The Somerset Herald.

EDWARD SCULL, Editor and Proprietor

WEDNESDAY.....August 21, 1889.

REPUBLICAN NOMINATIONS.

STATE.
FOR STATE TREASURER,
HENRY K. BOYER,
OF PHILADELPHIA.

COUNTY.
FOR ASSOCIATE JUDGE,
GEORGE W. PILE,
OF SOMERSET BOROUGH.
FOR DISTRICT ATTORNEY,
LEWIS C. COLBORN,
OF SOMERSET BOROUGH.
FOR POOR HOUSE DIRECTOR,
FREDERICK WELLER,
OF SOMERSET TOWNSHIP.

This is a Republican year! It will be Boyer and victory!!

CALIFORNIA estimates her honey crop for this season at 2,000,000 pounds.

THE Minnesota wheat crop is estimated at 40,000,000 bushels, and for Dakota, 35,000,000.

THE Virginia Democrats are an unhappy lot. They are too much afraid of Mahone to sleep nights.

RUMORS and guesses that there will be an extra session of Congress are still current in circles that claim to be well informed.

THE President returned to Washington from his New England trip on Friday last. Everywhere he went he received an ovation from the people.

WE are sorry, awfully sorry, that our Democratic friends are so disappointed with the omissions of the Republican platform lately adopted at Harrisburg. But—"'Twas ever thus from childhood's hour."

IT is not calculated to add to our reputation as a law abiding people, to see the Judges of our Supreme Court compelled to travel with a body guard to prevent their being murdered for the performance of their duty.

SENATOR J. G. HUTCHINSON, who has just been nominated for Governor by the Republicans of Iowa, is a native of Northumberland county, this State. Pennsylvania Republicanism is recognized as of the right stripe, wherever found.

A CHESTER man discovered the identity of the thief who stole his firewood, by loading a stick or two with gunpowder, and after the stove in a shanty occupied by an Italian laborer not far off went into fragments, the woodpile ceased to suffer from the depredations of the thief.

THE energetic ladies of Kansas evidently believe in living up to their privileges. The returns from the recent school election in that State show that about 50,000 of them voted on school matters. A large proportion of the members of Kansas school boards will be ladies this year.

"IN regard to the act of United States Marshal Nagle," says the Philadelphia *Times*, "there can be only one opinion. He could not stand idly by and see a Judge of the Supreme Court murdered before his eyes. The contumely that Terry sought to put upon the Judge was only the insult that was to go before premeditated murder. The case has no moral except the certainty that a violent life will end in a violent death."

ISSUE of the next four years the United States is likely to have a navy that will at least command the respect of the smaller powers. The completion of the vessels for which Congress has provided will give us in that time, with the new cruisers we have now, a fleet of about 30 modern war vessels, many of which will be of the fleetest and most efficient type. This is exclusive of the five double-turreted monitors, which will be formidable coast defenders when they are completed.

"WHEN," says the Philadelphia *Press*, "Terry slapped Justice Field in the face he doubtless expected the latter to resent the affront and offer some resistance. If he had, in all human probability, this country would have had to endure the shame of a Justice of the Supreme Court murdered by an attorney whom he disciplined for insubordination and contempt. A vigilant officer of the court, by shooting down the assailant of the venerable Justice before he had the opportunity to do his worst, probably saved the country from this disgrace."

"KNOWING," says the Philadelphia *Record*, "the embittered and revengeful nature of Terry, Justice Field's friends took precautions against any attempt at violence to the venerable jurist—not without cause, as the sequel has proved. And although the killing of Terry was unquestionably a crime, it is doubtful whether his slayer will be convicted either in the courts or at the bar of public opinion. Through all ages and in all lands the stern and sombre justice of the decree, 'He that taketh the sword shall perish by the sword,' has remained unquestioned."

SAYS the New York *Mail and Express*: A man of violence all through his stormy and disgraceful career, the murderer of Broderick, the fearless champion of the Union in the times it tried men's souls in California, just before and at the outset of the civil war, and the appropriate champion and husband of the most notorious and shameless adventuress California ever knew, David S. Terry was fitly shot and killed the other day by a fearless United States Marshal who had been assigned to the duty of protecting Justice Stephen J. Field against the ex-judicial bully and traitor and murderer.

THE Reading Railroad has a scheme afoot to establish another through route between New York, Philadelphia and Pittsburg, by bridging the Susquehanna at Harrisburg and forming a connection with the Baltimore and Potomac road at that point, and thence by it connecting with the Western Maryland road, and by it, with the Baltimore and Ohio road to Pittsburg and the West. This is an available route, requiring but a few miles of additional road to be constructed, but it will not equal the line by the South Penn., which the "cussedness" of a few money kings prevents from being completed.

SOME people have queer notions of fit subjects for honor in this world. Thus, an attorney of San Francisco moved that the Supreme Court of California adjourn "as a mark of respect to the memory of Judge Terry."

Here was a red handed murderer slain by an officer of the law, while attempting to add to his long list of crimes; and yet forsooth, because he had once been a Judge, a member of the profession he had disgraced, moves the Court to show a marked respect to his memory. The Court showed a proper respect for itself and the laws it is sworn to impartially administer, by refusing the motion.

THE attack of Terry upon Justice Field recalls attention to this famous family of four brothers. The oldest of the four, David Dudley Field, has long held rank as one of the foremost lawyers of New York; Henry Martin Field is one of the leading divines of the continent; Cyrus W. Field has an everlasting monument in the Atlantic cable, the creature of his genius and indomitable energy, and Stephen Johnson Field is one of the ablest and purest of the Judges who have adorned our Supreme Bench.

You shall search the history of our times in vain to find four brothers who have attained to such deserved eminence in such varied walks of life. It is, indeed, a famous family.

MEN seldom die unregretted, but the death of Judge Terry is an exception to the rule. In fact there is a gleam of satisfaction pervading the country that his career is ended, and that it ended as it did. A ruffian and bully by nature, respecting neither the laws of God or man, a terror to the community in which he lived, his summary taking off brings relief, if not downright satisfaction. He knew that Justice Field was a man of courage and of spirit; he expected him to resent the blow he gave him, and he would unquestionably have killed him on the spot had not his murderous intentions been cut short by the quick hand and steady nerve of Marshal Nagle. He was a man of blood, and there is poetic justice in his sudden ending.

The subsequent arrest of Judge Field is only a further attempt to inflict a personal degradation upon him at the instance of the disreputable wife of the dead brave. He surely did nothing that could possibly be construed into a crime or even a breach of the peace. He was struck in the face, he had not time to utter a word, to lift a finger, to rise from his place, before Nagle had killed his would-be assassin. What Nagle did was done instantaneously, and there was no time for complicity on the part of Judge Field or of anyone else. It is as great an outrage to attempt to hold Judge Field responsible as it would be to hold that any Judge must personally atone for the decision that may offend a suitor in his court.

"Let justice be done, though the Heavens fall," is the only safe rule, and he who challenges it, is the worst enemy that society can have.

Ingalls On Prohibition.

TOPEKA, KAS., August 16.—Senator John J. Ingalls, in the course of a letter to the *Journal* upon his recent article on Prohibition, published in the *Forum*, says:

The closing paragraph of the article is that no evil is destroyed until it is replaced by good. The saloon and the distillery gratify certain inherent and ineradicable though morbid and misdirected appetites and instincts of human nature which, in some form or other, will have indulgence unless enlarged opportunities are afforded by the church, the school, the reading room the coffee house and places of public amusement and resort for recreation, for social enjoyment, for the happiness which flows from companionship, for moral elevation, for the activity of the higher energies of the soul. The reformation is incomplete. It will be followed by disastrous relapse, and the last state of the man will be worse than the first.

The seven devils mentioned in holy writ entered the house because it was empty. The first devil was ejected by his landlord, I suppose, because he broke the fences, burned the fences for kindling wood, let the weeds grow in the garden, paid no rent and was a bad tenant generally.

After the house had been swept and garnished, if the premises had been promptly leased to some industrious, careful and responsible tenants, when the seven devils rang at the door-bell and were informed by the maid that the place was occupied, they would have dropped their tails between their legs and departed. So the last state of the man would have been better than the first.

Kansas has expelled the devil of the saloon, the house has been swept and garnished and is empty. The habitual joint, the professional boot-legger, the duplex drug store, secret indulgence, perjury, hypocrisy and contempt of law are the seven devils who are looking around for an unfurnished residence. The conscience of the New England was not thoroughly aroused to the immortality of African slavery till it ceased to be profitable, and the North did not finally determine to destroy the system till it threatened their industry and political supremacy.

The Death of a Republican Congressman Causes Apprehension.

WASHINGTON, August 17.—The death of Representative Laird, of Nebraska, announced to-day, emphasizes the gravity of the situation in the body of which Mr. Laird was a member, and the slight majority which the Republicans will have for the purpose of organization is discussed this evening more than ever before. While the Second Nebraska district is considered surely Republican, there is always a chance for defeat and the Democrats are already canvassing the possibilities.

Republicans are little scared, however, as they have great confidence that the management of Quay and Clarkson, of the National Committee, will prevent any reduction of the majority in the House by the loss of a district which naturally belongs to the party. They will insist on the sinking of personal ambitions and factional quarrels, and the nomination of the most popular candidate available, that there may be no doubt of the result on the ground of a weak selection.

The death of Mr. Laird was announced at the White House shortly before the departure of the President for Deer Park, and was a subject of conversation. The President intimated that while the election of a Republican to succeed the dead Congressman would really strengthen the Republican majority, as one would doubtless be elected about whose ability to attend the sessions of the House there would be no question, that result would not do away with the argument advanced in favor of a called session, and he said that he had almost fully decided to call such a session in the interests of an early organization, and he added that the extra session would probably be called about the middle of October.

Train Robbers in Jail.

KANSAS CITY, August 18.—Last Friday afternoon James and Howe Pullen, brothers were arrested in this city by Deputy Sheriff Walter Thomson and Constable McCoy, of Clay county, charged with the robbery of the Wabash train on August 3. The prisoners were quietly taken to Liberty and confined in the county jail there, where they have been kept ever since. The information that led to the arrest was furnished by Detective Thomas Furlong, of St. Louis, and Sheriff Oscar Thomson, of Clay county, Mo., where the robbery occurred.

The officers will not make public the evidence they claim to have against the men, but they state that they are certain that they have captured the desperadoes. Howe Pullen is a roustabout on a river steamer, and Jim is a driver of an ice wagon in Randolph, Mo. They were given a preliminary hearing yesterday at Liberty, when, at the request of the State, the cases were continued until Thursday next.

TERRY SHOT DOWN.

KILLED FOR SLAPPING ASSOCIATE JUSTICE FIELD'S FACE.

United States Marshal Nagle Ends the Notable Career Of the Slayer of Senator Broderick.

The Tragedy Occurred at a Breakfast Table.

WITNESSED BY TRAVELERS IN A RAILROAD DINING-ROOM.—JUSTICE FIELD'S STORY OF THE SHOOTING.

SAN FRANCISCO, August 14.—Ex Judge David S. Terry was this morning shot and killed by Deputy United States Marshal David Nagle at the breakfast table at the depot hotel at Lathrop, a town eighty-three miles from this city, and the breakfast station of the Southern Overland Railroad.

Upon the arrival of the Southern Overland train at Lathrop at 7:20 this morning Justice Stephen S. Field, of the United States Supreme Court, and Deputy Marshal David Nagle walked into the Depot dinning-room for breakfast and sat down side by side. Soon after Judge David S. Terry and wife (formerly Sarah Althea Hill) came in. 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.

A SLAP IN THE FACE AND A PISTOL SHOT.

Before she reached it, however, and as soon as she had left the dinning-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 fired again, but missed him the bullet going through the floor. Both shots were fired in very quick succession.

MARSHAL NAGLE DEFIES ARREST.

Marshal Nagle then backed up against the wall of the dinning-room and warned every one not to arrest him, saying he was a United States officer in the discharge of his duty. There was no semblance of an attempt to molest him at any time.

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 dinning-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.

MRS. TERRY'S FRANTIC GRIEF.

Mrs. Terry wildly ran from the body of her husband to the cars demanding admittance that she might slap Justice Field's face, and at the same time begging that they be detained and hage their examination at Lathrop. Before the train pulled out Constable Walker entered the sleeper, and was carried away on board the train. He informed the crowd that he knew his duty and would perform it. Previous to his entrance, however, Nagle had been taken in custody by Sheriff Purvis, of Stanislaus county.

NAGLE IN JAIL.

Constable Walker took Nagle from the train at Tracy, and proceeded with him to Stockton, where he is now in jail. District Attorney White ordered the arrest of Justice Field upon his arrival in San Francisco, and telegraphed the order to the Sheriff of San Francisco.

EXCITEMENT OVER THE TRAGEDY.

The announcement of the tragedy caused extraordinary excitement in this city. The possibility of an encounter between Terry and Justic 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.

JUSTICK FIELD'S STORY OF THE SHOOTING.

The Southern Overland train arrived at the Sixteenth Street Station in Oakland shortly after 11 o'clock this morning. A great crowd had collected, 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 to a press representative 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 had 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.

NAGLE FOR HIS ESCORT.

"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 heard 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 station 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 sachel.

TERRY SLAPPED HIS FACE.

"Judge Terry rose and I supposed he intended accompanying her. Instead of doing so he walked back of me and struck me a heavy slap in the face. 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. Nagle was arrested at Tracy and taken to Stockton to await the the result of the inquest.

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

UNDER GOVERNMENT PROTECTION.

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.

JUSTICE FIELD NOT ARRESTED.

Justice Field left 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.

SARAH HAD A PISTOL.

A passenger who was on the train at Lathrop says that when he heard the shooting he rushed out of the car and saw Mrs. Terry with a sachel 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 sachel was opened afterward a pistol was found in it.

TERRY'S STORMY CAREER.

David S. Terry was born in Todd county, Ky., in 1823. When a young man he fought in the Texan war for independence from Mexico, and afterward studied law and was admitted to the Bar. During the gold fever he drifted to California, plunged at once into politics, and when only 33 years of age was elected Chief Justice of the State Supreme Court. He attempted to break up the Vigilantes, who virtually ruled the State at that time, and stabbed one of them who had attempted to arrest a friend of Terry. He was imprisoned for several months, but all efforts to make him resign his place on condition of his discharge were unavailing, and he was finally released.

HIS QUARREL WITH BRODERICK.

David C. Broderick was then a power in California politics. In 1855 he suggested the idea that the Legislature could elect United States Senators in advance of the vacancies they were to fill, his aim being to go to the Senate himself. He was bitterly opposed by Dr. Gwin, acting United States Senator, but in 1856 was elected United States Senator for six years, and to the surprise of everybody named Gwin as his associate, Gwin pledging himself to relinquish all Federal patronage in his (Broderick's) favor. But when Broderick became a follower of Stephen A. Douglas Gwin secured the favor of the Administration at Washington, and the relations between the two men became more strained. The California State campaign of 1859 was an intensely bitter one, and there was a strong exchange of personalities between Gwin and Broderick. Terry hated the latter, and publicly denounced him as an arch traitor. Broderick next day in a hotel, and in the presence of several people declared that if the Vigilantes had hanged Terry they would have done a righteous act.

THE DUEL IN WHICH HE KILLED BRODERICK.

Terry sent him a challenge, and the two men met early on the morning of September 12, but were arrested by the police and brought before a Police Magistrate, who discharged them. The next night they met near San Francisco.

There were eighty spectators present when the seconds held their conference and the pistols were examined and loaded. A half dollar was tossed up, and Judge Terry won the choice of weapons. Mr. Hayes marked off the ten paces and warned the spectators to move back out of the line of fire. Broderick was the coolest man of his party, his seconds appearing nervous and ill at ease. Mr. Haskell, after partly untying the Senator's cravat, stepped back and wrung his hands. He then removed the cravat. This incident unmanned Broderick for a minute. Broderick wore a long surtout, and had a soft woolen hat drawn down over his brow. Terry was similarly attired. Requirements of the code were strictly followed. Benham searched Broderick closely for concealed mail, but McKibbon only touched Terry's waistcoat and bowed. Broderick had lost some of his composure. He was nervous and twitched at the skirts of his surtout. He and Terry had taken their positions. Terry stood erect and firm, apparently indifferent to averything but his thoughts. The pistols were cocked, and they were delivered to the principals. Benham slowly read the conditions, and Mr. Colton gave the instructions as to the firing. The men held the weapons muzzle downward.

"Gentlemen," said Colton, are you ready?"

Broderick replied after Terry, saying: "I am ready."

"Fire! One—"

There was a report from Broderick's pistol, followed in a second by Terry's. For some reason Broderick's pistol exploded before it had been brought to a level. The bullet buried itself in the ground a third of the distance short. Had it gone all the way it would have struck its mark, for it went in a perfectly direct line. The report of Terry's pistol had hardly died away when Broderick was seen to start. He turned half way round and grasped at the air as though trying to recover his balance. His head dropped and he fell flat on his back, his pale face upturned to the sky. He lay on the ground while Colton and Haskell supported his head. Dr. Von Loehn, his surgeon, was too agitated to be of service. The blood spurted from the Senator's wound, and Von Loehn did not seem to know how to stop it. Mr. Brooks finally came forward and in the name of Judge Terry offered the services of his surgeon, Dr. Hammond. But it was of little use. The ball had entered the right breast and passed through the upper lobe of the left lung.

Davis, the owner of the ranch, who had been a silent spectator of the duel, started to his feet as Dr. Hammond began cutting away the clothing from the wound, and shouted excitedly:

"That is murder, by God!"

He moved toward Terry, but was restrained. It was fortunate that this remark had been heard only by the Broderick party, for there were plenty of friends of Terry there, all armed to the teeth. Terry had not moved. His arms were folded, with the muzzle of a pistol projecting behind him. He was erect as ever, and a look of inquiry upon his face, as though he expected a call for a second shot. His coolness and nerve were remarkable even in that gathering. As he fired he was heard to say: "Ah! I struck him a little too high." Assured that Broderick's wound was fatal, he started for his carriage and was followed by his friends. They drove rapidly to San Francisco, and from there Terry went to his ranch at Stockton, whence he quietly awaited events. He was arrested there on September 25 by two detectives from San Francisco, and was put under $10,000 bonds.

ACQUITTED OF MURDER BY A TRICK.

Terry was arrested and admitted to bail. When the excitement was over he demanded a trial. All the details had been fixed by his friends. He procured a change of venue from the place where the murder was committed to Main county, and his friend, Judge J. H. Hardy, hurried down from Mokelumne Hill to take charge of the trial. On the day set for the case Hardy and Terry appeared in court. The case was called for 10 o'clock. It was then 9, and the witnesses were on their way from San Francisco. The hands of the court clock were set an hour ahead. Hardy called the case. There was neither prosecuting attorney nor witnesses present, so Hardy discharged the prisoner. For his share in that villainous transaction he was impeached by the Legislature in 1862, hurled from the Bench, took to drink, and died.

TERRY AND THE SHARON CASE.

Terry left the State for a time, and during the civil war commanded a Confederate regiment from Texas. After the war he returned to California, and again entered political life. He was made a Democratic Elector in the Presidential campaign of 1880 and was the only man on the ticket defeated. About five years ago he again began to attract general attention as the counsel of Sarah Althea Hill, who claimed to be the wife of the late ex Senator Sharon, of Nevada. This woman began by suing Sharon for divorce and alimony. The plaintiff claimed to have been privately married to Sharon some time in 1880. The case ended only a few days ago. Mr. Sharon having meanwhile died, in the final defeat of the woman's claims. Terry gradually monopolized the leading place among her counsel, and became so infatuated with her that on January 7, 1886—some time after Sharon's death—he was married to her in the Catholic Church at Stockton, California.

JUSTICE FIELD INSULTED BY TERRY'S WIFE.

Terry managed the case in his usual fashion, and was involved in several frays in open court, and on more than one occasion drew his pistol on his antagonists. The most serious of these occasions occurred in September last, when the Hill-Sharon case was before Justice Field sitting as United States Circuit Judge. Justice Field was reading a decision sustaining the Sharon side of the contention. He was interrupted by the woman when he was half way through, and accused of having been bought by the opposite side. The Judge ordered her into custody, but she made a stout fight, in which her husband (Terry) promptly took part. He knocked a Deputy Marshal across the court room, and followed his wife when she was dragged out of court, drawing a dangerous looking dirk knife, and threatening with death any one who attempted to keep him from his wife. A desperate struggle ensued before he could be disarmed.

TERRY AND WIFE SENT TO JAIL.

When Justice Field finished reading his decision he sentenced Terry to six months imprisonment, and the woman to thirty days. Terry petitioned the court for a revocation of his sentence, but Justice Field refused to throw off a single day, and he remained in prison for the full time, being released on March 3 last.

JUSTICE FIELD ARRESTED.

SAN FRANCISCO, August 16.—The Sheriff of San Joaquin county arrived here last night, and this afternoon served a warrant of arrest upon Judge Field at the latter's chambers in the Appraiser's building.

There were some doubts as to whether he warrant would be endorsed by a Judge of San Francisco county as required by law, but this was obtained. Immediately after the warrant was served a writ of habeas corpus was sworn out before Judge Sawyer, of the Circuit Court, and heard by him in Chambers. Justice Sawyer granted the writ and released Justice Field on $5,000 bail.

Judge Terry's body was removed from the Morgue to the Episcopal Church, where it laid in state two hours. Mrs. Terry occupied a pew near the casket and watched the face of the dead man all the time. Several times she left the 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.

WHY THE WRIT WAS INDORSED.

When the Sheriff of San Joaquin county applied to Judge Rix, of the Police Court, this morning to indorse the warrant of arrest the Judge asked the advice of District Attorney Page. The latter expressed the opinion that as the warrant was in regular form the Judge should not consider the individuality of the person against whom it was directed, but should indorse it. Counsel for Justice Field asked Judge Rix to take testimony to ascertain whether there was ground for the issuance of the warrant, but Judge Rix was unable to find any grounds for disregarding the warrant. When the warrant was served Judge Sawyer at once granted the writ of habeas corpus, and set the case for hearing Thursday and ordered Justice Field's release fixing the bail at $5,000. The petition for the writ of habeas corpus was made by Justice Field and is a very long document. It sets forth in detail the history of the case, Terry's and Mrs. Terry's frequent threats against his life, etc.

MRS. TERRY'S CHARACTER.

In it he says that Sarah Althea Terry was an abandoned woman without veracity; that petitioner is now holding court in this city; that his arrest and removal would seriously interrupt his official duties, and that such interference is contrary to the provisions of the Constitution.

DEPUTY NAGLE JUSTIFIED IN KILLING TERRY.

INDIANAPOLIS, August 16.—Attorney General Miller, speaking to-day of the killing of Judge Terry by United States Marshal Nagle said: "I do not know any case analogous to it in our history, and I do not recall that it has ever been necessary before to provide protection for a United States Judge. In case of a trial, I suppose I will be called to testify, but I question whether there will ever be a trial. I thought the protection of the officers of the law might be necessary, and I knew something about the desperate character of the man with whom Justice Field had to deal. If a Justice's life was in danger, he was as much entitled to protection in an eating house as in a court room or upon the bench."

Mr. Miller was very guarded in his utterances, but plainly indicated that he believed Deputy Nagle was justified in killing Terry.

Additional Local.

An Appeal For Aid by the Board of Education of Johnstown, Pa.

JOHNSTOWN, PA., Aug. 6, 1889.

To County, City, and Borough Superintendents of Pennsylvania.

As the Board of Education of Johnstown, Pennsylvania, we beg leave to present for your consideration the following statement of facts touching the educational interests of our city. We do this in the hope that you may feel justified in extending to us the aid necessary to open our schools and provide educational facilities for our children.

The terrible destruction of property and the bitter suffering of our people by the flood of May 1st render it impossible for us to secure, by means of taxation, the money required to maintain our schools during the current year.

No portion of the money which has been so generously contributed by a sympathetic public can be used for public school purposes, as it will be exhausted in supplying the immediate and pressing wants of our stricken people.

We have appealed to the Governor of our State for assistance, but whilst admitting the necessities of our position, he yet does not feel that he possesses the authority to apply to our relief any part of the educational appropriation of the Commonwealth.

During the past year we had thirty-six schools, thirty-eight teachers, and an enrollment of nineteen hundred and thirteen pupils. The expense of maintaining the schools for this period was in round numbers $23,000. At the opening of the approaching school term we shall have eighteen hundred children for whom school accommodations and educational facilities must be provided. Some of our school buildings were destroyed others are seriously damaged, and we have not the money with which to build or repair. There is, in addition to our loss, a bonded indebtedness of $12,000, which, with our reduced valuation through destruction of property, will bring our indebtedness up to the limit allowed by the Constitution.

To supply the needful accommodations and provide the necessary teaching force will require, for the year, an expenditure of not less than $25,000. This money we cannot secure by taxation or loans, and we have exhausted every other resource known to us, we now appeal to the educational people of Pennsylvania for aid in this, our hour of need.

Humanity forbids that our children be left to roam about the streets, subject to the contaminating influences of street associations. But the cause of the public schools of this city, in their utter destitution, needs argument before the schoolmen of this State. We feel that we have only to state our need to secure the requisite aid.

We destre to open the schools at the usual time, and, to this end, we hope our friends will be prompt in giving us assurances of cooperation. A small sum gathered from the citizens of each of the twenty-two hundred school districts of the State will not be missed by them, and will be a blessing to us.

Johnstown has been a prosperous city in the past, and when she rises, as she surely will, from the ruin and desolation which enshroud her at present, her grateful people will not forget in their happier hours the friends whose generous and sympathetic hands were stretched out to them in the night of their sorrow and want.

H. L. COULTER, PRES.
D. J. JONES, SEC.
JAMES J. FRONHEISER.
GOTLIEB BANTLY.
J. W. HAMER.
HORACE R. ROSE.
JOHN VON ALT.

FROM DR. E. E. HIGBEE, SUPERINTENDENT OF PUBLIC INSTRUCTION.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC INSTRUCTION,
HARRISBURG, AUGUST 10, 1889.

We fully endorse this touching appeal of the School Directors of Johnstown to the schoolmen of the State. No interest has suffered more from the disastrous flood than the schools. They need immediate help, and surely it will be given. Let every borough, city and county superintendent take prompt measures to gather contributions, and forward the same at once to the School Board at Johnstown, that the schools may be opened and the children gathered into them.

Our people will not neglect such a challenge as this upon their generous sympathy. They will not see destitute parents, their property and their friends buried beneath the flood, suffering the additional misery of being deprived of all opportunity of schools for their children. They *will* respond to this appeal.

No superintendent, therefore, need hesitate a single moment to organize the work of soliciting contributions, by teachers and others, that sufficient funds may be secured to start the schools into operation. Then the busy hum of happy children at their studies may help to drive away the sad memory of the horrors through which the wrecked city has passed.

Very respectfully,
E. E. HIGBEE,
Supt. of Public Instruction.

BERLIN, PA., August 19, 1889.

The people of our county have already generously contributed to the relief of Johnstown and her suffering people. This, however, is an appeal different from any that has yet been made, though none the less worthy and needful.

In the name of humanity, in the name of those virtues which education seeks to cultivate, let us meet this call for voluntary aid with prompt and liberal contributions. Let the friends of education in every community take up this work and solicit subscriptions. I will receive and forward all contributions sent to me, and will have due acknowledgements published in the county papers.

Respectfully,
J. M. BARRY,
Co. Sup't.

Somerset's Moonshiners.

A Uniontown telegram to the Pittsburg *Times*, of last Wednesday, has this to say in regard to the alleged moonshiners operating in this county:

The work is carried on in what is known as the Tinkey-Pritts settlement, on the borders of Somerset county. In fact, some of the men engaged live in that county. The country is quite well settled, and there are at least 25 or 30 reputable land holders who are directly implicated in the unlawful work. In fact, they are very generally reputed to have bought and paid for their farms with money gained from the product of their stills. They have a desperado for their chief, who would scruple at no violence to prevent the detection of his nefarious work. It is impossible for a stranger to go among them and learn anything of their secrets. If he asks where he can purchase whiskey, he will probably be told that the party with whom he talks has heard that it is to be obtained somewhere in the neighborhood, but he cannot tell where. Perhaps the party giving this answer may even then have a still at home in full working order. If the questioner makes himself too numerous and insists on having the stuff before he is vouched for, he is liable to be run out of the place and his pace accelerated with clubs and stones.

As a sample of the means to which these men are willing to resort when threatened with exposure, I may tell you that some time ago the two sons of a justice of the peace in the neighborhood procured whisky from them and went on a most disgraceful drunk. The father learned of it and forced his sons to tell where they got the stuff. He then sent word to the moonshine makers that he meant to prosecute them. For answer, they said that if he did they would burn his barn and house, and moreover, for firing the latter would choose a time when he and his family were all in it. This threat, coupled with the appeals of the boys, prevailed, and the old man refrained from entering suit.

It is said that before selling the youths the whiskey they required them to take a most appalling oath never to testify against the makers of the stuff.

There is plenty of demand for the liquor. In the first place, they all drink themselves. In fact there are some who make just what they want, and no more. Then there is no place for miles around where whiskey is sold legally, and as there are always people who want it, the moonshiners thus become their own retailers. Of course they could not afford to risk selling it to legalized wholesalers, nor could they risk buying it, but there are still plenty of people who will brave the penitentiary by selling without license, and our moonshiners have found not a few customers among them.

Brothersvalley Items.

Peter Cober, a son of Henry Cober, was engaged in plowing wheat ground with a fine span of horses one day last week, when one of them suddenly dropped dead.

Aaron Brant, one of our best farmers, has a colt sired by Strasbearn, which he defies the county to beat. He is very sorry there is no fair in the county this fall.

Quite a number of the surviving veterans of the 143rd reside in Berlin and vicinity, who participated in the battle of Gettysburg, and they intend to visit that place and take part in the dedication.

More phosphate will be used in this section this fall than in any previous season. Some six or eight car loads have been hauled away from the station, and still not all our farmers have yet been supplied.

Lewis J. Eskin, one of our cattle dealers, and wide-awake butchers, returned from West Virginia last week with a fine lot of steers, which he intends to use in his slaughter house. Now our people may expect good and cheap beef.

Ira Buechley, of Beachdale, who is doing a thriving business in the grocery and general merchandise line, is building a large and commodious storeroom, in which he expects to be able to accommodate his many customers more promptly and conveniently. Success to you, Ira.

A number of our best farmers will commence sowing wheat this week. Some of them advocate early sowing to insure good crops, while others, equally as good, advocate later sowing. But every farmer must understand his own business, and sow at the time that will suit the condition of his land.

Wittenberg and East Liberty, two of the suburbs of Berlin, formerly belonged to the township, but of late years some of the citizens got sick and tired of the enormous local taxes which they had to pay to the township in the form of school and road taxes, and they were just whining to get into the borough. In fact, a fence ten rails high could not have kept them out another year. But now, since they are in the borough, and their local taxes are increased four fold, they kick against the taxes of the towns. But then it is useless, gentlemen. There is no one who has any sympathy for you. It was your own action and besides, you put the township to the trouble and expense of building a new house and likewise has the borough to procure an extra house on account of the addition. So please be satisfied with your own actions.

"As the farmer gathers in his crops he should be reminded that about 50 per cent. of the money he pays for his binding twine goes into the pockets of millionaires who compose the trust."—*Somerset Democrat* Aug. 7th, 1889.

Tut, tut, I used some binder twine and this season paid like scores of farmers throughout the county, 25 per cent. less for my twine than I paid in the season of 1888. Now whether it is due from the fact that, in 1888 the Administration was Democratic, and this year it is Republican, or last year congress was Democratic and now it is Republican, or whether it is due to the Granger movement, all over the county. I will leave the reader of the HERALD to judge.

Reading such "bosh" as the item about the binder twine trust in the *Democrat*, is not only sickening to the intelligent farmer, but it is at the same time very provoking. Knowing as they all do, that it is written intentionally to deceive and mislead the uninformed on the twine business.

ZERO.

G. A. R. Reunion at Gettysburg.

The Passenger Department of the B. & O. announce that Excursion Tickets will be sold from all ticket stations on its line in Pennsylvania to Gettysburg and return, from September 7th to 12th inclusive, good for return passage until September 13th inclusive, at one *Fare for the Round Trip*.

The route to Gettysburg via B. & O. takes the passenger through Cumberland, Hancock, Martinsburg, Harper's Ferry, along the Potomac, through the battle field to Antietam and many other points made memorably by stirring events during the late war. The short line recently built by the Western Maryland Railroad is now open for traffic, and in connection with the B. & O. forms the shortest and most direct to Gettysburg from all points in Western Pennsylvania.

The Commissioners advertise in this issue of the HERALD for sealed proposals for the propose improvements to the county jail.

If the weather proves at all favorable a large crowd is expected at the Lutheran picnic Thursday.

It is intimated that there are three moonshine distilleries in this county, all of which are to be raided soon.

ROYAL BAKING POWDER
Absolutely Pure.

This powder never varies. A marvel of purity, strength, and wholesomeness. More economical than the ordinary kinds, and cannot be sold in competition with the multitude of low test, short weight, alum phosphate powders. Sold only in cans. ROYAL BAKING POWDER CO., 106 Wall St. N. Y. jul17,'89-1Y.

SUMMER CORSETS!

Made of open material, rendering them ventilating, and the coolest corset for summer. Some ladies wear them all the year round, others only in summer time. Prices $1 and $1.25 each; sizes 19 to 30 in. Send in your orders by mail if you are not in the city.

SILK HOSE.

Sold at 75 cents a pair in Pink, Sky, Lavender, Apple, Green, Mouse, French Blue, Gendarme, Mahogany, Tans, Browns, Slates and Blacks. Send in your orders by mail if you are not in the city to shop.

Polka Dot French Cotton Hose.

Black and Navy ground, warranted fast color, at 50c., reduced from 75c. a pair. Send in your orders by mail if you are not in the city.

Ladies' Balbriggan Vest Bargain.

High-neck and ribbed-arm; sizes 28 and 38, only 40 cents each; a regular 74 cent Vest. Nice for medium warm weather and country wear. A line of Swiss Ribbed Vests, regular 85 cent grade, closing out at 25c. Send in your orders by mail if not in the city.

If you are in, buy one or more of the small

NEAT HAND-BASKETS.

on the end of the Ribbon counter. Just the thing to carry home a nice small lot of fresh fruit, or other dainties. At the Ruching Department you will find new things in

FLAT RUCHINGS

and low-priced Tourist Ruchings. Also LINEN COLLARS and some special values in White

Linen Handkerchiefs.

Send in your orders by mail if you are not in the city to shop.

HORNE & WARD,
41 FIFTH AVE., PITTSBURGH, PA.

Notice to Contractors.

SEALED PROPOSALS, with plans and specifications for the additions and alterations to the County Jail of Somerset County, Pa., will be received at the office of the County Commissioners of Somerset County, Pa., between the hours of 9 a. m. and 6 p. m., of

September 18th, 1889,

For the additions and alterations, with a new cell room and cells, to the County Jail. Each bidder must file with his bid full and complete plans and specifications, with a lump figure for the entire work. Each proposal must be accompanied by a certified check in the sum of 25 per cent. of the amount of proposal, as a guarantee that if the proposal is accepted a contract will be entered into according to such proposal, with good and sufficient sureties. The Commissioners reserve the right to accept any bid that is of the best interest of the County, not necessarily the lowest, and also the right to reject all bids at their discretion.

D. E. WAGNER,
GEO. M. NEFF,
C. W. WILLIAMSON,
Commissioners.

Attest:—
A. J. HILDEBAN,
Clerk.
8-21-3t.

STATIONERY,
ARTIST'S MATERIALS,
Fancy Goods.
THE LARGEST AND BEST ASSORTED STOCK IN THE CITY.
PRINTING OF ALL KINDS.
Especial Attention given to
Engraved Wedding Invitations and Cards.
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