The Wheeling Daily Intelligencer.

ESTABLISHED AUGUST 24, 1852. WHEELING, W. VA., TUESDAY MORNING, FEBRUARY 5, 1889. VOLUME XXXVII--NUMBER 142.

Our Shame!

WEST VIRGINIA DISGRACED.

The Democratic Conspirators Accomplish Their Designs at Last,

And Perpetrate the Outrage Upon the Honest People of the State,

Which the Republicans Bravely and Consistently Fought Against.

The Grave Situation, and a Crisis for General Goff to Settle.

THE CONSTITUTION AND LAW

Trampled Ruthlessly Under Foot by the Sheer Force of Numbers.

Indignant People Will Rebuke the Foul Proceeding at the Polls.

A Memorable Debate in Joint Assembly. The Story of West Virginia's Shame—Something for the People to Remember.

Special Dispatch to the Intelligencer.

CHARLESTON, W. VA., Feb. 4.—Gen. Goff's fate as Governor of West Virginia was sealed to-day. This Legislature will never declare him elected. When the trial and determination of the contest comes, his little majority will be swept away by the conclusive logic of a bare majority in the Legislature. To hold out to the men who voted for him any hope whatever of his being declared elected would, after to-day's proceedings, be a mere trifling with their loyalty to him and their regard for the sanctity of an election. Until the deed was done, I hoped to be able to say that when the crisis came there were some Democrats whose regard for the Constitution and fair play carried them over the barriers of prejudice and bad logic erected by their leaders. It is the history of this never to be forgotten case that when the crisis came not one Democrat was any better than any other Democrat.

NOT ONE FAIR MAN.

Not one represented that large element of the Democratic party in West Virginia which scorns a mean and revolutionary act, though it give to their party the tributary advantage of an unearned victory. General Goff stands to-day where he did when the polls closed on the 6th of November, but his election on that day has not influenced and will not influence a party which has shown its determination to tear to shreds the Constitution and laugh in the face of the people whom it defrauds. No citizen of West Virginia, not lost to all shame, could have witnessed without a blush the cold brutality of this day's work. The argument was all on the Republican side, for that side was the side of the Constitution, framed by the Democrats themselves, and of the precedents also established by them. It was, moreover, the side of the right of the majority to have respected its lawfully expressed will.

DISGRACEFUL TACTICS.

When the Democrats got ready to apply to their forces the whip and the spur, they made a new proposition, and desiring no discussion thereof, applied the gag of the previous question. No voice of protest came from their side—no vote in favor of a full and free discussion to the last. When they had finally put through their scheme they managed again, by the sheer weight of numbers, to prevent an individual record. That is why they stopped the roll call after Lively's substitute had been adopted instead of Maxwell's resolutions.

AN UNFAIR SPEAKER.

The demand for a vote on the resolution was a demand for an unnecessary thing and the Speaker would have been right if he had promptly so ruled, but the demand came from his own side and he acceded to it. Not until he found that his own side did not want to go on the record at this point, did he find that the question had been exhausted and that the roll call was out of order. The Republicans in the House insist that the Speaker has ruled dead against this ruling at other times this session, but then the exigencies of the case were different. At a critical point the Speaker also happened not to hear a loud Republican demand for an appeal from his decision, but the appeal would not have been sustained and so his failure to hear made no material difference. The Speaker was not more deaf than all the members on the Democratic side. No argument could reach them.

REPUBLICAN SHARP SHOOTERS.

Young, Bryte and Hanen, acting as sharp shooters, fired into their ranks the minie balls of unanswerable interrogatories. Meyer made a strong appeal for justice on constitutional grounds, and gave them a speech they could not answer. Maxwell made a judge's exposition of the case, the ablest and most lucid argument yet heard on the proposition of the Democrats to rape a State in broad daylight. They paid no more attention to these things than though it had been the whistling of the wind. By word and manner they gave the Republicans to understand that they had the power and intended to use it.

SHAMELESS REVOLUTIONISTS.

Their argument degenerated into the mere use of a club, used without mercy or decency, as they sat in their places, secure in their narrow majority.

Public opinion had no terrors for them. They plunged in gally to justify the worst predictions made of them by the most boastful of their own party. If they were willing to defy the law to-day, nothing can justify the hope that at a later day they will respect the evidence. The few lead and the many follow, and so it will be to the end. They will declare their man elected.

General Goff might take the seat to which the people have chosen him, and he would hold it no longer than they could go through the contemplated farce of an investigation and throw him out of his seat.

A GRAVE CRISIS FOR GOFF TO SETTLE.

It becomes now a matter for him and his friends to consider seriously whether he should involve the State in certain turmoil with the equal certainty that he could hold but a month or two at least. This is the situation briefly and plainly stated and the people of West Virginia should understand it. There will still be Democratic professions of honesty, and they will still be judged by the dishonesty with which they have covered themselves as with a shroud.

GOFF WILL NOT WAVER.

General Goff is not the man to stand back in dread of the resistance that would meet him at the threshold of the executive office, which resistance is thoroughly planned, but he may well hesitate to push his case further before a tribunal which has already rendered judgment against him. He leaves early to-morrow morning to attend to some important matters in the House, whither he was summoned to-night by telegraph. He will have ample time to consider the situation and determine what he should do.

Republicans are enraged, but the majority, small as it is, does not mind that, knowing that at the last it can and will seat as Governor the candidate who was not elected.

SAVE FOR REFERENCE.

Every voter in West Virginia should save for reference the INTELLIGENCER'S full and fair report of this closing debate on which the Republicans are content to go to the people of the State. It is in itself a crushing condemnation of the Democratic position.

Republicans are not alone in their indignation. The best Democratic lawyers here agree with them, and so do Democrats who are not lawyers.

Judge Ferguson says openly that he never placed himself where Senator McCreery sought to place him to-day, and further, that the Democrats in the Legislature are unsupported in their position by law or reason.

THE DEMOCRATIC POSITION.

The Democratic position now stands thus: They are opening and reading the returns for Governor, but not putting them on the record, where they would be of service to General Goff; they are opening them without provision for taking care of them; they are contesting the seat of a man who they declare has not even a prima facie case but stands on an exact equality with the man who contests the seat. Their contest is to oust nobody from nowhere. The reading of the returns stopped to-night with Cabell county. It is being noised about that when Kanawha is reached they will refuse to read the returns from that county, thus giving Fleming an apparent majority of about 1,400.

WHERE WILL THE VILLAINY CEASE.

But the scheme is said to go further and take in the delegates from Kanawha, upon whom no notice of contest has ever been served, and upon whom no notice can now be served. Democrats say that these Kanawha delegates are to be thrown out. A few days ago I should have declared this rumor absurd. Now I want to see what may happen. The move is said to be in Senator Kenna's interest, as the Gubernatorial contest has been from the beginning.

KENNA'S DODGE WON'T WORK.

Nothwithstanding all the effort Senator Kenna and his friends have made and made successfully in the Gubernatorial matter, Mr. Kenna can't be elected again to the Senate. He begins now for the first time to see things as they are. Three ballots were taken to-day, the Kenna men hoping to drive their favorite through by the assistance of Carr's vote. Eighty-three votes were cast: First ballot—Kenna 40, Goff 39, Carr, Harr and Kirk voting for James Bassel, of Lewis county, and Dorr for C. W. Dailey, of Mineral. On the second, Shanklin, of Monroe, broke from Kenna, and voted for ex-Speaker Rowan, of his county. Merrill, of Wirt, followed, and Dorr came tumbling after. On the third ballot Merrill went back to Kenna just for the fun of it, Shanklin and Dorr sticking to Rowan.

KENNA TO BE TAKEN DOWN.

There was no conference or caucus to-night, the understanding being that Kenna is to be taken down in open session. However this may be, Merrill says he has polled his last vote for Kenna. Shanklin says he is off to stay and other recruits are expected to-morrow. Vanpelt is billed for a public speech in explanation of his vote on the first ballot at noon, in which he will give some strong reasons why he cannot support Kenna and why Kenna can't be elected. The antis expect that fifteen or twenty, according as their nerve lasts them, will join the revolt before dinner. Carr has his own lightning rod up higher than the Kanawha hills. This is the meaning of his daily refusal to vote for anybody except some one who has not a ghost of a show to be elected. He succeeded so well in his determined effort to be elected President of the Senate, and enjoyed so much the eager rivalry of the two parties to get to him first when his hour came, that he sees no reason why the same good luck shall not put him in the United States Senate. The reason is that he cannot get the votes.

A BIG DAY AHEAD.

He certainly can get no Republican help, and if the Democrats try to carry him through the subsequent proceedings will be interesting, but they won't elect President Carr. His secret has been well kept and his position is not now generally known, but the fact is precisely as I have stated it, including the absolute certainty of the defeat of his aspirations. Between the sensational rumors concerning the further canvassing of the returns and the Senatorial complications, to-morrow bids fair to be a day of almost as much interest as this has been, and this has far outstripped all its fore-runners. C. B. H.

THE DEBATE IN DETAIL.

Lively's Substitute, as Amended, Permitting the Returns to Be Opened, But Not Declared, Passes—Interesting and Exciting Debate.

Special Dispatch to the Intelligencer.

CHARLESTON, W. VA., Feb. 4.—In joint assembly this morning, the pending question being Senator Maxwell's resolution to proceed at once to open and publish the returns, Mr. Young (Republican), of Upshur, said there was every reason why this resolution should be unanimously adopted. It requires only what the Constitution requires. In opening these returns you open the returns for Governor as well as for the others. What is to be done with those returns if you don't read them? Are they to be broken open and then no account taken of them? The Speaker may be honest, but who knows who may tamper with those returns? The honest Democrats would not indorse that procedure. It is simple justice that this resolution asks. It is unreasonable not to do what the Constitution says shall be done. If the Democrats are determined to carry out their policy indicated by them, there will be a reckoning two years hence.

A SUBSTITUTE.

Delegate Lively offered as a substitute that the returns be opened, tabulated and read for all State officers except Governor.

Delegate Meyer (Republican), of Kanawha, said that none of the constructions put on this constitutional provision by the other side anything to do with the constitution. The Senator from Mineral, for example, had said that if Goff was put in the Governor's chair he could not be ousted, but what has that to do with the constitutional command that you shall do this thing? You don't deny what the constitution requires, but you say you fear the results of obeying the constitution. The question is whether we are going to declare who has the majority of the votes. We are not here in political convention, but in assembly to do a sworn duty.

A STRONG POINT.

Do you think the people who voted for Governor will endorse you if you say you will take no notice at all of the election of Governor? For the moment I stand as the champion of Judge Fleming and I say you are treating him with contempt for you refuse to recognize that he received any votes for Governor. You are treating Goff and Fleming shamefully. Mr. Carskadon, Prohibition nominee for Governor got some votes. He could as well come here, give notice of contest and forbid the publishing of the returns. He only needs a majority in this assembly.

Mr. McCreery (Dem.), of Raleigh, took the ground that this resolution was inconsistent with the resolution passed the other day. The moment you place on the journal the tabulated statement showing a majority for Goff, you Republicans would say that Goff has a majority and should be declared elected. It is the joint assembly not the Speaker, that opens and publishes the returns. The result cannot be changed here while there is a record in each county in the State. This joint assembly has full power over the returns and full power to say who is elected. In 1880, Judge Ferguson held this view.

Senator Scott—Would the Senator from Raleigh like to have Judge Ferguson's opinion now?

A SILLY REJOINDER.

Senator McCreery—We are entitled to our own opinions now. [Laughter.] I don't think Judge Ferguson's views now, when he is an old man, so good as when he was in the prime of life. [Derisive laughter on the Republican side.]

Dr. Bryte, (Rep.), of Preston, said he was no jawsmith as were some gentlemen on the floor, but he would like to know in a plain way whether there were no returns for Governor. No; they are in your hands, Mr. Speaker, and you will not do your sworn duty. Why do you not perform your duty? This substitute resolution was worthy the legal ability of the gentleman who indicted his neighbor for the murder of a sheep. [The indictment was in the hands of a gentleman on the floor, and had been passed around pretty generally, so that the referrence to Mr. Lively's indictment was understood and provoked laughter and applause.]

SENATOR MAXWELL'S STRONG SPEECH.

Senator Maxwell (Republican), of Harrison, said that ever since he had offered his resolution that branch of the question which it covers had not been touched in the discussion, the assembly having taken the matter out of the Speaker's hands, as in Senator Maxwell's judgment it should not have done. He had framed his resolution to meet this view of control so that the assembly might direct the Speaker what to do. It has been asked what would be the result if the returns were opened? That it was not necessary to say. Let the proper disposition be made, which he thought would be a reference to the committee to be raised to consider the subject. It can't be that the Speaker or this Legislature can deny to the people the right to know what is in those certificates. It is held on the other side that the mere opening of the returns is the declaration of the result. The questions are wholly different. Until the returns are opened no result is shown. Reference has been made to the Electoral Commission of 1876. What went with those certificates there? Who thought to say they should not be opened? No one thought to say there was power to make the President of the Senate violate his oath. Those certificates were read and where no objections were raised the returns were included in the count. In the Florida case the two sets of certificates were read and referred to the commission. Always the President of the Senate opened the returns. In that great body no attempt was made to evade a simple constitutional duty. Our constitution says they *shall* be opened. What have we to do but open them? If the seal be broken and they be opened. They are by that act published. Here are two duties. The first, to open, incumbent upon the Speaker; the second, I thought equally his duty to declare the result. But this house has taken an opposite view and the question is open to two constructions. Not so with the first duty to open, about which there can be no difference of opinion. The constitutional requirement is imperative. What goes with these certificates for Governor after they have been opened? Where does the Speaker put them? In his pocket—that is one suggestion. Where is the advantage to anybody in refusing to open or in opening these returns. There is no advantage beyond enabling the Legislature to investigate the whole subject when submitted. How are we to get away from the constitutional command! What excuse can be given?

MR. SPRIGG'S CHILDISH BREAK.

Delegate Sprigg (Democrat), of Hardy, said he approached with fear and trembling a discussion of this question. All this stuff about King Caucus and the violation of oath should not have been heard on this floor. What do we know on this side about King Caucus? I might say that you, too, are controlled by King Caucus, and he is only one man. I might say you are owned, body, boots, breeches and shoes by Nathan Goff.

Delegate Stuck (Republican), of Doddridge—Do you say that?

Mr. Sprigg—I say I might say it, but I don't.

Mr. Stuck—You wouldn't believe it if you did say it.

Mr. Sprigg, resuming, said the resolution of Senator Maxwell was directly in the teeth of the resolution adopted by the joint assembly declaring that the returns should not be published. His resolution is therefore out of order; but the Democrats did not make the point because they desired to finish the discussion. Mr. Sprigg preferred his own substitute providing for a mere opening of the returns.

Delegate Young—You say you wanted to give a chance to discuss. Did you not call for the previous question on the first resolution?

Mr. Sprigg—Yes I did, because your side was filibustering.

Mr. Young—Did you say, or do you say, that this matter was not discussed in your caucus?

Mr. Sprigg—I did not say so, but I will now. But what has your side to do with our caucus? That is not your business.

A WEAK PLEA.

We are not responsible to you, but to the people our conscience and our God. I have not heard any one say that the Speaker shall not open the returns, but that the returns relating to Governor shall not be published and the result not declared. We do not mean to take from the Speaker any duty, but we say he is under the control of the House. Under the strict construction of the Republican side you can't open those returns at all, because the Speaker is required to do this immediately after the organization of the House, which was on the first day of the session. Talk about violation of the constitution, this House didn't do it. No Democrat did it. You Republicans have been in revolution ever since the opening of the Legislature, and now, when you do come here you have the affrontery to say that we are in revolution. Can it be that we are required to assemble here for the idle ceremony of looking at the Speaker open the returns? It is absurd. Wouldn't it have been as sensible to say the galleries should be filled to witness the ceremony?

AN APT QUESTION.

Mr. Young—Will the gentleman tell us why the requirement to open is binding and that to publish isn't?

Mr. Sprigg—If you will possess yourselves in patience I will try to answer you. Now what you demand may be all right when there is no contest, but do you believe that the whole power is placed in the hands of the Speaker of the House? We have not been told when this House departs from its ministerial character and puts on a judicial character. There is no provision that the President of the Senate shall be learned in the law. The judicial character of this body begins when it has official notice that there is a contest. Whoever noticed the confusion on the other side when Judge Fleming's notice was filed could very easily determine when this body put on its judicial character. Republicans contend that a certificate which Judge Fleming has branded with fraud shall be counted in these returns.

SPRIGG IS BOTHERED.

Mr. Young raised a point of order that Mr. Sprigg's remarks were not pertinent to the resolution, and therefore out of order. The Speaker said he did not wish to determine that question, and it was not pressed, though it was evident that Mr. Young was bothering Mr. Sprigg, who, continuing, said there was a certiorari proceeding with which this Legislature could not interfere. Under the laws of this State you have no returns for the Governor from Kanawha county.

Mr. Hanen—Did not the Court of Appeals say the Legislature had sole control of this matter?

Mr. Sprigg—It does not matter if it did, though I think it did not; that is not what we are considering.

Mr. Hanen—Are we here to try the vote of Kanawha country, or to do something else?

Mr. Sprigg—We are here to consider all the returns from all the counties—not to sit here like dummies listening to the reading of the returns. We are not trying, only getting ready to try it, but we are now a judicial body. Are we to pronounce judgment and then try the case? For himself he would rise above party in this matter. If this constitution be mandatory in one particular it is in all, and so if the declaration of the result need not be made, why is it insisted that the result shall be published?

AMUSING COLLOQUY.

He would call attention to a publication in the Charleston dispatches to the INTELLIGENCER, saying that Goff was neither dead nor disqualified, and he would qualify.

"That is right," interrupted some Republicans.

Mr. Sprigg—The Senator from Ritchie had told us about wading in blood up to our boot tops at about this point.

Senator Morris—I did not say that exactly. I said nothing about boot tops, though I may have forgotten to say we should go bare footed. [Laughter.]

Mr. Sprigg—I did not so understand the Senator.

Mr. Morris—If God Almighty did not give you brains enough to understand me, that is not my fault.

Mr. Sprigg—If He did not He must have been short at the time.

Resuming, Mr. Sprigg said he proposed to hold off Goff and Fleming, putting them on an equality.

Delegate Moore (Rep.), of Harrison—You want to put men on an equality after the people have elected one of them?

Mr. Sprigg—That is what we are trying to find out, who is elected. I don't know any law to determine this in advance of trial.

A voice from the Republican side—Maybe you don't want to know.

Mr. Sprigg—Well, if I don't, I won't learn it from the gentleman.

Mr. Moore—That was not my answer.

Mr. Sprigg—Well, that is my answer.

MR. SPRIGG CORNERED.

Going on, he said that in 1876 no electoral certificate that was questioned was opened, read or published.

Senator Maxwell—I say they were read. Read the Senate Journal.

Mr. Sprigg—Well, I won't discuss the matter with the gentleman; he is older than I am.

Mr. Maxwell—When I state facts, they are facts; when I give opinions I may be mistaken.

Mr. Sprigg went on to argue that proceedings before the Electoral Commission strengthened the Democratic position in this matter. He read from the speech of Roscoe Conkling, in which Mr. Conkling was interpreted as taking the position now taken by the Democratic party. Mr. Sprigg said that when the issue comes to be tested he will vote to seat the man who may be shown to be elected, no matter whom that may be.

Senator Flournoy (Democrat), of Hampshire, as an amendment to the substitute moved to add that the Speaker shall also now open the returns for Governor, which, however, shall, without being entered on the journal of either house, be referred to the committee to try the contest. Mr. Lively accepted the amendment. Mr. Flournoy said the amendment was suggested by the able and learned speech of the Senator from Harrison county [Mr. Maxwell.]

Mr. Sprigg moved the previous question on the substitute.

Mr. Scott thought it strange that the previous question should be moved on a new proposition.

Mr. Sprigg withdrew the demand for the previous question and Mr. Scott renewed it. The ayes and noes on this were 39 to 39, which showed that a tie vote on Lively's amendment would defeat it. Each side saw the point. The Democrats became suddenly desirous to adjourn, the Republicans insisting to go on with the business. The Democrats looked the field over to see who of their men were absent. At once a messenger was sent for Merrill, of Wirt, who, it was said, had taken the un-Democratic liberty of going in search of a bath. Presently it was discovered that Merrill and Smith, of Hancock, were paired and Smith had been recorded as voting. Then the Democrats recovered from their fright and the Republicans got over their jubilation. There was no trouble now to get a recess at 6 o'clock until 7:30.

THE EVENING SESSION.

At the evening session of the House, before the Senators entered, Mr. Hanen (Republican), of Marshall, offered a resolution setting forth that whereas it appeared from the notice of contest served by A. B. Fleming that Nathan Goff received 110 majority on the face of the returns, therefore be it resolved that Nathan Goff is duly elected Governor, and provided that this declaration shall in no way affect the pending contest. The resolution lies over a day under the rule. The Senators appeared and the two houses went into joint assembly. The Democrats insisted on the previous question.

Mr. Young, said Mr. Sprigg had promised to answer his question put during afternoon and had not done so. He hoped the discussion might not be cut off before the gentleman from Hardy had a chance to answer. An aye and no vote was taken on the demand for the previous question.

When Senator Maxwell's name was called he said it was an unheard of proceeding to offer a new amendment and at once apply the previous question.

Senator Sweeney said the demand came from the Republican side and was met with an indignant storm of "No! No! That's not true!"

[In fact, the Journal shows that the motion came from Senator McCreary (Democrat), of Raleigh, and there was no real doubt in anybody's mind as to its origin or its purpose.]

THE GAG LAW APPLIED.

Mr. Young, in explanation of his vote, said he had asked two questions, still unanswered: First, what would be done with the returns for Governor if not put on the Journal. The substitute provides that the returns shall go to the committee when appointed. Where will they be in the meantime? Second question: Why the constitutional demand to publish the returns is not as binding as that other command to open. This question is not yet answered.

The Democrats made points of order against Mr. Young that he was not explaining his vote. The Upshur delegate was bearing down hard on the other side. He went on to say that this move is so unfair that the Democrats are unwilling to have its unfairness shown. Here there were more points of order, Senator Price, of Mineral, taking a hand to shut off Mr. Young, who took it all good naturedly and kept on throwing his javelins, to the amusement of those Democrats who could take a joke and the displeasure of those who could not. Mr. Young was always in good humor and always bent on getting in his work. It was one of the most enjoyable episodes of the long discussion. The Chair finally ruled Mr. Young out of order, and some Democrats applauded. But Upshur had covered the ground just the same.

The previous question was ordered by a strict party vote. Shaw (Democrat), of Barbour, had voted with the Republicans, but the pressure was put on and he dropped back in the ranks.

CARRIED.

The question being on Lively's substitute to Maxwell's resolution Senator Maxwell said, in explaining his vote, that the substitute provides no place for keeping the returns. It leaves the returns in a precarious and entirely unsafe condition. Senator Snyder (Republican), of Monongalia, said it made no difference what this joint assembly did, the result was already known to the people of the State and the country. Delegate Shaw (Democrat), of Barbour, said he had changed his vote on the previous question because he discovered that the Republicans did not insist to discuss, but to fillibuster.

Again there was a strict party vote, 38 to 37, by which Lively's substitute was adopted.

DEMOCRATS TOO COWARDLY TO GO ON RECORD.

The joint assembly had resolved to open the returns for Governor, but not to publish and not declare them. After the adoption of the substitute the main question was put at the request of Senator Sweeney (Democrat), of Tyler.

The Republicans demanded an aye and no vote, during the taking of which Senator Flournoy (Democrat), of Hampshire, made the point that the roll call was out of order, the question being already disposed of.

Senator Price (Democrat), of Mineral, agreed with Mr. Flournoy. Senator Morris (Republican), of Ritchie, Senator Campbell (Republican), of Jackson, and Senator Scott (Republican), of Ohio, took the opposite view.

The secret of the Democratic position was that they did not want to go on record and they knew the Republicans were trying to get them there. The chair decided the point of order well taken and the roll call stopped.

THE RETURNS OPENED.

The Speaker said he would now open the returns. Senator Morris asked for an appeal from the decision which the Chair did not entertain. When Mr. Morris asked what had become of his appeal the Chair said he heard none.

The clerk began reading the returns. When he came upon the vote for Governor and read the same, there was applause from the Republican side and the galleries. Clerk Hamilton stopped, turned to the Speaker and awaited orders. The Speaker must have told the clerk to go on, for he went on. The Republicans had out their paper and pencils, taking down the vote for Governor. The clerks did not take it down for the Journal. There had been much excitement leading to this proceeding, but the reading was a dreary enough performance. Members crowded the coat rooms and filled them with smoke, which, finding its way into the hall, was a grateful incense, composed with the mixed malodorousness of the hall. The reading of the returns went as far as Cabell county, inclusive, when a recess was taken until 10:30 a. m. to-morrow. The reading goes on in the morning. C. B. H.

On Trial for Voting.

Special Dispatch to the Intelligencer.

PARKERSBURG, W. VA., Feb. 4.—D. H. Smith, of Huntington, was put on trial in the United States Court to-day for illegal voting. He is defended by John A. Hutchinson, Governor Jackson and W. N. Miller. This evening the case was adjourned over until Wednesday. Tomorrow John S. McDonald, of Kanawha county, will have his hearing for alleged bribery.

ARRESTED FOR SWINDLING.

A Student who Collected a Library at Other People's Expense.

Special Dispatch to the Intelligencer.

PARKERSBURG, W. VA., Feb. 4.—Deputy Marshal Sine came in at noon to-day having under arrest L. B. Triplett, a student in the law department of the State University at Morgantown. Triplett has used various *aliases*, among them being J. B. Stout and H. G. Dumire. His home is in Randolph county. He was arrested on the charge of having used the mails to defraud various publishing houses. His scheme was to write to these publishing houses, representing himself to be a County Superintendent of Schools or a teacher of high schools, in order to get all kinds of books for examination, and then neither return nor pay for them. He had in this manner collected, it is said, a large library, and the Eastern publishing houses were clamoring for his blood. He is said to have stood high in the law school at the University, and the faculty and the other students were greatly shocked when he was arrested. The case was worked up by Special Examiner T. D. Coghill.

A Track Walker Killed.

Special Dispatch to the Intelligencer.

PARKERSBURG, W. VA., Feb. 4.—Freight engine No. 436 coming into Parkersburg from Grafton, over the Baltimore & Ohio Saturday night, killed a track-walker named John Dickens at Smithton, and carried some of his remains as far as this city. He was about 25 years of age. The exact cause of the fatality is not known.

FOR ORGANIZED LABOR.

The Year 1889 Will be the Most Memorable on Record.

INTERNATIONAL CONGRESS

To Be Held in Paris, and What it Hopes to Accomplish--Every Class of Wage Earners to Be Represented—Those to Be There.

NEW YORK, Feb. 4.—For organized labor, whether in Europe or America, says the *Herald*, this year, promises to be one of the most memorable on record. To-day the American and European wage earners stand, as a rule, aloof from each other, both in times of prosperity and times of adversity. The chances are a thousand to one that a year hence they will be bound together by indissoluble ties of friendship and self interest.

During the latter part of August, while the splendid exposition is in full swing, skilled wage earners or their representatives, will gather in Paris from all parts of the civilized world, and will hold there the first International Congress of workingmen that has ever been held. Socialists, Anarchists, Possibilists, Nihilists, revolutionists of every shade and type, will sit beside conservative Trades Unionists from England and America, and beside the zealous Knight of Labor from New York will be found the sturdy, social democrat from Berlin and the hot-headed revolutionist from Madrid. Any reputable body of men who have distinct views to express on the labor question will be allowed to express them, and no matter how visionary their views may be, they will receive a patient hearing and due credit for whatever modicum of wisdom there may be in their plan for the reorganization of society.

The object of the Congress is two fold. In the first place it proposes to establish and maintain on a permanent basis, an international association of American and European workmen, and in the second place it proposes to formulate and sanction a fixed policy, which shall be strictly adhered to by all regularly organized laborers. In other words, as trade unions protect and otherwise look after the interests of their members, so this Congress proposes to protect and otherwise look after the interests of all the organized workingmen in the world.

Credit for this great idea is said to be due to the Paris Socialists or Possibilists, as they are also called. Believing that all evils of society can be eradicated by peaceable means, these revolutionists concluded that they could not better celebrate the centenarry of the memorable French revolution than by inviting to Paris representatives of the various bodies of wage-earners in all parts of the civilized world with the object not only of letting the world see the real strength of labor, but also of welding into one cohrent mass, the many conflicting elelements which have hitherto proved fatal to any permanent and universal union of working men.

MOMENTOUS TO WAGE EARNERS.

I was yesterday assured by a Belgian anarchist, who will very probably attend the Congress as a delegate from Newark, N. J., that the chance will prove most momentous not only to the wage earners of the world, but also to their employers.

"As long as trade organizations are isolated, he explained, "they cannot successfully compete with capitalists. As soon, however, as the men in Europe and America who work at the same trade become sworn allies, their employers will think twice before they offend such a powerful organization.

"Mind you, I don't believe the Congress will pass any extremely radical measures. It will not ask too much of employers and it will not give workingmen all they want. It will simply show the workingmen of the world how they may protect themselves in case of oppression. Such, at least, will be the aim of the conservative delegates, and thwarted as they may be in regard to matters of detail by the extreme radicals, I am inclined to think that a conservative policy will prevail.

"I expect there will be at least a thousand delegates at the Congress. Of these about 250 will come from Great Britain, 200 from Germany, 200 from France and the remainder from the United States and from the other countries of Europe. Mr. Powderly will represent the Knights of Labor, and every trade union of any prominence in America will have at least one delegate there. The deliberations will last for some weeks, and you may rest assured that every phase of the labor question will be fully discussed."

The groups of the New York Anarchists were invited sometime ago to attend the Congress, and it is probable that at least three of their number will accept the invitation. Like all other workingmen, they regard the event as one of unprecedented importance, and are confident that it will prove a turning point in the history of the labor question.

THE NEW YORK STRIKE.

No Trouble Yesterday in the Street Car Muddle.

NEW YORK, Feb. 4.—The most important feature in connection with the strike this morning was the starting of the Second avenue cars. No attempt has been made to run their cars since the tie up was inaugurated, and there was considerable doubt as to the security of the new drivers and conductors on that line. A start was made at 9 o'clock, however, with eight policemen on each car, and a dozen cars were soon running on schedule time. Cars are running on the Third Fourth, Sixth and Seventh avenue lines, and on the Twenty-third street, Twenty-fourth street and Grand street lines as on Saturday. There were very few strikers on the streets this morning.

Monongahela Miners Resume.

PITTSBURGH, PA., Feb. 4.—After an idleness of three months, the miners along the Monongahela and Youghiogheny rivers resumed operations to-day at the old rate of three cents per bushel for mining. Nearly all the works started up this morning and the others are preparing to resume this week. The resumption will give employment to 5,000 miners.

Preparing for a Strike.

CHICAGO, Feb. 4.—The various carpenters unions of Chicago are now actively consolidating and preparing to repeat their demands of a year ago for the eight hour day and thirty-five cents per hour as the minimum rate of wages.

Central Traffic Association.

PITTSBURGH, PA., Feb. 4.—A call has been issued for a meeting of the Central Traffic Association, in Chicago, next Thursday, to consider the report of the reorganization committee. The Association includes as its members, the lines in the territory between Buffalo and Pittsburgh on the east and the Mississippi River on the west. About 40 railroads are now members and an effort is to be made to have the outside lines join the organization.

AN ENORMOUS SUIT.

A Case in the Supreme at Charleston Involving Millions of Dollars.

Special Dispatch to the Intelligencer.

CHARLESTON, W. VA., Feb. 4.—The Fidelity Insurance Trust and Safe Deposit Company of Philadelphia, filed about 1885, its bill as trustee for the first mortgage bond holders to foreclose their mortgages on the Shenandoah Valley railroad and sell the road in the Circuit Court of Jefferson county, West Virginia, in which mortgage the Fidelity Company was trustee. C. Rumlich for himself and the other stockholders of the Central Improvement Company, which built the first sixty miles of the road, came into the foreclosure suit and claimed a prior lien for $581,000, and interest, aggregating over $1,000,000, to be paid before the bond holders represented by the Fidelity Company. Their $581,000 of bonds were secured by a mortgage made in 1872 and long before the Fidelity mortgages, but which mortgage to secure the $581,000 had been released in 1879. The Central Improvement Company asked to have this release set aside, and the $581,000 paid out of the first proceeds of the sale of the railroad. The Fidelity mortgage secured over $8,000,000 of bonds, which is a greater sum than the road would sell for; consequently if the $581,000 and interest had been decreed priorily, the Fidelity mortgage bond-holders would have lost over $1,000,000. The Circuit court of Jefferson county decided last fall against the Central Improvement company and refused to set aside the release. The Central Improvement company appealed and the case is set for hearing before the Supreme Court on February 5. The counsel in the Circuit Court and on the appeal are, for the Central Improvement Co., Hon. D. B. Lucas and McDonald and Moore; for the Fidelity Company, John C. Bullitt, Esq., of Philadelphia, Judge Robertson, of Virginia, and Caldwell & Caldwell, of Wheeling. The case is important, somewhat complicated and an interesting one. It is very seldom a suit arises in our courts where over $1,000,000 is involved. C. B. H.

TEXAS ELECTION OUTRAGES.

Report of the Committee of the United States Senate Submitted.

WASHINGTON, D. C., Feb. 4.—Senator Evarts, from the Committee on Privileges and Elections, made a report to-day of the results of the investigation into the alleged election outrages in Washington county, Texas. The first conclusion the committee reaches is that the averments of the petitioners as to their situation in their homes in Texas and in case of their being compelled to flee from them are in substance and effect sustained by evidence.

As to the suppressions of the vote at the Chapel Hill districts, the committee thinks it is chargeable to the leaders of the opposition ticket, and in that interest, with the motive to discourage and suppress the Republican vote there, and to the colored Republican voters being unwilling to expose themselves to the fate which was visited upon the colored judges of election at Chapel Hill in 1884.

The committee recommends the revision of the existing laws regulating elections of members of Congress and an examination of the proposed legislation pertinent to the same subjects, which have been proposed in Congress with the view of providing for more complete protection of the exercise of the elective franchise by the act of Congress, and more efficient provisions for the punishment of offenses against it. A resolution adopted by the committee to enable it to carry it into effect the recommendations of the report accompanied it.

THE RACE PROBLEM.

Governor Lee Says Negro Control Will Not be Tolerated.

RICHMOND, VA., Feb. 4.—A correspondent had a long interview with Governor Lee yesterday, upon the subject of the race problem and the probable attitude of the new administration toward the South.

The Governor is of the opinion that the whites and blacks can never assimilate, and that negro control of State governments will not be tolerated. The new administration, he said, should appoint respectable men to Federal offices, give the South talent and purity in the United States Courts which will administer justice, and not be merely carpet-bag politicians.

General Harrison should discountenance the old policy of irritating the colored man in order to use him for merely party purposes. Leave the negro to learn something useful, permit him to share in the general prosperity by cultivating conditions that will ensure him profitable employment. If the negro is misled and made troublesome, so much the worse for him.

MUST BE INVESTIGATED.

The Scandal at the Riverside Penitentiary Near Pittsburgh.

PITTSBURGH, PA., Feb. 4.—A secret conference of the members of the board of inspectors of the Riverside Penitentiary was held to-day in the office of President George A Kelly, to consider the charges made against Dr. Maharneke, the Penitentiary Steward. The board is of one mind, and that is that the charges must be thoroughly investigated. At the same time the members are of the opinion that the charges were trumped up for purely financial reasons, and that the steward will be able to vindicate himself. President Kelly says that the board has determined to immediately probe the matter to extreme depth, and nothing will be kept from the public. An evening paper publishes interviews with several ex-keepers, in which it is charged that upon one occasion the warden accused his subordinates of stealing money, and at another time with assisting prisoners to escape.

A COWARDLY MURDER.

A Logan County Man Brutally Stabs Another in the Back.

CHARLESTON, W. VA., Feb. 4.—At Pigeon Creek, Logan County, Friday night, John Chafers and Tom McNally, between whom a feud had existed for some time, had a quarrel. After some words Chafers proposed they lay all past differences aside and be friends. This McNally agreed to, and the two men conversed for some time. As Chafers turned to walk away McNally drew a knife and treacherously stabbed him in the back, and, as the wounded man fell, the murderer sprang upon him and cut his throat from ear to ear. McNally escaped, but a posse is in pursuit of him.

TWENTY-FIVE LIVES LOST.

A Collision Between Steamers in the English Channel.

LONDON, Feb. 4.—The steamer Norald collided with the British ship Killochan, Captain Manson, from Lyttleton, off Dungeness Light, in the English channel, last night, and both vessels went to the bottom in a very short time. Twenty-four persons were drowned, including the captain of the Killochan. Nine members of the crew were rescued, one of whom afterward died. The weather was clear at the time of the collision.

THE CLAYTON MURDER.

Circumstances Leading to the Political Assassination

IN THE STATE OF ARKANSAS.

Statement Issued by the Dead Man's Brothers—A Series of Dastardly Outrages by Democratic Leaders—Almost Beyond Belief.

LITTLE ROCK, Ark., Feb. 4.—General Powell Clayton, and Judge W. H. Clayton, brothers of Hon. John M. Clayton, who was assassinated on the night of January 29, have furnished the following statement to the public:

All agree that this was a political assassination. It will, therefore, be necessary for us to refer to the political conditions and circumstances surrounding it. Prior to September election and during the canvass a political club organized at Morrilton, the county seat of Connor county, with one Stowers, fresh from Mississippi, at its head. This club soon after resolved itself into a militia company, and about two weeks before the election at a time of profound peace in the country, the Hon. Simon P. Hughes, then Governor, not only supplied it with State arms, but furnished it with a full supply of ammunition. From this time until the day of election, Stowers with his armed partisans almost daily paraded the streets of Morrilton. On election day their guns were deposited loaded and ready for action in a convenient place in the building in which the election was held. On the morning of that day the Republican judge of election, on his way to assume the duties of his office on a frivolous and preconcerted pretext, was arrested.

HIGH HANDED ACTION.

Whereupon Stowers, with his men, marched to the polls, and upon his nomination and their votes, he and another person were elected to fill the vacancy By these unlawful proceedings the election board, composed of citizens representing both political parties, was made solidly Democratic. Whether Stowers and his men were at this time acting as a political club or as a company of State militia we are not advised, but certain it is, their loaded guns were near at hand. While at Morrilton these things were being done, the citizens of the town of Plummersville, who were nearly all oppos