

dured while attempting to elude the officers. He appeared cool and indifferent and chatted with the guards and smoked a cigarette while waiting to be taken to the courtroom. He was securely handcuffed when taken into the room but the irons were taken from him before court opened.

WANTED POSTPONEMENT.

When the case was called, District Attorney Eichnor stated that this is the date for passing sentence upon James Lynch and that the defendant is present and he therefore asked that judg-ment be pronounced upon him. Attor-ney Will F. Wanless, who defended Lynch, asked that the time of passing sentence be continued for one week. He stated that he had a matter in con-nection with the case which should be passed upon before sentence is pro-nounced and that it was not at this time ready to be made known to the court or to the public.

DESIRED PRIVATE INTERVIEW.

He also moved that he be granted the privilege of a private interview with Lynch in the courtroom out of the hearing of his guards and all other persons. Judge Booth denied the request for a continuance and also the motion for a private interview. Mr. Wanless excepted to the ruling on the latter motion on the ground that his client was denied a constitutional right.

ELECTED TO BE SHOT.

Lynch was then instructed to stand up, and was asked by the court if he had anything to say why judgment should not be passed upon him. "No, sir." was the prisoner's reply.

"Have you still the same choice in gard to the manner of execution as expressed when sentence was previous ly passed upon you?" asked the court. es, sir.

was then sentenced to be shot until dead, within the walls of the state prison on Friday, Jan. 8, 1904, between the hours of 10 o'clock a. m. and 2 p. m.

THE CRIME.

The crime for which Lynch was again sentenced today was committed on Sept. 11, 1900. The information was filed against him on Sept. 29, 1900, and a verdict of guilty of murder in the first dewas rendered on Nov. 8, 1900. that time Lynch's case has been since that time Lynch's case has been appealed to the supreme court twice, but both were unsuccessful. It was pending the hearing of the second apreal before that court that the prison break occurred when Lynch and Haworth succeeded in escaping, only to be re-captured in a few days,

MAY NOT BE EXECUTED.

During the break Lynch is said to have prevented the other prisoners from killing Guard Jacobs and it is behave lleved that that act may be the means of securing a commutation of his sen-tence to life imprisonment. It is reor so that Atty. Wanless will use every effort to secure a commutation of sentence for his client, and it is generally believed that he will meet with success in that respect.

EICHNOR ON KING CASE.

At the conclusion of the Lynch case

At the conclusion of the Lynch case foday, Dist. Atty. Eichnor asked that the case against Robert L. King, who was convicted with Lynch, be dis-missed. He stated that the supreme court to be supercourt, in its recent opinion, reversed the judgment of the lower court as to King and ordered a new trial for him. Inasmuch as the state has no further evidence against King and the supreme

get into anything like this again for it has been a hard life."

MORE HELP NEEDED.

Salvation Army's Thanksgiving Appeal Lightly Responded to.

With a list of 200 familles numbering 600 persons besides the newsboys and others not in families who will look to the Salvation Army for a Thanksgiving dinner next week, and with poorly shod children depending upon it for stout shoes with which to travel to school through the storms and chills of winter, the light reponse to their appeal for funds makes the position of the army workers an anxous one at this time. An appeal mailed to the well-to-do o made tomorrow.

An appeal malled to the well-to-do of the city brought in but 47 replies, while the amount received by collectors was comparatively small. As the baskets of provisions must be given to te families the day before Thankngtving, only a few days remain in which to secure enough to cover the expenses of the dinner and provide for the school shoe fund, and those in a position to do so should con-tribute as early as possible, remember-ing that in this, as in all branches of Sal-vation Army work, they can only extend help according to the amount of the funds at their disposal. WEATHER MAP STREAKY.

Conditions Such That it is Hard to Tell What's Coming.

Today's weather map shows a series Several speakers followed Mr. Mitchell, all speaking in support of the Socialistic resolution. of elongated streaks of atmospheric currents extending north and south across the continent like strata of sand. the formation extending as far east as the \$5th meridian. Over the plains states is centered a high area, and butting in from the Pacific is a low area, so that it is "neither hay nor grass" in the intermountain country for the time being, with the predictions indicating fair tonight and tomorrow. It is very cold today up north, the lowest record

being 26 degrees below zero at Havre, and in general it has been a season of ason of low temperatures east and west.

MINER'S RETURNING.

Utah Fuel Company Makes a Gain of Nine Men.

company is in good spirits today, as the news from the mines is encouraging. He says there was a net gain of nine miners yesterday at Sunnys'de, with an indication of a steady further gain at that point, as men both new and old are showing up to ask for employment. At Castle Gate, the agitators only got 53 men out of a total of 471, notwithstanding they worked like beavers. Mr. Kramer has no fears for the future. As fast as old men go out, their place will be filled by native Utah workers, so that there will be no ces-sation of the work.

PENSIONRS FOR WESTERNERS.

(Special to the "News.' Washington, D. C., Nov. 18.—Pensions granted: Utah—Augustus Holmes, \$10. Idaho—William T. Burns, \$8: John court considered the evidence insuffi-clent to warrant a conviction, Mr. Wallenstein, \$10: Peter Mahnken, \$12: Eichnor therefore asked that the case Abner W. Waters, \$12.

visit yesterday from Andrew Jenson and Arthur F. Barnes, who gave him all the consolation possible under the circumstances.

MAY PREVENT WIFE'S VISIT.

In connection with the proposed visit of Mrs. Mortensen to the state prison, it is now stated that her friends are do-ing everything possible to dissuade her from seeing the condemned man, as they think that no good can come out they think that has been good and come out of it. The woman is said to be of a mervous temperament and it is feared that an interview with her convicted husband would be more than she would be able to stand. However, Mrs. Mortensen promised that she would go an 1 see him prior to his execution, if it came to that, and she is now ready to fulfil her promise, even if it should be the means of affecting her health. If she visits him the trip will likely be

Federation of Labor.

Boston, Nov. 18.—Discussion of the ques-tion as to whether the American Feder-ation of Labor should place itself on re-cord as favoring Socialism was resumed today at the convention of that organiza-tion. D. W. Richmond, president of the Railway Cierks' International association, today declared that his organization would withdraw if the federation adopted socialistic idens. would withdraw if the federation adopted socialistic ideas. Charles Lavin of Wilkesbarre, argued that there was something wrong with the bady politic, and that Socialism would cure the evils. John Mitchell, president of the United Mine Workers, sold he thought it a great mistake if Socialist friends attempted to commit the labor organization to the prin-ciples in which they believe. "It would be a said day, indeed," Mit-chell concluded, "If trades unlons were made the tall end of a political organiza-tion."

New Post for Merry del Val.

Rome, Nov, 15.-The pope today appoint-ed Cardinal Merry del Val, the papar secretary of state, to be prefect of the sacred palaces, a position which under the late Pope Leo had been made distinctive from the secretaryship of state, and had been informally entrusted to Cardinal Mo-cennic, who held it until now. It is a most inportant position, making Cardinal Merry del Val head of the administration of the valiean, and thus centering in his hands the nighest powers of the papar governement. The pope during the day received in pri-

The pope during the day received in pri-vate audience Mgr. Pionosan, archbishop of Buenos Ayres.



Chicago, Nov. 18 .- While negotiations | men to operate other lines only 15 cars | Railway lines, and in three cases that for peace between the City Railway and its striking employes were pending in the city hall through the overtures of Mayor Harrison and the aldermanic arbitration committee, a third line of the company's strike breaking cars was put in operation today under police protection. Five cars on the Indiana avenue electric line were started under a guard of patrolmen drawn from the Wentworth and Cottage Grove avenue lines, where trouble had been appar-

ently subsided almost to the point of disappearance. A greater number of trains were put in commassion on Cottage Grove avenue than was operated

nounces that an anarchist has surrendered to the police there and has con-fessed that he had been selected to kill the president of Switzerland, but that his courage failed him.

interiminterinteriminteriminteriminteriminterim TO KEEP SENATOR SMOOT OFF THE IMMIGRA-TION COMMITTEE.

(Special to the "News.") Washington, D. C., Nov. 18 .-Herman J. Schulters, chairman lobby committee of the Knights of Labor, has prepared and will have presented tomorrow the protest of that organization

against giving Senator Smoot a place on immigration committee. T Protest goes to committee on committees, to which Buroughs, + Michigan, has just been assigned. As the latter is one of the opponents of Senator Smoot, he will probably exercise all his influence to prevent the Utah senator from securing the place that he seeks. Schulters was a member of the government immigration commission, which investigated the 1 subject of European immigration a few years ago, and like many T other protestants against Senator Smoot, he is penurious with the truth. He declares that at that time Senator Smoot was employed as the agent of the "Mormon" Church in Liverpool, and I that he secured the immigration I of 1,000 polygamists each year.

ther than the one at Hastings in the testimony submitted herewith, about which the grand jury manifested a disposition to inquire. No witnesses were examined as to them. However, for the same reason given above I hold myself in readiness to follow any direction you may give me."

ATTY.-GEN.'S REPLY.

The reply of the attorney-general is The reply of the attorney-general is dated June 26, and is as follows: "I have your letter of the 23rd in-stant, transmitting a copy of testimony given before the United States grand jury in Omaha on June 6, 1903; by Leopold Hahn, called before the grand inv at its request and on account. Leopold Hahn, called before the grand jury at its request and on account of alleged violations of section 1781 of the revised statutes of the United States by Jacob Fisher, now postmaster in the city of Hastings, Neb. In your letter you correctly state that this testimony reflects not only upon Jacob Fisher, the postmaster, but as well upon Unit-ed States Senator Charles H Distribut ed States Senator Charles H. Dietrich of Nebraska. You likewise in your let. ter state that the investigation by the grand jury was discontinued at your request, the reasons which prompted you to make such request and the means which you employed in securing

that end. "In reply I state you should not have requested a discontinuance of the vestigation against the grand jury's in-sistence because of the fact that the conduct of a United States senator was nvolved in the question the grand jury desired to investigate. From the con of the proceedings before the grand jury it appears that at the time the testimony closed a most extraordinary and incriminating story had been told by the witness Hahn in which Senato Dietrich was criminally involved but the facts which formed the basis of this talk were not of the witness' owa knowledge. Fairness to the person thus incriminated, as well as other consider. ations of duty, should have caused yo to refrain from interfering with the de sire of the grand jury to probe the matter to the bottom. I especially disapprove of your carrying out interfer ence with the proper functions of the jury to the extent of using your promise to submit the matter to this depart ment for direction in the premises as an argument in your effort to persuade the jury to discontinue their investigation pon the whole your action matter, the end accomplished and the

House today and had a long interview

I know of have asked for the arrest of union traction men whom they ac-cused of delaying City railway." Mayor Harrison and his mediation ommittee held another conference with representatives of the company and of

Except for a few stones thrown there was no attempt to delay the Indiana the strikers today. Aneat the possibil-ity of a sympathetic strike on other streetcar lines in Chicago, President Mahon of the Amalgamated association of Street Railway employes, said: avenue cars on the route to the busi-ness center. Neither strikers nor their sympathizers were present in any great numbers. On the return, however, "I will not recommend a general strike, but should the proposition be put up for the men to vote upon there siderable delay was caused by the "short circuiting of the line. A rope strike, but the men to vote upon there put up for the men to vote upon there is a strong probability that they would vote to strike. This is especially true of the Union Traction men, who feel of the Union Traction men, who feel the two met and diverted the cur-rent. The obstacle was soon removed. The Wentworth and Cottage Grove the true cara met with only trifling in-

disappearance. A greater number of trains were put in commassion on Cot-tage Grove avenue than was operated yesterday. Owing to the withdrawal of police and

dent and believing it reflected your wishes in similar cases. I felt you would prefer that the investigation be made under directions of the postoffice de-partment, the conduct of a postmaster and the terms of a 10-years' lease being and the terms of a loyears tease being a subject of inquiry. This course was not adopted by me to avoid any un-pleasant undertaking. On the contrary, it was for the purpose of being the bet-ter prepared to do my whole duty. "Your obedient servant, "W. S. SUMMERS, "District Attorney."

It was explained that the paragraph of this letter referring to Indians had to do with other cases. In these cases unofficial notice had come to Mr. Summers' office of certain alleged violations of the law by men who were attempting to fraudulently secure possession of Indian lands. The district attorney asked for instructions and the department of justice in reply stated that the matter would be investigated by the department of the interior.

AT VICTORIA'S TOMB.

Queen Helena of Italy Places a Wreath Upon it.

London, Nov. 18 .- King Victor Emmanuel and King Edward spent the morning shooting pheasants in the great park at Windsor. Queen Helena and Queen Alexandra visited Queen Victoria's tomb at Frogmore, on which Queen Helena deposited a wreath. There will be 150 guests at the state banquet tonight in St. George's hall, Windsor Castle. Only two toasts will be proposed, King Edward and King

Victor Emmanuel toasting each other.

PANAMA'S CONSTITUTION.

Convention Will Soon be Called To Frame a Fundamental Law.

New York, Nov. 18 .- Federico Boyd, a member of the commission of the government of the republic of Panama, which has just arrived from Colon, says that in a few days a constitutional convention will meet to formulate a system of government which will fol-low closely the lines of the constitution of the United States. In discussing the revolution he was asked:

"What assurances, if any, did you have from the United States in reference to its attitude toward the up-

knew, of course," he replied "that American men of war would be there to see that the traffic across the isthmus was not interrupted by fighting and we knew for that reason the landing of Colombian troops would not be permitted. Outside of that we had no assurances. What we did, we did on cur own responsibility, and we de-pended upon the justice of our cause

pended upon the justice of our cause i for recognition. The question of pos-sible annexation of the United States had not yet been talked about. "The sentiment of the people of Pa-nama," Mr. Boyd added, "is to make the isthmus what it seems destined to be from its most and a settine and be from its geographical position, and to place it where it can perform most efficiently its mission in the interest of progress and civilization and become what it has been intended to be-a link binding together the two Americas and a gateway between two worlds. The building of the canal now lies with the United States."

Day of Prayer in Berlin.

Berlin, Nov. 18.—The bourse was closed today, this being the annual day for meditation and prayer. Any working except for the necessities of life can be fined \$7.50.

treaty should be allowed by the govern-ment of Panama to Colombia in pay-ment of Panama's share of the Colomblan national debt. It is understood, however, that the United States government would not offer an affront to the Colombian dignity and honor by tendering directly a sum of money in the nature of a bribe as a salve for the separation of Panama, and while it could not specify in its agreement with Panama that any part of the ten mil-lion was to be diverted to Colombia, there would be no concealment of the hopes of the United States in that matter.

The present intention of the United States government is to include in the new treaty provision for the payment of \$10,000,000 to the republic of Panama and to no other government.

U. S. Abyssinian Expedition.

Jibutil, French Somallland, Nov. 18. The United States Abyssinian expedition headed by Consul-General Skin-ner, which reached here yesterday on the United States gunboat Machias, anded immediately upon arrival. arty will leave temorrow by ra The arty rail for Adis-Abeda the capital of Abyssinia. Adis-Abeda, the capital of Abyssinia. The governor will give a dinner and re-ception tonight in honor of the Ameri-cans. The French authorities here cor-dially greeted the members of the ex-pedition. The United States flag was floating from the government hou and from many buildings in the city.

Loss Was Insignificant.

St. Petersburg, Nov. 18 .- It has been officially ascertained that the remittances burned on the mail car of the St. Petersburg-Moscow mail train Nov. 10 amounted only to a few hundred nubles

The fire was reported to have de stroyed valuables estimated at \$3,500,-

Run on Reading Bank.

Reading, Pa., Nov. 18 .- The run on the Pennsylvania Trust company con-tinued today but there was a dimuni-tion in the number of withdrawals. Most of the callers were from the coun-try districts and all were promptly paid. Several drove home with \$1,000 to \$2,000 and they were warned to look out for robbers. Many who came to withdraw their deposits, when they saw the great piles of cash and the officials ready to accommodate them left entirely satisfied.

Chamberlain Holds a Reception.

London, Nov. 18 Joseph Chamberain, the former colonial secretary. held and, the former colonial secretary, held a reception at the colonial office today to bid farewell to the agents-general of the colonies. Lord Strathcona, the high commissioner for Canada, was spokeman of the latter. Replying to the address of Lord Strathcona, Mr. Chamberlain said he had now almost the assured conviction that he determined the assured conviction that he had been able to convince his fellow countrymen that it was to their advantage to adopt his fiscal policy.

House Proceedings.

Washington, Nov. 18 .- The house to-Washington, Nov. 18.-The house to-day resumed consideration of the Cu-ban bill. Mr. Grossenor (Ohio), who opened the debate, prefaced his re-marks by saying that while the de-bate had taken a wide range, he re-gretted that there had been no dis-cussion on the other side of the house of the Panama canal question. In this connection he suid the position of the of the Panama canal question. In this connection be said the position of the administration was unassailable and would redound to the glory of the Amarican people American people.

means employed were astonishing, un. warranted and highly improper." Senator Dietrich called at the White

of 1,000 polygamists each year.

were operated on Wentworth avenue.



