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FORTY-FOURTH YEAR. PITTSBURG, THURSDAY, AUGUST 15, 1889. THREE CENTS

TERRY'S TRAGIC END.

The Famous California Politician Assaults Justice Field and is

SHOT THROUGH THE HEART

By a United States Marshal Who Was Detailed as a Body Guard.

HIS WIFE ATTEMPTS TO AVENGE HIM

A Deed of Violence Winds Up a Most Eventful Career—The Celebrated Duel With Senator Broderick—The Romantic Case of Sarah Althea Hill and Her Marriage to Terry the Cause of the Quarrel—Two Shots Fired, but the First Was Fatal—He Dropped Dead Without a Quiver—The Marshal Arrested, but Judge Field Not Molested—Great Excitement in San Francisco—The Justice's Own Story of the Affair—Mrs. Terry's Wails for Vengeance.

Justice Field, of the United States Supreme Court, and ex-Judge Terry unexpectedly met in a little California town early yesterday morning. A tragedy, which had been predicted, almost instantly followed. Without warning Terry slapped the Justice in the face, and was immediately shot down by a United States Marshal. His wife was present, and attempted to get a pistol to avenge her husband. The coast is greatly excited by the event.

[SPECIAL TELEGRAM TO THE DISPATCH.]

LATHROP, CAL., August 14.—On September 21, 1859, David Colbreth Broderick, then a United States Senator from this State and a politician of national celebrity, was shot and killed in a duel by David S. Terry, Chief Justice of the California Supreme Court. To-day, almost 30 years after this tragic occurrence, and within a couple of hours' ride of the scene of the sanguinary encounter, the man who left that bloody field a victor received a bullet through his heart under circumstances sensational enough to satisfy the wildest imagination.

No three persons on the Pacific Coast have been so prominent in the public eye recently, and for years past, as Justice Stephen J. Field, of the Supreme Court of the United States, Judge Terry and his wife, so widely known to fame as Sarah Althea Hill. The slightest event in connection with either one of those named would have been received with great interest throughout the entire West. Judge, then, of the excitement which has been created by to-day's events.

The Actors on the Scene.

On the arrival of the Southern overland train here at 7:20 this morning, Judge Field and Deputy United States Marshal David Nagle walked into the depot dining room for breakfast and sat down side by side. Soon after Judge Terry and wife came in also. They were proceeding to another table when Mrs. Terry, evidently recognizing Justice Field, did not sit down, but retired to the train for some unknown purpose.

Before she reached it, however, and as soon as she had left the dining room Judge Terry approached Justice Field, and stooping over him slapped his face. At this juncture, Deputy Marshal Nagle arose from his seat and shot Judge Terry through the heart. As he was falling the Deputy Marshal shot again, but missed him, the bullet going through the floor. Both shots were fired in very quick succession. After the shooting Marshal Nagle backed up against the wall of the dining room and warned everyone not to arrest him, saying he was a United States officer in the discharge of his duty.

A Reign of Wild Confusion.

Judge Terry never uttered a sound after being shot. He had hardly fallen when Mrs. Terry rushed to the side of his body and threw herself upon it. Then ensued a scene of the wildest excitement. People rushed from the dining room and others rushed in.

During this time Justice Field and Deputy Marshal Nagle retreated to a sleeping car, where they were securely locked within. At times Mrs. Terry would call upon the citizens to arrest them. Before the train pulled out Constable Walker entered the sleeper and was carried away on board the train. He informed the spectators that he knew his duty and would perform it.

During the time the train was standing at the depot Mrs. Terry was running wildly, alternately from the body of her husband to the sleeper, demanding admittance that she might slap Justice Field's face and at the same time begging that they be detained and have their examination here. Previous to the entrance of Constable Walker into the sleeper Sheriff Purvis and deputy, of Stanislaus county, had already taken charge of Deputy United States Marshal Nagle.

To Avenge Her Husband's Death.

A passenger who was on the train says that when he heard the shooting he rushed out of the car and saw Mrs. Terry with a satchel in her hand. She was trying to open it, and he took it from her. She tried to gain possession of it again but failed. When the satchel was opened afterward a pistol was found in it.

David Nagle, the Deputy United States Marshal, who killed Terry, is well known in the State. In the latter part of the seventies he went to Arizona and in 1881 received appointment as chief of police of Tombstone. While occupying that position he had frequent encounters with the criminal element, and by his behavior soon earned for himself the reputation of being a man of undisputable courage and bravery.

He shot and killed a Mexican desperado in Tombstone, after a fierce encounter. Nagel was appointed Deputy Marshal here a year ago, and when Terry made the assault on Marshal Franks, last September, Nagle disarmed him.

Appointed as a Body Guard.

Reports circulated that Terry intended doing Judge Fields some injury when they met, caused Nagle to be detailed to act as body guard to him when he came to this coast a few months ago. Nagle is about 35 years of age and has a wife and family in San Francisco.

The County Coroner took charge of the remains, and went to Stockton, arriving there at 12:40 to-day with Terry's body in a box covered with white cloth. Mrs. Terry rode in the express car with the remains, accompanied by several friends of the deceased.

When the body was taken off the car she followed and rode with it in an express wagon to the morgue. She was distressed, and said it was a most cowardly murder of an unarmed man. An inquest will be held. Deputy Marshal Nagle was taken to Stockton in a buggy by Constable Walker, of Lathrop, at 1:30.

Marshal Nagle in Jail.

When the overland train left Lathrop after the shooting constable Walker got in the car and arrested Nagle. He rode with him to Tracey and there took a buggy to Stockton to avoid the crowds. When Nagle reached the jail he alighted from the buggy and came in with his coat covering his handcuffed hands.

Nagle refused to be interviewed. He said: "I am Deputy United States Marshal, and simply did my duty as an officer." He was locked up alone, and soon after sent for the local attorney. Nagle was very cool, and looked pale and determined.

District Attorney White, of this county, ordered the arrest of Justice Field upon his arrival in San Francisco, and telegraphed the order to the Sheriff of San Francisco.

Story of an Eye Witness.

Among the passengers on the Southern overland train this morning was Colonel H. G. Otis, editor of the Los Angeles *Times*. He was standing outside of the depot dining room at Lathrop when the shooting of Judge Terry occurred and was at the scene of the tragedy a moment later.

In an interview he said: "The train arrived at Lathrop at 7:10 A. M. Justice Field was among the first of the passengers to enter the dining room. He took a seat at the table facing the door. United States Deputy Marshal Nagle sat at his side. Soon after they sat down David S. Terry and his wife entered the room. When Mrs. Terry saw Justice Field she turned and hurriedly went out of the room to the train, the supposition being that she went after a pistol or a bottle of vitriol.

"Terry sat down at a table further up the dining room, and while waiting to be served glared at Field. Presently he arose and walked over to the latter's chair. Judge Field was leaning over his plate at the time and Terry approached from behind and

Without a Word of Warning,

dealt him a blow on the side of the face. That instant Nagle cried, "Hold, hands off that man." Justice Fields looked up, and as he did so, he or no other person ever such a picture of incarnate hatred as that depicted upon Terry's face. Terry did not heed the marshal's warning, and raised his clenched fist to strike another blow. That menacing gesture was the last act of his life. Quick as a flash Nagle drew his pistol and sent a ball through his heart.

A great commotion then arose in the dining room and on the platform. Mrs. Terry ran about from the train to the dining hall door, frantically demanding her satchel, which someone had taken from her. She then stormed about the door, demanding entrance, and charging those who had barred her out with shielding murderers."

Colonel Otis declarad: "I happen to know that the Deputy Marshal was acting under direct instructions from the Attorney General to protect the persons of Judges Field and Sawyer at all hazards."

GREAT EXCITEMENT

Caused in San Francisco by the News of the Fatal Encounter—The Dispute Which Led to the Tragedy—Judge Terry's Eventful Career.

SAN FRANCISCO, August 14.—The announcement that Judge David S. Terry had been shot and killed in a railway depot at Lathrop this morning as the result of an attempt to provoke a personal altercation with Justice Stephen J. Field, of the United States Supreme Court, caused extraordinary excitement in this city. The scene of the tragedy is 83 miles from this city by rail, and is the breakfasting station for the Southern overland train.

The possibility of an encounter between Terry and Justice Field has been recognized ever since the imprisonment of Terry for contempt of court ten months ago, owing to the known temper of the man who killed United States Senator Broderick in the early days of California.

David S. Terry was at one time Chief Justice of the Supreme Court of California and has always been a prominent figure in the political history of the State. The killing of Broderick caused at the time deep personal resentment against Terry by a portion of the people of the State which threatened to terminate his career in California; but he always had a number of adherents and remained in the State, though he has only once or twice been before the people for position.

The Cause of the Dispute.

He was married to Sarah Althea Hill, who claimed to be the wife of ex-Senator Sharon, while prosecuting her claim against the Sharon estate. This brought him into a resentful attitude toward Justice Field, who last year rendered a decision in the United States Circuit Court, in this city, denying her claim to the wife of Sharon.

Mrs. Terry created a scene in court during the reading of the decision, charging Justice Field with being corrupt, and as she refused to remain quiet, Justice Field directed that she be removed from court. When a deputy attempted to carry out the order of the Court she became involved in a personal quarrel with that official, and Judge Terry interfered, drawing a dagger from his vest. He was disarmed, and both Terry and his wife were adjudged in contempt and committed to jail.

In the meantime Justice Field went to Washington to resume his duties on the bench, returning to this city six weeks ago. Newspaper articles were printed intimating that it would be dangerous for Justice Field and Judge Terry to meet personally, as it was thought the latter might insult the former, while the fact was also recognized that Justice Field would be quick to resent an attack from Terry, knowing it could only result fatally to one or the other in view of the latter's record.

No Time for a Quarrel.

If Judge Terry had intended to provoke Justice Field to draw a weapon before the latter could turn is, of course, not known, as Deputy Nagle, who sat opposite, prevented this by firing, resulting in the instant death of Terry.

David S. Terry was born in Todd county, Kentucky, in 1823. He served in the Texan army under Sam Houston. He came to California in 1849, and settled in Calaveras county. In 1855 he was elected Justice of the Supreme Court of California on the Native American ticket, and upon the death of Chief Justice Murray in 1857 Judge Terry became Chief Justice. He was opposed to the Vigilance Committee of 1865, and stabbed one of the members of the committee who had attempted to arrest Maloney, a friend of Terry.

Terry was held by the vigilantes, but was afterward released. He killed Senator Broderick in 1859 as a result of political differences, Terry belonging to what was known as the "Chivalry" wing of the Democratic party. In 1880 Terry was defeated as a Hancock elector, although his associates were elected. September 8, 1888, he was sent to jail for six months for contempt of court by Justice Field.

JUDGE FIELD'S STORY.

The Assault Was Unprovoked and Nagle Warned Terry Before He Fired—The Marshal Detailed by Orders From Washington to Protect Him—The Judge Not Arrested.

SAN FRANCISCO, August 14. — The Southern overland train arrived at Sixteenth street station in Oakland shortly after 11 o'clock. A great crowd had collected, telegraphic intelligence of the Lathrop tragedy having preceded the arrival of the train, and the sleeping car in which Justice Field was sitting was at once besieged by United States officials and newspaper men.

Justice Field maintained his quiet demeanor and replied, when asked to narrate the particulars of the shooting, as follows: "I can tell you the story in a few words. For the last few months all manner of reports, both public and personal, have reached me that Judge Terry has threatened to subject me to some form of indignity if he should happen to meet me. This fact caused the United States Marshal to decide to provide such protection as he could during my stay in this State.

Under the Protection of Nagle.

"When I started for Los Angeles to hold court Deputy Nagle accompanied me. He seemed to be a quiet, gentlemanly official, though I only met him twice while away from Los Angeles. He asked me in that city when I intended to return, and accompanied me, taking a seat in the sleeping car opposite to me.

"We learned this morning that Judge Terry and his wife were on the train, but paid no attention to the fact. When we arrived at Lathrop we entered the eating saloon to get breakfast. I took a seat at the end of the table, while Nagle sat on one side of me.

"Terry and his wife came in the room soon after. As soon as she saw me she went out of the room, as I afterward learned, returning to the car for her satchel. Judge Terry arose, and I supposed he intended to accompany her. Instead of doing so, he walked back of me and struck me a heavy slap on the face.

Judge Field Was Astonished.

"I was completely astonished and, seeing he was making ready to strike again, Nagle cried out: 'Stop, stop,' but Terry did not desist, and as he was raising his arm a second time, Nagle shot at him, the bullet entering his heart. He fell to the floor, Nagle shooting a second time, but the second shot did not strike him. Deputy Nagle was arrested at Tracey, and taken to Stockton to await the result of the inquest.

"That is the complete story, so far as I am aware of the facts," said the Justice in conclusion.

Protection was accorded to Justice Field, it is claimed, by authority of United States Attorney General Miller, who telegraphed from Washington to the Marshal of the district to see that the person of the Justice was protected at any hazard. The order extended also to Judge Sawyer, of the United States Circuit Court, in this city, upon whom Mrs. Terry made a personal assault last year while on a railway train, accompanied by Judge Terry.

Why They Were Guarded.

The order was based upon this fact and upon threats declared to have been made openly by Terry against Justice Field. Deputy Marshal Nagle was directed to accompany Justice Field under this order, and is said to have given Judge Terry full warning to stop when the latter began his attack upon Justice Field, and fired at Terry as the latter was about to strike a second time.

Justice Field left over the Overland train at the Oakland ferry and drove at once to the Palace Hotel, where he was joined by his wife. He was not arrested, and the notice to the chief of police, claimed to have been sent by the District Attorney of San Joaquin, if forwarded in that form, was not carried out.

The following facts were submitted to Justice Field this afternoon and declared by him to be a correct statement of the circumstances that led up to the shooting:

The Authorized Version.

During Judge Terry's confinement in the county jail he threatened, upon his release, to take the lives of Judges Field and Sawyer. Prior to the contempt of court, for which he was in prison, Mrs. Terry, in his presence, had made an assault on Judge Sawyer in a Pullman car.

It is believed that had Sawyer resisted the insult Terry would have killed him. Terry's threats were so publicly made that they reached the ears of Justice Field's colleagues on the supreme bench and were made known to the Department of Justice in Washington, whereupon Mr. Miller, Attorney General of the United States, head of the Department of Justice, and, as the superior officer of United States Marshal Franks, ordered the latter to take whatever measures were necessary to protect the persons of Justice Field and Judge Sawyer from assault by Judge Terry.

On his arrival in California to hold court in this part of his circuit, Justice Field objected to being put under the protection of the Marshal's officer. When asked if he intended to carry arms to defend himself he said

He Would Carry No Arms.

"No, I do not, I will not carry arms, for when it is known that justices of courts are compelled to arm themselves for defense of assaults offered in consequence of their judicial action, it will be time to dissolve the courts, consider the Government a failure and let society lapse into barbarism."

Notwithstanding his objection to the protection, the Marshal declared himself subject to the order of his superior officer Attorney General Miller, and deputized Mr. Nagle to keep within reach of Justice Field, ready to carry out the orders of the Department of Justice.

UNDER OFFICIAL PROTECTION.

Attorney General Miller Issued the Instruction to the United States Marshal.

INDIANAPOLIS, August 14. Attorney General Miller was found at his home on North Delaware street to-day, and asked concerning the command which he was quoted as having made to the Marshal at San Francisco.

"It was given out," said he, "under my direction. In June, I think it was, Justice Field and I believe some others brought to my mind the case, referring to the trouble there had been there last summer, and saying that there would likely be trouble again this summer. There was danger that Judge Terry, who was stated to be a violent and desperate man, would very likely make a deadly assault upon Justice Field and Judge Sawyer—one or both of them—and that some precautions ought to be taken in the premises. I therefore called the attention of the Marshal of the District to these statements, and told him that it was due to the country and the courts that precautions should be taken to keep the peace and protect the courts and Judges in the discharge of their duties; and that such a number of court officers should be employed as would accomplish this result; that the Judges ought to be permitted to discharge their duties without danger and without malice. I also instructed him to consult the United States Attorney and Judges as to the course to be pursued in the premises."

BOUND TO BE HEARD.

Virginia Democrats Refuse to Condense Their Convention Oratory.

THEY WILL AIR THEIR SPEECHES.

Close Contests for Nominations in Iowa and the Old Dominion.

MAHONE'S GRIP NOT TO BE BROKEN.

Mississippi Republicans Will Put a Full Ticket in the Field.

The political pot is boiling at a lively rate in several States. In Virginia the Democratic Convention took an unsuccessful ballot yesterday. The Republicans of the same State continue to split on the rock of Mahoneism. Mississippi Republicans will place a full ticket in the field. In Iowa a bitter contest is waging over the Republican Gubernatorial nomination.

[SPECIAL TELEGRAM TO THE DISPATCH.]

RICHMOND, VA., August 14.—The Democratic State Convention effected its organization this evening by the election of R. H. Cardwell, Speaker of the House of Delegates, Permanent Chairman. Then the band played "Dixie," which was cheered to the echo, and somebody recognizing General Tom Rosser on the stand, there were calls on him. He said he was not accustomed to speaking, especially before political meetings, but when he looked on this vast crowd "I couldn't help thinking," he continued, with a smile, "that if you all had on gray jackets and had sabers I would like to see the crowd too big for you to run over. I wonder if the enemy could muster a force large enough to stay you."

The General, paying his compliments to Mahone, said he believed the sun refused to shine when Judas Iscariot foresWore his Savior, and he thought now what

A TREMENDOUS CONVULSION

of nature had ensued when Mahone turned traitor to his State. He did not believe any organization would be found strong enough to withstand the Democratic party's candidate.

The atmosphere being hot and the throng tremendous, a delegate moved that the nominating speeches be limited to 15 minutes and seconding speeches to five minutes. Delegate Cheatham, of Chesterfield, a gentleman advanced in years, rose, and in a voice shaking with indignation, asked if it was possible this convention proposed, when a man wants to make a speech nominating his friend for the high office of Governor of Virginia, to limit that man's speech.

Major Horace Lucy, a famed orator of Spottsylvania, and known as the "Lion of the Wilderness," made the motion to limit the speeches to thirty minutes, but the sentiment of the convention favored unlimited time, and all the resolutions were voted down.

BOUND TO BE HEARD.

The speeches wery very long, and owing to difficulty in maintaining order in so large a crowd, were not always heard. D. F. Pierce, the sturdy mountaineer orator from Wythe, in nominating Congressman Charles T. O'Ferrall made himself heard. He was rough on railroads, which he said were half a century ago hailed with joy as an aid, but which now controlled legislation, and the locomotive now whistles down brakes upon the liberties of the people. He said a refusal to nominate O'Ferrall would be to reverse the parable of the talents.

Despite the weather the convention seemed in a bantering humor and in no hurry, for it took a long recess for supper.

When the convention reassembled more nominating speeches were made, but it cannot be said that they were heard. The body was too large to be handled, and the poor acoustics of the hall made this worse. It became

A HOPELESS LAUGH

for half an hour. This condition was mainly due to the fact that Chairman Cardwell, having risen from a sick bed to attend the convention, was compelled to relinquish the chair several times, and he seemed to be the only man able to keep order.

When the Chairman returned and speaking was resumed, Judge Ray, of Washington county, made the hit of the evening by appealing for O'Ferrall, or the man who, 69 days after Cleveland was inaugurated, had dangling from his belt the scalp of every Republican rascal in the district. After this the convention began to get restive.

Messrs. McKinney, Venable, O'Ferrall, Beirn, Tyler and Harris were placed in nomination in the order named before the recess was taken. The State Central Committee having been chosen by districts, the claims of the respective candidates were discussed until 11:30 o'clock P. M., when a ballot was had, with this result: McKinney, 594; Beirn, 361; O'Ferrall, 307; Tyler, 130; Venable, 73; Harris, 57.

An unsuccessful effort was made to take another ballot, after which the convention adjourned until 10 o'clock to-morrow morning.

SOUTHERN REPUBLICANS

Are to be Encouraged by Foraker, McKinley and Other Orators.

SARATOGA, N. Y., August 14.—The last official session of the Executive Committee of the National League of Republican clubs was held to-day. The principal topic of discussion was the plan of holding the next convention. It was proposed to get up excursions for the delegates and make a tour of the South, stopping at towns along the route, and have prominent Republican speakers address the people. Governor Foraker, Major McKinley, General Woodford and others have already consented to speak should this plan be carried out. The object would be to encourage Southern Republicans.

Messrs. Huston, of Indiana; Byrnes, of Minnesota, and Humphrey, of New York, were appointed a special committee, with power, to confer with a sub-committee of the Republican National Committee in general work and conferring together for the good of the party. The idea is to work in perfect harmony. The rest of the work of the committee was detailed to various committees.

A FULL TICKET ASSURED.

Mississippi Republicans Will Make the Coming Election a Lively One.

[SPECIAL TELEGRAM TO THE DISPATCH.]

JACKSON, MISS., August 14.—The meeting of the Republican State Executive Committee to-day was very large attended. It was, in fact, a meeting of the leaders of the party in this State, from 200 to 300 representatives of two-thirds of the counties in the State. John R. Lynch, Chairman, and Fourth Auditor of the Treasury, in calling the meeting to order, said its purpose was to decide whether or not a convention should be held to nominate a Republican State ticket. He favored putting a ticket in the field.

Postmaster W. H. Gibbs, Secretary, called the roll, and there was much discussion on the proposition to call a convention, the affirmative idea largely predominating. Pierce, a leading colored Republican of Washington county, opposed nominating a ticket, saying it was useless, and that the only purpose of putting up a ticket to be knocked down was to give certain men a standing at Washington and help them to control the patronage of the State. He had some backing in the meeting, but it was finally decided that a convention to nominate a State ticket be called to meet in this city on September 25.

It is definitely known that Chalmers wants the nomination, and it was found that there is a very strong opposition to him among some of the colored leaders.

MAHONE OR NOBODY.

A Convention at Petersburg to Which no Anti-Mahone Men Were Admitted—A Huge Bolt Bound to be Precipitated.

[SPECIAL TELEGRAM TO THE DISPATCH.]

PETERSBURG, VA., August 14.—The Republican city convention met at the Court House to-day with closed doors and elected 12 delegates to the Republican State convention, which meets in Norfolk on the 22d inst. General William Mahone and General Hith Bolling were among the delegates elected. The complexion of the delegation is six whites and six colored representatives. The convention was composed of all Mahone delegates, as the anti-Mahone delegates were not allowed to come into the meeting, and doorkeepers were stationed at the door to prevent any one coming into the convention who were not Mahone delegates. Even members of the press were excluded.

The anti-Mahone delegates expressed themselves as indignant at such action, and said that they would not submit to such "clap-trap" proceedings, and they left the building. The convention, before adjourning, adopted the following resolution, which, when read, elicited prolonged applause:

Resolved, That it is the unanimous sense of this convention that General Mahone be nominated for Governor of this Commonwealth.

It is not thought that the anti-Mahoneites will elect any delegates to the State Convention, but will let Mahone have his own way there, and not support him or anyone that may be nominated on the ticket with him, because he is nominated and accepts the candidacy for Governor.

Intelligence was received here to-night of the death of Nathaniel Venable this afternoon at Old Point, after a protracted illness. The deceased was a native of Petersburg, and a son of Captain Samuel Woodson Venable, who is now a candidate before the Democratic State Convention for Governor. The deceased has resided in New York for some time, where he was studying medicine. He is a brother of Congressman E. C. Venable.

A MOST SPIRITED CONTEST.

Iowa Republicans Take Ballot After Ballot for Governor.

DES MOINES, IA., August 14.—The Republican State Convention was called to order at 11 A.M. to-day by Chairman Beardsley. Temporary officers were then announced, with John N. Irwin, of Keokuk, as Chairman. Mr. Irwin, on taking the chair, made a speech, and this was followed by the announcement of the usual committees. B. I. Salinger, of Carroll, was made permanent chairman.

On the recommendation of the State Central Committee, nominating speeches and an informal ballot were dispensed with, and the roll call on the nomination for Governor was proceeded with. The first ballot resulted: Wheeler, 447 1-10; Hull, 410 7-10; Hutchinson, 207 2-10; Crapo, 37; Larrabee, 52.

Governor Larrabee's name was then withdrawn by his request, and balloting was proceeded with.

At 10:15, when 17 ballots had been taken, with little change, an attempt was made to adjourn, but it failed to carry. The twenty-first ballot resulted: Hull, 391; Wheeler, 283; Hutchinson, 398.

AT SYRACUSE IN SEPTEMBER.

Probabilities That Saratoga Won't Have the Republican Convention.

[SPECIAL TELEGRAM TO THE DISPATCH.]

NEW YORK, August 14.—The Republican State Committee will meet at noon tomorrow in the Fifth Avenue Hotel for the purpose of fixing the time and place of the State convention. Saratoga wants the convention, and promises to keep its hotels open until October 1.

Platt and Hiscock think that Syracuse is the spot, and the drift of opinion to-night is in favor of Syracuse. It is believed that the committee will select a day late in September.

A LIBERAL VICTORY.

The English Government Makes Concessions to the Opposition.

LONDON, August 14.—Attorney General Webster announced in the House of Commons this evening that the Government had decided to amend the tithes bill by accepting the opposition's proposition to make the landlords instead of the occupiers liable for the payment of tithes. The announcement was greeted with cheers by the Liberals.

Sir William Vernon Harcourt expresses his gratification. This announcement, he said, proved that the patience and arduous exertions of the opposition had not been in vain. The Government's decision was equivalent to the introduction of a new bill.

The principle for which the Liberals had contended had been recognized. It implies an entire change of the whole system of tithes, involving immense interests and millions of money. Seeing the importance of the Government's change of front, the Liberals must ask time to scrutinize the bill, when placed upon paper, before committing themselves to its acceptance.

Mr. Smith, the Government leader, admitted that it was reasonable to postpone discussion on the bill until the new clauses were textually before the House.

AN AIRSHIP ON PAPER.

Little Interest Taken in the Latest Scheme to Navigate Through Clouds.

[SPECIAL TELEGRAM TO THE DISPATCH.]

BOSTON, August 14.—Only 12 persons could be found in Boston who were interested enough in the proposed big steel airship which is being talked up in this city to go to People's Church to-night and hear about the plans for building the same. Dr. R. G. Wells, who claims to be the first American to use the parachute, told what he and Dr. De Bausset intended to do. The airship, which they claim will attain a speed of more than a mile a minute, will be 732 feet long, 145 feet wide, and shaped like a cone. It will cost $250,000, and will be built if enough money is subscribed by the public.

The airship will be constructed of steel one-fortieth of an inch thick, and rarified air will be used. Attached to the ship will be a car 175 feet long. Dr. Wells claims that with three-fourths of the air exhausted the ship will still have an ascensional power of 63 tons. At present the airship exists only on paper.

Verdict on the Whitechapel Victim.

LONDON, August 14.—The Coroner's jury in the case of Alice Mackenzie, the last woman killed in the Whitechapel district, to-day returned a verdict that she was murdered by some unknown person.

THE CHARGE WORKED

Sullivan, Kilrain and Other Prominent Prize Fight Celebrities

INDICTED BY THE GRAND JURY.

Governor Lowry's Anger Begins to Cool Off Considerably, and

HE THINKS SULLY'S NOT SO VERY BAD.

Counsel for the Defense Pour a Little Hot Shot Into the Judge.

The grand jury sitting at Purvis, Miss., yesterday indicted Sullivan, Kilrain, Fitzpatrick, Muldoon, Cleary and Donovan, according to the judge's instructions, for prize fighting. Six of the jurymen were witnesses of the fight, and knew what they were talking about. Defendants present reasons for a plea in abatement.

PURVIS, MISS., August 14.—Sullivan and Kilrain, Referee Fitzpatrick and the seconds of the prize fight were to-day indicted by the grand jury. The indictment against Sullivan, relieved of its legal verbiage, charges that John L. Sullivan, by and in pursuance of a previous appointment and arrangement made to meet and engage in a prize fight with Jake Kilrain and for a large sum of money, did unlawfully engage in a prize fight in a ring commonly called a prize ring, and did then and there beat, strike and bruise the said Jake Kilrain, against the peace and dignity of the State of Mississippi.

HOW THEY KNOW IT.

The indictment gives the names of six of the grand jurymen as witnesses. They were at the fight. Indictments were also found against Referee Fitzpatrick, Jake Kilrain, Muldoon, Cleary and Donovan. The indictment against Fitzpatrick charges him with aiding and abetting the fight, but does not specify in what way. The capiases issued for the parties outside the State who have been indicted will be returned to the Court marked, "Not found." Copies of the indictments will then be sent to Governor Lowry, with a request to issue requisitions for the offenders.

LOWRY COOLS OFF.

A gentleman who is a friend of the Governor and who has conversed with him, says the Governor has cooled down considerably about the prize fight, and is leaving it in the hands of the courts. The Governor seems to be more friendly inclined toward Sullivan than before, and considers him less blamable than some others in the affair.

At the afternoon session of court, attorneys for the defendants submitted a plea in abatement, embracing the following points:

First—That the Court has no jurisdiction to try the pretended indictment, because the case was already before the Justice of the Peace on affidavits made by the Sheriff, the charges being identical with those contained in the indictment; defendants therefore ask that the indictment and all Circuit Court proceedings in their behalf be dismissed.

OTHER WEIGHTY REASONS.

Second—That the grand jury was impaneled and sworn August 12; it retired for deliberation, and so remained until the afternoon of August 13, at which time the grand jury had refused to find an indictment against the defendants; the Judge, of his own motion, before any indictment was found, and after the grand jury had refused to indict, sent for them and delivered the charge already published, without the request of the grand jury. After this charge the grand jury returned the indictments; they had intended to refer the case back to the Justice of the Peace, but the Judge's charge forced the jury to bring in the indictment against us.

Third—The second count being a different charge from that made against defendant and upon which he was extradited, should be dismissed.

Court then adjourned till to-morrow. Deputy Sheriff Chiles, who captured Sullivan, left for Baltimore to-night, and will bring Kilrain from there here.

OTHER INDICTMENTS PREPARED.

After the grand jury left the courtroom they called before them witnesses who had come from Meridian, and they were examined. This naturally told the outsiders that the cases of the aiders and abettors were under consideration, and it is expected that they will be presented in the morning.

Judge Terrell was summoned by the Sheriff at 5 o'clock. The grand jury desired his presence in the court, and they handed in eight bills. They were against persons outside of the county who had not yet given bond. Had the parties indicted or any of them been under bond, the indictments would have been made public. The bills are against Frank Stevenson, who managed Kilrain's interests; W. E. Harding, who represented Richard K. Fox, Kilrain's backer; Johnny Murphy, Kilrain's bottleholder; Dan Murphy, Sullivan's bottleholder; Dennis Butler, towel holder and ring builder; James Wakeley and Charlie Johnson, Sullivan's backers, and G. D. Edwards, General Passenger Agent of the Queen and Crescent Road.

The finding of this batch of indictments caused considerable excitement among all hands.

KILRAIN IS CAPTURED.

The Baltimore Police Arrest Him on a Requisition From Mississippi.

BALTIMORE, August 14.—The ex-champion, Jake Kilrain, is now in the clutches of the law. He was captured about 7 o'clock this morning as he stepped from the Norfolk boat on her arrival at the wharf. When Kilrain walked off the gangplank, accompanied by his wife, Sergeant Frank Toner greeted him with these words: "How do, Jake; the Marshal wants to see you."

"All right, I am ready to go with you."

The Sergeant was armed with the proper authority, viz: a warrant issued by Governor Jackson for Kilrain's arrest by virtue of a requisition made on him by Governor Lowry, of Mississippi. When apprehended by the Sergeant, Kilrain waited only long enough to get his baggage together and sent them with his wife to his residence in this city. He then entered a carriage and was driven to the Central police station. He was not put under lock and key, but was allowed to rest himself in Captain Farnan's private room. Kilrain was not at all upset by his arrest, but took matters coolly as he enjoyed a nice breakfast ordered from a nearby restaurant.

Jake regretted that he could not outline his future course owing to the uncertainty as to what would be done with him by Governor Lowry. He said: "I had intended all along to give myself up and was only waiting to see what they would do with Sullivan. I thought it was better to do that than to keep dodging around the country to evade arrest. They would have hounded me anyhow until they captured me and I did not care to leave the country, as all my interests are here, and I think I can do well when once more I am free. Unfortunately, however, I came home a few days too soon. Had I waited a little longer I would have known what was done to Sullivan and then would have known what to expect myself. Of course I expect to get the same he does. If it's a fine and six months in prison I will get it too."

WOULD BE WELCOME.

American Capital and Industries Wanted in Ireland—An Effective Club That Could be Placed in the Hands of the Home Rulers.

[SPECIAL TELEGRAM TO THE DISPATCH.]

BOSTON, August 14.—Apropos of the plan originated by a few prominent Irishmen in this city to stimulate Irish industries by sending to that country American capital and American skilled laborers to teach the Irish people the different trades, William O'Brien, M. P., has written the following letter to Mr. Thomas O'Flynn, who is one of the promoters of the scheme:

HOUSE OF COMMONS, LONDON, August 2, 1889.

Mr. Thomas O'Flynn, Manager *Irish National Colonist*, Boston, Mass.:

MY DEAR SIR—Owing to my imprisonment and other anxieties, I hadn't time to reply to your kind letter. We should all welcome with delight any infusion of American capital and energy into our country. There are many districts, for example: Gweedore, in Donegal; Loughrea, in Galway, and Youghal county, Cork, where the tenants' families could be utilized in factories, and the establishment of such industries among them would be of inestimable service. I cannot exaggerate the encouraging effect it would have to Youghal, for instance, where the Ponsonby evictions have been going on, if there was an American factory started to give employment. It is unquestionably one of our serious difficulties that under the present system of relief to evicted tenants, the tenants remain unemployed. They would welcome one of your factories as a priceless blessing, and the landlords would receive the death blow of their last hope, which is, that by increasing evictions they may exhaust our funds.

Looking at the matter from our point of view, any well-considered industrial scheme such as you foreshadow would be of incalculable benefit and encouragement to our people, and I could not possibly exaggerate its beneficial effects in diffusing some spirit of American energy and enterprise through the country. The establishment of an Irish-American factory at Youghal, at this moment in particular, would be a most effective blow at the syndicate who have undertaken to depopulate the district, and I do earnestly hope that your company may see their way to some practical and well-advised action in this direction. Believe me, dear Mr. O'Flynn, very sincerely yours,

WILLIAM O'BRIEN.

BOULANGER SENTENCED.

He is Convicted of Embezzlement and Treason—Dillon and Rochefort Declared to be Accomplices—The Defendants to be Incarcerated.

PARIS, August 14.—The Senate Court found Count Dillon and Henri Rochefort accomplices of General Boulanger in a felonious attempt against the safety of the State. It also decided by a vote of 100 to 97 that the acts charged in the indictment against the accused in connection with the Presidental crisis in 1887 constituted a treasonable attempt.

General Campernon, Senator for Neuilly-Sur-Seine, argued that the charge of embezzlement against General Boulanger had been proved.

M. Leroyer, President of the Senate, and M. Margaine, Senator for the department of Marne, argued that the court was incompetent to try General Boulanger on the charge of misappropriation of funds, and that the charge must be referred to a court martial.

The Court found General Boulanger guilty on the charge of embezzling public funds and refused to allow that there were extenuating circumstances. The Court then sentenced General Boulanger, Count Dillon and Henry Rochefart to be deported to a fortified place.

After the announcement of the sentence the Court adjourned in order to frame the text of the decree of sentence, which will be voted upon in secret session and read at a public sitting.

The Republican groups of the Senate held a meeting and adopted resolutions requesting the Government to enforce the decree after the Court has dissolved, calling attention to the gravity of the absence of some of the Ministers, and demanding that steps be taken against all officials implicated in the case.

THE TIN SOLDIER DEFEATED.

An Actor and Dairyman Fight Over Trespassing Cows.

[SPECIAL TELEGRAM TO THE DISPATCH.]

NEW YORK, August 14.—Charles F. Lorraine and his wife, members of the "Tin Soldier" Theatrical Company, are spending the summer at their cottage in Grand street, just outside of Newtown village. Cows belonging to an old man called Canada, he says, have been grazing on his lawn. He complained to Canada, but in vain. Then he tried to drive the cows away by pelting them with green apples. The cows suffered for awhile, but they studied his game, and then they turned around and ate up his ammunition.

To-day Mr. Lorraine met Canada, and they got into a controversy. Canada's temper is hot, and he struck the actor on the cheek with a hoe, cutting the flesh to the bone. The tin soldier was not lacking in valor, but because his assailant was old he retired from the field, and had a warrant issued for his arrest. Canada will be examined by Justice Scheper to-morrow.

CHARLEY FOSTER WELCOMED.

His Neighbors in Ohio Give Him an Enthusiastic Welcome.

FOSTORIA, O., August 14.—The little city of Fostoria was all excitement to-night over the reception to Hon. Charles Foster, on his return from his negotiations as Chairman of the Sioux Commission. The exercises were held in the Opera House, which was packed with his enthusiastic townsmen. The reception speech was made by Mayor Brown. Mr. Foster was then formally introduced to the meeting amid great cheering. His remarks were followed with the closest attention and applauded to the echo.

After thanking his fellow-townsmen for their gratifying reception, Mr. Foster discussed the work of the Sioux Commission, and gave an interesting description of the vast area so soon to be thrown open to settlement.

A CONFIRMED ARSENIC EATER.

Some New American Testimony to be Introduced in the Maybrick Case.

[SPECIAL TELEGRAM TO THE DISPATCH.]

NORFOLK, VA., August 14.—A well-known woman of this city, Madame Mary Hogwood, to-day went before a notary, and made oath that the late James Maybrick, whose wife is now under sentence of death in Liverpool, charged with her husband's murder, was a confirmed arsenic eater and consumed the drug out of a vial. She produces one of the bottles which he left in her house and it will be sent to the State Department.

Despite the bad character of the woman, she bears a fair reputation for truth and veracity,