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TRUCE IN RATE WAR.

CESSATION OF HOSTILITIES FOR THE PRESENT—STRONG EFFORTS TO SETTLE DIFFERENCES.

By TELEGRAPH TO THE TRIBUNE. Chicago, July 9.—A cessation of hostilities was declared to-day in the freight rate war of the Chicago-Missouri River railroads at a conference of traffic officials in Chicago. A temporary agreement was reached, by which none of the railroads would take control of freight at cut rates pending a meeting of the Western trunk line committee on Friday. This is believed by traffic officials to be the beginning of the end of a rate war which may be settled before it has fully begun.

Remorse were current here to-day that the Atchison, Topeka and Santa Fe road, which has announced a cut rate schedule to go into effect July 15, and issued rating cards, had withdrawn the schedule. General Traffic Manager Biddle entered a strong denial that such was the case, and stated that his road had made no change in the schedule as originally issued. Later in the day Vice-President Paul Morton made the statement that his road was privileged to withdraw the new rates if it was considered advisable, but had taken no action so far.

DEATH OF NAPOLEON LE BRUN.

THE AGED ARCHITECT PASSES AWAY AT HIS HOME IN THIS CITY.

Napoleon Le Brun, the architect, died from old age at 6 p. m. yesterday at his home, No. 22 West Twenty-third-st. He was born in Philadelphia in 1822. His father was a Frenchman, and his mother an emigre of 1789, while the father, Charles Le Brun, came to this country early in the century. The son, who was an only child, was educated in Philadelphia, and entered the office of T. B. Walter, being with that architect when he designed the new building for the Episcopal and South Presbyterian Churches in Philadelphia, and subsequently built in that city the Roman Catholic Cathedral and the Academy of Music.

WIELDS UMBRELLA IN THEATRE.

IT DESCENDS ON HEAD OF MAN WHO CALLED THE WRONG WOMAN "DEAR"—CROWD CHASES HIM.

A man with a big, black mustache and a young woman in a blue dress, walked into the lobby of Proctor's Fifth Avenue Theatre last night. Right behind them was a woman who carried a large umbrella in her hand. The man walked up to the ticket seller.

CROW COMMITS SUICIDE.

THROWS INTO A POND AND HOLDS HER HEAD UNDER WATER.

According to Theodore Combes, a dairyman of West Forty-sixth-st. and the Newark Bay shore, Mrs. N. J. backed by several of his neighbors, one of the cows belonging to the herd committed suicide yesterday afternoon. The animal escaped from the pasture and ran down Forty-sixth-st. to Avenue E. She turned south and raced as far as East Street, where it crossed the tracks of the Newark Bay and Hudson River Railroad.

GOVERNOR TO SEE BULL FIGHTS.

NARROW ESCAPE FROM TRAGEDY SERVES TO INCREASE ATTENDANCE.

BY TELEGRAPH TO THE TRIBUNE. Omaha, Neb., July 9.—The bull fight to-night attracted an enormous crowd, because of the accident in which one of the toreros was gored and tossed on the horns of one of the bulls last night. The unfortunate Mexican is in the hospital. Two ribs are broken and his breast is ripped open. The spectacle appears to have whetted the appetite of the morbidly curious, and to-night seven thousand people crowded into the arena. Before the bulls were released the master of ceremonies announced that at both fights to-morrow Governor Savage of Nebraska and his staff would occupy a box. Efforts are being made to secure the attendance on Saturday of the Governor of Iowa.

The Mexicans are disappointed because they have not yet been permitted to kill a bull. They were given to understand, they say, that they would be permitted to slaughter the bulls in Omaha the same as in Mexico. They assert that their companion would not have been gored last night had they been permitted to do as they pleased with the animal was about to gore the torador. The mad animal, they say, that when they found the animal was about to gore the torador, the mad animal would have promptly hamstringed the beast. The understanding is that the local ministers will attend the fight to-morrow and use what they see as the basis for their sermons next Sunday.

NO TRACE OF JAMES J. COOLEY.

CITY EMPLOYEE WHO FELL FROM RIVER BOAT, DROWNED, IS THOUGHT.

Newburg, N. Y., July 9.—James J. Cooley, a New York City employee, who fell from the deck of a boat on Sunday night near Irvington, and who was reported to have been saved by a yacht, is now said to have been drowned. The steamboat people here say they have made inquiries, and learn that he was not picked up by a yacht. Cooley was assistant to the chief engineer in the Department of Highways.

NEGROES ASK FAIR PLAY.

EARNEST PLEAS AGAINST DISCRIMINATION MADE TO THE VIRGINIA CONVENTION.

BY TELEGRAPH TO THE TRIBUNE. Richmond, Va., July 9.—Representative Virginia negroes were heard to-day by the suffrage committee of the Constitutional Convention, and made earnest pleas against discrimination against their race in the restriction of suffrage. There were a large number of negroes, chiefly ministers and educators, from various sections of the State. John W. Daniel presided, and the speakers had unlimited time. The committee was addressed by the Rev. F. C. Henderson, W. H. Crawford and H. C. Carter, of Halifax County; Professor D. W. Davis and the Rev. Z. D. Lewis, of Richmond; and William P. Morton, of Albemarle County.

BROOKLYN WOMEN IN BOILING MUD.

ACCIDENT TO MRS. ZABRISKIE AND HER DAUGHTER IN YELLOWSTONE PARK—FATAL RESULTS FEARED.

Helena, Mont., July 9.—Reports received here to-day from Mammoth Hot Springs, Yellowstone Park, state that the two women who fell into the boiling mud of the Paint Pots Geyser, at the Thumb, on Yellowstone Lake, on Saturday, are believed to be Mrs. Zabriskie and daughter, of Brooklyn. They, with a party of tourists, entered the park by way of Monday.

TO PAY FRANCHISE TAXES.

ROCHESTER AND BUFFALO COMPANIES TO BE THE FIRST TO SETTLE WITH THE STATE.

BY TELEGRAPH TO THE TRIBUNE. Albany, July 9.—Is corporation resistance to the franchise tax law to end? Apparently some big corporations at least have decided not to fight much further the franchise tax law, for today Attorney-General Davies, through Deputy Attorney-General Cowan, accepted a stipulation for the payment of the taxes of most of the big corporations in Rochester. The corporations promised to pay the tax on their franchises at once, only reserving the right to take back their money if the franchise tax law proves to be unconstitutional.

JOHN M. CRANE IN SURGEON'S HANDS.

John M. Crane, president of the National Shoe and Leather Bank, is seriously ill at his home, in Jamaica, Long Island, on Friday and Saturday last he had to undergo two surgical operations. Dr. Eugene Fuller, a surgeon, of No. 100 Lexington-st., performed the operations on the second day, only because it was absolutely necessary in order to save the patient's life. Last night Mr. Crane's condition was reported as satisfactory and that at his home thought he would recover.

RUSSIA'S OFFER DECLINED.

M. DE WITTE PROPOSED A SETTLEMENT OF THE TARIFF DISPUTE.

WASHINGTON, July 9.—Another important exchange of notes has occurred between the Russian Government and the United States relative to the tariff. The Russian Minister of Finance, M. de Witte, has offered to vacate all of the additional duties levied on American goods since the imposition of the sugar differential if the United States will vacate its action on the sugar duties. Secretary Gage has replied that the offer of the Russian Government cannot be accepted, as the question of the sugar differential is now in the hands of the courts, thus precluding action by the executive branch. These exchanges, although nominally made by the Minister of Finance and Secretary Gage, have gone through the Russian Foreign Office and the State Department.

The proposition of the Russian Minister of Finance was the direct result of Secretary Hay's note of about two weeks ago. In that note Mr. Hay pointed out that the action taken as to petroleum was not new, nor was it meant to have any connection with the previous action of the government on sugar. This appears to have caused the Russian officials to change their view that the petroleum order was only another step in the policy previously taken respecting sugar. Accordingly, M. de Witte's response was communicated to Washington, Count Lamsdorf forwarding it to M. de Wollant, the Russian Chargé d'Affaires here. It is not long, but is to the point. It makes no further issue as to the petroleum order. The chief attention is given to sugar, and the specific order is made to vacate immediately the increased duties which Russia has levied if the United States will vacate its action on sugar. This would amount to re-establishing the situation which existed before the United States took its first action relative to Russian sugar.

The Russian proposition was duly communicated to Secretary Gage, who promptly responded that as the sugar question is now before the courts it is not possible for him to avail himself of the Russian suggestions. Thus the matter stands.

The reductions which would have resulted under M. de Witte's tender are those affecting cast iron, iron pipes, iron and steel, boiler work, tools for artists, factories and workshops, gas and water meters, motors and dynamos, sewing machines, portable engines, not including threshing machines, fire engines and other machinery of iron and steel; also white resin, galipot, brewers' pitch and bicycles. The increased duties on iron and steel goods followed after the imposition of the sugar differential, while those on bicycles and resin followed the increase on petroleum. M. de Witte's proposal was to take off all the increased duties. In his letter it is said that the second retaliatory move, on bicycles and resin, was not due to the American action on petroleum, although it had so appeared in the original Russian note, but that it related to the American action on sugar.

This is thought to be the result of Secretary Gage's reply to Russia to the effect that its action in increasing the duty on American bicycles and resin was a violation of the treaty between the two countries.

SAILOR STICKS TO YACHT SIDE.

WILLIAM DUPONT'S YACHT STREAMED AHEAD WHILE SWEDS WUNG FROM PORTHOLES.

Last evening the big steam yacht Au Revolt, owned by William Dupont, the wealthy powder manufacturer, which has been off on a cruise for some months, appeared in the North River, opposite Bellevue Hospital, and those on shore saw a small boat lowered from her. Several persons entered the boat, which was in charge of a Swedish sailor. The boat was rowed to the Twenty-third-st. pier, where the party was landed. Then the Swede pulled for the yacht. A very swift tide was running, and the sailor had difficulty in getting back.

Just before he reached the yacht's side, the vessel got under way, without waiting for the man to make fast to her. Fearing that he would be left, the sailor seized hold of one of the portholes in the side of the vessel and hung on. Then he grabbed hold of another, just astern of this first one, and continued to swing from one to the other until cries went up from shore. "Look out, the propeller will hit you!" All this time the people on board seemed totally oblivious of what was going on at the side of the yacht. Finally, such a shout was raised from the shore that some one leaped over to see what was attracting all the attention. The sailor was soon hauled aboard.

Meanwhile, the rowboat was scudding downstream. The ferryboat Montana was steaming across, and narrowly missed crashing into the frail craft. At Eighteenth-st. the tug Harris, with several barges in tow, cast off her tow and, capturing the frail craft, steamed to the Au Revolt, which had stopped, and returned the boat to her. The craft was hauled aboard, the crowd cheered, the tug went back after her tow and the yacht proceeded on her way to Newport.

Directors of the Seventh National Bank who were seen yesterday declined to talk about the reports that irregularities had been discovered, and that criminal prosecutions would be begun by General Burnett. William Nelson Cromwell, the special counsel for the bank in its present trouble, refused to discuss the subject, although the directors referred newspapermen to him and said he was the only person who would talk about the bank's affairs.

A meeting of the bank's directors was held in Mr. Cromwell's law office, at No. 49 Wall-st., at 10 a. m. Among the directors who were present were E. R. Thomas, who became president of the bank on the day before the failure; William H. Kimball, the former president; Perry S. Heath, Fletcher Heath, James E. Sullivan, Alexander McDonald, General Orr and Guy W. Major. Great pains were taken to prevent newspapermen from obtaining information of the proceedings at the meeting until late in the afternoon. When the directors left Mr. Cromwell's office they would not talk, referring reporters to Mr. Cromwell as the only source of information. One director who departed earlier than the rest said the feeling at the meeting seemed to be in favor of reorganizing the bank, but no decision had been reached. "Of course," he said, "such a plan carries with it the payment of all the creditors in full."

MR. CROMWELL'S STATEMENT.

After the meeting Mr. Cromwell would not allow himself to answer inquiries, but he dictated the following statement, declaring that it was all that could be said about the meeting of the directors:

Mr. Cromwell stated that the board of directors had been in continuous session most of the day, having before them for the first time since the suspension of the bank, and that the board had made considerable progress in considering possible plans for reorganization, but that no conclusion had yet been reached, and in the nature of the case, could not be for several days.

That the board had adjourned to meet on Thursday next to receive further reports of committees and counsel.

Mr. Cromwell stated that it was true that he had gone to Washington on Friday to see Controller Powers and that the Controller had manifested a most considerate disposition to give the directors and stockholders reasonable opportunity to reorganize or voluntarily liquidate.

Many Wall Street men said yesterday afternoon that they did not believe the Seventh National Bank would be reorganized. The business of the bank had been ruined, they said, and it would be a costly undertaking to pay all the bank's debts and place it on a sound financial basis again.

BURNETT MAY PROSECUTE.

POSSIBLE CRIMINAL PROCEEDINGS IN SEVENTH NATIONAL CASE.

UNITED STATES ATTORNEY SAYS THAT REORGANIZATION WILL NOT MAKE ANY DIFFERENCE—KNOTTY PROBLEMS IN BANK'S BOOKS.

An intimation of possible criminal proceedings against some officials of the wrecked Seventh National Bank was given yesterday by General Henry L. Burnett, the United States Attorney for the Southern District of New-York. He said his attention had been called to discoveries in the books of the bank that required examination by an expert accountant, and he had asked for permission to employ E. P. Moxey, an accountant of the Treasury Department, in the investigation of the books. If it is found that there has been overcertification of checks by officials of the bank, in violation of the statutes, General Burnett said, criminal proceedings will be begun immediately.

General Burnett had a long conference yesterday morning in his office in the Federal Building with Captain W. S. Ball, his assistant, who was directed recently to consult with Forrest Raynor, the bank examiner in charge of the investigation of the Seventh National Bank's affairs. Assistant United States District Attorney Houghton was called into the conference before its close. After the conference was over General Burnett said to newspapermen:

"Captain Ball has brought to my attention some discoveries that were made in the books of the Seventh National Bank. I do not care to say at present that anything of a criminal nature has been discovered, but a closer examination of the books is made necessary, and I have written to the Department of Justice in Washington asking for permission to employ Mr. Moxey in the investigation. Captain Ball will continue to work with Mr. Raynor until the investigation has been completed. Nothing will be done in the way of beginning criminal prosecutions until the investigation is finished."

General Burnett was asked if he intended to attend the meeting of the directors of the Seventh National Bank, which had been called for 10 a. m. yesterday, and he replied that he had no thought of attending such a meeting. He was told that the directors were considering plans for reorganizing the bank and paying the depositors in full, and was asked if such a reorganization would prevent criminal proceedings if irregularities were discovered.

NO HINDRANCE IN REORGANIZATION.

"A decision by the directors to reorganize the bank," General Burnett replied, "would have no effect on our effort to ascertain if there has been a violation of the United States statutes in the past management of the bank. If we find that there was overcertification of checks by the bank's officers, contrary to the statutes, we will proceed against them whether or not they have squared themselves with their creditors."

"Do you mean to say," General Burnett was asked, "that if it is discovered that there was overcertification of checks by the officials of the bank, contrary to the United States statutes, you will proceed against the officials responsible for such overcertification?"

"I do," was the reply, "and the only effect that a reorganization of the bank might have would be possibly to prevent some of the depositors from appearing as witnesses for the government."

When asked how soon any developments might be expected in the case, General Burnett said: "All I can say is that you are to keep your eyes open."

Forrest Raynor, the National Bank Examiner now in charge of the Seventh National Bank, said yesterday to a Tribune reporter that his investigation of the bank's affairs was nearing its close, but he could not state when his report to the Controller of the Currency would be ready. The report, he said, would be made public first in Washington. Mr. Raynor said he could not speak of any discoveries made in the books of the bank until he had sent in his report.

The intention to employ Mr. Moxey, the accountant, sometimes called "Moxey the Silent," was said by some bank officials in the city yesterday to indicate that there were some difficult riddles to be read in the books of the Seventh National Bank. Mr. Moxey has been in the employ of the Treasury Department for years, and investigates intricate and important cases.

THINKS THERE ARE NO IRREGULARITIES.

Frank Sullivan Smith, the assignee of the firm of Henry Marquand & Co., said yesterday that he did not know of any irregularities in the Seventh National Bank. It was the understanding at the time of the bank's failure that overcertification of Henry Marquand & Co.'s checks by the bank was a cause of the failure. The firm went under on the day after the bank closed its doors.

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TAMMANY MEN GUESSING.

IN DOUBT AS TO THE EXACT TIME OF CROKER'S ARRIVAL—LEADERS WHO THINK CERTAIN AMBITIOUS ONES ARE TO BE CRUSHED.

Richard Croker has set the Tammany district leaders guessing by writing to a personal friend in this city a letter, in which he says, among other things:

"You'll have to get along without me in the campaign this fall.

The letter was received just before the Fourth of July, and was shown to several at the Wigwam on the Fourth. Mr. Croker also said that he was becoming fonder of Wantage, and that his stay there this time had greatly benefited his health.

Mr. Croker had given his friends who have visited him at Wantage to understand that he would return to New-York the last week in August or the first week in September. When Corporation Counsel Whalen was seen yesterday he said: "There is absolutely no doubt in my mind that Mr. Croker will return the latter part of August. He would not stay away during the municipal campaign."

Mr. Whalen added that he had not heard of the letter, and he thought Mr. Croker had not been correctly quoted. Other Tammany leaders think they see in the announcement a scheme on the part of Mr. Croker to find out just who his friends in Tammany Hall are. They think he is taking this method to "smoke out" men like Carroll and Sullivan, who are looking with long eyes on the leadership, and waiting for the time when Mr. Croker lays down the reins of power. The turning down of Sheehan and Martin was recalled yesterday when the letter was discussed. The conditions surrounding the Tammany leadership were such that Sheehan considered himself the active head of affairs, and he no sooner assumed that attitude than Croker crushed him and his friend Martin. Many of the leaders think that Croker is getting ready to punish some of the men who are asserting themselves too freely in the organization. One of them said yesterday:

"If Croker stays away Carroll will get up in Tammany Hall and say, 'This is the slate,' and in the absence of Croker there will be a fight. Then it will be time for Croker to reappear and shove the ambitious into the background."

The oldtimers in Tammany Hall are looking for a struggle one of these days between Carroll and Sullivan over the leadership. Sullivan is believed to be anxious to succeed Croker as the head of the organization. His friends assert that he is the most powerful and useful Democrat in the legislature, at Albany; that he has greater prestige at Police Headquarters than any other Tammany leader, and that he controls more districts than any other man. In support of this it is said that Sullivan is really making the fight in the 11th District against Divver, and that when Divver is down and out Sullivan, and not Foley, will be the real head of affairs. In the Senate district he is supreme, and the defeat of Borough President Haffen, in the Bronx, are beginning to charge that Sullivan is aiding the fight up there against Mr. Haffen. On more than one occasion Sullivan has gone straight to Croker and insisted on the nomination of a man distasteful to Croker, and he has carried his point every time.

GUARDSMEN NOT CENSURED.

CORONER'S REPORT ON KILLING OF W. M. WALSH, OF ALBANY, BY 23D REGIMENT MEN.

Albany, July 9.—Coroner H. J. Plantz to-day filed his report on the death of William M. Walsh, who was shot and killed on May 16 in Broadway, in this city, during the United Traction Company's strike, by a member of the 23d Regiment, of Brooklyn. After reciting the main facts connected with the strike, the Coroner says:

That about 4:30 o'clock in the afternoon of that day one of the cars of said company was being operated on Broadway, in said city, and was being driven by a detachment of the militia under the charge of Lieutenant Wilson, Company E, 23d Regiment, National Guard, New-York. That while said car was running on Broadway, and while between Columbia and Orange sts., its operation was temporarily obstructed. That further on and when about in front of No. 621 Broadway, the officer in command of the detachment on board of said car fired his revolver into the crowd of people standing on the east side of said street, and subsequently ordered his men to fire.

That as a result of said firing, William M. Walsh was shot and died at 10 p. m. on the same day, from the effects of the wound so received.

I further find that said Walsh was a peaceable citizen, engaged in business. That he was shot while standing at a point nearly opposite his place of business, and that he took no active part whatever in any disturbance which may have occurred at the time of said shooting.

FATAL FIGHT WITH SHOTGUNS.

FARMER KILLED BY SON-IN-LAW, WHOM HE WOUNDED, AND ALSO HIS DAUGHTER AND GRANDCHILD.

Tampa, Fla., July 9.—News reaches here from Plant City that as the result of a fight with shotguns near that place yesterday afternoon, Edward Franklin, a farmer, is dead and David Kinard, Franklin's son-in-law; Mrs. Kinard and their baby are all seriously wounded. Franklin, it is alleged, had employed a farmhand to do some ploughing, for which he was to receive 700 strawberry plants. The work having been finished, Franklin gave an order on Kinard for the plants. When the employed man presented the order Kinard refused to fill it. This was reported to Franklin, who immediately armed himself with a shotgun and went to the Kinard home. Arriving there he at once opened fire, it is said, on his son-in-law, missing him, but striking and seriously wounding his daughter and grandchild. Kinard ran for his gun, and returned the fire. Another volley was fired by each, Franklin falling dead and Kinard being seriously wounded. Kinard has not been arrested.

BALKY MULES LEAD TO MURDER.

NEGRO DRIVER SHOTS THEM AND KILLS THEIR OWNER.

Douglas, Ga., July 9.—"Jake" Devoss, a negro laborer on James McKinnon's plantation, was working a team of mules this morning. The mules balked, and Devoss flew into a rage. Flogging failed to move the animals. The negro went to his house, got a Winchester rifle, and shot both mules dead. Devoss's wife expostulated with him, and he turned the rifle upon her, inflicting a wound which may prove fatal. James McKinnon, who owned the mules, and his brother Charles, attracted by the shooting, started for the scene. The now wildly infuriated negro saw them coming and began shooting at them. Charles McKinnon was instantly killed, and James McKinnon was so badly wounded that he will probably die. Then Devoss escaped to the swamp. The county authorities were informed, and started in pursuit of the murderer with bloodhounds. He has his rifle, but it is not believed he has much ammunition. More bloodhounds is looked for.

JAYNE'S EXPECTORANT CURES SICKENED COLD—JAYNE'S EXPECTORANT—Adv.

Just then two young men seated themselves

CLAUSEN GIVES IN.

WILL REVOKE THE SPATE PAY CHAIR PERMIT.

INTENDS TO BUY THE SEATS AND CONFINE THEIR USE TO WOMEN AND CHILDREN.

President George C. Clausen of the Park Board early this morning at the Plaza Hotel gave out the following statement announcing that he would revoke the Spate pay chair permit:

"When I granted the privilege of renting chairs it was the distinct understanding that the matter was entirely experimental and might be discontinued at any time. When the privilege was granted I was firmly of the opinion, as I am now, that the system would be for the public good and especially for the benefit of women and children whose means would not permit them to leave the city during the summer, but who were anxious to use the benefits of the public parks.

"The Park Department is in receipt of hundreds of letters from ladies and gentlemen commending it for inaugurating the system of paid chairs, but the great public of New-York, so far as may be picked from the majority of great organs of public opinion, seems to condemn the innovation, and, much as I believe in it and still believe in it, I hold it to be the first duty of a public servant to bow to the public will.

"Above all things, I am of the mind that, right or wrong, nothing should be done to endanger the public peace, and, of course, it is needless to say that public property must be maintained for the use and enjoyment of all the people, in the parks, as elsewhere.

"Further than this, it is obvious that such riotous scenes as have been witnessed recently in Madison Square Park, no matter how produced, must be stopped at any cost.

"In this view, without referring, as I might, to the influential movement which has been maliciously and covertly directed against a fair trial of the plan of pay chairs, it only remains for me to revoke the privilege of renting chairs in the parks, which shall be done. And, for the benefit of the public, I propose to purchase the chairs now placed in the parks and to present them to the city, and confine their use to women and children."

SPATE MUSES AND LOSES.

DELICATE CLASS DISTINCTIONS IN HIS CHAIR SCHEME.

Fights and brawls continued yesterday over the Spate pay chairs in Madison Square. In spite of the reserve force of fifteen policemen, the crowd played pitiful havoc with the attendants of the chairs, and appropriated the seats at their will. A half dozen arrests were made in the course of the day and two in the evening. After reading about the riots of Monday Commissioner Clausen said yesterday that he still believed the public wanted the contractor's chairs, and that he would not revoke the contract. Oscar F. Spate sat in one of his chairs all day and counted up his expenses in a brewer's account book.

The fights that occurred yesterday were not attended with the same demonstration on the part of the crowd as on previous days. The encounters were more of a personal nature, and the blows exchanged were between some occupant of a Spate chair who did not wish to pay, and the attendant. The crowd was held in awe by the police, who immediately charged it in any provocation.

One incident in the renting of the chairs which caused considerable comment was the conspicuous part played by certain individuals who appeared to pay for their seats. One of these persons would take a seat and then when the crowd began to jeer him, would rise to his feet, search his pockets for some time, pull out the desired nickel, and then seat himself again with the greatest degree of comfort. After this kind of a performance had been watched by the crowd several times some one cried:

"That's a bluff."

Called him a decoy.

"He's a decoy duck," shouted another. "Spate gave him the change," was the cry of a third.

At the mention of the name Spate a man about fifty years old, dressed in loose black clothes, low black shoes and white socks, turned around inquisitively and resumed his study of a small account book. He was seated on the end seat of the row of Spate chairs near Madison-ave. There was an expression of dejection in the lines of the round face, which drew more tightly together as he continued adding up the figures in the account book. On inquiry it was learned that the man in the end seat was none other than Oscar F. Spate.

After Mr. Spate had finished adding up the last column and had struck the balance sheet with a still more melancholy look, he was asked by a Tribune reporter:

"Are you not somewhat discouraged over your enterprise?"

"At present I am somewhat discouraged," was the answer, "but I expect to come out all right in the end. My chairs have not had a fair trial."

"Do you think, then, that the people want them in their parks?"

"I believe a certain class of people want them," was the reply, "that is, the people of means and refinement. They do not want to sit heaped in with a lot of people who they do not know, and with whom they do not wish to associate. This class that I speak of is the leisure class, which in this city is very large."

"These chairs are not for the working people, then?"

"No. That is at once evident, if you see the kind of people sitting in them now. The laboring classes at this time of the day are away at their places of work. It is the roughs and the deadbeats that are around here raising all this trouble. They are the ones who have beaten my attendants and taken possession of my chairs. I do not understand why I cannot be protected in my experiment, but, on the other hand, the people I wish to cater to do not appreciate my ideas."

Just then two young men seated themselves