

# The Paducah Daily Sun

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PADUCAH, KENTUCKY, THURSDAY, NOVEMBER, 20, 1902.

10 CENTS PER WEEK

## OFFICIALS MAY GO \$10,000 DAMAGES

Claimed That Marshal and Prosecutor Cannot Collect Perquisites.

A Sweeping Resolution Said to Be Probable at Tonight's Meeting of Aldermen.

INVOLVES SEVERAL OFFICIALS

A surprise is likely to be sprung in the board of aldermen meeting tonight. It is said that Alderman G. G. Singleton, who took his seat a short time ago, will bring up the matter of illegally paying the city marshal, Mr. James F. Crow, and the prosecuting attorney, Mr. Jesse M. Gilbert, a part of the fines, costs and forfeitures from the police court, and will ask a consideration of the law relative to what disposition to make of fees and commissions collected by officers.

Both Messrs. Crow, the marshal, and Attorney Gilbert were elected for four years last November. Marshal Crow's office is abolished by the second class charter, under which we are now operating, but Attorney Gilbert's is not. There is now a question whether or not Marshal Crow's office remains in force under the second class charter, and whether or not he can hold on and draw a salary not authorized or provided for under the present charter, until his four years are out. He is now paid \$75 a year salary, and gets a large per cent of fines and forfeitures.

The prosecuting attorney receives one-third of all fines and forfeitures and no regular salary.

It is now proposed to spring on the city officials tonight this law, Section 10, page 42, of the second class charter: "All fines, and penalties and costs collected in the police court shall be for the use and benefit of the city, and the officer collecting such fines and penalties shall make a daily report of such collections to the treasurer, taking duplicate receipts therefor, one of which shall be delivered to the auditor."

This indicates that no matter what charter the marshal and attorney were elected under, they cannot collect or use any part of the fines, costs or forfeitures from the police court, the greater part of which they now get, because under the charter we are now operating under, positively declares that such shall be "for the use and benefit of the city."

This would leave Prosecuting Attorney Gilbert without any compensation whatever. He now receives a per cent of the fines and costs, and this is his compensation.

The constitution prohibits the changing or fixing of a salary after an official has been elected, and attorney Gilbert was elected a year ago, consequently, although the council has the power to fix the salary of the city attorney and city solicitor under the second class charter, it could not fix his salary now, after he has been in office a year.

As the present charter makes no provision at all for a city marshal, there is some doubt as to the legality of Marshal Crow's holding on.

But even if he does, should the attorneys decide that his perquisites, like the prosecuting attorney's one-third commission, must stop, he will receive only his regular salary, \$75.

Another thing that is to be decided is whether or not the city has a right, operating under the second class charter, to collect in the police court the costs that are provided for under the third class charter, and which may be anything the number of witnesses makes them.

The charter under which Paducah now working says: Section 8: "No judgment for cost shall be rendered in favor of the city for a greater amount than the fine unless the judge of the police court shall be of the opinion that a judgment for full costs shall be rendered against the offenders shall so certify."

It is held that this means that the costs that are now collected are extra and illegal. For instance, if a man is fined \$1 and costs for a drunk, the total is never less than \$7, while the present law says

Two Slander Suits Filed Today Against Capt J. M. White.

He is Alleged to Have Made Damaging Statements Against Two Citizens.

ALL PARTIES WELL KNOWN

Two sensational damage suits for \$10,000 each were today filed in circuit court here by Attorneys Moss and Moss and Harrison and Flournoy for Mr. W. F. Paxton, president of the Citizens' Savings bank, and Mr. James A. Rudy, of the dry goods firm Rudy and Phillips. The defendant in each case is Captain James M. White, of Nashville, the well known capitalist who for many years lived in Paducah and owns considerable property here.

It is alleged in the petitions that the defendant spoke false and slanderous words against the plaintiffs, Messrs. Paxton and Rudy, and that on or about February 7, 1902, he declared: "Those Kentucky Glass and Queensware people burned my house" meaning thereby to falsely accuse the plaintiffs of arson.

It seems that several years ago the Kentucky Glass and Queensware company, of which firm Messrs. Paxton and Rudy were the principal members rented Captain White's building on Broadway, now occupied by The Arcade, and in July 1899, the building burned, entailing a heavy loss to both owner and the company.

It is alleged that since then Captain White has frequently made slanderous and malicious assertions in regard to the fire, virtually accusing the plaintiffs who today brought suit for \$10,000 damages each, of arson, and otherwise seeking to damage them.

Captain White now spends most of his time in Nashville, but arrived last night on a business trip and is now at the Palmer house.

Capt. White was found at the hotel shortly before noon today and the papers were served on him. He came to spend two weeks.

that the costs shall never be more than the fine, unless the court specially provides, and so records. This would make the cost of a drunk in Paducah only about \$2.

Section 7 of the charter says: "All officers, deputies, and employees of the city, except as hereinafter provided, shall be paid a fixed salary, and not otherwise, and all fees and commissions authorized by law shall revert to and be for the use and benefit of the city."

It is reported a resolution will be introduced tonight covering all the above, which will prevent the city weigher, wharfmaster, city clerk and others who receive fees or commissions or are authorized to receive them from using the same, but compelling them to deposit them in the treasury for the use and benefit of the city. A conference between interested persons was today held at the city hall relative to the above matters, but nothing definite was done. A member of the council said that he intended to see that the law, if the above is law, is enforced.

## THE MARKETS.

Furnished by Arens & Gilbert of the Paducah Commission Co.

	OPEN	CLOSE
WHEAT—		
Oct.....	76	75 1/2
December.....	76	76
May.....	77 1/2	77
CORN—		
Oct.....	59	58
December.....	59	58
May.....	63 1/2	63
OATS—		
Oct.....	30 1/2	30 1/2
December.....	31 1/2	31 1/2
May.....	31 1/2	31 1/2
POKE—		
Oct.....	15 70	15 60
January.....	14 72	14 60
May.....	14 72	14 60
LARD—		
Oct.....	9 30	9 20
January.....	8 70	8 62
May.....	8 70	8 62
RIBS—		
Oct.....	8 12	8 07
January.....	8 12	8 07
May.....	7 87	7 80
STOCKS		
L. & N.....	122 1/2	123 1/2
I. C.....	14 1/2	14 1/2
U. S. S. P.....	5 1/2	5 1/2
U. S. C.....	5 1/2	5 1/2
M. O. P.....	10 1/2	10 1/2

## DID HE SEE THE POINT?



## Thousands Buried in The Sand

San Francisco, Nov. 20.—The first of the refugees from the devastated lands of Guatemala arrived today on the Pacific Mail steamer City of Para. They came from the districts of the inland sea, and traveled over a country laid waste by sand, ashes and pumice before reaching a railway station. From the latter places they made the journey by rail to Champerico, and there took the steamer to San Francisco. They sailed on November 7, when the volcano was still smoking and the rumbling of thunder and flashes of lightning gave evidence of more eruptions to come.

These people fled from their plantations in fear of their lives. They escaped to the seaside with little more than the clothing they wore, transportation being so difficult as to preclude the carrying of baggage. The refugees confirm stories of loss of life. They say that the victims for the most part are Indians. They had not heard of any white persons being lost. Thousands of Indians were asphyxiated, or buried in the sand. Miles of plantations are under ashes, and absolute ruin is the lot of many planters.

## LARGE CONGREGATION. AT CUMBERLAND PRESBYTERIAN REVIVAL LAST NIGHT.

There was a large congregation present at the Cumberland Presbyterian church last night and the Rev. Dr. Wigginton's sermon was listened to with deep attention and interest. The subject was "Not Far From the Kingdom," and it was replete with searching truths and marked by an earnest sympathy. Several requests for prayer followed the sermon. Dr. Wigginton will preach tonight on "Whole-Hearted People." Excellent singing accompanies each service, and the public is cordially invited to be present.

## THE PAY CAR. ARRIVED TODAY AND DISTRIBUTED ILLINOIS CENTRAL CHECKS.

The Illinois Central pay car arrived in the city this morning shortly before noon and began paying off in the freight house yards. This afternoon the car was taken to the shops where the employees were enabled to draw their checks. This afternoon late the train will start out for the Louisville division and will not lay overnight here, as is the usual custom.

## INSPECTORS FINISH

Illinois Central Officials Through With Their Work.

Roadmaster Shaw Returns and Makes a Trip Over the Cairo Extension.

PAY CAR GOES OVER LATTER

Roadmaster Shaw, of the Louisville division of the Illinois Central, passed through the city today en route to Louisville. He was accompanied by his wife who had been in Iowa visiting relatives. He met her at Duquoin and together they went to Chicago for a short visit.

Mr. Shaw has been out with the inspection train for more than a month. The inspectors finished up their work Tuesday at Duquoin, and the train was then taken to Chicago. It was one of the most complete inspections made and all divisions and branches of the entire system were gone over and carefully inspected, even to the Cairo branch of the Illinois Central which is now under construction.

Roadmaster Shaw yesterday afternoon went over the Cairo branch of the Illinois Central and reports that the work will now be pushed without interruption. "The work," he explained, "has been delayed on account of the graders failing to proceed. The graders were unable to work without a right of way, and now that all trouble has been settled on this score we will be enabled to finish up within three weeks, excepting what time it will require to make a cut located about 18 miles out of the city. The graders will work fast and the track men will have no trouble whatever in keeping up with the work."

The grading work was started again yesterday morning. The pay car went over the Cairo branch of the road this morning and paid off the employees. This is the first time the pay car has gone over that branch and the employees were not forced to walk to the freight depot to get their checks cashed. Now that the work has progressed sufficiently to secure a visit of the pay car, the railroad people feel that they are making some progress.

## AT MAYFIELD

State Factory Inspector Ludwig Finishes Work.

Found Fifteen Children Under Age Working There—Is Coming Again.

State Factory Inspector Ludwig passed through the city today at noon en route home to Louisville after a fifteen days' visit to Paducah and Mayfield or a regular inspection.

Mr. Ludwig arrived in Paducah over two weeks ago and began his inspections of local factories and when finished went to Mayfield to work there. He made 23 inspections in Mayfield and found 15 children working in mills and factories who were not of the lawful age. He got 25 sworn statements relative to children and will return shortly to Paducah and Mayfield and see how well the operators are adhering to the child labor law. He was pleased with Mayfield and speaks well of that city as a manufacturing town. There were only 20 factory children in Mayfield who could not read or write, a comparatively small percentage.

## DEATH AT BROOKPORT.

Nance and Spaulding, undertakers, this morning received a telephone message directing them to come to Brookport and prepare the child of Mr. James Eccles of that place for burial. The child died today and will be brought here this afternoon, and tomorrow morning the remains will be buried at the Oak Grove cemetery.

The city is to use one of the small Illinois Central pile drivers in driving piling for the Island Creek bridge at 14th street.

## A SECRET MARRIAGE

Couple Married Last Evening in a Piano Store in Paducah.

But This Morning the Facts Leaked Out—Bride Leaves on a Visit.

NOTES OF CUPID'S CAPERS

Mr. Raymond S. Kaletch and Miss Annie P. Trotter of Lovelaceville, arrived in the city last night, procured a marriage license, and repaired to the piano store of Rev. L. B. Duncan, on South Third street and were secretly married by Rev. Duncan. They are well known young people of the Lovelaceville section and have many friends who will wish them success. They intended to keep the marriage a secret and this morning the bride went up the Louisville division of the Illinois Central to visit relatives, the purpose with which she started out, while the groom returned home. The match had been arranged some time and the young people left without their parents suspecting the match.

"Big Joe, the Fat Boy," who is well known in Paducah and is the largest man in the world, was married last night at Yazoo City, Miss., to Miss Blanche Klingensmith of Lincoln, Neb. Joe's full name is Joe Grimes, and he first came to Paducah several years ago to attend the League of American Wheelmen meet at La Belle park, riding a bicycle as an advertisement for the wheel.

He was here again summer before last with Gaskill's Carnival company, and thousands saw him at the Elks' carnival. His marriage will doubtless be learned of everywhere with interest, for he has been all over the country.

Justice Brumfield performed the ceremony. Big Joe bears the distinction of being the largest man in the world, weighing 767 pounds, and he has just closed a successful season with the Ringling Bros.' circus at Monticello, Ark. His bride is 19 years old and weighs 100 pounds only. Miss Klingensmith made her home with her stepfather, a Mr. Powers of Lincoln, Neb., who is a wholesale cigar dealer. Big Joe retains his position with Ringling Bros. for next season. A portion of Ringling Bros.' attractions is at Yazoo City for a few days, of which Mr. Grimes forms a part.

A Nashville telegram gives the following account of the marriage Tuesday evening there of Mr. J. Barbour Gray who is very popular in Paducah society, and is now rating in the city for the underwriter's board. "The marriage of Miss Mary Lanier Scroggs to John Barbour Gray, of Louisville, occurred tonight at the residence of the bride's parents, Mr. and Mrs. L. H. Scroggs, in the presence of a large assemblage of relatives and friends. The Rev. J. Erwin pronounced the ceremony and the bride was attended only by her sister, Miss Willouise Scroggs. Misses Martha Scroggs and Jennie Peebles formed an aisle of ribbons, through which the bride and groom passed to the place of the ceremony. The house was decorated throughout with white flowers and palms. A wedding register was kept by Miss Lena Frierson, and punch was served by Miss Emma Spencer.

"The bride wore a gown of white crepe de chene, with a yoke and sleeves of shirred chiffon and a garniture of point lace. The wedding presents were many and handsome, among them being a silver bowl from the office and field force of the Kentucky and Tennessee board of underwriters. The bride and groom left tonight for a bridal trip to Chicago and St. Louis.

"Among the Louisville guests present were Mr. and Mrs. J. S. Gray, Mr. and Mrs. John Hampton and Thomas S. Dugan.

Mr. Hilliary Clark and bride arrived last evening from Elizabethtown Ky., on a visit to the groom's brothers, Messrs. Steve and Fred Clark. The latter attended the wedding and came down on the train with the couple.

(Continued on Eighth page)

## YER CAIN'T DOWN HART

Hart bobs up with a

### 25 Year Guarantee on Silver Plated Ware, Spoons, Knives and Forks

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**"We Guarantee"** To every purchaser that they are the best that can be produced by skilled workmen with latest machinery and best material. This guarantee is based upon a reputation for excellence and integrity in manufacture embracing a period of 50 years.

The Monogram Goods are guaranteed to wear 25 years in ordinary family use.

## GEO. O. HART & SONS CO

Last man post.