

## DESERET EVENING NEWS

## TODAY'S TEMPERATURE.

|             |    |
|-------------|----|
| At 6 a. m.  | 71 |
| At 7 a. m.  | 72 |
| At 8 a. m.  | 74 |
| At 9 a. m.  | 81 |
| At 10 a. m. | 84 |
| At 11 a. m. | 85 |
| At 12 m.    | 86 |
| At 1 p. m.  | 86 |
| At 2 p. m.  | 86 |
| At 3 p. m.  | 86 |
| At 4 p. m.  | 86 |
| At 5 p. m.  | 86 |
| At 6 p. m.  | 86 |
| At 7 p. m.  | 86 |
| At 8 p. m.  | 86 |
| At 9 p. m.  | 86 |
| At 10 p. m. | 86 |
| At 11 p. m. | 86 |
| At 12 m.    | 86 |
| Lowest 68.  |    |

## THE SEMI-WEEKLY NEWS.

## THE GREAT COUNTRY PAPER OF THE WEST.

Is issued Mondays and Thursdays and contains all the cream of the Daily and Saturday News.

## LOCAL BRIEFS.

The Utah Fuel company has given \$500 in aid of the sufferers by the Hanan mine disaster.

The Swedish Brotherhood will occupy its new hall in the Auerbach building next Thursday night.

The Twelfth quorum of Elders will meet in the Nineteenth ward meeting-house this evening at 8 o'clock.

C. M. Bennett, a clerk at the Kenyon hotel, has accepted a business position in St. Louis, and will remove there later in the month.

State Pythian day will be held at the Salt Palace tomorrow afternoon and evening. An attractive program has been provided.

Joseph Trex, who was Gen. Custer's orderly in the civil war, was in town yesterday, en route from Newcastle, Pa., to San Francisco.

Rabbi and Mrs. Friedman en route to the coast on a belated trip. They were married in New Orleans.

The Home Telephone company has taken out a permit for the construction of the office building now well under way, and which will cost \$45,000.

The state board of education met Saturday afternoon and took up the matter of questions for teachers' examinations. The work will be continued at other meetings to be held this week.

The secretary of war has directed that First Lieut. M. N. Falls of the Twelfth infantry report to Maj. Allen M. Smith, president of the examining board appointed to meet at Fort Douglas, for promotion to a captaincy.

The efforts of Mr. and Mrs. James Gibson of 717 Second East to locate their 13-year-old son, George, who has been missing since the 3rd of May, have been successful. It is believed that George went to California with two other boys.

Mrs. Berry of 38 M street was painfully hurt in a collision Saturday afternoon, between two streetcars at the Pioneer monument corner. Her knee cap was broken and her knee cap hurt. The other passengers were shaken up but not injured.

The children in the Catholic cathedral choir and of St. Ann's orphanage will be guests of Bishop Scanlan tomorrow, at Childer's Park, where the children will be given an outing. An ample lunch will be furnished and a good program provided.

Mrs. F. W. Rensch of 73 South Eighth West street jumped from a West Side Rapid Transit car Saturday afternoon, at Fourth South street, where she was in motion, and was thrown violently to the ground. Fortunately she escaped with only a few bruises.

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At yesterday afternoon's meeting of the Societies, Mrs. M. M. Johnson read a paper on "The Life of the Owner of the Earth," which she divided the earth arithmetically because of the changing population, and that the affirmative assumed the theoretical possibility of one man's becoming the owner of the earth. Charles Stewart and E. S. Lund also spoke, and next Sunday Warren Foster will be the speaker.

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Indignant denials continue to come from some of the roomers at 202 West Third South street with reference to certain alleged libelous articles said to have been taken in violation of quarantine regulations during the recent appearance of smallpox there. But in reality the denials are not serious. Mrs. Kinney says the story that husbands of five of the roomers had been quarantined was permitted to go about their work is all wrong and adds that only two of them were married; that her own husband was out of the state and had been for a long time; that where she doesn't know. She also continues to differ with the county commissioners as to the quantity and quality of the food sent to the house and desires the "News" to do so. But Clerk Sabine has a pretty clean record of what was purchased—a record that is sufficient so far as the public is concerned.

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ZION'S SAVINGS BANK & TRUST CO. has half a million dollars to loan in sums to suit borrower on first class collateral at lowest market rates.

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## NO DANCING IN SCHOOL HOUSES.

In Violation of State Law and Public Policy, Say Members Of Supreme Court.

## THE TRUSTEES ARE ENJOINED.

Case Arose in Utah County and Has Attracted Close Attention in Educational Circles.

School trustees can no longer legally give permission to use schoolhouses in this state for public or private dances. It is held that such practice is in violation of state law and against public policy. The opinion was written by Justice McCarthy and concurred in by Chief Justice Baskin and Associate Justice Baskin.

The case is entitled Lewis Lewis vs. J. T. Bateman and Benjamin Bates. Lewis, who is a resident and taxpayer in the Alpine school district, Utah county, commenced a suit against two of the trustees to restrain them from permitting the public school house, the property of the district, to be opened and used for public and private dances. It was shown in the transcript of appeal that it was the intention of the trustees to uncrowd the seats, pile them up in a heap in the east end of the hallway and then use the school room as a dance hall.

A temporary restraining order was issued by Judge Marionaux preventing the two trustees from permitting the removal of seats pending the disposition of the case. When it came to trial the injunction was dissolved and Lewis' complaint was dismissed. From that judgment Lewis appealed to the state supreme court. His contention was sustained, the lower court being reversed.

After stating the facts in the case, Justice McCarthy says: "The only question involved in this case is, have the trustees of a school district the legal right and power to permit a public schoolhouse, which is the property of such district, and which is used for school purposes, to be used for holding public and private dances, a use which is in no way connected with the school, and which would not promote or advance its interests, but, on the contrary, the effect, if any, would necessarily be inimical and detrimental to school."

The judge holds that the private use of the school building is unauthorized and contrary to public policy, as it would be in effect by the trustees of trust property, and it would also be opposed to the principle that the sovereignty cannot tax its citizens for private purposes.

The judge adds: "It must be conceded that neither the state nor any political subdivision thereof could legally levy and collect a tax for the purpose of building a school building, and should such a thing be attempted any taxpayer whose property would be subject to such a tax could bring an action in a court of equity and restrain its collection. This is the law. It necessarily follows that a board of trustees have no right, and it would be in violation of their sworn duty for them, as is proposed in this case, to permit a public school building to be used for a public and private dance hall."

Not only would the proposed use of the school building be opposed, as above stated, but it would be in violation of the provisions of the statute under which the defendants attempt to justify and defend their action.

## TEMPLE NOTICES.

Logan, Utah, June 25.—The Logan Temple will close on Friday, July 31, and reopen on Tuesday, Sept. 1, 1903.

M. W. MERRILL, President.

The Mantle Temple will close Friday evening, July 31, and reopen Tuesday, Sept. 1, 1903, at 8 a. m.

JOHN D. T. McALLISTER.

Let your staff of life be a good one. Our bread is a dependable staff.

"IT'S THE BEST."

Call or phone. We deliver free. VIENNA MODEL BAKERY & CAFE, 19 E. Third South St. Phone 1931.

CHAS. SEIBOLDT.

SAW THE CITY THROUGH.

Park City Boy Gazed at the Elephant With the Customary Result.

James Christensen of Park City was the victim of the other evening of misplaced confidence, and a loss of \$75 is the result. He came to the city Friday evening, he says, with \$100 in his pocket. He was desirous of taking in the sights of the city, but a stranger here he wanted a guide. He found one without much difficulty in the person of one V. Vickers. The latter person, who was in all cases of local opinion so greatly to the liking of the Park City boy that he was invited to spend the night with him at his room in the St. Elmo hotel. The invitation was accepted, and when Christensen awoke Saturday, his friend was gone and incidentally \$75 in change. Early yesterday morning he was on Commercial street with Officer Sullivan hunting for the man, when he saw him entering a rooming house. The officer arrested him, and he is now in jail awaiting a hearing. He had \$3.35 in his pocket.

## AT THE RESORTS.

Today is Ladies' day at Salsair and every member of the gentler sex who so desires will be transported free to and from the lake. The courtesy has been extended by the management.

On Saturday close upon 2000 bathing tickets were sold at Salsair. The temperature of the water has been ideal and a big run has been the consequence, and when Christensen awoke Saturday, his friend was gone and incidentally \$75 in change. Early yesterday morning he was on Commercial street with Officer Sullivan hunting for the man, when he saw him entering a rooming house. The officer arrested him, and he is now in jail awaiting a hearing. He had \$3.35 in his pocket.

Friday next will be Pacific Islanders' day for Salt Lake, Granite and Jordan slides at Salsair. On that day every visitor to the beach will have a chance to sample the staple viands of the South Sea Islanders.

Four coaches of Tintic Old Fellows came in to Garfield over the Salt Lake route from Tintic and Tooele points Saturday. They spent a most enjoyable day in dancing and bathing.

For Over Sixty Years

Mrs. Weston's Compound has been used for many years in all cases of cholera, typhoid, dysentery, and all other diseases of the bowels, and is the best remedy for all these diseases.

Via D. & R. G. Aug. 15th, Limit 15th

## WITH LIGHTNING SPEED HE SHOT.

Bert Nelson's Thrilling Plunge Through the Air For Distance Of Two Thousand Feet.

## A MOST MIRACULOUS ESCAPE.

Went Up in a Balloon to Great Height But in Descent Parachute Didn't Work.

Shooting through the air with the speed of a skyrocket with his direction reversed for over 2,600 feet and saved apparently by the hand of providence about one second before he otherwise would have been dashed to pieces, was the hair-raising experience of Bert Nelson on Saturday afternoon. Nelson is the youth who took the place of Abbott since the latter lost his soaring machine two weeks ago. On Saturday Nelson made due preparation and when all was ready the word was given, the big bag of hot air was let loose and it shot into the air with a folded parachute at its side, and the young man dangling underneath on a rope. He was making the great parachute jump and every eye was fixed on the object which now appeared to be a mile high. Presently the signal was given, the form on the trapeze booted out into midair and above him was the huge umbrella which he was depending upon to sustain him. But the thing did not open up and to the horror and alarm of the multitude the helpless and daring aeronaut came hurtling through the air a few seconds later, but after falling about 2,600 feet, and when within a few yards of the earth, the parachute opened and the man's life was saved.

His descent was not entirely interrupted, however, and he alighted in a Chinaman's vegetable garden with sufficient violence as to sprain his ankle and otherwise bruise him up severely. During this thrilling episode women and children screamed and cried while men stood like statues.

There were about 7,000 people in the park, most of whom were from Bling-bling, and the next two days, from that place of all the fraternal orders there. "Have a good time," seemed to be the motto of everyone present and they