Evidence, Vol. 3, Sec. 173, under the heading "Place of Publication," he says: "The publication must be proved to have been made within the county where the trial is had. If it was contained in a newspaper printed in another State, yet it will be sufficient to prove that it was circulated and read within the county. If it was written in one county and sent by post to a person in another, or its publication in another county be otherwise consented to, this is evidence of a publication in the latter county. Whether, if a libel be written in one county, with the intent to publish it in another, and it is accordingly so published, this is evidence sufficient to charge the party in the county in which it was written, is a question which has been much discussed and at length settled in the affirmative."

The first case to which I desire to call your Honor's attention is the leading case of Commonwealth vs. Blanding (3 Pickering, 20 Mass., 304). I understood one counsel for defendant to state that it did not appear that defendant was not a citizen, while the other counsel stated that it affirmatively appears that he was. This case was where an indictment was found against defendant for making, framing, and causing to be published in a newspaper called the *Providence Gazette*, in Rehoboth, in the county of Bristol, a false, scandalous, and libellous paragraph against one Enoch Fowler, a resident of that county. It appeared that the defendant delivered the writing set forth to the printer of the *Providence Gazette* at Providence, in the State of Rhode Island, and that it was published in the paper at the request of the defendant. It was also proved that the paper circulated in Rehoboth, in the county of Bristol, in the State of Rhode Island, and that it was circulated previously to such publication, and that the number containing this writing was received and circulated in that town. The defendant contended that there was no evidence that the writing was composed or published in the county of Bristol; but the jury were instructed that the causing of it to be published in the *Providence Gazette*, the defendant knowing that the newspaper was taken and circulated in Rehoboth, was a sufficient publication within the county. On appeal the charge of the higher court was sustained. Chief Justice Carter, in delivering the opinion of the court, said:

"As to the first question, which relates to the publication of the supposed libel, we think the admitted facts, that it was at the request of the defendant inserted in a public newspaper printed in Providence, which, though in another State, borders on the county of Bristol, and that the paper usually circulates in the town of Rehoboth, in that county, and that the number containing the libel was actually received and did circulate in that town, were competent and conclusive evidence of a publication in the county of Bristol."

In support of the proposition that I assert—that under the unquestioned law of libel the circulation of a libellous newspaper containing a libellous article in another county is a publication by law in the county, State, or district where circulated—the English cases are numerous, and they go to show that if a man writes a libel in one county and consents to its publication in another, the consent is sufficient to charge him in the latter county, and that he is liable for the publication in the county where it circulates. I need not read these cases in full. They establish the law affirmatively as it exists in the United States to-day, and the law of libel in the District of Columbia is much the same as it is in the State of New York.

I come to another very well-considered case, that of the State of Missouri vs. Kountz, 12 Missouri Appeal Report, 511. The defendant was indicted for libel, the words having appeared in an editorial article about Capt. John W. Carroll, in the Alleghany *Evening Mail*, a newspaper published in the State of Pennsylvania. Prior to the publication the defendant promised to send the paper regularly to Silas Adkins, residing in the city of St. Louis, and that thereupon the paper was regularly received by Adkins for several years, up to and after the publication of the alleged libel; that the paper containing the alleged libel was so received in St. Louis by Adkins, who read the article and showed it to the prosecuting witness and others. The opinion of the court was delivered by the presiding Justice Lewis: "It is contended that there was no sufficient connection of the defendant with any publication of the libel in St. Louis to confer jurisdiction of the alleged offence. It may be true that no presumption of circulation in Missouri can be indulged, on general principles, as to a newspaper published in Pennsylvania. But the publication of a single copy within the jurisdiction may complete the offence as well as that of a thousand. There was at least competent evidence in this case from which it could be inferred that the defendant caused a copy of the paper containing the libellous article to be sent to St. Louis, in order that it might there be read by persons into whose hands it might fall, and that said consequences actually followed. Nothing more was needed to charge the defendant with a publication in the city of St. Louis."

In the very well considered case of Belo vs. Wrenn, 63 Texas, 686, at pages 720-721, the defendants were proprietors of the Galveston *Daily News*, and judgment had been rendered against them below in an action for libel. This was a civil action, but the criminal law is very well considered in it. The defendants below all resided in Galveston county. The Galveston *Daily News*, in which the alleged libel appeared, was issued from the press in that county, and to subscribers living there. It had subscribers in the county of Travis, to whom it was regularly mailed and delivered, and it was also sold by news agents in that county. The number in which the alleged libel appeared was mailed from the Galveston office of publication to its subscribers and the news agents in Travis county, and was read by such subscribers and by persons who bought it from the news agents. It was claimed by the appellants that, being residents of Galveston county, and because the paper was issued from the press at Galveston, had its office there, and was mailed there to subscribers in other counties, that county alone had jurisdiction of the cause. The decision was, and the general rule is, that every person against whom an action is brought must be sued in the county of his residence. Among other exceptions is the following: Where the foundation of the suit is some crime or offence or trespass for which a civil action in damages may lie, in which case the suit may be brought in the county where such crime or offence or trespass was committed, or in the county where the defendant has his domicile. No doubt can arise upon proof or pleadings in this case but that the appellants sold and distributed the copies of their paper which contained the alleged malicious statement. Such sales and distribution constituted publication at common law; it constitutes circulation under our Penal Code. As under the former, publication of a libel was an offence indictable wherever it occurred, so under our law circulation of a libel is an offence committed in any place where the libel is sold or distributed." He cites Commonwealth vs. Blanding and other English cases. "The fact that the crime of libel may have been concluded by a publication of the paper in Galveston county does not make it any less a crime to circulate the number containing the alleged libellous article in other counties. By the common law the sale of each copy is a distinct publication, and hence a distinct offence, and the prosecutor may at least choose for which of the distinct offences he will call the guilty party to account. These principles are so well grounded in the law of libel that they would not have been noticed at such length but for the zeal and earnestness with which distinguished counsel have urged upon the Court a contrary doctrine."

I shall not read any more authorities or cases on that point. It seems to me to be conclusively established, notwithstanding the fact that the learned counsel for the defendant very carefully avoided it, or did not go into the argument to any very great extent, as I remember their argument. It is a proposition that cannot be overthrown. There is one very apt case (like the Texas case) cited in 4 Quebec Law Reports, 85, that of Irvine vs. Duvernay. In that case the paper was published in Montreal, but circulated regularly in Quebec. There are various other English cases to which I shall not refer.

CLAIMS A COMPLETE OFFENCE COMMITTED IN ONE PLACE.

It is claimed, and this is perhaps the principal argument of the senior counsel for the defendant, that even although they got Mr. Dana in Washington, they could not try him there for this libel. This was the argument which related to the question of extra-territorial crimes, and that they could not punish such a crime at common law. He said that it was one of the offences described in section 831 of the Revised Statutes as beginning in one jurisdiction and ending in another. Of course our claim is that it is not, but that each publication is a separate and distinct offence. We do not admit that this crime is of the character described in section 731. Mr. Root, with great impressiveness, called your Honor's attention to the case of Queen vs. Kyne. This was the case where the German steamer Franconia ran down the English boat Strathclyde. Now if we take up that case, the very first thing that occurs in the head note is that the court held by a great majority that the crime there charged was not committed in any respect on British territory, not even on what might be called constructively British territory, namely on board a British ship. The court decided by a great majority that the crime was not committed on British territory, either actively or constructively; that there was no crime committed on any British territory. The court held, not alone that they had no jurisdiction over the person committing the crime, but held that the vessel being on the high seas, even if she was within three miles of the coast, that the crime committed was not committed within British jurisdiction.

But there is a case, and it would have been a very pertinent case to them, and I am surprised that it was not cited by them, and that is the case of Cutting; and I shall hand to your Honor the monograph prepared by the State Department, which is the best treatise in short compass on extra-territorial crimes that I have ever seen in relation to the question of libel. Cutting was an editor of a newspaper published in Paso del Norte, Mexico, and he published a libel in his paper upon one Medina, a Mexican citizen. He was arrested, and a judgment of conciliation was entered, under which he published a retraction in a Mexican paper and the proceedings were dropped. He then went to El Paso county, in Texas, and in the *Sunday Herald*, a Texas paper, published on American soil, he printed an aggravated version of this libel. That paper was circulated in Mexico. Cutting went back to Mexico and was arrested. The ground on which they arrested him and on which they sought to prosecute him was that under the Mexican code Mexico claimed the right to punish crimes against Mexicans, whether by Mexicans or foreigners, wherever committed. They claimed that if Cutting committed a crime against a Mexican citizen, although committed on American or British soil, if they could ever afterward get him in Mexico, they could under their law punish him for that crime. That was a proposition against which the United States, through Secretary Bayard, protested. They said they would not recognize the right of Mexico to prosecute under the laws of Mexico for crimes committed on American soil. After this complication had become very serious, the complaint against Cutting for the circulation of this libel was amended in Mexico, and they charged him not only with having committed the crime in Texas, by the publication of the libel in a *Sunday Herald* there, but with having afterward circulated the *Sunday Herald* in Mexico. They claimed that the circulation of the paper containing the libel in Mexico was a crime recognized everywhere, and for which they could punish him. But the Government of the United States never admitted that Mexico had the right to punish him for any other crime than the inadmissible right to punish a crime against Mexicans even though committed on American soil. Prof. Moore was then third Assistant Secretary of State, and his work is the best we have on this subject. This monograph was prepared for the State Department by him. I wish to call your attention to what he said about the circulation of the libel at pages 22 and 73: "It is one thing to say that a man who, outside of the territory of a country, commits a criminal act within it, may be punished by its courts if brought within reach of their process; it is quite another thing to say that a man can be punished by the court of a country for acts done outside of it, simply because the object of those acts happens to be one of its citizens. The Government of the United States has never intimated that if Cutting had been arrested and tried on the charge of circulating, which in law would have been publishing a libel at Paso del Norte, the Mexican courts would not have had a right to punish him for having done so, merely because the printing was done in Texas. In law the circulation of the libel is a publication; it is published whenever and wherever circulated, and whenever and wherever a man actually circulates a criminal libel he commits a substantive criminal offence, whether he is corporally present or not. The malicious intent, the guilty will, accompanying a lawless act, makes the actor, although not corporally present at the place where the act takes place, just as much a criminal there as if he were physically present."

So I contend that I have established here that under section 1,014 this proceeding is properly brought; that it is lawful to send an offender against the District of Columbia back there for trial when apprehended in another State, and that the sending of him there violates no constitutional guarantee; and that the fact that he was not physically present there is wholly immaterial, because he is charged with having circulated a libel there, and the law says that not alone the fact of publication, but also the mere circulation of it in Washington, constitutes the offence; and that every publication is a separate and distinct offence; so that the circulation of the libel in Washington is not affected in any way in its criminal nature by the fact that the paper which contained it was first printed and published in the State of New York.

SAYS THE INDICTMENT IS NOT LACKING.

I think there is nothing left for me to notice except some objections in the form of the indictment, to the caption, and to the authentication. You will find that the indictment is authenticated according to the acts of Congress, section 905 of the Revised Statutes, which especially applies to this case. The Revised Code of the District of Columbia, section 916, authorizes the assistant clerk to file all processes and papers in the name of the clerk. Taking the Revised Statutes of the District of Columbia, section 916, and section 905 of the Revised Statutes of the United States, you will see that the indictment is properly authenticated. Section 1,025 of the United States Revised Statutes provides that no indictment found and presented by a Grand Jury in any District, Circuit, or other court of the United States—and there you have your District courts and Circuit courts specifically mentioned, and also "other courts," which is evidently intended to include all—shall be deemed insufficient, nor shall the judgment based thereon be affected by reason of any defect or imperfection in matters of form only, which shall not tend to prejudice the defendant. There is the statute which simplifies all indictments found by Federal courts. It is intended to be of universal application to every court established by the United States where indictments may be found, thus showing that section 93 of the Revised Statutes of the District of Columbia, notwithstanding the peculiar wording of the section—showing that it was intended to cover all other courts except the District and Circuit—does away with all the objection about the caption. In the case of the United States vs. Bomemann (35 Fed. Rep. 824), holds that a misrecital in the caption of that indictment is not fatal, as the caption is no part of the indictment. This also comes within the purview of the Revised Statutes, section 1,025, which provides that no indictment shall be deemed insufficient by reason of any defect in matter or form only, which does not tend to prejudice the defendant.

I need not multiply cases upon the application of that section. The indictment here is in the form prescribed in the best books on a criminal procedure, without any of the useless provisions which prevailed at a remote period under the common law. We have got rid of them all by that statute. And, further, I contend that the description of the defendant in the indictment as the "editor of THE SUN," and by other titles, is amply sufficient to identify him. In respect to all such objections, I assert that this is not the place to take them. Your Honor has said that objections may be made and special demurrer raised in the court where the trial is to be had. So that these objections, as it seems to me, present no serious question; and I think that we have fully made out the right to have this warrant granted.

The only further suggestion, in closing the argument, that I desire to make, is that if on this question of removal, notwithstanding all the cases cited, and the immemorial procedure, you hold that the case does not come within section 1,014 with respect to the local or municipal law, your Honor will allow us opportunity to review that decision by granting an application for review, and holding the defendant, so that the proceeding for a review may be taken. I make that suggestion in case, as seems to us highly improbable, your Honor shall have any doubts as to our rights in this proceeding.

Counsel arranged to submit briefs, and the Court reserved decision. Briefs cannot be submitted within a week, if then.

BURGLARIES IN GREENVILLE.

The Thieves Carry Off Silverware, Clothing, and a Package of Cigarettes.

Burglars are active again in the Greenville section of Jersey City. Three burglaries were reported yesterday to Capt. Nugent of the Ocean avenue station. The first was at Stephen A. Cooper's house early on Sunday morning, and the burglars got away with some silverware, four overcoats, two pairs of eyeglasses, and a package of cigarettes.

Edward Barr's house at 13 Linden court was entered the same morning, and the thieves got three overcoats and some more silverware. Yesterday morning John C. Gibbons's house in Danforth avenue was broken into. A gold watch and chain, silverware, four overcoats, and a sealskin sacque were taken.

City Contracts Awarded.

The Sinking Fund Commission met in the Comptroller's office yesterday and awarded contracts for completing and furnishing the new Criminal Court House as follows: Furniture, Somerville Desk Company, $3,156; burglar-proof file cases for the office of the Clerk of General Sessions, Mosler Safe Company, $1,125; electric system, P. K. Lantry, $750; carpenter work, Andrew Galbraith, $3,400; electric clocks, Howard Watch and Clock Company, $875. The awards were all made to the lowest bidders. Bids for furnishing two safes, varying from $472.51 to $1,360, were referred to the Comptroller and the Recorder.

Tile Layers' Helpers On Strike.

Strikes of tile layers' helpers were reported yesterday on the jobs of Contractors Williams and Merritt at Ninety-second street and Madison avenue and Seventy-eighth street and Riverside Drive. The reason given was that tile layers are employed there who do not object to working with non-union tile layers outside of this city. Strikes of tile layers on other buildings for the same reason are reported, and it was said that the men are going out unwillingly, being tired of striking for sentimental reasons just when work is beginning to be plentiful.

Renewing the Gas Trust Fight.

The Gas Trust fight, in which J. Edward Addicks is interested, is to be renewed in the name of Thomas H. McDonnell, who yesterday obtained from Judge Beach of the Supreme Court a temporary injunction restraining the Mercantile Trust Company from voting or causing to be voted $11,000,000 worth of shares of stock of the Boston Gas Light Company, the Roxbury Gas Light Company, the South Boston Gas Light Company, and the Bay State Gas Light Company of Boston. The annual election of directors was to have been held yesterday.

HOOD'S PILLS Cure LIVER ILLS

Tonight

If your liver is out of order, causing Billiousness, Sick Headache, Heartburn or Constipation, take a dose of Hood's Pills on retiring, and to-morrow your digestive organs will be regulated and you will be bright, active and ready for any kind of work. This has been the experience of others; it will be yours. Sold by all druggists. 25 cents.

MAYOR SCHIEREN SCORED.

THE FRIDAY COMMITTEE'S STRIKE REPORT RAPS HIM HARD.

His Lack of Nerve and His Inaction in the Early Part of the Strike Sharply Arraigned and His Treatment of Superintendent Campbell Criticised—The Municipal Authorities "Lost Their Heads" and Exceeded the Requirements of the Case in Calling Out the Militia—Police Could Have Prevented Disorder if Not Hampered by Official Sympathy with Strikers—Schieren and Welles Responsible for the Social Disorder—The Committee's Recommendations in the Matter.

The special Assembly committee to investigate the recent trolley strike in Brooklyn, of which Assemblyman Friday of that city was Chairman, submitted its report to the Assembly last night. In its discussion of the progress of the strike and its attendant disorder the report is a stinging arraignment of the policy adopted by Mayor Schieren's administration, which was duly set forth in THE SUN at the time. The sympathy with the strikers and rioters which was displayed by the police and some of the Police Justices is also adverted to, but the blame is laid by the committee upon the executive heads and not upon the rank and file.

"It appears," the report says, "that previous to the strike the Mayor of the city had already expressed his dissatisfaction with the management of the police force, so far as concerned the capacity of the superintendent of the force. He knew that he was incompetent to command the force because of his age, lack of memory, and want of physical capacity, and this opinion was concurred in by the Commissioner of Police, but nevertheless no steps had been taken to secure his removal, and he was at the head of the force when the strike was declared and when the troubles and disorders in the city broke out. Such being the case, it appears that the direct command of the force was assumed by the Police Commissioner himself. It does not appear from the testimony given by the Mayor that the Commissioner of Police had, prior to his assumption of that office, ever been in any similar business, or had any particular qualification or training for the performance of the duties of the Chief of Police, and it is the belief of your committee that the attempt on his part to assume the direct executive management of the police force was necessarily at the time a disturbing element in itself, and a very decided error.

"It appears that there was some consultation between the Mayor and the Commissioner of Police as to the appointment of a sufficient number of extra or special policemen under the law, but the suggestion was dismissed at the time as being impracticable, although in this respect your committee is satisfied that both the Mayor and the Commissioner of Police were also in error.

"It appears from the evidence that the police force itself sympathized very largely with the strikers and the disorderly elements, and it is certain that during the early days of the strike the force made only a most insignificant number of arrests, which does not indicate any such state of affairs as to have necessitated the calling in of the militia.

"All of the evidence goes clearly to demonstrate the fact that during the first two days of the strike the municipality was strangely lacking in capacity and energy, and permitted the disorderly element to realize the fact that it had the police force of the city at a disadvantage, and was thereby encouraged to greater disorderliness and more frequent and serious breaches of the public peace.

"Your committee is of the belief, after hearing the evidence, that at this juncture the Mayor of the city, as well as his Police Commissioner, showed a most marked lack of fitness and capacity for the offices which they hold. We may say, in passing, that in other respects the Mayor, while under examination, showed a strange unfamiliarity with, and in some cases ignorance of, the machinery of the municipal government of which he is the executive chief. The weakness and want of energy on the part of the Administration, which prevailed during the early days of the strike, was replaced by a corresponding sternness and rigor after the municipal authorities had permitted the disorders to gain such headway as to lead them to fear that the situation was becoming peculiarly serious and fraught with danger. We believe that they as far exceeded the requirements of the case in calling in the militia, as they disregarded them in not having fully utilized the police force of the municipal Government itself before the militia was called in. * * *

"Of this number [of persons arrested] a very large proportion was discharged by the magistrates, before whom the prisoners were taken, because, in the opinion of the magistrates, the evidence was not sufficient to justify commitment; and in some cases undoubtedly because of the sympathy on the part of the committing magistrates with the men who had gone out on strike. The evidence discloses clearly, however, that, just as the police during the early days of the strike had failed to make arrests and to take active steps to suppress disorders, so, during the latter days of the strike and after the militia had been called in they became suddenly active in making arrests, and in many cases made their arrests hastily and without sufficient justification. The police force of Brooklyn is composed of competent, capable, and faithful men as a rule, and there is no doubt, so far as your committee is concerned, that the real trouble was at the top and not with the rank and file.

"Your committee is of the opinion that, with an able, firm, and thoroughly energetic municipal government it would never at any time have been necessary to have called in militia. In plain English, it is the belief of your committee that the municipal authorities lost their heads.

"After the militia had been withdrawn a large force of special police was placed on duty, but was not found to be efficient. After the department had so signally failed in managing and securing results from the regular force, this is not surprising. We believe the entire situation would have been different if the Mayor, when he first became satisfied that the Superintendent of Police was superannuated, had insisted upon demanding his retirement and upon the appointment of a younger and more competent man.

"We are of the opinion that had the Mayor and Commissioner of Police called upon volunteers to serve as special policemen, before calling the militia in, and had the Police Department itself been well administered, that an ample force could have been secured to have prevented all of the disorders which subsequently occurred. The disorders of the first few days were not serious, and could have been easily coped with. It was when the disorderly element realized the nervelessness and want of energy of the municipal government that the situation first became dangerous. The calling in of the militia only had the tendency the more thoroughly to embitter the feeling on the part of the men who had gone out on strike and their sympathizers throughout the community.

"It cannot be doubted that at all times during the strike the fear of disorder was very much greater than the disorders which actually occurred. As a matter of fact, while there was considerable injury to the companies' cars, the number of assaults upon persons were peculiarly few, in view of the excitement which ruled throughout the city, and of the opportunities and number of occasions when assaults and violations of an aggravated character were likely to have occurred. There was but one death and that was accidental, having been caused by the shot of a militiaman, and no employee of the roads being in any way responsible for it. It is impossible for the committee to say to what extent such violations as were committed and such damage as was done were actually done by the strikers themselves.

"While the city Government had no responsibility as to or in connection with the incidents which led up to the causes of the strike, your committee regards the Mayor and Commissioner of Police in very large measure responsible for the social conditions which followed it. The weakness betrayed by the Government was in itself a practical invitation to the disorderly elements to disregard the law; and had it not been for this weakness, your committee believes that most all of the serious consequences, the paralysis of the railway service, the disorderliness which prevailed throughout the city, the cost to the city of the militia, the cost of the extra police force, and the shame of the confession of official inability to maintain order with the usual civil means at the command of the Government might all have been obviated.

"It should be reported that after the difficulties had occurred and when the danger was over the Mayor secured the resignation of the Chief of Police, notwithstanding the fact that he was retained pending the strike, but relegated to practical inactivity, and the police force had been left virtually without an active head. The Mayor of the city sought to place the responsibility for the failure to maintain the public order in some part upon the police magistrates."

The removal of Police Justice Quigley and the dismissal of the charges against Justice Watson are then discussed by the report.

In considering the responsibility for the strike, the committee says that the employees considered themselves called upon, after the introduction of electric motive power, to do a class of work requiring greater skill and expertness than that which prevailed when horses were used. The point is brought out, however, that the employees did not stand upon any demand for an increase of wages, except in the case of the Brooklyn City and Newtown Railroad Company.

"Their demand was rather to shorten the day's work," says the report, "and through the rearrangement of the proportion of regular cars to trippers, to necessitate the employment at full day's wages of a larger number of men. It is undoubted that there was a general feeling on the part of the employees that the railroad company, under the new system, was making or was about to make, larger profits, as incident to the introduction of that system, and that they, as employees of the road, were to contribute to this by the performance of service which exacted closer attention and made a larger strain upon their nervous systems and capacity for endurance. This feeling undoubtedly helped to precipitate the strike."

The committee holds it certain that the general impression that the trolley companies had found a means of reaping large and very exceptional profits and at the same time avoiding and evading certain responsibilities to the laws of the State, resulted in the creation of a public opinion in the city of Brooklyn adverse to the companies, and was one of the reasons which led the employees of the road to believe that under such conditions the company could afford to make concessions. The report continues:

"The real cause of the strike, in the opinion of your committee, was not the mere failure to agree, which was a symptom only, but the fact that the relation between capital and labor had been peculiarly strained in this case, labor demanding more, notwithstanding the very large advantages it had secured to itself through the contracts of the preceding eight years, and capital creating an adverse public opinion, and acting upon the theory and belief that it had the opportunity for gaining large and unusual profits by methods, the legality of some of which is questionable; all in such manner as to bring about a feeling on the part of the men that they were being unfairly dealt with, while the corporations themselves were handling their properties for the purpose of stock speculation and for the amassing of fortunes.

"The men deliberately sacrificed rights and positions which had been slowly and steadily gained through many years of intelligent and wise negotiations and amicable relations with the companies; in addition to having sacrificed their employment and sustained tremendous pecuniary losses, and subjected themselves and their families in some instances to hardships and suffering of the most dreadful character.

"The corporations, either through their failure properly to have estimated the cost of construction of their roads, or through their inability because of the panic which occurred in the spring of 1893, and the effect of which have still continued, to secure the money necessary to carry out their plans, have so utterly failed in their project that a complete reorganization is now absolutely necessary.

"This case is one which presents with peculiar force the situation which is likely to arise in conflicts between capital and labor, where capital seeks to reap exceptional profits through the creation of speculative opportunities, and in practical, if not in actual, defiance of the spirit of our law; and where, on the other hand, labor, believing that it is not accorded its share in the profits of the business, is willing to go so far as to bring about the paralysis of the complete system of transportation and to sacrifice not only advantages gained after long struggle, but to throw large bodies of men out of employment under conditions which make their reëmployment in the same service impossible, because of the impossibility of compelling their employers to reëngage them.

"There was no time during the strike when the railroad companies so wholly failed to perform their duty as carriers as to justify a forfeiture of their charters; but from the 13th and 19th of January such performance was technical and nominal rather than actual, owing to the inability on the part of the roads at that time to secure men to act as motormen and conductors, in sufficient number to run the customary number of cars and the customary number of trips, without submitting to the terms of their late employees.

"Men came from all parts of the country, and, as a result, the railroad companies were able entirely to reorganize their working staffs, although the strike of the former employees was not officially declared off until the 24th day of February.

"During all of this time the community was receiving only an imperfect service at the hands of the companies; for the first fortnight the most incomplete and unsatisfactory, and for the last fortnight gradually approximating the usual and customary condition.

"The total number of men, so far as is ascertainable, who went out on strike, was about 5,000, and of this number not more than ten per cent. have since been reëmployed.

"The cost of the strike is estimated as follows:

To the employees of the roads who went out on strike, down to the prresent time..	$750,000 00
To the railroad companies themselves, because of the paralysis of traffic and the loss of fares (not ascertained).	
Injury to property of the railroad companies (not ascertained, the companies not having supplied the data in either of the two foregoing cases).	
Cost to the city for the pay and maintenance of an armed force of 7,500 men...	200,000 00
Extra cost to the city for police service during the strike	75,000 00

"It is imposible to estimate the loss to the citizens through the paralysis of trade, and the general inconvenience and disorder incident to the complete or part deprivation of their means of transportation in and about the city. It is also impossible to estimate to what extent the courts may possibly hold the city responsible for damages caused by the failure to maintain order.

"It is evident to your committee that, if possible, some means should be found to compel the employees of railroad companies to give proper notice of intention to leave, as well as to compel the companies themselves to give proper notice of the intention to discharge. * * *

"Your committee is of the opinion that no satisfactory bill can be drawn at the present time looking to compulsory arbitration, particularly in view of the fact that the principle itself involves an infringement of personal liberty."

The Ten-hour law, as amended, is considered ineffective, and the Committee doubts its constitutionality. It recommends that the employees of corporations exercising public franchises should all, so far as practicable, be made quasi-public servants and licensed. The report adds:

"In consequence of having accepted such service in companies exercising public franchises, they should be required to give proper notice before abandoning such service, and in all cases where the men in a body seek to abandon such service without notice and in such manner as to threaten or as actually to work loss and danger to the community, the laws should be so amended as to make them strictly answerable for their conduct in the premises."

The frequency of accidents on the trolley roads is attributed largely to the fact that the persons intrusted with the handling of the cars, in too many cases, have not been properly equipped for the performance of their duties. A bill is presented providing that no employee shall leave the service of the company except upon fifteen days' notice, under the penalty of forfeiting his license, and thereafter debarring himself from reëmployment; no employer shall discharge a man, except for cause, until after a thirty days' notice, subject to penalties, thus making lock-outs impracticable.

The committee recommends that the State Board of Mediation and Arbitration be required to investigate all strikes and in each instance to fix the responsibility. This "will have the effect of enlightening public opinion, and of making it known to the parties in interest that final judgment is going to be passed upon the justice or injustice of their demands, claims, or refusals."

It is noted that a resort to mandamus proceedings is practically useless, because of the allowance of twenty days in which to make a return to the alternative writ, and a reduction to forty-eight hours is recommended. Regarding municipal ownership the committee holds that the question is one too great and of too serious importance to be passed upon incidentally in an inquiry of this character. The ownership and control of domestic railway corporations by other corporations not directly organized for exercising the franchises, and organized under laws which do not require their capital stock to be fully paid in money at par, are severely condemned, and a change in the law is recommended.

Appropriate bills are presented for carrying into effect all the committee's recommendations. The report also contains a history of the strike, of the negotiations between the corporations and the Knights of Labor, of the contracts between the railway companies and their employees, and histories of the several different systems upon which the strike occurred, with a discussion of the stock manipulation indulged in.

In conclusion, the committee says:

"We do not believe there is any radical legislative remedy for such conditions and disorders as have been described. They grow out of social facts and economic conditions which are too deep for radical cure by legislation. The only ultimate cure must come naturally from better relations and a greater feeling of sympathy between employers and employed. And the feeling of antagonism or difference of interest which too frequently prevails, cannot be removed so long as corporations are permitted practically through their own conduct and through the failure on the part of public officials virtually to make themselves superior to the law."

Keep's Easter Gloves,

made specially for the Eastertide season. The correct shades and weight.

$1.00, $1.50, $1.75.

Have you seen our Easter Neckwear, 50c. and 75c. ?

KEEP MFG. COMPANY,
Makers of Keep's Shirts,
Broadway, bet. 11th and 12th sts.

Carpet Dep't.

This Week,

we will sell a number of this season's patterns, best quality

Wiltons, $1.25,

formerly $2.25,

and

Domestic Axminster, Body Brussels and Moquettes,

85 cts.

A new Importation of

Oriental Rugs,

opened on Monday.

Lord & Taylor,

Broadway & 20th St.

DEATH OF WILLIAM HENDERSON,

One of the Founders of the Anchor Line Steamship Company.

Mr. William Henderson, a founder of the Anchor Line Steamship Company, died in Glasgow on Sunday night. He was the last surviving member of the shipping firm of D. & W. Henderson, and was born sixty-five years ago at Pittenweem, Fife. He was one of the four brothers who made the "red anchor of the Clyde" famous in the marine world. Formerly he was a Captain, his last command being the Vision, a large wooden sailing vessel engaged in the Mediterranean trade. Forty-one years ago he went into the shipbuilding business with his brother David, and about the same time the remaining two brothers, Thomas and John, inaugurated in a small way the Anchor line of steamships under the firm name of Handyside & Henderson.

The shipbuilders were interested financially in the steamship line, and they built many of its boats. Later the firm became better known as the builders of famous yachts. They built the Valkyrire, the Britannia, which belongs to the Prince of Wales; the Thistle, the Galatea of Lieut. William Henn, and the Genesta. The Valkyrie III., which is to sail for the American's Cup, is now building in the yard of the Hendersons. They also built La France, the longest steel sailing ship in the world. Among the ships put together by the Hendersons and still afloat are the Antarctic, the Asia, the Algeria, the Bohemia, the Belgravia, the Killeena, the Dunblane, the Bellagio, the Bellora, and the Bellena. All four brothers died within two years. Thomas died in Glasgow three weeks ago, and David, who was associated with William, has been dead about one year. The deceased man, who was a widower, is survived by three daughters and two sons, Russell H. Henderson, who lives in this city, and Fredrick Henderson, who was in business with his father. The family possesses great wealth, and the estate of William Henderson is said to be worth more than $5,000,000.

Obituary Notes.

Thomas H. Faron died on Sunday at his home, 637 Pacific street, Brooklyn, in his seventy-fifth year. He was a conspicuous political figure in Brooklyn over thirty years ago, and at one time was a rival of ex-Register Hugh McLaughlin for the Democratic leadership. He reached the height of his popularity in 1868, when he was elected City Comptroller by a big majority. Four years later he aspired to the regular Democratic nomination for Sheriff, and when beaten in the convention ran independently, and thus aided in the election of the Republican candidate. He lost his hold in the Democratic organization through this bolt, and spent a comfortable fortune in the vain effort to regain it. Finally he made his peace with his old party associates and about ten years ago secured the comfortable job of a chief engineer at one of the water-pumping stations. He was removed from this place when the present Republican administration came into power, and the closing year of his life was embittered by a hard struggle to keep a roof over the heads of himself and his aged wife. It was only through the timely aid of some old friends that they were saved from ejectment from their old home a few weeks ago. It is said that Mr. Faron spent at least $100,000 in the political warfare in which he was so long engaged, and that he could have left a snug little fortune behind him if men he had trusted had kept their obligations.

John Collins, the Republican leader in the Fourth Assembly District, died on Sunday night of an affection of the heart. Mr. Collins had been seriously ill for two weeks. The funeral will take place from the family residence, 135 Henry street, and the funeral services will be held in St. Theresa's Roman Catholic Church to-morrow morning. The interment will be in Calvary Cemetery. John Collins was a Republican whose prominence in the party organization dated from the time when the late Chester A. Arthur was the leader of the Republican machine in this county. Collins was a great admirer of the late President. He named the Republican association of the district the Arthur Club, and one of his sons is Arthur Collins. Collins naturally followed the old Arthur round table knights when the party was split into factions, and attached himself to the Brookfield wing. Had he lived he would have been appointed to an important place in the Department of Public Works. Mr. Collins was 55 years old. He was Deputy Surveyor of the Port under President Harrison. He leaves a wife and four children, three of whom are sons. The eldest of these, John J., is spoken of as the possible successor of his father as the Republican leader in the Fourth district, but a formidable candidate for the place is William Groseman, whose candidacy will appeal to the recently increased Jewish element in the district organization.

Oscar Zollikoffer died at his home, 210 West Forty-sixth street, on Sunday at the age of 85 years. Mr. Zollikoffer was born in Switzerland on Jan. 24, 1810. When 27 years old he came to this city and went into business as a dry goods importer, and he continued in that business for more than twenty years, amassing considerable property. In 1858, when the Metropolitan Gas Light Company was incorporated, he became the Secretary and Treasurer, and shortly after he was chosen President in recognition of his services in the interest of the company. When this company merged with many others to form the Consolidated Company Mr. Zollikoffer became a trustee and Vice-President of the new organization. He resigned his Vice-Presidency three months ago. He was also a director of the Germania Bank, which he helped to found. Although a Swiss by birth Mr. Zollikoffer found most of his friends here among the Germans. He was at one time a member of the German Club, and at the time of his death belonged to the Arion and Liederkranz societies. He leaves three daughters and a son, Oscar F. Zollikoffer.

Mrs. Ella A. Wheeler, wife of Dr. Schuyler S. Wheeler, died yesterday at her home, 34 Gramercy Park, after an illness of three months. She was the only daughter of the late Richard N. Peterson, a diamond importer and member of the old firm of Baldwin, Sexton & Peterson. Her mother, Henrietta Peterson, is a lineal descendant of "Elder" William Brewster, one of the founders of the Plymouth colonies. She married Mr. Wheeler about five years ago, and was closely in sympathy with him in his electrical and literary work, besides taking an active part in the administration of her father's estate. She leaves an infant son. Mr. Wheeler is President of the Crocker-Wheeler Electric Company, whose factory at Ampere, N. J., was partly burned on Sunday night, entailing a loss of about $150,000.

Mary H. L. Ingraham, mother of George L. Ingraham, Justice of the New York Supreme Court, died at her home, 29 Waverley place, on Saturday morning. Mrs. Ingraham was born in Guilford, Conn., in 1815. Since her marriage to Daniel P. Ingraham, in 1838, she resided in this city. Her husband was a member of the Supreme Court bench. Three sons, David P., Arthur, and George L., survive her. She was a member of the Dutch Collegiate Church, and for many years she was Vice-President and trustee of the Home of the Friendless in Fifth avenue.

Capt. James H. Eldridge of Sag Harbor, L. I., died on Saturday last, aged 82 years, having been born at Sag Harbor March 13, 1813. He was the first officer of the first ship that ventured through Behring's Strait to cruise the northern seas for whales, and is the man whom Lieut. Maury of the United States navy quotes as authority in his Government reports relative to whales.

William Bowne, 59 years of age and a life-long resident of Flushing, L. I., died at his home near Ireland Mills on Sunday night. Death was due to heart disease. For ten years he had been superintendent of Durkee's Spring Hill stock farm, and was very well and favorably known among stock breeders.

Ex-Gov. James L. Kemper of Virginia died at his residence in Orange, Va., on Sunday, of heart trouble, aged 72 years. He commanded a brigade in Pickett's division of the Confederate army during the civil war.

ANDREWS AGAIN OUTVOTED

DISPUTE IN THE POLICE BOARD OVER THE ELIGIBLE LIST.

It Was Unnecessary, as the Civil Service Board Will Send in No More Names from the List Which Expired on Sunday

At a meeting of the Police Board yesterday pension of $300 per annum was granted to the widow of the late Capt. Slevin. Thomas McNamara, Eugene Sullivan, William Tabell, James P. Ryan, Thomas J. Ball, William Tuomey, Peter W. Connor, Patrick Donovan, William H. Kinsler, and Eugene C. Casey were appointed policemen on probation. Probationer Kinsler is the son of a policeman. He was formerly a professional ball player.

Commissioner Andrews moved that the Civil Service Board be asked for another eligible list to fill ten vacancies. Commissioner Kerwin said that the present eligible list expired on April 7, and that there was no other list in force at this time. Mr. Andrews replied that he believed the Civil Service Commissioners had extended the time of the list.

"We have no information to that effect," said Commissioner Murray.

"Well," replied Commissioner Andrews, "let us send for a list, and we will find out very soon whether there is a list or not."

"But the rule has been that the candidates remain on the eligible list for a year from the time of their examination," said Commissioner Murray, "and the Commissioners have got to take the responsibility of making the appointments. If the present list is dead, the appointments of any more men from the list would be illegal."

"We have nothing to do with the civil service examinations, anyway," retorted Mr. Andrews. "That is the business of the Civil Service Commissioners. All this Board has to do is to send for the list, and the Civil Service Commissioners will send it to us."

"There has been no examination since last April," contended Commissioner Murray, "and consequently there can be no new eligible list, so I do not see the necessity of sending for a list."

Commissioner Kerwin wanted to know whether it was lawful for the Civil Service Board to extend the time for the expiration of the present list.

Mr. Andrews said the matter came under one of the civil service regulations, and for aught he knew the time had been extended.

"Any way," he continued, "there has been an examination since April last. I was told an examination was held last fall."

Messrs. Murray and Kerwin said they believed not.

"Well, let us send for a list and find out," said Mr. Andrews, impatiently.

"I think," said Mr. Murray, "we should first find out as to the legality of the present eligible list."

"That is asking an unnecessary question," responded Commissioner Andrews, "and losing unnecessary time. We want a list, and we should ask for it."

Chief Clerk Kipp informed the Board that an examination was held last November.

Mr. Andrews moved that a list be called for. Messrs. Kerwin and Murray voted against it, and it was lost.

Gen. Kerwin then said:

"The examinations before the Civil Service Board are anything but creditable to its examiners. Some of the men on the list whom we have had before us never received their ratings on merit alone. If they did, then I must say that the examinations must be conducted with more carelessness and stupidity than I have ever heard of in a public office. Last week we rejected three of the men sent us on one list."

Gen. Kerwin moved that the Civil Service Board be asked whether the present eligible list was still in force. The motion was carried, Mr. Andrews voting in the negative. President Martin is still ill.

No more names of men eligible to appointment as policemen will be sent to the Commissioners by Secretary Lee Phillips, of the Civil Service Board, from the list of applicants who passed the examination on April 7, 1894. That list, which still contained about 550 names, ran out on Sunday. There are about sixty men, however, on another list, the result of an examination of 100 applicants last November. At that time Mr. Phillips introduced a plan for examining 100 men every month. This was upset in December by the examination for park policemen, and in January by one for firemen. Mr. Phillips intended to pursue his plan in February, but the new Board, when it came into office, suspended proceedings until further notice. There are at present about 275 vacancies on the police force, including eight captaincies. Only twenty-nine vacancies have been filled since last May.

The first of the policemen from the eligible list to whom appointment was refused by the Police Board brought an action in the Supreme Court yesterday. He was William H. Kilgannon. Through his attorney, Louis Grant, he obtained from Judge Beach an order directing the Police Commissioners to show cause why a mandamus should not issue against them compelling them to appoint Kilgannon a probationary patrolman, as provided by the rules.

Kilgannon says that he is 27 years of age and passed the civil service examination with an average of 93. When he was called before the Board he said that for the past six months he had been keeping bar for his brother without remuneration until he could get something else to do, and that, prior to that time, he had been part owner of an express business in the Gansevoort Market. He says that for no other reason than that he was at the time tending bar he was rejected as a probationary policeman and deprived of his rights.

The Police Department's Black List.

Chief Clerk Kipp of the Police Department has, at the request of Commissioner Andrews, prepared the following statement showing the police officers who are under indictment for crime, and a record of those who have been suspended from duty by the Board:

William W. McLaughlin, Inspector, Detective Bureau, bribery, suspended March 19, 1895.
James K. Price, Captain, Eighth precinct, extortion, suspended March 19, 1895.
Jacob Siebert, Captain, Thirteenth precinct, bribery, suspended March 19, 1895.
John J. Donohue, Captain, Sixteenth precinct, extortion, suspended March 19, 1895.
Max. F. Schmittberger, Captain, Thirty-fifth precinct, bribery, not suspended.
Michael J. Murphy, Captain, Twenty-sixth precinct, bribery, suspended March 19, 1895.
Thomas Killilea, Captain, Thirty-second precinct, bribery, suspended April 6, 1895.
William E. Frink, Detective Sergeant, Detective Bureau, bribery, not suspended.
William O'Toole, Sergeant, Third District Court, extortion, not suspended.
Michael A. Downs, roundsman, Twenty-second precinct, bribery and blackmail, not suspended.
Bernard A. Dunn, patrolman, Eighth precinct, assault, third degree, not suspended.
Bernard Murphy, patrolman, Sixteenth precinct, assault, suspended March 19, 1895.
Edward Grinnon, patrolman, Twenty-seventh precinct, assault and battery, not suspended.
John Kenny, patrolman, Twenty-seventh precinct, extortion, not suspended.
Jeremiah S. Levy, patrolman, Thirty-first precinct, bribery, not suspended.
John H. Burley, patrolman, Thirty-first precinct, attempted rape, not suspended.
Kearn J. Larkin, patrolman, Twenty-third precinct, bribery, not suspended.
Conrad Schellenberger, patrolman, Eleventh precinct, assault, not suspended.
Augustus J. Thorne, patrolman, Fifth precinct, bribery and perjury, not suspended.
Henry W. Shill, patrolman, Fifth precinct, bribery, perjury, and extortion, suspended March 19, 1895.
George F. Sheridan, patrolman, Second precinct, assault, not suspended.
Charles W. H. Finken, patrolman, First precinct, bribery, not suspended.
Hugh Cassidy, patrolman, Twenty-ninth precinct, attempted extortion, suspended April 6, 1895.
Edward F. Miley, patrolman, Twenty-ninth precinct, attempted extortion, suspended April 6, 1895.
John H. Turall, patrolman, Twenty-ninth precinct, attempted extortion, suspended April 6, 1895.

Dock Board Appointments.

Augustus T. Docharty, Secretary of the Dock Board, not having resigned as requested by the new Republican Board, was removed from office yesterday, and George S. Terry of the Union League Club and Whitestone, L. I., was appointed in his stead. Mr. Terry's salary will be $3,000 a year.

DeWitt Clinton Wheeler, who was formerly a Republican Police Commissioner, is an applicant for appointment as a Dock Master. Mr. Wheeler occupies the unique position of a Republican whose ambition for place is not opposed by either of the warring factions of the party. Both sides recognize in him a Republican who contributed freely to party success in the old days.

Appointments by the President.

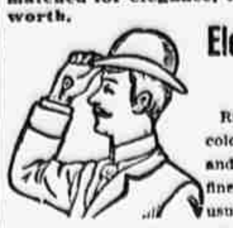
WASHINGTON, April 8.—The President to-day made the following appointments:

William A. Bray of Indiana, to be Surveyor of Customs for the port of Michigan City, Ind.
Joseph J. Morrison of New York, to be assistant appraiser of merchandise in the district of New York.
Henry F. Kiffield of Massachusetts, to be assistant appraiser of merchandise in the district of Boston and Charlestown, Mass.
J. Thomas Leary of Massachusetts, to be special examiner of drugs, medicines, and chemicals in the district of Boston and Charlestown, Mass.
Henry Herwig, to be a chief engineer in the navy, with rank of Lieutenant.

Gen. Joseph J. Morrison was born in this city 59 years ago, and at the breaking out of the war organized a light battery, which was attached to the Third New York Artillery, and went to the front as its Captain. A year later he organized the Sixteenth New York Artillery, and returned from the war a Brevet Brigadier-General. He has long been the New York representative of a Philadelphia upholstery firm. He has lived in Brooklyn for the past fifteen years, and his political activities have been confined exclusively to participation in the Shepardite revolt against the regular Democratic organization. He is a close personal friend and near neighbor of Mr. Shepard in the Sixth ward. He was an enthusiastic supporter of Mr. Schieren in the Mayoralty contest in 1893.

Kennedy 12 Cortlandt St.

Our exhibit of Spring headwear is unmatched for elegance, variety, and money's worth.



Elegant Derby at $1.90.

Rich in quality, new in color. Finer felts at $2.35 and $2.90, and the very finest at $3.40, such as are usually sold at $5.00.

Spring Style Silk Hats, $3.90, $4.80, $5.80.

Your high-priced hatter asks $2.00 advance on each grade

Men's Shoes.

$5.00 PATENT LEATHER AT $3.29.

Made from Cornelius Huyle's patent leather, the very best in the world; all widths, in the popular shapes; made to be $5.00; we level them to **$3.29** a pair.

Spring Gloves.

Walking Gloves of undressed Mocha, **98c.**

Dressed Kid (pique), **98c.**

Gray Suedes, **$1.39.**

Dent's newest styles Smyrna, Gold Tan and Belgravia.

Shirts and Drawers.

Pure Silk, $2.49 each; worth $5.00.

Silk and Wool Mixed, $1.49; worth $3.00.

Wool (spring weight), 73c.; worth $1.00.

ARMY AND NAVY ORDERS.

Changes in the Service Assignments Announced at the Departments.

WASHINGTON, April 8.—Capt. Silas Terry, commanding the flag ship Newark of the south Atlantic station, will be detached from that vessel on May 1, ordered home, and have two months' leave. His successor will be Capt. Yates Sterling, who will sail from New York on April 27 with several officers who go out to relieve others detached and ordered home. Ensign A. T. Long is detached from the New York State school ship St. Mary and ordered to duty in the coast survey. Assistant Paymaster F. J. Semmes is ordered to the receiving ship Franklin at Norfolk. Lieut. Houston Eldridge is ordered to the receiving ship Vermont. Assistant Surgeon A. W. Dunbar is detached from the Vermont and ordered to the Newark. Assistant Surgeon H. Lamotte, detached from the Newark, is ordered home, and gets two months' leave. Passed Assistant Surgeon G. M. Pickrell is detached from the Newark and gets three months' leave. Lieut. D. D. Stuart is detached from the St. Mary's and ordered to the Newark. Lieut. W. H. Turner is detached from the Newark and gets three months' leave. Ensign W. Hulme is detached from the Vermont and ordered to the St. Mary. Assistant Engineer W. Allen is detached from the New York Navy Yard and ordered to the Newark.

The following army orders have been issued: Capt. Charles H. Clark, ordnance department, will proceed from Frankford Arsenal, Philadelphia, to the works of the Winchester Repeating Arms Company, New Haven, on official business pertaining to the inspection of small arms cartridges to be furnished to the ordnance department. Leave of absence for seven days is granted First Lieut. George Palmer, Ninth Infantry Acting Assistant Quartermaster. Leave for twenty days is granted to First Lieut. Henry L. Harris, First Artillery.

The retirement from active service by operation of law of Capt. William N. Tisdall, First Infantry, is announced. The leave of absence on surgeon's certificate of disability granted to Second Lieut. Joseph C. Fox, Thirteenth Infantry, is extended one month on account of sickness. Leave of absence for four months, to take effect not later than May 15, is granted to First Lieut. James K. Thompson, Adjutant Twenty-third Infantry.

Capt. William Banister, assistant Surgeon, will be relieved from duty at Fort McIntosh, Tex., and will report to the commanding officer at Fort Omaha for duty. Leave for a month, to take effect upon his relief from duty at the United States Military Academy, West Point, N. Y., is granted First Lieut. Frederick P. Reynolds, assistant Surgeon.

ADMIRAL MEADE'S FLEET.

It Leaves Kingston for Port-au-Prince, —The Cincinnati for Port Antonio.

WASHINGTON, April 8.—Admiral Meade cabled the Navy Department this morning from Kingston that his squadron would leave at once for Port-au-Prince, Hayti, with the exception of the Cincinnati, which would go to Port Antonio. This despatch was somewhat surprising to the naval authorities, as the fleet is already overdue at Colon, where the Admiral asked to have his mail sent after April 1. It is explained, however, that Minister Smythe at Port-au-Prince was greatly disappointed when the squadron sailed directly from San Domingo for Kingston, omitting Port-au-Prince, which had been on the fleet itinerary, and he complained to the Navy Department of the omission. It was considered very harmful to American interests for the war ships to avoid the Haytian port, and it is thought the Admiral has taken this opportunity, while the squadron was in the vicinity, to rectify the mistake. It is also explained that Admiral Meade was compelled to hurry from San Domingo to Kingston because the fuel of the ships was running low and the coal supply was at Kingston awaiting him. It is presumed that after a few days at Port-au-Prince the fleet will proceed to Colon.

It is not so easy to explain the mission of the Cincinnati to Port Antonio. This is situated on the northeast coast of Jamaica, not over a hundred miles from Kingston, and is important as the landing place of the cable and the stopping point of many American fruit steamers. It is also directly opposite Santiago de Cuba, and would be an ideal point of departure for filibusters, who might tranship arms and ammunition from fruit steamers to Cuban schooners. It is said at the Navy Department that the Admiral has a perfect right to order the ships of his command wherever he pleases without explaining his reasons, the sole restriction being that he must inform the department of their whereabouts. No orders have been sent from Washington in reference to the movements announced to-day.

Mrs. Langtry Sued for Damages.

Mrs. Lillie Langtry, the actress, is the defendant in a suit brought in the Supreme Court by Theatrical Manager M. B. Leavitt to recover $1,200 damages for alleged breach of contract. The notice of the suit was served upon Mrs. Langtry's lawyers yesterday. The plaintiff asserts that by reason of Mrs. Langtry's failure to keep a contract to perform with her company in Leavitt's Denver theatre, about three years ago, he sustained the damages claimed. This is said to be a test case, as there are a number of other managers who claim to have lost by the cancellation of Mrs. Langtry's dates for an entire season.

The Weather.

The storm yesterday was central over the lake region and the Ohio Valley. It is attended by rain, warmer weather, and fog east of Kansas. Very heavy rains fell over the South Atlantic States. At Augusta the fall was 2.79 in twenty-four hours. During the morning the fog increased along the coast and it was very thick in New England. The wind also increased in force north off Hatteras and blew on shore with a velocity of from 30 to 40 miles an hour. Over the extreme west and northwest portion of the country the weather was clear, with a temperature ranging close to the freezing point during the morning. It was warmer in all the Atlantic States, where the temperature ranged between 50° and 60°.

In this city showers prevailed, with fog, throughout the day. Highest official temperature, 53°; lowest, 40°; average humidity 95 per cent.; wind southeast, average velocity twenty-four miles an hour; barometer corrected to read to sea level at 8 A. M., 30.02; 3 P. M., 29.87.

The thermometer at Perry's pharmacy, SUN building, recorded the temperature yesterday as follows:

	1894.	1895.		1894.	1895.
3 A. M.	35°	43°	3:30 P. M.	41°	59°
6 A. M.	35°	47°	6 P. M.	40°	52°
9 A. M.	35°	50°	9 P. M.	39°	52°
12 M.	38°	54°	12 M.	36°	52°

Average .... 50¾°
Average, April 8, 1894 .... 37¾°

WASHINGTON FORECAST FOR TUESDAY.

For Connecticut, rain; cooler in western and northern portions: easterly gales.

For eastern New York, rain; cooler; high easterly winds.

For New Jersey, rain; cooler in the interior; high easterly shifting to northerly winds.

For One Dollar cash with order I will send material to stop leak in any roof. Write for catalogue.

LEAKY ROOFS

Made watertight or no charge. Estimate free.
G. E. GLINES, 40 West Broadway, N. Y.