

THE YAKIMA HERALD.

SUPPLEMENT.

TERRY'S CAREER.

A California Forty-Niner, and Rose to Eminence in that State.

The Causes That Led to His Trial and Death—The Terry-Broderick Duel.

David S. Terry, who was killed by Deputy United States Marshal Nalle in California, for assaulting Justice Field, of the United States supreme court, first came into notoriety as the slayer of Senator Broderick in 1859. He was born in Kentucky in 1820. At an early age he entered the Texas army under General Sam Houston, and in 1849 he came to California among the first of the gold hunters of that year. He settled in Calaveras county, but being a lawyer by education he preferred law to mining, and being a man of ability he soon gathered a large and lucrative practice. From law he went into politics, and at the age of 32 he was elected justice of the supreme court. He held that office for six years a resident of the state. He was at this time what was called a native American or "no-nothing" in politics. Two years after his election, by the death of Chief Justice Murray, trouble commenced he took sides against that organization, and on one occasion stabbed one of its members for attempting to arrest a friend of his. He was himself arrested for this, and was held for a time by the vigilantes, but was afterwards released.

While on the supreme bench Justice Terry experienced a change of politics. On the decay of the native American party he joined the democratic party and allied himself with the Leocompton wing of that organization. The republican party was not strong in the state at the time; those who believed in its doctrines were content to be known as anti-Leocompton men. The Leocompton men were backed by the Buchanan administration at Washington. The killing of Broderick filled the state with enemies for Terry. This was shown as late as 1880, when his associates on the Hancock electoral ticket were chosen while he was defeated.

Terry's next prominent appearance was as counsel for the plaintiff in the celebrated suit of Sarah Althea Hill against ex-Senator Sharon and it was this litigation which led to the tragedy. In the trial court judgment was rendered against Sharon for a large sum of money—a wife's share of more than \$1,000,000. Under instructions given to his executors on his deathbed the case was fought to the bitter end. Defeated in the state courts, the heirs and executors took the case to the United States circuit court.

At this point Justice Stephen J. Field, who has hitherto had no connection with any of the parties, enters into the case. As one of the justices of the supreme court he is also judge of the judicial district which includes California. The case came before him. It was decided in Sharon's favor. Meantime, pending all this bitter litigation, Judge Terry had doubled his relations to his client, and became her husband as well as her attorney. He occupied this two fold position when Judge Field delivered the decision which cut off himself and his client wife from all hope of the Sharon millions.

There was a scene in court when Judge Field rendered his decision. Sarah Althea became violent and threatened to shoot the judge and the marshal. Judge Terry pulled a knife and threatened to insert it in the vitals of the judge. As a result of this disturbance Judge Field sentenced Mr. and Mrs. Terry to three and six months, respectively, for contempt of court. All sorts of legal expedients were brought in requisition to enable the pair to evade this sentence, but they were of no avail. Terry and his wife were put in jail and kept there until the expiration of their sentences. In asserting the dignity of his court the judge incurred the resentment of the two litigants, and the death of Terry is the unexpected echo of his own threat uttered before sentence for contempt had been written on the records of the court.

THE TERRY-BRODERICK DUEL.
David S. Terry and David C. Broderick belonged to opposing factions of the democratic party in California in 1859. The former had been chief justice of the state supreme court and the latter, with Wm. M. Gwin, represented the state in the United States senate. Gwin, with Terry and the most influential portion of the democracy in the state, were pro-slavery men, while Broderick belonged to the anti-slavery wing of the party. The Buchanan administration and the pro-slavery men generally, hated Broderick, and this feeling was voiced by Terry in a speech before the state convention of the administration faction of the party, at Sacramento in the latter part of the summer of 1859, in the following language:
"They (the anti-slavery democrats) are the followers of one man, the personal chattels of a single individual whom they are ashamed of. They belong, heart, soul, body and breeches, to David C. Broderick. They are yet ashamed to acknowledge their master, and are calling themselves, aye, smooth, Douglas democrats, when it is known—well known to them as to us—that the gallant senator from Illinois, whose voice has always been heard in the advocacy of democratic principles, who now is not disunited from the democrats, has no affiliation with them, no feeling in common with them. Mr. President and

gentlemen, I am mistaken in denying their right to claim Douglas as a leader. Perhaps they do sail under the flag of Douglas, but it is the banner of the black Douglas, whose name is Frederick, not Stephen.
This led to the duel. Broderick, on reading these words, said to D. W. Perley, a friend of Terry:
"If Terry has been abusing me, I now take back the remark that I once made that he was the only honest judge on the supreme bench. I was his friend when he needed friends, for which I am sorry. Had the vigilance committee disposed of him as they did of others, they would have done a righteous act."
Perley took Terry's part and challenged Broderick, who replied contemptuously:
"Sir, I fight only with gentlemen of my own position."
Thereupon Terry sent the following letter to Broderick:

OAKLAND, Sept. 8th, 1859.—Hon. David C. Broderick: Sir—Some two months ago, at the public table of the International hotel in San Francisco you saw fit to indulge in certain remarks concerning me which were offensive in their nature. Before I heard of the circumstance, your note of the 29th of June addressed to D. W. Perley, in which you declared that you would not respond to any call of a personal character during the political canvass—a just conclusion, was published. I have not been permitted to take any notice of those remarks until the expiration of the limit fixed by yourself. I now take the earliest opportunity to require of you a retraction of those remarks. This note will be handed to you by my friend, Calhoun Pennington, esq., who is acquainted with its contents and will receive your answer. D. S. TERRY.

To this letter Broderick replied thus: SAN FRANCISCO, Sept. 8, 1859.—Hon. D. S. Terry: Yours of this date has been received. The remarks made by me were occasioned by certain offensive allusions of yours concerning me. He repeats the language used by Terry with his own remarks to Perley. You are your own judge as to whether this language affords good grounds for offense. D. C. BRODERICK.

A duel now was inevitable. Preliminary arrangements were made and an attempt made to fight on September 12th, near the boundaries of San Mateo and San Francisco counties, which resulted in the arrest of principals and seconds. They were immediately discharged from custody, however, on the ground that no offense had yet been committed. The next day the duel took place near San Francisco. Terry, by the loss of half a dollar, won the choice of weapons. Pistols were used, ten paces were marked off, and the combatants took their places. At the word Broderick fired first and a second later Terry's pistol rang out. Broderick's pistol it was afterwards learned, had been discharged accidentally and before he was ready, the bullet burying itself in the ground near Broderick's feet. The fitness of the hair trigger, to which Broderick was unaccustomed, was the cause of the accident. Broderick was a good shot, and had the muzzle of the weapon been raised high enough Terry would undoubtedly have been hit. Terry's bullet, however, took effect in Broderick's left breast, inflicting a wound from which he died three days later, and the contest took its place among the most celebrated duels of history.

Broderick's funeral oration was delivered by his friend, Col. E. D. Baker, one of the most picturesque characters in American history, who had previously represented an Illinois district in the lower branch of Congress, who subsequently went from Oregon to the upper branch who had been a private in the 11th Iowa, a colonel in the Mexican war and who was a brigadier general in the Union army when he met his death in 1861, at the battle of Ball's Bluff.
Two-thirds of the people of San Francisco turned out at a Broderick's funeral, the flags were put at half mast, and it seemed as if the whole state went into mourning. The funeral was, in fact, the most notable demonstration of its class which ever took place on the Pacific Coast.

Terry was arrested about a week after Broderick's death and put under \$10,000 bonds. Although public opinion was strongly against him, the people holding him morally guilty of murder, the jury acquitted him.

M. Probach has received one of the finest lines of spring and summer goods in the city for gents' suits. He has also secured one of the best journeyman tailors, who makes up the garments at home, and is much more beneficial to the community than peddler tailors.
Persons desiring transportation about the city or vicinity can be accommodated by leaving orders at Allen & Chapman's for Stanton's hack line.

Readers, in our advertising columns you will see the generous offer of Goodwin & Pugsley. Six lots in the best part of town given away. This is an opportunity which should not be thrown away.

Bartholet Bros. will not be undersold in anything—dry goods, clothing, furnishing goods, boots and shoes, hats and caps, crockery, groceries, and in fact everything kept in a first-class store.

Dr. Savage will be found always ready to attend calls day or night. Office over postoffice; residence on Second street, one block south of First National Bank. Oct. 11.

C. E. McEwen takes a pride in turning out good work. This is the reason his harness, saddles, bridles, &c., give such satisfaction and outlast all others.
Goodwin & Pugsley have cheap money to loan on improved business property.

A CAPITAL CITY.

North Yakima Has Been Entered in the Race to Stay Till the Finish.

Mayor Reed Mentions a Few of the Points in Favor of this Flourishing Metropolis.

Tacoma News: Competition for the state capital is beginning to warm up as the time approaches for the people of the new state of Washington to vote upon its location. Fred Reed, of North Yakima, who now occupies the executive high chair of that city and wears the title of mayor so modestly, is on the war path in his war paint in the interest of that bustling city. Mayor Reed is at the Tacoma hotel. He looked gently with a beautiful Masonic watch chain this morning, as he sat in a bay window of that popular hostelry, and advanced to a Nez Perce reporter a few of the reasons why North is par excellence, the place for the new capital of the great and glorious new state. He said:

"North Yakima is a candidate for the state capital—put that down. In the second place, and don't forget to put that down, North Yakima will be the capital. She possesses more natural advantages than any other city in the territory, including competitors and those cities which are not in the field. She possesses the only natural railroad passes to tide water, for the reason that they are conceded by experienced engineers and railroad builders to be not only the best but practically the only way of getting through the mountains. They are the only passes between the Columbia river and British Columbia on the north.

"North Yakima is a lively, active, hustling little city with a prosperous future before her—you can't find any fault with that town. The people are wide-awake, the business men enterprising and well established, and are fixed in the intention to ornament and honor the capital building and grounds as the people of the territory honors them with their choice. North Yakima is a beautiful city. Her scenery is magnificent. She beats all the inland towns in that particular. The man who finds fault with her climate would kick on a Thaknigiv dinner at Delmonico's. The streets are broad and ornamented with shade trees. Larch, alder, birch, ash, clear water run along the sides of the streets, and we have hotel accommodations that are second to no city in the territory or the future state. We have a hotel now that is better than any in the territory with the exception of the one I am in now. There are four hotels in the city, and in a few days I will be in a position to tell you something more about hotels. Our public buildings are handsome edifices, and would ornament your own Pacific avenue here. I can't speak in one sitting of all the advantages that makes North Yakima the most suitable place for the new capital."

"How does North Yakima find favor in the eyes of the people?"
"The thinking, intelligent people of the territory concede without hesitation that North Yakima is the best choice. If there are any who don't think so, or who have not thought about it at all seriously, yet, they will think so when they examine into and study the situation. The city is bound to be a railroad center. The business men of North Yakima are representative citizens of this great country, and their fidelity to the interests of the new state is as public spirited and as deep-rooted as that of any city on either side of the mountains. Our people will leave no stone unturned to see, by legitimate means, the location of the capital at North Yakima."

"You have done something toward dominating a site?"
"Yes, sir," said the mayor decisively. "One of the most beautiful sites in the city has been set apart and reserved for the capitol buildings, and surrounding it are twenty-five acres of as level land as can be found in Eastern Washington. The site affords an excellent view of the mountains and valley, and is on the west side of the railroad track. If there is a finer site or a better city in Washington for a state capital it has got to be made to order by a landscape artist. Nature can't furnish it."

ELISE'S BEAUTIFUL ART.

The Great Triumph and Tragic End of an Artist's Model in Berlin.

Two years ago Elise Kessler, then 16 years old, was a waitress at a restaurant in the students' quarters in Berlin. She was not pretty. She was freckled, square shouldered and dumpy. She was so plain that she did not even get the usual caresses and love pats which the German waitresses almost invariably get from every man they serve. She had, however, one beauty of form—her arms. They were large, white and exquisitely modeled. A young artist noticed them one day as Elise, with her elbows rolled up, brought him his beer and roast goose. From that day on Elise was probably more sought after by young men than any other waitress in Berlin. Every artist wished her to sit for him so that he could paint her beautiful arms.

After the young artist discovered her arms and gave their counterparts to his Hebes and Venuses and Dianes, dozens

of other artists wished to reproduce them on their canvasses. As a model Elise made double and treble the money that she had earned as waitress. She spent it all upon her person, and became immediately vain. By means of a bit of hair, a free use of cosmetics and a lot of new gowns she made herself over into a very attractive young woman. She had lovers by the dozen. Hardly an evening passed for the next two years but that she drank wine with an artist or student in a fine Berlin restaurant, or sat beside him in some second-class theater.

A few weeks ago Elise had an engagement to sit for the young artist who discovered her. She went to his room and prepared to reveal the beautiful arms that he had wished to paint. He told her, however, that she need not take the trouble. He had found a woman with more finely modeled arms than hers. She threw herself on the floor and wept. He tossed her some money to comfort her. She threw it back at him and hurried off home. There she locked herself in her room. For two days she refused admittance to every one and ate nothing. On the morning of the third day her landlady was attracted to her bedroom by groans. On the bed lay Elise in convulsions. She confessed that she had poisoned herself, but her elixir had not summoned a doctor, as she wished to die. A physician who was called in considered her incurable. She was sent to the charity hospital, where she died two days later.

THE LATEST SLOT DEVICE.

An Automatic Machine That Takes and Fixes Instantaneous Photographs.

"Drop a quarter in the slot and have your photograph taken."

A South Side photographer was standing by a hand-borne cabinet similar in appearance to the automatic wet-plate machines which confront one everywhere.

"A quarter! What's the matter with a nickel?"
"A nickel will do in three or four months when the novelty wears off, but until the automatic photo rajah is succeeded by a machine which will turn you out a house and lot, a quarter only will work it. It is the latest thing out."

The reporter squared himself before a small cabinet opening in the cabinet opposite his face. He dropped a quarter in a slot lower down. Instantly a little curtain door unrolled the opening, exposing the eye of a camera. There was a flash of light. The opening closed. And in a couple of minutes a finished photograph of him fell on a salver before the reporter.

"How did you strike the idea of such an invention?"

"A board of trade man suggested it," said he. "He said there was big money in it. Eleven weeks ago I started at it, and here it is, patented, with a corporation behind it—all ready to take in the quarters. And it will take them in, for it is the only invention of the sort that appeals directly to the universal vanity of the public."

While apparently complicated, the mechanism of the machine turned out to be simple. It is run by an ordinary cell battery, the quarter completing the current. An instantaneous camera is supplied with the necessary light by a flash of magnesium and chloride of potash, dropped for each photograph on a pan above the opening and ignited by the heat of a platinum wire. The photograph is taken on a celluloid sheet about the size of a tintype. A set of rollers and a preparation of collodion in emulsion develop and dry the impression. The likeness issues much better finished than the ordinary tintype.

"The machines cost about \$50," said the photographer. "The expense of operating them is next to nothing. We will soon have them in every hotel, drug store and saloon in the country."

"Are you going to utilize the invention for any other purpose than amusement?"
"Yes, for two serious purposes. I have a machine under construction which is to have the appearance of a clock and be placed at the railings of casinos and tellers in banks."

"What for?"

"To enable them to take a photograph of any one who casts a check, in case they should want to identify them afterwards. While the man is before the railing the cashier or teller will press an electric button and the man's photograph will be taken in a tenth of a second. He will see nothing but a slight flash in the clock, and couldn't get away if he tried before the instrument has indelibly recorded his features."

"And the other purpose?"

"A similar machine will be made for use in police stations. The photographs of suspects and criminals may be made without their knowledge, and the consequent distrust of features which characterizes so many of the forced photographs in the rogues' gallery."—Chicago Tribune.

Few children can be induced to take physic without a struggle, and no wonder—most drugs are extremely nauseating. Ayer's Pills, on the contrary, being sugar-coated, are eagerly swallowed by the little ones, and are, therefore, the favorite family medicine.

If you have lost any money lately, Redfield will return it by selling you goods so remarkably cheap that you will forget your misfortune.

G. A. BAILEY,

—THE PIONEER—

Sewing Machine Man

a now General Agent for the Best Makes of

Pianos, Organs and Sewing Machines

I get my Goods direct from the different Manufacturing Establishments, so I am enabled to

Sell Cheaper,

—And to Give—

BETTER TERMS

Than any other Agent in the Field.

Terms Cash, or Notes With Good Endorsers.

G. A. Bailey

With Redfield, Yakima Ave.

OREGON KIDNEY TEA FOR URINARY & KIDNEY TROUBLES. DR. HENLEY'S DANDELION TONIC AN ELEGANT APPETIZER CURES INDIGESTION. DUTARD'S SPECIFIC FOR ALL SKIN DISEASES. THE STARK MEDICINE CO. PORTLAND, OR. Sold by Allen & Chapman.

A GOLDEN OPPORTUNITY.

TWO EXCELLENT BARGAINS IN REAL ESTATE.

Bargain Number One.

145 ACRES 3/4 miles south of North Yakima. A great bargain is offered in this property.

Bargain Number Two.

160 ACRES 2 miles west of North Yakima. Excellent and water title perfect. Don't fail to see this property.

Cheap for Cash!

These farms must and will be sold cheap for cash. Call on or address

A. L. FIX, at the Store of J. J. Armstrong,

at N. NORTH YAKIMA, WASH.

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(Successor to H. Sigmund.)

—THE LEADING—

MERCHANT TAILOR.

YAKIMA AVE., near Front St.

Domestic and Imported Goods made up in the latest styles and at reasonable prices.

ALL CLOTHES GUARANTEED TO FIT.

Cleaning and Repairing a Specialty.

Field & Meyer,

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Meat Market,

WHOLESALE AND RETAIL BUTCHERS AND PACKERS,

North Yakima, Washington Territory.

Harvey & Biggam,

Blacksmiths & Wagonmakers

NORTH YAKIMA, WASH.

Having purchased the entire stock and tools of C. McLean, North Yakima, we have taken charge of the old shop on Front st., and we ask a share of public patronage in anything in our line. Repairing of all kinds of machinery and boot-making done to perfection.

HARVEY & BIGGAM.

An Economical Fence,

I HAVE now the sole right for Yakima County for one of the best wire fences ever patented.

IT IS VERY DURABLE AND CHEAP.

Wire and machine for making on hand. Those wishing to build fences should call on me.

J. M. STOUT, West Side of Track.

Ahtanum Dairy.

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SUCCESSOR TO W. H. CARPENTER.

Milk furnished Hotels, Restaurants and Ice Cream Factories at Redwood Station.

S. J. LOWE

Carries the largest, best and cheapest stock of all kinds of

Cooking and Heating Stoves,



HARDWARE,

Etc., which he is prepared to offer at remarkably low prices. Also in stock a fine line of

Tinware, Sheet Ironware, Graniteware, Guns,

Pistols and Farm Implements.

Corner Yakima Avenue and First street. W. T.

ENGLISH SHIRE HORSE,

Has, since the time of Henry the Second, been considered

The Best Draft Horse

THE MOXEE CO.

Have a Magnificent, Imported, Thoroughbred English Shire Stallion, of the Purest Strain—

Holbeach Tom,

He is 4 years old, and is "all horse!" Nothing pays better than to breed to the best horse that can be found. Holbeach Tom is the best horse in Washington Territory to-day.

The oldest horse-men in the County bred to Tom last season, and all say he is all he ought to be, and has proved, a sure colt-getter.

Holbeach Tom will stand this Season at Moxee.

TERMS: INSURANCE, \$25.00. -- SEASON, \$30.00. -- SINGLE LEAP, \$10.00.

Pasture, \$1.50 per month after first two weeks.

Moxee Co.

GENERAL MERCHANDISE.

DRY GOODS,

BOOTS AND SHOES,

HATS AND CAPS,

FURNISHING GOODS

AND GROCERIES.

J. J. ARMSTRONG,

Corner First street and Yakima Avenue.

A complete line of all of the commodities enumerated above will be found at this store, and a general request is sent forth to the public to call and examine the prices and quality of the Goods.

J. J. Armstrong.

Chappell & Cox,

AGENTS FOR FRANK BROS. IMP. CO.,

Yakima Ave., North Yakima.

AGENTS FOR FARM MACHINERY OF ALL KINDS,

Wagons, Farm Hacks, Buggies, Carts, &c., &c.

All goods of the best class and warranted, and prices the lowest, quality of goods considered.

It will be to Your Advantage to See Them Before Purchasing Anything in Their Line.

FRANK B. BEARDLOW. JEFF D. BEARDLOW.

Shardlow & McDaniel,

—DEALERS IN—

Fine Wines, Liquors,

Imported & Domestic Cigars.

FINE BILLIARD AND POOL TABLES.

Sole Agents for the Celebrated Jesse Moore Kentucky Whiskies.

Yakima Candy Factory.

Anticipating the wants of my numerous and increasing customers, I have perfected arrangements for furnishing

I Scream! Ice Cream!

At moderate prices, and for public accommodation will keep OPEN AT ALL HOURS. Also a full line of

Fine Candies, Nuts, Fresh Fruits, Imported and Domestic Cigars.

P. J. HERKE,

Proprietor Yakima Candy Factory.