The Sun.

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BUTLER ANSWERS KEARNEY.

AN OPINION THAT WILL MEET WITH FAVOR IN CALIFORNIA.

Deciding that a State Has the Power to Levy a Capitation Tax on the Chinese, and Otherwise to Protect Itself from the Curse, if it is a Curse, of Chinese Immigration.

SAN FRANCISCO, Aug. 11.—The *Chronicle* prints the reply of Gen. B. F. Butler of Massachusetts to the questions propounded by Dennis Kearney in regard to the Chinese problem. The following is Butler's letter:

BOSTON, Mass., Aug. 8, 1878.

DEAR SIR: Having proposed to me certain questions of constitutional law regarding the rights and powers of the State of California, as one of the United States of America, in relation to the subjects of the empire of China, who now may be, or may hereafter come within its borders, I hasten to answer. Let me premise, however, that as these questions are of the gravest character, and the action which you inform me you propose to take toward the Chinese is to be of the most stringent nature, I would have greatly preferred to have taken time to answer when free from the many onerous engagements now pressing upon me, and after a thorough examination of the treaty provisions and the decisions given in correlative cases by the courts. But, as you say the time of your stay is limited, and as my own public duties call me away at once, I can give you only such impressions as occur to me on a too cursory examination of the subject. I am relieved, however, by the form of your questions, which only relate to the power of your State, and not to the propriety or wisdom of the action to be taken.

The treaty provisions which seem to bear upon this matter may be found in the treaty proclaimed at Washington on the 5th day of February, 1870, the treaty itself bearing the date, 28th day of July, 1868. By the fifth article of said treaty the United States and China "cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and emigration of their citizens and subjects respectively from the one country to the other for purposes of curiosity, of trade, or as permanent residents. The high contracting parties therefore join in reprobating any other than an entirely voluntary emigration for these purposes. They consequently agree to pass laws making it a penal offence for a citizen of the United States or Chinese subjects to take Chinese subjects either to the United States or to any other foreign country, or for a Chinese subject or citizen of the United States to take citizens of the United States to China or to any foreign country without their free and voluntary consent respectively." Article 6 provides that "Chinese subjects visiting or residing in the United States shall enjoy the same privileges, indemnities, and exemptions, in respect to travel or residence, as may there be enjoyed by the citizens or subjects of the most favored nation; but nothing herein contained shall be held to confer naturalization upon citizens of the United States in China nor upon the subjects of China in the United States." Article 7 provides that "Chinese subjects shall enjoy all the privileges of the public educational institutions under the control of the Government of the United States, which are enjoyed in the respective countries by the citizens or subjects of the most favored nation; and the citizens of the two countries respectively may freely establish and maintain schools within the empire of China at those places where foreigners are by treaty permitted to reside, and Chinese subjects may enjoy the same privileges and immunities in the United States."

Such being the treaty provision, you ask, first, "What power has a State, by provision in its Constitution, to prevent Chinese immigration?" I answer, under the decision of the Supreme Court of the United States and under the treaty, a State cannot, by its organic law or legislative action, prevent or hinder the immigration of the subjects of the empire of China.

Second—"What discrimination can it make by amendments to its Constitution against aliens and these not capable of admission to citizenship, and not conflicting with the Fourteenth Amendment to the Constitution of the United States?" To this I answer that the Fourteenth Amendment to the Constitution of the United States applies only to naturalized and native-born citizens of the United States, and therefore any action taken by virtue of its organic law by a State against aliens, and especially against the Chinese, who can never become citizens, will not conflict with that amendment to the Constitution, which guards the rights of citizens only.

Third—"Can we debar them by constitutional inhibition from fishing in our inland waters, from receiving license to engage in licensed business, from using our State courts, and from other privileges enjoyed by citizens?" I am of opinion that either by the organic law of a State, or by ordinary legislative act, the rights of fisheries in its inland waters can be wholly controlled. So in regard to the licensing to trade and do business, and that aliens may be made incapable of suing or being sued in the State courts, and deprived of other privileges enjoyed by citizens, I can have no doubt that all the matters referred to in the third question are within the power of the State, and that the State is not controlled or hindered in her internal police regulations by the "most favored nation" clause in the treaty.

Fourth—"Can a State levy a capitation tax on such aliens?" I am of opinion that, under the decisions of the court, no State can levy a capitation tax upon the subjects of the Emperor of China as a condition precedent to their landing upon the shore of that part of the United States within its limits. At the same time I have no doubt that the taxation of those who choose to reside within its borders, being aliens and not citizens of the United States, is entirely within the power of the State to make such discriminations against them as it chooses. How much, and in what manner it may tax its own citizens, may be regulated by the organic law of the State; but for a stronger reason it may protect itself against the pauperism of any aliens residing therein, by levying a tax, however onerous, to protect itself from such pauperism. Nor does the "most favored nation" clause oppose any hindrance to this power. It is a domestic concern of the State alone, which has always been held to be within its own power. While a State may not discriminate against citizens of other States, and, therefore, citizens of the United States, any taxation or restriction as compared with its own citizens under the Constitution, it surely is not bound by treaties and support within its borders, without power to protect itself, the citizens of a foreign country. Such, therefore, judgment is it within the treaty-making power of the United States, even if it were attempted to be exercised, to impose such a burden upon any one State.

Fifth—Can a State confer on municipalities the right to exclude them from its limits? A State may exclude aliens, by laws duly enacted, from occupying any portion of its territory or restricting the manner of their occupation, or require them to occupy a given portion only of its territory. A familiar example of the exercise of this power may be found in the sanitary laws. These have always been exercised through the municipal authorities. In a State can say where, for reasons of public health, any portion of its citizens shall reside and in what manner. It is difficult to see why, for any other reason of police policy, a State may not exercise a like power. No one would contend that a State might not say that more than a given number of inhabitants should not occupy a given quantity of territory, for reasons of health or even for economical reasons, or for protection against communicating from building to building. There has been a decision, giving a limit to the exercise of this power, but I know of no limit except the legislative will—that is in regard to its own citizens, and, of course, citizens of other States, and still aliens, of course, those that have no right in the State, except the right of sojourn under such regulations as the State chooses to adopt. If it may be said that such exercise of power would be restrained by the "most favored nation" clause of the treaty referred to, then the restrictions as to places of residence, if such were the legislative will, might well be made and applied to all aliens; and surely, then, such regulations and discriminations against the Chinese, as the necessities of the case in the judgment of the Legislature require, could be made, and yet not be subjected to the hindrance of the "most favored classes" clause. For example: In case a treaty with a nation where a large portion or all of its subjects were leprous, could not the State protect itself from having them in its large cities, because subjects of other nations who had the like "favored nation" clause in their treaty, who are not leprous, were not excluded from the city limits? The question must resolve itself into this: That the public policy of exclusion must remain with the Legislature, to be exercised through such agents as the State chooses to intrust with this portion of its power.

The sixth question, "What can the State do to protect itself from this curse?" might be answered by saying, What cannot the State do to protect itself from a curse? And I do not know what it cannot do. But the question returns to us, Who is to determine whether the presence of the Chinese is a curse? Is there any higher power to which this question can be submitted than a Constitutional Convention of a State? I certainly do not know of any. Each State must determine how to get rid of the curse of famine, the curse of incendiarism, the curse of crime, the curse of peddling liquor to its inhabitants, and the curse of pestilence in its own way; and many decisions of the Supreme Court upon most of these questions have sustained the right of the State to deal with them according to its sovereign will. A State may send beyond its borders, so far as the individual is concerned, any person or persons therein who is deemed a curse, as did our Puritan fathers the Baptists and Quakers, in the earlier time, and as do their sons in Massachusetts with the paupers and criminals that are sent upon them from foreign nations. No State can, against its will, so long as it is independent and sovereign, be made the lazar house of the world, or of even one-third of the population of it. Nor do I believe that there is anything in the Constitution of the United States which gives to the Congress of the United States a right to pass any law requiring a State to be such a lazar house. And if there is nothing in the Constitution which gives Congress, composed of the three branches of the law-making power, the right to make such a law, I cannot find anything in the Constitution which gives to one branch, the Executive, the right by treaty to make it the supreme law of the land that any State shall be the lazar house of Asia. Whether the adjoining territories to California quietly submit to have the Chinese poured over upon them is a question which California must adjust with its neighbors, and that question is one with which the Chinamen have nothing to do. I know of no civilized nation which has not exercised the power of deportation of obnoxious aliens. Certain it is that England exercised that power in the case of the Vice-President, Aaron Burr, who was ordered out of that country, and our alien law of the Administration of John Adams was an example of an exercise of that power by this country as a nation; and while the wisdom of the law was very much doubted, I think its constitutionality was tacitly, at least, maintained.

I repeat my regret that I have had no more time to give to the consideration of these questions, which I have not attempted in any considerable degree to argue, but simply to state my opinion thereon; but I hope I have done enough to provoke discussion thereon, and I will be obliged to you if you will furnish me with such discussions, so that I may be able, in the light of them, to revise my opinions hereafter, or to reply to such arguments and suggestions as may seem to contravene them.

I have the honor to be, very respectfully, your obedient servant, BENJ. F. BUTLER.

DENIS KEARNEY, Esq., Boston, Mass.

SAN FRANCISCO, Aug. 11.—A Victoria despatch says that Parliament has passed the Chinese Tax bill. Discussion on the measure was very acrimonious. Both sides admit the necessity of a tax, but differ as to the mode of collecting it and the amount. The Government proposed $60 per annum, but being strongly opposed have reduced the rate to $40. The *Colonist*, an anti-Chinese paper, declares that the bill will make the province a laughing stock throughout Christendom, because of its absurd provisions, and charges that it was drawn by heavy employers of Chinese labor to insure its disallowance at Ottawa. The *Colonist* attacks the Government for insincerity and bad faith.

CLOSING A DANGEROUS RESORT.

Justice Murray Taking Measures to Rid the City of at Least One Sore Spot.

The fight which occurred in and about Jacob Edler's dance house at Thirty-eighth street and Eleventh avenue late Saturday night will probably prove the means of breaking up one of the worst criminal resorts in this city. The place has been running about eight months, and at first was conducted within the limits of the law. Within the last two months, since Edler became the proprietor, it has degenerated into a haunt that has been a terror to the neighborhood. Its patrons have been persons of both sexes of the lowest grade, some of the Eleventh avenue gang and river roughs generally. The carousing has been so boisterous, a citizen living near by says, that no one has been able to sleep after 10 o'clock in the evening. After the dance house was closed, at 1 o'clock A. M., the frequenters have made the streets adjoining hideous with their unseemly revellings. Less than a week ago a woman was enticed into the place, made drunk, and cruelly treated.

Business men who are called into the locality during the day have made informal complaints, and Justice Murray says he has been told that it was not safe for a stranger having half a dollar in his possession to enter the place at any hour of the day or night. Those living in the neighborhood say they have not dared to make affidavits to procure warrants, fearing that their houses would be burned over their heads. The police have done something toward abating the nuisance by arresting such disorderly persons as they could lay their hands upon.

Late Saturday night the proprietor called in Officer Fredericks of the Thirty-seventh street police to arrest two men, James McKenna and Patrick McMahon, who were creating an unusual disturbance even for the character of his place. The officer was thrown out, and a general fight ensued. Fredericks is a powerful man, but was almost overcome when a brother officer came to his aid. His uniform was badly torn, and he was liberally kicked and bruised. They finally succeeded in arresting McMahon and McKenna, who were the principal assailants of the officers. The first named was seen to raise clubbed muskets before he was subdued and captured. Sergeant Haven was sent down from the station with a squad to raid the place. Every one, including Edler and his wife, fled.

In the Jefferson Market Police Court, yesterday morning, the two roughs were fined $10 each, and placed under $1,000 bail to keep the peace for one year. In default of bail they will go to the Island for six months.

Justice Murray said that he had heard enough concerning Edler's place to convince him that there was not a more dangerous haunt in New York. He proposed to have it broken up. He directed officer Fredericks to make an affidavit as to its character and inmates, and then issued a warrant for the arrest of all persons connected with it or found in it. A resident of the neighborhood was present, who included in the catalogue of outrages that he had witnessed the fact that two of the patrons of the place knocked down a beggar Saturday morning and robbed him of his basket and some cold provisions which it contained.

THE WALLINGFORD DISASTER.

Burying Twenty-seven of the Victims—One More Dead and Three Others Dying.

MERIDEN, Conn., Aug. 11.—The devastating tornado at Wallingford, Conn., is still of preëminent interest, and the town is the scene of a constant stream of comers and goers. The funeral services of twenty-three of the victims were held to-day, and fully 10,000 persons from all parts of the State were present. About 2,000 carriages were in attendance. The services were conducted by the Rev. Father Leo of Winsted, assisted by the Rev. Fathers Slocum and O'Connell of New Haven, and the Rev. Father Mallon of Wallingford. Twenty-seven persons have thus far been buried. John Hayden and Katie Lynch were interred on Saturday, Mrs. John Lee and Thomas Ginty at noon to-day, and the remaining twenty-three at 4 o'clock, as follows: Patrick O'Neil and child, in one grave; Mrs. Tooley, alone; Matthew Mooney, John Mooney, Nellie Mooney, Willie Mooney, and Mrs. Matthew Mooney, in one grave; Mrs. John Boylan and Thomas Cassin, in one grave; Kate Coughlin, alone; Mrs. Joseph Hindy and two children, together; Mr. Conrad Tracy, wife, and child, together; John Payden, alone; Mrs. Mary Downs and Miss Mary Healy, together; Mrs. John Lynch and Mrs. John Mooney, together; Frederick Littlewood, alone.

The cemetery was surrounded by the town's company of the Connecticut National Guard of thirty-eight men, and 120 special officers were sworn in and put on duty throughout the place.

At the Town Hall, where a temporary hospital has been opened with professional nurses, there are seventeen badly wounded, of whom Richard Taylor, with back broken, John Littlewood, concussion of the brain, and John Mooney, injured internally, are not expected to live through the night. Mary Matthews, aged 10 months, died late yesterday afternoon, making twenty-eight so far who have been sacrificed to the fury of the elements. Promises of assistance for the destitute are coming in from all sides. The Catholic diocese of the State will take prompt measures to aid their people in a substantial manner. All who have died, with the exception of Frederick Littlewood, are of the Catholic faith, but the assistance from all denominations could not be exceeded for kindness and generosity.

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The great tonic, Thermaline, cures Chills and Fever. 25c. per box. Never known to fail. Demand daily increasing.—*ads.*

POOLE'S MURDER RECALLED.

LEWIS BAKER, WHO SHOT HIM, DIES IN PARIS ALMOST FORGOTTEN.

The Tragedy that Deepened the Antagonism Between the Foreigners and the Know-Nothings—Baker's Escape and his Capture.

Lewis Baker, who shot Bill Poole in New York twenty-three years ago, died in Paris on Saturday. His death recalls the excitement that the tragedy caused in New York throughout the country, as well as the escape, recapture, and discharge of Baker. Lewis Baker was a Welshman who came to the United States when a lad, and after a jack-at-all-trades life, got from Fernando Wood an appointment as a police officer. His special duty was the care of emigrants. When the native American fever began to burn in 1853, Baker took a prominent part with those who opposed the Know-Nothing leaders. He met a kindred spirit in John Morrissey, then set down in the police records as a pugilist. Morrissey's reputation as a fighter in behalf of Irishmen attracted Baker, and Baker's vehemence in denouncing the prominent native American won for him Morrissey's friendship. Poole, a Ninth Ward man, a hard hitter, and a plucky fighter, pounded his way with his fists to the leadership of the small fry Know-Nothings in New York. Poole kept a barroom at Broadway and Howard street, which was the resort of all "the boys" who looked after the American party's interests in the wards. Poole became an idol after his fight with Morrissey. The two men were looked upon as the champion bruisers in each party, and every one knew that sooner or later they would have a battle. They met on the pier at Amos street early one morning in July, 1854. Poole had dared Morrissey to meet him there and fight for $100, and Morrissey accepted the challenge foolishly, his friends told him, because Amos street was in the Ninth Ward—Poole's home, and the stronghold of the American party. Surrounded by his friends, Poole gave Morrissey a severe drubbing—so severe that the Trojan bellowed as he lay on the pier and Poole on top of him, and gave in as beaten. The encounter galled Morrissey and his friends as much as it increased the reputation of Poole and his toadies. It was a great victory for the Americans, and Poole was at once marked by such men as Baker, John Paugeen, Jim Turner and other fighters who opposed the Americans as a man to be settled with. Poole was often warned that these men would do him injury, but he only laughed, and there was no taunt that inflamed the foreign-born politicians more than "Send Morrissey after Paugeen!"

On the evening of the 24th of February, 1855, Poole went into Stanwix Hall barroom, where Tony Pastor's Theatre now is. Morrissey, somewhat intoxicated, was there, and he at once approached Poole. Curses and vituperation followed for an hour. At length Morrissey drew his revolver and snapped it three times close to Poole's head, but it missed fire. The police were called in and Morrissey was taken out, but the officers let him go as soon as they got on the sidewalk. Morrissey drank deeply and was drunk a few hours later. But that fact saved him from prosecution with the others who were arrested after Poole was shot. Poole remained in the barroom, and shortly after midnight "Paugeen" (the nickname of a notorious rough), Jim Turner, Lewis Baker, and one or two other leaders of the foreign element entered. They had heard of the previous row with Morrissey and set out, armed, to see what they called fair play. Poole stood leaning against the bar, and "Paugeen" walked up and seized him by the coat collar.

"You're a d——d pretty American bummer," he said.

"Well, the boys say I'm their standard bearer," Poole remarked.

"A devil of a standard bearer. I'm going to lick you."

Poole looked at "Paugeen" and laughed, and then "Paugeen" coughed, and spat three times in Poole's face. That appears to have been an agreed sign, for Turner took off his coat, drew an enormous revolver that weighed twelve pounds, and placed the muzzle on his left arm to steady it.

Poole saw the movement, and starting back, said: "For God's sake don't murder me!"

"Sail in, boys," was Turner's answer, and then he fired. His hand must have been unsteady, for the ball passed over the arm upon which he had rested the pistol, shattering it, and he fell to the floor. Raising himself on his elbow he fired again, the bullet breaking Poole's leg. Poole fell, and as he lay on the floor Baker jumped on him, and drawing a revolver, fired at close range. Poole groaned. Then Baker jumped up, looked around the room, and pointing with the pistol to Poole, said: "Boys, I've fixed that d——d American." Then he ran into the street.

Poole, staggering to his feet, said: "I'm shot in the leg," and fainted. He was carried to his home in Christopher street. He lived twelve days. After his death the autopsy showed that one of the bullets had lodged in his heart. His death was recognized as the culmination of the American party excitement. Poole, the leader, had been killed by the foreigners. Poole, on his deathbed, said: "I die a true American," and the apothegm was caught up and sent broadcast throughout the country. The Know-Nothing party set Poole up as a martyr to the cause, and 80,000 of them attended his funeral. Few weeks afterward it was not safe for any man to say a word against the Americans, and if Baker could have been found the police would have had all they could do to prevent a lynching.

John Morrissey was put under bail, but every one was asking for Baker. The police reported that they could not find him, and said that he would be so safely secreted by his friends that the chances were against his being arrested. Judge Stuart was so disgusted with the inefficiency of the police that he took the case personally in hand. He said that Baker should be caught if it cost $50,000, and he organized an amateur detective force. Soon afterward Councilman Kerrigan of the Sixth Ward, Police Officer Linn, and Harvey Young, a politician, were arrested. Judge Stuart said that they had aided in Baker's escape. He learned that on the night of the murder Baker went to Lang's gambling house in Centre street and stayed there until morning. At daybreak he borrowed Police Officer Linn's coat and rode in a Third avenue car to a house up town. Thence he was taken in a close carriage to a resort in Wooster street, where he remained until a purse had been made up for him. Early one morning he was taken in a milk wagon to Jersey City and concealed there for three days. His friends engaged passage for him, representing that he was an invalid, in the ship Isabella Jewett, bound for the Canary Islands.

The police officials were greatly mortified when it was shown that Judge Stuart had beaten them easily, and they took hold of the case in earnest. Judge Stuart wished to charter a steamboat to follow Baker, and the authorities of Washington offered a revenue cutter. The Councilmen passed a resolution offering a reward of $5,000 for Baker's capture, and the aid of the Governor was sought. Judge Stuart chartered one of the fastest clippers in port, fitted her in one day, and she sailed on the 17th of March. Beach Boyd gave a four police officers, having the proper papers. There was no extradition treaty with Spain, but Judge Stuart thought that the authorities at Palma, the chief city in the Canaries, would turn over Baker as a matter of courtesy. The officers reached the town of Palma two days before the Isabella Jewett, and the Spanish officials promised to do all in their power to secure Baker. The Isabella Jewett was sighted one morning sailing up the bay at Palma, and the Grapeshot put out to meet her. Baker was found on the wheel. He was struck dumb when he saw Lieut. Brush and Sergeant Rand's heads as they climbed up the side of the Jewett. On recovering his speech he told them that they could not take him away from Spanish soil.

"We're going to," Lieut. Brush said.

"Then you'll kidnap me."

"Call it what you like."

The Grapeshot came up New York bay on the evening of the 17th of May, and anchored off the Battery. Baker was taken to the Leonard street police station. The news spread through the city like a wildfire, and in an hour there was a dense mob in front of the police station. There were fears of a riot, and Baker was quietly taken out a back way and driven to the City Prison. Extra editions of some of the newspapers announced the arrest, and THE SUN the next morning set over the heads of the crew of the Grapeshot, had the big black headlines that, in those days, were reserved for extraordinary occasions.

Baker remained quietly in the City Prison until the following December. The excitement had then cooled down. He was defended by Horace F. Clark and James T. Brady, and the trial lasted nearly a month, every session being attended by dense throngs. John Morrissey sat near Baker during the trial. The jury disagreed, and Baker was remanded for a new trial. A change of venue was procured, and he was retried a year later in Newburgh. James T. Brady and ex-Judge Fullerton defended him, and A. Oakey Hall conducted the prosecution. The jury disagreed again, and Baker was subsequently released, the indictment hanging over him.

Baker disappeared from New York soon after his release, and he was next heard from in Paris, where he assumed the name of Jackson. There he lived a lonely life, and those who have seen him say that he was punished all these years by his own conscience.

STEAMBOATS IN COLLISION.

The Americus Receiving such a Blow that She was thought to be Sinking.

The Rockaway excursion steamboat Americus and the Fulton ferryboat Farragut were in collision at about 7 o'clock last evening off Jewell's pier. The tide was running rapidly up the East river, and the steamboat, as usual, went up on the New York side, and rounded to under the bridge so as to approach her wharf on the Brooklyn side against the tide. When she was nearly opposite the Fulton ferry the Farragut came out of her slip on the Brooklyn side, and her pilot blew two whistles, indicating that she would pass ahead of the Americus. The pilot of the Americus answered with two whistles, indicating that he agreed to that course, and caused his engines to back water as the Farragut approached.

The passengers of the Americus, however, thronged to the Brooklyn side, one wheel was tipped nearly out of the water, and the speed of the boat was not slackened sufficiently to stop her in time to allow the Farragut to pass. The strong tide swung the Farragut rapidly up stream, and her bow struck the bow of the Americus about four feet below the guard, while both boats were backing water. The crash carried away a small portion of the bow of the Americus, and knocked down her flagstaff. As she slowly moved to her pier, with her throng of passengers, many imagined that she was sinking. Prompt examination, however, showed that no water was coming into her hold, and after a slight delay she proceeded to her remaining landings.

The throngs concentrating at Fulton ferry on their return from excursions were with difficulty persuaded that nobody was hurt. They flocked to Jewell's wharf in dismay, fearful that before the passengers of the Americus could land the boat would sink. Some of the passengers became alarmed, and chose to return to the city by the ferry and cars. The majority, however, remained on board. The Farragut was uninjured, and the cost of repairing the Americus will be insignificant.

THE SITUATION IN THE COAL MINES.

No Danger of a General Strike in the Pottsville and Hazelton Regions.

POTTSVILLE, Pa., Aug. 11.—The *Mining Journal* to-morrow will publish the following on the mining situation in this region:

"At another meeting of the Knights of Labor of this county, held last week, the subject of a general strike, which had been determined upon, to take place early in August, was reëxamined. The employees of the Philadelphia and Reading Coal and Iron Company were almost unanimously opposed to a strike. They stated that while the wages were not such as they thought they ought to have, they had been gradually increased under the operation of Mr. Gowen's plan of making them participants in the advance of tolls; that they were informed there would be another advance soon, which would bring their wages up to the $2.50 basis, and that they had assurances of steady work for the balance of the year at this rate, and preferred to let well enough alone for the present. On a vote being taken it was found that a majority were of this opinion, and so the danger of a general strike in this region may be said to have passed for the present. There will, no doubt, be local strikes, as has been the case during the present week, brought on by those who are not paid the same wages that are given by the Coal and Iron Company. Individual operators cannot afford to pay the same rate of wages as the company at the present price of coal, for they are not participants in the profits of the advanced rate of tolls. Some pay it under protest, however, in order to keep peace at the mines. Others do not, and strikes are the consequence. We are credibly informed that at a meeting of Lehigh operators, held at Hazleton on Friday night, it was determined to pay the men on the 1875 basis. This destroys the ground of discontent, and leaves no pretext for a strike in that region."

ON CAPT. HYDE'S CANAL BOAT

Actions of which Neither Lillie Aubrey nor Colorado would be Proud.

After the discharge of Ida Crater by Justice Morgan, last Friday, Capt. Hyde of the canal boat Bredenbecker invited her to visit her old quarters. She willingly consented, and accompanied the captain to the boat that had brought her to this city from Buffalo. The news that she was on board spread rapidly among the fleet of canal boats, and Capt. Hyde, in honor of the occasion, sent for beer and liquors.

Ida Crater told her adventures for the past few weeks, and kept her friends in continued laughter as she set forth the interest that she had awakened. She slept on board the canal boat that night.

Saturday morning Capt. Hyde, on awaking, went to call Ida, but ascertained that she arose early and had been gone several hours. He wondered what could have induced her to leave so suddenly and unceremoniously. He hastily dressed himself, and then discovered that thirty dollars in money and his watch and chain were missing. He concluded that he had been robbed by Ida Crater.

Capt. Hyde is a married man, and his wife is in Buffalo. He knew that should he cause the girl's arrest his wife would hear of it. He spoke of it to his friends, one of whom reported the robbery to Capt. Caffry of the New street police. Saturday night Ida Crater was met by Detective Hagan in Whitehall street. She had on an entire new suit of clothes and a new hat. Capt. Hyde refused to have her arrested.

On his friend asking him how he would explain to his wife the loss of the money, he replied: "I'll tell the old woman that I had a drop of the craythur, and that I was robbed."

WILLIAM CULLEN BRYANT'S LETTER.

An Interesting Communication that is Now First Made Public.

FAIR POINT, N. Y., Aug. 11.—The following letter relative to the Chautauqua Literary Scientific Circle, written by the late William Cullen Bryant a short time previous to his death, to the Rev. Dr. John H. Vincent of New York, Superintendent of the Chautauqua Assembly, will appear in the *Chautauqua Assembly Daily Herald* to-morrow morning, and is furnished to the press by courtesy of the editor, the Rev. Theodore L. Flood:

NEW YORK, May 18, 1878.

MY DEAR SIR: I cannot be present at the meeting called to organize the Chautauqua Literary and Scientific Circle, but I am glad that such a movement is on foot, and wish it the fullest success. There is an attempt to make science a knowledge of the forces of the material universe, an ally of the school which denies a separate spiritual existence and a future life; in short, to borrow of science weapons to be used against Christianity. The friends of religion, therefore, confident that one truth never contradicts another, are doing wisely when they seek to accustom the people at large to think and to weigh evidence, as far as they believe. By giving a portion of their time to a vigorous training of the intellect, and a study of the best books, men gain the power to deal with statements and questions with which the mind might otherwise become bewildered. It is true that there is no branch of human knowledge so important as that which teaches the duties that all owe to God and to each other, and that there is no law of the universe so sublime and wonderful as it may be—so worthy of being fully known as the Law of Love, which makes him who obeys it a blessing to his species and the universal observance of which would put an end to a large proportion of the evils which affect mankind; yet as a knowledge of the results of science and such of its processes as are most open to the popular mind important, for the purpose of showing the different spheres occupied by science and religion and preventing the inquiry from mistaking their divergence from each other for opposition, I perceive this important advantage in the proposed organization, namely, that those who engage in it will mutually encourage each other. It will give the ministers a common pursuit, which always begets a feeling of brotherhood; they will have a common topic of conversation and discussion, and the conscience will be that man's only judge who, if they stood alone, might soon grow weary of the studies which are recommended to them, will be incited to perseverance by the interest which they see others taking in them, and may happen in rare instances that a person of eminent mental endowments, which otherwise might have remained unculturated and unknown, will be stimulated in this manner to diligence, and put forth unexpected powers, and, passing rapidly beyond the rest, become greatly distinguished, and take a place among the luminaries of the age. I will mention an interesting incident during the little space of life that may yet remain to me, the progress and results of the plan which has drawn from me this letter. I am, my dear sir, very truly yours, W. C. BRYANT.

To Rev. JOHN H. VINCENT.

Stoning a Rival Boarding House.

James Kern of 12 Hamilton street, and David Monroe, his next door neighbor, are brothers-in-law and the proprietors of sailors' boarding houses. From being rivals in the business an old feud has for some time existed between them. Last evening Kern accused Monroe of using unfair means in taking away his custom. An angry altercation ensued, when Kern snatched up a cobble stone and hurled it at Monroe. The latter ran into his house, when Kern continued to throw stones at the house until he had demolished the panes of two front windows. When Monroe saw his property going to destruction, he armed himself with a revolver, and began firing at Kern. Three shots were fired, when an officer put an end to the battle by knocking the pistol out of Monroe's hands. They were both arrested and locked up in the Madison street police station.

Ex-Queen Christina Dying.

HAVRE, Aug. 11.—Ex-Queen Christina has received the last sacraments.

ON THE ROCKAWAY SANDS.

HOW TWENTY-FIVE THOUSAND EXCURSIONISTS SPENT SUNDAY.

Plenty of Music and Lager, and Great Sport in the Surf—A Novel "Aunt Sally"—An Intoxicated Bather's Foolhardy Attempt.

The rush to Rockaway yesterday was tremendous. The big palace steamboats Grand Republic and Columbia, which started from Twenty-second street, North river, before noon, were crowded with perspiring thousands. The rush to get on board the latter was fairly overpowering, and it was as much as the officers in attendance could do to keep the people from crushing each other as they crossed the gang plank. Men, women, and children of all ages and sizes swarmed on the wharves and in the cabins, and filled up all the available room on the hurricane. Many took lunch baskets with them. Ladies had all sorts of cold provisions. The lunch counter was thronged, and the bar devoted to lager beer was overrun. Everybody drank. When the boat was fairly in the stream the Thirteenth Regiment band played a stirring military air, and the heated thousands drank in the cool breezes from the surface of the water. Waiters passed through the crowded aisles crying beer, lemonade, soda water, and other refreshments. Venders of bricks of ice cream shouted until they were hoarse.

There were plenty of women and children. One German mother sat in a corner of the saloon with two plump-faced babies hanging about her neck, and passers-by stopped and thronged about her. In one hand she held a glass of lager and in another a sandwich, and it was as good as a play to see her give her little brood a bite and a sip. Gayly dressed young couples occupied the snug corners of the sofas and whispered and blushed and giggled in the most approved fashion. Now and then a fan rapped the knuckles of some too exuberant swain, and a "Why, Charley!" or "Oh, George!" attracted the attention of the excursionists.

Off in Hamilton the band played Strauss's waltzes, and the young ladies with high heeled boots kept time to the music. A sharp lookout was kept for porpoises and other marine monsters, but without much success. The breeze from seaward was delicious, and everybody enjoyed it to the fullest extent.

At Rockaway the boat parted with large throngs at each landing, the largest debarkation being at the Seaside House. Remsen avenue, leading down to the beach, was lined on both sides with shops, museums, booths, saloons, and drinking bars of all kinds. At one hostlery, near the railroad, a party of strolling minstrels, with their faces blacked, were surrounded by an eager and admiring throng. The fellows, uniformed in parti-colored jackets, high sharp-pointed collars, and striped hose, lolled back in chairs, and sang negro camp meeting melodies, accompanied by a banjo and a pair of bones. Their favorite air was:

Yes, they're comin'. Yes, they're comin'.
Mudder's comin,
Pappa's comin,
William's comin.
Dey're all comin'. Dey're all here!
Fader's comin'
(Aside) Brother's comin'.
Waiter! ain't you comin' wid dat glass of beer?

At this there was a loud laugh, and then the minstrels broke into the wild refrain:

I'm goin' to get a golden crown,
Goin' to get a home bime by
The angels pourin' wine in mine;
Goin' to get a home bime by.

Oh! dat watermelon!
Land oh goodness, I must die.
I belong to de contraband children;
Goin' to get a home bime by.

Coppers and ten-cent pieces flowed in plentifully, and the fellows sang fresh songs "in black-moors," as a delighted old English lady called them, pledged each other in cups of "sparkling" beer.

Further on was a combination of Punch and Judy show and Aunt Sally, of which the throng never grew weary. Above an edifice of canvas, boarding, and the traditional temple devoted to Punch appeared the heads of that hero, of Judy, and of an unmistakable darkey. Each customer was furnished with three balls, and each time he hit either of the three heads he was entitled to what, in the language of the proprietor, is termed a good emphasis on the good cigar. When the SUN reporter walked in, a prodigy of a small boy with preternaturally sharp aim was depleting the cigar box in the interest of his male relatives.

The most remarkable phase of Aunt Sally, by the by, was to be seen a week ago yesterday, near one of the bathing pavilions. Here an enterprising Long Islander had established a game which fairly dwarfed anything on the beach. This time the Aunt Sally, instead of being a wooden effigy, was a big, live, strapping negress from Port Jefferson, with a hump like a camel's hump, composed of all the editions of the Sunday newspapers. The woman stood up against a canvas screen twenty feet off and each man that for the bustle was provided with a truly good cigar of double extra quality. Everything would have gone on swimmingly had not the merrymakers took to pelting the girl's arms and head instead of her bustle, whereat the sable Aunt Sally rebelled. The Long Islander who, it was said, had been at considerable expense in laying in the cigars from the other side of the island, stormed and swore, and threatened to have Sally arrested for not carrying out her contract. In the end the police marched off both parties. The girl subsequently refused to make a complaint and the Long Islander retired to his native wilds in a crushed and demoralized condition.

Another wonder of the beach, that was thronged all day yesterday, was a museum containing a Darwinian monkey of extra size who swung about on trapezes, plunged under water, climbed flagpoles, and did everything but talk. The proprietor said that "Barnum had refused to give $10,000 for him."

Tossing rings at a board covered with knives, jewelry, and plated ware was another favorite amusement. When the ring encircled one of the prizes, the latter was handed over to the thrower. A man who won a silver watch in this way spent a quarter of an hour trying to wind it up, and then resold it to the proprietor for a mere trifle.

The long beach for miles was lined with throngs going and coming, watching the bathers, and amusing themselves with the catch-pennys on all sides. By 3 o'clock the sands, as far as the eye could see, were alive with persons. Twenty-five thousand would not have been a large estimate of the number there. Thousands bathed, and the beach for a long distance was lined with dripping men and women. Children of all ages sported on the inner edge of the surf, and shouted with glee as the white foam rolled over their bare feet and limbs. Some of the youngsters of from 10 to 14 ventured boldly out until such becoming was the submersion. Wives and families could be seen clinging to the life lines, and rising and falling with the incoming breakers.

A half-intoxicated swimmer, opposite Remsen & Mainwright's bathing pavilion, attracted attention by taking a two-story-and-a-half-old dog beyond the breakers. This foolhardy feat was accomplished by the father's putting the little fellow's legs around his own neck and then plunging out through the surf. When the man had got beyond his depth, the child fell off. Capt. Butts, a professional swimmer, attached to the pavilion, went to the man's assistance, and succeeded in saving the child just as it was going down for the last time. The half-drunken father was very indignant, and wanted to fight Butts for interfering with his boy! The child's mother, who had followed her husband, at the shore, buked her husband and thanked Butts warmly.

There were several cases of fighting and drunkenness, and eight prisoners were taken in charge of a Deputy Sheriff to Hempstead, no Justice being present at Rockaway. Capt. Gardiner, the Chief of Police, does the best he can with the limited force at his disposal, but the crying need of the beach is more and better police protection.

On the last trains the crowd was largely of Teutonic extraction, and the music of the infants, especially those who were teething, was somewhat discordant. Many gave their tired mothers a brief repose by crying themselves to sleep. The difficulty of distinguishing between the cars bound for Bushwick and those for Long Island City was a fruitful source of perplexity, especially on the part of lager laden youths and maidens. Scores of fatigued couples gave it up in despair and fell asleep on each other's shoulders. Those who remained awake were well nigh asphyxiated by the clouds of sulphurous smoke which belched in through the windows and filled the eyes and nostrils of those sitting next them. The turning were even too sleepy to start "The Sweet By and By," that immemorial consolation of wearied excursionists. One solitary voice in the corner tried to chirp, "The Emperor of Austria had 500,000 men."

At every landing, and especially at Far Rockaway, there were seemingly interminable stops. At Jamaica the halt was fairly exasperating. At intervals the snoring sleepers roused themselves to discuss the everlasting question, "Which cars are to Bushwick and which to Long Island City?" During the latter part of the journey the darkness grew thicker and thicker.

"Where are we, any how?" sung out a querulous voice from the innermost recesses of the coach.

A noisome smell of sludge acid rushing through the open window was the emphatic answer. There was no need to ask twice what that meant. In two minutes more the tired throng was debarking at Long Island City, and the Sunday's sport was over.

THE FIGHTING IN BOSNIA.

An Eight Hours' Battle, in which the Bosnians Lost 500 Men.

VIENNA, Aug. 11.—Official intelligence has been received fully confirming in all its details the report of the battle on the 8th inst. along the line from Maglai to Sheptsche, as telegraphed by the corresp