

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 KARN, 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.

Cut by Flying Glass. MRS. D. A. JONES, wife of the Captain, was badly bruised about the head and shoulders.

JACOB K. DEEMER, a veteran of the One Hundred and Second Regiment, living at Homer City, Indiana county, the broken and injured internally.

ALEXANDER HOAK, a Southside policeman, badly bruised.

MRS. FREDERICK GRAFF, of this city, injured seriously about the body.

BESSIE FULLWOOD, of Pittsburgh, cut in head.

CAPT. GRACE, of Jamestown, N. Y., injured about the head and lower limbs.

SON OF MRS. GRAFF, cut by flying splinters and glass.

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 the jury returned with the verdict.

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.

SULLIVAN'S FACE AS THE VERDICT WAS READ was a study. His look was not of disappointment or grief, but more of worry and annoyance.

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?"

"Yes, sir." "And did you mind telling in what shape?"

"No, sir; here it is." Mr. Johnston—here produced from the depths of his vest-pocket a telegram from Purvis, informing him that Jimmie W. Kelly and Danny Murphy had been indicted.

"Will you tell me from whom you received the telegram?" "From a friend in Purvis," and that is all he would say upon that score.

"What will you do?" asked the reporter. "Go on to Purvis and surrender?"

"I will go on to Purvis if they send me. I am right here if they want me, and I am not going to run away."

NOT MUCH OF A CASE. "Do you think they have got a case against you?"

"Well, I don't know; they can't prove that I backed Sullivan for a dollar's worth. In the first place, the contract was not made in this country, anyway, as I believe Toronto is the cause."

"What chances do you think your case will have for a favorable issue?" "Well, if they get us down there, they have the advantage, as we will be out of the way of any assistance here."

It seems to me the law is very funny that they can extradite a man from New York State on such a charge."

A FLATTERING STATEMENT. West Virginia Central and Pittsburgh Railroad Earnings for Six Months.

BALTIMORE, August 16.—The statement of earnings and expenses of the West Virginia Central and Pittsburgh Railway Company for July, 1889, as compared with July, 1888, shows an increase in net earnings of \$21,574.

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 Concourse 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 return. Indorsement 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 temporarily 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 in the courtroom, and was present at the proceedings and sentence therefor, and at divers times and places since, the petitioner is informed, and believes that said Terry and wife have respectively threatened that at any time or manner defended or protected by 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 the assault and was in no way responsible for any directions given by any other person, and that he was

JUSTICE FIELD ALSO SET 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 issues, it was proved and held that the complainant, Sarah Althea Terry, was "an abandoned woman without veracity."

WOULD NOT HONOR TERRY. 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 addition to 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.

FORGOTTEN COLLECTOR OUT ON BAIL. MINNEAPOLIS, August 16.—J. Frank Colton, the alleged forger of \$227,000 worth of notes, was released from jail at 10 o'clock this evening on \$100,000 bail. The name of his father, W. T. Colton, appeared as one of the sureties on each bond.

A Double Hanging. LAKE CHARLES, La., August 16.—Louis Rembert, white, and Samuel Miller, both convicted of murder, were hanged here to-day. The execution was witnessed by a thousand persons.

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 had 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 disperse 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.

WASHNOTS IN SOUTH CAROLINA. A Heavy Rainstorm Works Havoc to Crops and Railroads.

CHARLESTON, S. C., August 16.—On account of heavy washouts 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 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 Neptune, 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 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 drew a revolver, and while his wife was in the arms of her aunt he shot her in the back. Turning to his mother-in-law, Prewitt also shot her, inflicting a wound that, while very painful, is not regarded as dangerous.

Prewitt fled from the house, and making his way to a field close by, sent a bullet through his head and died almost instantly.

MORE LAND TO BE OPENED UP. The Cherokee Commission Wants to Buy 1,000,000 Acres From the Indians.

KANSAS CITY, August 16.—A special from Muskogee, I. T., says: Judge A. M. Wilson is the only one of the Cherokee Commissioners now in the Territory. Governor Fairchild left yesterday to attend the G. A. R. encampment at Milwaukee.

The syndicate is an English corporation, although its members are represented in various parts of America. When negotiations for the purchase of any establishment are completed, the parties owning the industry must sign an elaborate agreement.

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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.

And Every Paying Establishment in the County is Wanted.

A CLEAR INSIDE EXPOSE OF THE PLAN, Which Aims Legitimately to Invest \$100,000,000 a Profit in America.

The local representative and member of the English syndicate that seeks to buy all paying Allegheny county breweries tells all 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 this 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 a number of ways, and that most investments are made in this country; but that is not strange, when we recall that the Englishmen are shrewd business men, and they are capable of recognizing a good investment when they see one. We offer a fair price for any business establishment. The impression has gone abroad that we will give almost any price for what we want. This is wrong. Fair prices are given on all terms as what we offer. Even if we do buy up these industries, the men bought out can increase their money, and they are shrewd business men, and they are capable of recognizing a good investment when they see one. We offer a fair price for any business establishment. The impression has gone abroad that we will give almost any price for what we want. This is wrong. Fair prices are given on all terms as what we offer. Even if we do buy up these industries, the men bought out can increase their money, and they are shrewd business men, and they are capable of recognizing a good investment when they see one. We offer a fair price for any business establishment. The impression has gone abroad that we will give almost any price for what we want. This is wrong. Fair prices are given on all terms as what we offer. Even if we do buy up these industries, the men bought out can increase their money, and they are shrewd business men, and they are capable of recognizing a good investment when they see one. We offer a fair price for any business establishment. The impression has gone abroad that we will give almost any price for what we want. This is wrong. Fair prices are given on all terms as what we offer. Even if we do buy up these industries, the men bought out can increase their money, and they are shrewd business men, and they are capable of recognizing a good investment when they see one. We offer a fair price for any business establishment. The impression has gone abroad that we will give almost any price for what we want. This is wrong. Fair prices are given on all terms as what we offer. Even if we do buy up these industries, the men bought out can increase their money, and they are shrewd business men, and they are capable of recognizing a good investment when they see one. We offer a fair price for any business establishment. The impression has gone abroad that we will give almost any price for what we want. This is wrong. Fair prices are given on all terms as what we offer. Even if we do buy up these industries, the men bought out can increase their money, and they are shrewd business men, and they are capable of recognizing a good investment when they see one. We offer a fair price for any business establishment. The impression has gone abroad that we will give almost any price for what we want. This is wrong. Fair prices are given on all terms as what we offer. Even if we do buy up these industries, the men bought out can increase their money, and they are shrewd business men, and they are capable of recognizing a good investment when they see one. We offer a fair price for any business establishment. The impression has gone abroad that we will give almost any price for what we want. This is wrong. Fair prices are given on all terms as what we offer. Even if we do buy up these industries, the men bought out can increase their money, and they are shrewd business men, and they are capable of recognizing a good investment when they see one. We offer a fair price for any business establishment. The impression has gone abroad that we will give almost any price for what we want. This is wrong. Fair prices are given on all terms as what we offer. Even if we do buy up these industries, the men bought out can increase their money, and they are shrewd business men, and they are capable of recognizing a good investment when they see one. We offer a fair price for any business establishment. The impression has gone abroad that we will give almost any price