

# LYNCH MUST PAY DEATH PENALTY.

Man Who Saved Guard Jacob's Life to Die at Hands of Executioners.

"ROY" KAIGHN OUT ON PAROLE

Duke, However, Was Denied a Pardon by the Board on Saturday—Other Applications Considered.

Unless something unforeseen happens to prevent it, there will be another execution at the state prison on Friday, Jan. 8, 1904, when James Lynch will pay the death penalty for the murder of Colonel Godfrey Prowse, at the Sheep Ranch club in this city over three years ago. The state board of pardons on Saturday afternoon refused to grant Lynch's application for commutation of sentence to life imprisonment. Attorneys H. C. Edwards and Will F. Wamsley made strong plea for a commutation in favor of Lynch, but without success.

Letters and petitions in favor of commutation signed by 10 of the 12 jurors who convicted Lynch, also Mayor Thompson, Sheriff Emery, a number of city councilmen and others, were read by the attorneys. Guard Zebulon Jacobs, who was seriously injured during the prison break, made affidavit to the effect that Lynch prevented the other prisoners from carrying out their threat to kill Jacobs outright at that time. It was thought that that act of Lynch's would be the means of securing a commutation of sentence. Lynch said that in the minds of many that Lynch fired the shot which killed Prowse, as he himself was injured shortly before or about the time that the shot was fired, and was rendered unconscious.

Lynch, when informed of the action of the board, was very despondent as he fully expected a commutation of sentence. Lynch said that he supposed it was all up with him now. He was taken from his cell in handcuffs and taken to the cell on the first floor of the south cell house near the cell occupied by Peter Mortensen before his execution. A death watch was immediately established and a guard will be with him constantly until the date of the execution. The watch is composed of Guards Schulze, Harrison and Shurtliff, who will watch over the condemned man until he is executed. The attorneys for Lynch will make additional efforts to secure a commutation of sentence for him.

## ROY KAIGHN PAROLED.

The board of pardons granted a parole to "Roy" Kaighn, who was serving five years for the killing of William S. Haynes in the corridor of the Knutsford hotel on Nov. 26, 1901. The parole was granted upon condition that the boy be furnished employment. Col. M. M. Kaighn stated that he would give his son employment in his law office. A parole was accordingly granted instead of a pardon and Col. Kaighn went out to the prison and brought his son home with him.

## DUKE TURNED DOWN.

The application for pardon of Harry T. Duke was denied by the board. Duke is serving a term of four years for embezzling funds of Wells Fargo's bank in this city. Other applications considered by the board are as follows: Edward Redmond, four years, robbery, parole granted; D. C. Carroll, four years, assault with intent to do bodily harm, parole granted; J. Napier, one year, obtaining money under false pretenses, parole granted; Thomas Ames, burglary, parole denied; James Edwards, Dalton, three years, assault with intent to commit robbery, parole denied; Joseph Bridge, assault with intent to commit rape, parole denied; Henry Wright, nine years, grand larceny and burglary, parole denied; Harry Poole, robbery, parole denied; Peter P. Mickel, larceny, both continued.

**Coughs, Colds and Constipation.**  
Few people realize when taking cough medicines other than Foley's Honey and Tar, that they contain opiates which are constipating besides being unsafe, particularly for children. Foley's Honey and Tar contains no opiates, is safe and sure and will not constipate. Sold by Johnson-Pratt Drug Co.

## NEW RESERVOIR SCHEME.

Millard County Project Will Redeem a Large Area of Arid Land.

George A. Seaman of the presidency of the Millard stake is up from Abraham, one of Millard's most promising young settlements. He reports conditions in that section all that could be desired and says that work on the new reservoir scheme is being pushed with all possible vigor, and that the prospects for state aid in its accomplishment are most encouraging. The scheme is to take water from the Sevier river sufficient to irrigate more abundantly the land now under cultivation, and to reclaim from 2,500 to 30,000 acres now arid. The proposed reservoir will cost \$50,000, but when completed will be of incalculable benefit to that section. The present reservoir has a capacity of 20,000 acre feet, and while its achievements are much appreciated the larger one will open up the country, and make it habitable for thousands of homeseekers. Mr. Seaman is most enthusiastic over the outlook, and in this he is ably seconded by C. H. Wilken, one of the founders of that settlement.

## Catarrrh Invites Consumption

It weakens the delicate lung tissues, deranges the digestive organs, and breaks down the general health. It often causes headache and dizziness, impairs the taste, smell and hearing, and affects the voice.

Being a constitutional disease it requires a constitutional remedy.

## Hood's Sarsaparilla

Radically and permanently cures catarrh of the nose, throat, stomach, bowels, and more delicate organs.

Read the testimonials.

No substitute for Hood's acts like Hood's. Be sure to get Hood's.

"I was troubled with catarrh 20 years. Seeing statements of cures by Hood's Sarsaparilla resolved to try it. Four bottles entirely cured me." WILLIAM SHERMAN, 1030 8th St., Milwaukee, Wis.

Hood's Sarsaparilla promises to cure and keeps the promise.

Moneyback says: I am Schilling's Best; I am true and good and as fine as is worth while; if you don't think so, your grocer hands you back your money.

# CHINESE COOK WAS SHOT DEAD.

Alta-Quincy Boarding House the Scene of a Bloody Tragedy On Saturday.

## J. H. WADE DID THE SHOOTING.

He Was Arrested and is Now in Jail Awaiting a Preliminary Hearing Tomorrow Morning.

The boardinghouse at the Alta-Quincy mine at Alta was the scene of a tragedy on Saturday afternoon about 2 o'clock in which Lee Yon, a Chinese cook, was shot and killed by J. H. Wade, a young miner about 27 years of age. From the facts obtained it seems that the cook and Rudolph Olsen, another miner, became engaged in a quarrel over some water during the midday meal and the Mongolian made a rush at Olsen with a huge knife. Supt. Colbath interfered and stopped the fight.

After the fight, it is said that the cook again started after Olsen with the knife. At this point Mr. Wade interfered and the Chinaman then turned upon him and attempted to carve him up. Wade then drew his revolver and shot the infuriated cook. The bullet, which was of 38 caliber, entered the head near the left eye and plowed clear through the skull. The Chinaman was not quite dead so a start was made with him for Sandy for medical assistance but he expired on the road.

Deputy Sheriff Davis of Alta, arrested Wade and notified the sheriff's office in this city. Sheriff Emery sent Deputies Cowan and Smith to the scene of the killing to bring the prisoner in. After being brought to the jail Wade would say nothing about the affair. It is said that the Chinaman has a bad reputation and once before chased Olsen down in the mine with a butcher knife. The knife he used on this occasion is about 18 inches long, with a blade 12 inches long and is a dangerous-looking weapon. Wade's preliminary hearing will be held before Justice of the Peace Burrows of Granite probably tomorrow or Wednesday.

## POWER FRANCHISE VETOED.

Mayor Thompson has vetoed the ordinance passed by the city council last Monday night granting an extension of 25 years on the franchises of the Utah Light & Power company.

**A GUARANTEED CURE FOR PILES.**  
Itching, Blind, Bleeding or Protruding Piles. Druggists will refund money if "AZO OINTMENT" fails to cure in 6 to 14 days.

Remember the Piano sale at Daynes-Romney Piano Co., 40 Richards St.

## WHERE WOMEN EXCEL.

Francis G. Luke Believes Fair Sex Make Ideal Collectors.

Francis G. Luke has returned from a six weeks' trip through Idaho, Oregon and Washington, where he has been in connection with the establishment of a number of branch agencies. In course of conversation this morning he stated that he had established a branch office also in Honolulu, and had installed Miss L. M. Lemmon there as manager, substituting in her stead at the Boise headquarters another lady. Mr. Luke states that he finds that ladies are more satisfactory in the work connected with collection agencies, with the result that he now has nine employed. He says that in every case, ladies have made a success where men have failed. Miss Lemmon was originally connected with the Salt Lake office operated by Mr. Luke, but she was sent to supersede the gentleman she so early demonstrated her ability that she charge of Idaho territory.

## PROVED AN ALIBI.

Evidence Was Not Sufficient to Convict Alleged Holdup.

The jury in the case of the state vs John C. Burns, charged with robbery, today returned a verdict of not guilty, upon the instructions of Judge Morse to that effect. At the conclusion of the testimony Dist. Atty. Elinor stated that the evidence was insufficient, and that she would give defendant the benefit of the doubt and acquit him. Thereupon Judge Morse instructed the jury to return a verdict of not guilty. Burns was tried for being implicated in the Coriander saloon holdup but proved an alibi.

## MINISTERS RESOLVE.

Alleged Extract from Elder Woodruff's Sermon to be Sent East.

At today's meeting of the Ministerial association a resolution was adopted relative to Elder A. O. Woodruff's recent address in the Tabernacle; and after quoting an alleged extract from the same the resolution was made to read:

"In order that the people of the East may understand what Christian men and women have to put up with in Utah while standing up for the American flag, and for Christian truth and righteousness,

Resolved, by the Salt Lake Ministerial association that a copy of the paper containing the above extract from Apostle Woodruff's speech, in the Tabernacle on Sunday, Dec. 13, 1903, be sent to each United States senator, and to the different denominational papers.

## Motion for Non-Suit Overruled.

Judge Stewart this morning overruled defendant's motion for a non-suit in the damage case of John W. Meyer against the Highland Boy Gold Mining company and the taking of testimony in behalf of defendant was then proceeded with.

## IDAHO SUGAR BOUNTY.

Case Involving Its Constitutionality Continued Till Jan. 4.

(Special to the "News.")

Boise, Id., Dec. 21.—The application for a writ of prohibition restraining the state officials from issuing any more bonds under authority of the seventh session of the legislature, which was to have been heard in the supreme court today, was continued until Jan. 4 because the attorneys were not prepared to present their case. The action involves the constitutionality of a bounty to sugar factories, among other matters.

## STILL AT WORK ON BALLOTS.

There were only three changes made in the election returns in the count of the ballots in districts 17 and 18 in Judge Lewis' court this morning. In district 17, Wood gained one vote and the others remained the same as reported in the official canvass. The official vote of the district resulting from the count made in court is as follows: Wood, 55; Dean, 75; Burbridge, 194; Badger, 191, and the two Socialist candidates nine each.

In district 18, Dean gained one vote and Burbridge lost one vote. The official count of the ballots resulted as follows: Wood, 148; Dean, 155; Burbridge, 183; Badger, 172, and the Socialist candidates 13 each. The count of the ballots is going on rather slowly, and this morning there was nothing in connection with the case aside from that. In the five districts now completed Dean has a plurality of four votes over Burbridge. The count of ballots will be proceeded with this afternoon.

## Amusements

Both theaters are dark tonight. The first attraction at the Salt Lake is on Christmas afternoon and evening, when Clara Burbridge, in "The Girl with the Green Eyes," makes her appearance, while at the Grand, "One Night in June," opens Thursday evening.

Mr. Sloan, advance manager of Lulu Glaser, is in town looking out for the interests of that popular star. Miss Glaser makes her first appearance here in eleven years, next Tuesday night, in "Dolly Varden."

At the Grand last night Held's band gave an attractive program, and was heartily applauded by good music. The features of the evening were a song by Miss May Anderson and Miss Laidoff, while both Mr. Held and Mr. Zimmerman, in cornet solos, were warmly appreciated.

Remember the Piano sale at Daynes-Romney Piano Co., 40 Richards St.

## NEEDED ASSISTANCE.

Bingham Miner Found Ill and in Desperate Circumstances.

A report was received at the sheriff's office this morning that an old man named John Hanson, a miner from Bingham, was lying ill in a room back of a store at 1175 south Third East street and needed assistance. Deputy Sheriff Steele went out to investigate the case and found that the old miner had been sick about a week and had been cared for by the proprietor of the store and his family, who

Always Remember the Full Name  
**Executive Bromo Quinine**  
Cures a Cold in One Day, Grip in 2 Days

## A GREAT REDUCTION

will be made in making dresses in Madam Jones' and Mr. Berger's departments. Keith-O'Brien Co.

## Special Exhibition of

**WATER COLOR PAINTINGS**

BY... H. L. A. CULMER

Now on View

20 East First South St.

# Homes for Christmas

Make the Best Money-Saving Presents.

Don't think it necessary to buy trinkets for Xmas. Buy a home or let me build one on your vacant land.

## ..REAVIS..

HOME BUILDER

At the Sign: 78 W. SECOND SOUTH. "Whose Roof is Over Your Head?"

were entire strangers to him. Pauper Clerk Sabine, of the board of county commissioners, also went out to investigate the matter and will probably have Hanson moved to the county infirmary and cared for until he recovers at any rate.

## CALIFORNIA FOR HEALTH.

Mild Climate, Rare Medicinal Springs and Charming Scenery.

There are many conditions of the body in which a change of environment is the only invigorating air of the coast to the invigorating air of the inland mountain ranges; in temperature, from the almost perpetual summer of the southern part of the state to the winter through not unpleasant, climate of the upper Sierras.

In addition to all this, there are numerous mineral springs, many of them having marked medicinal qualities, which have already won for them a wide reputation. At some of these sanitariums have been erected, and all the conveniences of modern civilization are at hand.

There, too, one can enjoy a more healthful and varied diet than is accessible in any other locality. Fresh fruits and vegetables the year round; an abundance of wild game, and meats that are nutritious and highly flavored.

A climate where even a delicate person can, with no fear of taking cold, spend ten of the twelve months in the open air needs few accessories in the way of recreation and amusement. Great numbers of semi-invaluable resorts have been erected to escape the cold of the eastern winters, and a great part of a California winter is almost an exact counterpart of the balmy days of an eastern spring. For illustrated literature descriptive of California address D. B. Gray, General Agent Southern Pacific Co., 201 Main Street, Salt Lake City, Utah.

## DEED

**SALISBURY**—At the home of his sister, 32 Quince street, Salt Lake City, Utah, on Monday, Dec. 14, 1903, of heart disease, Heber J. Salisbury, son of Thomas and Eliza Salisbury, born at Preston, Lancashire, England, June 1, 1865, came to Utah with his parents in 1881. Aged 38 years, six months and six days. Interment will be at Ogden at advertising and expense of sale.

**LAFOREAUX**—At Logan, Dec. 12, 1903, of scarlet fever, Shannale, daughter of Walter S. and Edith Ivins Laforeaux, aged four years.

**MOUNTAIN**—At 233 Belmont street, this city, Dec. 20, 1903, of diphtheria, Lavinia, daughter of Harold and Bertha E. Gillett, Mountain, aged one year, three months and eleven days.

**HALFORD**—Susanah, wife of Charles Halford, in the seventy-seventh year of her age, deceased was born Jan. 1, 1825, in the parish of St. John's Worcester-shire, at Thund, and emigrated to Utah in 1852, with the first company that was assisted by the emigration fund. She lived in Mill Creek ward ever since her arrival.

Funeral services will be held at Mill Creek ward meetinghouse tomorrow, 11 a. m. Friends cordially invited to attend.

on every box. 25c

## WANTED.

SEVERAL PERSONS OF CHARACTER and good reputation in each state to represent and advertise old established business houses of salt financial standing. Salary, \$2.00 weekly, with expenses additional, all payable in cash direct each Wednesday from here, offices, Wednesdays and Saturdays. References, Enclose self-addressed envelope. Colonial Co., 234 Dearborn St., Chicago.

Two years ago I traded a \$40. diamond for a suit of clothes, today the tailor can get \$40 for the diamond and I can get \$2 for the clothes.

**McCONAHAY.**

It's Time to Go Skatin'.

Boys, Youths' and Little Girls' High Cut Kalf and Kangaroo Shoes for Skatin' and Skool.

**\$2.25 \$1.95 \$1.75**

Misses' and Children's High Cut Vici Kid and Box Calf Shoes.

**\$2.00 \$1.75**

Sizes 12-1-2 to 2. Sizes 8-1-2 to 12.

We have a lot of Pretty Slippers for Xmas on Sale This Week.

**Noor's**

## A GREAT REDUCTION

will be made in making dresses in Madam Jones' and Mr. Berger's departments. Keith-O'Brien Co.

## DELINQUENT ASSESSMENT.

The Madson Gold Mining and Milling Company, 2100 2nd place of business, Salt Lake City, Utah, has been notified upon the following delinquent stock on account of not having paid the same on the 1st day of November, 1903, for several months and opposite the names of the respective shareholders as follows:

No.	Name.	Cert.	Shares.	Am't.
1	Wm. Muller	100	100	\$100.00
2	Wm. Muller	100	100	\$100.00
3	Wm. Muller	100	100	\$100.00
4	Wm. Muller	100	100	\$100.00
5	Wm. Muller	100	100	\$100.00
6	Wm. Muller	100	100	\$100.00
7	Wm. Muller	100	100	\$100.00
8	Wm. Muller	100	100	\$100.00
9	Wm. Muller	100	100	\$100.00
10	Wm. Muller	100	100	\$100.00

be given why you should buy her one. We have a full supply.

## H. DINWOODEY FURNITURE CO.

**A VERY NICE XMAS GIFT**

Is a Bissell Sweeper. It will be appreciated very highly by your wife, because it will save her lots of hard work. No better reason could be given why you should buy her one. We have a full supply.

**H. DINWOODEY FURNITURE CO.**

**GARDNER DAILY STORE NEWS**

**3 Days Till Xmas**

If you wish to spend anywhere from \$4 to \$12 for his Christmas present we could suggest nothing better than one of these comfortable BATH ROBES. Within that range of prices we will show you an elegant assortment of the very latest designs. Every one a perfect beauty at the price we ask, whether it is a \$4 one, a \$12 one, or one at any other price between the two.

Maybe, you'd rather give him a House Coat; they're here too, in splendid variety—\$5 to \$18, Christmas Neckwear, Christmas Suspenders, Christmas Gloves.

**Store will be Open Evenings All This Week.**

**J. P. GARDNER** 136-138 MAIN ST.

ORDERS BY MAIL PROMPTLY FILLED.

**154 Main SUGGESTIONS 154 Main**

For a Xmas Present for Men.

HOUSE COATS, gorgeous, beautiful, novelty patterns, handsome fabrics, Cheviots, Vicunas and Silks, Priced \$5.00 and up to \$25.00.

DRESSING GOWNS AND BATH ROBES, exquisite patterns, Priced \$4.00 and up to \$18.00.

FINE FUR GLOVES, \$3.00 to \$3.00 a pair.

FINE DRESS KID GLOVES, silk lined and unlined, \$1.25 to \$2.50 a pair.

FINE SILK SUSPENDERS, \$1.00 to \$3.50 a pair.

GORGEOUS NECKWEAR, 50c to \$3.50 a Tie.

FINE SHIRTS, \$1.25 to \$3.00.

PAJAMAS AND NIGHT ROBES, in Muslins, Outing Flannels and Silks.

Everything Good in Men's Wearing Apparel at Right Price.

**GRAY BROS. & CO.**

TRUTH-EVER QUALITY ALWAYS

A DOLLAR'S WORTH FOR A DOLLAR

NOTICE OF ASSESSMENT NO. 16.

The Revenue Mining Company, Location of principal place of business, Salt Lake City, Utah. Notice is hereby given that at a meeting of the Board of Directors of the Revenue Mining Company held Monday, December 21st, 1903, an assessment of two dollars (\$2.00) per share was levied on the capital stock of said corporation issued and outstanding, payable 90 days from date of first publication to Edward M. Ashton, Secretary of the corporation, at No. 27 Deseret News Building, Salt Lake City, Utah. Any stock upon which this assessment may remain unpaid on Monday, January 26, 1904, will be delinquent and advertised for sale at public auction, and unless payment is made before, will be sold on the 4th day of February, 1904, to pay the delinquent assessment, together with the cost of advertising and expense of conducting sale.

HERBERT T. HILLS, Secretary.

27 Board of Trade Building, Salt Lake City, Utah.

NOTICE OF ASSESSMENT.

The Verona Water Company, Principal place of business, Salt Lake City, Utah. Notice is hereby given that at a meeting of the Board of Directors of the Verona Water Company held Monday, December 21st, 1903, an assessment of two dollars (\$2.00) per share was levied on the capital stock of said corporation issued and outstanding, payable 90 days from date of first publication to Edward M. Ashton, Secretary of the corporation, at No. 27 Deseret News Building, Salt Lake City, Utah. Any stock upon which this assessment may remain unpaid on Monday, January 26, 1904, will be delinquent and advertised for sale at public auction, and unless payment is made before, will be sold on the 4th day of February, 1904, to pay the delinquent assessment, together with the cost of advertising and expense of conducting sale.

EDWARD M. ASHTON, Secretary.