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That Is What the Olympian Delegates Consume Their Time in Asking For.

Mr. Prosser Still in Good Condition and Willing to Continue Talking.

The Schedule Article Was Taken Up, Read, Amended and Recommitted.

[SPECIAL TELEGRAM TO THE REVIEW.] OLYMPIA, Aug. 17.—The convention met at D o'clock, the president in the chair. Prayer by Rev. Palmer of Olympla. Roll call showed thirteen vacant chairs. The records were read and approved. Cosgrove, Dunbar and Tibbetts

were excused for the afternoon. Browne's report of the special committee on the state seal, with three designs for a seal, three members on the committee, was presented, tabled temporarily and ordered printed.

The state lands article was taken up and the amendments proposed by the committee of the whole were considered and those in section 1 were concurred in. The next amendment was Turner's declaration of the state's sovereignty over tide lands, etc., and on the question of concurring in this amendment Joy called for the ayes and nays with this result—ayes 23, noes 26. The roll was called on the next section also, which was a disclaimer of the state's claim to pre-emption. homestead or donation lands covered by a United States patent. Concurred in-

Ayes 45, noes 23. On concurring in the amendment quiring the successive legislatures to agree to laws for the sale of the tide lands another roll call was ordered and this section went out-Aves 32, nocs 36. The next point of difference was upon

the proposition to exclude from the sale of school lands the value of the improvements thereon. Cosgrove said it was "confiscation,"

but the convention either DID NOT AGREE WITH HIM or else was in a confiscating mood, for it adopted the proposition-ayes 48, noes

On what has been known as "Crowley's proposition," to confirm the sales of university lands, etc., the roll call was 46 ayes, 20 noes, so that was con

All the other amendments made by the committee of the whole were concurred in. The gates were now wide open under the rules for the usual stream of amendments, and Joy moved to amend so that the whole of any school section, any part of which is within a nile of any incorporated city, shall be sold in lots instead of by the acre.

Griffitts thought this would not no complish the result sought, particularly at Spokane Falls, where the whole school section is just outside the one mile limit.

Stiles disapproved of the whole section. and thought the legislature would attend

A division was called for and had, and proposition prevailed — ayes 33,

only thing approaching bar's suggestion that now for the school purposes; but that was wholly unneccessary, for the timber, coal, etc., could be sold. The legislatures could not act fairly, for in every county there were men of inducace who wanted to purchase these lands for their own purposes. As to Bowen's comments has desired that he (Bayen) had only he claimed that he (Bowen) had only corroborated his statements. That gen-tleman had admitted on this floor that the primary school money of Michigan had been used to build a state capital,

and to pay the depreciated state warrants of that state.

Bowen asked a question or two which Bowen asked a question or two which presently the chair stopped, as running into a coloquy.

Prosser proceeded, claiming that if a private individual had administered a trust as Michigan had handled her school lands, he would have been proceeded against criminally even in Michigan. He protested vehemently against putting the school lands upon the market in the near future in competition with the chean lands of the United with the cheap lands of the United States and the Northern Pacific railroad

States and the Northern Pacific railroad and called upon the convention to perform its duty to the people and to all the children of the future.

Cosgrove thought his county was well enough protected, and they wanted money for the schools without taxing themselves.

Moore entered his protest along with that of Prosser in behalf of the future generations of this state. He would

CALL A HALT HERE.

hall fix such valuation irrespective of shall fix such valuation irrespective of the improvements on such land; provided, that nothing herein shall apply to the area covered by the reservation in front of any incorporated city, or any lands in front of any fort or light-house owned by the United States.

Jones moved the previous question, and Moore demanded the ayes and noes. The previous question was ordered by aves of, noes 15. Pending the decision of that motion Jackson moved a call of the house, but the chair ruled him out of order until the pending motion was settled.

The question was then put on Weir's

The question was then put on Weir's section, and, by roll call, it was adopted —44 to 20.

Stiles moved to amend section 2 by adding a proviso that nothing in that section should be construed so as to deprive any riparian proprietor of his right to carry his claim to a court.

Jamison asked a roll 'call, and, that being had, the amendment was adopted—aves 44, noes 19. -44 to 20.

-aves 44, noes 19. Turner put in again his substitute of yesterday for the section validating United States patents, leaving the mat-ter to the legislature. Lost—ayes 23,

noes 46.
T. M. Reed wanted to amend by saying "for educational purposes," instead of saying "for common schools."
Jones moved to put in "docks and dockyards," because they ought to be included and would not be by the phrase "defensive works."

go to the people. Dunbar said he had

NEVER HEARD OF THIS position and certainly should not

Prosser-I understood you to say yeserday that you were willing the people hould decide this. Dunbar—Through their representalives in the legislature.
Prosser repeated that in a matter of so

great importance the best that the members could do was to allow the people to decide. He asked for the ayes and nocs, but on roll call his proviso failed—Ayes

cussed and amended for three days, and now be moved to pass it to a third read-ing, but withdrew at Prosser's request. Prosser moved to postpone the time within which the first third of the school

yes 29 noes 38. Power renewed his motion to pass to duration of their term. Power renewed his motion to pass to a third reading and called for the previous question, but yielded to Browne. Browne thought the sale of a part of the tide lands had been provided for and part not, so he moved to amend by authorizing the legislature to arrange for the sale of such portion unprovided for at public auction.

The provious question is motion to pass to Sic. 12. In case of a contest of election between candidates at the first election under this constitution for judges of the superior courts, the evidence shall be taken in the manner prescribed by the territorial laws, and the testimony so taken shall be certified to by the secretary of state, and said officer, together with the governor and treasurer of the

Crowley asked for a reprint and moved o amend Power's motion to that effect. Power refused to accept that amendnent. He proposed to get this article inally adopted here this morning if he

Griffitts hoped this motion would not be pressed, as he had another amend-ment to offer, and that was to declare that if any of the state hands had not been given away or sold by this article

Prosser offered a substitute for section 5, providing for the perpetual retention by the state of the school lands, and for the leasing of the same, which was his proposal of yesterday. He had not heard one single argument in favor of inserting in the constitution a direction for the sale of the school lands. The only thing approaching that was Dunnier of the same of the school lands are the same of the school lands. The only thing approaching that was Dunnier of the same of the same of the school lands are the same of the school lands. The only thing approach of the school lands are the same of the same

by ayes 46, noes 20.

Weisenburger moved to suspend the rules and put the article on its final passage now. Roll call again at Griffitts' demand and

the suspension refused—35 to 35. Grifflitts asked a reprint of this article, and the chair said he should order it. Lillis asked leave until Monday after-

AFTERNOON SESSION.

The Schedule Article Taken Up in the Convention.

The convention met at 2 o'clock, with Furner in the chair. The schedule artile was taken up. Dickey moved to go into committee o he whole informally, with the president pro tem. in the chair. Dyer hoped not.

Moore thought they had better go into ommittee of the whole formally if at

II, and have

roted.
The sections following were agreed to with the new amendments:
Sicrios 1. No existing rights, actions,

suits in equity which may be pending in any of the courts of the territory of Washington at the time, of the change washington at the time of the chang from a territorial to a state governmen shall be continued and transferred to th court of the state having jurisdiction of the subject matter thereof. Sec. 6. All officers now holding the offices under authority of the United States or of the territory of Washington, shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the state, and shall be entitled to receive for ser-

aud'shall be entitled to receive for services rendered compensation not greater than that theretofore received on the taking effect of the constitution.

Sec. 7. All officers provided for in this constitution, when no other time is fixed for their election, shall be elected at the election to be held for the adoption of this constitution, on the first Tuesday of October, 1889.

Sec. 8. Whenever the judge of the superior court of any county elected or superior court of any county elected appointed under the supervision of t constitution shall have qualified, soveral causes then pending in the di trict court of the territory within an county, and the records, papers and pr ceedings of said district court, and the seal and other property pertaining thereto shall pass into the jurisdiction

thereto shan pass into the jurisdiction and possession of the superior court to such county, and until the district courts of the territory shall be supersed ed in any manner, said district courts and the judge "defensive works."

Browne further amended by making all the article correspond with his previous amendment, establishing an allottment system of selling only three at a time in each school section, and several other technical amendments, all of which were adopted.

Prosser offered a proviso to section 5 providing that no school land in the providing that no school land in the providing that no school land in the papers, records and proceedings of the papers. providing that no school land in the state of Washington shall be sold unless a majority of the electors of the state so decide in an election. He thought the chairman of the committed (Dunbar) would not object to having this matter you to the people. jurisdiction and possession of the su-preme court of the territory, and the judges thereof shall continue with like powers and jurisdiction as if this consti-tution had been adopted. Sec. 9. Until otherwise provided by law

the seals now in use in supreme and dis-trict courts of the territory are hereby de-clared to be the seals of the supreme and superior courts respectively of the state.
The seal of municipalities and all county officers of the territory shall be the seals of such municipalities and county offi-cers respectively under the state. Sig. 10. Whenever the state is admitbut on roll call his proviso failed—Ayes
18, noes 44.
Stiles moved to amend by saving fiveacre "parcels," instead of "blocks and
lots," Lost.
Grifflits moved again his substitute
for section 1 (providing that all school
lands shall be reserved from sale, except
lands granted for university, charitable
lands granted for university, charitable
lands granted for university, charitable
lands granted for university charitable
lands granted for u books, records, papers and proceedings of the probate court in each county and and certain other purposed), and asked a roll call. Result—ayes 16, noes 53.

Power said this article laid been discussed and amended for three days, and cussed and amended for three days, and

superior judges are provided for in this constitution the territorial probate judges shall act as judges of the probate courts within the respective counties.

Sec. 11. The legislature at its first lands may be sold to the year 1900, and the time within which the second third session shall provide for the election of may be sold to the year 1920, and had a roll call upon that, with failure again—for elsewhere in this constitution and for elsewhere in this constitution and fix the time for the commencement and

state shall review the evidence and determine who is entitled to the certificate of election.

SEC. 13. One representative in the

congress of the United States shall be elected from the state at large at the first election provided for in this contitution, and thereafter at such times and places and in such manner as may be prescribed by law. When a new ap-portionment shall be made by congress the legislature shall divide the state into congressional districts in accord-ance with such apportionment. The yote cast for representative in congress at the first election shall be canvassed and the result determined in the man-ner provided for by the laws of the ter-ritory for the canvas of the vote for dele-gate in congress.

SEC. 14. All district, county and pre-

aoon. Refused—24 to 25.

The president signaled Turner to take the chair this evening.

E. H. Sullivan moved to adjourn sine die.

The chair said it couldn't adjourn sine die, and he put his motion to adjourn simely. Lost, On motion of Gowey a simply. Lost, On motion of Gowey a recess was taken until 2 P. M.

officers shall continue in full force and it is hoped they will be able to check the fire so as to save Georgetown and such buildings as may lay in its this constitution had not been adopted. SEC, 15. The first election held at the time of the adoption of this constitution shall be held and conducted in all respects according to the laws of the fire.

The Death Sentence. the territory, and the votes cast at said clection .or all officers (where no other provisions are made in the constitution) shall be canvassed and returned in the manner provided for by the territorial

IN FOR A YEAR. Sullivan Sentenced to Imprisonmen in Mississippi.

NO HALF-WAY BUSINESS
about it. The motion was lost.

Power moved to take up the schedule ormally in convention and it was so that time and Sullivan was also scated control. call A HART HERS,

knowing that the people could, through amendment of the constitution, dramand amendment of the constitution, dramand in the constitution of some constitution in the constitution in the constitution of government, but all shall continue as from the constitution of government, and the constitution is a state of the constitution shall be as a wall as it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would his own, and if he owned it as the would have been done in the constitution shall read to the constitution shall read before the bar, showing up with Clane before his attorney came into court. If looked pleasant and unconcerned, al though there was a trembling in his ey

YOUNG FIREBUGS.

Gang of Boys Have Been Setting Fires to Buildings in Walla Walla.

Deputy Nagle, the Slaver of Judge

Terry, Jailed in San Fran-

cisco. Two Towns in Danger---Sentenced to Hang---Numerous

Pacific Coast Items.

WALLA WALLA, Aug. 17 .- In the pas six weeks seven tires have been set, sor in unoccupied buildings. The fires wer incendiary and tramps were suspected. A'vigilance committee was organized. It transpired that some people, however, hought the fires were caused by young boys. The police have been working for the past few weeks to find out the truth. They had a young man disguise himself and mingle with the suspected youths. This morning he ascertained that a gang of boys aged 13 to 15 and in number about twenty, had been setting al good enough to convict the offenders Attorneys were consulted before making arrests and the police were told that under the law to fire unoccupied buildings was not a crime. The arrests were not made, but the parents were no-tified and the boys disciplined. There is considerable talk in the city about

the matter.

Frank Larson, the escaped convict, was captured last night in the brush near the Touchet river. He had been out of prison but two days and had had no food. He was still in the convict dress, and was discovered by an engineer of a passenger train, who stopped the engine and an officer chased the convict down and captured him.

SAN FRANCISCO NEWS. Deputy Nagle in Juit-A Murder-The Cruiser Charleston.

San Francisco, Aug. 17.—Deputy Mershal David Nagle, who arrived in this city this morning in charge of Sherilf Cunningham of Stockton, was taken at once to the city prison. A writ of habeas corpus was issued by Judge Sawyer and served upon Sherilf Cunningham yesterday. The sherilf went to Stockton yesterday afternoon and left there with Nagle in a special train an hour before daylight this morning. The removal was given no miblicity, as there

removal was given no publicity, as there was no one at the depot when the train left. The writ of habeas corpus was nade returnable in the circuit court at those of the alliance in repressing any 110 clock this morning, but at that hour Judge Sawyer postponed proceedings until Tuesday, and remanded Nagle to the custody of Marshal Franks, and the prisoner was placed in the county jail.

Thomas A. Reynolds, a shoe dealer was arrested this morning on the charge of murder. The dead body of a China- of murder. The dead body of a Chinaprisoner was placed in the county jail.

Thomas A. Reynolds, a shoe dealer was arrested this morning on the charge of murder. The dead body of a Chinaof murder. The dead body of a China-man was found in front of his store last tion of European armaments, threatennight with a wound in trout of his store hast night with a wound in the temple. A hammer covered with blood was found in Reynolds' store, Reynolds says he caught the Chinaman stealing in his store and chased him into the street where he fell. He denies hitting

Steam was raised on the steame Charleston this morning for the purpos of giving her a trial run in the bay. The trial will be conducted entirely by the engineers and others connected with the Union Iron works. No governmen officials will be aboard. It satisfactory results are obtained to-day will be given another builders' trial in the bay next week. If that also proves successful the builders will notify the navy department that they are ready for a second official trial trip.

IN DANGER. Georgetown in Danger of Nihilation

from Forest Fires. PHILLIPSHURG, Aug. 17.—A mounted messenger arrived in Phillipsburg this evening from Georgetown, calling for aid to keep the forest lires from burning the town. Fire has surrounded the town and all of Georgetown flat is burning. The strong wind of to-day has also brought the fire to within six miles of Phillipshurg, and some alarm is experient. 

PLACERVILLE, Cal., Aug. 17.—John Olsen and William Drager, who were convicted, together with John II. Myers, of the murder of John Lowell, a ranch-Power moved to adjourn. Lost. On Reed's motion to refer, 24 to 17 was the rote, so the schedule article goes back to he committee.

At 4 P. M. Gowey moved to adjourn of Monday morning.

Grass Valley, Aug. 17.—Fire started in the grass at Forest Springs to-day and swept the country up to near this town. It is feared some houses and barns have been burned. Fires are raging south of the town.

The Nava Fair. Napa, Aug. 17.—The fair closed this afternoon. On the race track Gold Leaf in a trial against time beat all her former records, pacing a mile in 2:1114 with a running mate. This also beats, the 4-year-old record.

A DENIAL. Russell B. Harrison Denies Having Russell B. Harrison Denies Having
Libelled Crosby.

New York, Aug. 17.—The papers in the suit of John S. Crosby against Russell B. Harrison, which was transferred from the supreme court, were received by Clerk Shields of the United States circuit court to-day. Accompanying them is the answer of William A. Sweetzer, counsel for Harrison, in which he makes a general denial of the libel. He adds: "For a further, separate and distinct defense and answer the defendant alleges that the Montana Live Stock Journal is a newsdaper published and owned by the Journal Publishing company, and defendant had no control or connection with the matter appearing in the columns of that paper."

A Strike Ended. CHICAGO, Aug. 17 .- The Northern Illi CHICAGO, Aug. 17.—The Northern Illinois mining troubles have come to a settlement. After a long discussion tonight the mine owners finally offered to make a reduction of 7½ cents instead of 10. Congressman Sawyer and other non-delegates were made to retire from wageworkers' conference, on the ground of being agitators who were preventing a settlement. After midnight the miner's committee agreed to the figures proposed on condition of an advance of 2½ cents in October.

Not the Acronaut. Barrion, L. I., Aug. 17.—The body of the man which was found on Fire Island beach two weeks ago and which was sup-posed to be that of Prof. Hogan the mis-sing aeronaut and was subsequently buried in the cemetery of this village, ins been identified as that of Henry Wawlen of Chicago, who committed suicide.

HELENA, Mont., Aug. 17.—The conven-tion completed its labors to-day and ad-journed sine die. Wasting No Time. [From the Spangle Record.] The energy and enterprise displayed by the people of Spokane Falls since the fire, in setting to work to rebuild so

The End.

on, is characteristic of her citizens soon, is characteristic of her citizens. The ruins of the burnt district are now a living mass of workmen industriously engaged in clearing and excavating, and those who have suffered heavily do not seem to be east down in the least, but intent upon building more substantially than ever. Spokane's great loss is felt by the entire country, but it is gratifying to know that she will not waste a moment until she is rebuilt again, even better than ever.

NOT GUILTY. The Johnstown Sufferers Against Hunting Club.

PITTSBURG, Aug. 17.—The solicitor for the South fork tishing and hunting ciub made a plea of not guilty to-day in the allegations made by the Johnstown sufferers against the club through a bill in equity illed some weeks since. This has the effect of placing the case upon the issue docket, and the case will now come up on jury trial in its regular turn. The filing of this plea was done voluntarily, and shows that the defendants are anxious to have the matter settled.

CROWNED HEADS.

The Italian Government Says the

Pope can go. But not the Treasures. the fires. The evidence is considered The Intention of the Tripple Alliance Seems to be to Suppress Franco.

> Barlin, Aug. 17-Signor Crispi, encouraged from Berlin, has sent the officials of the Vatican private hints that the popal freasure or the Vatican art objects to leave Rome. It could not prevent the Pope's personal departure, but the con tents of the Vatican must remain. Prince Bismarck must have counted he cost of his unfriendly diplomacy loward the Vatican by balancing the increased centrist hostility against the weakening of the triple alliance. He

cooperations. General Beck's interview with General on Waldersee and War Minister Du Verno has resulted in a military convenon which is associated with the convention, and completes the plans for.

NAVAL AND MILITARY COMMINATIONL.

in the event of war, although no official
warrant is given for the reported absorption of England into the alliance. The The language of the semi-official press justi-there fies the inference that the British gov-train ernment has agreed that its naval and if was military forces will co-operate with art at those of the alliance in repressing any

A GENERAL WAR.

The fact, however, does not accord with this expectation. It is more likely that this emperor's speeches at Strausburg and Metz will be outspoken warnings to France to cease nourishing dreams of to France to cease nourising views frevenge.

The czar's advent is still doubtful, and he may postpone his visit until returning from Copenhagen. This conclusion has arisen from changes in the czar's humors, and the emperor's proclusion has been settled irrespective of the czar's humors are treated irrespective of the czar's programme.

This conclusion was announced from the bench. At Stockton yesterday morning Judge Buld adjourned the superior court out of respect to David Terry. He said those who knew Judge Terry best knew himas a pure judge and an able attorney. The papers generally approve the con-lemnation of General Boulanger.

Abbe Dingelstady, professor at Olden burg, has been appointed bishop of

A BLOODLESS DUEL

Two Hot Headed Georgians Settle a Dispute With Pistols. [Atlanta Special.] Just over the Georgia line in Alabama on the Rome & Decatur road, near dark this evening. Pat Calhoun and J. D. Williamson fought a duel with pistols. Mr. Calhoun was perfectly cool and fired but one shot. Mr. Williamson was nervous and fired five shots without stopping. Mr. Calhoun repeated his demand that Mr. Williamson should apolomand the sentence therefor, at divers times and places since, the petitioner is informed and believes that said Terry and wife have repeatedly threatened that at the first opportunity they would wednesday.

Mr. Calhoun was perfectly cool and fired ings of September last, when Mrs. Terry the past two weeks do not appear in the recorded real estate transfers. Dealers report an increased demand from abroad for business property. Following is the week's summary of the past two weeks do not appear in the recorded real estate transfers. Dealers report an increased demand from abroad for business property. Following is the week's summary of the past two weeks do not appear in the recorded real estate transfers. Dealers report an increased demand from abroad for business property. Following is the week's summary of the past two weeks do not appear in the recorded real estate transfers. Dealers report an increased demand from abroad for business property. Following is the week's summary of the past two weeks do not appear in the recorded real estate transfers. Dealers report an increased demand from abroad for business property. Following is the week's summary of the past two weeks do not appear in the past two weeks do not appear in the past two weeks do not appear in the past two weeks do n the arresting officers who were now that at the first opportunity they would close upon them. The cause of the duel is briefly this: Mr. Calhoun, who is a grandson of the great nullifier, its duties devolving upon him as assois general counsel for the West Point citte justice of the United States successful and assets. who is a grandson of the great nullifier, is general counsel for the West Point terminal system of railway, and is the master spirit of the combination of which John H. Inman is the head. The West Point terminal scooped in the Cen-tral railroad system of Georgia, thus bottling up the state. This aroused the bottling up the state. This aroused the indignation of the people, and the result was the introduction of a bill into the legislature known as the Olive bill, to forfeit the charters of roads entering into either consolidations or combinations. Mr. Calhoum on Thursday appeared before the railroad committee to argue against the passage of the bill. There he found himself antagonized by President J. D. Williamson of the Chattanouga, Rome & Carrollton road, who argued in favor of the bill and declared for independent roads. Mr. Calhoun retorted that Mr. Williamson sought to enter the West Point combination, but that through his (Calhoun's) opposition Williamson had been keptout, and thus deserved no credit for being at the head of an independent line.

ing at the head of an independent line. Williamson jumped up and hissed out that the statement was false. A demand

that the statement was false, A demand for a retractoin was declined and both parties left the city last night determined on gore. Mr. Calhoun's second was Captain Harry Jackson of Atlanta, and Mr. Williamson's second was Jack King. Governor Gordon made strenuous efforts this morning to have the combatants arrested, and they slipped through the hands of two sheriffs in their endeavor to get to the duel ground. Mr. Calhoun was arrested for Williamson, but on proving that he was not Williamson was released.

ATLANTA, Ga., Aug. 10.—Latest reports from the field of battle show that Williamson was not touched by Calhoun's ball. Williamson fired five times quickly, while Calhoun rested on the first shot. Calhoun then demanded an apology again, which Williamson gave, and ogy again, which Williamson gave, and the duel was over. Prolific Always.

[From the Spangle Record.] [From the Spangle Record.]

Spokane Falls seems to be prolific of candidates for official positions. Judge L. H. Prather is announced as a candidate for superior judge, while Judge George Turner is a candidate for a supreme judgeship. Mr. Prather is a very excellent, upright gentleman, who would doubtless reflect credit upon the judicial ermine, and Judge Turner is recognized as one of the ablest expounders of Blackstone in the territory, and one of the leading lights of the constitutional convention. Evidences of Faith.

JUSTICE FIELD.

Warrant Issued at San Francisco for His Arrest .-- Bail Fixed at \$5000.

The Supreme Court of California Refused to Adjourn --- A Legal Contest.

Justice Field Himself Petitions for a Writ of Habeas Corpus.

ISPECIAL TELEGRAM TO THE REVIEW. San Francisco, Aug. 17 .- The Terry ragedy continues to dwarf all other news in the popular mind in this city Interest in the affair has been increased by the action of the district attorney of San Joaquin county in issuing a warrant for the arrest of Justice Field on complaint of Mrs. Sarah Althea Terry. A LEGAL CONFLICT

threatens to grow out of this demand The warrant directs Sheriff Cunning ham of San Joaquin county to take Field to Stockton, the former home of Terry, in which city Nagle is at present under arrest. The sheriff arrived her last night with a warrant which he presented to Judge Rix, of the police court, this morning for his signature. Judge Rix asked the opinion of District Attorney Page, by whom he was advised Italian government will not permit the to endorse the warrant. Ex-Judge Lauderbach appeared for Justice Field, declaring that the issuance of the warrant was an attempt to humiliate a justice of the United States supreme court. Judge Rix finally endorsed the warrant and it was placed in the hands of Sheriff Cunningham of Stockton. Judge Field arrived at his chamber about noon accompanied by Judge Sawyer and preferred an intensified fead in the Judge Brewer. Sheriff Cunningham, centre party to the risk of losing Italian Chief of Police Crowley and Captain Lees went to the marshal's office in the building as soon as Judge Rix had SIGNED THE WARRANT.

From there the party, accompanied 1 Marshal Frank, went to Judge Field's chambers. The latter rose to receive them and Sheriff Cunningham presented the warrant formally. A writ of habeas Corpus was at once sworn out before Judge Sawyer of the Circuit court and heard by him in chambers. The writ was at once granted and a hearing order-cel for next Thursday. The bail was fixed at \$5000. The petition was long, fixed at \$5000. The petition was long, closing a statement as follows:

"It is incomprehensiable how any man, acting in the course of duty, could have listened for one moment to charges from such a source." Referring to Sarah Terry, the petition also charged that the purpose of the complaint by her was to subject him to arrest and confinement at Scaleta where said Sarah Althennan. Stockton, where said Sarah Althea may be able by the aid of partisans to carry out long-continued and repeated threats of personal violence.

The supreme court of California, of which the late David Terry was formerly a justice, yesterday morning

The petition for the writ of habeas The petition for the writ of habeas corpus was made by Justice Field himself, and it is a very lengthy document. It sets forth in detail the facts of the case already known, and declares that at the breakfast table at Lathrop Justice Field was maliciously and wickedly assaulted from behind without any warning by David S. Terry, which assault was not provoked by any act, word or deed of the petitioner.

The details of the contempt proceedings of September last, when Mrs. Terry

cate justice of the United States su-preme court, and said Terry repeatedly and frequently declared and threatened that he would "get even" with the pe-titioner. The petition next sets forth that at the time of the shooting Justice Field was accompanied by D. Nagle, a deputy United States marshal, who was acting under instructions from Attorney-General Miller of the United States, and Marshal Franks. The petitioner de-Marshal Franks. The petitioner de-clares that he is in no way responsible for any directions given Nagle or any other person, and that he was merely present at the place of the shooting while en route from Los Angeles to San Francisco, in the discharge of his official

luties.

He further declares that he was not armed then, nor has he been at any time for many years armed with any weapon whatever, nor has he used any weapon whatever, nor has he used any weapon of defense. The petitioner further alleges that Sarah Althea Terry falsely and maliciously swore out a warrant of arrest. Justice Field also sets forth in his petition that he is now holding court in this city and that his arrest and removal would seriously interfere and interrupt his official duties, such an interference being contrary to the provisions of the constitution.

Justice Field further asserted that in the United States circuit court during the hearing of the Sharon case it was proved and held that the complainant, Sarah Althea Terry, was "an abandoned woman" without veracity.

TAKEN TO SAN FRANCISCO.

SAN FRANCISCO, Aug. 17.—Deputy Marshal Nagle, who shot and killed Terry at Lathrop last Wednesday, was removed from jail at Stockton by Sherill Cunningham this morning and brought to this city on a special train. This proceeding was based on a writ of habeas corpus issued by Judgo Sawyer of the United States circuit court yesterday directing Sherill Cunningham to produce Nagle in the circuit court at 11 o'clock this morning. Nagle was taken from the Stockton jail at that early hour in order to avoid the excitement which his removal during the day might occasion. TAKEN TO SAN PRANCISCO. asion.

A great number of persons were present in the circuit courtroom this morning when he appeared. Attorney McGuiro introduced District Attorney White of San Joaquin county, and said they appeared conjointly to oppose the release of Nagle by the federal authorities. The attorney, after reading the papers connected with the proceedings, entered

Evidences of Faith.

[From the Sprague Herald.]

We are pleased to note that real estate yalues have in nowise been depreciated in Spokane Falls by the recent disastrous fire in that city. Her citizens are giving abundant evidence of the faith which is a state an official person who had been in the state have.

Falls wint it was, by already making preparations to build their city more substantial than ever.

West Threugh the Rosf.

A large-boulder weighing three or four pounds came crashing through the roof of it. H. Davis' stable on East Main street—the Model stable—yesterday, going through an inch board and lodging on the top floor. The stone missed a man's head only about three feet. It must have been thrown from quite a distance, as there is no blasting being done within two blecks of the stable.

A GENERAL PROTEST

to the order of the court, claimed that it was beyond the jurisdiction of the feet out of the custody of the council meets in November, Chief Mayes holding that if he had authority to appoint a conference committee their action would not be binding without the ratification of the council. Judge Wilson and Governor Fairchild of the commission are being entertained by the city, and after a lew days' rest will go to the Chickasaw country.

The prisoner has, however, been brought into this court out of deference to the court of the council meets in November, Chief Mayes holding that if he had authority to appoint a conference committee their action would not be binding without the ratification of the council meets in November, Chief Mayes holding that if he had authority to appoint a conference committee their action would not be binding without the ratification of the council meets in November, Chief Mayes holding that if he had authority to appoint a conference committee their action would not be binding without the ratification of the council meets in November, Chief Mayes holding that if he had authority to appoint a conference committee their action would not be be action would not be be action A GENERAL PROTEST

federal courts have no jurisdiction to take the prisoner from the custody of state officers. That objection gives rise to a very important question which we are not at present prepared

to argue." .
Judge Sawyer said: "It goes to present an important question. The claim on the part of the prisoner is that the acts complained of were committed in the performance of duty under the laws of the United States, and by reason of that he has been brought within the jurisdiction of this court. We recognize the necessity of our being thoroughly preared cessity of our being thoroughly prepared for argument, and probably for ascertaining the facts. It perhaps might be as well to postpone the matter for a week to give the counsel an opportunity to decide what is the best course to pur-After conferring, the lawyers decided that they would be ready to argue the questions raised next Thursday, and a hearing was set for that date, Deputy Nagle returning to jail under custody of the United States marshal.

FISHERMEN'S LUCK. The Government Fish Vessel Albatros

Arrives In Port. Arrives In Port.

Washington, Aug. 17.—Prof. Charles II. Gilbert, who has been for the past seven months chief naturalist on board the United States fish commission steamer Albatros, has just returned to Washington, and is now engaged at work on the collections made during that time off the Pacific coast. Prof. Gilbert says that after joining the ship at San Francisco early last winter, work commenced on the southern coast of commenced on the southern coast of California and continued three months California and continued three months between Point Conception and San Diego, the main work therein being the location of fishing grounds and dredging for deep-sea material. While there, thirty-live different species of fish not known before on the coast were taken, some of them entirely new to science.

A new fishing bank was discovered in the yieinity of San Diego, and one company has already began to fish on it. pany has already begin to fish on it.

Prof. Gilbert thinks there is a possi-bility of some little industry being es-tablished there. He does not, however,

regard it as a very important fishing After completing work on that part of the coast, a cruise was made into the Gulfof California, partly for the purpose of looking up the oyster question there and partly to ascertain whether the experiment of introducing shad into the Colorado river has been successful. No shad were found in this river, although some had been planted there several years previously. The waters are evidently not suited to the species.

South of Guaymus, beds of oysters were found, which are thought to be fully causal to the best we have on the

fully equal to the best we have on the Eastern coast. The question now to be determined is whether there is suitable ground on the California coast where they can be propagated.

Part of the work was of scientific interest. Many new and interesting forms nave been obtained.
Having finished the southern coast, Thying limited the southern coast, the yessel proceeded northward and did some work off the coast of Oregon and Washington territory, locating fishing banks there. It had been reported that there were cod and halibut banks off the northern coast, but the Albatros was not successful in finding the list in sufficient

SPOKANE'S PROGRESS.

successful in finding the fish in sufficient

dundance to promise any large industry

How Real Estate is Selling Since the Fire---Increased Demand for Business Property.

Soveral Large, Handsome Bricks Begun in Addition to Those Heretofore Mentioned. The real estate market has been im nensely lively since the fire, especially in business property and in many instances there has been a strong demand for property in the burnt district at figures considerably in advance of those

offered before the fire. There were several large sales during the week and the sales of business property—since the fire aggregate \$745,600. Many of the sales of

Thursday ..... Friday and Saturday . . . . 76

BUILDING PROGRESS

The rebuilding of the city has con menced in earnest, Contracter T. R. Nickalls states that he will have the Cushing banking building up before now thes. He has fifty-eight men in his employ clearing away the rains of different blocks and will commence re-building several brick buildings this building several brick buildings this fall.

Pr. N. Fred Essig yesterday purchased the interest of E. B. Hyde in the Wilson & Hyde property, Main and Howard streets, at \$650 per front foot, and with H. L. Wilson purchased of James Morris the sixteen feet acquiring on Main street for \$10,000. It is the intention of Messrs, Essig and Wilson to creet a five-story building there, 71x102 feet, provided with all modern conveniences, including steam heating, elevator, electric lights, electric bells, etc.

Bump & Co. are excavating for a fine four-story brick with basement, on the corner of Second and Post streets. The dimensions are 50x100 feet. The building will have an elevator and other modern conveniences and the intention

ing will have an elevator and other mod-ern conveniences and the intention is to complete it within four months. Building Inspector Harn has con-demned the walls of the old Bella Union theater building and Mr. Wilson will therefore be unable to repair the struct-ure as he intended but will tear down the walls and build anew.

the walls and build anew.

Mason, Smith & Co., are adding a second story to their brick warehouse south of the railroad track, and will build auother fine brick on Post street and extending through to their present brick warehouse. The work of rebuilding their brick store on Stevens between Main and Riverside, has already commenced and will be completed in four months. It will be three stories high.

A large force of men are clearing away A large force of men are clearing away the rulns of the Frankfirt and another Frankfirt will soon take the place of the one destroyed, and will probably be one story higher.

one destroyed, and will probably be one story higher.

J. S. Sloan will build a four-story brick on the corner of Front and Mill, on the ground formerly occupied by the building known as the Star.

S. C. Hyde is building four brick stores on Main near the Arlington, and the structure will eventually be built five stories high, though probably not more than one story will be completed this fall. Clough & Graves will build a handsome brick adjoining. The large number of other bricks under way have heretofore been mentioned in the Review. Indian Territory.

MET HIS MATCH.

John L. Sullivan Knocked Out in One Round by Mississippi

After a Lecture He Was Sentenced to Twelve Months in Jail.

Law.

Punvis, Miss., Aug. 17 .- In Sullivan's rial this morning, attorney Calhoun, previous to the sentence of Sullivan, adfine of \$1000, and that no imprisonment

be inflicted."

General Ford supplemented the petition by a few remarks. He said he had had an opportunity to learn the public feeling and sentiment in the matter, and without exception there seemed to be a desire that the court exercise as great a

desire that the court exercise as great a degree of clemency as possible.

There was a pause, then a stir in the audience, when the silence was broken by Sullivan himself. The champion srood up before the bar, and speaking in a loud, clear and steady voice, he said: "Your honor, I desire to make a remark. Lean only ask for your elemency. mark. I can only ask for your elemency in this matter. No doubt I have done something wrong, but as my counsel told you, I was ignorant of the law. I am not as oratorical as the distinguishe district attorney on my right or my counsel who have addressed you, and therefore I beg to remark that I am your humble servant, John L. Sulli-

Sullivan sat down and looked at the court, awaiting his doom. Judge Terrell, after a moment or two, asked for the petition which was presented to him by general Ford. It was an appeal for warrant and the first that the general sked. general Ford. It was an appeal for mercy; and the fact that the court asked for it was construed as a good omen. After a few minutes' inspection be folded it carefully laid it on the table and said.
"Stand up Sullivan." Sullivan stood
up quickly. He threw out his chest,
looked hopeful in the face, and had
evidently determined on perfect selfcontrol. Judge Terrell spoke slowly.
"It seems to me that this prize field at control. Judge Terrell spoke slowly: "It seems to me that this prize fight at Richburg was a gross affront to the laws of the state where the authorities personally forbade it. It seems to have been accomplished with systematic arrangement and in the presence of invited thousands, and it seems on the part of all connected with it to have been a studied disregard and contempt foe the law. They came from and through many states whose authorities and coefficients described to the law. ities and civilization deterred them from any attempt at such public lawless con-duct within their limits, and they chose duct within their limits, and they chose Missisappi as the only fit ground for such a combat, indicating their etter contempt for the sentiments of her people and the laws on her statute books. The sentence of the law is that as punishment for the offense for which you stand convicted you shall suffer imprisonment for twelve months in the county jail."

jail."
Sullivan gloomily took his seat. None
of his friends spoke to him then, as it
was best to leave him to his own reflections. However, when he got under the
railing to leave the court room he faced the sympathizing crowd with a broad smile. Mr. Fitzpatrick took his place a the bar.

"Mr. Fitzpatrick," said the judge, "in view of all that has been said in your behalf, and which I am disposed to believe is true, you appear to be a gentleman who was only present at the light as a spectator and who did not intend to violate law.

late law. In view of the statements in your behalf I sentence you to pay a fine of \$200." Captain Fitzpatrick bowed and

\$35,831 allow sixty days to file bills of exceptions was put on record.

25,891 claim of the made a motion for an appeal returnable to the supreme court on the third Monday in February, 1880.

The defense had prepared a bond for the maximum amount and presented it. J.

W. Holleman of Purvis and John Duffy was the handsmen.

Pittsburg, Pa., Aug. 17.—The south bound passenger train on the Butler branch of the Western Pennsylvania raiway, which left Butler, Pa., at 2:35 this afternoon, Jumped the track at Sarver's station, and the entire train of two passenger coaches and a combina-Sarver's station, and the entire train of two passenger coaches and a combina-tion smoking and baggage car went over an embankment and were totally wrecked. Three persong were killed outright and twenty-five others injured, a number of whom will die. The killed are: W. Powers, Lawrenceville, Pa.; child of Mrs. Farrell of Butler, Pa., and Mrs. Duff, an old lady, residence un-known.

A Proud City. BISMARCK, Dak., Aug. 17.—At last night's session Bismarck was made the capital of North Dakota in the conven-tion. When the vote was announced

the capitol with applause. Hats were thrown in the air, ladies waved their ans and handkerchiefs and everybody save the representatives of the defeated candidates for the capital rejoiced over the settlement of the vexed question.

LITTLE ENGLISH TRAMPS.

Noisy Sparrows and the Great Nats. For a purely gratuitous and unnecessary musauce, unredeemed by a single good quality, the English sparrow ranks first and formost, says the Chicago Tribune. This ugly little dirty-brown object was introduced into this country some years ago, when a sentimental fad pervalled in some of the castern cities. It was salemnly advanced by the advantage of the castern cities. ance They Have Become. dressed the court as follows: "The undersigned members of the grand jury, impanelled at the present term of court, who tried the case of the state vs. John L. Sullivan, convicted of prize fighting, respectfully show the court that in view of the fact that this is the first conviction for the offense named in this state, and for this reason they respectfully recommend and request that your honor will impose no higher penalty than a sthe importation of the English rab-fine of \$1000, and that no imprisonment be inflicted."

was about as brilliant an achievement as the importation of the English rab-tish thistle into Canada. Thousands

be inflieted."

Ed. Davis was the only juror who refused to sign. The grand jurors all signed it, as well as the sheriff, clerk and officers of the court and the justice of the peace before whom the case was first tried.

Is this this to Canada. Thousands of pounds are spent yearly by the governor of Australia as bounties for the destruction of the four-footed pest, and thousands of miles of fencing have been built at great expence to keep them of the farms. Even the resources of science have been called into play, and M. Pasteur has tried with little success M. Pasteur has tried with little success to abolish the rabbit plague by the dissemination of chicken-cholera microbes. Of the million of dollars' worth of farm land which has been ruined by the Scotch thistle any farmer can tell. But it, like the sparrow, has come to stay, and the plague is constantly on the increase.

The surrow in no way justifies the The sparrow in no way justifies the claims of his advocates. He is a noisy and dirty bird, and instead of living on worms and insects he delights in ruin-

ing gardens by digging up seeds. He is of a most pugnacious and quarrelsome disposition, a perfect Ishmaelite of birds, with his beak against every other bird. Two or three years ago Douglas park was vocal with the sweet notes of park was vocal with the sweet notes of hundreds of native American robins, and to-day scarcely one can be seen or heard. This unnaturalized foreigner has driven away the birds to the man-nor born, and lords it triumphantly over all the smaller feathered songsters. When first introduced in the Eastern cities—for it was by Boston angloman-ines that the interlegence was first weliaes that the interloper was first wel-comed to these shores—the sparrow became the fashion and a lot of senti-mental slush was written and printed mental slush was written and printed about his reported good qualities. Boxes for nests were provided in the trees in the public parks. But with the native meanness which is his principal characteristic the sparrow declined to occupy these homes. Instead of that he stacks up half a bushel of chips and straw in a waterspout or under the caves of houses, where his litter is most unpleasant in evidence.

With a persistence worthy of a better cause the sparrow devotes himself when cause the sparrow devotes himself when not fighting with other birds or ruining garden crops to the propagation of his species. Itearing from two to four broods per annum, the sparrow is engaged in midification from April until August, and as each brood usually numbers five, the multiplication of this persistent pest is becoming alarming. In various states legislation has been In various states legislation has been had and measures taken to prevent the spread of the sparrow. A few days ago General Cassius M. Clay declaired that "the English sparrow must go." He says that legislation, private bounties for the heads of the vagrant bird, traps, poisons, and the shotgun must be employed to exterminate the pest. His idea is that the sparrow will, if permitted to go on his pril way goes the

ployed to exterminate the pest. His idea is that the sparrow will, if permitted to go on his evil way, cost the United States many millions of dollars, and so he hoists the black flag and proclaims war a la outrance against the noxious bird.

The truth is that the sparrow is a fraud and a nuisance to be suppressed. In his native land he is treated as a public enemy, and no Englishman could be mabe to believe that any people not originally pestered by his presence should deliberately invite him. In England he is exempeted from the law which forbids the plundering of the nests of forbids the plundering of the nests of other birds, as the thrush, blackbird, starling, and other songsters. If these, or the English lark, all of which live upon worms and insects solely—the black bird's weakness for cherries excepted thanked the court. District Attorney home to-day, and asked that no more cases be tried until next week. This was consented to and the agreement to allow sixty days to file bills of exceptions. annihilation by putting a price upon his head. In the black catalogue of his of-lences the sparrow must be credited with one exception. Although noisy, dirty and useless when alive he is good for food after his neck is wring, and sparrow pie is a frequent article of food in England. Considering that reed birds on toast cost a quarter per mouthful the sparrow might in the shape of

The defense had prepared a bond for the maximum amount and presented it. J. W. Holleman of Purvis and John Duffy were the bondsmen.

District Attorney Neville announced the reception of the information of Jake Kilrain's arrival here early next week, and asked the clerk to issue a subpona for Captain Fitzpatrick as a witness in the Kilrain case, and also against Bud Rehaud, and he wanted the summons served before the witness left the state. When Mr. Fitzpatrick came in he was minormed that he was wanted and would be requested to furnish bonds in \$500 to appear when wanted. The ex-refered put on as pleasant a smile as possible, Colonel J. D. Denison, ot Harrisburg, became his security.

APPEALED,

Mender, Miss., Aug. 17.—On the appeal of the case to the supreme court Sullivan gave a bond for \$1000 for his appearance and \$500 costs. He left Parvis at 6:37 P. M., accompanied by his faithful friend Clune. There was a large crowd at the depot, who bade him good-bye. On the train Sullivan had but little to say and behaved well, although he was a little jolly when the train passed Richburg. Charlie Rich was at the depot with a concourse of people. Bonifires were lit and cheers were given to the champion.

THREE WERE KILLED.

Part of a Passenger Train Falls

Pittsburg, Pa, Aug. 17.—The south bound passenger train on the Butter branch of the Western Pennsylvania railway, which left Butter, Pa, at 2:355.

[From the New York Times.] The situation of Hayti gives fresh point to the old saying that no people fit for freedom can be enslaved. In every material and every moral respect it must now be freely admitted that Hayti is worse off than it was a hundred years ago, when the ancestors of the wretched negroes who now do nothing or worse. a child of Mrs. Farrell of Butler, Pa., and Mrs. Duff, an old lady, residence unknown.

The accident was caused by the spreading of the rails on a small bridge. The rails were on springers which had spreading of the rails on a small bridge. The rails were on springers which had retired with time and long service. The engine passed over safely, but the first car was derailed and plunged down into the abyss some thirty feet below. The rails ploughed through second car, and the escapes were miraculous. One lady had her dress cut from the wrist to the shoulder; another lost a small piece of her cheek; a third had her chin cut, and many others in the second car had narrow escapes.

The Old Secundrel.

CHATTANOGIA, Tenn., Aug. 17.—Elder William Spry, who has been in this city for more than twelve years working uphormon converts, and who has had charge of this territory, was arrested to day by United States harshal Sharpe on a warrant issued from the United States at Salt Lake for bigamy. He is in jail and will be taken on to-morrow.

A Proud City.

WASHINGTON, Aug. 17.—General Lucas Fairchild, member of the Cherokee commission is in Washington, negotiations with the Cherokees having been suspended by the commission until after the new Cherokee council is elected. The commission will not meet again until November next.

Degeneration in the Black Republic.