

DESERET EVENING NEWS

NOTICE.

ADVERTISERS and the public interested, are notified that commencing June 21, the "News" will be delivered nightly by mounted carrier in the district on the west bank of the Jordan south of South Temple street, and including Poplar Grove and Fifteenth West street.

TODAY'S WEATHER REPORT.

(Observations taken at 6 a. m.)
Salt Lake City—Barometer, 29.56; current temperature, 68; maximum temperature, 83; minimum temperature, 43; moon temperature, 78, which is 2 above normal.
Accumulated deficiency of temperature since first of the month, 33.
Accumulated excess of temperature since January 1st, 21.
Accumulated excess of precipitation since first of the month, .08 inch.
Accumulated deficiency of precipitation since January 1st, 3.9 inches.

FORECASTS/TILL 6 P. M. WEDNESDAY.

Local forecast for Salt Lake City and vicinity:
Conditions somewhat threatening, but probably fair weather tonight and Wednesday; continued warm.
Utah—Forecast made at San Francisco:
Fair tonight and Wednesday.

WEATHER CONDITIONS.

An area of low pressure extends from southern Arizona northward over Utah and Colorado, while a second "low" is centered over the upper lake region. The crest of an area of moderately high pressure lies over British Columbia. Rain has fallen at Dodge, Omaha, Winnipeg, and New Orleans. It is cooler over Wyoming, Montana and western South Dakota.

L. H. MURDOCH,
Section Director.

To-day's Metals.

SILVER, Bar, 61 3/4
LEAD, \$4.00
CASTING COPPER 15 1/4 cents a lb.

SEMI-WEEKLY NEWS...

CIRCULATION

TODAY 17,685

January 1, 1899, 10,280.

(Issued Tuesdays and Fridays.)

The largest circulation of any paper between Denver and the coast.

OUR AIM:

20,000 by the 20th Century!

LOCAL BRIEFS.

A grass fire on Eighth and K streets yesterday afternoon called out fire department No. 4. The blaze was soon extinguished.

At the meeting of the Christian Union last night, it was decided to make an effort looking to the opening of the city library on Sunday. A committee was appointed to wait on the trustees and ask for that favor.

Prof. Evan Arthur is about to organize a male chorus for Cambrian Day at Salt Lake, which occurs Wednesday, July 18. Those interested are invited to meet with him at Ferguson's corner, south of Z. C. M. L., 7:30 Wednesday evening.

C. D. Brinton and wife of South Cottonwood will leave Salt Lake this evening on the customary two and a half day tour. Their field of labor will be England, and they will set sail on the Rhineland from Philadelphia on the 28th inst.

Parts 1 to 7 of the Paris Art Portfolio are rapidly being taken up. Number 8 is expected in this week. These beautiful works are rapidly finding their way to the drawing room and library tables of people of taste. They are unanimously voted the handsomest portfolios ever turned out at the price.

Massimo Pedrini of Idaho died at St. Mark's hospital yesterday afternoon. Pedrini was injured at a mine explosion at Clayton, Idaho, a few weeks ago, and an abscess formed under his left arm. Blood poisoning resulted, and he was brought to Salt Lake for treatment, but nothing could be done for him.

Superintendent Cooper of the Salt Lake public schools has returned from his sojourn in Iowa. While away he delivered a number of addresses, and enjoyed himself exceedingly, but he says he is glad to get back, as he likes Utah better than Iowa. Miss Cooper returned with her father.

The funeral cortege of John Lee left his late home, No. 24 North Second West street at 9:30 this morning, and proceeded to St. Mary's cathedral where mass was celebrated. After the service the cortege followed the remains to the Oregon Short Line depot, where they were shipped to Ogden for interment.

Several members of the Sunday School association held a meeting at the Y. M. C. A. last evening. R. B. Quay presiding. A call was made for delegates from the Sunday schools of the county to meet on the last Monday in August, in this city, for the purpose of electing officers for the ensuing year, and to arrange for the annual convention to be held in Salt Lake in September.

Money to loan on first class security. Interest low. No commissions charged. Zion's Savings Bank and Trust company.

UTAH COMMERCIAL AND SUGAR BANK
Interest paid on savings. W. F. Armstrong, president. P. W. Madsen, vice-president. J. E. Caine, cashier.

UTAH COAL.

Try the new Clear Creek Coal, Lump, Nut and Slack.
D. J. SHARP, Agent.
Tel. 429. 73 So. Main.

KEEP COOL AND

FEED YOUR BRAIN
All styles of hammocks, all current magazines and late books at
CANNON'S BOOK STORE,
11-13 Main Street.

"Everybody's Wants."
Read them! If you want to buy anything, want to sell anything, want to get work, want to get work, use our want columns.

JUROR McPHERSON LOSES HIS SUIT.

The Colored Man, Who Sued Ed. McCarrick for \$5,000.

LOWER COURT IS AFFIRMED

Held that if McPherson Suffered Damage, It Was Caused by Judge Norrell and Attorney.

The Supreme Court today delivered an opinion in the case of J. Gordon McPherson, appellant, vs. Edward McCarrick, appellee, affirming the judgment of the court below.

The appellant, McPherson, is a colored man. On the 26th of last February he was summoned to attend the trial of John H. Benbrook, charged with murder, as a juror. He was the last one examined and was accepted. The next day McCarrick sent a written statement to Judge Norrell, asking that McPherson be excluded on account of his color. The attorney in his case offered no objection and the court granted the request. McCarrick was challenged by the defense for the part he had taken in the matter, and he, too, was not let out of the panel. McPherson claimed that he had been allowed to continue on the jury he would have received \$25 in fees. In his complaint he alleged that he had been greatly humiliated and put to shame before the community that he was caused to suffer in mind by the open and public insult that was put upon him, and asked for damages in the sum of \$5,000. To this the respondent, McCarrick, interposed a demurrer on the ground that no cause of action was stated. The demurrer was sustained by Judge Cherry and the case dismissed, the plaintiff refusing to answer from this judgment McPherson appealed.

The Supreme Court holds with Judge Cherry that the complaint did fail to state a cause of action. "The fact that the respondent, McCarrick, in full compliance with the law, ordered the appellant, McPherson, to sit on a jury, and that he was caused to suffer in mind by the open and public insult that was put upon him, and asked for damages in the sum of \$5,000. To this the respondent, McCarrick, interposed a demurrer on the ground that no cause of action was stated. The demurrer was sustained by Judge Cherry and the case dismissed, the plaintiff refusing to answer from this judgment McPherson appealed."

COLOR NOT A TEST.

"Color is not a test of one's right to render jury service. The black man in this country never enjoys the full citizenship with the white man. All the rights and privileges incident to such citizenship attend him the same as the white man. This is so by virtue of the Constitution of the United States. The colored man, therefore, stands upon perfect equality with all others, before the law. In accordance with the divine law, the humane and enlightened judgment of our country has ordained that 'all men are equal before the law.' Hence, while socially, people may do as they choose within the law, and may associate with some and exclude others, yet in matters public, a white man is entitled to no rights or privileges which are denied a black man, and vice versa. That one person is colored differently from another is in law wholly immaterial."

LAW AFFORDS REDRESS.

"If, then, the appellant, as a colored man, had been injured by any misdeed of the respondent, the law would afford him redress. The difficulty in this case, however, is that the complaint fails to show any language, or conduct, on the part of the respondent, which is actionable. There is nothing to show that he abused or assaulted the appellant, or attempted to do so, or that he was responsible for the employment of abusive language towards him in his presence, or asked for his discharge. Nor was there any defamation of character, or libelous accusation, or fact, or anything of the kind. The writing referred to in the complaint of itself did not injure the appellant. If he suffered any damage, it was caused by the action of the attorneys and the court in discharging him from further participation in the trial as a juror. Whether, under the circumstances, such action was warranted, we are not called upon to decide. It is clear, however, that the respondent can not be held responsible for the sole charge, as to him, is that he objected in writing to serve on the jury with the appellant because of his color."

OBJECTION WAS FRIVOLOUS.

"While such objection was frivolous, unwarranted and unworthy of one who had taken an oath to do his duty as a juror, still under the circumstances as shown here it was not such as to cause pecuniary liability. If, however, it be true, as seems to be indicated by the record, that the respondent sat quietly without objection, until all the jurors were examined and sworn to try the cause, and then for the first time made his objection, maliciously and that such objection led to the discharge of himself and the appellant from the jury, the court, in maintaining its own dignity, would have been justified in adjudging him guilty of contempt, and in imposing an adequate penalty therefor. Such conduct and trifling ought not to be permitted in a court of justice."

Free of Charge.

Any adult suffering from a cold settled on the breast, bronchitis, throat or lung at A. C. Smith's Drug Store, will be presented with a sample bottle of Roschke's German Syrup, free of charge. Only one bottle given to one person, and only to children without order from parents.

No throat or lung remedy ever had such a sale as Roschke's German Syrup in a part of the civilized world. Twenty years ago millions of bottles were given away, and your druggists will tell you its success was marvelous. It is really the only Throat and Lung Remedy generally endorsed by physicians. One 15 cent bottle will cure or prove its value. Sold by dealers in all civilized countries.

ASHTON ELECTED SUPERINTENDENT.

Leads Mr. Moffat by About Five Hundred Votes.

VOTE POLLED WAS SMALL

As Compared With that of the Special Congressional Election.—The Trustees Elected.

Over 500 majority is recorded in favor of Mr. R. W. Ashton, the Republican candidate for county superintendent of schools, as a result of yesterday's election. In these districts, at the special election for congressman, the Democrats polled 2,088 votes and the Republicans 1,845 votes, so the figures of yesterday's election indicate that people failed to turn out in full strength. Here are the results in the several districts:

School Districts:	Ashton, Moffat.
21—West Jordan	48
22—Draper	60
23—Union	63
24—Murray	47
25—Murray	74
26—Murray	13
27—East Jordan	25
28—Big Cottonwood	94
29—Sugar Ward	117
30—Mill Creek	45
31—Mill Creek	38
32—Brighton	19
33—East Mill Creek	29
34—Herriman	97
35—South Jordan	92
36—Mill Creek	37
37—Big Cottonwood	22
38—Taylorville	41
39—Mill Creek	153
40—Farmers Ward	131
41—Sandy	18
42—Granite	18
43—Bingham	49
44—Riverton	25
45—Pleasant Green	24
46—North Point	15
47—Hunter	15
48—Brighton	15
49—Butterville	15
50—Granger	17
51—Bluff Dale	38
52—South Taylorville	22
53—Pleasant Green	9
Totals	1,442

TRUSTEES ELECTED.

So far as heard from these trustees were elected at the same time:
District 21. West Jordan—Joseph Hibbard, citizens' candidate, re-elected without opposition.
22. Draper—P. A. Nielsen, Citizens' candidate, no opposition.
23. Union—Carl Liljenblad, Citizens' candidate, no opposition.
24. Murray—Michael McMillen, Citizens' candidate, 51; H. W. Winchester, Republican, 48.
25. Murray—Henry W. Brown, Citizens' candidate, 111; Joseph C. Cahoon, Citizens' candidate, 63.
26. Murray—Norman Erickson, Citizens' candidate, 45; James Hadley, Citizens' candidate, 25.
27. East Jordan—J. B. Wright, Citizens' candidate, no opposition.
28. Big Cottonwood—George Harper, Citizens' candidate, no opposition.
29. Sugar Ward—M. C. Morris, Citizens' candidate, no opposition.
30. Mill Creek—Thomas Gunderson, Republican, 49; Louis Sayer, Independent, 9.
31. East Mill Creek—Amos B. Neff, Republican, 24; N. Fisher, Democrat, 23.
32. Brighton—John W. Wheaton for three year term, and Charles Billa for two year term, Citizens' candidates, elected without opposition.
33. Mill Creek—H. T. Shurtleff, Republican, 62; George Taylor, Democrat, 33.
34. Big Cottonwood—George F. Smith, Citizens' candidate, no opposition.
35. Taylorville—William Barker, Democrat, 41; William Gerrard, Republican, 22.
36. Farmers Ward—Martin Feader, Republican, 122; A. G. Dyer, Democrat, 68.
37. Sandy—H. Van Dam, Democrat, for two year term, 120; P. Enderberg, Republican, three year term, 15; scattering, 80. The election was on non-partisan lines.
38. Granite—A. J. Butler, for three year term, and L. E. Despain for two year term, both Democrats, elected without opposition.
39. Bingham—W. J. Strickley, Republican, 56; N. C. Hare, Democrat, 50.
40. Granger—W. J. Hone, Democrat, re-elected without opposition.
41. Pleasant Green—Joseph Shields, Democrat, 14; James Bertoch, Republican, 14.
42. Hunter—C. E. Layton, Non-partisan candidate, no opposition.
43. Brighton—John L. Gressman, Democrat, no opposition.
44. Butteville—N. H. Staker, Republican, 15; C. L. Woodson, Democrat, 14.
45. Granger—Tobias Feikins, Republican, 24; scattering, 10.
46. Bluff Dale—J. H. Olsen, 24; James R. Berry, 24; lots cast, Olsen winning the tie.
47. South Taylorville—Robert Walters, Citizens' candidate, re-elected without opposition.
48. Bingham—P. O. Lundberg, for three year term, and Oscar Holsten for two year term, Non-partisan candidates and Republicans, elected without opposition.
49. Pleasant Green—Lancaster, Citizens' candidate, elected without opposition.

THIEF GETS \$52.

Breaks Open the Cash Box in the Utah Lumber Company's Office.

The Utah Lumber company was visited by a burglar yesterday, who is exceedingly bold and deliberate.

While a clerk was the yard waiting on a customer, the thief quietly entered the office and politely prying open the cash drawer and appropriated for his own uses and purposes, the neat little sum of \$52.

UNIVERSITY REGENTS MEET

Transact Considerable Business—Sewer Contract Let.

The regents of the University held a meeting yesterday afternoon, at which time considerable business was transacted. To David R. Parry and Edwin Swenson, was awarded the contract for the sewer to connect the new buildings with the city sewer system, for \$1,500. The bid of the Salt Lake Electric Supply company, of \$348 for wiring the new buildings was accepted and the contract let.

A petition from the citizens on the

east bench asking for the construction of a new street four rods wide on the west side of the University grounds, and agreeing to pay for half the ground at the rate of \$1,000 per acre, was received and referred to the committee to determine whether or not the street shall be four or six rods wide.

The regents voted to join with Frank B. Stephens and other citizens in a petition to the City Council asking for the paving of the sidewalks in the east part of the city. And in another petition to the Salt Lake City street railway company asking for the extension of that company's line on Thirteenth East street.

The application of William Cartwright of this city for the position of engineer for the new buildings was received and filed.

The business of securing a permanent water supply for the University was placed in the hands of Messrs. Pierce and Kingsbury, with power to act.

TEMPLE NOTICES.

The Salt Lake Temple will close for vacation on Friday, June 29th, and reopen on Monday, August 6, 1900.

LORENZO SNOW, President.

Manti, Utah, June 11.—The Manti Temple will close Friday evening, 29th July, 1900, and re-open Tuesday morning, September 4, 1900.

JOHN D. T. MALLISTER, President.

Logan, Utah, July 2.—The Logan Temple will close for vacation on Friday, July 20, and reopen on Tuesday, Sept. 4th, 1900.

M. W. MERRILL, President.

The Best Remedy for Stomach and Bowel Troubles.

"I have been in the drug business for twenty years and have sold most all of the proprietary medicines of any note. Among the entire list I have never found anything to equal Chamberlain's Colic, Cholera and Diarrhoea Remedy for all stomach and bowel troubles," says O. W. Wakefield, of Columbus, Ga. "This remedy cured two severe cases of cholera morbus in my family and I have recommended it to all my customers to their entire satisfaction. It affords a quick and sure cure in a pleasant form. No family should be without it. I keep it in my house at all times."

Z. C. M. L. employees will give their annual excursion to Lagoon on Thursday, July 12. A big program has been arranged, including Boat races, Foot races, Sailing Match, and a concert. Trains will run every hour in the afternoon. "There's no place like home," (except Lagoon). The bar will be closed at Lagoon on Friday, July 13, on account of the M. L. A. excursion. "There's no place like home (except Lagoon)."

EASTERN EXCURSIONS

RIO GRANDE WESTERN RAILWAY.

Following excursions are announced by the Rio Grande Western R. Co., the popular scenic, through sleeping, dining and smoking cars, and a comfortable and delightful ride through the mountains. Cincinnati and return, July 3-10, \$48.50. Chicago and return, July 11 and Aug. 1, proportionate to other points. St. Paul and return, July 13-14, \$39.90. Colorado common points, Chicago, St. Louis, St. Paul, Minneapolis, Kansas City, Omaha and intermediate points, and return, July 20, one fare plus \$2.00. St. Louis, St. Paul, Minneapolis, Kansas City, Omaha and intermediate points and return, July 20, one fare plus \$2.00. Detroit and return, Aug. 23-24, \$1.00. Chicago and return, Aug. 23-24, \$1.00. For further details apply to L. A. Benton, City Ticket Agent, Dooly Block corner, No. 103 west Second South street.

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For heaven's sake, spend only 60 cents for round trip ticket to Old Arm Chair canyon, where you can make arrangements for summer season.

Old Arm Chair for rest and quiet. P. O. Box 961.

When dizzy or drowsy take Beecham's Pills.

The Old Arm Chair is the only really suitable place for a business man to conveniently visit his family. Go in morning, return in evening. See White, 102 W. 1st North.

TO ALASKA THROUGH SAN FRANCISCO.

Before making arrangements to go to Alaska, you should pay a visit to the gate facilities and advantages of embarking from San Francisco. Folders of Ocean Transportation companies sailing from San Francisco, and information concerning passenger rates can be obtained by addressing or calling on following representatives Southern Pacific company.

214 Dooly Block, Salt Lake City.
T. H. GOODMAN,
General Passenger Agent,
San Francisco, California.

Royal Bread.

Everybody eats it. Nothing beats it. Look for the label and ask your grocer for it every day. Health follows.

Franklin Subdivision has not been advertised until today. Without advertisement 17 lots have been sold. 25 more choice lots for sale. Prices reasonable and low.

EDWARD ASHTON,
Office No. 464 West First South St.

A Summer Outing Free

from poison ivy, snakes, etc., and a long ride, Old Arm Chair, P. O. Box 961.

Daynes Music Co. will give you three pieces of sheet music of the value of \$1.00, and one chance at the grand drawing for a \$250 Piano. All for one dollar.

Have you visited the Standard Dress Cutting Academy, 328 S. Main Street?

OUTING EXCURSION.

SOUTHERN UTAH AND IDAHO.

Via Oregon Short Line Saturday, July 21st, at greatly reduced rates from Salt Lake.

Lake Brigham ... 2.25 Soda Springs ... 8.10 Logan ... 3.50 Montpelier ... 9.65 Preston ... 4.50 Shoshone ... 10.00 Oxford ... 4.50 Hailey ... 10.00 Pocatello ... 7.50 Idaho Falls ... 9.50 Boise City ... 12.00 Market Lake ... 10.25 Huntington ... 22.50

Corresponding low rates to many other points and from all points in Utah. For full particulars see O. S. L. Agents, City Ticket Office, 201 Main St.

NEW CATALOGUE

OF

CHURCH WORKS.

Just issued by the Deseret News Send for free copy. Special terms to dealers, agents and canvassers.

Applegate's Milk Brand. Ask your grocer for the genuine.

A human refrigerator is Old Arm Chair.

Chair. P. O. Box 961.

EASTERN EXCURSIONS

RIO GRANDE WESTERN RAILWAY.

Following excursions are announced by the Rio Grande Western Railway, the popular scenic, through sleeping, dining and cafe car route to the East. Cool and delightful ride through the mountains. Kansas City and return, July 1, 2, \$39.00. Cincinnati and return, July 11 and Aug. 1, proportionate to other points. St. Paul and return, July 13, 14, \$39.90. Colorado common points, Chicago, St. Louis, St. Paul, Minneapolis, Kansas City, Omaha and intermediate points, and return, July 20, one fare plus \$2.00. St. Louis, St. Paul, Minneapolis, Kansas City, Omaha and intermediate points and return, July 20, one fare plus \$2.00. Detroit and return, Aug. 23, 24, \$1.00. Chicago and return, Aug. 23, 24, \$1.00. For further details apply to L. A. Benton, City ticket agent, Dooly block, corner, No. 103 west Second South street.

AUCTION.

FURNITURE, CARPETS AND STOVES. Houses fitted up from cellar to garret, on easy payments. \$1 on \$10; \$10 on \$100. L. X. 2nd and 3rd So.

WASATCH SUMMER RESORT.

MOST BEAUTIFUL CAMP IN LITTLE Cottonwood Canyon. First class hotel, fine cottages, good fishing. Horse cars meet O. S. L. trains twice daily at Sandy. Rapid Transit cars leave Sandy corner at 6:40 a.m. and 5:40 p.m. for Murray, where transfer is made to the Sandy stage. Address all mail via Sandy.

MRS. J. STARLEY, Proprietor.

WANTED.

WARM WEATHER IS HERE. SOME SAY dull times, but we have plenty of cash for all kinds of second hand goods. Now goods are changed for old. Co-op. 2nd Hand, 224 State.

NEAT COMPETENT GIRD FOR GENERAL house work. Must be good cook. 623 First Street.

LOCAL REPRESENTATIVE FOR A large clothing firm. Must have had experience. For particulars write to J. Anderson, Mt. Pleasant, Utah.

GOOD GIRL FOR GENERAL house work, small family, no washing, good wages, 208 N. State St.

GOOD SOLICITOR AT ONCE. 4 RICHARDS ST.

POSITION BY COMPETENT STENOGRAPHER. References furnished. Address Z. car News Office.

HOUSE REPAIRING AND GENERAL Jobbing work that is satisfactory, at prices that suit. Decker & Hutchinson, 100 E. 2nd So.

HAVING CONCLUDED TO CONTINUE business I want a complete stock of second hand goods for which I will pay highest price cash. M. Webster, 301 State St.

HORSES AND CATTLE PASTURED on splendid feed for only one dollar per month. Apply to Hyrum A. Barton, corner Third North and Main streets.

SEVERAL EXPERIENCED CANVASERS. Have desert experience to place the Paris Art Portfolio in this city. References required.

A NUMBER OF GOOD BOYS CAN FIND profitable employment selling the News' Catalogue. Apply for terms at the News Office Monday morning.

FOR WORK, FOR BEST HELP, GO TO Salt Lake Employment Agency, Rooms 25-29, 60 W. 2nd South. Tel. 683-2 R.

DO YOU WANT WORK? DO YOU want help? Go to Herknerath & Co., 161 Main Street. Telephone 484. C. R. Brock, Proprietor.

KEYS FITTED TO ANY LOCKS, NO. 12 W. 2nd So. 3 doors west of Main.

BICYCLES OLD OR NOT BOUGHT SOLD, or repaired, H. W. Third South.

A PURCHASER FOR A VARIOUS assortment of second hand jobbing goods and body type. Apply to the Deseret News, Salt Lake City.

GOOD GIRL FOR GENERAL house work. No washing. 547 East 1st South.

FOR SALE.

KEELEY'S PURE ICE CREAM and sherbets, 1 qt. 50c; 2 qts. 75c; 3 qts. \$1.00. 4 qts. \$1.25. Packed and delivered. Home-made cakes and breads. 42 E. 1st So. Tel. 269-4.

BARBER SHOP, Barton, cor. 3rd N. Main.

SUREY AND HARNES, Barton, Cap. Hill.

FINE BULL BARTON, cor. 3rd N. Main.

ONE DOLLAR WILL BUY PROMPT RELIEF. Asthma, Hay Fever, Catarrh, positive cure by Dr. Beesley's Nerve Pills. Dr. J. H. American Health Co., Fond-du-Lac, Wis.

25 NICELY FURNISHED ROOMS, on corner of 2nd and 3rd So. Tel. 683-2. Particulars at L. X. 2nd and 3rd So. P. A. Sorenson.

STRAWBERRY CUPS AND CASES AT Vogler-Wiedemann Company.

RESTA