

The Nation.

NEW YORK, THURSDAY, SEPTEMBER 20, 1887.

The Week.

THE decision of Judges Colt and Nelson, dismissing the bill of the Government in the suit to annul the telephone patents, was to have been expected by all familiar with the facts and the previous ruling of Judge Shepley, the former Circuit Judge of that district. In fact, it was a knowledge of what the court had decided to be the law in that circuit which led those who instigated the suit to influence the Government officials and counsel to make the futile attempt to have the suit entertained in a Western circuit. The first suit was brought at Columbus, Ohio, at a time when it was supposed Judge Baxter would sit and hear it. The sudden death of Judge Baxter, and the appointment of Judge Jackson for that circuit, ended in a prompt decision that the proper place to sue the Bell Telephone Company was in the Massachusetts Circuit, where the company belonged. There the present suit was commenced which has just resulted in Judge Colt's deciding that there is no authority in the Constitution or statutes for the maintenance of such a suit. He very properly says that "the necessity which might possibly arise in some cases for the exercise of this power by the Government seems to be wanting in this case." The same statute that provides for the granting of the patent prescribes defences to any claims under it, any one of which, if sustained, deprives the patent of any force. Almost every conceivable cause for annulling a patent is provided for in these statutory defences, and no single suit can deprive the public of the right to interpose them in any subsequent contest. Again and again the owners of a patent may be compelled to maintain their right against new infringers of the exclusive privileges granted, not merely by presenting their patent, but by proving that it is founded on the law of the land. And this is what has been done in the numerous cases of infringement of the Bell patent which are now under consideration by the Supreme Court.

It was pretended by the opponents of the Bell telephone patents that a new and peculiar issue, not provided for in the statutory defences, had arisen in this case, which called for the extraordinary action of the Government in proceedings to annul the patent. It was said that there had been undue influence with the employees of the Patent Office; that some one else who had an application or caveat in the Patent Office was the first and true inventor, and that Bell and his attorneys managed in some way to obtain knowledge of what was in this other caveat or application, and incorporate it in his own. This may be a new and peculiar issue, but the statute provides that if the court shall find against the inventor, "that he had surreptitiously or unjustly obtained the patent for that which was in fact invented by another, who was using reasonable diligence in adopting or perfecting the same," the patent has no

force against an infringer. It is a consideration of these facts that has led intelligent and right-minded people to criticise the action of the Government in instituting and carrying on, at the instigation of rival corporations, the proceedings against the Bell Telephone Company. Every new development in the case shows more clearly that it had a wrong beginning, and can serve no good purpose in its triumph.

The opinion of the Supreme Court of Illinois in the case of the condemned Anarchists fills something more than four pages of the Chicago newspapers. It is a great pity that its length forbids its publication in all of the newspapers in the United States. Having read the whole of it, however, we cannot think that it is a single word too long. On the contrary, it is an admirable example of terse, clear, cogent statement of fact and of legal argument based thereon. So compact is it that no synoptical treatment of it can be other than disappointing to one who wishes to get a clear view of the conspiracy to commit murder, of the evidence by which it was proved, and of the guilt of each participant. There are varying degrees of guilt, in the sense that some of the condemned were brought nearer to the fatal bomb than others, but there is no difference between them in the fact of participation in the conspiracy to commit murder. The idea has got abroad that all except possibly Lings, the bomb maker, are to be hanged for the speeches they made, and the articles they published, and the hand-bills they distributed. Hence the outcry among the labor organizations against the "attempt to suppress free speech." It is shown by the Court that even if these men had not personally laid the plans which were partially executed at the Haymarket meeting, yet that, being members of a society whose general plan was the killing of the police and militia, and urging others daily, by speech and writing, to commit murder according to this general plan, they were guilty of murder under the statute of Illinois—just as guilty as the bomb-thrower or the bomb-maker. In fact, this statute says that the person who, not being present, has advised, encouraged, aided, or abetted the perpetration of the crime, "shall be considered as *principal*, and punished accordingly." In other words, the Illinois statute abolishes the distinction between principals and accessories in murder, and makes all the parties principals.

The decision of the extraordinary General Term of the Supreme Court in the Sharp case is hard on a good many eminent members of the New York bar, as well as on Sharp, for several of them had propounded the opinion (it is to be presumed without sufficient examination of the case) that he was entitled to a new trial. Oddly enough, Judge Potter, in granting his stay of proceedings, did not base his order on what these gentlemen thought most objectionable in Judge Barrett's rulings, but struck out a line of his own. But the General Term has disposed of all the objections together, with a unanimity and thoroughness which make

it very unlikely that any other judge can be induced to grant a second stay so as to keep Sharp any longer out of Sing Sing. One of the greatest hindrances to the prompt administration of criminal justice among us is the tendency of courts of appeal to treat any error as fatal, whether it had or could have any influence on the result or not—that is, whether it inflicted real damage on the prisoner's case or not. For instance, Judge Daniels mentions in his opinion that "the educated and legal minds" who have been disturbed by the admission of Pottle's testimony, "seemed unaware of the fact that the *corpus delicti* had been proved when the evidence was offered." The "evidence was in the direct line," the Judge added, "of the events which led to the securing of Broadway"; but even if it had not been, its admission could not have hurt Sharp.

The Massachusetts Democrats have the honor of producing in the person of Pat Maguire probably the silliest and most impudent demagogue who has ever figured in American politics. The way the Convention applauded and laughed over his insolent bragging at Worcester last week was a great humiliation for all intelligent and thoughtful members of the party, and it was crowned by the poor creature's bursting out laughing himself over the degradation of his audience. Everybody, of course, sees plainly enough that a party which can set up such a boss must be in a bad way. Doubtless, President Cleveland will see it too. He cannot go so low in Massachusetts as to allow a man like Maguire to bully a man like Gen. Corse, no matter what he submits to in Maryland. The probabilities are, however, that the party will receive a lesson at the State election which will save him the necessity of listening to Maguire. The *Boston Post* and *Herald*, which probably control all the votes from which the Democratic party could ever get a majority in Massachusetts, have repudiated or condemned the action of the Convention, and it will undoubtedly be still more severely condemned at the polls.

Massachusetts papers report a steady and rapid increase in the number of parochial schools established by the Roman Catholics. In most instances no conflict with the public-school system is involved, but cases are arising where the attempt is making to supplant the old order with the new in sections of cities which are chiefly inhabited by Catholics. In one ward of Malden, for example, the parochial school has so largely depleted the public school that it has outgrown its own building, and now seeks to rent some of the unoccupied rooms in the public-school building. Of course no complaint can justly be made against people who are willing to pay taxes for the public schools and at the same time pay for the education of their children in sectarian schools; and there appears to be an increasing tendency towards the patronage of sectarian schools which is not confined to the Catholics; but the friends

of the public schools do well to oppose all attempts to secure public support for such sectarian schools.

The Roman Catholics of the Northwest appear to be making a carefully planned war upon the public-school system, and they are meeting with enough success in isolated cases to arouse general interest in the question. In one district of the town of Barton, Wis., the Catholics rallied in force at the annual meeting last year, and carried a resolution that no public school should be maintained during the year, and none was held. This year the contest was renewed, but the Catholics took advantage of the new law giving women the right to vote at school elections to bring out all their women, and carried the same resolution again. At Melrose, Minn., the Catholic priests engineered a movement to shorten the school year of the public schools in order to compel children to attend a parochial school. Throughout Stearns County, Minn., the Roman catechism is said to be taught openly in the public schools, and either the opening or the closing hours of the session are devoted to religious instruction given by the priests, all this being in direct violation of the State Constitution, and especially of an amendment adopted in 1877 to meet this very condition. Most of this work has been done so quietly as not to attract wide attention, but the evidences of a determined assault upon the public-school system are now so clear that its friends are becoming aroused to the necessity of action.

The effectiveness of the high-license system as a means of diminishing the number of saloons is freshly demonstrated by the experience of Minnesota. The last Legislature passed a law which makes the fee \$1,000 in cities containing a population of 10,000 or more, and \$500 in smaller places, and this law went into operation on the 1st of July, except in St. Paul and some other places, where the old licenses do not expire until the 1st of January. The St. Paul *Pioneer-Press* has made a thorough investigation as to the working of the law, and finds that the number of saloons has been greatly reduced—in Minneapolis from 334 to 227, in Duluth from 113 to 64, in Winona from 94 to 33, in Stillwater from 42 to 32, and so on, until in the aggregate out of 1,650 saloons which flourished under the old law only 1,100 have been able to continue in business. This reduction of one-third in the number of saloons has been accompanied by an increase of one-third in the amount of revenue derived from this source, and there is a general agreement that drunkenness has diminished and public order improved under the change.

Another outbreak of race prejudice in a Northern State over an attempt to enforce mixed schools is reported. The law in Indiana authorizes the establishment of separate schools for colored children, but provides for their admission to the white schools in any town where such separate schools are not provided. A respectable colored farmer of Washington Township, in Dearborn County,

took his children to the nearest schoolhouse on Monday of last week, and the teacher received them, but the white children immediately left rather than study with "niggers," and unless the offenders withdraw, the session of the school must end. How little partisanship has to do with this matter is shown by the fact that Dearborn County is Democratic by a vote of 3,565 to 2,529, while the Kansas county of which Fort Scott, the scene of another similar outbreak of race prejudice, is the capital, is Republican by a vote of 2,974 to 1,671.

The campaign in Virginia this year is one of the sort, unhappily too frequent in our politics of late, in which neither side deserves to win. The contest is for the possession of the Legislature, and it derives its national importance from the fact that the Legislature will have a United States Senatorship to dispose of. For this reason the Democrats held a State Convention and put out a platform, just as they would have done if the whole State Government had been at stake, and the contest for the political control of the commonwealth could hardly be sharper in the latter case. The Democrats present no reason based on their own merits why they should succeed. Their platform is sharply at issue with true Democratic doctrine on vital issues. On the tariff question it virtually takes the ground of protectionist Republicans. It abandons the traditional Democratic position on a great constitutional question, approving the scheme of Federal appropriations to State schools, and thereby condoning the Federal interference which appropriations inevitably involve. It is the very irony of fate that the Democratic State of Jefferson and Madison should yield its adhesion to this doctrine at a time when a Republican Senator of Gen. Hawley's prominence is vehemently denouncing its unconstitutionality. On the debt question the Democrats have nothing to offer which entitles them to praise. In a word, so far as they are themselves concerned, they ought to be beaten.

And yet the Democrats ought to win because the opposition is so much worse. This opposition is nominally the Republican party of Virginia; practically, it is William Mahone. He absolutely controls the party organization and dictates the management of the canvass. The fight is made solely in his interest, and Republican success will inure solely to his benefit. He will nominate his tools for members of the Legislature, and if a majority of that body are ostensibly Republicans, they will really be only Mahone men, pledged to send him to the Senate. Virginia is the one Southern State which the Republicans have carried since the election of 1876, and, in Virginia, Republicanism to-day means only the despotic rule of an odious boss, who originally rose to power as the champion of repudiation. The one hopeful sign is the development of political independence. A number of the most prominent Republicans refuse to support the party, now that it has become a mere personal machine managed solely for the aggrandizement of a single man. Ex-Gov. Cameron, ex-Congressman Brady, and others

who have held high positions, will do nothing to secure its success this year. As Mr. Brady recently said: "The sole issue is Mahone, and there are thousands on thousands of faithful and loyal Republicans in Virginia who will not vote to support him in the coming contest." Fortunately, the Democrats possess a decided advantage in having seventeen of the twenty holding-over Senators, while they are almost certain to elect at least eight of the other twenty, which would give them a majority of ten in the upper branch. Mahone's only hope, therefore, is to get a decided majority in the lower branch, and thus a bare majority on joint ballot. With the disaffection which evidently exists in the Republican ranks it does not seem possible that he can accomplish this. On every ground it is to be hoped that he may fail. A defeat this year ought to end his power for good or evil, and, with this incubus removed, it will not be unreasonable to expect that Virginia politics will again rise to a decent plane.

The Rev. H. O. Pentecost, the Congregational minister of Newark who has become a Georgeite apostle, is getting into trouble with his congregation, a portion of whom do not share his views about land and poverty, and do not approve of his mode of disseminating them. He delivered a philippic against poverty to a small audience in Utica on Wednesday week, in which he called loudly for the abolition of poverty by legislation. He said that it was "exceedingly necessary and important that there should be no poor men in this community," denied that "poverty can ever be a blessing to any one," and requested that "when he said that society suffers from poverty, nobody would contradict him." He defined poverty by saying that "any man who has not enough to gratify any reasonable desires is a poor man." But, like all the other apostles, he refrained from saying where the fund is, out of which everybody's "reasonable desires" are to be gratified. It is capable of mathematical demonstration that if the income of every man who is called rich were divided tomorrow among all the men who can be called poor, and the rent of all the land in the world were divided among them also, the condition of the mass of mankind would undergo no perceptible change. There must, then, be some other mode of removing poverty than a redistribution of wealth or land. What is it? Why do not the apostles and professors speak out? Time is flying, and millions are dying every day with their "reasonable desires" ungratified.

M. Charles Limousin has been trying to answer, in the *Journal des Économistes*, the question, What is Socialism? which most people find rather puzzling, because hardly any two of those calling themselves Socialists agree as to what they want. His explanation is, that the one thing in which all Socialists agree—their common principle of action—is, that the Government should charge itself with the work of applying to the constitution of society their ideas about the production and distribution of

wealth. In other words, no matter what a man's ideas on the subject may be, if he desires to have the Government carry them out, he is a Socialist. Consequently, what all Socialists really struggle for is not so much the dissemination of certain doctrines, as the possession of the Government. Almost as a consequence of this, "the Government" has come, in the Socialistic discussions, to be thought of and talked of as a sort of crank or lever that can be made to produce any state of society which the man who gets hold of it may choose to conceive as desirable. In other words, Socialists not only believe in the existence of a public fund or reserve of money or wealth, out of which all may be provided with a competency, but in the existence of a stock of administrative talent and integrity which the Government can always command, but which has not as yet been revealed to mortal eyes in any age or community.

The usual way of defending these delusions is by maintaining that they are respectable, and that it shows a bad heart to laugh over them. They have, of late years, owed a great deal of their propagation to the clergy of various denominations, including the Catholics, partly through the disposition of ministers to optimism, and partly through their dislike of the scientific or Darwinian view of the conditions of man's existence, and partly, also, through the discovery that the working classes are no longer controlled by the expectation of a future state of existence, and that anybody who desires to influence them in a religious direction must to a greater or less extent fall in with their belief in the possibility of a heaven on earth. Hence the curious success of the George land theory among the ministers, both of this country and England, and the feeble opposition offered to the McGlynn theory that it is no harm to rob a man of money if he has invested it in a farm.

The Government of the Canton of Berne in Switzerland has found itself under the necessity of making an investigation into the operations of the Mormon missionaries within the Canton, as well as in other parts of Switzerland, owing to their apparently remarkable success. The result is, that the Canton asks for the interference of the Federal Government to protect its population against the seduction of the Apostles. The Mission has its headquarters at Berne, and in 1885 made 610 converts in the country at large. Last year it made 336 in the Canton of Berne alone, and all, or nearly all, started for Utah. The investigation has brought to light some curious facts. The Mormon propagandism began in Switzerland in 1851, and had its headquarters in Geneva. But it was soon found that it was not so successful among the French as among the Germans, and the centre of operations was transferred to Berne, where it has continued ever since, and from this point the Mormon missions all over Europe are directed. The head man is a German named Schoenfeld, with the rank of a bishop in the Church, and he has under his orders a considerable number of missionaries, mostly Americans. The expenses are met by collections made at meetings and by tithes levied

on the converts. In the beginning of last year the police at Berne made a descent on the headquarters, and seized all the books and papers, but they met with no resistance, and all their questions were readily answered, except those relating to polygamy. The examination showed that the Mission was an emigration agency as well as a religious apostolate, and was largely devoted to exporting children between the ages of five and fourteen, often without their parents, and in charge of an agent, sometimes as many as twenty at a time. One man, a carpenter, testified that he had got rid of four of his children in this way, and another of three of his, aged seven, nine, and fourteen respectively. Their expenses were advanced by the Mormon agents, who were to be repaid in instalments by the parents. One village in the Oberland has been entirely converted to Mormonism by the preaching of a returned emigrant.

In answer to the questions about polygamy, the missionaries declared that it was forbidden to members of the Church to practise it outside Utah. It was also forbidden to the missionaries to preach it publicly in Europe, but private instruction about it was given to any one desiring it. A tract which the missionaries distribute freely pronounces it an error to "declare immoral what the Scripture not only does not reprove, but authorizes and prescribes," and that "no one can violate the moral law in defending the teachings and principles contained in the Bible." No charge of immorality has, however, been brought against any of the Swiss Mormons. Schoenfeld has two wives, but he has, prudently left them and his numerous offspring at home. The investigation has convinced the Bernese Government that it is Federal authorities only who can deal with the evil. If the Mission were expelled from Berne, it could, of course, start again in some other Canton. The Federal Government, on the other hand, has several ways of dealing with it. It has the right of suppressing or expelling from Swiss soil any religious order or community which it considers dangerous to the State. It can also proceed against any emigration agencies which are carrying on operations without legal authorization, or it can forbid the emigration to countries which are legally closed to any particular class of emigrants.

Mr. Chamberlain's renewed and very emphatic declaration of his out-and-out support of the Ministry is doubtless an outburst of irritation caused by the general desertion of him by his old followers in Birmingham. But it is doubtless also in some degree due to the continued postponement of an opportunity to produce his own "plan" of home rule for Ireland, to which he has often alluded in his speeches, and which he considers far superior to Gladstone's. He gave a very full account of it to the correspondent of the Boston *Herald* a week ago, which was very amusing, because it appeared that the only hope of a reunion of the Liberal party lay in the acceptance by Mr. Gladstone of the Chamberlain plan, which would be submitted to him, as well as to Lord Salisbury, in a courteous way. In his hearty approval of the shooting by the police at

Mitchelstown Mr. Chamberlain has, however, allowed his temper to carry him beyond all the bounds of political prudence, and it must close his career as a politician except in the Conservative ranks.

The fact that Emperor William has spent a number of days at Stettin without receiving a visit from his grandnephew, the Czar Alexander, who is making a long stay in the royal suburbs of Copenhagen, has elicited a great deal of journalistic comment. When it became known that the two monarchs would be in such close proximity to each other, at places so near that a sea visit without danger was open to the Czar, all Europe expected an imperial interview, and many were the speculations regarding its outcome. A renewal of the so-called Three Emperors' Alliance informally concluded at Skierniewice exactly three years ago was less generally looked for than a closer *rapprochement* of Germany and Russia, to the detriment of the third "ally," Austria-Hungary. Bismarck's semi-official organ, the *Norddeutsche Allgemeine Zeitung*, in vain emphatically declared that no such meeting would take place at Stettin. It had given a similar denial to the expected meeting of the same two Emperors at Dantzig on the very eve of its occurrence, in September, 1881. That this time the *Norddeutsche* spoke the truth became patent when Bismarck, instead of preparing to go to the Baltic port, received the visit of Count Kálnoky, the Austro-Hungarian Minister of Foreign Affairs, and day after day elapsed without Alexander meeting William.

The comments now indulged in on this subject generally express the belief that the Three Emperors' Alliance has ceased to be, and that it is Germany and Austria-Hungary that are drawing closer to each other. This note is sounded by the German Chancellor's semi-official organ itself. Whether the Czar's apparent coolness is the cause or the result of such a change of German diplomatic tactics is still a question, but the change itself is of less importance than appears on the surface, for the Three Emperors' Alliance was never anything more than a sham, dictated by various considerations of caution and hesitation, and the momentous diplomatic reality of the present decade has always been the "peace coalition" of Germany, Austria-Hungary, and Italy, formed by Bismarck for mutual security against Russia and France combined. This coalition, based on paramount and lasting interests, is defensive in its character, but very elastic, and those against whom it is directed find it unbearably provoking. This feeling on the part of the Czar may have been heightened by his stay in the Danish court circle, where animosity against Germany is uppermost, and by the unmistakable hollowness of Germany's diplomatic pro-Russian protestations in the latest phases of the Bulgarian imbroglio. It is Germany that prevents Russia from ignominiously driving Ferdinand of Coburg from Sofia. That this is done indirectly, through Austria-Hungary, renders the check the more galling.

SUMMARY OF THE WEEK'S NEWS.

[WEDNESDAY, September 21 to TUESDAY, September 27, 1887, inclusive.]

DOMESTIC.

THE President issued a proclamation September 26 confirming the reciprocal abolition of discriminating tonnage duties on Spanish and American shipping between the two countries.

The President has ordered the allotment of the Indian lands adjoining Baxter Springs, Kan., including the reservations of the Quapaws, Ottawas, Wyandottes, Senecas, Modocs, Miamis, Peorias, and Pottawatomies. The allotment will be made as soon as a commissioner can be appointed. This action of the Government will throw open to white settlers several hundred thousand acres of the most fertile lands in the West. These Indian tribes have sent almost unanimous petitions to Congress asking for the division of their lands in severalty, and the sale of the remainder to settlers.

The stringency of the money market caused a circular to be issued by the Treasury Department at Washington, September 22, offering to buy, until October 8, to be applied to the sinking fund, \$14,000,000 worth of bonds. Offers of considerable amounts were made forthwith, greatly to the relief of financial circles.

Circulars have been sent from Washington to all the United States consuls in Canada asking for certified returns, according to sworn statements made before them, of the exports of various articles at each Canadian port to the United States during the past three years.

The reports received by the Post-office Department for the quarter ending September 30 show that the system of special delivery of mail matter has become more popular.

On September 20 another experiment was made by Lieut. Zalinski at Fort Wadsworth, New York Bay, with the pneumatic dynamite gun. A condemned schooner at the distance of a mile was the target. The first dynamite cartridge that was fired exploded under it, and the concussion caused it to leak. A second shot blew it into a wreck instantly. The experiment was witnessed by Secretary Whitney and a number of officers of the army and navy, and by representatives of several foreign governments. The Secretary said of the experiment: "Taking its range and the line of flight of the projectile, it is difficult to say how it can be met. For coast defence it seems to me the most important arm yet invented. I have steadily insisted upon the idea that the company should have an opportunity to show what it could do, and I am gratified that this American invention has not had to go abroad for its first encouragement. It has had it from the Navy Department. Its usefulness on ships is yet to be established, but its importance generally in naval warfare as an arm cannot be overestimated."

In the United States Circuit Court in Boston September 26 a decision was rendered sustaining the demurrer of the Bell Telephone Company in the suit brought by the Government to vacate its patent, and the case was dismissed. As to the principal question, whether, in the absence of any specific statute, the United States, by direction of the Attorney-General, can maintain a bill in equity to cancel a patent for an invention, Judge Colt, who wrote the opinion, held, in accordance with a decision rendered by Judge Shepley in the same circuit on the same point, that the Government, in the absence of any express statement, has no power to bring a bill in equity to cancel a patent. "It is our duty," the opinion continues, "in the present case, unless clearly satisfied that Judge Shepley was wrong, to follow the law as established in this circuit, in the most learned and exhaustive opinions to be found on the subject."

Justice Miller of the United States Supreme Court has appointed Phœbe W. Couzins, the daughter of the late Marshal of the St. Louis District, to succeed her father.

A fight between a band of Texan smugglers and the posse of a United States marshal near Laredo, September 22, ended in the death of four of the smugglers. The rest escaped into Mexico.

Near San Carlos, Arizona, September 22, a trader named Horton was shot by an Indian scout. The scout was pursued and shot, and both wounded men are likely to die. An outbreak of Indians on the San Carlos reservation is feared, and the chief cause of apprehension is an effort by Territorial civic officers to arrest Indians.

The steamship *Alesia*, which arrived at this port September 22 from Marseilles and Naples, with 600 passengers, had Asiatic cholera aboard. Eight of her passengers died on the passage, and on her arrival at Quarantine the Health Officer found four cases on board. She was sent to the Lower Bay, and there is no fear that the disease will be brought ashore.

The Glenn bill, making it a penal offence for any teacher of a school for white children to admit colored pupils, that passed the lower branch of the Georgia Legislature, failed in the Senate; but the Senate, September 22, passed a substitute for it that forbids the payment of money appropriated by the State to any school where children of both races are taught.

The Ohio statute authorizing the establishment of separate schools for colored pupils was repealed by the last Legislature of that State, but the people have not willingly accepted the change. At Oxford the colored pupils nearly all deserted their own school. A public meeting was held, and the School Board was asked to order them to return. The Board complied with the request, and the colored people propose to apply for a mandamus. At Yellow Springs, the School Board has ordered the schools closed indefinitely, or until the Legislature can meet and take some action. At Ripley a suit in mandamus has been entered to compel the School Board to admit colored pupils.

The Wood Local-Option Law of Missouri, which gave the right to every county to decide by popular vote whether the liquor traffic should be carried on or prohibited, and under which elections have already been held in twenty-four counties and prohibition established in nineteen, was declared unconstitutional by Judge Burgess of the Circuit Court of Grundy County at Trenton, September 22.

James A. Stewart of Wichita, Kan., September 22, was sentenced to seventeen years and four months in the county jail and fined \$20,800, with costs of prosecution, for the violation of the Prohibition Law. He was a clerk in a drug store, and pleaded guilty to an indictment containing 2,080 counts.

The Republican Convention of the Twenty-fifth New York Congressional District September 26 nominated James J. Bolden for Congress to succeed Mr. Hiscock, elected Senator.

At a meeting, which lasted for several days, of veterans of the Union and of the Confederate Army at Evansville, Ind., a sham battle was fought September 23. The Confederate veterans were commanded by Col. R. M. Martin, who was a Confederate cavalry officer, and one of the officers of the Union veterans was his brother, T. P. Martin.

The Grand Army of the Republic went into its annual encampment at St. Louis September 27. The parade, which was set for that day, was postponed because of the rain. There is a very large attendance of veterans.

Oscar Neebe, the only one of the convicted Chicago Anarchists who was not sentenced to be hanged, was taken from the jail in Chicago to Joliet September 26, to serve out his sentence of fifteen years in prison.

The Extraordinary General Term of the Supreme Court of New York, convened to hear the arguments in the appeal of Jacob Sharp from his conviction for bribery, on September 26 handed down a decision sustaining the con-

viction and the rulings of the Judge who presided at the trial in every particular.

Eleven criminals were publicly whipped and two put in the pillory at Newcastle, Del., September 24, for theft, according to the law of the State.

The majority report of the Committee of the New Hampshire Senate to investigate the accusation made by Senator O. D. Sawyer that Mr. Kirk Pierce tried to bribe him to vote on a railroad bill, declares that "upon our construction of testimony and in our opinion the Hon. Oliver D. Sawyer is justified in the conclusion that it was the intent of Mr. Pierce to tender a bribe."

The centennial anniversary of the establishment of Huntingdon County, Pa., was celebrated at Huntingdon September 22-23, and of the town of York, Pa., on the same days.

A hurricane beginning on the night of September 21 and lasting for thirty-five hours blew down many houses and unroofed many more in Brownsville, Tex., and did serious damage also in Matamoras, Mex. It was accompanied by a rainfall of more than ten inches. Crops in its path were destroyed and many cattle perished.

There was a heavy snow-fall September 24 on the White Mountains, and the thermometer registered 15° above zero.

A test of automatic air-brakes on trains of cars, made at Burlington, Ia., September 20, showed that a fifty-car train, 1,900 feet long, equipped with the Westinghouse brake, running at a speed of forty miles an hour, can be brought to a stand in a distance of 695 feet without shock, and at twenty miles an hour in 155 feet without shock. A train of twenty cars, running forty miles an hour, was stopped in 484 feet without shock.

In the first race for the *America's cup* by the American sloop *Volunteer* and the Scotch cutter *Thistle* September 27, in New York Bay, the *Volunteer* won, the time being 4 hours 53 minutes 18 seconds, and 5 hours 12 minutes and 41¼ seconds. The second race will be sailed September 29.

Gen. William Preston died at his home in Lexington, Ky., September 21. He served in the Mexican war, was several times a member of Congress, and was Minister to Spain under Buchanan. He was a Confederate Brigadier and Major-General. Gen. James B. Ricketts, the commander of the famous Ricketts Battery in the Union Army, died in Washington September 22. Joseph Patterson, President of the Western National Bank of Philadelphia, and of the Philadelphia Clearing-house Association, died September 25, aged eighty-four. John M. Campbell, a veteran of the war of 1812, died September 26 at Clinton, Ill., aged ninety-three.

FOREIGN.

The weekly *Nationalist* papers throughout Ireland last week published the usual reports of the proceedings of local branches of the League, despite the fact that under the terms of the new Crimes Act the editors are liable to imprisonment.

Mr. William O'Brien on September 24 was found guilty, under the Crimes Act, of seditious language at Mitchelstown and was sentenced to three months' imprisonment. When he was taken from the Cork jail to Mitchelstown, September 23, he was loudly cheered, and upon his arrival he was received by a large crowd. Many English ladies witnessed the trial. When the case was opened, several policemen were called as witnesses for the Government, who testified from memory as to his language, which, they asserted, tended to excite his listeners to violence. During the hearing of this evidence a procession, armed with sticks and headed by a wagon carrying a band, marched into town from the country. Mr. O'Brien, replying to the charge of having used seditious language, declared that the Court was not competent to try him, because it was foreign in its composition to the requirements of