelman and James Carroll testified as to the circumstances of the breaking out of the fire; they saw smoke issuing from the grocery store of the prisoner, and when it had partially vanished they discovered two distinct fires, one being on the top of the counter and another on the floor, about eight feet distant from it. There was a barrel of kerosene at the end of the store, and pools of the fluid were seen on the floor. Captain Lowery swore that he understood that the fire was speedily put out by the chemical extinguisher, and when he arrived he made an examination of the place. He, too, saw the two separate fires and a bundle of paper bags and some newspapers, partly burned. While there the prisoner arrived, and in response to a question about insurance, said he was insured in the National Insurance Company for $700, and, proceeding to a drawer, presented the Captain with the policy. The brother of the prisoner came in, and they opened two trunks in the back room, but no clothing was found in them. The insurance policy included the clothing with the stock of groceries. O'Connor was arrested on the spot by a detective.

Charles E. Gallacar, who took an inventory of the stock two days after the fire, presented a copy of it to the District Attorney, who offered it in evidence.

William Banhan, a member of the fire patrol, was examined at great length and confirmed the previous witnesses as to two distinct fires.

Levi Goldsmith testified that he occupied apartments over O'Connor's grocery store and on the night of the fire he was sleeping there with his family.

John O. Sullivan, the owner of the premises, testified that he rented the store to the prisoner for $30 a month and that he was remiss in paying his rent.

Mr. Stewart opened the case for the defence, and called the woman who went into the store to purchase a pail of coal on the night of the fire. She swore that the accused went out of the store with her, locked the door, gave her the coal from the bin outside and proceeded down the street with his friend.

The gasfitter who put in the gas pipes last August testified that he put a jet from the ceiling, which reached very close to the counter.

The case will be concluded to-day.

VERDICTS AGAINST INSURANCE COMPANIES.

Caroline W. Goseline was former owner of the Passaic Glassworks in Jersey City. She had the same insured for $1,500 each in various insurance companies. The insurances not being paid, after the destruction of the premises by fire, suit was brought by William Muirhead, her assignee, against the insurance companies. The trial in one of the suits—that against the Eastern Insurance Company of Bangor, Me.—took place yesterday, before Judge Speir, of the Superior Court. The defence was that the premium of the policy had never been paid. It was shown for the plaintiff that the premium was paid to an agent of the company, and upon this a verdict was rendered for the plaintiff in the amount claimed. In a similar suit against the Union Insurance Company, of Bangor, Me., no testimony being given for the defendant, a verdict was ordered for the plaintiff. Two other suits of like character are still pending against the Humane Insurance Company, Columbus, Ohio, and the German Insurance Company, Erie, Pa.

SALARIES IN THE SHERIFF'S OFFICE.

In the good old times the sheriffs paid their attachés from the fees of their office. When Jimmy O'Brien became Sheriff he took a new departure in this regard and obtained the passage of an act by the Legislature providing for the payment of the employés by the city. Ex-Sheriff Brennan thought to avail himself of the same act, but Comptroller Green refused to pay the employés, on the ground that the act was not continuous. Suit was brought by Mr. Brennan against the city to compel such payment, which suit is still pending. Meantime some of his former clerks, having got tired of waiting for their money, are bringing suits against the Sheriff personally. The case of Henry G. Hennessy, who brings suit for twenty-one months' salary, came to trial yesterday before Judge Speir, in the Superior Court. The testimony was brief, and the only real point at issue was whether the city or the Sheriff was liable. After being out some time, the jury were unable to agree on this point, and they were discharged.

COURT OF OYER AND TERMINER.

FIXING THE TIME FOR THE TRIAL OF ALLEGED MURDERERS.

The Court of Oyer and Terminer, after some six months' intermission, met yesterday, Judge Brady being on the bench. All that was done was fixing the time of trial in seven homicide cases, which promise to occupy the attention of the Court till the commencement of the summer vacation. It was arranged that the trials shall be taken up one after the other, beginning to-day, until all are finished. The parties to be tried are Kate V. Toole charged with infanticide, whose trial begins to-day; Ponceman Williamson and John Power, accused of killing a patient in the Ward's Island Lunatic Asylum; Philip Olwell and John J. McCarthy, for all of whom Mr. William F. Howe appeared as counsel. The remaining cases, for whom Messrs. Kintzing and Mott appeared as counsel, are:—William Lyons, charged with killing Mary Ann Davis, a school girl, by hitting her with a stone, and Romano Foucio, an Italian, charged with killing Joseph Pendolpo by stabbing.

MARINE COURT—PART 1.

Before Judge Gross.

A LIBEL BY MAIL.

Crane vs. Walker.—The plaintiff, a collector of past due claims, applied to the defendant, a tailor on Fifth avenue, in 1871, with a letter of introduction, for employment. A number of bills were given him, upon which a percentage was to be paid in case of collection, rising to thirty per cent if suit had to be brought, the plaintiff, however, to pay all expenses. Two or three bills were collected and returned, the plaintiff in the meantime ordering and receiving a pair of pants, which remain unpaid for, although defendant says payment was promised within a month. Among the claims was one against a person named Salmonson, against whom suit was brought, judgment obtained and examination on supplementary proceedings had, the plaintiff in the end getting $40 from Salmonson, not in reduction of the judgment, but to payment of referee's fees, costs, &c. This collection, coming to Mr. Walker's ears, and supposing it to have been a payment on account of the bill of which no return was made to him, and, as he says, being unable to get an explanation, he wrote the following words on a postal card and sent it to plaintiff through the mail:—"It seems to me you are acting like a regular fraud in your treatment of me. You admit of having collected $40 from Salmonson, and yet you have made no return to me, and not on your own account which you got on false pretences. It is more than thieving to do as you have done, and if it is possible I'll have you put in jail for collecting my money without making any return." It was shown that this was read by several parties while lying on plaintiff's desk before his arrival at his office. The Court charged the jury that a publication was established, and that the amount of their verdict would be governed by the injury done and the intent of the defendant in writing it.

Verdict for plaintiff for $300.

DECISIONS.

SUPREME COURT—CHAMBERS.

By Judge Lawrence.

Heidane vs. Caldwell.—Some notice should be given to the attorney.

Van Zile vs. Van Zile.—Referred for reason stated in former memorandum.

In the matter of Thomas Walsh.—I see no reason for granting an order to show cause in this case.

Stevens vs. Lena.—The writ is upon a judgment recorded in a foreign country, and an attachment has been issued. The motion is to vacate the attachment, on the ground that this is not one of the cases in which, under section 227 of the Code, an attachment can be resorted to. An attachment is authorized in an action arising on contract for the recovery of money only. A judgment is contract of record and of the highest grade of contract. (Chitty, p. 2.) This judgment was for the recovery of a specific sum of money by the plaintiff of the defendant. I think that it is a case, therefore, in which an attachment may be issued. The case cited by the defendant's counsel from 1 Hill's Reports and under the Revised Statutes, and does not control the construction to be given to the code. The motion to vacate attachment denied, with costs.

Blohm vs. Avery.—Although the answer is very voluminous I think this case can be fairly tried in an hour, and if it cannot the plaintiff will incur the penalty of being sent to the foot of the calendar. Motion granted.

Schwartz vs. Myers.—Inquests are opened on payment of $10, costs of motion, and the plaintiff's costs before notice of trial in each case, on the defendant giving a bond, to be approved by the Court, to pay any judgment that may be recovered against him herein. The causes to be placed upon the calendar for Wednesday, the 26th of May, 1875.

Mutual Life Insurance Company vs. Whelpley.—I want the papers in this case. The proof of the service of the defendant, Whelpley, is not sufficient. The affidavits of the publishers of the newspapers must be produced.

Feuchtwanger vs. Lichenstein.—I want the complaint and summons in this action.

Hennessey vs. The Empire Fire Extinguisher Company.—Order resettled.

Goodrich vs. Atlantic Mail Steamship Company.—I cannot appoint one of the plaintiffs receiver of the defendants.

Laszk vs. Scott.—Motion to make answer more definite and certain is denied, with costs.

Ross vs. Ross.—Order granted, with allowance of $25 to the defendant.

Hull vs. Mola.—I see no necessity for referring this case. It can be tried on the short calendar, if the plaintiff desires a speedy trial, on application for that purpose on proper notice.

Graham vs. Gould.—There is nothing in the affidavit which shows the ground on which the taxation of the costs is objected to. I require the pleadings and some memorandum or statement showing what has been done in the action and pointing out the ground of the appeal from the adjustment made by the clerk.

Worster vs. Kelemar.—The inquest will be opened on payment of plaintiff's costs before notice of trial and $10 costs of motion, the defendant to give a bond with two sureties, to be approved by the Court, to pay any judgment that may be recovered against him, said sureties to justify in twice the amount of plaintiff's claim and case to be set down for trial for Monday, May 27.

Deall vs. Deall.—I think that the affidavit should be more specific as to the exertions which have been made to serve the defendant in this State.

Schanck vs. Green.—I will grant an order to show cause why a peremptory mandamus should be issued, but will not grant a writ without argument.

Daley vs. Daley.—I see no reason for granting an order to show cause in this case. See rule 46.

Knowles vs. Brennan; Gossler et al. vs. Germania Smelting Refining Works; The Widdecomb Furniture Company vs. Beaton; The Mutual Life Insurance Company vs. Fitzsimmons; Board of Supervisors vs. Tenth National Bank; Reed vs. Tilden; Du Pasquier vs. Squire; Edwards vs. Hathaway.—Orders granted.

Nast vs. Tracy; Society for the Reform of Juvenile Delinquents vs. Freligh; Cohen vs. Michael; Doctor vs. Cameron; Rutter vs. North; Colling vs. Snyder; Whittlesey vs. Hall; in the matter of Phelan; Doremus vs. Williams; Seward vs. Eagle Slate Company; Kirby vs. Bradley; Loeb vs. Williams; Baker vs. McNiff; Eulstern vs. Dean; Eurich vs. Ehrich; Union Dime Savings Institution vs. Stopel; Courtenay vs. New York, West Shore and Chicago Railroad Company, No. 2; New York Savings Bank vs. May; Kindberg vs. Reymert; Phillips vs. McCormack; McKeon vs. Lacaner; Acheson vs. Acheson et al.; Phillips vs. Coapin; Third Avenue Savings Bank vs. Snackleton; Schaick vs. Gregory; Ames vs. Redlich; Union Banking Company vs. Sigel; Lodi Chemical Works vs. Gilbert; Hart vs. Pettit; New York Loan and Indemnity Company vs. Moore; Adams vs. Culver; Morrison vs. Morrison; Jones vs. St. John; Weil vs. Brecher; O'Brien vs. Campbell; Harris vs. Kennedy; Townshend vs. Nebenzani; Roppin vs. Cozzans; Missionary Society of the Methodist Episcopal Church vs. Houghton; Kelly vs. Marsh; Matnias vs. Gould; Frost vs. Ramsey; Cone vs. Foster; Boyd vs. The Pekin Alcohol Manufacturing Company; Steinway vs. Steinway; Nelson vs. Stewart; Pouchon vs. Fechter; Barbey vs. Luddington; O'Conner vs. Colins; Bennett vs. Cohen; Doremus vs. Hadfield; O'Brien vs. Browning; Keller vs. St. Luke's Hospital; Fry vs. Butler; Wright vs. Atwill; Flagg vs. Scott; Chidester vs. Russell; Anthracite Insurance Company, of Philadelphia vs. Hughes; Harris vs. Kennedy; Murray vs. Murray; Germania Life Insurance Company vs. Moore; Roberts vs. Meyer.—Granted.

By Judge Donohue.

Wright vs. Donnelhon.—Granted.

SUPERIOR COURT—SPECIAL TERM.

By Judge Van Vorst.

Sachs et al. vs. Dickinson—There is no proof of plaintiff's default in not appearing to oppose.

Glauberg et al. vs. Farley, et al.; Authony & Glynn.—Motions granted.

Riggs vs. Bottone.—Bail reduced to $1,000.

Same vs. Same.—Bail reduced to $2,000.

Freeman vs. Hurson et al.—Each defendant is entitled to costs. Motion granted.

Daly vs. Beatty.—Motion granted. See order.

Bailey vs. Hatton.—Order to pay over money to plaintiff's attorney granted.

Shafer vs. Schneider et al.—Judgment of foreclosure and sale.

Olvany vs. Clark.—Petition granted.

Hallett vs. Gillman.—Order for substituted service granted.

Raubitschek vs. Blank.—Motion granted on payment of costs of the term, including trial fee and subsequent costs and executing to the plaintiffs an undertaking, with two sufficient sureties, to pay any judgment that may be recovered in the action, and upon paying ten dollars costs of this motion.

Bryant vs. Gilman.—Stay of proceedings vacated from and after the first Monday of June.

COMMON PLEAS—SPECIAL TERM.

By Judge Larremore.

Norris vs. Norris.—Reference ordered.

THE TOMBS POLICE COURT.

Before Judge Sherwood.

A YOUNG PICKPOCKET.

Roscoe H. Channing, who gave his residence as No. 212 West Twenty-second street, and his business as a lawyer at No. 200 Broadway, yesterday caused the arrest of a bright little boy named Mathew Dronne, charged with picking his pocket of the sum of twenty-five cents. The Court committed the little fellow in default of $500.

WASHINGTON PLACE POLICE COURT.

Before Judge Wandell.

STABBING AFFRAY.

John Henry, a colored man, was arraigned, charged with inflicting a dangerous wound in the shoulder, with a knife, on William H. Lamis, of No. 345 West Thirty-sixth street. The affray occurred on Monday night. Officer Murphy, of the Twentieth precinct, arrested the negro, and Judge Wandell held him in $1,000 to answer.

ESSEX MARKET POLICE COURT.

Before Judge Morgan.

A BOGUS EXCISE OFFICER.

Henry Myers was arraigned yesterday morning, charged with defrauding George Probst, of No. 21 avenue B, in the sum of $5. Myers called on Probst, who is a saloon keeper, on the 11th of May, and, representing himself as an excise officer, asked Probst if he was duly licensed. Probst answered that he was not, and thereupon Myers threatened to arrest him unless he paid him $5. He paid the money and subsequently learned the trick that had been played upon him. Officer Hogan of the seventeenth precinct, arrested Myers, and Commissioner William H. Stiner, of the Excise Bureau, appeared as a witness against him. There were also several other victims in court. Judge Morgan held him in $1,000 to answer.

BURGLARS CAUGHT.

Early in the morning of the 17th inst. Officer Ginly, of the Eleventh precinct, while patrolling his beat in Attorney street, was attracted by the sound of a whistle. Shortly afterward he saw three men loitering suspiciously in the vicinity of No. 147 Attorney street. One of them entered the hallway and shortly afterward emerged and held a conference with the others, in the store doorway. The officer then started in their direction, when all three took to their heels; but he succeeded in capturing John Smith only. His companions, Isaac Goldstein and Jacob Scheinholz, were arrested later in the day. In their flight they dropped a brace, a bit and other burglarious implements. They were held in $1,000 each.

HIGHWAY ROBBERY.

Mr. Frederick Kearn, of No. 181 Delancey street, while walking through Broome street, near Allen, on Monday night, was attacked by John Grogan and roobed of a gold watch. Officer Devlin, of the Tenth precinct, arrested Grogan, and Judge Morgan held him in $1,000 to answer.

A NARROW ESCAPE.

On Monday Mr. William H. Morris, a Long Island farmer residing at Unionville, while visiting New York went into a Chatham street saloon and incautiously exhibited a large roll of bills. Seated at an adjoining table was a man named Frank Williams, who followed the countryman when he left the saloon and volunteered to show him the way to Fulton street ferry. Instead he was led to the foot of Grand street. They turned into South street, when Williams suddenly knocked Mr. Morris down and, thrusting his hand into one of his pockets, took a paper of tobacco and fifteen cents' worth of candy. Before, however, he was able to possess himself of the money Officer Livingston, of the Thirteenth precinct, seized Williams and took him to the station house. The highwayman was required by Judge Morgan to furnish $2,000 bail to answer.

NOTORIOUS SHOPLIFTER ARRAIGNED.

Mary Miller, a well known shoplifter, was arrested on Grand street by Officer Daniels, of the Tenth precinct, with eighty-five yards of guipure lace, valued at $200, concealed about her person. He brought her to the Eldridge street station house, and notice was sent to the principal firms in the neighborhood. Robert C. Purcell, superintendent of Lord & Taylor's establishment, identified the lace as their property. Judge Morgan promptly committed Mary in default of $2,000 bail for trial.

FALSE PRETENCES.

James Madden, of No. 122 Chambers street, preferred a charge against George McHugh of obtaining goods from him under false pretences. McHugh went to Madden with a forged order purporting to come from Henry McHugh, of No. 40 Murray street, for twelve dozen crystal light burners and six dozen sun burners, valued in all at $40. McHugh was held in $1,000 to answer.

FIFTY-SEVENTH STREET COURT.

Before Justice Kilbreth.

A blacksmith named Thomas Jeffreys, of No. 31½ West Fifty-fourth street, was yesterday held for trial at General Sessions for refusing to end the sufferings of an incurably diseased horse, after being notified by a veterinary surgeon of the animal's true condition.

SWIFT JUSTICE FOR CAR THIEVES.

Two car thieves, named James Kelly and Thomas Whalen, on Monday night got on a car of the Second avenue line, which was crowded with Germans returning from the Pfingsten celebration at Jones' Wood. Singling out Charles Struck, of No. 168 Chrystie street, treasurer of a German society, they proceeded to relieve him of the association's fund, about $95 in all. They were detected before they could make their escape and handed over to the police. Kelly threw away the pocketbook on his way to the station house, but it was found. He made a desperate resistance, it requiring three or four officers to drag him to prison. Both were committed for trial.

COURT CALENDARS—THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Lawrence.—Nos. 8, 20, 22, 68, 77, 90, 115, 123, 130, 153, 188, 194, 198, 233, 244, 254, 259, 274, 285, 286, 287, 297, 298.

SUPREME COURT—GENERAL TERM—Held by Judges Davis, Brady and Daniels.—Nos. 216, 155, 195, 220, 221, 130, 132, 134, 149, 156, 167, 217, 153, 163, 194, 150, 222, 223, 224, 225.

SUPREME COURT—CIRCUIT—Part 1.—Adjourned for the term. Part 2—Held by Judge Donohue.—Nos. 160, 1579, 1822, 980, 1404, 1414, 1424, 1438, 1440, 1448, 1454, 1464, 1468, 1486, 1522, 2788, 1452, 1498, 1564½, 1206½, 1002, 1003, 1004, 482, 676, 898, 906½, 468, 944, 1284, 1394, 1554, 1128, 846, 348½, 2618, 2280, 452½, 1972, 1562, 2952, 1028, 1590, 1592, 1594, 1596, 1596½, 1598, 1600. Part 3—Held by Judge Barrett.—Nos. 1213, 2780, 2575, 823, 215, 1119, 60, 2791, 1355, 2909, 2601, 1237, 831, 983, 1219, 1369½, 623, 791½, 837, 1387.

SUPERIOR COURT—GENERAL TERM.—Adjourned *sine die*.

SUPERIOR COURT—TRIAL TERM—Part 1—Held by Judge Curtis.—Nos. 830½, 827, 469, 2029, 1257, 1259, 621, 817, 313, 1955, 1957, 957, 1131, 1139, 551. Part 2—Held by Judge Speir.—Nos. 892, 660, 1150, 1164, 1726, 778, 862, 918, 634, 1884, 970, 1012, 1096, 1053, 1142.

COMMON PLEAS—TRIAL TERM—Part 1—Held by Judge Loew.—Case on, No. 281½. No day calendar. Part 2—Adjourned for the term.

COMMON PLEAS—GENERAL TERM—Held by Chief Justice Daly and Judges Robinson and J. F. Daly.—Nos. 38, 43, 46½, 75, 87b, 67, 73, 59, 60, 74, 87, 96, 80.

MARINE COURT—TRIAL TERM—Part 1—Held by Judge Gross.—Nos. 2763, 386, 3203, 3249, 1285, 1819, 2256, 4007, 3753, 2324, 2329, 2364, 2365, 2206, 2143. Part 2—Held by Judge Joachimsen.—Nos. 3946, 2441, 1903, 2117, 2350, 2446, 2449, 2452, 2453, 2455, 2456, 2460, 2465, 2467, 2468. Part 3—Held by Judge Alker.—Nos. 3706, 3684, 2862, 2397, 3660, 4039, 4040, 3922, 1953, 3786, 3860, 1959, 1961, 3578, 402.

COURT OF GENERAL SESSIONS—Held by Judge Sutherland.—The People vs. James A. Duffy, felonious assault and battery.

OYER AND TERMINER—Held by Judge Barrett.—The People vs. John J. McCarthy, homicide. Same vs. Kate O'Toole, homicide.

MARRIAGES AND DEATHS.

MARRIED.

BLANCHARD—GOBLE.—At Florida, N. Y., on Thursday, May 13, by Rev. George Pierson, JAMES A. BLANCHARD, M. D., of Brooklyn, N. Y., to ANNIE M. GOBLE, daughter of E. O. Goble, Esq., of Florida.

CAYPLESS—VAN NAMEE.—In Brooklyn, on Thursday, April 29, by the Rev. J. D. Fulton, EDGAR CAYPLESS, of Columbia, S. C., to MATTIE A., only daughter of Dr. S. Van Namee.

GUERNSEY—HAGEMANN.—On Monday evening, May 17, at the residence of Professor Botta, 25 West Thirty-seventh street, by the Rev. William M. Taylor, D. D., Dr. WILLIAM N. GUERNSEY, of New York, to CATHINCA E., daughter of the late Frederic C. Hagemann, Advocate Royal, of Bergen, Norway.

HEATH—HOWELL.—In this city, on Friday, May 14, 1875, by the Rev. Mr. Averail, JOHN HEATH, of Waverley, N. J., to MISS CHARLOTTA HOWELL, of Bath, England. No cards.

HOWLETT—REDMOND.—On Tuesday, May 11, at St. Joseph's church, by the Rev. Thomas Farrell, ANDREW J. HOWLETT to MARY TERESA, second daughter of James Redmond, all of this city. No cards.

VAN NAMEE—HAMILTON.—On May 18, at the residence of the groom's aunt, by the Rev. E. J. Hanes, J. WILLIAM VAN NAMEE, M. D., to EUGENIA A. J. HAMILTON. No cards, no cake, no wine.

DIED.

BAUDOUINE.—On Tuesday, May 18, Mrs. CATHARINE, a relict of the late W. H. Baudouine, and daughter of the late William Messerve, of New York.

The relatives and friends are invited to attend the funeral, from the residence of her brother-in-law, Judge De Graw, New Jersey, on Thursday, at half-past eleven o'clock A. M.

BELDEN.—In East Whately, Mass., on May 9, SHAYLOR BELDEN, aged 75 years.

BOLGER.—On Monday, May 17, EDWARD BOLGER, aged 75 years, a native of county Wicklow, Ireland.

His friends and those of his son Richard and the members of the Emmet Mutual Benevolent Society are respectfully invited to attend his funeral, on Wednesday, 19th, at two o'clock, prompt, from the residence of his son-in-law, Patrick Henry Duffy, 227 East Twenty-eighth street.

BRADY.—On Monday, May 17, FRANCIS BRADY, of the parish of Abby, county Longford, Ireland, in the 63d year of his age.

Relatives and friends of the family are respectfully requested to attend the funeral, from his late residence, 509 West Twenty-seventh street, on this day, at two P. M.

CLEARY.—After a lingering illness, May 17, 1875, the beloved wife of Timothy Cleary, born in Killahy, county Kilkenny, Ireland, aged 60.

Faithful wife and loving mother,
May her soul rest in peace.

The remains will be taken to Calvary Cemetery for interment Wednesday, at two o'clock P. M.

DAVIES.—On Monday, 17th inst., ESTHER, young est daughter of Phœbe M. and the late David Davies.

Funeral from the residence of her mother, 77 West Fifteenth street, on Thursday morning, at ten o'clock.

DUNN.—May 17, 1875, BRIDGET DUNN, aged 44 years, a native of Birr, Kings county, Ireland.

She will be buried from the residence of her brother, John Dunn, No. 232 East 109th street, on Wednesday, May 19.

FALVEY.—On Tuesday, May 18, TIMOTHY FALVEY, of the county of Kerry, Ireland, in the 49th year of his age.

The relatives and friends of the family are respectfully invited to attend the funeral, from his late residence, 73 William street, on Thursday, May 20, at one o'clock P. M.

FECHHEIMER.—On Tuesday, May 18, at half-past eight A. M., ARTHUR, infant son of Martin S. and Frances Fechheimer, aged 7 months and 3 days.

Funeral from the residence of his parents, No. 57 West Forty-sixth street, on Thursday, 20th inst., at nine o'clock A. M.

GAFFNEY.—At her residence, 141 Pearl street, Brooklyn, on Monday morning, HONORA GAFFNEY, widow of Michael Gaffney, aged 65 years.

The relatives and friends of the family are respectfully invited to attend a requiem mass for the repose of her soul, at the Church of the Assumption, corner York and Jay streets, on Wednesday morning, May 19, at half-past nine o'clock; from thence the funeral will proceed immediately to Calvary Cemetery.

GALLAGHER.—On Monday, May 17, JOHN GALLAGHER, of the parish of Ballyshannon, county Leitrim, Ireland, at his late residence, No. 252 Mott street, aged 72 years.

The relatives and friends of the family are respectfully invited to attend the funeral, from his late residence, on Wednesday, May 19, at half-past one o'clock P. M.

GERDES.—On Monday morning, after a short illness, ALBERT F. GERDES.

The funeral will take place on Wednesday, May 19, at one o'clock P. M., from his late residence, corner Hous on and Lewis streets. Relatives and friends are respectfully invited to attend.

GREENWOOD.—At Norwalk, Conn., on the 18th inst., HARRIET J., wife of William Greenwood, in the fifty-fifth year of her age.

Notice of funeral hereafter.

HEMINGWAY.—On Tuesday, May 18, 1875, ALICE L. HEMINGWAY, eldest daughter of Thomas and Maggie Hemingway, in the 6th year of her age.

Friends and relatives are respectfully invited to attend the funeral, from the residence of her parents, No. 347 East Sixty-first street, on Thursday, May 20, at one o'clock P. M.

Milwaukee and Waukesha papers please copy.

HOLME.—At Yonkers, Monday, 17th inst., JOSEPH C., son of William and M. A. Holme.

The relatives and friends are invited to attend the funeral services, on Wednesday, 19th inst., at three P. M., at the residence of his father, Warburton avenue, Yonkers. Carriages will meet two P. M. train from Grand Central depot.

HUBLEY.—Suddenly, on Monday, May 17, JAMES HUBLEY, aged 55 years.

The funeral will take place from No. 237 Bowery, on this Wednesday, at two o'clock. Relatives and friends are invited to attend. His remains will be taken to Calvary for interment.

HYATT.—On the 17th inst., CHARLES EDWIN, eldest son of Charles Edwin and Drusilla J. Hyatt.

The relatives and friends of the family, also the members of St. Luke's Methodist Episcopal church, are respectfully invited to attend the funeral, from the residence of his grandfather, William Westerfield, Esq., No. 53 West Forty-seventh street, on Thursday, the 20th inst., at one o'clock.

IEVERS.—BRIDGET IEVERS, the beloved wife of Thomas, who departed this life May 17, 1875, aged 40 years.

Relatives and friends of the family are respectfully invited to attend the funeral, on Wednesday, May 19, at one P. M., from her late residence, Castle Garden.

KIRBY.—On Sunday morning, May 16, ADALINE, wife of William H. Kirby.

Relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, No. 229 East Twenty-sixth street, on Wednesday, the 19th inst., at two P. M. Interment at Woodlawn Cemetery.

LEWIN.—On Monday, May 17, FREDERICK OSCAR LEWIN, a native of Stockholm, Sweden, in the 60th year of his age.

Relatives and friends of the family,