

GRIBBLE VS. P. P.

Testimony Concluded—Able Argument of Hon. J. B. Brislin.

Judge Brill's Charge—The Jury to Announce Their Disagreement This Morning.

The trial of the Gribble libel suit against the Pioneer Press, for \$15,000 damages, was resumed before Judge Brill in the district court this morning by the defense calling to the witness stand John D. O'Brien, Esq., and known Gribble since 1873 and what his reputation was. He thought the application of "shyster" too strong a term to be given, though he had the reputation of being addicted to unprofessional practices in legal practice in which he was incompetent. In regard to his being the "butt of the town," he was a laughing stock among the lawyers, but whether he was such with the general public he could not say. No cross examination made.

J. A. Wheelock said he had been in the city 34 years and was president of the Pioneer Press corporation since 1873 and what his complaint in the first Gribble libel suit against that paper were served on him by Gribble, Aug. 23, 1882, personally. Objections were made and sustained to testimony of this witness as to the character of one Fosness, and exceptions taken to said ruling. No cross examination.

Here the defense rested and H. A. Castle was called in rebuttal by the plaintiff. Had known Gribble ten or twelve years; Gribble not doing anything to characterize the articles filed by him in Adjutant Gen. Hawley's office pre-fering charges against Foster, and these papers were obtained without his knowledge for publication. He (witness) had sought for, and obtained, these papers as a matter of public interest and news. He first heard Hawley reading them to the governor, accidentally dropping in upon them, and asking Hawley for them for publication was refused. He went to his office and sent up an obedient reporter to steal the papers which he did, and that was all he knew about the matter.

Henry J. Horn, also called in rebuttal, was asked as to the character and reputation of Gribble as a lawyer or shyster, which question was objected to, witness said that he had never heard Gribble called a shyster except in this case.

Fred Allen thought Gribble a shyster only in a technical sense, and that he had known Dickson, character of the articles, Pell; Uri L. Lamprey also gave a definition of a shyster as he understood the term; and Ezekiel Hall, E. A. Weller, G. J. Rice and J. Warner and T. C. Abbott had no other idea of the character of Gribble as a shyster except as gleaned from the newspaper reports in his suits.

Edward Gribble recalled described his filing of the papers in question against Foster for not doing duty as a patriot, matter claim with Adjutant Gen. Hawley, and reflecting on the character of Fosness.

Mr. Corah for the defense then made his closing argument, which was concluded at noon, and the court adjourned to two o'clock p. m.

AFTERNOON SESSION.

At 2 o'clock Hon. John B. Brislin commenced the closing plea for the prosecution, which occupied fully two hours, and which was not only a very eloquent, but a most able forensic effort. He characterized the publications complained of as having been charged with powerful malice, in extension of which they had not been able to adduce in testimony the slightest excuse. He admitted that his client Gribble was simple-minded, peculiar in some phases of his mind, and was not what might be termed of a full rounded intellect, but that no reason why he should have been selected as a target by this powerful newspaper organ. There were great minds in the history of the world who had been made laughing stocks by the public; for instance, the poet Goldsmith, who talked like a parrot, but wrote like an angel, and John Randolph, who was full of singular mental eccentricities. The good qualities and humanities of his client Gribble were the very ones for which he had been selected.

The Pioneer made this attack upon Gribble because it was the champion of Windom, whom it thought he was attacking in the Dispatch, and it meant to crush and kill him beneath the grindstones of its vomit and filth for this reason. Assuming that Gribble was maliciously attacking Windom through the Dispatch, the attack upon him was a violation of the rights of citizenship. It had been shown that nothing was safe from the "Octopus" or "Octopoid" of the press, who felt its way into the archives of every office and home, and the Dispatch and not Gribble had parlied the document from Gen. Hawley's office and published it in an attack upon Windom, whereupon the defendant had made a wanton attack upon plaintiff. This attack upon the Dispatch and the field was not justifiable, was against the public peace and good order, and although occurring in the heat of political strife, was autocratic and oppressive, and had no mitigating circumstances.

The defendant had sought that very morning to make its power felt on the very jury in this case, by publishing a garbled report of Gribble's testimony yesterday, and discarding the most salient and telling point in it, that he did not consent and was not party to the removal of the papers from Gen. Hawley's office for publication. That was the way the press of the country penetrated the arena of the courts and all business of the country to dictate its own decisions and legislation. Thus in the Pioneer Press resumed testimony by Gribble it disarmed it of all its teeth as far as it fostered guilt upon itself. Imperceptibly the press of the country is a great power for good or evil and operates in every field of human life. It has been and is subsidized by the money power of the land and this power was voiced through its columns in all its schemes and undertakings. It was as subtle and unobtrusive as the air, while it moulded public opinion to its will to enchain the people. In justification or excuse the defence in this case had utterly failed to show anything. Through profanity of malice added to admitted libel, the court completely shown, and he would thus rest his case.

CHARGE OF JUDGE BRILL.

The charge of Judge Brill to the jury was unbiased and to the point. He said the principles of law in this case were simple, and after defining the code on libel added that the law protects the reputation of the citizen as well as his property and allows the remedy of damages. The complaint in this case was the calling in public print of the plaintiff as "an imbecile shyster and the butt of the town." The word "shyster" is not very well defined, but as applied to lawyers it is a term of reproach and means that a lawyer is doing a doubtful practice of his profession, and in this case this must be taken in its popular meaning. Such a characterization is libellous to an attorney if untrue, and if true no libel is uttered.

The defendant claims this is true and that he was "the butt of the town." But the defendant must prove this to have been substantially true when it published the article. The question with the jury was, had the defendant introduced testimony to show this. The defendant had offered in proof that the plaintiff in his first suit had served his own summons and writ, which the law did not entitle him to do. But he would not go into the details of the trial. If the statement made by the defendant was true, that was the end of the case, but it was not true, the defendant was entitled to compensatory damages for his sufferings.

MILWAUKEE ITEMS.

[Special Telegram to the Globe.] MR. WATKINS, Wis., Dec. 30.—Miss Mary White Allen, daughter of the millionaire machine builder of this city, was married at noon today to Ed. J. Keeling, a London barrister. After a bridal trip to New Orleans, the couple will go to London, their future home.

Representative Holman thinks the letter is "the report of the coroner for the year above," and it was eminently proper for him to answer their inquiry as to his course in regard to removals from and appointments to office. He believes, added Holman, "that Gov. Cleveland is entirely honest and sincere and that he will faithfully carry out the civil service law." He said further that in Indiana Federal officials generally are very good men and good officers, with the exception of those in the post office service, who, Holman thought, had been appointed mainly for partisan service.

Small Blaze at Huron.

[Special Telegram to the Globe.] Huron, Dak., Dec. 30.—About 6 o'clock this evening fire broke out in the second story of the vacant saloon building in the rear of the Wright house. There was a fierce wind blowing and it was blowing from the west, and the fire spread rapidly, and the fire extinguishers had no effect. The fire was extinguished. The origin of the fire was incendiary.

THE CIVIL SERVICE.

Dorman B. Eaton Supremely Happy Over Gov. Cleveland's Reform Letter.

The Epistle Also Pleasing to a Number of Democratic Congressmen.

A Rumor Afloat That the Support of the Mexican and Nicaraguan Treaties Will Be Meager.

Chandler Issues a Sweeping Order Decapitating the Greater Part of the Government Marine.

Bland Turns Up in Washington and Places Himself on Record as Favoring Unlimited Coinage.

The Children's Christmas—A Decreased Cotton Yield Expected—Hazen and Holtworth.

RATON ON CLEVELAND'S LETTER.

[Associated Press.] WASHINGTON, Dec. 30.—Hon. Dorman B. Eaton, president of the civil service commission, was today asked by a representative of the Associated Press for his views in regard to Gov. Cleveland's letter published this morning. Eaton in reply expressed himself as follows: It would be unpardonable presumption in me to assume to speak for Gov. Cleveland, but I must speak freely for myself. I regard the letter as the deliberate, significant and timely utterance of a man who comprehends the situation and has the courage of his convictions and his duties. It is a platform on the subject to which it relates. The views of the letter are those common to all true statesmen of both parties. These views are those most rapidly growing in the hearts of the people. The policy disclosed in the letter is that which should be followed by the power or the country except in the most extreme cases. It is a policy which is not only sound in principle, but which is also sound in fact. It is a policy which is not only sound in principle, but which is also sound in fact. It is a policy which is not only sound in principle, but which is also sound in fact.

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