

THE DAILY BEE.

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THE BEE PUBLISHING COMPANY, PROPRIETORS.
E. ROSEWATER, EDITOR.

The question seems to be whether a senator is a bigger man than the president.

MR. GLADSTONE, who has been a wood-chopper for some time, is now a cabinet-maker.

Now that the contract for the Eleventh street viaduct has been let, the spring boom in Omaha will shortly begin to get in its work.

"THE Hennepin canal stands a poor show in congress. The railway monopolists are opposed to water in anything but railroad stocks.

TWELVE hundred thousand tons of steel rails will be laid in the United States this year, of which Nebraska will use nearly a twelfth in extensions and repairs of old and new lines.

MRS. HELEN SARAH FAIR has recovered \$10,000 from Frank Parmelee's 'bus company in Chicago for personal injuries. This is one of the heaviest winnings made by a woman in some time in Chicago. The jury gave her a square deal.

A CHICAGO paper urges that a system of collecting and distributing mail, by means of the street car lines be established in that city. Such a system might do in Chicago, but it would never do in Omaha. In this city it would prove the slowest mail on earth.

THE organ of the packing-house democrats "hopes this Bechel business will be settled without delay, as it has more 'rods in pickle.' The Bechel business is settled. As for the rods, they are injured by the character of the brine and are useless for the purpose intended.

PRESIDENT BECHEL's record speaks for itself. The record shows that he was a property-holder when he was elected to office. He is a property-holder and a taxpayer to-day. This is all the answer he needs make to the spiteful attacks of the organ of the packing-house democracy.

WOMAN SUFFRAGE has made another tenk. The city council of St. Johns, New Brunswick, has adopted a resolution permitting all widows and unmarried women paying taxes to the city on \$1,000 worth of property to vote. This, however, is hardly a fair deal for the married women.

We would suggest to the members of the finance committee of the charity ball that there should be no delay in the disbursement of funds for the relief of the destitute poor. Now is the time that they need assistance. Let the money on hand be at once properly expended, and it will accomplish great good.

NEBRASKA is interested in the opening of the Sioux reservation, but she is also interested in the protection of her frontier which bounds the great reservation. The maintenance and reinforcement of the two garrisons which guard the agencies at Rosbud and Pine Ridge is one of the strongest necessities of the present time.

COL. MORRISON surprises the public by the announcement that a tariff bill will be reported within two weeks. He says it will be short and to the point. The lobby of protected monopolies are preparing for action, and music may be expected along the entire line before winter has climbed from the lap of spring.

The state department is to investigate the killing of Captain Emmett Crawford by Mexican troops, while he was engaged in the pursuit of hostile Apaches. The investigation is carried far enough, it will bring out the fact that the Greaser hand-ditt on the border are more dangerous to life and property than the Apaches whom they pretend to hunt.

ONE of the questions upon which the people of Omaha should be allowed to vote at the spring election is that of additional paving bonds. Petitions for double the amount of paving, which can be done under the bonds voted last fall, would readily be forthcoming if means for paying the share of the city in such improvements were provided.

THE BEC of last evening said: No one denies that the president of the council was properly qualified as a property owner when he took his seat under the charter restrictions. As a matter of fact, he has been a real estate owner ever since.

The best answer to the BEC's unsupported statement is found in the open challenge to the claim in another column. The BEC's challenge will be found in the records of County Clerk Needham's office and in the stubs of City Treasurer Buck. Will the Herald kindly attempt to rob another 'mare's nest'?

OVER a thousand tickets have been sent out by the executive committee of the charity ball. A large number of responses and assurances have been received in reply. Many, however, are delaying to forward their contributions until later. The BEC urges upon such to remit at once. The funds derived from the sale of tickets are being distributed among the poor of Omaha in advance of the ball itself. The continued cold weather makes demands upon the resources of our charitable organizations specially pressing just at the present time. By the wise decision of the managers of the forthcoming ball the money, as it comes in, can be immediately applied for the intended purpose. If all citizens applied to come promptly forward we shall be able to double the handsome receipts of last year.

The Country Postmaster.

The coming convention of postmasters of third and fourth classes will be held shortly in Chicago to discuss measures for a redress of their grievances in the matter of salary and allowances. There is every prospect that the convention will be largely attended as it ought to be. The recent changes in the postal laws have borne heavily on the country postmaster. The reduction in postage from three to two cents has cut down the receipts of fourth class offices nearly a third. The cutting down of newspaper postage decreased their commission on newspaper business a half. While the public was benefited, the postmasters in all offices where the salary depends upon commissions on cancelled stamps were mulcted of a large part of their former compensation. In addition to the smallness of the pay, the fourth class postmasters complain that they are required to report box rents as part of their salary when they are forced to furnish the boxes at their own expense, and that they are compelled to do extra work and take extra responsibilities at separating offices without adequate allowance for clerk hire. The third class postmasters complain of the injustice of allowing first and second class postmasters rents, lights, fuel, stationery and clerk hire, and denying it to them when they are classified in exactly the same manner. They protest against the government taking the entire receipts from box rents when the boxes are the individual property of the postmasters and they are held accountable to the last cent for all government funds and denied an allowance for a safe. These with a general complaint against the insignificant compensation for transacting money order business form the sum total of the grievances of the country postmasters for which they ask congressional redress.

The lot of the country postmaster is not a happy one. He is the servant of a neighborhood without regard to size, sex or color. His store in which the office is located is common property. Every delay in the mails is charged up to his personal account. Wrecks on the road, blocked up coaches, the mistakes of offices and clerks on the route, the failure of correspondents, are all laid on his shoulders. He must be civil to incivility and smiling to stupidity. When the contents of the stamp drawer run out, owing to the economy of the department in refusing to honor his requisitions, he must cheerfully shoulder the blame and do violence to his conscience as he promises "a full supply by the next mail," and writes in desperate anxiety to the next office for a loan to carry him over until "next quarter." He is supposed to know the contents of every postal card which he handles and is popularly believed to have some means of discovering the information contained in the letters which he pounces. Over and above all hangs the dreaded regulations with their seven hundred paragraphs of red tape, the violation of any one of which is certain to call down on his devoted head a dozen reprimands from official superiors with threats of the cancellation of his commission if repeated. Postal clerks "check" him, inspectors raid his office in search of accidental mistakes, and chiefs of departments deluge him with instructions. If he happens to be at a "separating office," where mails on side routes are made up, his troubles are redoubled and his work increased in proportion. For all this the country postmaster receives a compensation of from 40 cents (the least salary reported) to \$1,200 a year, and is supposed to hold a bond of sufficient importance to have his appointment published in the papers.

We sympathize cordially with the country postmaster. We have been a member of that unfortunate class ourselves. The excitement furnished is ample, but the compensation for the gray hairs and wrinkles incurred in the performance of its variegated duties is shamefully small. It ought to be increased.

Appeals to Prejudice.

The appeals to prejudice which are being made in the case of Marshal Cummings, now under investigation by a grand jury of the district court for Douglas county, are made for a purpose. No disclaimer on the part of the partisan sheet which has for months been hounding the city marshal to please the patron saint of the packing-house democrats, will convince fair-minded men that its present fusillade of abuse is not fired by the intention of hitting a mark in the near neighborhood of the grand jury room, but that it is intended to inflame the passions of the mob and the direct appeals to officers investigating the case were timed with this in view. The BEC repeats that such a course of conduct in any newspaper is a gross violation of propriety, without warrant, unprecedented, and deserving of the strongest condemnation.

The city marshal, whether guilty or innocent of the charges made by his political enemies, is entitled to a fair and impartial consideration of his case, by a jury of his fellow citizens. His position should be determined solely by the evidence presented, in proper official form, under oath and without bias. Newspaper reports colored by personal feeling are twisted to suit the partisan malice of their authors must not be allowed to prejudice his standing in the investigation. The men who for months vainly tried to oust him on no charges and only discovered that he was a very corrupt official when the majority of the city council flatly declined to play into the hands of the mayor and his editorial backer, should be forced to keep their hands off until the matter is finally settled in the court.

The BEC has no axe to grind in the case. It has never thrown a straw in the way of the fullest investigations of any alleged official malfeasance. It is not anxious to know why the Marshal should have been reappointed or of his friends' position has been the frank and open one of freely commenting on the progress of a vindictive and violent partisan contest in city affairs in which, from the outset, it has not had one whit of personal interest. With the majority of all good citizens it decries the disgraceful conduct of the investigation of the marshal and the unfair pressure which his enemies in high political places used to smother his name on clearly sufficient evidence. It knows enough to know why the editorial and local columns of the Herald are filled just at the present time with assaults on the man whose reputation is in the hands of a jury of judicial inquiry. And so does

every other fair minded man in Omaha, not including the sticklers for professional etiquette in the office of the Herald.

The Challenge Accepted.
The organ of the packing-house democracy, whose assaults on republican officials for purely political ends are only less violent than its attacks on members of its own party who do not bow the knee to its editor, continues to assail President Bechel's property qualifications as a member of the city council. With the records in the county court house staring it in the face and publicly giving the lie to its statements, it brazenly renews its falsehoods and challenges Mr. Bechel to prove that "he is or has been a property owner during his term of office." With an utter lack of decency and disregard of the commonest rules of propriety it insinuates that there was a scheme between the president of the city council and the city attorney to "gull" the public, and intimates that Mr. Bechel has obtained his seat in office through fraudulently using the property of "relatives" as a real estate qualification.

No one knows better than the crank who grinds the organ of the packing house democracy that there is not the shadow of a shade of foundation for the charges made. The indices of the county clerk's office and the tax stubs of the city treasurer give the lie direct to its dirty assault on the president of the council. It was uncalled for, malicious and groundless, made for political and partisan reasons, and cannot be defended on any grounds satisfactory to men of honor and reputation.

The Herald can answer its own challenge by sending its reporters to the court house. It assures its readers that "it will cheerfully print for Mr. Bechel any evidence from the county records that he is, or has been a property owner during his term of office, be it a deed or a receipt for taxes paid." Both these evidences are there and have been there for several years. The challenge is accepted. Will the Herald make its promise good to prove itself a malicious slanderer, a brazen-faced defamer of facts, and a newspaper warped by partisan bias that it goes out of its way to assail public men whose only offense is that they decline to bob their heads with the grating puppets of its editor in the city council.

SENATOR VAN WYCK's bill to quiet titles acquired under the general land laws previous to Mr. Sparks' accession to office is a sensible and a practical measure. It provides that any entry heretofore made under the land laws of the United States, in conformity with the rules, regulations and decisions of the general land office and interior department at the time such entry was made, is confirmed to that extent, and shall be perfected and proceed to patent the same as if the rules, regulations and decisions had not been reversed or modified. The additional and necessary provision is made that such entry must have been made in good faith, and no charges of fraud have been made against the same, and that in case any charges of fraud have been made, they shall be investigated in the same manner and with the same effect as if the rules, regulations and decisions under which the entry was made had not been modified or reversed. The larger part of the hue and cry raised against Mr. Sparks' rulings in the cases of homestead, pre-emption and timber culture rights arises from his refusal to issue patents on receivers' certificates of purchase given prior to his incumbency of the land office. It has been claimed that the commissioner has no right to make his rulings retroactive or to delay the perfecting of titles acquired under the decisions of his predecessors. So far as he keeps within the law his rulings on procedure in the securing of proofs and the final issue of patents for which steps were begun under his own administration cannot be assailed. He may reverse or modify any such rulings as he sees fit on grounds of public necessity. In all cases, however, an appeal lies from the land commissioner to the secretary of the interior of the supreme court of the United States.

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JUDGE DAVID S. TERRY.

Hitherto Unpublished Reminiscences of the Slayer of Senator Broderick.

How He Tried to Slash a Witness in Court—His Narrow Escape from Hanging—Mobbing a Political Opponent.

The late marriage in the sacristy of the Roman Catholic church at Stockton, Cal., of Sarah Althea Hill and David S. Terry, who first became united as client and counsel, and then within a short period having lost—the former her husband, Senator Sharon, and the latter his wife—brings to mind, writes George C. Bates in the Chicago Times, some reminiscences in the chivalrous career of the new-made husband which, if ever hitherto published, have been long since forgotten, and which throw some new light upon this last extraordinary performance of this fire-eating Texan.

It happened to the writer to witness upon the stage at the Washington theatre in San Francisco, in 1854, a perfect performance of Shakespeare's great comedy of "The Taming of the Shrew," in which Mrs. Catherine M. Forrest, now Sinclair, played the part of Catharine, and Edwin Booth, then the brightest, handsomest, and most perfect actor of his age, took the part of Petruchio, and before the performance was over it was easy to see by what means Catharine, the shrew, became the most docile, quiet, and peaceful of all wives. That was an era in the drama of San Francisco, and I am not mistaken Judge Terry was among the audience, and from his peculiar characteristics and conduct in life as herein stated, it seems not unlikely that this new marriage will end in another drama of the same kind, and that the judge is likely to prove a second Petruchio, and is certain always to remain the head of the family. As no man has ever been so completely fitted for the part as Sarah Althea Hill will ever accomplish that feat, as we shall see.

In June, 1853, the district court of that district convened a term at Stockton, the best of all places in California, and at that time inhabited by a large colony of Texans right fresh from overland marches from that republic of which Governor Davis was then president, and which he had called his home that he would much prefer the latter place.

Those colonists were a free-and-easy set, full of fun and frolic, like old jumbo in his playful moods, and each man was always clothed with his bowie-knife and pistols, and when aroused to anger woe, woe, to the man that dared to vex them or cross their purposes. Having a large majority of voters, and being all in the pro-slavery, or chivalry men, they had elected a most estimable and amiable gentleman as district judge and the celebrated lawyer, David S. Terry, as sheriff, while David S. Terry and his partner Perley, were the leading lawyers and advocates of that then wild but beautiful hamlet.

The court convened at 9 o'clock, and the usual crowd of native Californians, the rough and hardy sons of Missouri, known then as now as the pukes, the louts and the rascals, and the rascals, and a sprinkling of the sons of the Carolinas collected, with here and there a native of New York or a Yankee from Cape Cod or Connecticut, all of whom were exceedingly modest and silent in the presence of their more lofty and lordly fellow-citizens of the south.

The first case called by the court, the jury impeached, and while waiting for the next case on the calendar I seated myself at the bar table to watch the proceedings, and to my great joy found an old law firm from Saginaw, Mich., to keep me company, and that the foreman of the jury was an old friend of mine from New York and Michigan. The case was opened for the jury, and in walked David S. Terry, then about 30 or 35 years of age, of five feet high without coat, cravat, with slippers but no stockings, but under his vest hung the duelling pistols with which, long afterward, he killed David C. Broderick, and a regular bowie-knife by which in 1856 he stabbed a policeman of the vigilance committee of San Francisco, for which he was arrested and imprisoned for a long period of time, and would have been hanged had not the beneficent climate of San Francisco kept that man alive, as he is to-day.

Judge Terry, taking his seat and placing his feet upon the table, commenced the cross examination of the witness, all livid in the last stages of consumption from Massachusetts and in a very rough, rude manner, interrogated him somewhat in this wise:

"What's your name, sir?" The poor fellow, half frightened to death, roughly out his answer, "Williams, sir."

"Have you ever been indicted in this case?" Williams, to whom he was looking as his eyes glittered more frightenedly and the hectic in his cheek spread more rapidly. "Yes, sir, and you caused me to be indicted, and the indictment was made proper."

"What's that you say?" said Terry, "Answer my question and nothing else," and thereupon the judge spoke and said, "Continue your answer to the question, please," and when Terry repeated the question poor Williams, strong even in death, repeated his answer, and thereupon Terry, jumping across the table, drew his bowie-knife, and rushing upon the poor, sick witness in his stand like an Apache Indian, cut away at the railing of the witness stand, and had he not been seized and grasped by the judge, he would have been upon the bench and Ben McCollough, the sheriff, would have cut that poor Yankee witness into mince-meat. During this scene the perspiration was running from Terry like water, and his disheveled hair and frothing mouth and gleaming knife presented the most extraordinary specimen of an advocate and counselor at law I have ever seen at the bar in my practice of fifty years.

I at once closed out my professional business in Stockton and turned over my eyes to my old friends, Hill & Duggins, of Saginaw, Mich. The next occasion on which I met his honor Judge Terry was at Sacramento in the spring of 1856, when, having been induced to visit the city, Col. Zabriskie, to a political discussion; a meeting was held by moonlight in front of the Orleans hotel, and every man present proceeded quickly and peacefully to the case, and in an effort to reply to Zabriskie's argument, whose guest I was, a mob, led by Judge Terry and his friend Jim Hardy, assailed me and with stones, eggs and other missiles, overturned it, and quite severely injured Mayor Zabriskie, while I escaped unhurt under the protection and hospitality of