THE OMAHA DAILY BEE.

NINETEENTH YEAR. OMAHA, THURSDAY MORNING, AUGUST 15, 1889. NUMBER 57.

RETRIBUTION CAME AT LAST

Judge David Terry Shot and Killed in California.

A DEPUTY U. S. MARSHAL DID IT.

The Fatal Shot Called Out By the Slapping of Justice Field—Sarah Althea Hill Shrieks for Vengeance.

Broderick's Slayer Killed.

LATHROP, Cal., August 14—On the arrival of the southern overland train here at 7:20 this morning, United States Supreme Judge Stephen J. Field and Deputy United States Marshal Nagle walked into the depot dining room for breakfast and sat down side by side. Soon after Judge David S. Terry and wife came in also. They proceeded to another table. Mrs. Terry, evidently recognizing Justice Field, did not sit down, but retired to the train for some unknown purpose. Before reaching it, however, and as soon as she had left the dining room, Judge Terry approached Justice Field and gently slapped his face. At this juncture Deputy Marshal Nagle arose from his seat and shot Judge Terry apparently through the heart. As he was falling Nagle fired again, missing him. Both shots were fired in very quick succession.

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 dining room and others rushed in. During this time Justice Field and Deputy Marshal Nagle retreated to the sleeping car, where they were securely locked in at the time Mrs. Terry called upon the crowd to arrest them. Before the train pulled out Constable Walker entered the sleeper and was carried away on board the train. He informed the spectators that he knew his duty, and would perform it.

During the time the train was standing at the depot Mrs. Terry was running wildly alternately from the body of her husband to the sleeper, demanding admittance, that she might slap Justice Field's face. She at the same time demanded that they be detained, and their examination be made here. Previous to the entrance of the constable into the sleeper the sheriff and deputy of Stanislaus county had already taken charge of Marshal Nagle.

After the shooting the deputy marshal backed against the wall of the dining-room and warned everyone not to arrest him, saying that 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. A constable took Deputy 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.

[David S. Terry was born in Todd county, Kentucky, in 1823. He served in the Texas army under Sam Houston. He came to California in 1849 and settled in Calaveras county. In 1855 he was elected justice of the supreme court of California on the native American ticket, and upon the death of Chief Justice Murray in 1857 Judge Terry became chief justice. He was opposed to the vigilance committee of 1856, and stabbed one of the members of the committee who had attempted to arrest Maloney, a friend of Terry. Terry was held by the vigilantes, but released later. Terry was looked upon as a man of desperate courage, who hesitated at nothing that would further his plans. On the 13th of September, 1859, he fought a duel with Senator David C. Broderick, near San Francisco, and killed him. Broderick opposed the extension of slavery, and ceased to act with the democratic party, of which Terry was a leading member in California. The duel was the result. At the meeting Broderick shot in the ground, but Terry, with the natural vindictiveness of his disposition, fired to kill. Broderick fell, and after lingering about thirty-six hours expired. The killing was looked upon with horror—as one of the most cold-blooded affairs that had happened when times were desperate and affairs of the kind frequent. Terry was never brought to justice. In later years Judge Terry has been a somewhat noted practitioner in the courts. He was employed by Sarah Althea Hill as counsel in the celebrated case of Hill vs Sharon, wherein Miss Hill sued Senator Sharon for divorce and alimony. During the progress of this case Terry married Miss Hill and continued as her counsel throughout it. The marriage created much comment in San Francisco and no little ridicule. At the time of the final hearing of the case before Justice Field, Judge Terry and Miss Hill both threatened to kill the justice, creating the wildest excitement in the court room. They were both locked in the court room and later placed under arrest. Since the conclusion of the trial there has been the deepest animosity existing between the parties, but it was not thought it would terminate fatally. In 1880 Terry was defeated as a Hancock elector, although his associates were elected. September 8, 1888, he was sent to jail for six months by Justice Field for contempt of court.]

To Arrest Judge Field.

SAN FRANCISCO, August 14.—The chief of police received a dispatch from Sheriff Cunningham, of Stockton, to arrest Judge Field and Deputy Marshal Nagle on the arrival of the train at Oakland. Captain Lees at once left for Oakland and will take them into custody unless they have left the train at some point along the road.

The announcement that Judge Terry had been shot and killed at the railroad depot at Lathrop this morning as a result of an attempt to provoke a personal altercation with Justice Field caused extraordinary excitement in this city. The scene of the tragedy is eighty-three miles from the city by rail and is the breakfasting station for the southern overland train. The possibility of an encounter between Terry and Justice Field has been recognized ever since the imprisonment of Terry for contempt of court, ten months ago, during the trial of the suit with his wife, Sarah Althea Hill, who was prosecuting the claim against Senator Sharon's estate, alleging she was the wife of the dead senator.

Justice Field Interviewed.

SAN FRANCISCO, August 14.—Justice Field was seen by an Associated Press reporter on his arrival here this afternoon. He said that for the last two months all sorts of reports have reached him, that Judge Terry had threatened to subject him to some form of indignity should he meet him. This fact caused the United States marshal to decide to provide such protection as he could during Justice Field's stay in the state.

"At the Lathrop eating house this morning," said Justice Field, "I took a seat at a table, while Nagle sat on one side of me. Terry and his wife came in soon after. As soon as Mrs. Terry saw me she went out of the room, as I afterwards learned, returning to the car for her satchel. Judge Terry arose and I supposed he intended to accompany her. Instead of doing so he walked back of me and struck me a heavy slap in the face. I was completely astonished. As he was making ready to strike again Deputy Marshal Nagle cried, 'Stop! Stop!' and as he was raising his arm a second time Nagle shot at him, the bullet entering his heart. That is all I know of the matter," said the justice in conclusion.

Protection was accorded to Justice Field, it is claimed, by the authority of Attorney General Miller, who instructed the marshal of the district to see that the persons of Justice Field and Circuit Judge Sawyer were protected. Mrs. Terry, it will be remembered, made a personal assault upon Judge Sawyer last year. The order for protection was based upon these facts and upon threats declared to have been made openly by Terry against Justice Field. The latter has not been arrested, and the notice which it was said was sent to that office by the district attorney of San Juaquin, if in that form, was not carried out.

Told by an Eye Witness.

SAN FRANCISCO, August 14.—Among the passengers on the Southern Overland train this morning was Colonel H. G. Otis, editor of the Los Angeles Times. He was standing outside the depot dining room at Lathrop when the shooting of Judge Terry occurred, and was at the scene of the tragedy a moment later. In an interview he said:

"The train arrived at Lathrop at 7:10 a. m. Justice Field was among the first passengers to enter the dining room. He took a seat at a table facing the door. United States Deputy Marshal Nagle sat at his side. Soon after they sat down, David S. Terry and his wife entered the room. When Mrs. Terry saw Justice Field she turned and hurriedly went back to the train, the supposition being that she went after a pistol or a bottle of vitrol. Terry sat down at a table further up in the dinning room, and while waiting to be served glared at Field. Presently he arose and walked over to the latter's chair. Judge Field was leaning over his plate, and Judge Terry approached him from behind, and, without a word of warning, dealt him a blow on the side of the face. At that instant Nagle cried: 'Hold! Hands off that man!' Justice Field looked up, and as he told me afterward, never saw such a picture of incarnate hatred as that depicted upon Terry's face. Terry did not the heed the marshal's warning and raised his clenched fist to deliver a second blow. That menacing gesture was the last act of his life. As quick as a flash Nagle drew his pistol and sent a bullet through his head, and then another not over an inch from where the first had struck him. A great commotion then arose in the dining hall, and on the platform outside. Mrs. Terry ran about from the train to the dining hall door, frantically demanding her satchel, which some one had taken from her. She then stormed the door, demanding entrance and charging those who barred her out with shielding murderers. I happened to know that the deputy marshal was acting under direct orders from the attorney general to protect the persons of Judges Field and Sawyer at all hazards. This order was made in consequence of the frequent threats which Terry had made against the lives of these two judges. In conversation with me Judge Field said he was not responsible for the constant attendance of the deputy and was rather annoyed at it. He did not want a bodyguard, but the officer insisted upon carrying out his instructions to the letter. He went on the same train with the justice to Los Angeles and had faithfully guarded his person up to the moment of the tragedy. He was in the faithful discharge of his sworn duty when he killed Terry. Justice Field told me he was not armed. He said he had been frequently urged to arm himself, but would never do so, and had declared that when it became necessary for a justice of the United States supreme court to go about the performance of his duty carrying firearms with which to protect his person, it would be time to abolish the courts.

The Man Who Took the Satchel.

SAN FRANCISCO, August 14.—A passenger on the train at Lathrop this morning says that when he heard the shooting he rushed out of the car and saw Mrs. Terry with a satchel 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 satchel was opened afterwards a pistol was found in it.

Nagle in Jail.

STOCKTON, Cal., August 14.—The coroner arrived here at 12:40 to-day with Terry's body in a box covered with white cloth. Mrs. Terry rode in the express car with the remains, accompanied by several friends of the deceased. When the body was taken off the car she followed and rode with it in the express wagon to the morgue. She was distressed and said it was a cowardly murder of an unarmed man. An inquest will be held to night.

Deputy Marshal Nagle was brought here in a buggy by Constable Walker, of Lathrop, at 10:30. When the overland train left Lathrop after the shooting the constable got in the car and arrested Nagle. He rode with him to Tracy and there took a buggy to Stockton to avoid a crowd. When Nagle reached the jail he alighted from the buggy and came in with his coat covering his handcuffed hands. Nagle refused to be interviewed. He said: "I am a United States marshal and simply did my duty as an officer." He was locked up alone and soon after sent for a local attorney. His pistol was given to the jailer. It is a large 44 calibre Colts revolver of old pattern with two charges exploded. Nagle was very cool, but looked pale and determined. On being searched he gave up everything without comment.

Events in the Marshal's Career.

SAN FRANCISCO, August 14.—David Nagle, the deputy United States marshal who killed Terry, is well known in this city. In the latter part of the '70s he went to Arizona and in 1881 he received an appointment as chief of police of Tombstone. While occupying that position he had frequent encounters with the criminal element, and by his behavior he soon earned for himself the reputation of a man of indisputable courage and bravery. He shot and killed a Mexican desperado in Tombstone after a fierce encounter. Nagle was appointed a deputy United States marshal here a year ago, and when Terry made the assault on Marshal Franks last September Nagle disarmed him. Nagle is about thirty-eight years old, and has a wife and family living in this city.

The Attorney General Explains.

INDIANAPOLIS, August 14.—Attorney General Miller was found at his home and asked concerning the command which he was quoted as having made to the marshal at San Francisco. "It was given out," he said, "under my direction. There was danger that Judge Terry, who was stated to be a violent and desperate man, would likely make a deadly assault upon Judge Field and Judge Sawyer—one or both of them—and that some precautions ought to be taken in the premises. I therefore called the attention of the marshal of that district to these statements, and I told him that it was due to the country and the courts that precautions should be taken to keep the peace and protect the courts and judges in the discharge of their duties."

Cleveland's Name Applauded.

RICHMOND, Va., August 14.—The democratic convention met at 12:15 to-day to nominate candidates for the state ticket. Hon. James W. Marshal, of Craig, who acted as temporary chairman, made a short speech, during which he mentioned the name of Grover Cleveland, which was rapturously applauded.

After the appointment of the usual committees a recess was taken until 4 o'clock.

The convention resumed its session at 4 p. m. The permanent organization committee reported the name of R. H. Cardwell, of Hanover, speaker of the house of delegates, as permanent chairman, and W. W. Scott, of Orange, as permanent secretary. The convention then proceeded to nominate candidates for governor. Messrs. McKinney, Venable, O'Farrell, Bierne, Tyler and Harris were placed in nomination in the order named.

At 11:30 o'clock p. m. a ballot was taken with this result: Kinney, 594; Bierne, 341; O'Farrall, 307; Tyler, 139; Venable, 73; Harris, 57. An unsuccessful effort was made to take another ballot, after which the convention adjourned until 10 o'clock tomorrow morning.

French Iron-Clads Sail For Crete.

TOULON, August 14.—Three French ironclads and a dispatch boat sailed to-day for Crete.

A DEADLOCK AT DES MOINES

The Iowa Republican Convention Develops a Stubborn Fight.

LARRABEE OUT OF THE RACE.

The Governor Withdraws His Name After the First Ballot—Wheeler in the Lead With Hull a Close Second.

The Iowa Republicans.

DES MOINES, Ia., August 14.—[Special Telegram to THE BEE.]—The most exciting contest in a state convention for many years was the fight for governor in the republican state convention to-day.

The convention was very large, too large to be handled easily, consequently each candidate had a small army of shouters. There seemed to be a great deal more noise than organization in each camp. The Hull men were particularly enthusiastic and spent good, valuable time in walking up and down and shouting that they were winners. The same was true to some extent of the Wheeler men, though they had a better organization. The Hutchison men were fewer in number, but they included excellent politicians, who, without saying much, kept getting their forces in a compact mass that could hold together indefinitely.

The opera house was an inspiring sight this morning when the convention assembled. Two thousand people were anxiously looking out upon the scene, watching every move in the game. Flags and bunting and piclures of statesmen and soldiers were seen in profusion. Among the 1,200 delegates there were a great many strangers, and many of the faces of well known Iowans who have usually been among the leaders at republican conventions were conspicuously absent. Among some of the faces that were missed were: J. S. Clarkson and Pete Hepburn, both of whom are now in Washington; John A. Kasson, who has not yet returned from his Berlin triumph; James Rich, of Dubuque, the keenest organizer in the state; John Q. Rannells, now general consul for the Pullman company at Chicago, and many others.

The temporary chairman, Hon. John N. Irwin, of Keokuk, who is also one of the owners of the Chicago Times, made a speech that will read a great deal better than it sounded, for he has a poor voice for public speaking. But it was an eloquent and scholarly production and was received with cheers, particularly the allusions to Allison, Kasson, Clarkson, Larrabee and other distinguished Iowans.

The selection of a permanent chairman was very unfortunate, the honor being given to a young attorney named Sollinger, of Carroll county. He has a very high opinion of his own oratory, and made a speech that was tedious and flat. The audience wearied before he finished, and tried to cheer him down. He could not preside with any force at all, and the convention got away from him several times. Dispensing with the nominating speeches, the convention began balloting at 3 p. m. and kept it up straight for several hours. As there are ninety-nine counties in Iowa it takes a long time to call the roll, so that each ballot stretched out, and at 6 o'clock but ten ballots had been taken. It was known that Governor Larrabee had consented to let his name go into the convention, but it was shrewdly done only to keep the delegates that favored him from going to Hull on the first ballot and giving Hull the moral effect of that vote. As the ballots progressed for the first few times there were many surprises, as the result showed where solemn promises in different cases had been broken. It was soon seen whom Larrabee favored. Each of the three leading candidates had claimed that he was for him, but after his name was withdrawn his home county cast one vote for Hutchison, one for Hull and thirteen votes for Wheeler, and stuck to it with little deviation.

There was a sensation on the sixth ballot when the first break in an instructed delegation occurred. Marion county had been voting solidly for Wheeler until then. When the county was called the chairman, as usual, announced "thirteen votes for Wheeler."

"One for Hull," shouted a delegate.

Instantly there were cheers from hundreds for Hull and groans from the Wheeler men. Great excitement prevailed, which the chairman tried in vain to still with his gavel. The chairman of the delegation shouted that no man had a right to vote against the instructions of his county.

"Yes he has." "No gag law," and hisses of disapproval were heard on every side. When order was restored it turned out that there were three votes for Hull recorded from the Marion county delegation and the Wheeler grip was broken.

There was little excitement until the eighth ballot was taken, which showed decided gains for Senator Hutchison. Then his followers nearly raised the roof with their yells. He gained still more in the ninth and then fell off a little. By this time an attempt was made to adjourn for supper but this was defeated, and one more ballot was taken with slightly different results. At 7 o'clock the opposing forces took adjournment for an hour and at 8 o'clock the fight was resumed.

When the convention re-assembled at 8 o'clock the delegates settled down to the balloting as if they expected to spend the night. Hull and Wheeler had both gained a little in the recess while Hutchison had fallen off. The opera house was packed with visitors and delegates watching the participants in the greatest deadlock that Iowa or any other state has seen for years. As the evening wore on the convention began to amuse itself by voting for local candidates in different parts of the state to complement them. While now and then some rural delegate would be seen nodding, utterly oblivious to politics and candidates, and so the evening passed away. The men who had prophesied that the whole thing would be settled in five ballots began to look funny when more than fifteen had produced no change, and to conclude that this is likely to be the greatest contest for the governorship that Iowa republicans had ever known.

A motion to adjourn was defeated and the twentieth ballot proceeded with, which resulted: Hutchinson 575, Hull 255, Wheeler 285, Irwin 35, Crapo 4.

Under the rules nothing could be done but to proceed to another ballot, which was done amid much confusion, and resulted: Hull 391, Wheeler 363, Hutchinson 398.

The third attempt of the evening to adjourn was made and defeated, and the twenty-second resulted: Hull 446, Wheeler 351, Hutchinson 353, Crapo 8. An effort was made to adjourn until morning, and after several amendments were moved and defeated, the roll was called and resulted favorably, and at 12:30 the convention adjourned to 9 a. m. to-morrow.

The Convention in Detail.

DES MOINES, Ia., August 14.—The republican state convention was called to order at 11 a. m. by Rev. Dr. Beardshear of Tama county. The temporary officers were then announced. They are John N. Irwin, of Keokuk, chairman; P. H. Bristow, of Des Moines, secretary; W. H. Berry, of Indianola, reading secretary. Irwin on taking the chair made a speech, which was followed by the announcement of the usual committees. The committee on resolutions was as follows: First district, A. H. Stutsman, Des Moines county; Second district, W. C. Gregory, Jackson county; Third district, W. H. Seibert, Dubuque county; Fourth district, B. W. Burr, Floyd county; Fifth district, James Wilson, Tama county; Sixth district, John F. Lacey, Mahaska county; Seventh district, T. J. Caldwell, Dallas county; Eighth district, M. M. Walden, Appanoose county; Ninth district, John Y. Stone, Mills county; Tenth district, J. Fred Myers, Crawford county; Eleventh district, J. S. Lawrence, Woodbury county.

The new state central committee is as follows: First district, C. M. Junkin, Jefferson county; Second district, J. M. Campbell, Muscatine county; Third district, Edgar Pickett, Blackhawk county; Fourth district, Sam J. Kenyon, Chickasaw county; Fifth district, William Buchanan, Linn county; Sixth district, W. D. Howard, Keokuk county; Seventh District, T. J. Anderson, Warren county; Eighth district, J. F. Wall, Ringgold county; Ninth district, E. L. Seevers, Guthrie county; Tenth district, J. A. McCabe, Boone county; Eleventh district, E. E. Mack, Bena Vista county.

Adjourned until 2 p. m.

After recess the convention reassembled at 2:15. The committee on credentials reported in favor of the majority of the delegation of Wright county and the delegation from Page reported by McNully. Every county in the state is fully represented. The committee on permanent organization reported B. I. Salinger, of Carroll, as chairman. The remainder of the officers are the same as in the temporary organization reported in the morning. Chairman Salinger, on taking the chair, thanked the convention for the honor conferred and made a short address.

The balloting continued without interruption till eleven roll calls had been made, with the following result:

First ballot—Wheeler 447, Hull 410, Hutchison 209, Crapo 37, Larrabee 52.

Before the second ballot was taken Governor Larrabee's name was withdrawn at his request.

Second—Wheeler 466, Hull 425, Hutchison 216, Crapo 25, Larrabee 20.

Third—Wheeler 482, Hull 442, Hutchison 205, Crapo 18.

Fourth—Wheeler 492, Hull 447, Hutchison 198, Crapo 18.

Fifth—Wheeler 484, Hull 460, Hutchison 198, Crapo 18.

Sixth—Wheeler 471, Hull 464, Hutchison 200, Crapo 18.

Seventh—Wheeler 484, Hull 480, Hutchison, 170, Crapo 18.

Eighth—Wheeler 444, Hull 431, Huchison 259, Crapo 19.

Ninth—Wheeler 424, Hull 375, Hutchison 335, Crapo 18.

Tenth—Wheeler 421, Hull 424, Hutchison 288, Crapo 19.

Eleventh—Wheeler 435, Hull 413, Hutchison 285, Crapo 19.

At the end of the eleventh ballot the convention adjourned until 8 o'clock.

When the convention reassembled at 8:15 a resolution was introduced in favor of Chicago as the most suitable city in which to hold the world's fair in 1892, which was overwhelmingly adopted.

The twelfth ballot for governor was then proceeded with and resulted: Wheeler 450, Hull 423, Hutchison 257, Crapo, 19, Perkins 2.

The thirteenth ballot resulted: Wheeler 466, Hull 469, Hutchison 196, Crapo 18, Perkins 2.

The fourteenth ballot resulted: Wheeler 480, Hull 468, Hutchison 203, Crapo 18.

Fifteenth—Wheeler 470, Hull 445, Hutchison 218, Crapo 11, Young 11.

Sixteenth—Wheeler 462, Hull 449, Hutchison 222, Crapo 19.

Seventeenth—Wheeler 401, Hull 348, Hutchison 196, Parrott 53, Crapo 25, Larrabee 11, Irwin 68, McHugh 27, Shaw 13, Kirkwood 11.

At 10:05 an effort was made to adjourn, but although the convention had been balloting for six hours, the motion was lost and the convention settled down like a stubborn jury to spend the night over the case. A number of favorite sons were brought out in the Seventeenth for local compliment.

Another motion to adjourn was voted down and the eighteenth ballot proceeded with, which resulted: Wheeler 394, Hull 381, Hutchison 180, Irwin 123, Parrott 30, Crapo 18, Holmes 4, Larrabee 1.

Nineteenth—Wheeler 337, Hull 319, Irwin 411, Hutchison 309, Holmes 19, Crapo 17, Larrabee 18.

The Knights of Pythias.

OSKALOOSA, Ia., August 14.—[Special Telegram to THE BEE.]—The second day of the twentieth annual meeting of the Iowa grand lodges of the Knights of Pythias and the annual encampment of the Iowa brigade, uniformed rank, closed to-day. The weather was cool and clear all day, and fully 5,000 strangers were in the city. The grand street parade took place this forenoon. The procession was nearly a mile long and under command of General Beeson, was a brilliant success. In the afternoon the prize drill and band contest took place at the fair grounds. In the drill the Marion division took first prize $15, Cedar Rapids second $50. The Knoxville brass band took the prize in the contest, $50.

The grand lodge is holding its meetings in the Masonic opera house. More business than usual is before the body, and it is now thought that they cannot close up their work to-morrow.

At their session this afternoon the committee on credentials reported 240 representatives present, who, with the past chancellor, were given the grand lodge degree. The grand chancellor's report was read and adopted, showing a gain of thirty-one lodges during the ten months of his term, and an increase of 3,000 members, an unprecedented increase in the history of the order in Iowa.

General Beeson resigned as brigadier general and Colonel J. Loper, of Des Moines, succeeded him. Lieutenant Colonel Perry, of Chariton, was then promoted to the colonelcy. Major Patterson was made lieutenant colonel, and W. W. Stewart, of this city, took the honor of major.

The question of a Pythian temple was discussed and met with universal approval. It will doubtless assume some tangible form. Des Moines, Cedar Rapids, Marshalltown, Creston and Sioux City are the bidders.

The Red Oak Encampment.

RED OAK, Ia., August 14.—[Special to THE BEE.]—The Fifth regiment, Iowa National Guards, are now encamped at this place, as are also Companies A and F, Second regiment of regulars, under command of Colonel Casseli. The regiment consists of ten companies of thirty men each, and is located in the western part of the city in a natural grove of elms, with a beautiful parade ground between the camp and the city. The regiment makes a handsome appearance in new, natty uniforms, most of them being well drilled, Company A, of Council Bluffs, taking the lead.

To-morrow will be the main day of the encampment. Governor Larrabee will inspect the regiments, after which there will be a sham battle between the Fifth regiment, Iowa National Guards, and companies A and F, Second United States infantry. Colonel Cassell has been putting in time perfecting the regiment in drill, both company and regimental. The encampment so far is one of the most successful ever held. The order has been of the very best. No arrest has been made up to this date.

Shot By a Jealous Husband.

CLINTON, Ia., August 14.—[Special Telegram to THE BEE.]—There was an exciting time in the streets of Commanche, a small town near this city this afternoon. Mr. H. L. Stone, a carpenter, fired five times at Dr. L. B. Hitchcock. The trouble grew out of a woman, the former wife of Stone, who had been divorced from him. The doctor had been attending her professionally. Stone's jealousy was aroused and he accused him of an intrigue with the woman. The doctor refused to admit it and Stone began to shoot. The doctor ran. One bullet took effect under the shoulder and the physician is badly wounded while the jealous shooter is in jail.

Will Sue the Rock Island.

FORT DODGE, Ia., August 14.—[Special Telegram to THE BEE.]—City Attorney Healey this afternoon received instructions this afternoon from State's Attorney General Stone to prepare evidence in the case of Fort Dodge against the Rock Island railroad company. Suit will be immediately instituted in the name of the state of Iowa against the Rock Island company to compel them to obey orders of the railroad commissioners, and to rebuild the road into Fort Dodge from Tara, a distance of nine miles.

River Land Troubles Revived.

FORT DODGE, Ia., August 14.—[Special Telegram to THE BEE.]—The old river land trouble was revived by the arrest of three settlers to-day, charged with malicious trespass. C. Intermill, Alfred Welsh and W. Intermill were lodged in jail for returning to farms from which they were evicted and securing the hay crop. They will be given a trial next Saturday.

PUT THE TRAMP TO FLIGHT

A Groceryman's Plucky Fight With a Would-Be Assassin.

GROUND UNDER THE WHEELS.

A Grand Island Man's Horrible Death—Lightning's Fatal Work at Springview—Increased Attend- at the Kearney Encampment.

A Murderous Tramp.

FAIRMONT, Neb., August 14.—[Special Telegram to THE BEE.]—A special to the Tribune from Hooper says that last night at 7 o'clock a stranger entered the store of G. Pegan and bought a lunch. After loitering around until 9 the proprietor asked the fellow to pay for his lunch and leave, as he wanted to close the store. The stranger asked Pegan to change a $20 bill. While the latter was taking the money from the drawer the tramp demanded his money or life, and, pulling two revolvers, began firing, one ball, a 32-calibre, entering his left arm, one cutting a gash in his throat, the other grazing the scalp. Pegan drove the villain from the store. The sheriff has arrested a man who is thought to be the guilty party.

Ground to Death.

CENTRAL CITY, Neb., August 14.—[Special to THE BEE.]—Word was received here this morning that B. F. White, of this place, was killed by being ground under the wheels of a St. Joseph & Grand Island train at Grand Island last night. White had been a resident of Central City for the last five years, and for the past two years, at least, had been doing an extensive boot-legging business. At the time of his death he was out on bail, having been arrested for too public sale only about three weeks ago, and would have been tried at the October term of court. His modus operandi was to go to Grand Island, lay in a supply of beer and other poison, bring it here and parcel it out at Brinkerhoff's livery stable. He was on this sort of a mission when killed, and was, presumably, intoxicated. Three cases and one keg of beer arrived here for him on No. 2 from the west this morning. He had no known kin here.

The Encampment at Kearney.

KEARNEY, Neb., August 14.—[Special Telegram to THE BEE.]—There are 3,500 happy people camping on the hill. The crowds keep pouring in from all parts of the state. There are band serenades everywhere and the roll of martial music fills the air.

This morning the W. R. C. and G. A. R. gave a grand reception in the pavilion. At the close Past Commander Colonel Henry made a cheering address.

This was a repetition of the morning preceding. There was the same stir, the same general exercises, the same scenes except that everything was a visible enlargement of the day before. Owing to the increased attendance there was a great scarcity of tents. A few had been made vacant by doubling up. More tents were put up and other tents were expected which it was hoped would accommodate the growing crowd of campers-out.

The daily guard mount of the Second regiment, U. S. A., took place at 2 o'clock. The officer of the day was Second Lieutenant Wilson of Company B.

The regimental band drew a larger crowd than on Tuesday. It took possession of the amphitheater and completely hemmed it in on the parade ground. The concert was very fine.

The following state associations elected officers to-day:

New York—President, Major F. Hall, Beatrice; vice president, S. R. Blois, Stanley; secretary, R. H. Woodward, Pleasantdale; assistant secretary, H. O. Bancroft, Springfield; treasurer, George F. Ryan, Grand Island; color sergeant, W. H. Cross, York.

Ohio—President, Colonel Greenwood, Utica; secretary, Howard H. Coleman, Utica; treasurer, Joel Hull, Minden; color bearer, J. Burwell, Juniata; chaplain, Mr. Wooster, Hastings; medical director, F. B. Latgen, Brock; marshal, H. C. Swartz, Byron; orator, General Manderson.

Indiana—President, R. Harney, St. Paul; first vice president, A. H. Bollin, Kearney; second vice president, S. P. McClure, Fullerton; secretary, Milo Robertson, Elwood; treasurer, J. W. Miller, Central City.

Illinois—President, G. E. Whitman, Oxford; vice president, R. S. Laugley, Akron, Colo.; secretary, E. F. Cole, Madison; color bearer, George Hutchinson, Edgar; drum major, C. W. Roberts, Crab Orchard; fife major, C. Dillon, Dorchester; executive committee, D. K. Calkins, Macon; James O'Kane, Kearney; I. Austin, Holdrege; J. P. Calkins, Shelby; P. Jenkins, Ohiowa.

Nebraska—President, Charles E. Burmeister, Omaha; vice president, George V. Hall, Lincoln; treasurer, C. A. Stopner, Elmwood; secretary, M. C. Akin, Plattsmouth; color bearer, Michael Connelly, Stanley.

Wisconsin—J. H. Culver, colonel; O. Westcott, colonel; R. M. Strong, major; Captain Blanchard, quartermaster; A. J. Ward, surgeon; C. M. Hyatt, adjutant; Clarence Culver, sergeant major. The Wisconsin veterans organized after the form of a regiment. There are 2,300 in the Nebraska roster and 250 are registered at this encampment.

Iowa—Harry Hotchkiss, president; vice president, Hon. John Stein; secretary, W. H. McArthur; color bearer, John Brown. There are 300 Iowans registered.

At 8 o'clock a grand reception was given to Governor Thayer and his staff in the pavilion. The salute to the governor was fired by Battery A, National guards. The Lincoln Flambeau club gave one of their brilliant parades this evening at the camp fire.

The announcement of the result of the amateur band contest, which took place this afternoon, was read. The Kearney industrial school, Tecumseh, Diller, the Occidental of Dewitt and the Modern Woodmen of Edgar entered the contest. The Occidental took first honors, Tecumseh second and the Modern Woodmen third.

The camp fire proceedings were the most interesting of any held here.

Camp George Crook.

FORT ROBINSON, Neb., August 14.—[Special Telegram to THE BEE.]—Camp George Crook has been opened. The general commanding, with his staff, is already on the ground. His first orders sent six companies of the Ninth cavalry and Eighth infantry into the field with directions to march southwesterly and intercept the Seventh infantry en route to this post. Another batallion will be sent to meet the incoming garrison from Fort Niobrara, which is to-day at Gordon. In each case an engagement will ensue, the one command attacking and the other defending their position. By next Tuesday all the troops, 2,500 strong, will be in camp, and the grand manœuvres will begin. The encampment will be the most important held in the United States since the war. General Schofield and the secretary of war are expected to be present.

Mounier's Examination.

VALENTINE, Neb., August 14.—[Special Telegram to THE BEE.]—George Mounier, the murderer of John Reeves near Merriman, in this county, last week, had his preliminary examination to-day, the delay being caused by the distance the witnesses were compelled to come. The state presented its evidence and rested the case. The counsel for the defense declined to open the case, but let it rest until the next term of the district court, which convenes in November. The prisoner was remanded to await his trial.

Gage County Politics.

BEATRICE, Neb., August 14.—[Special Telegram to THE BEE.]—To-morrow's county convention has drawn an immense crowd of politicians to the city, and the streets are thronged with perspiring candidates, who are ravenously anxious to serve the county in any capacity from coroner up. The principal fight lies with the treasurership, and there is about one candidate to every ten delegates. G. R. Greer, since Pickrell was snowed under at the primaries, seems to be fairly in the lead to-night, with Harry Davis, the present deputy treasurer, a close second. Fay Davis, the sheriff, is willing to throw off the cares of the sheriff's office for the more congenial office of treasurer, and Fay thinks he will get there in great shape. The remaining score of candidates are equally sanguine, but there is a vague probability that J. S. Grable or J. L. Tait will be trotted out as dark horses and capture the plum after all. A full county ticket is to be nominated, and there is an ample number of candidates to meet all emergencies. There will be a struggle for the organization of the convention, and caucuses are being held to-night.

A Depot Burned at Cozad.

COZAD, Neb., August 13.—[Special to THE BEE.]—While the night watchman was making his usual round at about 1 o'clock this morning, he discovered the Union Pacific depot on fire. A dense fog prevented him from seeing the flames at a distance, and when within a block of the depot he heard a sound resembling that of an explosion, which first attracted his attention. He immediately gave the alarm, but when the citizens came to the spot the building had already fallen in. Everything in the building was consumed, including $350 in currency, which the agent had made up for No. 2, due at 9:52 p. m., but the train being twelve hours late and the night operator, not knowing the combination to the safe, was compelled to leave the money in the cash drawer. The freight rooms were about half full of merchandise, and this, together with five trunks belonging to commercial men, was consumed.

Telegraphic communication at present is entirely cut off, but speedy preparations are being made to restore the wires to working condition.

Burglars at Oakdale.

OAKDALE, Neb., Aug. 14.—[Special to THE BEE.]—Our usually quiet town is all excitement to-day over the burglaries committed last night. Jerry Lovering's carpenter shop was first broken open, and with chisels taken from there the front door of Charles Dwarak's store was forced open and $5 or more taken from the drawer, and an uncertain amount of ham, cookies and cheese. The butcher shop of George Osburn was entered from the rear, his safe blown open and $50 or $60 in money and several notes taken. A remnant of ham, cookies and cheese was found in Dr. Conwel's yard, where the thieves partook of their repast. Who they were and whither they went is as yet unknown.

The Blue River Receding.

BEATRICE, Neb., August 14.—[Special Telegram to THE BEE.]—The Blue is falling slowly. But little further damage was done than stated in last night's dispatch. The flooded district in the city presents a dismal appearance. The principal loss is in food and household furniture. There is an unauthenticated rumor that a babe was drowned yesterday by the Indian creek flood. It lacks positive confirmation, however. A man named Willis Christiansen drove off the Bear creek bridge two miles from the city, lost his team and narrowly escaped with his own life. As it was he was in the water two hours before he could make himself heard. The buggy was recovered in the vicinity of Bear creek. It is thought that the damage to growing corn will not be so great as at first reported, though the aggregate will be very large.

Frye-Barnes.

BENNETT, Neb., August 14.—[Special Telegram to THE BEE.]—A prominent society event here to-day was the marriage of Miss Mary Barnes, daughter of J. D. Barnes, to D. A. Frye, ex-principal of the Bennett schools. Both are well known and popular young people of this vicinity. The marriage took place at the residence of W. F. Torbitt, brother-in-law of the bride, at 1 p. m. to-day, followed by an elegant repast. About eighty immediate friends and relatives were present. Many handsome and valuable presents were received. The young couple will start to housekeeping immediately on the groom's farm, a few miles south of Bennett.

Building a Railroad.

BEATRICE, Neb., August 14.—[Special Telegram to THE BEE.]—Messrs. Newman Erb, E. Summerfield, Frank Mathers and C. E. Brush, of the Kansas City & Beatrice railway company, arrived in the city to-night to conclude arrangements for beginning work on the line at once. Kilpatrick Bros. & Collins have been awarded the contract for building the road from Summerfied, Kan., to Virginia, on the Rock Island, fourteen miles east of this city. The new line will run over the Rock Island tracks from Virginia to this point. Contracts will be let at once for the construction of the depot in this city, as well as for the round house and other buildings.

Sold Liquor Without a License.

SPRINGFIELD, Neb., August 14.—[Special Telegram to THE BEE.]—Fred Schoch was arrested late yesterday evening on a warrant sworn out by the county commissioners on the charge of selling liquor without a license, and his stock of wines and liquors taken into Papillion and placed in charge of the sheriff. Stroch has been running a saloon and beer garden near Sarpy Mills, in this county, for the last six months, claiming to be in the two-mile limit of South Omaha and out of reach of the law. The commissioners claim they can handle him notwithstanding the new law under which the arrest was made.

A Rattling of Dry Bones.

PLATTSMOUTH, Neb., August 14.—[Special to THE BEE.]—To-day while contractor George Poisett and a gang of men were excavating for the new residence of George E. Dovey, on Fourth street, commonly known as "The Mound," which is the highest point in the city, the skeletons of several human bodies were unearthed. The bones were decomposed, and from flints and other relics which were found it is supposed that the bones are the remains of some tribe of Indians which inhabited the country many years ago.

The Flood at Salem Increasing.

SALEM, Neb., August 14.—[Special Telegram to THE BEE.]—The flood is increasing. The water is five feet deep over the river bottom here and still rising. No mail since Monday and none expected for some time. The water is over the railroad track one to three feet deep, and it is impossible to tell the extent of the damage to the road bed until the water subsides.

Sparks-Ludwig.

VALENTINE, Neb., August 14.—[Special Telegram to THE BEE.]—L. C. Sparks, superintendent of public instruction, was married last evening to Miss Bertha Ludwig, one of Valentine's most accomplished belles, at the residence of the bride's parents, a large number of friends, including the county officials, being present.

Wind and Rain.

TOBIAS, Neb., August 14.—[Special to THE BEE.]—A terrific wind and rain storm visited this section last night, doing great damage to growing corn, blowing down barns, wind mills, etc. Several buildings in town were partially unroofed and badly damaged.

Killed By Lightning.

SPRINGVIEW,