GEN. COXEY'S TRIAL BEGUN.

MOTIONS TO QUASH THE COMPLAINT DENIED BY JUDGE MILLER.

Populist Senator Allen Argues that the Law Under Which the Arrest Was Made Is Unconstitutional—Populist Congressman Pence of Colorado to Defend Coxey.

WASHINGTON, May 4.—The trial of Jacob S. Coxey, commander of the "Commonweal of Christ," Carl Browne, its chief marshal, and Christopher Columbus Jones, leader of the Philadelphia contingent, was begun in the City Police Court to-day on the charge of violating the United States Statutes in unlawfully displaying a banner or device in the Capitol grounds and in stepping on the turf. The case was called at 10 o'clock, and at that hour every seat in the court room was occupied.

Mr. Andrew Lipscomb, formerly Assistant District Attorney, who had been retained by the defendants, opened the case by filing a motion to quash the information against the defendants on the ground that the law under which they were charged was void, in that it prohibited the constitutional right of petition for a redress of grievances and conferred on the Speaker of the House and the President of the Senate certain prerogatives contrary to the Constitution.

Samuel Hyman, who appeared for Browne and Jones, moved to quash on the ground that the information was bad in substance. This occasioned a spirited discussion on the question whether the two statutes in regard to trespass on the Capitol grounds were not conflicting. It was held by the defence that the police court had no jurisdiction in such a matter. Mr. Lipscomb contended that it was not forbidden to do the things charged in the information even in the District of Columbia.

Senator Allen then arose and said that he did not appear as an attorney, but merely to see that the men on trial have a fair and impartial hearing, which he was sure would be accorded them. He argued that Congress could not pass a law the operation of which was to depend upon the judgment of some other branch of the Government or some other individual. Congress might as well give power to the Governor of his State or to the Czar of Russia, as to confer it upon the Vice-President or the Speaker of the House of Representatives, who were mentioned in the statute as the proper persons to give power or license to pass through the Capitol grounds or carry a banner. He contended that the power of the legislative branch of the Government was full and plenary. Therefore he held that the law under which the information was charged was unconstitutional. The power to assemble and petition Congress for the redress of their grievances carries with it the irresistible implication that the right to assemble is at the seat of the Government. Could they assemble and present a petition to Congress by staying in Pennsylvania or anywhere else?

Judge Miller interrupted to say that no man who was a citizen of the United States failed to recognize that he had a right to petition Congress. The question arise, what might have, but it depended upon what manner the petition was presented, and the laws were clearly against such an assemblage in the Capitol grounds.

Senator Allen contended that as long as the people who assembled did not obstruct the highways, as long as they did not undertake to enter the halls of Congress, the courts were powerless to interfere. Congress, he asserted, had the power to legislate, but not the power to legislate to prevent a peaceable assemblage.

Judge Miller said that if Congress had the right to prevent a body of men from entering the Senate chamber to present their grievance it certainly had the same right to say whether the same body should enter the Capitol grounds. The argument made by counsel for the defence was a persuasive and a subtle argue, and should receive no serious attention. The invasion of the Capitol grounds was a gross violation of the police regulation made to carry out the law of Congress. The right to petition was not germane to the issue, which was whether the laws or regulations for the protection of the Capitol grounds had been violated by Mr. Coxey.

Representative Van Voorhis of New York, who was present as a spectator, held that the complaint was not sufficient to place Mr. Coxey behind the bars. It was almost trivial case imaginable. This gentleman, whom he did not know and had never seen before, walked peaceably from Ohio with a petition in his hand, and while on the way was clubbed by a policeman.

Judge Miller interrupted to say that the facts were not yet under consideration. The question was whether the indictment was legal and triable.

The motion to overrule was then denied.

Representative Pence of Colorado notified the Court that he would defend Gen. Coxey.

Mr. Lipscomb made a motion for a severance of the cases, on the ground that the various offences charged against Coxey and Browne occurred at a different place and time, but his motion was overruled by Judge Miller, and an appeal was noted. A recess was then taken until 1 o'clock.

At the afternoon session a jury was selected and sworn, consisting of the following persons: T. O. Jones, W. W. Hazlett Grover, G. W. Meiruder; William H. Talley, painter; W. J. Holtzclaw, builder; William Hallenbeck, shoe dealer; John J. Dix (colored), barber; John O. Crown, John E. Eckhorn, real estate; R. H. Trotier, stenographer; William J. Reinhart, shoe dealer, and A. A. McCloskey.

Assistant District Attorney Mullowney then addressed the jury, explaining the charges and the law applicable to them.

Sergeant Slattery of the Metropolitan Police force testified that as far as he knew all the damage to the shrubbery in the Capitol grounds was done by citizens who pushed across the lawn toward the Capitol building when Coxey was escorted from the steps. Coxey's men outside the grounds did not break ranks.

Major Moore, Chief of Police, said that he gave Coxey a permit to parade, but permission was denied Coxey to march through public reservations. He told Coxey he could not speak on the Capitol grounds, but Coxey replied that "as the schedule had been carried out so far, he intended to complete it."

The court at 4 o'clock adjourned till 10 to-morrow.

A CAMP OF COXEYITES RAIDED.

It Was Established by Tramps and Gypsies in the Outskirts of Elizabeth.

ELIZABETH, May 4.—A company of Coxeyites in camp near Elizabeth were dispersed by the police on Thursday afternoon. Ever since it was announced that a Coxey army was on the war from New England to join the Commonweal forces at Washington, tramps have been gathering in the woods along the boulevard that joins Elizabeth and Newark. The leaders expected that the army from down East would pass through Newark and Elizabeth, and they proposed to join it.

The men slept on the ground or in haystacks for the first few nights. Then they stole ties from the Pennsylvania Railroad and built huts with them. They got some food from neighbors. When they needed more, gangs were detailed to forage for rations, and they robbed hen roosts and cellars. The camp was visited a few days ago by a gypsy. The result of his visit was that the band which he controlled joined the Commonwealers, swelling the ranks to nearly 200 persons, half a dozen wagons, as many horses, and several dogs.

The neighbors who suffered from the depredations of the tramps complained to the police. On Wednesday a policeman detailed to watch the camp discovered a heap of feathers near the hut that served as a kitchen, and as a raid was ordered. Sergeant James Walsh, with a party of policemen, was detailed to rout the tramps. The police were deployed so as to attack the camp from all sides. The tramps were taken by surprise. Some of them who were on picket duty and were armed with clubs resisted the police and succeeded in delaying the attacking party until the horses had been hitched to the wagons. They gave way when the police began to use their long night sticks, and fled pell mell into Essex county.

The police did not attempt to make any arrests. When the camp had been cleared they gathered all the trappings they could find and burned them with the hut.

Frey's Army Asked for Testaments.

INDIANAPOLIS, Ind., May 4.—Frey's Industrial army will leave here on Sunday for Washington. It is expected that the army will number 500. To-day a statement was issued in which the railroads are denounced for refusing transportation, the Mayor scored for not providing work, the American Bible Society is criticised for refusing to furnish them with Testaments, and the local press severely censured for speaking slightingly of the movement. The army is in hard lines. The men will leave on foot and in wagons.

Coxeyism Kept Mr. Cleveland at Home.

HARRISBURG, May 4.—President Cleveland was expected to join L. Clarke Davis, managing editor, and William H. Meehan, angling editor, of the Philadelphia *Ledger*, as the guests of the Silver Spring Fishing Club to-morrow, but the Coxey scare caused the President to abandon his outing. Mr. Davis and Mr. Meehan arrived this evening, and will make an early start for the fishing grounds to-morrow. The club had made elaborate preparations to entertain the President.

Work Offered the Coxey Army, but Declined.

WASHINGTON, May 4.—Dr. G. P. Gehring of this city to-day addressed a letter to Gen. Coxey, offering that he had sixty acres of land at Columbia Park, three and one-half miles from the city, from which he wished to have trees and underbrush removed and streets opened up. He offered the park as a camping place, and would pay Gen. Coxey $500 for the use of the army for the desired work, which would take several weeks to accomplish. The offer was made in good faith, and the Commonweal leader was inclined to accept, but Browne was unwilling to move the camp so far from Washington, so the offer was declined.

Coxey has not yet secured new quarters for his army. Unless he should do so pretty soon forcible measures will be adopted by the District authorities to oust him from his present location. Heavy showers to-day have made the camp a mud puddle and increased the danger to public health.

FITZGERALD'S PICNICKERS

Subsist on the Socialistic Beer—Will Tackle the Jersey Food Supply To-day.

The Socialistic Labor party made the passing of the Massachusetts Industrial delegates, otherwise known as the Fitzgerald contingent of Coxey's picnic, an occasion for holding a mass meeting in the Germania Assembly Rooms last night, at which they whooped it up for the coöperative republic. They also took up a collection amounting to $49.02 to aid in moving the picnickers on toward Washington.

The picnickers are to move at 10 o'clock this morning from 64 East Fourth street, and will tramp up Second avenue to Twenty-third street, thence to the Twenty-third Street Ferry, if they get a police permit, for which Fitzgerald applied yesterday. Fitzgerald waited two hours at Police Headquarters yesterday for the permit, but did not get it.

Superintendent Byrnes told him he would send it if he decided to grant it. It had not arrived last night. Dr. William H. Von Swartwout has paid the picnickers' fares to Newark, and they will carry some of his Olombia peace banners. "Go Ahead" Adams, their advance agent, has not arranged their route beyond Newark.

The picnickers spent Thursday night on the floors of the headquarters of the People's party at 50 East Tenth street. They breakfasted there on bread and cheese and eggs. Such of them as were not footsore or constitutionally weary spent a good part of the day seeing the free sights about the city.

The Socialistic Labor party gave them their dinner and supper at 64 East Fourth street, and will give them breakfast there to-day. An appeal printed in the *Volks-Zeitung* brought in contributions of food and clothing, and they fared pretty well. They had bread and cheese, bologna sausage and potato salad, a meat stew, and a couple of kegs of lager beer at each meal.

It was the first beer they had had since leaving Boston. Fitzgerald kept them in the hall at 64 East Fourth street after supper, and at 7:30 they straggled down to the Germania Assembly Rooms and sat on the platform. By 8 o'clock the room was filled with Socialists. Lucien Saniel presided. Morrison I. Swift, who travels by rail and helps Fitzgerald lead the army, was the first speaker. He got into the good graces of his audience at once by chasing the police, and then made a clever speech. Other speakers were Daniel de Leon, Jacques Roussseau, the Populist leader of Morrisania, and Fitzgerald. The latter read the petition which the delegates, as they call themselves, will try to present to Congress.

A roundsman and two policemen were all the police force at the hall at the beginning of the meeting, but later a Sergeant and a few more men strolled around, and Capt. Cross arrived with a ward man before the end of the meeting.

One of the speakers, a well built man named Sotheran, went pretty near the line the police draw on Anarchist speeches, but didn't get over it, and the gathering finally dispersed quietly about 11 o'clock. The picnickers spent the night at the Tenth street rooms.

Coxey's Army Drove Him Mad.

John Schmidt, 18 years old, of 18 St. Mark's place, was taken to the insane pavilion at Bellevue Hospital yesterday morning. Schmidt, who was a grocer's clerk, went crazy over Coxey's army. For the past few days he had spent nearly all his time writing letters to Coxey. Yesterday he chased a man from the grocery store with a cheese knife because the latter was unable to explain why Coxey didn't answer the letters.

JUDGE JENKINS'S INJUNCTION ORDER.

The House Committee Say It Was a Gross Abuse of Judicial Authority and Void.

WASHINGTON, May 4.—The sub-committee of the House Committee on the Judiciary, which was appointed to investigate the circumstances attending the issue of an injunction enjoining the Northern Pacific employees from striking, and to inquire as to whether Judge Jenkins, who issued the injunction, had extended his judicial power and used his office to intimidate the employees of the railroad company, made their report to the full committee to-day. The report is signed by Messrs. Boatner and Terry, the two Democratic members of the committee. It is not improbable that Mr. Stone, the Republican member, may make a minority report.

The sub-committee find that the object and purpose of both writs of injunction were to prevent the employees of the Northern Pacific Railway from striking, that is, from withdrawing from the service in a body, which the Court was informed by the officers of the road would result in a suspension of its operations and inflict great damage to the property and inconvenience the general public. The order, which practically compelled the employees to accept a lower rate of wages and which prevented the officers of the labor organizations from the discharge of one of the most important functions in their possession, is, in the opinion of the committee, a gross abuse of judicial authority, without the warrant of law, and void. The committee is also of the opinion that the men had a perfect right to withdraw from the service of the company, singly or in a body, if they saw fit to do so; that they had a lawful right to combine to obtain the best terms of employment, and any order of the Court which practically deprived them of that right is a violation of their personal liberty. The injurious effect of an exercise by them of a lawful right on the interests of the corporation and the public would not justly be taken into consideration by the Court.

The committee finds no sufficient evidence to sustain any charges against the Judge, as he may have conscientiously believed that he had the power to issue the writs complained of, and that a proper occasion for the exercise of this power was presented. The committee recommends, however, that, to set at rest any doubt on the subject, a prohibitory statute be enacted which will prevent a recurrence of such orders. It also recommends the enactment of a statute defining and limiting the powers of United States Judges in proceedings for contempt.

Frank Hatton's Will.

WASHINGTON, May 4.—The will of the late Frank Hatton, dated Sept. 17, 1890, was to-day filed with the Register of Wills. He bequeathes his library to his son Richard, and his stock, right, title, and interest in the Washington *Post* Company, with the remainder of his estate, real and personal, to his wife, Lizzie S. Hatton. The will says:

Having full faith in the friendship, loyalty, and honesty of my business associate, Berlah Wilkins, I commend my wife to trust to him for a full and detailed statement of my interest in the Washington *Post* Company and to be guided by his judgment in the management of said interest."

His widow is requested to retain his interest in the Washington *Post* Company, and she is made the executrix, without bond.

The Brooklyn Dry Dock Contract.

WASHINGTON, May 4.—Secretary Herbert today settled the Brooklyn dry dock matter by agreeing to let the present contractor, John Gillis, continue the work in view of his promise to proceed with proper diligence, it being understood that this arrangement shall not be construed as a waiver of the right of the department to abrogate the contract if it shall become necessary to do so.

No Stones Thrown at the Coach This Time.

The coach of the Suburban Road Coaching Club arrived at the Hotel Waldorf at 8 o'clock last night, fifteen minutes late. The trip was without incident, and the stone throwers seem to have stopped their mischief.

W. J. Bailey of the Century Wheelmen of Philadelphia made the journey awheel, and reached the hotel before the coach. The whips were Neilson, Brown, and Col. Morrell, who was accompanied by Mrs. Morrell. Other passengers were C. W. Biddle, James N. Patterson, and William Fisher, all of Philadelphia.

Contractor McAuley Killed.

Daniel McAuley, an elderly man, who lived at 189 Clerk street, Jersey City, was killed by a Newark and New York Railroad train at the Arlington avenue station yesterday afternoon. He had been to New York, and had jumped off the train before it stopped. A couple of lawyers who witnessed the occurrence sent a card to the family, offering their services to sue the company. McAuley was a contractor.

LIVE WASHINGTON TOPICS.

THE FIFTH INSTALEMENT OF QUAY'S SPEECH READ IN THE SENATE.

Deductions Made from the Salaries of Congressmen for Absenteeism—An Amendment to the Naval Bill Providing for the Construction of Twelve Torpedo Boats.

WASHINGTON, May 4.—The open session of the Senate to-day was taken up with the reading of the amendments to the Tariff bill and the fifth instalment of the speech of Senator Quay in opposition to the bill. Senator Quay's speech consisted chiefly of extracts from newspaper and magazine articles touching the Sugar Trust, and of voluminous tables showing the production of sugar in various countries, the quantities imported into the United States, and the prices of the raw and refined article. These were all read in full, either by Mr. Quay or by Mr. Gallinger (Rep., N. H.), who occasionally came to his relief and did some of the reading. At 2 P. M. the patience of Democratic Senators seemed to be exhausted, and Mr. Harris (Dem., Tenn.) moved, with Mr. Quay's consent, to proceed to executive business. This motion was agreed to.

The executive session lasted for three hours, the time being spent in an unsuccessful effort to dispose of the case of George W. Wilson, nominated to be Collector of Internal Revenue for the district of Florida. Three speeches were made against the nominee by Senators George, Gordon, and Call. Mr. Call intimated that the Standard Oil Company was using its influence to secure Republican votes for confirmation. It is probable that Mr. Call will lose this fight.

To-day is pay day in the House of Representatives. The members of the House have been filing their pay certificates with Sergeant-at-Arms Snow for the last two days. There have been a few complaints about the rule which requires members to state the number of days they have been absent, and from which deductions should be made from their salary. But none of the Representatives has refused to comply with the law. Fully 200 certificates are now on file in Col. Snow's office. Where members have been absent on account of personal illness or illness in their families no mention is made in the certificate, and the salary is to be paid in full. In other cases the members have specified the extent of their absenteeism and the deductions are made by the Sergeant-at-Arms. In a few cases the members have failed to make any mention of their absence, and these are referred to the Speaker by the Sergeant-at-Arms for the former to act upon in his discretion.

Postmaster-General Bissell says that the interview with him in regard to the appointment of saloon keepers as postmasters, while practically correct, is, nevertheless, misleading. The Postmaster-General does not consider the question from a Democratic point of view, that in his opinion having nothing whatever to do with the matter of appointment but from the moral effect that such appointments would have on such an immense institution as the mail service. He thinks that young men engaged in other pursuits would make better postmasters and give greater satisfaction to the patrons of the mail service than those engaged in the liquor business. He has adopted no rule in regard to the rejection of candidates for Postmasters who are saloon keepers, but has made such a practice, which will be generally pursued. Gen. Bissell says that applicants for Postmasterships who have been, but are not now in the liquor business, will receive the same consideration as those who have never been engaged in that business. There is no good reason, he says, why he should discriminate against a man because in the remote past he has been actively engaged in the liquor business.

The total number of fourth-class Postmasters appointed to-day was 41, of which 28 were to fill vacancies caused by resignations and death. Among the appointments were the following for New York State: Thomas Felker, North Wilna, vice H. H. Lewis, removed; A. Timmerman, Palenville, vice J. H. Hinman, removed; Mrs. C. Gardner, Stephentown, vice H. M. Brimmer, removed; John Baker, Ulster Heights, vice G. L. Blumenhauer, removed.

Mr. McPherson, from the Committee on Naval Affairs, to-day made a favorable report to the Senate on an amendment to the Naval Appropriation bill, authorizing the President to have constructed by contract twelve torpedo boats at a cost, exclusive of premiums, of not more than $2,400,000. These boats are required to have a maximum speed of at least 25 knots an hour, with an $8,000 premium for every knot in excess of that number. It is required that at least four of these boats be built on the Pacific coast. An appropriation of $1,100,000 for construction and machinery is carried in the bill. In a letter from the Secretary of the Navy to the Chairman of the committee the Secretary said he would be glad if Congress would determine to authorize the construction of these boats. The Secretary says that if Congress should decide to authorize their construction the amount named in the bill should be appropriated.

The Senate has confirmed the nomination of C. Pliny Earle to be Postmaster at Gouverneur, N. Y., and all but one of the fifty nominations of army officers named for appointment by brevet "for gallant services in Indian campaigns." The exception was First Lieut. Joshua W. Jacobs, Seventh Infantry, now Captain and Quartermaster, whose name was nominated for gallant and meritorious services in reconnoissances and action against Indians at the Big Hole, Montana, Aug. 8 and 9, 1877.

The President to-day appointed the Commission to attend the Antwerp Exposition on the part of the United States, as follows: George V. Massey of Delaware, Commissioner-General; Henry W. Gilbert of New York, E. A. Ewing of Illinois, F. A. Gamon of Washington State, and Alphonse Le Due of Louisiana.

Secretary Herbert to-day appointed a Board, to consist of Chief Engineers J. W. Thompson, C. A. Roelker, J. A. Smith, and a number of junior engineers, to conduct the dock trial of the machinery of the battleship Texas on Wednesday, May 9, at the Norfolk Navy Yard. The misfortunes of the Texas since her construction was begun and the criticisms recently made concerning her machinery make this trial particularly interesting. The trial will be conducted in behalf of the contractors by Mr. McMackin, late superintendent of the Columbia Iron Works of Baltimore, who has been very successful in the construction of the Montgomery and the Detroit.

LEAVENWORTH MILITARY PRISON.

Its Overcrowded Condition—The Character of the Institution.

WASHINGTON May 4.—It is rather odd to hear proposals to set free a large number of the culprits at the army prison simply because there is not room in it both for the present inmates and for those who are constantly sent thither. This plan is, however, reported to be contemplated in some quarters, the most deserving having their sentences remitted. If it should not be adopted, it may be necessary to employ some post guard houses as military prisons.

At the beginning of the present fiscal year there were in confinement at Fort Leavenworth prison 458 men, and this was a net increase of 63 over the number of a twelvemonth before. Since then, however, the increase has mounted so rapidly that the number of prisoners is quite in excess of the accommodations.

It might seem at first that such a fact was very discreditable to our army, but the truth is that the liberal reward now paid for the apprehension and conviction of deserters accounts for the great growth in the number of prisoners. The large proportion of deserters in our army may largely be due in part to insufficient caution in recruiting, or to the very great temptations from outside to quit the service, and the opportunities furnished for desertion in some parts of the country, rather than to any just cause of complaint at the administration of the army or its rules of discipline. The condition of the enlisted man has been greatly improved in recent years, and certainly his par is better than in European services. But as an offset other occupations furnish great incentives, except perhaps when labor is much depressed, and, as a result, where men of fidelity have not been recruited, they sometimes have no hesitation in breaking what they consider to be a simple contract on the chance of finding a more lucrative or more agreeable occupation.

So much it is only just to say by way of answer to the suggestion that the extraordinary number of commitments to the military prison, compared with the number of men in the army, reflects on the condition of the latter. The truth is that desertion is the only charge upon which a great majority of the inmates of Fort Leavenworth have been sent there. If to this is added the cases in which desertion is a charge coupled with other offences, we find that more than four-fifths of those who are confined at the end of the last fiscal year were deserters.

Looking at further statistics we find that of the 458 prisoners confined at the end of the last fiscal year 349 claimed to be born in the United States, 41 in Ireland, 20 in Germany, 14 in England, 13 in Canada, 5 in Scotland, 3 in Sweden, 2 in Austria, and in Norway, Denmark, Switzerland, the East Indies, and Jamaica, 1 each. The Department of the Missouri sent the largest number, 181, but of course the number of troops in each department ought to be considered in reference to this point.

The report of the Adjutant-General showed that the affairs of the prison had been very well managed. The expenditures for the year were $72,027.40, but that included $030 for donations of $5 each to 180 prisoners released from confinement at Alcatraz Island, leaving the expenses of the prison proper $71,997.40. That was a decrease in expenditures, with an increase in the number of prisoners as compared with the previous year. The prison also furnished 235 suits of civilian clothing for those discharged from confinement at various military posts. The prison farm yielded 2,400 bushels of corn, 2,244 of potatoes, 3,051 of various other vegetables, besides 65,160 heads of cabbage, and helped to improve the regular rations.

That the prisoners are usefully employed is evident from the fact that among the articles manufactured by them during the year were 28,207 pairs of shoes for the army, 174 mess tables, 1,504 mess stools, 748 sets of harness, 4,883 tin boilers, steamers, kettles, pans, &c., 14,700 joints and elbows of stovepipe, 20,000 corn brooms, 50 coats, 320 pairs of trousers, and 45 shirts. There is, in fact, always a large variety of skilled labor represented in the enlisted force of the army, and as, of course, the deserters have their share of it, the shoe, carpenter, harness, tin, broom, blacksmith, and tailor shops of the Leavenworth prison are able to turn out a good deal of work. The aggregate of days of skilled labor was 49,127 and of unskilled 78,394, and by means of it work valued at $22,853.05 was performed for the Quartermaster's Department. A large amount of lumber was cut and bricks made for the use of the prison.

It has sometimes been suggested, however, that life at Leavenworth prison is made too easy to become a terror to enlisted men and hence a dissuasive to desertion. There is no doubt that the prisoners have ample and good food, and that they are treated quite as well as they should be. But it is highly improbable that anybody deserts for the sake of being sent there, or allows the chances of such a fate to influence him much if he is once determined to desert. If it were a less humane institution, or less well managed, the fact would probably have very little effect upon those who were determined to quit the army. The real cause of the recent steady increase of prisoners is suggested by an official statement from Capt. Gilman, Thirteenth Infantry, the executive officer last year, that out of thirteen prisoners who escaped from the institution nine were recaptured, besides two who had escaped in previous years, and the further statement of the Adjutant-General that "the large number recaptured is believed to be due to the increase of the reward from $30 to $60."

There is ground for the hope that at the end of the present fiscal year improvement may be noted in the enlisted force of the army. For a long time there has been no trouble in recruiting, the disturbances in labor having made many men anxious to enlist, so that the recruiting officers have almost had their pick. It is true that this fact may work both ways, since when business revives the men who are accustomed to make a good living in civilian employments may be restless and anxious to get back into them, and some of them may not take the time and go to the expense of doing so honorably by purchasing their discharge. The sentiment which regards the enlistment as an ordinary contract, and in times of peace persuades the soldier, on some ground, perhaps very trivial, that the contract has been broken by the Government, thus releasing him, is answerable for much of the desertion. On the other hand, it would seem as though there had been unusual opportunities for selecting trustworthy men from the great number of applicants during the past year. At all events, only with a decided decrease in desertions can a decrease in the prison population of Leavenworth prison be looked for, unless auxiliary accommodations are to be had elsewhere.

AN ARMOR-PIERCING PROJECTILE.

It Weighs 1,150 Pounds and Has a Striking Energy of 35,000 Tons.

WASHINGTON, May 4.—There will be a test to-morrow at the naval proving station of armor-piercing projectiles for the big 13-inch gun, representing two lots of fifty each, manufactured by the Carpenter and Sterling companies. These projectiles will be the first fired with full powder charges from the navy's largest gun, and are expected to attain a velocity of nearly 2,000 feet per second and to have a striking energy of 35,000 tons, or a force sufficient to raise the battle ship Indiana three feet from the blocks of a dry dock. The projectiles each weigh 1,150 pounds, and will be propelled by 550 pounds of powder to a charge.

A 17-inch steel plate, with a backing of ten feet of wood and a bank of earth, will be the target at which the shots will be fired. The plate and wood will be penetrated with ease, and the projectile is expected to bury itself several feet in the earth. If there is no decided distortion of the shell, and if it stands the impact without breaking, the entire lot will be accepted.

Secretary Herbert leaves here to-morrow for a month's tour of the Pacific court naval stations. He will inspect the Mare Island Navy Yard and the new dry dock building on Puget Sound, and will probably take a look at the Behring Sea patrol fleet before it departs from Port Townsend on its way to Alaskan waters. The Secretary will have with him his naval aide, Lieut. Reamy, and Miss Herbert.

Investigating the Armor-Plate Frauds.

WASHINGTON, May 4.—The first meeting of the Board appointed by Secretary Herbert to investigate the allegations of fraud made by John McLuckie, ex-Burgess of Homestead, Pa., and a number of others who have worked in the Carnegie Steel Works, with reference to steel armor plates manufactured for the navy, was held at the Navy Department to-day. Capt. W. W. Hanscom, Chief of the Bureau of Ordnance, presided. The entire session was taken up in hearing Attorney Wallace of Pittsburgh, who represents the informers. He presented a number of affidavits in addition to those which he gave some time ago to Secretary Herbert, alleging that the plates are of faulty construction, and that fraud has been perpetrated on the Government. More affidavits are expected in a day or two.

The River and Harbor Bill Passed.

WASHINGTON, May 4.—By steadily pursuing consideration of the River and Harbor Appropriation bill from the beginning of to-day's session until an hour or more after the usual hour of adjournment, the House finally disposed of the measure and started it on its way toward the Senate. A number of changes were made in the items of appropriation, having been agreed to by the committee, but all other proposed amendments making increased appropriations, save one, were defeated. That was offered by Mr. Ellis (Dem., Kan.), and increased from $50,000 to $100,000 the appropriation for improving Lock 2 on Green river, Kentucky.

An evening session was held for consideration of private pension and relief bills, at the conclusion of which the House adjourned until Monday.

To Repeal the Sugar Bounty Law.

WASHINGTON, May 4.—Representative Dockery (Dem., Mo.) introduced in the House to-day a resolution directing and requiring the Committee on Ways and Means to report an amendment to the Legislative Appropriation bill repealing all laws authorizing the payment of a bounty on sugar. The amendment to be reported is to read as follows:

That so much of an act entitled "An act to reduce revenue, equalize duties, and for other purposes" approved August 28, 1894, as provides for and confers the issue of licenses to produce, and for the payment of a bounty to the producers of sugar from beets, sorghum, or sugar cane grown in the United States, or from maple sap produced within the United States, be, and the same is hereby, repealed, to take effect July 1, 1894; and thereafter it shall be unlawful to issue any license to produce sugar or to pay any bounty for the production of sugar of any kind under the said act.

The resolution was referred to the Committee on Rules.

News Notes from the City of Mexico.

Red glass has been put in the windows of one of the rooms of the American Hospital, with a view to the treatment of small-pox.

Sixty-eight deaths from typhus occurred in the city in the month of March.

All sorts of rumors are afloat as to the intentions of the Mexican Government in connection with the question of the depreciation of silver. One thing is certain, the next coupons for the interest on the foreign debt will be duly met in full. In fact, the money is all ready for the purpose. It is not true, as stated in several American papers, that the Government contemplates increasing the import duties as against the United States and England on the ground that both nations are opposed to silver. At the same time no further economy or taxation is possible here, and some move must shortly be made by the Government with regard to the interest on the national debt, unless the position of silver materially improves.

Johnny Simpson Begins Prosecution.

Charles Wolfman and Mary Knober were charged in the Essex Market Police Court yesterday with keeping a disorderly house in Rivington street. When they were arraigned John Simpson, the Republican leader of the Fifth Assembly district, said to Justice Koch:

"I appear in this case, your Honor, and demand an examination."

The Justice set the case down for May 16.

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2.00 per week on..	150	5.00 per week on....	300

PROMOTIONS IN THE NAVY.

Secretary Herbert Submits a Bill to the Joint Naval Commission.

WASHINGTON, May 4.—Secretary Herbert has just completed and submitted to the Joint Naval Commission a draft of a bill as a substitute for previous schemes to facilitate promotion in the navy, and it is understood that it will be accepted and adopted by the Commission. The bill makes radical changes in the present methods of promotion, and introduces many of those in vogue in the British and French navies. It provides that the active list of the line of the navy shall consist of sixteen Rear Admirals, sixty Captains, 100 Commanders, 74 Lieutenant-Commanders, 250 Lieutenants, 75 Lieutenants (junior grade), and a number of Ensigns sufficient to maintain the total number of officers on the active list of the line, including the officers appointed from the volunteer service, at a number not greater than now fixed by law. They shall not be subjected to involuntary transfer to the reserved list provided for, and upon reaching the head of any grade they shall be eligible to promotion to the next higher grade. The places vacated by such promotions shall not be filled.

On the 1st day of July of each year a sufficient number of graduates of the Naval Academy to fill the vacancies in the total number of officers shall be commissioned as Ensigns. Not more than thirty-five shall be commissioned as Ensigns in any one year. The grade of Commodore on the active list shall be abolished. Officers now on the active list who are entitled to the relative rank of Commodore shall hereafter have the relative rank of Rear Admiral, and those entitled to retire with the relative rank of Commodore shall be entitled to retire with the relative rank of Rear Admiral. Nothing in the act shall be construed to increase the pay of officers now holding the relative rank of Commodore, and such officers shall receive the shore pay of Rear Admirals. Neither are the pay and status of officers now on the retired list to be affected by this act.

Officers of the line appointed from the volunteer service may, upon application to the Secretary of the Navy, be transferred to the reserve list or be placed upon the retired list, with the rank and 75 per cent. of the pay of the grade they hold. Other officers of the line in the grades of Captain, Commander, and Lieutenant-Commander shall, after thirty years' service on the active list, be considered as candidates for transfer to the reserve list or for voluntary retirement. Should it be found that the vacancies from casualties and retirements are insufficient to provide for as many as sixteen promotions in the list of seagoing officers to the grade of Lieutenant-Commander and to promotions to the grades of Lieutenant Commander in any fiscal year, candidates for transfer to the reserve list shall be placed on the list, and candidates for voluntary retirement shall be retired to create the stated number of vacancies. Should the number of vacancies be still insufficient to provide for such number of promotions, the Secretary of the Navy shall, on or about June 1 of the same year, convene a Board of not less than five Rear Admirals, which, having placed before it all the records of the Department relating to the qualifications of officers on the active list in the grades of Captain, Commander, and Lieutenant-Commander, and having regard only for the efficiency of the naval service and the special fitness of officers for sea and other duty, shall, before June 30, recommend a sufficient number of officers to be placed on the reserve list to create the required number of vacancies. The Board shall be vested with all the necessary powers which Examining Boards have under existing law. Upon the recommendation of the Board the Secretary of the Navy shall, by order, make the transfer to the reserve list.

In addition to the active list, there shall be a list for duty to be denominated the "reserve list," to be formed by the transfer of officers from the active list in the following manner: Immediately after the passage of this bill, officers of the line who entered the Naval Academy in the years 1881 and 1887, both inclusive, may, upon official application to the Secretary of the Navy, be placed upon the reserve list. The number of officers remaining on the active list who entered the Academy during the period specified shall not be reduced below the number stated for each of the years named. Should the number of such applications after six months from the date of the passage of this act not be sufficient to reduce the number of officers of these dates of entry, the Secretary of the Navy shall convene a Board of not less than five officers, senior in rank to the officers whose cases are to be considered, and this Board shall have the power to decide, in its opinion, are best fitted for the respective lists. There shall be retained upon the active list the number of officers of the several dates of entry stated, the remaining officers of such dates to be placed upon the reserve list.

The number of officers who entered the Naval Academy in the years 1881 and 1887 to be retained upon the active list shall be as follows: of the date 1881, eighteen; of 1882, seventeen; of 1883, twenty; of 1884, nineteen; of 1885, twenty-three; of 1886, nineteen, and of 1887, nineteen. In determining the year of entry in the Naval Academy, officers who have gained or lost numbers on the navy list shall be considered as having gained or lost service accordingly.

All the sea and shore duties of the navy are to be performed by officers on the active list. They alone are to be appointed as chiefs of the bureaus in the Navy Department, on boards of examination for promotion, in command of navy yards and naval stations, on boards of survey, training ships, lighthouse boards, and as lighthouse inspectors, instructors in the professional branches at the Naval Academy, and at the training station for apprentices.

Hereafter, Rear Admirals shall be appointed by the President and confirmed by the Senate from the list of Captains, which list shall be made up from the recommendations of a Board of Rear Admirals. For each vacancy the Board is to recommend three names, and from this number the President shall select one for each existing vacancy in the grade of Rear Admirals. No officer who has not at least three years to serve on the active list of the navy before arriving at the age of 62 is to be promoted to the grade of Rear Admiral. No officer shall be appointed to the grade of Lieutenant until he has served six years as a commissioned officer, nor shall any officer be promoted to the rank of Lieutenant of the junior grade until he has had three years service as an Ensign. Two-thirds of such service, counting from the date of the officer's first commission, must have been sea service. In case an officer is debarred from promotion by reason of insufficient sea service, the officer next in rank, if qualified, shall be advanced.

The Behring Sea Instructions.

WASHINGTON, May 4.—After conferences extending over the past ten days, Sir Julian Pauncefote, the British Minister, and Secretary Carlisle this afternoon reached an agreement on the sealing instructions to the joint fleets of England and the United States to guide them in making seizures of vessels in Behring Sea this spring and summer. The instructions will be telegraphed to Port Townsend to our vessels now lying in readiness to depart for Behring Sea.

HOEY HEADS THE LIST.

THE HOLLYWOOD MAN BEATS A FIELD OF CRACK WING SHOTS.

Twenty-one Experts Contest for the Riverton Gun Club's Challenge Plate and Money Prizes—Hoey and Moore of the Carteret Gun Club Miss Three Birds in Fifty, but the Westminster Kennel Club's Representative Wins in the Shoot-off.

PHILADELPHIA, May 4.—The big shoot for the Riverton Gun Club Challenge Plate took place on the club's grounds at Riverton, N. J., today, and after a hard struggle Fred Hoey of the Carteret Gun Club of New York carried off the coveted prize. The shoot was open to the members of many prominent gun clubs, and nearly all the best known amateur shots were among the 21 entries. The conditions called for 50 birds each man: 25 to be shot at with 50 yards as the boundary, and 25 with the boundary at 30 yards. This necessitated dividing the shooters into