

# The News and Observer.

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## LEADS ALL NORTH CAROLINA DAILIES IN NEWS AND CIRCULATION

### A RED HOT ANSWER TO HIS ADDRESS

The Gentiles of Utah Declare Roberts a Criminal.

### HE FLIES FROM JUSTICE

TOOK POLYGAMOUS WIVES IN DEFIANCE OF LAW.

### CHARGES OF ADULTERY AGAINST HIM

It is Claimed That 2,000 Polygamons Households Exist in Utah and That 1,000 Children Have Been Born to Polygamous Wives Since Statehood.

Washington, Dec. 8.—An answer to Mr. Brigham Roberts' address to the American people, was issued today by a delegation representing the Gentile element in Utah who are here to oppose Mr. Roberts. The answer is as follows: "In this morning's papers Mr. Roberts makes an appeal for sympathy in which were many statements needing correction, while many facts are suppressed. Mr. Roberts says he has not been convicted since Statehood. It does not follow that he is innocent. He is now a fugitive from justice in Salt Lake county on a charge of unlawful cohabitation, and in Davis county, Utah, where resides one of his polygamous wives with her illegitimate twins born August 11th, 1897, a charge of adultery (a felony under the laws of Utah) has been for two months pigeon-holed by a Mormon prosecuting attorney.

"Mr. Roberts in his attempt to belittle his crimes insists that he is only charged with a misdemeanor. He knows better. He knows that he has been, under oath and before the proper prosecuting officers, charged with the felony of adultery as well as the misdemeanor of unlawful cohabitation.

"Many sentimental people are being misled by Mr. Roberts' very ingenious suggestions from which some people infer that he took his polygamous wives when it was lawful to do so. This is a mistake. Adultery was a crime in Utah when Mr. Roberts was born, and at the time of the passage of the Callum Anti-Polygamy Act, Mr. Roberts was only six years old. His plea for sympathy, therefore amounts only to this, that he should be allowed to continue his criminal practice notwithstanding he took his polygamous wives in defiance of law. We demand that he should support his families, but also demand that he shall cease the begetting of further illegitimate offspring, and this is our only bone of contention, the only thing demanded which he refuses to yield. In this matter we disclaim any desire to have him declared ineligible because he is a Mormon, but solely because he is violating and defying the laws of our State, of the United States and of common decency.

"Ex-Congressman W. H. King was and is a Mormon and no claim of ineligibility was ever made against him. We point to this fact as showing that we oppose Mr. Roberts not upon the ground of any religious opinions entertained by him, but because of his criminal practices. Neither is this a matter of religious or political persecution or prejudice. The undersigned include men of different churches and men who belong to no church, those who are Republicans and those who are Democrats.

"Mr. Roberts denies and we assert that the compact between Utah and the other States has been violated.

"As evidence that this compact has been broken, we point to the following: "First—That in Utah 1,000 illegitimate children have been born to polygamous wives since Statehood.

"Second—That about two thousand polygamous households now exist in Utah and that the attempt to secure a punishment of these offenders is denounced by the majority, as we believe, of Utah's citizens.

"Third—That the circumstantial evidence unmistakably points to the existence of new wives in polygamous households, the most conspicuous example of which are the cases of Apostles Abraham H. Cannon, John W. Taylor and Apostle Tensdale, in at least the first of which the church organ of the dominant church refuses to deny the marriage and the new polygamous wife is employed as teacher in a church academy.

"Fourth—That the very men who interpreted the manifesto of 1890 to prohibit unlawful cohabitation with prior acquired wives now publicly justify its continuance.

"Fifth—That most of the same men who in a petition for amnesty pledged their sacred honor for the obedience of the law by their people are now by example and precept encouraging the commission of the crime of unlawful cohabitation, even in some cases having their fines paid by sympathetic friends.

"Seventh—All this is by necessary implication endorsed by a majority of Utah's people in the election of Brigham H. Roberts, who during his campaign for election was publicly charged with being a violator of the laws, as evidenced by his illegitimate progeny, and in spite of

these undenied charges he was elected by an overwhelming majority.

"That Mr. Roberts himself understood that compact to mean the discontinuance of unlawful cohabitation we point to his registration oath of 1895, in which he swore it to be his intention to obey the law prohibiting unlawful cohabitation.

### ROBERTS ASKS PUBLICITY.

Washington, Dec. 8.—The committee which is to inquire into the status of Mr. Roberts, of Utah, held a protracted session behind closed doors today to further consider the line of procedure. During the early hours of the meeting Mr. Roberts was present, accompanied by his secretary and made a statement as to his general wishes in connection with the inquiry. He said he was especially desirous of having the committee first go into his prima facie right to a seat, afterwards taking up the general merits of the subject. He said he favored open sessions as he did not wish any of the testimony kept from the public. He indicated also that he desired to present testimony relative to the manner in which the charges against him were prepared. Mr. Roberts then retired and the committee continued in private session until 12:30, when a recess was taken until 2 p. m.

The 2 o'clock meeting was brief and was adjourned until 10 o'clock tomorrow morning. No announcement was made except that Chairman Taylor, (Ohio), said the work was progressing satisfactorily and smoothly. It is understood that some question exists as to whether Roberts shall be treated as a contesting member, or be asked to plead as in a trial, and the committee will probably hear him further before reaching a conclusion.

### NO FIGHT FOR CERTIFICATE.

Contest in the Legislature Not Yet Determined On.

Frankfort, Ky., Dec. 8.—All pretense of a fight for the certificate of election as Governor has been given up by the Goebel people, and whether a contest will be made in the Legislature is really yet to be determined. It will depend very largely upon the wording of the opinion which Commissioners Ellis and Pryor will hand down at 10 o'clock tomorrow morning. If it implies that the commissioners believe fraud was committed, which might invalidate the election, did they as a canvassing board have the legal right to go behind the certified returns, it is almost certain a contest will be made. Otherwise it is uncertain.

The Democratic candidates for the minor offices on the State ticket, acting on the belief that the commissioners' opinion will contain implication of fraud, have already decided to fight before the State contesting board for the positions to which they believe themselves entitled. They held several conferences during the day, but it was not definitely determined until three o'clock in the afternoon to make the contests.

### WILLINGHAM BILL DEAD.

Killed in Georgia's Senate by a Vote of 26 to 14.

Atlanta, Ga., Dec. 8.—By a vote of 26 to 14 the Willingham Bill was killed in the Senate today and State prohibition defeated. The various roll calls consumed an hour, a great many Senators rising to explain their votes.

The debate in the Senate commenced two days ago and was carried on with great vigor. Every interest in the State influenced by the whiskey traffic fought the passage of the bill, and all moral agencies were used in its favor. Had the measure passed the Senate it would have been so amended as to kill its purpose.

The entire fight has been one of the fiercest the State has ever known along this line, but it is now believed the question is effectually settled for some time.

The Willingham Bill provided for the closing of all saloons, the abolishing of all breweries and distilleries and made it a statutory crime for anyone to give a drink of intoxicating liquor to another except as a medicine prescribed by a physician.

### Indicted For Fraud.

Savannah, Ga., Dec. 8.—The Morning News will publish tomorrow morning that the grand jury of the United States Court for the Southern District of Georgia in session here has found indictments against John Gaynor, B. D. Green and E. F. Gaynor, of New York, co-partners in the Atlantic Contracting Company and others for conspiracy to defraud the Government. This is an outcome of the conviction of O. M. Carter, late captain of engineers of the army.

Messrs. Green and Gaynor are alleged to have been in conspiracy with Carter to defraud the Government in the improvement works in Savannah River and harbor and Cumberland Sound and to have wrongfully collected from the Government sums of money variously estimated to amount to from one million to two and a half millions of dollars. The indictments have not yet been made public, as it is the custom of the Federal Courts to have its defendants in custody or under bond before publishing the indictments. During the week the grand jury has examined various witnesses in respect to the matter, among them several army and war department officers from Washington and a mass of documentary evidence, including drafts amounting to more than a million dollars drawn by Captain Carter, and many papers respecting the work on the Savannah River and harbor and Cumberland Sound. Colonel Gaynor and Captain Green are understood to be in New York,

### MURDER ENDS A LIFE OF SHAME

Mattie Moore Fatally Wounded by Jesse Green.

### GREEN HIMSELF SHOT

MIDNIGHT TRAGEDY IN HOUSE OF ILL FAME.

### WOMAN HAS A HUSBAND AND 2 CHILDREN

Jesse Green Was Wounded Near the Heart, But He Will Recover. He is Now in Jail. He Claims the Woman Did the Shooting.

Washington, N. C., Dec. 8.—(Special.)—There occurred here last night about 12 o'clock in a house of ill fame situated on the corner of Fourth and Vanorden streets one of the bloodiest tragedies in the history of our town. It was the shooting of one Mattie Moore, a white woman of bad repute, by her paramour, Jesse Green, of Martin county.

The facts are about as follows: Green had been in the city about two or three weeks, and had frequently been seen in the company of Mattie Moore on the streets. Last night about 12 o'clock Chief of Police Grist was notified that his presence was needed, as a serious affair had taken place, or murder committed.

On arriving at the house the chief went to the room where the tragedy occurred, burst open the door and found the woman leaning against the wall, covered with blood, while Green was lying on the floor, a few feet away. By this time Dr. Josh Taylor arrived, and upon examination, found the woman had been struck by three balls. One entered the head, through the ear, another through the mouth, and one through the palm of the hand. Green had been shot near the region of the heart.

The wounds of the woman are pronounced fatal. Green will probably recover. Green claims the woman did the shooting. The woman, we learn, comes from Norfolk, and has two children and a husband living. Green is now in jail.

### BURNING THE WIND

74 Miles an Hour Over the Southern's New Extension.

The First Through Train From Washington to Savannah, an Official Train, Rolls Into the Latter City.

Savannah, Ga., Dec. 8.—An event of unusual importance to the commercial and financial interests of this part of the country was the formal opening today of the Southern Railway's extension to Savannah.

At noon today the first through train of the Southern Railway from Washington rolled into this city. This was an official train consisting of six private cars and one dining car. The party comprised the managing officers of the Southern Railway, including Col. A. B. Andrews, First Vice-President; Mr. W. W. Finley, Second Vice-President; Frank S. Ganon, Third Vice-President; J. M. Culp, Traffic Manager; J. H. Barrett, General Superintendent; W. A. Turk, General Passenger Agent, a number of other Southern Railway officials bringing as their guests representatives of the press from New York, Philadelphia, Baltimore, Washington, Richmond, Norfolk, Raleigh, Lynchburg, Danville, Charlotte, Columbia, Charleston, Atlanta, Augusta, Macon and Jacksonville.

The party was met at the De Soto Hotel and welcomed to the city by fifty of Savannah's citizens, headed by Mayor Meyers and including representatives of the professions, mercantile, manufacturing and banking interests.

An enjoyable luncheon was served and a short drive was then taken over the city. The party left on their northward journey at 5 p. m.

The occasion of the trip was the inspection of the line which the Southern has constructed from Columbia to Perry, S. C., thence to Allendale, S. C., where it forms a connection with track arrangements into Savannah, using for this purpose the Plant System terminals here. On December 10th, the passenger and freight traffic of the Southern will be brought into Savannah from New York, Washington and the east, also from Cincinnati, St. Louis, Louisville and the west in Southern Railway trains. Through traffic for Florida, Cuba and the West Indies will be delivered at Savannah to the Plant System for its own destinations, and to the Florida East Coast Railway at Jacksonville for its destinations. What is said to be the record for speed over a new road bed was made by the special between Columbia and Perry's; at times the speed indicator showing that the pace was above seventy miles an hour, and in one spurt seventy-four miles was indicated. The South Carolina Railroad Commissioners have pronounced the new road as the finest they have ever seen.

### BOARD DECIDES FOR TAYLOR.

A Minority Opinion by Mr. Poyntz Declares For Goebel.

Frankfort, Ky., Dec. 8.—The following is the opinion, in part, of the Election Commissioners in the gubernatorial contest:

After quoting extracts from the new election law, defining the powers of the board, the opinion reads: "It is evident, from the law, that the State Board of Election Commissioners, when sitting as a board of contest, is clothed with powers and jurisdiction, which it does not possess and cannot assume to exercise when sitting as present in a mere ministerial capacity.

"As a board of contest it possesses the powers and functions of a court. It may set aside the original returns, and throw a prima facie case and when authorized by the law and evidence cast out, precincts or whole counties and award the certificates to the candidate other than the one having a majority upon the face of the returns. But these are powers which the board can only exercise when sitting as a board of contest.

"But the question as to whether or not the powers and jurisdiction of this board as at present organized are purely ministerial or both ministerial and judicial, is not of supreme importance in this proceeding when we come to consider the papers and documents offered as testimony and upon which we are requested to act.

"These papers are clearly incompetent testimony for any purpose, and it would be so held, we apprehend, not only in all courts, but it would be held by us if we were now sitting as a board of contest.

"It would be monstrous to say that a person appearing on the face of the returns to have been elected to an office of high or low degree could be deprived of that office on mere ex parte affidavits which he had never had an opportunity to inspect and before he had given any opportunity to offer evidence in his own behalf. Such is not, never was, and never will be, the law in any civilized State in the world.

"It results from what has already been said, that the certificates, on the face of the returns before us, should be issued to William F. Taylor, the Republican candidate for Governor and to the other candidates on the Republican State ticket with him and it is so ordered."

Commissioner Poyntz has prepared a minority opinion in which he declares his belief that the Democratic candidates were legally elected and that the use of tissue ballots should have rendered void the election in several counties. He denounces the use of militia on election day as reprehensible and intolerable in any Anglo-Saxon community.

Commissioners Ellis and Pryor were busy all day writing their opinion and it was dark before Mr. Ellis who did most of the writing, had finished his task. Neither he nor Judge Pryor made any denial of the fact that they would decide that Taylor is entitled to the certificate. They would not discuss the matter, but tacitly admitted that it was true.

Politicians of both parties departed in great numbers during the day and the town tonight is practically deserted. All the Democratic and Republican attorneys have left for home, the former going this morning and the latter this afternoon. Colonel Jack Cline, who has been attached to the Goebel headquarters, left late this afternoon, remarking with a laugh as he passed through the hotel door:

"I guess it is all up with us for this time."

There has been a great amount of money bet on the election throughout Kentucky as to who would be the next Governor of the State and the betters are trying to decide whether if Taylor is declared Governor and later ousted by the Legislature as not being a legal incumbent, he was in fact actually Governor at all in the eyes of the law. The Taylor betters construe it one way, and naturally the Goebel men figure it out differently. There has been so much money wagered on the outcome that the thing has really a serious side to it.

### Douthit is Exonerated.

Columbia, S. C., Dec. 8.—The State Board of Dispensary control today exonerated J. B. Douthit, commissioner, and withdrew the charges against him. Four members of the board voted for the resolution. Mr. Hazden, who is still limping from the encounter at Sellers, wanted the matter referred to the General Assembly. Mr. Robinson, who formerly sided with Hazden, offered the resolution exonerating Douthit, as his belief in the charges had been founded upon ex parte statements now known to be wrong. The friction in the board has subsided and Hazden's influence is broken. Douthit had been discharged without a hearing on the charge of selling inferior liquor at the price of better goods.

### Horton Hanged in Washington.

Washington, Dec. 8.—George W. Horton was hanged in the District jail today for the murder of Jane Nicholson. Horton's crime was the killing of Mrs. Jane Nicholson and was one of the most cold-blooded murders ever committed in the District. Horton was an ex-member of the police force in the District, and Mrs. Nicholson was a divorced woman. On the evening of June 23rd, 1898, he met the woman in army park and in the conversation which ensued she announced her determination to break off the relations which existed between them. As she arose from the bench to leave him he drew a pocket knife and slashed her across the throat. Horton was a married man.

The Pittsburgh baseball club bought the pick of the Louisville team yesterday for a sum said to be \$25,000 cash.

### TO CONSIDER THE CURRENCY BILL

The Special Order Adopted by the House.

### BY A STRICT PARTY VOTE

DEMOCRATS, POPULISTS, SILVERITES SOLIDLY OPPOSED IT.

### THE DEBATE WILL BEGIN ON MONDAY

On Saturday Amendments May be Offered Under the Five Minute Rule, and on the Following Monday the Vote Will be Taken.

Washington, Dec. 8.—The House today adopted a special order for the consideration of the Currency Bill beginning next Monday. By the terms of the order general debate will continue until Friday. On Saturday amendments may be offered under the five minute rule, and on the following Monday the vote will be taken. The Democrats, Populists and Silverites presented a solid front against the adoption of the resolutions and every Republican voted for it.

Mr. Daizell (Pa.), from the Committee on Rules, presented the amendments to the rules agreed upon by that committee for the creation of a committee on insular affairs to consist of seventeen members, to have jurisdiction "over all matters (excepting those affecting the revenues and the appropriations) pertaining to the islands which came to the United States through the treaty of 1899 with Spain and to Cuba," and to increase the membership of the Committee on Foreign Affairs, Merchant Marine and Fisheries, Public Lands, Military Affairs, Naval Affairs and District of Columbia from fifteen to seventeen members and the Committee on Territories from thirteen to fifteen.

Mr. Bailey (Texas), said the minority of the Rules committee held no difference of opinion as to the propriety of the creation of the proposed insular committee, but it did dissent from the idea that the committee should be created for the purpose of "permanently dealing" with the islands which came into possession of the United States through the Spanish treaty.

Mr. Daizell replied that there was nothing in the resolution or in what he had said, which intimated that the proposed committee was to deal with our new possessions permanently. The resolution was adopted without division.

Mr. Daizell then offered the resolution for the consideration of the Currency Bill. Mr. Daizell said there was no disposition upon the part of the majority to unduly press the bill. It presented propositions which had already been debated in the House. The Committee on Rules was of opinion that the rule offered ample time for debate.

Mr. Richardson upon behalf of the minority, said he dissented most emphatically from the proposition advanced by Mr. Daizell that the bill to be considered contained nothing radically new. For the first time in the history of the country it was proposed by statutory provisions to fasten the gold standard upon the country.

If such a suggestion had been made two or three years ago, he said, half the other side would have been up in arms against it. But one day was to be given the minority to study the bill while members of the majority had six months in which to prepare themselves. Mr. Richardson taunted the majority for their sudden change of base.

Mr. Bailey (Texas), declared that the proposed course of the majority was without precedent or defense. The minority was entitled to present its objections after mature deliberation in order that at the proper time the appeal could be taken from the American Congress to that higher tribunal, the American people. Furthermore, the special order denied the right of the minority to recommit, a privilege hitherto never denied the minority.

Mr. Grosvenor (Ohio), in support of the rule argued that it could not be justly said that it would unduly curtail debate and consideration. As to the charge that members of the majority would find it difficult to explain their change of front, he said it was one of the proudest boasts of the Republican party that it was wiser now than it was a good many years ago.

Mr. Cannon (Illinois), in response to the thrust of Mr. Richardson, frankly said that he had voted for free coinage of silver in 1878, but he had done so because of the impending redemption of specie payments when the Democratic party was howling for fiat money.

Mr. Daizell closed the debate by recalling some of the rules under which the Democrats had forced through important bills in the Fifty-second and Fifty-third Congresses.

He referred particularly to the adoption of the conference report in the Fifty-second Congress upon the tariff bill which "the greatest Democrat since Andrew Jackson, Grover Cleveland (descriptive laughter on the Democratic side) had pronounced a piece of party perfidy and dishonor."

Mr. Richardson attempted to reply to these statements, but Mr. Daizell refused to yield, and at the conclusion of

Mr. Daizell's remarks the previous motion was ordered and the roll was called on the adoption of the special order.

The special order was adopted, 144 to 144, a strict party vote.

Mr. Robertson, (Louisiana), then announced the death of the late Representative S. G. Baird, of Louisiana, and after the adoption of the customary resolutions at 1:30 p. m., as a further mark of respect the House adjourned until Monday.

### THE TARHEEL DELEGATION.

Washington, D. C., Dec. 7.—(Special.)—The House can do practically nothing until the committee are announced. There is a universal desire on the part of the North Carolina House delegation to see Hon. John H. Small placed on the River and Harbor Committee. Hatters, the most dangerous point on the Atlantic seaboard is in his district, and nothing would be more appropriate than to give him a position on this committee. It has been at least twenty years since North Carolina was represented on this committee. Senator Ransom, who knew the needs of the State as well as any one in the world, was chairman of the Senate Commerce Committee which corresponds to the House committee on Rivers and Harbors. Through his influence vast sums of money were spent at Hatters, Wilmington and other points on our coast. With an improved Merchant Marine, with vastly better railroad service, with cotton mills and other industries springing up all over our State, it is highly important that a member of our House delegation should co-operate with the North Carolina Senators in securing the best facilities for our local commerce.

The House and Senate adjourned soon after the roll call today.

The Senators are busy in caucus fixing up committees and new appointees.

There is an under-current of opinion favorable to Mr. Bellamy's continued incumbency of his seat. Whence it comes I cannot guess, but John Bellamy always was a shrewd, active, clever man. So far, he has been able to do a good deal towards silencing the cry of "nigger intimidation" which everybody predicted a few months ago would cause him to lose his contest early in the session. It is barely possible he may pull through yet!

### ROBBERY OF A YACHT.

\$1,900 in Cash and a Diamond Stud Worth \$350 Taken.

Washington, N. C., Dec. 8.—(Special.)—A pleasure yacht, the Senator, owned by Chas. Fuller, of Pawtucket, R. I., was robbed last night of nineteen hundred dollars in cash, and a diamond stud valued at \$350. No clue to the robbery. It is rumored here that suspicion points to a party who was on board and has now left town.

### ADVANCE ON COLENSO

Bridge Over Modder River Restored by Methuen.

His Restoration of the Railway Accentuates the Dangers That Threaten His Forces. Little Known of Boers' Movements.

London, Dec. 9.—(4:50 a. m., Saturday.)—Lord Methuen's restoration of the railway while relieving a load of anxiety here, accentuates the dangers still threatening his forces. It is gathered from the brief official dispatches that Commandant Prins Loo's contingent was taken between forces acting from Belmont and southward from Modder River. It is quite possible, however, that reinforcements were sent to Belmont merely as a precautionary measure.

There is little other news of importance. Reports continue to come from Ladysmith that dissension exists among the Boers and especially that the Orange Free State troops are discontented. There are all kinds of rumors of movements of commandoes from place to place, but the fact is that little is known here regarding the actual position of the Boer forces. Moreover, the rumors of a collapse of Boer spirit have been heard so often as not to cause much satisfaction now.

### ADVANCING ON COLENSO.

Pretoria, Dec. 7.—(Thursday.)—The following dispatch dated today has been received from the head laager near Ladysmith: "The British are advancing on Colenso, but last night passed without an attack. There was a desultory cannonade this morning, the naval guns in Ladysmith replying vigorously to our fire."

### ARMING THE NATIVES.

Cape Town, Wednesday, December 6th.—It is announced that Major Elliott commanding in the native territories of Griqualand East, is arming the natives by Imperial authority with a view of assisting the defensive forces.

### THE BRIDGE FINISHED.

Freze Camp, Dec. 8.—The trestle bridge is finished and the trains are now traversing it.

### Ready to Assure the Open Door.

London, Dec. 9.—(Saturday.)—The Berlin correspondent of the Standard, says: "All the powers concerned have favorably received the proposals of the United States regarding the maintenance of the 'open door' in China, each offering to sign the desired assurance if the others will do so."