

KENTUCKY MOB LYNCH A NEGRO.

He Was Accused of Assaulting a White Woman.

JAIL DOOR BATTERED DOWN

At a Word Spoken by One of the Thirty Men During the Whole Performance.

Paris, Ky., Feb. 11.—George Carter, a negro who was in jail here charged with having assaulted Mrs. W. E. Board about three weeks ago, was lynched by a mob early this morning. Shortly after 2 o'clock, about thirty determined men appeared at the jail door and demanded admittance of the jailer, Kiser. He refused and the door was burst open.

The jailer was overpowered in an instant, the keys secured and in less than five minutes Carter was in the hands of the mob. He refused to make any statement.

It was only the work of a minute to place a rope around his neck and he was then half dragged to the entrance of the court house.

The rope was then thrown over the iron arch leading to the entrance and with several pulled on the rope others held his body.

He died by strangulation. The mob then quickly dispersed. During the whole affair there was not a word spoken.

Shortly after one in the town, outside of the immediate participants, knew that the lynching was in progress. The electric lights had previously been extinguished and the town was in total darkness.

Before the men dispersed they pinned a card on the body of the negro bearing this inscription:

"This will be the fate of all negroes who assault white women."

The other occupants of the jail who are colored, were greatly frightened, and their cries and moans could be heard for several blocks. Half an hour after the lynching occurred the streets were deserted and the lifeless body of the negro was awaiting in the wind.

The crime with which Carter was charged was a most atrocious one. His board, who is the wife of W. E. Board, bookkeeper at the Depot bank in this city, was on her way home about 1 o'clock in the evening, when her little son, who was accompanied by a negro, was accosted and those of her son attracted her attention so men beat the assailant.

Constant efforts were made by the police to detect the negro without avail. Last week, when Detective Smoot, of Truckeeville, caused a warrant to be issued for George Carter, her brother-in-law, on a charge of assault.

A photograph was secured of him. It is said Mrs. Board identified him as being that of her assailant, and at the county jail her little son also identified him.

TWO OPINIONS.

Attorney General Breeden Furnishes Information on Knotty Points.

Attorney General Breeden has given out an opinion to City Attorney Shields of Park City, it was to the effect that under the law of Utah the various boards of county commissioners, within their counties, have ample power conferred upon them to open, lay out, and manage public highways and also that the boards of county commissioners have the power to designate the public highways to be maintained by the county, either by extending through public incorporated city or town, which in no case shall be more than three in the same direction. That is the commission in the performance of their duty are compelled to designate and maintain not to exceed three public highways extending through each incorporated city or town.

A second opinion was given out to J. A. Melville, county attorney at Fillmore, in answer to the following question: "Concerning the return of a paper from one county to the county to which he belongs, second—As to the return of a stenographer's fees to a person who commences a civil action and then dismisses it upon his own motion, and third—as to the legal right of the county commissioners to record a map of a subdivision of land, into lots."

The following opinions were given: County commissioners have no power to compel a person to leave the county without his consent, therefore a pauper who is returned to the county to which he belongs unless he consents to a person beginning a civil action and then dismisses it upon his own motion, and third—as to the legal right of the county commissioners to record a map of a subdivision of land, into lots.

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PRACTICE THAT FREES CONVICTS

Attorney General Breeden Wants Supreme Court to Stop It.

AN IMPORTANT MATTER

Argued Today and Submitted—Case of Dr. Snowden of Richfield—One Case from Provo.

Attorney-General Breeden, at the opening of the February session of the Supreme court, this morning appeared before their honors, and made an argument which would in effect require the court to reverse its decision in the Beddo case, decided about two months ago, wherein it was held that informations in criminal cases, signed by district attorneys in lieu of the county attorneys, were void.

The case up before the court this morning was the State vs. A. P. Morrey, which involves the same technicalities as the Beddo case.

Since this point was decided, and under it, some fourteen convicts confined in the State prison for various crimes, have taken advantage of the ruling, and on petitions for writs of habeas corpus, have been discharged from custody.

Attorney-General Breeden holds that the defendants in cases where such irregularities occurred, should have raised their objection in the trial court, and failing to do that, he thinks they waived the point, and hence should be held to the judgment of the trial court.

At all events, Mr. Breeden thinks such an irregularity ought not to make the prosecutions void.

During the course of the arguments this morning, the justices asked several questions of the attorneys, all of which intimated that they went into the question involved in the Beddo case very thoroughly, and were of the opinion that the informations referred to were not properly signed, they were void, and there being no legal information before the trial court, it could not have jurisdiction, and the defendant waiving this point could not confer jurisdiction on the trial court, therefore the proceedings were illegal and necessarily void.

Attorney Wedgewood appeared on behalf of defendant Morrey, and the court allowed both sides to submit briefs in writing, upon which it took the case under advisement.

The case of the State vs. Cornelius R. Snowden, appellant, was then called, and the attorneys for the respective parties made their arguments, and the court took the matter under advisement.

The defendant was found guilty of adultery in the Third district court before Judge Norrell, from which judgment he appealed to the Supreme court.

The case of the State vs. Ernest Baker, appellant, also came up, and was submitted on written briefs. This defendant was convicted of fornication in the district court at Provo April 20, 1900, and appealed the case.

The court then adjourned till tomorrow morning at 10 a. m.

AS TO LIVE STOCK.

Owners Must File Certificates With County Clerk.

Attorney-General Breeden today handed down this opinion to Peter Allan, Esq., county attorney, Bluff, Utah: Dear Sir:—In your letter of February 1st, you submit for my opinion the following:

"Does section 9, chapter 44, Session Laws of 1899 refer only to residents of the county who have cattle or other stock on the range, or does it refer to and include all persons who have cattle or other stock grazing in any county within the State, and is any such person required to file the certificate required by section 2 of said act?"

The law seems to include all persons who are the owners of or have charge of bands of sheep or cattle or other live stock grazing in the State; and all such person, whether they are residents or non-residents of the county or of the State, and whether they have real estate in the county sufficient to secure the payment of the taxes assessed upon such live stock, or not, are required to file the certificate with the county clerk as required by section 2 of the act of which section 9 is a part.

You are therefore advised that, in my opinion, residents as well as non-residents of county or state, who are owners of live stock grazing in any county of the State, are required to file said certificate with the county clerk.

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You are therefore advised that, in my opinion, residents as well as non-residents of county or state, who are owners of live stock grazing in any county of the State, are required to file said certificate with the county clerk.

KANSAS CITY MARKET.

Cattle and Sheep Receipts for First Week in February.

Special Correspondence.

Kansas City Stock Yards, Feb. 7.—Receipts of cattle at Kansas City for the first week in February were 32,000 head, 5,400 of which were in the southern yards, against 24,000 including 4,000 southern cattle during the corresponding week last year. Heavy snow storms and a general disposition amongst buyers to "take off a little" probably accounts for the comparative light receipts. The slight advance caught up at the close of Sunday's trading was about lost during the first three days of the week but prices hardened towards the last and the week closed firm with prices nearly where they were a week previous.

The best price secured for dressed beef cattle was 5.40 for a load of 1523-pound steers fed by E. M. Cannon, of Americus, Kansas. Other sales of choice steers were largely at 5.00 to 5.25, fair to good cattle bringing 4.50 to 4.80 and 550 to 1100-pound offerings 4.25 to 4.40. Among the best of the fed western sales were 60 head of 1300-pound Texas steers at 4.90, and 45 head of 1250-pound Colorado 4.85, while the general run western cattle weighing above 1100 pounds sold at 4.35 to 4.75, lighter cattle bringing 4.00 to 4.25.

Monday's southern cattle receipts amounted to 2,250 before the day was over, the heavy snow storm of Sunday having delayed some of the trains several hours. The early sales were made at about where the advance of the previous week had put them but the late arrivals were sold lower, in sympathy with the native sales. Monday was followed by a couple of days of declining values but Thursday proved a day of partial redemption and 5 cents to 10 cents was regained, putting values within 10 cents to 15 cents of where they were Monday morning. Trading was done largely at 3.80 to 4.10 for weights ranging from 950 to 1100 pounds. The best steers sold for E. C. Box-burn, of Bliss, O. T., and brought 4.40, averaging 1214 pounds. Mr. Boxburn also topped the heifer market with 675-pound heifers at 4.35.

Cow and heifer prices recovered

Throat Troubles

You forgot to buy a bottle of Ayer's Cherry Pectoral when your cold first came on, didn't you? That's where you made a mistake. Yet even now it will not disappoint you.

Ayer's Cherry Pectoral

cures consumption every time when a cure is possible. We speak positively, for we know all about it. There's a record of sixty years to fall back on. For all throat and lung troubles there isn't a remedy in the world equal to it.

Three sizes: 25c, 50c, \$1.00.

If your druggist cannot supply you, send to one dollar and we will express a large bottle to you, all charges prepaid. He sure you give us your correct address. Address, J. C. AYER CO., Lowell, Mass.

somewhat from the drubbing of the week before, choice heifers selling up to 4.50 and fair to good lots at 3.50 to 4.00. Native cows were sold 3.00 to 3.50; westerns 2.50 to 3.85, southern 2.70 to 3.50 and canners 2.25 to 2.50.

The snow storm quieted the stocker and feeder trade to some extent but not enough to materially change quotations, 1000 to 1150-pound feeders selling at 3.75 to 4.50, medium, 700 to 900-pounders at 3.00 to 4.50, and light-weight, 350 to 600 pounds, at 1.90 to 4.50, including some 400-pound Texas calves at 4.55 and Colorado 4.50 and 4.55. Rough stock and knot heads of all weights sold at 2.25 to 4.00.

Hog receipts for the week were 61,000 and prices ruled the highest of the year. The bulk of sales ranged from 5.10 to 5.40, including heavy hogs, mixed packs and lights; pigs sold at 4.60 to 5.00.

The week's sheep market opened brisk and prices had an upward tendency but the enthusiasm waned after a couple of days and sales were quoted 10 cents to 15 cents lower towards the last of the week. Western lambs sold largely at 5.00 to 5.15; western wethers at 4.00 to 4.45; yearlings at 4.50 to 4.80; fed ewes at 3.50 to 3.80, and mixed lots, ewes and wethers, up to 4.25. Stockers and feeders were in good demand but scarce.

Some of the sales of western sheep were as follows: W. H. Hamilton, Roswell, N. M., 200 lambs, 88 pounds, at 5.15; J. W. Guyer, Brownwood, Texas, 27 ewes, 75 pounds, at 5.70; Purvis & Smith, Las Animas, Colo., 218 lambs, 72 pounds, at 5.10, and 244 lambs, 72 pounds, at 5.15; Aug. T. Buck, Grand, Colo., 114 Mexican lambs, 58 pounds, at 4.75, and F. Wasshauer, Las Animas, Colo., 776 lambs, 72 pounds, at 5.10.

Receipts of sheep for the first seven days of February were 17,000, against 20,300 for the same week last year.

STATE FINANCES.

State Treasurer Dixon has filed his report of the State's finances for the first month of this year with Auditor Tingey, which shows the following:

RECEIPTS.

From various sources \$105,727.99
Balance on hand Dec. 1st..... 552,476.90

Total..... \$658,204.89

DISBURSEMENTS.

General fund account \$28,905.99
State district school 253,476.82
Reservoir land fund 2,041.68
Public building fund 1,707.00
School of mines 1,000.00
Institute for the blind 3,090.00
University fund 5,378.58
Territorial bonds redeemed..... 2,000.00

Total \$359,890.97
Balance on hand Jan. 31st 278,393.92

Total \$658,204.89

MARRIED AT FARMINGTON.

Claudeine Wedding of Miss Addie Bell Vigilini and Henry Wahlquist.

If the city folks want to keep posted on the latest advice from Cupid's seat of war, they should make frequent inspection of the book in the county clerk's office at Farmington, where the issuance of marriage licenses is recorded.

Miss Addie Belle Vigilini, and Henry J. Wahlquist, were wedded at Farmington two weeks ago, and now they are receiving the congratulations of friends.

The bride is a milliner, and the groom is connected with the Salt Lake Hardware company and has for some time been an ardent suitor for the hand that he has won.

HELD FOR HOUSEBREAKING.

Preliminary Hearing of Charles Wade This Morning.

In Judge Timmony's court this morning, Charles Wade, and 18-year-old lad, had a preliminary hearing on the charge of housebreaking. The specific charge is that Wade, who was an elevator boy at the Kenyon, entered a room occupied by J. R. Murphy, a traveling man, and stole from him two vests of the value of \$10. Wade was arrested by Detectives Sheets and Janney, and at the time of his arrest he had the vests in his possession. He claimed that he purchased them from a companion who worked at a hotel. Judge Timmony thought the evidence sufficient to warrant a conviction in the district court, and he held Wade in bonds of \$100, which was furnished. Wade was defended by Attorney J. M. Hamilton, and Attorney Loofbourn prosecuted.

MAY CLOSE IN APRIL.

What Schools Will Do Unless More Money is Forthcoming.

There is a knotty problem worrying the school board. It is how are the schools to be kept open for the full school year ending in June. The funds on hand amount to \$115,000, including the building fund, and this amount, it is said, will only be sufficient to carry on the school work a few days in April. Approximately, it is estimated, that \$50,000 will be required to make up the deficit. The question is how to get this money. It might be borrowed, say by a premium on the bonds of the school, or the school board could pass upon the last meeting of the board it was decided to have a bill introduced in the legislature to raise the tax levy from 54 mills to 74. This would bring in additional revenue of over \$50,000 into the school board coffers and raise the schools beyond the danger mark.

CLASH TO COME THIS AFTERNOON

Threatened Race Track War of Oakland vs Tanforan.

RACING STABLES DIVIDED.

There Will Probably be Nine or Ten Books in Operation at Each Place.

San Francisco, Feb. 11.—Oakland and Tanforan will clash this afternoon in the long threatened race track war. Both associations are extremely confident and both present good cards. The entries show that the racing stables are well divided between the two tracks. There will probably be nine or ten books in operation at each track.

The San Francisco Jockey Club announces a special stake for Saturday, February 23, with \$3,000 added, for horses eligible to the California Derby, in the expectation of bringing the following three-year-olds together: Aristocrat, Camarosa, Brutal, Kollek Boer, Tolamoni, Golden Age, Kenilworth, Janice, Bedeck and Joe Frey. The distance is to be one and an eighth miles.

Second race, six furlongs, selling—Mitten, 99; Socialist, Rosalby, 107; Gusto, Flamerio, Morning, Sprung, Magnus, 104; La Mascotta, 109.

Third race, half mile, purse—Dr. Schaff, 113; Largetheta, Fred Atter, Barry, Gartha, 107; Corrigan, 105; Flora Pomona, Vaseia, Branzini, Miss Brentwood, 110; Monastic, 102; Barklyite, 115.

Fourth race, six furlongs, purse—The Light, 110; True Blue, 119; Yellow Tail, 104; Frank Gill, 109; Deuchane, 113; Rollick, 27; E. T. 107; Attillio C, 95; Trilran, 89; Summer, 104.

Fifth race, seven-eighths mile, selling—Alleviate, 109; Sea Lion, 105; Don Luis, 109; Cue, 102; Ringmaster, 109; The Buffon, 106; J. P. Ripley, 107; Spike, 99; Ric Shannon, 99; Castine, 107; Coming Event, 107; Urchin, 104; Jolly Britton, 99; Sam Howard, 99.

Sixth race, three-quarters of a mile, selling—Dolly Weithoff, 102; Maggie, Davis, 104; Thibron, 104; Predigitor, 101; 101; Montalide, 104; Grand Schem, 104; Good Hops, 103; Boundee, 101.

ON THE VELODROME.

Gussie Lawson Wins One White Handicap from Scratch.

Fresno, Cal., Feb. 10.—The first race on Fresno's new Velodrome, built by the National Racing association, took place this afternoon. Results:

One mile, scratch—Lawson won Newkirk second, Turville third. Time, 2:28.

Earl Kiser of Dayton and Arthur Stone of Denver rode in two motor-paced heats of a five-mile pursuit race, Kiser winning both, the first in 8:10-15 and the second in 7:58.

As the preliminary bout between children and adults was over, there is not to be called till 9 p. m., Friday. It may be late when Jeffries and Ruhlman enter the ring for their twenty rounds.

Meantime there is much anxiety over the decision of Judge Hollister and the action of Governor Nash. It will be known within a day or two whether Judge Hollister grants a permanent injunction against the contest on the ground of a public nuisance, but the promoters do not know what the governor may do, or when he will do it.

Both will go through their regular practice Monday. They will slacken their exercise Tuesday, and still more on Wednesday, doing little on Thursday. They rest all day Friday.

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for the mayor and the demonstration continued for some time. Ruhlman was introduced and received an ovation. Jeffries did not appear.

Contracts for Challenger.

New York, Feb. 11.—W. A. Melville, one of Sir Thomas Lipton's secretaries, arrived on the Umbra. He was met by E. W. Phillips, of the office of David Barmie, Sir Thomas' New York representative. Together with Mr. Barmie and Mr. Phillips, Secretary Melville will do much of the work preliminary to the cup races. There are contracts to be made for tenders, berths, stores, riggers, ship-chandlery, and maps, riggers, pilots and a thousand different kinds of supplies for the Lipton fleet. The clerical work in connection with this detail will keep the secretary in New York until after the races.

Huggins to Stay in England.

New York, Feb. 11.—A dispatch to the World from London says:

It is reported here that Mr. Wm. C. Whitely, of New York, has offered to take over Heath House, from the late Wm. Bessford's executors, under certain conditions. Besides taking Heath House, Mr. Whitney will agree to fulfill the arrangements entered into with the Jockeys, Lester and John Reiff, subject to the condition that John Huggins remains at Heath House, as trainer.

It is understood that Huggins had meditated returning to the States, but is now considering Mr. Whitney's offer. Huggins is well liked and it is universally hoped that the regular American will agree to remain here.

On the Oakland Track.—San Francisco, Feb. 10.—Entries at Oakland for Monday:

First race, six furlongs, purse—Dunfree, 118; St. Rica, 119; Cambercra, 114; Skip Me, 109; Splndle, George Dew