

The first set speech was that of Benion, of Vernal. He opened immediately after the preliminary talks which brought the question before the senate. He said: "It seems to me that no proper reason can be advanced against the principles demanding this investigation. This question has been agitating us for 50 years. It has consumed long hours in this senate. Ten years ago the proposition carried by a narrow majority in the constitutional convention. Many men now in this room were there and spent the night against the separate maintenance of these schools. I do not refer to President Kerr, but a prominent resident of Cache county said to me just the other day: 'I agree with the institutions ought to be consolidated. I say it was a great mistake to build them apart, and all you can do now is to say to one institution: "You take care of the people, and we will take care of the other, you take this other bit of money and you get along with it, and the best you can."'

"I do not agree with him. We CAN DO something with it, but we have got to go down to the bottom—to remove that stone from the foundation of the state, to go back and start over.

"Agricultural college for \$250,000 this year is unjust. If it is to live it will need this much, and if it needs this much how much more will it need in two years from now? What ought it to be in a few years hence?

"Senator Barber, my friend whom I respect, objects to this amendment on the grounds that it is not in his report. He has no monopoly on that report. We endorse his plan for a commission of investigators. We also want this matter to be submitted to the people. Is he afraid to have it go before the people? To put it off till 1906 or 1908 is to prolong the agony, for the fight would drag on. Our only purpose in offering this amendment is to adopt the report of the Barber report, with this clause in addition:

WILLIAMS FOR AMENDMENT.
Senator Williams, chairman of the appropriations committee, got the floor after Benion, and went into the financial side of it. "Our revenue," he declared, "is insufficient to support any institution of a first class quality. I am informed that there are now 75 graduates of the Salt Lake High school abroad trying to get an education, because they are not invited to work offered at the University of Utah."

He favored consolidation in the hope of bringing Utah boys up at home while they are getting their education.

McKAY IN OPPOSITION.
Senator McKay's speech was long and full of feeling for the men of the soil and for the work on irrigation and agriculture. He spoke of his long life in Utah, and of the fact that he had four sons and four daughters who were getting or had already got their education in Utah. He said he had lobbied for the graduates of the Utah University and had pleaded with him to support that institution and not go back on it. He had two younger boys whom he wished, however, to send to the Agricultural college, where they would learn not to be afraid of work, and not to be made ashamed of agricultural life. He wanted them to graduate able to take any problem of irrigation or farming or of engineering, and he wanted the Agricultural college to be able to teach them all of that."

BARBER ONCE AGAIN.
Senator Barber was brought to his feet for a second speech by the remarks of McKay. He deplored the fact that an incorrect impression had gone out that the Agricultural college already had the money it was asking. The power to grant it money was with the Legislature, he declared, and however little it could afford to give, the college wanted the little, and wanted to stay alive on it.

At the end of his speech the motion to adjourn was carried.

A ROAD AND BRIDGE SUGGESTION

Special Correspondence.
Cedar City, Utah, March 7.
Editor Deseret News.

Dear Sir—A few days ago I read an editorial in your valuable paper, calling the attention of our Legislature to the necessity of being economical of the expenditure of the public money.

"There is one matter in particular that needs some very important changes in. And that is the manner of the expenditure of what is commonly known as the road and bridge fund. Of late years the governor has made the appointments. Formerly the county commissioners of the various counties had a voice in and were associated with his selection in the selection of some worthy and competent person to supervise the expenditure of this money. There is an old saying that comparisons are odious. In this particular, this expression is altogether mild. To put it in its mildest form, one is safe in saying that it is a scandalous shame the manner in which the state funds have been squandered in the years, in this section of the country.

The apportionment starts out in one end of the county, perhaps in the month of April, with some one or two favorites, and arranges to make the job last during the entire summer, regardless of the fact that one man can accomplish more in the months of May or June than two men can do in the same length of time in the month of September, when all the country has become dry and hard. The apportionment of persons to expend public money as a reward for political favors regardless of qualifications is something that every fair minded man should condemn.

While the executive is not always to blame, we know that in the past political leaders have been consulted as to who they would recommend for these positions. The county commissioners are representative men, being the choice of their constituents, and are directly amenable to the public for the use or abuse of their power.

We feel that if a measure could be named whereby they could be consulted in regard to the selection of the persons to expend the means appropriated for this laudable purpose, the state would get from 30 to 40 per cent better results than under the present method.

I am not acquainted with his excellency, the present governor, but I feel assured that if he was familiar with the conditions, these are the outgrowth of these appointments by a stranger, and the advantage that is often taken of his confidence in men, that he would be willing to have a law framed by which he could invoke the assistance of the county commissioners and have them share the responsibility in the selection of some one that would feel that he was in honor bound to put in the time to the best interest of the state, and not for his own personal aggrandizement.

I have no personal interest in this matter, only a common sense interest, but I know that the above is the sentiment of scores of people of all political faiths, not only of Iron county, but other counties are making the same complaint.

EDUCATORS NOW WORKING HOUSE.

Duplication of Studies in University and the Agricultural College.

MANY COMMITTEE REPORTS.

Uniform Street Car Fare Bill Goes Way of All Things Mortal—May Yet Pass "Employees' Bill."

The house had under consideration this afternoon the report of the joint committee on the duplication of studies at the University of Utah and the Agricultural college. Prior to the opening of the session, there was considerable lobbying on this question, and it was quite evident that a strong effort was being made by officials of the respective schools to influence members against a consolidation.

COMMITTEE REPORTS.
The committee on education and art recommended the passage of S. B. 59, by Benion, providing for the appointment of associate examiners in cities of the second class. Adopted.
The committee on judiciary recommended the passage of S. B. 13, by Benion, relating to the powers of corporations and the manner of making amendments to articles of incorporation; also the passage of S. B. 75, by Benion, relating to the salaries and wages of public officials and employees to attachment, garnishment and execution; adopted.
The committee on public funds recommended the passage of H. B. 13, by Marks, an act to secure to the state, interest on state money by depositing the same in banks; adopted.

STREET CAR FARES.
A majority of the committee on railroads and common carriers recommended the non-passage of H. B. 84, by Stookey, establishing a uniform street car fare, which the minority recommended that the bill be passed. Joseph moved that the minority report be adopted, a motion which brought forth a speech by Stookey, in which he charged that the company operating in this county was guilty of discrimination, in that it favored certain sections at the expense of others, particularly that ending at Murray. In his remarks Mr. Stookey charged that the company in question had secured its franchise through misrepresentation. Thompson declined against the measure as he thought it unjust in that it required the street car company to haul passengers a distance of nine miles for five cents. Joseph spoke for his motion, while Austin, one of the majority, opposed it as he considered the recommendations of the measure out of reason. The motion was lost.

MAY YET PASS.
Roberts moved to reconsider the action of the house on the committee report on H. B. 100, by Joseph, compelling street railway companies to provide seats for motorists. The motion prevailed, and the bill was recommitted. It is understood that an effort will be made to pass the measure after eliminating the section requiring air brakes on double track.

"RACE SUICIDE."

Elder Nephi Pratt, president of the Northwestern States mission in a letter to Elder A. Milton Mueser says: "I have read your wonderful pamphlet 'Race Suicide' and was never more delighted in my life in reading anything. The Josephites with the whole world for their enemies, cannot answer for one for one do not blame them for not being willing to publish it in their 'Saints' Herald. Will you please inform me if they ever had attempted to answer it. Send me 50 copies."

AMUSEMENTS.

"Mother Goose" drew two more large audiences yesterday, the night attendance being much heavier than that during the afternoon. The same bill runs the remainder of the week.

At the Grand tonight, "From Rags to Riches" opens its engagement. Harry Carson Clarke's return visit opens Monday, in "Why Smith Left Home."

BUSINESS NOTES.

Today's local bank clearings amounted to \$401,863.83 as against \$335,922.04 for the same day last year.

The Zion's Savings Bank & Trust company directors met yesterday afternoon and declared a regular quarterly dividend of 2 per cent, amounting to \$5,000, payable April 1 to stockholders of record on March 30.

The Porter-Walton Forwarding company of this city filed a petition for incorporation in the county clerk's office today. Its capital stock is \$25,000, divided into shares of the par value of \$100 each. Charles F. Adams is president and treasurer; Edith M. Richardson, vice president; Belle H. Adams, secretary. The company will continue the business of Richardson & Adams in this city.

Articles of incorporation of the Richardson & Adams company of this city were filed in the county clerk's office today. Its capital stock is \$30,000, divided into shares of the par value of \$1 each. Charles F. Adams is president and treasurer; Edith M. Richardson, vice president; Belle H. Adams, secretary. The company will continue the business of Richardson & Adams in this city.

AFTERNOON ON 'CHANGE.
New York Bonanza held up to about the forenoon quotations during the afternoon call on change. The sales were: 314 May, 500 at 13 1/2, seller 5; Victoria, 100 at 1 3/4.

Butler-Liberal, 500 at 1 1/2.
Little Chief, 1,000 at 2 1/4.
New York Bonanza, 100 at 4 1/2, seller 5; 400 at 4 1/2, seller 5.

Hood's Pills

Are prepared from Nature's mild laxatives, and while gentle are reliable and efficient. They

Rouse the Liver

Cure Sick Headache, Bileousness, Sour Stomach and Constipation. Sold everywhere, 25c. per box.

Prepared by C. L. Hood & Co., Lowell, Mass.

The Pure Food Commissioner

Made a round up of Extracts in a County near Salt Lake, a few days ago.

He didn't find any that was better than Three Crown Extracts.

We make them better than the law requires, and if you don't like them they will cost you nothing.



YOUR GROCER SELLS "THREE CROWN."

Hewlett Bros. Co.

MEASLES AND PNEUMONIA

Led the Diseases in the State of Utah During January.

The January bulletin of the Utah state board of health was delayed in publication owing to failure on the part of certain health officers in the state to forward the necessary data. Eighty-eight local health officers in 23 counties reported, 30 of whom said their communities were free from all contagious and infectious diseases. Reports showed scarlet fever present in 13 localities, smallpox in 16 localities, diphtheria in 16, typhoid fever in 13, whooping cough in 8, measles in 14, chickenpox in one, pneumonia in 34, and tuberculosis in 6. There were in all 70 cases, 304 being measles, and 165 pneumonia. The deaths numbered 70, 33 being from pneumonia and 37 from measles.

Incomplete returns of mortality from 17 counties, with 24 cities and 9 incorporated towns and 32 villages, with a population of 154,750 people, show a total of 233 deaths from all causes representing a death rate of 15.25 per thousand. The greatest cause of death was from respiratory diseases, numbering 81 cases. Of these, 10 were from pneumonia, 10 from influenza and 61 from other causes. A fine program is assured.

TO CURE A COLD IN ONE DAY

Take Laxative Bromo Quinine Tablets. Druggists refund money if it fails to cure. E. W. Grove's signature is on box.

PAUL JONES' BONES.

Ambassador Porter Believes He May Be Able to Find Their Burial Place.

Ambassador Horace Porter has some reason to believe that he has at last discovered the remains of John Paul Jones, the heroic American sailor, says a Washington dispatch. Porter, who is now in New York, has been told by a reliable source that the body of John Paul Jones, who died in Paris, had been buried in a small crypt in the cemetery of the city of New York. Porter, who is now in New York, has been told by a reliable source that the body of John Paul Jones, who died in Paris, had been buried in a small crypt in the cemetery of the city of New York.

The reunion of Farmers ward Sunday school theological department, Friday night, has been postponed for one week.

The Elders of the Pioneer stake will hold their semi-annual conference in the Seventh ward meetinghouse on Monday evening, March 13, at 7:30 p. m. All Elders residing in the stake are earnestly requested to be present.

The Sugar House ward amusement hall will be the scene of a most interesting entertainment tomorrow evening, called the Ollipodria, consisting of character sketches, instrumental and vocal selections, and a prize sale auction. A fine program is assured.

R. T. Clark, charged with grand larceny in the taking of a horse and buggy from Fort Douglas some time ago, was to have had a preliminary hearing before Judge Diehl this morning, but the defendant waived examination and was held to the district court.

The annual ball of the operating department of the Independent Telephone company netted \$100 in aid of the sick fund of the employees of the company. The attendance, by invitation, was 300 people, many of the ladies appearing in fine costumes, and music was furnished by an orchestra of 12 pieces.

The quarterly conference of the Elders of the Salt Lake stake will be held in the Sixteenth ward meetinghouse at 7:30 p. m., Monday, March 13, 1905. GEORGE R. MORRIS, EDWARD T. ASHTON, Stake Presidency.

F. F. Farrar was found on the street this afternoon by Quarantine Inspector Sperry, suffering from smallpox, and was taken to the quarantine hospital. He is 37 years of age, single, and a resident of the city. He was taken at once to the livery stable, where the pest wagon is kept, and as soon as the team could be hitched to the wagon he was taken to the hospital.

Nine cases of measles, three of smallpox and one of chickenpox were reported to the city board of health today. Those reported as having smallpox are: Mrs. Mary H. Barr, aged 49, and her two children, Wilbert and Jennie, aged 10 and 12 years respectively, residing at 327 east Fifth South street. With these cases today there are now four cases of the Barr family afflicted with the disease.

State Engineer Doremus was almost flooded this morning by the receipt of papers containing over 1,400 names of water users, largely from the northern counties, agreeing to accept the recent proposition made relative to the terms on which water would be furnished by the government. Mr. Doremus is quite encouraged by the attitude of the majority of water users in this matter.

Charles Wilkes has resigned the management of the Salt Lake Automobile company, to become manager of the new Automobile stage line to run between Tonopah and Goldfield, Nev. He leaves here on the 10th inst. for Nevada. The president of the new line is F. W. Vogeler of Red Rock, Mont., proprietor of the Yellowstone Park stage line; Henry McCormick of this city is the vice president, and Mr. Wilkes is secretary, treasurer and general manager. Cars have been shipped from St. Louis for Nevada, and if the railroad company can not carry them, the cars can be run to Tonopah by their own power.

CHARLES A. BROWN SUES FOR \$60,000.

Big Damage Suit Filed in the District Court Against Union Pacific

TRAIN ORDERS WERE CHANGED.

Alleges That Through Carelessness of Dispatcher He Was Injured in Wreck at Green River.

A \$60,000 damage suit was filed in the district court today by Charles A. Brown against the Union Pacific Railroad company to recover said amount for personal injuries alleged to have been received by plaintiff on March 9, 1904, in a collision between two freight trains about five miles east of Green River, Wyo.

Plaintiff alleges that he was engineer on one of the trains and that he had orders to meet the eastbound freight at Green River. After he received his orders he alleges that the defendant negligently changed the orders for the other train without notifying him of such change, with the result that the two trains came together in a head-on collision. Plaintiff was seriously injured and has been incapacitated from his usual work for the remainder of his life, and he asks damages in the sum named above.

PUT THROUGH THEIR PACES

Eighteen Applicants for Position of Firemen on Han—Real Alarm.

Eighteen applicants for positions on the Salt Lake fire department, reported to Chief Bywater this morning to be examined as to their qualifications. They were subjected to various tests, among them being ladder climbing to the top of the hose tower, taking up a line of hose, and placing ladders against the building and scaling it. Each man was timed, and none were shown how to do the work.

During the drill a fire alarm came in from a hardware shop at 231 south State street, where a blaze had been started by one of the barbers, a man named Hurze, getting a flame too close to some gasoline. The man's hands were slightly burned, and before the fire was done. The firemen made one of the best and quickest dashes in the history of the department in responding to the alarm, and Chief Bywater and his men were heartily congratulated by a number of citizens who witnessed the incident.

LATE LOCALS.

Joseph H. Wallis of Sugar City is a guest at the Kenyon with his wife.

D company, First infantry, will hold a smoker on the evening of the 31st inst.

I. H. Cook, a prominent insurance man, has returned from a business trip to southeastern Nevada, and is at the Kenyon hotel.

John L. Robinson of Pleasant Grove, and Miss Sarah Holt of Payette, Idaho, were united in marriage in the county clerk's office today by Deputy Clerk David A. Smith.

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ECCLES WINS IN SUPREME COURT.

Roth Damage Suit Decided in His Favor, the Lower Court Being Reversed.

WAS HURT ON SUGAR FACTORY.

Plaintiff Awarded Judgment for \$15,000, From Which Decision Defendant Appealed.

The supreme court has handed down an opinion reversing the judgment of the lower court in the case of George Roth vs. David Eccles, appellant, and remanding the case to the lower court with instructions to proceed in accordance with the decision of the higher court. The action was brought to recover damages for personal injuries received by plaintiff while employed in the construction of defendant's sugar factory at Logan on Oct. 30, 1901.

Plaintiff was employed in carrying mortar for the brick masons and two other men were working on the second story of the building passing brick by hand from one to the other. A brick being thrown from one to the other broke in two pieces and one of the pieces fell to the ground below and struck plaintiff on the head, inflicting serious injuries.

The jury in the lower court returned a verdict in favor of plaintiff for \$15,000. An appeal from that judgment was taken by defendant. The opinion of the supreme court, written by Chief Justice Barlow and concurred in by Justices McCarty and Straup, holds that the court below erred in not granting defendant's motion to instruct the jury to find for defendant on cause of action. The instruction should have been given, the opinion states, for the reason that there was nothing in the evidence which tended to show that defendant was in any way responsible for the act or was guilty of negligence in connection with the affair. The judgment was accordingly reversed.

WIFE AT IT AGAIN.

Pearl Smith Institutes a Second Suit for Divorce.

Pearl Smith has filed another suit for divorce in the district court against Wilford R. Smith on the ground of failure to support. They were married in this city on April 16, 1903, and in the following September Mrs. Smith brought suit for divorce against her husband. This suit was dismissed on Oct. 3, 1903, on the instigation of defendant's father.

Mrs. Smith claimed that her father-in-law agreed to give her a home if she would withdraw her divorce suit and return to live with her husband. She withdrew her action but she claimed that the elder Smith refused to comply with his agreement. She then brought suit against him in the district court to compel him to carry out his part of the agreement but the jury returned a verdict in his favor.

She now again resorts to the divorce court for relief and asks for a decree severing the bonds of matrimony between herself and husband. Both parties to the action are very young and neither of them were of age at the time they married.

JUDGMENT REVERSED.

Supreme Court Finds for Mammoth Mining Co. as Against Stenographer.

The supreme court today handed down another opinion in the case of Mammoth Mining company vs. Stenographer. The case is that of Charles M. Dull against the Mammoth Mining company and Samuel McIntyre, appellants. The case was brought to the court by \$22.40 alleged to be due plaintiff for reporting and transcribing the evidence and proceedings in the case of the Grand Central Mining company against the Mammoth Mining company, which was tried at Nephi.

Plaintiff was appointed as special court stenographer by the judge who heard the case to take the testimony in that case and to transcribe the same. He then sent the Mammoth company a bill for transcribing the testimony at the stipulated price of 15 cents per folio. The company paid him the 15 cents per folio, but refused to pay the additional 5 cents per folio. This suit was brought to recover the additional price agreed upon. Judgment was rendered for plaintiff, and an appeal was taken by the defendants.

The opinion of the supreme court, which was written by Justice McCarty and concurred in by Chief Justice Barlow and Justice Straup, holds that when plaintiff was appointed as court stenographer, he then became a public officer and was only entitled to such compensation as was provided by law. Any contract providing for fees in excess of the statutory fees, the court holds is void, as against public policy. Hence it is ordered that the judgment in this case be reversed and the case remanded with instructions to the court below to dismiss the action. The costs are taxed against plaintiff.

COURT NOTES.

The appeal in the case of Giovanni Lavanthio, appellant, against James H. Garey and the St. Joe Mining company has been dismissed by the supreme court. The reason that the appeal was not taken within the statutory time.

On the same grounds as in the above case, Isabella Anderson has filed suit for divorce against J. P. Anderson, whom she married in this city on Feb. 21, 1904. It is alleged that Anderson deserted his wife in September of the same year. Plaintiff asks the custody of their 4-year-old daughter.

Suit for divorce has been filed in the district court by Mary Olsen against Albert Olsen on the grounds of desertion and non-support. They were married in this city in December, 1902, and it is alleged that defendant deserted plaintiff in August, 1903, and has ever since failed to provide for her the common necessities of life.

NORTH SEA INCIDENT CLOSED.

Russian Ambassador Hands Over \$325,000 to Secy. Lansdowne.

London, March 9.—Count Benckendorff, the Russian ambassador to Great Britain, today paid \$325,000 to Foreign Secy. Lansdowne in settlement of the North Sea claims and the incident was thus closed.

One Day Only, Saturday, March 11th.
SWIFT'S PREMIUM HAMs,
12 1/2c Per Pound.
One Ham Only to a Customer.
On Saturday, March 11th, you can purchase one of Swift's Premium Hams at any of the following first-class stores or meat markets at 12 1/2 cents per pound.

Affleck, C.
Anderson, F. C.
Anderson, R.
Brady, Morris.
Brady, Robt.
Branting, J. & F.
Butterworth, Mrs. A.
Castleton Bros.
Christensen Bros.
Cowan, J. & B.
Coulam, J. B.
Crapp, C. C.
Davis Bros.
Davis, D. L.
Deseret Live Stock Co.
Dickinson, S. S.
Donnellan, W. J.
Duncan, J. W.
Eardley, R. H.
Ekman, J. A.
Erickson, J. O.
Fauler, C. J.
Farmington C. & M. Co.
Fifth Ward Co-op.
Gilbert, James.
Griffin, Joe.
Hardin, M. J.
Hayes, M. A.
Haynes, J. W.
Hemley and Emsley.
Henderson W. S.
Holiday Merc. Co.
Horn, Mrs. S.
Horsley, D. W.
Jacobson Gro. Co.
K. C. Butter House.
Knight Louis.
Knotts Bros.
Lambert, J. & S. S.
Livsey & Co.
Lyons & Richardson.
Meyer & Jensen.
Milan & Lees.
Monson, Lars.

Place Your Orders Early. Accept nothing but "Swift's Premium" and you will get one of the best hams sold in the American market.

WEATHER REPORT

Record at the local office of the weather bureau for the 24 hours ending at 6 a. m. today:

Barometer reading at 6 a. m., 25.60 inches; temperature at 6 a. m., 37 degrees; maximum, 54; minimum, 32; mean, 43; which is 5 degrees above normal.

Excess of the daily mean temperature since the first of the month, 72 degrees.

Excess of daily mean temperature since Jan. 1, 275 degrees.

Deficiency in precipitation since Jan. 1, 1.36 inch.

FORECASTS TILL 6 P. M. FRIDAY.

Local forecasts for Salt Lake City and vicinity:
Generally fair tonight and Friday.
Utah (forecast taken at Denver, Colo.):
Generally fair tonight and Friday.
Western Wyoming:
Partly cloudy tonight and Friday; cooler tonight.

WEATHER CONDITIONS.

The barometer is highest over the Rocky Mountain slope, northern plateau, middle and northern Atlantic states; and lowest over the southern plateau, upper lake region, upper Mississippi valley and Gulf states.

Precipitation occurred over portions of Arizona, New Mexico, west Gulf states, Mississippi valley and eastward to the Atlantic seaboard. It was raining this morning at Cairo, Little Rock, Knoxville, Atlanta, Elkins and Norfolk; and snowing at Salt Lake. The largest amount of rainfall was 2.32 inches at Knoxville. Thunderstorms were reported at Phoenix, and Jacksonville.

The lowest temperature was 10 degrees below zero at Winnipeg, Manitoba. Elsewhere the temperature was generally moderate.

R. H. HYATT,
Local Forecaster.

TODAY'S TEMPERATURE.

6 a. m.	37
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