CONVICTED. O'BRIEN

The Great Irish Editor Found Guilty of Violating the Crimes Act.

BENTENCED FOR THREE MONTHS

The Trial Characterized By Bitter Wrang-

ling Between Counsel.

STORMY SCENES IN THE COURT.

The Government Reporter On Hand With His Doctored Notes.

TORIES EXULT AT THE VERDICT.

3reat Indignation Expressed By the Home Rule Members.

THE BERLIN-AMERICAN COLONY.

The German Capital Rapidly Gaining in Population From the United States-Progress of Work Upon an Equestrian Statue of General Washington-For-

The Mitchellstown Farce.

elen News.

[Copyright 1887 by James Gordon Bennett.] DUBLIN, Sept. 24. - [New York Herald Cable-Special to the BEE. |- The expected news of O'Brien's conviction and sentence was received here in sullen silence by the home rulers, while the afternoon tory papers exult. One says that should any association be found in Ireland for the purpose, however ingeniously concealed, of doing the work of the suppressed National league, Balfour will suppress that also. The chief secretary, to more than one friend in whom he reposes confidence, has frankly confessed that he intends to force obedience to law in Ireland or face a civil war. The National league is regarded as the root of the evil. It must go, and nothing shall be suffered to rise in its place. Nevertheless, at a meeting last night of the Aaron Gray branch of the league there was a crowded, enthusiastic meeting. The lord mayor was chairman, and 130 new members were enrolled. The lord mayor said what did the government mean by suppressing branches. It is vain to issue proclama-tions, though piled a root thick on top of one another. He invited young and old to join. Resolutions of protest were prepared. These were supported by Gray, M. P., of the Freeman's Journal, who said this was essentially the time for every Irishman to take up his position and state upon what side he was

Mr. Dawson, ex-lord mayor, also spoke He said that if the name of the National league, like that of the Land league, went down, please God they would have a hundred other devises for their answer and would never stop until they had gained their constitutional rights.

"The member for Cornwall and a young English barrister from Conybere said that the tactics of the police when the English home rule union met at Covant yesterday. was exasperating. Their numbers were greatly reinforced and although every facilovernment reporter to be on the platform, this was refused by or ders from headquarters and he was ostenta tiously planted and surrounded by a consid erable force of police at the foot of the plat-

form in the midst of the people. Much as Harrington is liked, he is censured for his temper at the trial. Regret is being expressed that an effort was not made for O'Brien. Many cool heads say that it was a mistake not to engage the flower of the home rule bar to defend O'Brien, headed, for instance, by Sir Charles Russell, and that a great address, dissenting from the charge and the act itself, and exposing the attack on free speech and free press would not only have taken rank with great national speeche like those of Hamilton, Otis, Adams and Henry in America, and Erskine, Brougham and O'Connell in Britain, but become of wide effect on the home rule question. The trial is destined to be a great historic cause celebre. It is undoubtedly deserving of a close report. The facts were in a nutshell. O'Brien admitted making certain portions of the speech spread on the charge sheet and did not quibble about it, therefore only a question of construction under the act remained. The whole law of sedition was opened-a question which cost John Adams his second term. It cannot be, I fear, denied that Harrington was not fully equal to the occasion. He represented no only a client, but a nation. Great liberties and great rights were attached, which, on a question of construction, were open to a nighty protest and elequent denunciation. The petty magistrates were of no more ac count than were Jefries or Scroggs, but the oceasion, except as to surroundings, were quite as grand as when Lord William Russel Voodfall, the printer, Tom Paine, Robert Emmet and Leigh Hunt were tried or when Hugh Fitzpatrick was arraigned in 1813 for

use in having two sets of speeches. Harrington-The liberty of the client must not be jeopardized for any question of con-

publishing Scully's history of the penal laws.

When Harrington objected to the two

speeches made different times being com-bined, Carson, the prosecuting counsel said

this was entirely a matter of convenience.

No court would adjudicate in one of these

cases without hearing both and there was no

Carson-Oh, that is the usual blather. Harrington said it was not and he respectfully asked the court to confine itself to one case now-the speech of the 9th of August. Justice Eaton said it was all the same, although said to have occurred on two different

Harrington pressed his objection to having the two speeches considered together. He said that if the counsel for the crown indulged in language of that kind he would find a first class snag.

occasions. They must hear both before they

Carson-I don't mind this in the slightest degree. I ask the bench to make a ruling. The court decided to take up one speech

Harrington declared it to be distinctly un tair, unusual and unconstitutional to deal

with two speeches together. Carson-Who said that? Have you not

all the ruling in your favor, and is not that enough? Evidence was then taken as to the only speech. The government reporter had said he made a note the next morning after

O'Brien's speech and the question arose. could the witness retresh his memory by consulting its authorities. He said this could only be done through

nemorandums or entries made at the very time when this occurred. The bench, however, ruled that the witness

Witness continued: "Mr. O'Brien, said

the tory government was afraid to suppress the Irish National Land league." Magistrate Stooks, whispering to Magistrate

Eaton, "The National league"

Mr. Harrington objected to his worship consulting so that the witness could hear. Witness-O'Brien said the tory government was afraid to suppress also the plan of campaign. Harrington here interrupted and drew at

tention to the clerk suggesting a word to the witness. Carson-Oh, humbug, let us go on.

Harrington-It is no humbug, sir, and you are a humbug to say so. I object to this practice of suggesting words to the witness. Magistrate Stokes - Oh, go on. Words should not be written except those made use

of by the witness.
. Witness continued: If there were any police or bailiffs listening to him he told the people to resist them and defend their homes. He would be ashamed of them and so would the English people if they submitted tamely without a blow. I was in Mitchelstown that night and I should add that in the speech the

word, "honest" was used. Magistrate Stokes—Where? Witness-When he was speaking of the evictions he said they should resist them by all honest means. I drew counsels attention to that yesterday.

Carson-Were you in Mitchellstown that night? Witness-I was. I saw a number of people barricading the house of a man named O'Sul-

livan with timber and trees and subsequently put up mottoes, one about evictions. Hasrington-Show me the note. Witness-Here it is.

Harrington, having looked at the paper, handed it back to the witness and asked him to read the head lines. Witness-Notes taken by Sergeant George Foley at a meeting on the 9th of August.

Harrington-Is that true? Witness-I wrote the next morning. Later on Harrington asked another wit-

ness, "Who accompanied you there?" and was answered, "With an Irish bull-myself," at which there were screams of laughter. Harrington-You are in the habit of ac

companying yourself about, I suppose What other policemen were with you, standing listening to Mr. O'Brien's observation? Witness-Head Constable O'Sulli van and Sergeant Conderan. Harrington-Is that the government's

short-hand writer. Witness-I did not mean Sergeant Conde ran. I saw Sergeant Foley there. Harrington, to the clerk-Take down that, He said first that he saw Sergeant Conderan

there. Witness-That was a mistake. Harrington- I will have it down at all vents.

Carson-Oh, go on. Harrington-1 wish, sir-1 do not want these interruptions, and I will not have them.

Carson-Go on. Harrington-I am not going to stand this and if your worship will not stop it I will call public attention to it. I will not be interrupted by these impertinent remarks. It is not his duty to interrupt, and it is your duty to tell him so if he does not know his

Mr. Carson-Go on now witness. Carson closed the case for the prosecution without calling the head constable, when Harrington asked: "Why was the head constable, O'Sullivan, not produced who directed that the report be taken?"

Carson-I have closed the case for the crown. Harrington-I ask your worship for a sum-

mons for head constable, O'Sullivan, who Harrington asked Mr. Carson whether he

vanted to examine the witness. Carson said e had closed the case. Magistrate Stokes said the sitness was called for the defense and was Harrington's witness. Harrington said he did not object to him at present.

To witness-Do you remember the 9th of August? The head constable said he should decline to give evidence. The bench directed the

witness to give evidence. Harrington thought the head constable would repudiate the assertion himself. The witness deposed to being at the meeting on the 9th of August. He was there during the whole meeting, but took no notes then of the speeches. He wrote down what he could hink of the following morning. He did not write them down that evening because he

was out late on duty. Harrington-Let me see those notes

Witness-Not unless 1 am directed. Harrington-I observe you clook at the rown. You are my witness. Now let us oe friends.

Witness-I consider any note or any docu ment I have, a privileged document, and I vill not give it up to you except by direction cannot give them on my own respons bility.

Harrington sharply cross-examined the witness as to whether or not he had been comparing notes with Sergeant Foley. Wit ness denied it. Harrington proceeded to comment on the manner in which witness was giving evidence.

Carson-Oh, these are wretched little pett fogging observations. Harrington (repeating the words "wretched little pettifogging"-Well, we shall see which side is wretched, little and pettifogging be fore the case is over.

Carson-Wretched little pettifogging of servations I again say. Harrington-You may add venal and cor rupt if you wish.

Carson-I would ask you to keep these ob servations for the farce. You keep them for the iniquitous job you are doing here Cheers in court.) Magistrate Stok es-Clear the court.

The police proceeded to clear the court. Harrington (looking across to the crown ounsel) -See how much this all come to? O'Brien (here standing up and addressing the bench)—Is it necessary to have the court cleared? There are only a very few and extremely well conducted people here.

Stokes--If you guarantee that the people will keep quiet we will not clear the court. Harrington-- I will give no guarantee. It s impossible to prevent observations of the kind coming from people with such proyoca-

Stokes-If you promise that they will not disturb. Harrington-I will make no promise. They have conducted themselves much better than the consul for the crown, and 1 am

proud of them.

The court was then about half cleared when Stokes said to Inspector Irwin, who was in charge: "There that will do. If there is any further disturbance we will have the court cleared altogether." Proceeding with the cross-examination,

Harrington asked the witness to produce his notes of Mr. O'Brien's speech. Witness said he woold not do so without permission from his authorities

Eaton-What do you say, Mr. Carson? Carson-l have nothing to do with this witness.

Harrington vehemently protested against Mr. Carson being consulted by the bench in the matter Eaton-It is a very important point, and

we asked what the crown counsel had to say

upon it. Carson said he declined to give any direction whatsoever to witness.

Eaton-Oh, we do not want you to give any direction. The two magistrates held a short consultation and then Eaton said, in their opinion, it

was advisable that the notes should be produced. The only question is as to how far the document may by regarded as confidential, having once passed into other hands. Witness-I cannot produce the notes unless

I get permission. Eaton-From me?

Witness-I regard it as an official docu-Harrington denied that the document was confidential. He said a summons had been issued against his honorable friend upon the documents, and if it were not protected, good bye to justice. He should have nothing further to do with the case. The magistrates again held a short consultation. Eaton-I think the expression of opinion

of the court that these notes should be produced ought to be enough. Witness was directed by District Inspector Irwin to produce the notes, and he handed

them to the counsel. Carson objected to counsel going into these documents as not being reliable as to what the magistrates say in Dublin or as to the duties of a magistrate.

Eaton-This is not relevant. I may tell you, if it is any good to you, that I never saw the thing in my life and the head constable is quite right when he says that he had to make a report to a resident magistrate, for of late years in a case of prosecution the report is not submitted to resident magistrates.

Harrington-My experience is very bitter on the subject, for I got two months imprisonment from the same magistrate who got the report up and tried the case afterwards himself.

Carson-I object to all this. It is totally irrevelant. Oh, his turn will come.

Eaton-You cannot pursue this subject any further. Harrington-Well, your worship, I have to conduct a case of this kind under great dif-ficulties, and I think I am entitled to all the

latitude I can receive. Eaton-We have given you a great deal. Harrington-It has not overwhelmed me, assure you, in the slightest degree. Cross-examination continued: Do you see

the red lines? pointing to the document which the witness stated he had given to Captain Punkett. Witness-I do.

Did you put them there? I did not.

Who drew the pencii mark over the face of that report? I can't tell you. Was it there when you got it back? It was.

Why were you not examined here to-day! I don't know.

Who told you you were not to be examined? I thought I was to be examined. For what purpose?

Carson-I object to this altogether. Eaton -- There must be some limit to irrele Harrington-Well, I say, sir, I am per

fectly justified in asking this question, and that it is perfectly relevant, for I assert that there has been a deliberate attempt to suppress the report. Carson (angrily)...My friend's observation is a pure fabrication.

Harrington (loudly)...l say, sir, it is a lie

for you to make such an observation.

Carson—I ask your worship to prevent another observation of that kind. Eaton (to Mr. Harrington)---We cannot allow such observations as that, and if you

repeat I shall have you removed from the Harrington (very excitedly)-You needn't take the trouble, as I have such confidence in this court I will remove myself from it (dashing on the table the book he held.) That expression is enough for me. I will have nothing more to do with this solemi farce. (Great applause in the court.)

Eaton-Very well; very well [angrily]. Harrington-I will have nothing more to do with it, and I throw the responsibility upon you.

Eaton-Very well. This court stands ad ourned till 12 o'clock to-morrow. The proceedings this morning for Mr O'Brien were chiefly remarkable for the en thusiasm which greeted him as he came to or departed from court, and for the subdued tone of the magistrates and counsel for the crown. This latter showed they had over night received promptings from the govern ment. It has been widely telegraphed here that the press of the entire kingdom are hostile to any cruelty or vengeance toward O'Brien, who is an editor as well as member of parliament and national leaguer. The magistrates yesterday leaned well over on

the crown and the Balfourites dread reac-When Magistrate Eaton commenced. in rocodilish way, about the absence of Har rington, Mr. O'Brien, with great dignity, said: "I must do my friend who was here and more as a friend than as counsel, the justice to say that he took the only course open to honorable counsel. I do not wish to reflect upon the bench, but must say it yesterday permitted counsel for the crown to distinctly violate the amenities of the bar or social life." he (O. B.) was now ready for judgment on

the conviction of the 9th of August speech. The Crown counsel, amid suppressed hisses, then, in a rather brutal and acrid tone, said: "I am ready now to go on with the next offense so that there can be two

sentences." At this there were more suppressed sybillations, which appeared to anger him, and he proceeded to say: "As I was leaving the court yesterday, a mean, ruffianly coward named Tanner, whom I regret to say is a member of parliament, threatened me with his hope of personal violence and—"

But the magistrates stopped Mr. Carson. intimating that he had a remedy. Mr. O'Brien then briefly addressed the court in an eloquent tone of protest and of polite dissent. In substance he said, after summarizing the sad case of the Kingston tenants whom an agent was persecuting so as to forestall, while statutory relief, as it were, hovered over their thresholds: "I must deny the competency of the court without jury to try me. Its composition is foreign to the British constition, was never permitted in packed juries

centuries ago." Here the court interrupted and obliged him to forego the objection. At the same juncture the crown couusel roughly said: 'None of your politics here."

The crowd showing a disposition to applaud, Mr. O'Brien waved his hand and continued: "The crown has been guilty of suppressing evidence by keeping back the head constable's notes which recorded his declaration that he would give fair play to the land bill, which would justify the defense of the tenants on the ground that the evictions were commenced just on the eve of the passage of the land bill, and thus all I did was to remonstrate against an to defraud and deprive attempt the poor and wretched tenants of the benefits of that bill. I admitted I did go around

and advise these tenants not to give up their rights without resistance, and 1 declare before God and before man that they were justided in defending their homes from this calamity; and, if such defense be in this enlightened age a crime, proud to suffer in defense af these rights."

Magistrate Eaton then passed sentence, saying, in substance: "You have advanced no justification. Your language was incitement to violence from ignorant persons who did not understand the subtleties of language." He rather snapped out "three months' imprison-ment," but presently, on inquiry from Mr. O'Brien, who, speaking for himself, asked how about an appeal and bail. Magistrate Eaton said an appeal and bail should be allowed. Then the proceedings terminated.

Large numbers shook hands with O'Brien and but for the police the whole court room would have followed with a levee. I hear that ne will be speedily bailed, which event will suggest the reflection that if ball is allowable after sentence why was it refused during the time the law presumed him innocent?

THE BERLIN BUDGET. Americans Swarming at the German Capital-The Kaiser.

[Copyright 1887 by James Gordon Bennett.] BERLIN, Sept. 24.-[New York Herald Cable-Special to the BEE.]-Never before has there been so many Americans here at this season as now. The university is not yet open, the musical work has scarcely begun, yet already there are more students in Berlin than during the busiest portion of last year. The students of course form a large proportion of these American residents, but old stagers here tell me that they notice not only a great increase among the American students, but beyond this a no ticeable increase in the number of American families who come over to give their children six months or a year of German and music. Formerly such families went to Dresden or some smaller city. Now the tide seems turning toward Berlin. Whether because Berlin has to a certain extent outgrown sausage and the mid-day dinner, or whether from some more intellectual reason, is not apparent. Whatever the cause may be, the Americans at any rate fill each Sunday almost to overflowing a good-s'zed church, supporting several distinguished professors of music, and have begun to annex to the United States a number of pensioners.

BERLIN'S GROWTH.
Berlin, to, is trying to live up to its new reputation as a city of residence for foreigners. The number of new large buildings going up in the main part of the city is some thing surprising. With this growth are com ing many improvements. Unter den Lin den, for instance, soon to be lighted with over one hundred electric lamps of 2,000 candle power each. The increase in land values in the city is even more wonderful than the number of the new build-One of the numerous anniversaries ings. rather crowd each other this month has drawn attention to a case in which a plat of land that sold sixty years ago for 1,500 thalers, or 4,500 marks, has just been resold without buildings for 466,000 marks. Fifty years ago, though, was before Prussia had 'railroads, and when Berlin's population was a million people less than now. In fact, the city has seen so many notable changes during his time that Ber-liners will soon be reduced, especially in September, to the same predicament which produced All Saints day. Yesterday, for in-

stance, was their anniversary. BEER DRANK IN BISMARCK'S HONOR. Prince Bismarck celebrated quietly at of the Prussian foreign office. Elsewhere events were not taken so quietly. At all the Bismarck reunions men dined and drank eer in the chancellor's honor yesterday. Fifty years ago at this time was signed an almost equally notable order-that for the construction of the first Prussian railway. It is recorded, too, that the king signed this order for the Berlin and Potsdam road with eluctant impatience, not seeing, as he told his family, what difference could it make to any reasonable person whether it took thirty minutes or three hours to reach Potsdam.

THE KAISER'S ANNIVERSARY. The good old kaiser, who has seen al these changes and caused many of them also has a sort of anniversary manufactured for him in September, though not of the type which will recur next year. Some one nas calculated that the net ages of the kaiser, Bismark and Maltke will be together two-hundred-and-fifty years. If one car judge by the sprightliness with which the emperor studies art at the exhibition this week he is none the worse for his part of the 250 years. I notice another good sign also. To morrow, for the first time in two years he travels without an escort of newspaper men. They followed him all summer, as well as to Kretstetter. Now, though, he has tired them out and goes to Baden to celebrate the Kaiserine's birthday without the escort of a single nature or foreign

journalist. OTHER INTERESTING NOTES.
Berlin, with all her growth is not altogether prosperous, as witness the street car scenes of the past week. A little child, nicely dressed and well brought up, was carried into a car by a policeman. The child's screams for its mother were heartbreaking. It looked like a case of child (only, but really the little girl was on the way to an orphan asylum, having come trotting into the police station carrying a nicely written card stating that the mother of three children was able to support only two, hence she sacrificed this one. Who the mother is was not discovered, but evidently she is a woman of culture from the language of the writing.

From Spermburg is reported an unusual case of long life. A child just born to Paul Heinze makes the fifth generation now living of that family.

Metz is still full of pointers changing the signs, etc., to conform to the new law which demands that German names shall replace French words on all publicly exposed signs or notices. Consul-General and Miss Rainer have

ant trip across, but are inclined still to be a little lonely for Baltimore. WASHINGTON'S STATUE. A Celebrated German Sculptor En-

returned from America. They had a pleas-

gaged Upon It.
[Copyright 1887 by James Gordon Bennett.]
BERLIN, Sept. 24.—[New York Herald Cable-Special to the BEE. |- Prof. Siemering's great equestrian statue of Washington, ordered by the Pennsylvania society of Cincinnati for placing in Fairmont park, Philadelphia, was recently shipped from Berlin by the steamer Santlago and within a few days will reach New York. The whole statue was shipped as one piece without accident, although the bronze alone, without supports, weighed over seven tons. As Slemering in formed me, the statute will probably not be publicly exhibited in America until the bas reliefs figure of the pedestal is also completed. I went to-day to see what progress had already been made towards the comple tion of what seems likely to be Philadelphia's chief ornament. Prof. Kingsly showed me the condition of the work as it lies scattered in three of four large rooms, with half a

dozen workmen chipping and moulding the rough plaster models. In one room lay the nearly completed plaster Indian who is to form one of the four teu-foot figures at the corner of the pedestal. As showing the minute care used in working out even such minor figures, I noticed that on one side reclined a human skeleton, tied and blocked up into exactly an Indian's position, while on the other side lay a man selected as the model for that part of the Indian then being marked. Around the room were pictures and skeletons of more varieties of the red man than I knew existed. The processor said, "I already have been at work five years on this Washington monument. It may take five years more to finish it, though I hope to get it all to America within three years. It must not be exhibited till everything is ready, as the public will hardly get a fair idea of it unless seen all together. You can judge what an immense amount of work it is when the sculpture tries to make faithful likenesses not only of Washington, but also of the chief personages, civil and military, of the American revolution. Every detail must be worked out from life and not merely from one model the head statue of America. I had to blend a dozen faces in order to get as near as possible to the American type of Washington. The horse had to be a fine figure from several models, yet subordinate to Washington himself, so that the eye of the observer rests upon the man, not on the horse. I noticed scattered around the professor's room sketches and photographs of every statue of Washington in America, while on a table were copies of all the known portraits of Washington, together with a great variety of books, giving an idea of life and character in revolutionary times. The likeness of the civil and military heroes of the revolution in bold relief on both insides of the pedestal are so excellent that I was able to pick out in half finished plaster models such heads as those of Putnam and Jefferson. The monument, when completed, will occupy one of the finest sites in Fairmont park, overlooking the river. There remains an immense amount of work still to do, but what is already done is enough to make one regret that the work does not go to the city of Washington as a national monument.

FRENCH AND AUSTRIAN LIES.

False Reports About Prince William's Throat-Other Foreign Gossip. Copyrighted 1887 by New York Associated Pres. BERLIN, Sept. 24 .- The alarming reports of the renewal, in a bad form, of the throat affection of Crown Prince Frederick William have been traced to Paris and Vienna sources. They are so definite and detailed that they created much anxiety here. Inquiry sent to Fobloch elicited a telegram. to-night, stating that the prince had not been troubled with fresh symptoms. These assurances, however, do not quite dissipate the popular alarm over the Prince's condition. It is believed he has had a slight

relapse.

The relations existing between Germany and France, at the present moment, are less irritating than for some time past. Count Von Munster returned to his post at Paris yesterday charged with a pacitic message from Prince Bismarck to M. Flourens. The semi-official reference to the arrest of the lad. Schnabeler, received through the French embassey, states that Count Herbert elicited from Bismarck a promise that in disposing of the case, the youth of the culprit would be taken into consideration.

There is no improvement in relations between Germany and Russia. The French Princes.

PARIS. Sept. 24.—The cabinet have a second time debated the advisability of expelling held here took place to-day. All the pre the French princes from the territory of t republic. It is reported that they are divided on the question and have concluded to allow it to remain undecided until President Grevy returns to Paris. It is apparent that the princes themselves expect to be expelled, for they are all busily preparing for the future.

Bright on Salaried Representatives. LONDON, Sept. 24.-John Bright, in a letter approving the action of the Northumberland Miners' association in refusing to longer subscribe toward the payment of salaries to the representatives of their districts in the house of commons, says he does not favo the payment of salaries to members, because he does not wish that parliamentary life should be made a trade, as it is enough so already.

Suicided at Sea. QUEENSTOWN, Sept. 24.-It was learned on the arrival of the steamer Wisconsin, that passenger named Denworth committed suicide Sunday by jumping overboard. The

Stones and Batons at Dublin. CORK, Sept. 24 .- Dr. Tanner, nationalist, made a speech at Fermoy to-night. The police in dispersing the crowd used batons. The people replied with stones. A worse disturbance is feared. Shameless and Unexampled.

vessel was stopped, and a boat lowered, but all efforts to rescue him failed.

LONDON, Sept. 24.-John Morley, speaking at New Castle to-day, repudiated the notion that there was any split between himself and the Gladstonian party. He characterized the government's course on the Irish question as hameless and unexampled.

GOING FOR THE "GAS TRUST." Chicago's Corporation Counsel Will Prosecute it in the Courts.

CHICAGO, Sept. 24 .- | Special Telegram to the BEE. |—It is believed that a vigorous war is soon to be waged against the "Gas Trust." a syndicate of Philadelphia capitalists, which a short time ago, bought up all the gas companies and electric light works in the city of Chicago in order to have a complete monopoly of the lighting business. The effect of their regime is already being feit by a raise in the price of gas and electric light, and a promise is given of a further raise soon Mayor Roache is decidedly opposed to a monopoly of this kind and recently asked Corporation Counsel Green to look into the matter. Te-day a protracted conference was held by the mayor, the corporation counse and the commissioner of public works. Mr. Green had his opinion with him and it Green had his opinion with him and it formed the subject of deliberation. The matter will probably be presented to the city council soon. Although the mayor would say nothing, this evening it was learned on good authority that the corporation counsel, after an exhaustive examination of the charter of the various companies and of the laws and ordinances relating to them, has arrived at the conclusion that the Gas Trust is an at the conclusion that the Gas Trust is an illegal corporation, independent of the proillegal cornoration, independent of the provisions of the gas companies' charters. It is said he takes the ground that such trusts are illegal and unconstitutional on the simple ground that they are opposed to public policy and that the welfare of the entire people is jeopardized by such monopolies. The opinion takes a strong ground against the trust, and advises that the law department be instructed and empowered to proceed against the trust in court. The outcome of this matter is eagerly awaited by many citizens who are suffering from the rapacity of these monopolists. If the opinion is sustained it will form an important precedent for other will form an important precedent for other cities in the clutch of, or threatened by this syndicate, which also aims at a monopoly of the street car business in this and other

Elected Officers.

Indianapolis, Ind., Sept. 24.-The Switchmen's Mutual Aid association, which has been in session all week considering rou-tine business, elected officers and adjourned

A TEST CASE MADE AT LAST

The Board of Transportation Decides Against the Elkhorn Road.

MANDAMUS WILL BE ISSUED.

Last Day of Several County Fairs-Republican Conventions-Dr. Baer Married-Cass County Criminals-Other Nebraska News.

Forcing an Issue. LINCOLN, Neb., Sept. 24.—[Special Telegram to the BEE.]—The state board of transportation this afternoon passed upon the finding in the question of rates as complained of against the Fremont, Elkhorn & Missouri Valley railroad, deciding unanimously that the rates were unjust and unreasonable. Accompanying the finding against the road was a tabulated statement of what, in the opinion of the board, was a just and reasonable rate. This table of rates reduced the existing local tariff, on the line of the Fremont, Elkhorn & Missouri Valley railway. from one-third to one-half. The table is a comparison of present rates on the road from Lincoln to all points with the new rate of one-third less ordered by the board, and showing the excess of the existing rate over the new rate as ordered. The reduction is ordered on all classes of freight up to class "E" in car load lots. If the road should accept to the order, every road in the state would have to comply to a like reduction and the public would be treated to a saving of one-third on freight. But the roads have no idea of complying with the order of the boards. They have given their opinion that the board is powerless to change rates and will fight it out on that basis. The papers were put in the hands of the officers last night to serve on the manager of the road, and if the order is not complied with at once the board of transportation will instruct the attorney general to commence mandamus proceedings against Missouri Valley rallway, from one-third to portation will instruct the attorney general
to commence mandamus proceedings against
them in the supreme court and the plea of
the road that the board is powerless will be
at once decided upon. The board is pushing
these proceedings and in fixing the one-third reduction on this test case acted unani

Saunders County's Republican Slate. WAHOO, Neb., Sept 24 .-- | Special Telegram to the BEE. |-The republicans of Saunders county met in county convention at the court house to-day and put in nomination the following ticket: For treasurer, George Buck; for county clerk, Horace Clark : for register of deeds, Otto F. Steen: for sheriff, D. K Wilson; for county judge, O. C. Tarpenring; tor superintendent of public instruction, J M. Darr; for clerk of the district court, L. E Gruver: for county commissioner, John Scott was renominated; for surveyor, W. W. Alt; for coroner, Dr. Ira G. Stone. G. W. Sheppard was nominated for representative

Sheppard was nominated for representative to fill the vacancy caused by the resignation of C. J. Harrison. The convention also selected a delegation of eleven to the judicial convention of the Fourth district, instructed for Hon. George 1. Wright for district judge and a delegation of Elerun to the state convention to the state convention of the fourth district of the state convention of the state convention of the state of the state convention of the state of the state convention of the state instructed to favor Judge Maxwell's renomi nation for supreme judge. The convention also adopted a resolution reaffirming the dec also adopted a resolution reaffirming the declaration of principles of the republican national platform of 1884, and the state republican platform of 1886. They declared in favor of submitting to a vote of the people all questions regarding the change in the fundamental law and expressed sympathy with Gladstone in his efforts in behalf of the irish people. The ticket nominated is a strong one throughout and complete harmony reignad. nony reigned.

Buffalo County Republicans. KEARNEY, Neb., Sept. 24.—[Special Telegram to the BEE.]—The largest and most harmonious republican convention ever three proxies in the entire body. Ron. H. C. Angrews was elected chairman, and Editos Clayborg, of the Ravenna News, secretary. J. T. Mallalieu, J. G. Tate, H. C. Andrews, J. P. Hartman, Jr., L. S. Irwin, H. H. Bowie, F. E. Taylor, H. Gibbons, M. H. Noble, S. W. Thornton and Roy Ropne were elected delegates to the state convention, and E. B. Jones and state convention, and E. B. Jones and ten others were chosen delegates to the judicial convention. All are for F. G. Hamer, the present judge. The county nom-inees are as follows: For county judge. Frank Huston; for treasurer, Frank Moore: for clerk, H. M. Rankin; for clerk of the court, John Forestall: for sheriff, John Wil-son; for county superintendent, F. Snare; for surveyor, E. N. Porterfield: for coroner, Dr. G. L. Humphrey. The ticket is consid-ered a strong one. ered a strong one.

The Last Race Run. AURORA, Neb., Sept. 24.- [Special Telegram to the BEE. i-The Hamilton county fair wound up to-day with good results. The weather was fine, the fair was well patronized and it was a success all around. ably fifteen hundred people were out to-day to witness the conclusion of the programme. the grand parade of blooded stock, the trotting race, running race, and other amusements. The awards were completed, purses and premiums paid, and all hands went bome happy. The De Lorme theatre coupany has been playing in town all the week to good houses, and it too went away with a broad smile of satisfaction of the week in town and on the fair ground.

In the half-mile dash this afternoon the Reynolds nony wan by a neck

Reynolds pony won by a neck. Cass County Criminals. LINCOLN, Neb., Sept. 24.—[Special Telegram to the BEE.]—Sheriff Eikenburry, of Cass county, brought eight prisoners to the penitentiary to-day, the partial results of the district court in Cass county in handling criminal matters. The prisoners were: Henry Smith, two years for burglary and larceny; T. Cavanauzh, two years for bur-glary and larceny; John H. Brady, two years for burglary and larceny; Henry Shrader, ten years for horse stealing; William Foreman, three years for assault with intent to kill; Edward Knight, three years for burglary and larceny; Edward Knight, for burgiary and larceny; Edward Knight seven years for assault with intent to kill James Hall, three years for burglary and larceny; Frank Williams, three years for burglary and larceny. There will be a sec-ond delegation very nearly as large before the present term of court is ended in that

The News In Oakland. OAKLAND, Neb., Sept. 24 .- (Special Telegram to the BEE. |- The Burt county fair came to a close yesterday, and was a decided success in every way. The premiums will be paid in full, and money left in the treasury. The exhibit of everything was good; far better than any fair in that part, and much better than any fair in this part of the state. A most creditable exhibit of hogs and horses was on the ground. The scoring of the hogs was on the ground. The scoring of the hogs was done by M. L. Trester, of Lincoln, an expert in the business. The vegetable exhibit was very good, in some things better than that of the state fair. Two of the field pumpkins weighed 145 pounds. The militia boys of Tekamah were in attendance. The following officers for the ensuing year were elected last evening; President, J. G. Preston; vice-president, James McDaniels; treasurer, C. T. Griffin; secretary, M. B. Roberts, The following resolutions were unani-The following resolutions were unani-mously adopted at the last Union Temper-ance meeting in Oakland.

Whereas, It has been generally known that Rev. R. A. White, paster of the Lutheran church, is soon to remove from our midst, and midst, and
Whereas, During the his short while he
has labored among us he has gained the love
and esteem of all who knew him, and
Whereas, Our town, by the removal of
Rev. White, loses a good citizen, the people a
true friend, a faithful pastor and an active

worker in the temperance cause, therefore Resolved, That we, on this occasion, repre- I seph and Kansas City.

senting the different religious denominations, as well as the temperance people; hereby express our regret at the removal of Rev. White and family; and further be it Resolved, that it the decision of the removal of Rev. White cannot be changed, we extend our heartlest well wishes for success and god speed for himself and family in the field where he may be called to work in his grand calling as a minister of our Lord and Savior Jesus Christ; and further be it Resolved. That one copy of these resolutions be delivered to said Rev. White and one to the Oakland Independent to be printed in that paper.

Endorsed the Board.

CLAY CENTER, Neb., Sept. 24.—|Special Telegram to the BEE.]—The republican county convention for Clay county was held here to-day. It was the largest convention ever held in Clay county. The entire audience room of the court house was packed with spectators in addition to the ninety-five regular delegates. The principal issue had been on the selection of treasurer. The towns of Sutton, Edgar and Clay Center each had prominent candidates, backed by had prominent candidates, backed by solid delegations. There was, however, a universal disposition to be harmonious and after the contest had ended there was general hand-shaking all around, and the regular republican vote will back up the entire ticket in November. S. A. Searle, of Edgar, was chairman. The following ticket was nominated: For treasurer, W. M. Walters; for clerk of the district court. J. E. Wheeler; for county clerk, L. F. Fryor, the present incumbent; for county judge, Judge Canfield; for county superintendent Prof. Hursh; for county superintendent Prof. Hursh; for county surveyor, E. G. Groff; for county coroner, R. M. Elder. The delegates to the state convention are: L. D. Fowler, B. H. Dunn, P. L. Walton, R. G. Brown, O. K. Wash, H. M. Goldsmith, B. L. Harrington, W. P. Schockey, George Brige, Thomas Eluer and E. E. Howard.

The delegates to the judiciary convention are: L. G. Hurd, Thomas Walters, M. S. Edgington, W. S. Christy, B. McSoney, W. S. Prickett, Henry Grosshans, R. S. Silvers, J. B. Dinsmore and C. J. Martin. The delegates are instructed to use all houorable means to secure the renomination of Hon. W. H. Morris. Resolutions were passed endorsing the state board of transportation and favoring a two cent passenger tariff, lower freight rates and lower telegraph and express rates and favoring special session of the legislature. solid delegations. There was, however,

End of the Custer County Fair.

BROKEN Bow, Neb., Sept 24 .- | Special to

the BEE. |- The Custer county fair concludes

to-day, There has been a daily attendance

of from four to six thousand people. There was a very creditable display in every department. Some of Broken Bow's most enterprising merchants displayed excellent taste in the arrangement of their exhibits. There was the usual amount of racing. One of the principal features of the entertainment was the excellent music furnished by Fra-

zell's band of thirteen pieces.

The city is to have two feed mills, one planing mill and another large two story brick block yet this fall.

Victory Assured.

HEBRON, Neb., Sept. 24.—| Special Telegram to the BEE.]—The republican county convention met here this afternoon and the utmost harmony prevailed throughout the entire proceedings. John Nightingale was no minated for treasurer, M. S. Phillips for county clerk, James Densmore for clerk of the district court, F. N. Gallant for superintendent of schools, W. E. Goodhue for county judge, and N. Beck for surveyor. The convention adopted a platform strongly republican in sentiment. The delegates to the judicial convention will support Judge Morris for remomination. The convention over, the republicans of Thayer county are in shape to secure a glorious victory at the coming election. tion met here this afternoon and the utmost

G. A. R. Hall Dedicated. LITCHFIELD, Neb., Sept. 24 .- [Special to the BEE. |- The new G. A. R. hall in this place was dedicated last night with imposing ceremonies. Although this is a new town fully 500 people were present. The cere-monies were conducted by the post com-mander, Rev. S. P. Dillon. The speaker of the evening was Hon. George Williams, of Grand Island, and his address of an hour's length was listened to very attentively by the whole assembly. The name of the organization is Perryville post G. A. R. No. 231. The Loup City Cornet band was in attendance.

Waterworks For David City. COLUMBUS, Neb., Sept. 24 .- [Special Teles. gram to the BEE. |-Schroeder Bros. obtained the contract to-day to construct a system of waterworks for David City for the sum of \$22,000. The very satisfactory manner in which they built the waterworks for Columbus gave them prestige with David City officials and a guarantee to secure an honest job. The Columbus system of standpipe and direct pressure combined will not be duplicated.

Colfax County's Republican Primas SCHUYLER, Neb., Sept. 24 .- | Special Telegram to the BEE. |-The first skirmish in the campaign in this county began to-night in the republican primaries. In this precinct, which has a delegation of twenty-eight, the main fight was on the candidate for treas-urer. There were three tickets in the field, there being that many candidates for that office. A delegation favorable to John Prokes was elected.

Jefferson County Republicans. FAIRBURY, Neb., Sept. 24.- | Special Telegram to the BEE |- The republican convention held to day was large and harmonions. The following county officers were nominated and will be elected: Robert Truman, treasurer; J. N. Thompson, clerk; James Ireland, sheriff; Edward Coles, superintendent of public instruction; W. C. Wiley, county judge; A. W. Mathews, clerk of the district court; N. E. Davis, surveyor; Dr. Dodge, coroner. Dodge, coroner.

Violently Insane. COLUMBUS, Neb., Sept. 24.- | Special Telegram to the BEE. J-George Davis, sheriff of Madison county, had to lay over at the depot to-day with an insane man named Joe Lowe, about one hour. Lowe was violent, wanting to light everyone he saw and was with diffi-culty restrained from beating his head against the stone wall of the depot,

A Prominent Democrat Wedded. NORFOLK, Neb., Sept. 24.- [Special Telegram to the BEE. |-- Dr. A. Bear, the well known democratic politician, returned from the east to-day with a bride. He was mar-ried to Miss Mamie Leoy, at Richmond, Va., on the 12th inst.

Nebraska City by Electric Light. NEBRASKA CITY, Neb., Sept. 24.—|Special Telegram to the BEE.|—The electric light plant was finished and the lights were suc plant was finished and the lights were suc-cessfully turned on to-night for the first time.

A Taste of Frost. NORFOLK, Neb., Sept. 24,- | Special to the BEE. |—A slight frost was visible here this morning, the first of the season. Crops in this section are beyond the danger of frost.

Fairbury's Fair. FAIRBURY, Neb., Sept. 24.1-Special Telegram to the BEE |-The Jefferson county fair will begin the 27th and continue through the week.

Cleveland's St. Joe Stay Prolonged St. Joseph, Mo., Sept. 24.- | Special Tele gram to the BEE. |-The time has been changed whereby President Cleveland will changed whereby President Cleveland will arrive at St. Joseph at 3:15 n. m. and leave at 5:45 n. m., a stay of two hours and a haif in stead of the half hour first reported. This change has been made through Col. A. C. Dawes, general passent agent of the Kansas City, St. Joe & Council Bluffs railroad, over which President Cleveland will arrive, All trains will be sidetracked for the presidential party, and the afternoon trains out of the city will be beld until the departure of the president. The trains will be made up between Omaha and St. Joseph and St. Joseph and Kansas City.