

OFF THE TRACK

A Coach on the West Penn Railroad is Hurling Near Sarver Station,

KILLING A MAN AND A BABE

And Injuring at Least Twenty Others, Some of Them Seriously.

EX-MAYOR LYON IS HURT

And General Rowley is Badly Bruised and Receives a Painful Shaking Up.

MANY OF THE INJURED MAY DIE.

The Accident Caused by Rails Spreading and Upsetting the Car Over an Embankment.

SAD ENDING OF A DAY OF PLEASURE

Two people were killed outright and at least twenty others injured yesterday afternoon on the West Penn Railroad, near Sarver station.

The most disastrous accident on the West Penn Railroad since the famous wreck of 1877 occurred near Sarver station yesterday afternoon.

Among the latter were ex-Mayor Lyon and General Rowley, of this city.

The following is a list of the killed: WILLIAM J. POWERS, owner of a billiard parlor at No. 477 Butler street.

BLANCHIE FARRELL, of Freeport, 2 years old, was with her mother at the time of the accident.

Those Who Were Injured. ROBERT LYON, ex-Mayor of this city, badly injured about the shoulders.

GENERAL T. A. ROWLEY, commander of the regiment, lives at the corner of Bedford street and Duelliers street.

MAJOR J. A. McLAUGHLIN, clerk in the County Recorder's office, lives in Ross township.

JAMES S. GRAY, conductor of the train: several ribs broken, head badly crushed and hurt internally.

CHARLES KARNIS, of Butler, brakeman: supposed to have had his back broken.

LIEUTENANT LOWRY, of No. 36 Taylor avenue, Allegheny, was badly shaken up and bruised.

COLNELL SAMUEL KILGORE, ex-County Treasurer, had one leg broken and was bruised about the body.

JOHN H. NICHOLS, of Dean & Nicholson, grain merchant, No. 1016 Penna avenue, was badly injured about the back.

LOUIS McMULLEN, attorney and ex-School Director in the Second ward, Allegheny, injured internally and bruised about the body.

Capt. F. H. GIBBS, of this city, slightly injured.

REV. FATHER GREGORY, of St. Augustine's Church, Lawrenceville, hurt about the head.

W. H. HOOK, injured in back and side.

MRS. CATHERINE KEEFER, of Butler, bruised about the back and limbs.

CHARLES SEITZ, West Fairview, Westmoreland county, badly cut about the face and hand.

REV. S. WOODS, of Barkleyville, Venango county, cut on head and back.

THREE CHILDREN belonging to Mrs. Farrell were also at the time of the accident.

SULLIVAN IS GUILTY. A HUNTING TRAGEDY.

That is the Jury's Verdict in the Great Prize Fighting Case.

SENTENCE NOT YET PRONOUNCED, As the Plaintiff's Lawyer Still Has an Argument to Make.

THE CHAMPION SOMEWHAT WORRIED.

Indictments have been found against others of the Participants.

The Mississippi jury last evening brought in a verdict of guilty against John L. Sullivan on a charge of prize fighting.

The case was made to-day. District Attorney Neville opened and closed for the State, while ex-Attorney General Ford, Judge Calhoun and Mr. Green appeared for defendant.

From the evidence the accused has been proven guilty. If your verdict be that of not guilty then write on the indictment 'Not guilty—Mississippi disagreed and desisted,' and if the verdict be 'guilty' then you will show to the world that in Mississippi, our beloved State, the law is supreme.

Charges for the defense were read by Mr. Green, of counsel, and those for the State by the District Attorney. Each of the charges are quite lengthy.

That for the defense says that although the jury believe from the evidence that the defendant fought with Kilrain, yet, unless the State

PROVED IT WAS TRUE that the person's name was known to be Jake Kilrain, or that he passed by that name, they can't find defendant guilty under either count.

That although the jury should be satisfied that defendants fought in a ring, it must be proved that they fought for a prize, or conviction on the first count.

The charge for the State at the outset says: "If the jury believe from the evidence that Sullivan, within two years before the indictment, engaged in a prize fight with Jake Kilrain they will find him guilty."

It was 3:30 when the jury took the charges and withdrew, and at 6 o'clock they returned into court. Sullivan took his seat at the bar and only the shouting he gave the toothpick in his mouth showed that he felt any emotion.

Judge Terrell had already taken his seat, while the attorneys became solemn and expectant. There was a deep silence that continued until the judge sat down for a moment, but Judge Terrell said:

RECEIVING THE VERDICT. "Stand up, gentlemen," they arose. "Stand up, Mr. Sullivan," said the Judge.

The champion also came to his feet. His face was just a shade more serious than usual, but he still looked quite unconcerned.

"Have you agreed upon a verdict?" asked the Judge.

There was a general nodding of heads, and they handed over a paper. Judge Terrell turned it over to the clerk, who read:

"We, the jury, find the defendant guilty as charged in the first indictment."

"You mean first count," suggested the Judge. A general headshaking denoted an affirmation. Judge Calhoun requested that the jury be asked if they did mean.

"You mean guilty of prize fighting," said the Judge to the jury. The latter nodded in the affirmative. The verdict was ordered recorded and the jury were released.

THE CHAMPION WORRIED. Sullivan's face as the verdict was rendered was a study. His look was not of disappointment or grief, but more of worry and annoyance.

He was asked if he was satisfied with the presence of the crowd and as soon as he could get away from the Court House he went by a back way, accompanied by several of his faithful friends.

He tried hard to keep up his spirits, singing a snatch of song and forcing a laugh, but he was evidently a little downhearted.

He stood at the depot to see the north-bound train pass, and later on recovered his usual merry mood and was social and unconcerned as ever.

The case against Referee Fitzpatrick will be taken up to-morrow.

A dispatch from New York says: Word has been received here that all those who have taken part in the Sullivan-Kilrain battle had been indicted at Purvis, Miss.

Charlie Johnston, of Brooklyn, being among the number. A reporter called at Johnston's place and found that gentleman standing outside talking to an acquaintance.

SURELY INDICTED. "There is a rumor, Mr. Johnston, that you and others have been indicted by the grand jury at Purvis, Miss. Can you tell me if it has any foundation in fact?" asked the reporter.

"I guess it has," was his quiet answer. "You have received confirmation of it, then?"

JUDGE FIELD BAILED.

He is Arrested for the Murder of Terry, but Soon Set Free

UPON A WRIT OF HABEAS CORPUS.

In an Extended Petition He Reviews His Side of the Case.

A WARRANT SWORN OUT BY MRS. TERRY

The Dead Man's Funeral Attended by a Great Course of People.

Stephen J. Field, Associate Justice of the Supreme Court, was yesterday arrested on a charge of murder, preferred by Mrs. Terry.

He applied for a writ of habeas corpus before Judge Sawyer, who was also threatened by Terry, and was released on \$5,000 bail.

The funeral of the dead man was largely attended, but the California Supreme Court refused to adjourn in his memory.

SAN FRANCISCO, August 16.—Justice Stephen J. Field, of the United States Supreme Court, was arrested here to-day on the charge of being a party to the killing of David S. Terry at Lathrop last Wednesday morning.

Applications were made at once for a writ of habeas corpus, and the matter was heard by Judge Sawyer, of the United States Circuit Court, who granted the writ, and released Justice Field on \$5,000 bail.

The warrant for Justice Field's arrest was issued by a Justice of the Peace in Stockton on complaint of Mrs. Sarah Althea Terry, Sheriff Cunningham, of Stockton, arrived here with the warrant last night, and he applied to Judge Rix, of the Police Court, this morning to indorse it.

Judge Rix took the matter under advisement, and asked the advice of District Attorney Page.

THE WARRANT REGULAR. The latter expressed the opinion that the warrant should be indorsed; that it was issued in regular form, and the Judge should not consider the individuality of the person against whom it was directed.

Counsel who appeared for Justice Field urged the Judge to take testimony to ascertain if the warrant should have been issued. He declared that the issuance of the warrant was nothing more than an attempt to humiliate a Justice of the Supreme Court.

Judge Rix finally indorsed the warrant, and placed it in the hands of Sheriff Cunningham, who went at once to the United States Appraiser's building, where Justice Field's chambers are located.

Justice Field arrived at his chambers about noon, and with Judge Brewer, of Kansas, and Judge Sawyer, of Iowa, he went to the Sheriff's office, and then, accompanied by Chief of Police Crowley, Captain Lees and Justice Field's chambers, proceeded to Justice Field's chambers.

PLACED UNDER ARREST. Justice Field rose to receive the party, and Sheriff Cunningham presented the warrant and formally made out a copy of the same. A writ of habeas corpus was made at once for a writ of habeas corpus. Judge Sawyer granted the writ, and the party retired to the Circuit Court room.

District Attorney Carey announced that Sheriff Cunningham had obeyed the writ of habeas corpus and produced the prisoner, and that he now awaited the further pleasure of the Court. Judge Sawyer set the case for hearing next Thursday, and preliminarily ordered Justice Field's release, fixing the bail at \$5,000.

The petition for the writ of habeas corpus was made by Justice Field himself, and is a very lengthy document, in which he details the facts of the case already known and declares that at the breakfast table at Lathrop Justice Field was maliciously and wickedly assaulted from behind by David S. Terry, which assault was not provoked by any act, word or deed of the petitioner.

THE COURT SENSATION. The details of the contempt proceedings of September last, when Mrs. Terry caused the sensational scene in the Circuit Court room, are then set forth, and it is declared that at the time of the commission of said contempt by Terry and his associates, the petitioner was present and saw the same.

At the time of the commission of said contempt by Terry and his associates, the petitioner was present and saw the same. He declared and threatened that he would "get even" with the petitioner.

The petition sets forth that at the time of the shooting Justice Field was accompanied by David S. Terry, a Deputy United States Marshal, who was under instructions from the Attorney General of the United States and Marshal Frank. The petitioner declares that he in no way or manner defended or protected himself and was in no way responsible for any directions given by any other person, and that he was

MERELY PRESENT at the place of the shooting while en route from Los Angeles to San Francisco in discharge of his official duties. He further declares that he was not the author of any act, word or deed, nor has he been at any time for many years, armed with any weapon whatever.

The petitioner further alleges that Sarah Althea Terry falsely and maliciously swore out the warrant of arrest.

Justice Field also sets forth in his petition that he is now holding court in this city, and this arrest and removal would seriously interfere with and interrupt his official duties, such interference being contrary to the provisions of the Constitution.

Justice Field further asserts that in the United States Circuit Court, during the hearing of the Sharon case, it was proved and held that the complainant, Sarah Althea Terry, was "an abandoned woman without veracity."

Application was made by Attorney Crittenden to the Supreme Court to adjourn to-day as a mark of respect to the memory of Judge Terry. Chief Justice Beatty declined to entertain the motion.

After remarking that he was sorry the motion had been urged in this way, it is a very unpleasant affair, but the Court fully considered the same, and deems it the wisest course to treat the subject in silence. The sudden death of David S. Terry is notorious, and it is the decision of this court that it take no further action in the matter.

A dispatch from Stockton says: The funeral of David S. Terry was held here to-day. The body was removed from the morgue at noon and taken to the Episcopal church, where it lay in state for two hours, and was viewed by a great number of people. Mrs. Terry occupied a pew near the casket, and watched the face of the dead all the while. Several times she left her seat and threw herself upon the casket. The service was read by one of the vestrymen of the church. The body was interred in the cemetery in Stockton.

LEAVING MT. GREYNA.

The Joint Encampment of Militia and Regulars Comes to a Close.

MR. GREYNA, August 16.—This was the closing day of the joint encampment of the National Guard and the United States regulars and was a busy one for the officers and soldiers.

The United States cavalry this morning visited the rifle range and a single volley was fired by the cavalry of the National Guard did some firing.

Surgeon Fritchie, of the Governor's troop, did some excellent shooting. The batteries of the United States regulars and National Guard have been marching this evening under Colonel Hudson and made a very fine appearance. The National Guard batteries did some drilling to-day by companies.

The tents at the Governor's headquarters have all been struck and the cavalry, of two, which will disappear to-day. The United States regulars will enter upon firing drill on Monday, and expect to finish by the 30th, when they will leave for their posts.

The entire encampment will close next year, together with a large representation from the United States army.

WASHBURN IN SOUTH CAROLINA.

A Heavy Rainstorm Works Havoc to Crops and Railroads.

CHARLESTON, S. C., August 16.—On account of heavy rainstorms on the South Carolina Railroad, all connection with Camden is shut off. Serious damage was also done at several points on the Wilmington, Columbus and Augusta Railroad. All hope of the rice on the Santee river is gone.

The area affected is not more than about 5 miles wide and 50 or 60 miles long. There was no thunder or lightning, but a steady, tremendous downpour of rain. It is estimated that 12 inches fell in two hours.

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SAVED BY YANKEES.

A Crew of the Right Sort of People Rescue a Boatload of Women and Children—A Steamer Afloat Far From Land—No Lives Lost.

NEW YORK, August 16.—There was a mighty lively fire aboard the Brazilian mail steamship Alliance, on July 8, while she was 135 miles from Bahia and about 25 miles from the coast of Brazil.

The Alliance is one of the very few steamships that were offered entirely by Yankees. That they are the right kind of people is proved by the way they handled the Alliance when she was afloat.

The news-papers of Brazil are lavish in their praises of the courage and coolness of Captain Beers and his assistants.

The fire broke out about 9:30 o'clock at night, in a front compartment midships, where were stowed 45 casks of rum and a lot of cotton in bales. How the fire started is not known. A few minutes after the first assistant engineer, Joseph Neptane, discovered it, the rum casks began to explode.

Nearly all the 85 passengers, including 45 women and children, many of whom were Americans, had gone to bed. They got up in a hurry and rushed on deck.

Capt. Beers headed his ship for the shore, while Engineer Van Aderstine got out five lines of hose and pumped water into the compartment through the coal bunker hatches. Anchor was dropped within five miles of the coast, and all the passengers were put aboard five lifeboats, which were swung into the water. An officer had charge of each boat.

The captain, the engineer and his assistants and the crew stayed aboard the ship and fought the fire until dawn, when they got it under control. The only damage to the hull of the steamer was the warping of a plate on the starboard side. The officers and crew were exhausted by the time they got the fire under control.

The carpenter and half a dozen of the men were slightly burned about the hands.

The passengers signed a paper complimenting the captain and his men for their gallantry. After the ship reached Bahia \$1,600 was raised to buy presents for the brave tars.

UXORICIDE AND SUICIDE.

A Cowboy Shoots His Wife, Mother-in-law and Himself.

SPRING CREEK, August 16.—Henry Prewitt, of Spring Creek, today shot and finally wounded his wife, slightly wounded his mother-in-law and committed suicide.

Prewitt, who was 30 years of age, came to this State a short time ago from Texas, where he had been employed as a cowboy. He was inclined to be wild and reckless, but succeeded in winning a highly respectable young lady for a wife four months since.

Prewitt was a very good natured man, and his wife and her relatives were very kind to him. This morning he was in the act of making his way to his mother-in-law's office, and then, accompanied by Chief of Police Crowley, Captain Lees and Justice Field's chambers, proceeded to Justice Field's chambers.

Justice Field rose to receive the party, and Sheriff Cunningham presented the warrant and formally made out a copy of the same. A writ of habeas corpus was made at once for a writ of habeas corpus. Judge Sawyer granted the writ, and the party retired to the Circuit Court room.

District Attorney Carey announced that Sheriff Cunningham had obeyed the writ of habeas corpus and produced the prisoner, and that he now awaited the further pleasure of the Court. Judge Sawyer set the case for hearing next Thursday, and preliminarily ordered Justice Field's release, fixing the bail at \$5,000.

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FOR EVERY BREWERY.

WANTS, TO LETS, FOR SALES, ETC., FOR TO-MORROW'S ISSUE.

Should be handed in at the main advertising office of THE DISPATCH, Fifth Avenue, up to midday.

THE LOCAL REPRESENTATIVE AND MEMBER OF THE ENGLISH SYNDICATE THAT SEEKS TO BUY ALL ENGLISH ALLEGHENY COUNTY BREWERIES TELLS ABOUT IT. He hints at \$7,000,000 being out in options here already. His inside view of the great project is full of interesting, straightforward details—the very first yet printed, he says.

So much unauthenticated talk has been going the rounds lately about the Brewers' Trust, that THE DISPATCH made another, and finally successful, effort last night to find out something definite in regard to the English syndicate's local operations. J. J. O'Reilly, the representative in this city of the syndicate, furnished a reporter with some interesting facts, not surmises, in regard to the workings of that body. He was very particular, however, about being quoted exactly, and refused to talk until a promise had been given him that his wishes in this behalf would be observed. The following is the story as he gave it to the reporter.

You may say, in the first place, that the English syndicate is no myth. In addition to being the agent of the syndicate in this city, I am also a member of that body. It is composed of shrewd, intelligent, cold and calculating business men, most of whom are Americans, but a few among them claiming America as their home. The capital stock of the whole concern is, at the very lowest calculation, \$100,000,000, and I may state that much of this amount was made right here in America and in the Indies.

SYNDICATE'S COURSE JUSTIFIED. Very many people are bitterly opposed to the syndicate, because they imagine that it is going to hurt American industries. This is a great mistake. No later than the other day a man met me and attacked me on the ground that, if all the money were brought over here, no one would be able to secure more than 2 or 3 percent on a \$1,000,000 investment. I replied that, if the money were brought over here, it would be invested in the purchase of American stocks, and that the syndicate would be able to secure more than 2 or 3 percent on a \$1,000,000 investment. I replied that, if the money were brought over here, it would be invested in the purchase of American stocks, and that the syndicate would be able to secure more than 2 or 3 percent on a \$1,000,000 investment.

It will not bother at all with any purchases under \$1,000,000. For instance \$5,000,000 was recently invested in the purchase of American stocks, and the syndicate is now in the Territory. Governor Hartranft will probably resign, inasmuch as his declining health necessitates a trip abroad. Judge Wilson leaves to-morrow for Atoka, in the Choctaw country, where he will examine the condition of affairs there and ascertain what terms can be made with the Indians for the transfer of their claim upon the Cherokee strip.

It is the intention of the Commission to avail themselves of the stipulation of the treaty with the Government which provides for the transfer of the Choctaws, Chickasaws and Arapahoes from their reservation to the Cherokee reservation, and open up the former, 1,000,000 acres in extent, to settlement. This can be accomplished within a year.

A NEW OIL FIELD DEVELOPED.

A Big Gusher Attracts Capitalists to West Virginia.

MORGANTOWN, W. VA., August 16.—The Smith & Aiken oil well equals the first reports, which were to the effect that the well was a gusher, variously estimated at from 300 to 600 barrels. The well was sunk on what was supposed to be the eastern portion of the field and proves to be the heart of the bet.

Leading operators say this new West Virginia field is the greatest white sand oil field since the time of the Butler, Pa. strike. The field covers an area of several miles and extends into Marion county. The Standard Oil Company is after all the gas territory to hold in reserve. The parties of the most part are held by private parties or small corporations and the prices now being paid for territory are fabulous. The influx of new capitalists has already begun.

AF OPPOSITION VICTORY.

The Salisbury Government Forced to Withdraw an Obnoxious Measure.

LONDON, August 16.—The discussion of the tithes bill was continued to-day in the House of Commons. Sir William G. Vernon Harcourt, member for Derby, appealed to the Speaker to say whether, when the amendments inserted practically constituted a new bill, it was not the practice to withdraw the measure and introduce it as a new bill if necessary.

The Speaker ruled that a bill so transformed should be withdrawn. The bill was accordingly withdrawn and will not be again presented.

A WEST VIRGINIA CLOUDBURST.

Railroads Washed Out and Farmers Suffer Considerable Loss.

CLARKSB