THE FIFTY-FIRST CONGRESS.

SENATOR SHERMAN OBJECTS TO ADJOURNING OVER GOOD FRIDAY.

The Montana Senate Contest and the Chinese Enumeration Bill Discussed in the Senate—The Bill for the Admission of Idaho Passed in the House by the Speaker Counting a Quorum—Democrats to Test the Case in the Courts.

WASHINGTON, April 3.—In the Senate, on motion of Mr. Edmunds, it was ordered that, to-morrow being Good Friday, the adjournment to-day shall be until Saturday.

Mr. Blair, at his own request, was excused from further service on the Committee on Public Lands, and Mr. Pettigrew was appointed in his place.

The House amendments to the Senate bill for a zoölogical park in the District of Columbia were laid before the Senate. The principal amendment was that half the expenditure for the park should be paid out of the taxes collected in the District.

Mr. Morrill, while moving to concur, said that the amendment ought not to have been adopted, because the park was to be a national park, or it was nothing, and the whole expense should be borne by the nation.

Mr. Cullom—I hope the Senator will move to non-concur and ask for a conference.

Mr. Sherman, as a matter of justice to the people of the District, protested against the effort to throw upon them half the burden. The Zoölogical Garden was no more for the benefit of the District of Columbia than the Coast Survey or any other Government institution.

Mr. Morrill said he would yield to the general impression of sentiment, and would, therefore, move to non-concur and ask a conference. The motion was agreed to.

Mr. Blair introduced a bill to regulate the compensation of per diem laborers employed by the Government (fixing the lowest wages at $2 per day), and had it referred to the Committee on Education and Labor.

The Vice-President announced that he expected to be absent from Washington several days next week. He did so, he said, so that the Senate might take such action as might seem proper in view of the resolution of March 12 as to the appointment of President pro tempore.

Mr. Cullom offered a resolution, which was agreed to, declaring Mr. Ingalls elected President pro tempore. Mr. Ingalls was then escorted to the desk, the oath of office was administered to him by Mr. Cockrell, who was then occupying the chair, and he entered upon the duties of presiding officer.

Mr. Sherman moved to reconsider the vote this morning for an adjournment over Good Friday.

Mr. Edmunds "implored" Mr. Sherman not to press that motion. Good Friday, he said, was recognized by all Christians, of every description, as being as holy a day as Sunday, and for years and years neither the Senate nor the Supreme Court had thought it fit to be in session on that day.

Mr. Sherman said he didn't know that the Senate had ever adjourned over on account of Good Friday, and he thought that, in the present condition of public business, the best thing that the Senate could do would be to attend to it. Good Friday was not a legal holiday.

Mr. Platt said that, while he had no personal scruple about sitting to-morrow, the question took the form of a religious matter with many Senators, who had scruples against doing business on Good Friday. He thought that the Senate should recognize those scruples. The motion to reconsider was rejected.

The Montana contested election case was taken up as "unfinished business," and Mr. Gray resumed his argument in support of the claim of the two Democratic claimants, Messrs. Clark and Maginnis. The burden of his argument was against the throwing out of 174 votes cast in precinct 34 of Silver Bow county. On what ground, he asked, had these 174 American citizens been disfranchised and their votes thrown out, trampled under foot, despised, and rejected?

It was not claimed that a single one of the votes was illegal. The regularity or legality of a single vote had not been attempted to be impeached. But the votes were thrown out on several technical grounds, one being that the votes were not received by the clerk of the Board of County Commissioners in a registered package by mail (as required by law), but were handed to him in a sealed package by one of the judges.

Mr. George asked what would have been the result if those 174 votes had not been thrown out? Would the Legislature have been Democratic instead of Republican?

Mr. Gray replied that that was the fact. Only five of the votes were cast for the Republican ticket. It was on such frivolous, flimsy, unworthy pretences that those 174 voters were disfranchised, and that the Senate was asked to give seats to the two Republican claimants. He appealed to the Senate, and to Senators individually, in the name of fairness, honesty, and straightforward dealing, whether they could conscientiously vote to seat two men as United States Senators when to do so they were obliged to trample under foot and to throw out as unworthy of being counted the votes of 174 electors on such grounds.

At the close of Mr. Gray's speech the matter went over till Monday, when Mr. Vance will speak in support of the minority resolutions.

On motion of Mr. Hale, the House bill to amend the census law by providing for the enumeration of the Chinese population was taken from the calendar and read, with the amendments reported by the Committee on the Census.

Mr. Eustis asked Mr. Hale (Chairman of the Census Committee) as to the necessity for the bill, and whether the enumeration of the Chinese would not be taken without it.

Mr. Hale said that it was very desirable for many reasons that there should be a complete enumeration of the Chinese, and that could not be had under the ordinary provision for enumerators. The bill had an undoubted object, aside from what was strictly census business. It provided that every Chinese person enumerated by the census should have a certificate, engraved and formal (duplicates of which would be filed in the Census office), and which should be a permanent record of all Chinamen found here on the 1st of June next. The bill as it came from the House provided that any question arising hereafter with reference to the right of a Chinaman to remain in the country should depend upon the certificate which was to be the sole evidence of his right." The Senate committee had not thought that to be just or right, and had reported an amendment that the Chinaman shall have the right to show by competent evidence that he was a resident at the time the census of 1890 was taken.

Mr. Evarts said that he had received only this morning a petition or protest from the Missionary Society of the Methodist Episcopal Church, which he asked to have read. It declares that if the bill were passed there would be danger of retaliation against American missionaries in China; that Chinamen are among the most quiet and inoffensive of all immigrants; that they are seldom found in jails or poorhouses; that the passage of the bill would be a great outrage and an additional act of injustice, and it asks the Senate to wait until the Christian sentiment of the United States can be heard on the subject.

Mr. Stewart said that if the people who signed the memorial would visit the region of country where the Chinese came, and would see how Chinamen drove out churches and schools, they would not stand in the way of their exclusion.

Mr. Evarts said that it was not safe for the Senator from Nevada to assume that the able and eminent men whom that memorial represented had not had their eyes fixed on the question of the Chinese in this country, and had not been as attentive to the welfare of the country as Senators had been. He (Mr. Evarts) had always been and was now for the exclusion of Chinese immigration. Every step taken had been taken with his concurrence, either in the Senate or in another place of authority, except the course taken, which he regarded as a great error, while the Chinese treaty was pending.

Mr. Eustis thought it a little strange that the Census Committee would report a bill which had nothing to do with the census, but which had a good deal to do with municipal police and with international obligations. The bill provided penal statutes with reference to a class of people residing in the United States by reason of treaty rights. It subjected them to peculiar degradation. It gave just cause of complaint to a foreign Government, a Government considered to be within the family of nations, a civilized Government with which the Government of the United States had solemn treaties, and to a nation with which the American people had important and valuable commercial relations. That nation, as was well known, had not submitted to the legislation of Congress without some feeling of resentment and indignation; and now it was proposed, without any cause, without any justification, without any provocation, to aggravate and intensify that feeling, to cause more irritation, and to reopen wounds that had been healing. He had voted in favor of every exclusion act proposed in Congress, because he believed it to be, although harsh and stern, necessary and wise; but he did not feel prepared to go beyond the point already reached, and to offer insult to the Chinese Government and the Chinese nation, by requiring Chinamen in the United States to wear a tag, like animals. It would be degrading to them to receive "chromos" and engravings of their identification. The Census Committee had bowed down to the House in reporting what he regarded as the most outrageous bill ever sent to the Senate.

Mr. Hale said that it was no degradation that there should be afforded to a Chinaman now here an opportunity of showing, by a certificate which would be given to him free, that he might remain here, and that no rude hand could be laid upon him or could molest him. Unless some such bill passed hundreds and thousands of Chinese would come in from month to month and from year to year, as they were now coming. The object of the bill was to prevent that.

Mr. Eustis—Admitting that that is the object of the bill I say that that is a matter with which the Census Committee has nothing whatever to do.

Mr. Hale—The House sent the bill here and the Senate referred it to the Census Committee.

Mr. Evarts suggested that the bill should be allowed to go over until Monday next, and Mr. Hale assented to the suggestion.

After an executive session the Senate adjourned until Saturday.

House of Representatives.

On motion of Mr. Lodge of Massachusetts a petition from the New England Shoe and Leather Association against the imposition of a duty on hides and skins was ordered printed in the *Record*. The reading of the petition was received with applause from the Democratic side.

In the morning hour Mr. Hopkins of Illinois, on behalf of the Committee on Merchant Marine and Fisheries, called up the bill exempting American coastwise sailing vessels, piloted by a licensed master or by a United States pilot from the obligation to pay State pilots for services not rendered.

Mr. Cummings of New York raised the question of consideration against the bill. The House decided—yeas, 93; nays, 107—not to consider the measure.

The Senate concurrent resolution was agreed to requesting the President to invite from time to time as fit occasion may arise, negotiations with any Government with which the United States may have diplomatic relations, to the end that any differences or disputes arising between the Governments, which cannot be adjusted by diplomatic agency, may be referred to arbitration.

Bills were passed authorizing the heirs of the late Rear Admiral C. H. Baldwin to receive a snuff box from the Czar of Russia, and authorizing Henry Vigneau, Lieut. Aaron Ward, Capt. H. C. Cochran, and Capt. G. H. Anderson to accept from the President of the French republic diplomas of the Legion of Honor.

Mr. Lawler of Illinois introduced a bill to test the science of short spelling and to establish 100 schools for that purpose. Referred.

The House then resumed the consideration of the Idaho admission bill, and Mr. Perkins of Kansas concluded his speech in advocacy of the measure. He emphasized the assertion that the only objection made to the bill was that those who believed in and taught Mormonism in Idaho were disfranchised.

Mr. Springer of Illinois said that the majority of the Committee on Territories had seen fit to frame the Idaho bill in such a way as to secure partisan legislation instead of the proper legislation to bring a State into the Union. The minority would offer an amendment providing that a new Convention should be held, and the Constitution submitted to a vote of the people of the Territory, as had been done in the cases of Dakota, Montana, and Washington. The amendment required the Edmunds-Tucker test oath to be taken by every person voting upon the Constitution.

Referring to the political features of the measure, Mr. Springer charged the Republicans with the purpose of admitting Territories under such provisions as would insure an increase of their representation in the Senate. The Democrats would come into power in the House next Congress and would desire to repeal some of the laws passed at the present session, to reduce the tariff, to remonetize silver, to put down trusts and monopolies; and they would find the monopolists entrenched in the Senate in order to prevent it. The minority of the Committee on Territories represented the people of the United States. They represented the 5,569,000 Democrats who had voted for Cleveland. It represented the majority of the people, because Cleveland had received a popular majority. And it seemed from the returns from Chicago, Milwaukee, Schenectady, and Rochester that the Democratic party was not losing ground. When November, 1892, came along the Democratic party would elect a President who would represent the majority of the people, instead of a man who represented trusts and monopolies.

Mr. Lodge of Massachusetts said that the minority of the Committee on Territories had argued that it was not right to disfranchise a man for a crime of which he had not been convicted. That was begging the question. This was not a question of dealing with a specific crime of a particular individual. It was a question of dealing with a system which upheld and organized what was declared to be a crime under the laws of the United States. From the beginning of the history of the Mormons they had defied the laws of the United States. Guarded by their remoteness, they had maintained that attitude up to the present time. It was fitting of the United States to shut the Mormons out from the privileges of suffrage. If Idaho were to fail to shut out these people, she would not deserve Statehood at the hands of Congress.

After further debate the vote was taken on the amendment providing for a majority vote for the holding of a new constitutional convention. It was rejected—yeas, 111 nays, 125. The next amendment, providing for a vote upon the present Constitution, was rejected—yeas, 104; nays, 121.

The vote recurring on the passage of the bill, the Democrats refrained from voting. One of the reading clerks was busily engaged in noting down the names of Democrats present and refusing to vote. The Democrats say they intend to make this a test case, and to have the courts pass upon the constitutionality of the rules allowing the Speaker to count a quorum. It had been intended to make one of the contested election cases a test case, but as this could be done only by a suit for salary brought in the Court of Claims this course was abandoned and the present action decided upon.

The vote was declared—yeas 129, nays 1 (Mr. Buckalew)—the Speaker counting a quorum.

On motion of Mr. Cummings of New York, the services in memory of the late Samuel S. Cox of New York were postponed from this evening until 1 P. M., April 19. The House then adjourned.

LIVE WASHINGTON TOPICS.

Things of Interest in and Outside the Halls of Congress.

WASHINGTON, April 3.—Illinois politicians are waiting with some interest to see whether President Harrison, in his appointment of a Sub-Treasurer at Chicago, will further widen the breach between the Administration and the Illinois Senators. Senator Cullom still maintains a quasi friendly feeling toward the White House, but Senator Farwell will have nothing whatever to do with the President, and don't care who knows it. Before the Senators were turned down by the appointment of Clark as Collector of the Port they recommended John I. Neff for Sub-Treasurer. Neff has also the support of a number of the Illinois Congressmen, including that of Representative Hitt, whose district includes Mr. Neff's home in Freeport. Neff is a member of the State Board of Equalization, and has a strong pull through this office with local politicians and State officers, who are very generally endorsing him. He is said to be a good man and a good Republican. There are one or two other candidates, and one of them named Dustin has the earnest and persistent support of Congressman Hopkins and some others. The office is the only good one within the State now unfilled.

The House Committee on Patents to-day formally authorized Chairman Butterworth to report to the House a bill providing for the erection of a new building for the use of the Patent Office and other bureaus of the Interior Department at a cost of $3,000,000.

Secretary Windom to-day sent a letter to the Collector of Customs at New York, directing that officers of the customs now occupying the barge office at that port vacate that building by the 5th inst., so that it can be put in condition for temporary use as a landing station for immigrants on and after the 15th inst. It is said that the State Commissioners of Immigration and other persons who favor Castle Garden as an immigrant station are doing all they can to defeat the measure now pending in Congress for the establishment of a permanent station on Ellis Island.

The *Evening Star* to-day printed the following paragraph:

> There was a report about the Capitol to-day that Senator Beck is to retire from the Senate on account of ill health and that Mr. Carlisle will probably succeed him. Mr. Beck's doctors have told him, it is said, and he is convinced that it is true, that if he attempts close mental application to any perplexing subject of legislation, such as the tariff or finances, in which he has heretofore been the mainstay of his party in the Senate, it will certainly result in his complete breakdown. He is not content to stay in the Senate as a passive element.

Senator Beck said this evening that there is not a word of truth in the report, which has reached his ears several times of late. He says his health is improving, and he is assured that he will entirely recover in time. He has, therefore, never given a moment's consideration to the possibility of retiring from the Senate.

This Lets Out Ex-Alderman Reilly.

There was filed with Clerk Sparks yesterday in the Court of General Sessions an order dismissing the indictment for bribery against ex-Alderman Charles H. Reilly of the Board of 1884. The order was granted by Judge Barrett in the Court of Oyer and Terminer. The motion for the dismissal was made in March, and was not opposed by the District Attorney, who stated that he had not sufficient evidence to secure a conviction.

Talmage's Rock From Calvary is Here.

The stone which the Rev. Dr. Talmage procured from Mount Calvary during his recent trip to the Holy Land, and which is to be placed in the new Tabernacle, has arrived, and is at Roberts's stores. It is 3 feet long, 2 feet wide, and 10 inches thick, and weighs 325 pounds.

CLIMBING THE BIG CHIMNEY.

Phillips Gets His Ladders Up 200 Feet on the Undamaged Side in Two Days.

How to get up the chimney at Harrison was a puzzle which agitated the Clark Thread Company from the time that two strokes of lightning marred its beauty and probably its safety on Friday last. The balloon experiment was not tried because of a fear that the sharp edges of the cast iron can would cut a rope. On Tuesday John Phillips of the slate roofing firm of W. Smith & Co. called at the works, and contracted to climb the chimney for a stipulated sum if the company would supply ladders. He explained his plan, and was permitted to make the trial.

The chimney is 335 feet high, and the bell-shaped top flares out five feet beyond the collar, but this feature did not daunt Phillips, who began work at noon on Wednesday with a thirty-five foot fire truck ladder, whose spikes were sunk in a heavy plank. A second ladder, twenty-five feet in length, was lashed to this, and both were firmly anchored to the chimney with hooked spikes seven-eighths inch steel and driven into the Portland cement between the bricks. There was a lot of light and new ladders at hand, and before night Phillips had five of them in place.

Each ladder lapped on the one above for five feet. At its base a cross cleat of wood was lashed and between it and the face of the chimney a stout piece of plank was placed on two spikes driven into the brick work. These shelves keep the ladders a foot from the chimney, and make stages upon which Phillips can stand. He carried up a tackle block and rope, by which each successive ladder was hauled up by his helpers on the ground.

Phillips thought that he could put all of the ladders firmly in place, and reach the top of the chimney in two days, but in this estimate he did not reckon on the hardness of the cement in which sixty feet of the bricks are laid, and the mortar in which the remainder of them are bedded. Both mortar and cement were harder than any he had ever encountered, and his labor in driving the spikes was prodigious. When he quit work last night the top round of the upper ladder was 200 feet above ground. He has climbed other chimneys in this manner, but never went above 200 feet. How he proposes to master the difficulty when he reaches the eighteen-inch collar and the five-foot outward slope at the bell-shaped top he did not tell, and it is hard to understand how he will overcome the trouble which he will encounter when he reaches the slope of cast iron forming the huge cap. His bargain is to go up and rig a rope and tackle by which the workmen can ascend and examine the shattered brick work. His ladders are arranged on the side of the chimney which was untouched by lightning, and he is in no danger from falling bricks. On the other side, however, a large mass of bricks forming the skin of the chimney bulge out and hang in a threatening manner. When a strong wind blows, the loosened bricks dribble down like drops of water from a leaky eave trough. It is believed that the chimney is badly cracked throughout the north side, and work will not be resumed in the mill until the damaged side of the big shaft has been inspected. The chimney is certainly good enough to carry off smoke and heat, but it is doubted that it will be safe to submit it to the general vibration caused by the engines and machinery in the four huge mills surrounding it.

Phillips is an athletic man of thirty years and is used to working upon heights. Aside from driving the heavy spikes and adjusting the ladders, he works at climbing alone enough to worry out the strength of an ordinary man, but Phillips climbs up and down constantly, and several times a day comes all the way to the ground. The perilous point in his task is when he secures the lower end of a ladder and then climbs it to affix the spikes half way up its length. One slipped or driven under a round half way up the ladder and just above it another one is driven at the side of the ladder, and both are firmly lashed with rope.

TORTURE BEFORE DEATH.

The Place in Which Murderers are Consigned Pending Electrical Death.

Lawyer Heinzleman filed with Clerk Sparks of the General Sessions, yesterday, a notice of appeal in the case of James J. Slocum, once a well-known professional base ball player, who was convicted of murder in the first degree in beating his wife, Ellen Slocum, to death with an axe, and sentenced by Judge Martine to die by electricity. Slocum was taken to Sing Sing on Friday. He was sentenced to be killed in the week beginning May 5. But the notice of appeal acts as a stay of execution, and he has a new lease of life until the Court of Appeals passes upon his case. Formerly a conviction of murder in the first degree was first reviewed by the General Term of the Supreme Court of the department in which the conviction was obtained. But now the appeal goes direct to the Court of Appeals. The county pays, under the new law, the entire cost of the appeal, excepting counsel fees.

"I visited my client, Slocum, yesterday," said Lawyer Heinzleman, "in the condemned chamber at Sing Sing. I have had a large professional experience in places of penal confinement, but nothing that I have ever seen approaches in its awe-inspiring attributes this terrible prison. It is a one-story granite building about 300 feet long, and is divided with all other parts of the building, except by the deadly wire that connects it with the dynamo shed. The granite walls are five feet thick, I am told, and they certainly appear to be. There are three iron doors, one within one another, at the end of the building facing the Hudson river. The keeper's seat is within the third door. At the further end of the chamber, facing the keeper's seat, are four cells. The walls between the cells are of granite, and two feet thick. The inmates of the cells are always under the keeper's eye, owing to the thickness of the walls and of the three doors, not a sound of the world outside is audible. It is a veritable living tomb. When a lawyer, or priest, or minister sees one of the condemned men, a heavy green baize curtain is dropped over the front of the other cells, so that their inmates cannot see the visitor, or even hear his voice. The same thing is done when any one of the condemned men is taken out of his cell for exercise. The condemned men, therefore, see no other face and hear no other voice than that of their keeper, except, as I have said, when their counsel or spiritual adviser is permitted to see them. It is a terrible ordeal, and it seems almost incredible to me that they can retain their reason until the hour of execution arrives."

DR. GLOUCESTER'S TWO WILLS.

Mr. Martin Wants Something for His Interest in the "Irrevocable" One.

There is to be a contest over the will of Dr. James U. Gloucester, who was a well-known colored physician and preacher of Brooklyn. He was the husband of Elizabeth A. Gloucester, who was said to be the wealthiest colored woman in the United States, and who conducted for several years a fashionable boarding house on the Heights. Mrs. Gloucester died eight years ago, and about $100,000 of her estate went to her husband, and the remainder was divided among their five children, James U., Charles U., Louisa R., Elizabeth G., and Adeline. Dr. Gloucester made what he expressly called an "irrevocable" will in October, 1883, by which he divided his property equally among the five children. In February last, a few weeks before Dr. Gloucester's death, T. McCants Stewart, the colored lawyer, by his directions drew up another will, revoking the previous one, and leaving all of Dr. Gloucester's property to his three daughters, with the exception of $50 to each son and $100 each to two nieces.

In November, 1886, Charles U. Gloucester, one of the sons, assigned all his interest in the "irrevocable" will to William M. Martin, and it is the latter who figures as contestant of the last will. Dr. Gloucester, it is said, determined to cut his sons off because they had squandered the money left them by their mother.

Lee Phillips Gets His Old Office Back.

Gunther K. Ackerman, the Secretary and Executive Officer of the Municipal Civil Service Boards, sent his resignation to Mayor Grant yesterday. It runs as follows:

> DEAR SIR: I hereby tender my resignation as Secretary and Executive Officer of the Municipal Civil Service Boards. My recent severe illness, as well as that of my wife, and the imperative decision of my physician, render this step an absolute necessity. Permit me to express my sincere thanks for your many kindnesses, and believe me, very sincerely yours,
>
> GUNTHER K. ACKERMAN.

Early in the winter Mr. Ackerman was attacked by pleurisy. He is still very ill. Within a few hours after his resignation had been received, Mayor Grant filled the place by the appointment of Lee Phillips, who formerly held it, but who resigned it and has since been an examiner in the department. Mr. Phillips was first appointed by Mayor Grace. He held the place until a year ago. The salary is $4,500.

How Will This Suit the Standard?

The General Term settled yesterday the order restraining the Board of Electrical Control from awarding the proposed contract to the Standard Subway Company and prescribing the changes which must be made in the contract to make it legal. One of these changes is to name the streets which the company agrees to build subways. Another is to provide that the company shall not mortgage its subways when built for more than 50 per cent. of their actual cost, so that if the city decides to buy them there will be some limit to the bonded indebtedness to be assumed. Another change is to specify a time for the completion of the subways specifically named.

BADE HER KILL HER LOVER.

PEPITO ROSITA WANTED HIS REVENGE FLAVORED HIGH.

Taught His Faithless Wife to Shoot and Ordered Her on Pain of Death to Shoot Her Giuseppe—She Tricked Her Husband Again, She Says, but She Goes to Prison.

A romance of Italian love and hate, a faithless wife, a vengeful husband, and a mighty lucky lover was told yesterday in the General Sessions, before Recorder Smyth. The husband made the wife fire at her lover with bullets steeped in garlic, according to a superstition among the Italian peasantry that to steep a bullet in garlic puts its effectiveness beyond all doubt.

The tale was told in the trial of Concetta Rosita, a rosy-cheeked, plump young Italian woman, with a string of variegated beads about her rounded, tawny throat, and every color of the rainbow in her attire. Her shining ebon-black hair was confined in a knot upon the back of her head, and a golden dagger pierced the knot. She was tried upon an indictment charging her with assault in the first degree, in firing a loaded pistol twice at the head of Giuseppe Allanello, a trim young Italian, with the curling hair and moustache of an operatic tenor.

Allanello testified that, as he stood upon the stoop of the house at 70½ James street, where he lived, on the morning of March 2, Concetta Rosita, who lived at 17 James street, and was the wife of his former friend, Pepito Rosita, approached the stoop and said that she had something to tell him. As he leaned forward to listen she pointed a pistol at his head, and fired twice. The bullets whistled past his ear.

Under cross-examination Lawyer Westerfield for the defence drew out that Concetta Rosita and the witness were very good friends in Italy, and that he had boarded with her husband and herself in this city until a few days before the shooting. Then he had been ordered out of the house by the husband.

Policeman John Canavan corroborated Allanello as to the shooting, which he chanced to see. But he thought that Concetta Rosita fired three shots, instead of two. Then Assistant District Attorney Jerome, the prosecutor, rested. The defendant testified in her own behalf through the official interpreter.

"I knew Allanello in Italy," she said, "when we were very young. We grew up, and I loved him, and he loved me. But I married Pepito Rosita. Allanello came to live in our home when he came from Italy, three months ago. My love for him came to life again. My husband came home one evening and found us together. He told Allanello that he would kill him, and he turned us both into the street. But he took me back into his home again. One day, not long ago, he went with me to a shop in the Bowery and bought a pistol. He took out the cartridges and made me practise in aiming and pulling the trigger. Then he loaded it, first rubbing the cartridges with garlic, after the fashion of our country when we mean a bullet for our enemy's heart. Then he said: 'You must go and kill Allanello. If you don't kill him, I will kill you. If you don't kill him by to-morrow morning you can count yourself as dead.'

"That was Saturday, the 1st of March. My husband took me late that afternoon, to where the ferryboat lands that brings Allanello from his work. My husband told me to kill him as he came from the boat. But my husband went away, and I did not shoot. Allanello, however, went home and told my husband that I did not see Allanello. My husband kept the pistol under his pillow that night, and I was afraid that he would kill me. He told me that he would pardon me and love me forever if I would kill Allanello. He said that if I did not, I would be put in prison if I killed Allanello. I said, 'you are a woman. The law will defend you.'

"The next morning my husband took me to Allanello's house, and told me to go to Allanello's room to kill him. I went to the room, but I stayed there a long time, and I did not try to kill Allanello or tell him that I was sent there to take his life. I went down to the street again, and I told my husband that Allanello was not in the house. Just then Allanello came out upon the stoop. My husband, who was hidden behind a door, said, 'shoot now and kill him.' I went to Allanello, and when he bent down to talk to me I put the pistol near his ear and fired. I did not aim at him. I fired again in the air. I did not wish to kill him, because I love him very much." Then the woman broke down, and sobbed aloud.

In his charge to the jury Recorder Smyth said:

> In an experience of nine or ten years upon the bench of a criminal court, which is certainly equivalent to a service of eighteen or twenty years in any other court, so far as education in the criminal law of this State is concerned, I must confess that this is the most extraordinary case that has come before me.

The Recorder charged the jury as to the law relating to the coercion of a wife by a husband to do an unlawful act. The coercion, he charged, to make the defendant excusable, must be exercised by the husband, being actually present and participating in the unlawful act, and compelling the wife to do her part by threats of the most serious nature.

The jury convicted Concetta of assault in the second degree. Recorder Smyth sentenced her to the penitentiary for three years. She was led weeping from the bar.

ATLANTIC AVENUE RAPID TRANSIT.

The Commission to Report in Favor of a Two-Track Elevated Road.

The Ninth Rapid Transit Commission, appointed to solve the perplexing problem of rapid transit on Atlantic avenue, Brooklyn, has completed its labors, and will in a few days submit its report to the Supreme Court. The plans adopted provide for the construction of a two-track elevated road from South Ferry to Essex street, near the city line, and the road must be constructed within five years from Aug. 1 next, except the connection with the line of the Union Elevated on Flatbush avenue. The fares must not exceed ten cents and are fixed at five cents between the hours of 7 A. M. and 10 P. M. on Sundays and between the hours of 5 and 8 A. M. and 4:30 and 7:30 P. M. on week days. The capital stock is fixed at $1,000,000 in 10,000 shares of $100 each, subject to increase from time to time.

Assurance was given by Vice-President Maxwell of the Long Island Railroad Company that the company intended to build over the entire route laid out.

Salaried Searchers of Title.

Comptroller Myers has taken measures to provide for a simple system of accounts and records of arrears of taxes and assessments and other city charges against real estate. He has prepared a bill, which was sent to Albany yesterday, providing that searches for liens against property shall be made by salaried clerks in the Comptroller's office, to be appointed or designated for the purpose. It is proposed that these clerks shall be liable for all mistakes and errors, and for that purpose shall give a bond in at least the sum of $10,000. The bill provides a fee of $10 for searching and certifying all taxes and liens against any parcel of land. For searching and certifying either for arrears of taxes or assessments or Croton water rents and charges, the fee is $5, and where a search is required between several dates, or for a specified time, 50 cents per year; and for any special certificate in regard to any particular tax, $2. The fees of the unofficial searchers are not regulated by law, and run sometimes as high as $40 or $50.

The Comptroller says that four official searchers are all that will be required, and he expects that if the bill becomes a law the return to the city will be $200,000 a year.

The Chinese Enumeration Bill Opposed.

Representatives of the Board of Foreign Missions of the Presbyterian Church, the American Board (Congregational), the Protestant Episcopal Board, the American Baptist Missionary Union, the Missionary Society of the Methodist Episcopal Church, the American Bible Society, the Evangelical Alliance, and the Society of Friends met yesterday at the rooms of the Presbyterian Foreign Missionary Board in this city to consider the Chinese Enumeration bill, now before the Senate, with special reference to its bearing upon missionary work and property in China. The sentiment of the meeting was strongly opposed to the bill. It was urged that its adoption would be a violation of treaty rights, and all who were present were apprehensive that it would endanger the personal safety of the American missionaries now resident in China, and greatly hamper them in their work. It was decided to leave more specific action to be taken by the missionary societies separately. All the societies represented have missions in China.

One Edward Strauss's Orchestra.

Hugh Coyle has filed with the Collector and the United States District Attorney a complaint "against the permitting one Edward Strauss, with thirty or more musicians, to come to this country from Vienna, Austria, and play in this and various cities for from three to six months, under contracts all in violation of the Contract Labor law of the United States." The fact of a contract with the players in the Strauss orchestra is admitted. As artists, it is held by their employers, they do not come within the Contract Labor law.

A St. Louis Theatre Pool Dissolved.

ST. LOUIS, April 3.—The pool which has existed between the Olympic Theatre and the Grand Opera House, two leading theatres of this city for the past ten years, will terminate at the end of the present season. Mr. P. Short, who has conducted the financial business of the pool, will be interested with Charles A. Spaulding in the Olympic, and the manager of that theatre. Mr. John W. Norton will retain the management of the Grand Opera House.

Don't Get Caught

This spring, as you may have been before, with your blood full of impurities, your digestion impaired, appetite poor, kidneys and liver torpid, and whole system liable to be prostrated by disease—but get yourself into good condition, and ready for the changing and warmer weather, by taking Hood's Sarsaparilla. It stands unequalled for purifying the blood, giving an appetite, and for a regulating and general spring medicine.

Hood's Sarsaparilla

Sold by all druggists. $1; six for $5. Prepared only by C. I. HOOD & CO., Apothecaries, Lowell, Mass.

100 Doses One Dollar

REPORTER CHOATE INDICTED.

It is Proposed to Discourage Violation of the Secrecy of the Jury Room.

Dilworth Choate, the eavesdropping *World* reporter, who secreted himself in the jury room of the Court of Oyer and Terminer, made notes of the doings of the Flack jury, and afterward published in the *World* a report of the jury's deliberations, got into more trouble yesterday. He is in Ludlow street jail serving a term of thirty days' imprisonment for contempt of court. Until yesterday he had the prospect of a release at the expiration of his term upon the payment of a fine of $250, which Judge Barrett tacked on for good measure. But now he has before him an arid and undefined prospect of imprisonment in the penitentiary.

The Grand Jury cast this gloom upon Choate's future by finding an indictment against him yesterday for criminal contempt. After reciting the history of the Flack trial in the Oyer and Terminer up to the point at which the jury retired to deliberate, the indictment charges that "on the 22d day of March, while the trial was proceeding, the said Dilworth Choate wilfully and contemptuously committed a contempt of the said court by surreptitiously secreting and concealing himself in the room provided for the use of the jury, upon their retirement for deliberation, and did interrupt the proceedings of the Court of Oyer and Terminer, and impair the respect due to its authority."

The Grand Jury, in another of the four counts of the indictment, further aver that Choate was guilty of criminal contempt "in composing and causing to be printed in the World an account of the proceedings of the said jury in the consideration of their verdict, and of the views and opinions of the jurors of the said jury."

The indictment is drawn under section 143 of the Penal Code, which provides that criminal contempt of court is a misdemeanor. Conviction of this offence brings with it the same maximum penalty that Sheriff Flack became liable to by his method of "perverting justice"—a year's imprisonment on the island and a fine of $500.

Chief Clerk Sparks of the General Sessions lodged a detainer with the Warden of Ludlow street jail, so that upon the expiration of his present term Choate may be brought to the General Sessions.

It was under-stood yesterday that the outgoing Grand Jury had heard testimony with a view to further indictments in this second chapter of the Flack case, and that the incoming Grand Jury will resume the inquiry.

ROCK GETS GOOD MEASURE.

Recorder Smyth Deals Out Ample Justice to an Unregenerate Tough.

Edward Rock, alias Murphy, an ex-convict, who was convicted in the General Sessions on Tuesday of grand larceny in the first degree in stealing a silver bar, valued at about $1,000, from a truck that was carrying 100 such bars from the American Exchange National Bank to the Cunard steamship pier on Dec. 20, was arraigned yesterday for sentence. Rock was jointly indicted with Thomas Dougan, John Keenan, William Gilmartin, and Charles Seaton. Rock, Dougan, and Keenan, as alleged, stole the bar and sold it for so much lead to Gilmartin, a young Washington street junkman. He gave them $14 for it. Next morning they learned from the newspapers of the real value of the bar, and resold it to Charles Seaton, then the keeper of a saloon in West street, though an ex-convict and alleged to be a notorious "fence," for $650. Gilmartin was tried for receiving stolen goods, and was convicted, mainly upon his testimony, and sentenced to State prison for ten years. Gilmartin's testimony assured Rock's conviction on Tuesday. After the conviction, and while both of them were in the prisoners' box, Rock suddenly caught up a tin cup out of which the prisoners drink and struck Gilmartin under the left eye, seriously wounding him. As the blood poured from Gilmartin's wound Rock cried:

"Take that, you —— informer and traitor!"

Rock, with the bearing of a hardened touch, stood before the Recorder yesterday, with his evil eyes fixed upon the Recorder's face.

"After your conviction," said the Recorder, "you committed a violent assault upon the person of a man who was a witness against you in this house. That was done in the presence of the Court, and was a criminal contempt for which you could be sent to prison. You also committed an assault in the second degree, for which you could be sent to State prison. You committed these two crimes in the presence of the Court. You have already served two terms in State prison and you are a confirmed criminal. And when a man of your temper, disposition, and habits is loose in this city, not only the property but the lives of honest people are in danger. I am not satisfied that you will not stop short of taking human life if necessary to carry out your purposes. It is my duty to enforce the law for the protection of honest men. The only way that can be done in your case is to apply such punishment to men of your character. The object of punishment is not only to punish the person who violates the law, but to deter other toughs from engaging in the same sort of occupation. Under the law you could be sent to a State prison for twenty years, but I do not propose to pass any excessive sentence. I sentence you to State prison for twelve years and ten months at hard labor."

Burglars Carry Off $900 Worth of Jewelry.

The residence of Mr. Hugo Kraemer at 180 East Eighty-third street was entered by burglars on Wednesday, and jewelry valued at between $800 and $900 was stolen.

The thieves effected an entrance through the basement door. Mr. Kraemer's family consists of himself and his wife, who is Jeanne Franks, the violinist. Mr. and Mrs. Kraemer and the servants were away from home. The burglars were apparently well acquainted with their surroundings, for they made directly for Mrs. Kraemer's boudoir on the second floor, where they secured her dressing case containing a diamond and ruby brooch, valued at $250; two bracelets containing diamonds and opals, valued at $350; three diamond lace pins, valued at $200; one ring containing three stones, valued at $80, and a pearl scarf pin, valued at $50. They also got $15 in money. The robbers must have been frightened away, for they left other articles that they had taken. Mr. Kraemer has offered $100 for the return of the jewelry.

Passover Bread Given to the Poor.

The hundreds of poor Jews who live within a radius of half a mile of Essex Market who had not the money to buy Passover bread and Kosher meat for the Feast of Passover, which begins to-night, were enabled yesterday, through the charity of Mrs. Paulina Rosendorff, to obtain both, and spend the holidays in content, if not in happiness. Mrs. Rosendorff has for six years distributed meat among the poor just before Passover. At 8 o'clock A. M. yesterday a long line of poorly clad people had formed in front of Essex street. They were not all Jews, a great many Irish and German Christians taking advantage of the occasion to replenish their larders. One hundred were called up and each person who was deemed by Mrs Rosendorff to be a fit object of charity received an order on an Essex street butcher for from five to eight pounds of meat. During the day nearly four hundred such orders, and 6,000 pounds of meat were distributed. Tickets for Passover bread had been given out the night before, and yesterday they were presented and the matzos given for them.

Schoolboys Celebrate Tinsdale's Downfall.

The scholars of Grammar School No. 3, in Hudson street, celebrated the downfall of Trustee Tinsdale yesterday. The boys took their pennies and bought little brooms, which they pinned upon the lapels of their coats. Upon entering the schoolhouse in the morning they applauded Superintendent Sutherland heartily. Miss Lewis got a basket of roses, besides lots of hand clapping. During recess the youngsters marched in solemn columns, humming mournful airs and then cheering their favorites.

There is a movement on foot in the ward for a big demonstration. It will probably be in the form of a banquet to Superintendent Sutherland. The solid business men of the ward and graduates of the school are booming the affair.

One Charge Met by Another.

The case of Charles Blauvelt, Vice-President of the Bowery Insurance Company, against John Consello, came up for examination in the Tombs Police Court yesterday. Consello was for twenty years connected with the company, and some years ago became a stockholder. He claimed the right to examine the books of the company, but Mr. Blauvelt denied him access to the books. Consello