

LOCAL NEWS.

FROM FRIDAY'S DAILY, DEC. 19.

Distributed.—Five tons of coal—the amount assigned to Bishop Preston out of the donation given for the poor by Remington, Johnson & Co.—have been distributed by the Bishop to the needy.

Under Arrest.—Burt Seaboldt, the conductor of the work train which ran into the west-going freight on the D. & R. G., having been placed under arrest, was taken to the office of Commissioner McKay, this afternoon.

Discharged.—The young man Corbett, charged with stealing Mr. Wickel's horse, and taking it to Kelton, on his way to Raft River, was before Justice Spiers. It was shown that he intended returning the animal to the owner, he was discharged.

A Gift to the Deseret Hospital.—The Board of Directors of the Deseret Hospital gratefully acknowledge the receipt of an order on Remington, Johnson & Co. for five tons of coal, a donation from Receiver Bancroft, D. & R. G. Railway.

Court Proceedings.—Roy H. McBride vs. C. W. Collins et al.; motion for new trial overruled; exception.

In the case of S. C. Pancake vs. H. C. Reno et al.; default and judgment as prayed.

H. Rasmussen et al. vs. James McKnight et al., in progress.

Sudden Death.—Brother John Matthews, notice of whose death will be found in another column, died quite suddenly this morning. He has been engaged for quite a number of years as painter in the Utah Central paint shop in this city. He went to his work as usual yesterday morning, but returned home at 11 a.m., stating to his wife that he did not feel well. He went at once to bed, answered a few questions, and then apparently went to sleep. He was stricken with paralysis, which deprived him of speech, and he never rallied, dying at 4.30 this morning. He was prostrated by a paralytic stroke about eighteen months ago, but about a year ago recovered sufficiently to resume work.

Deceased was baptized in 1846, in England. He was a native of Dublin, Ireland. He was a man of strong faith in the Lord and in His providences, and unfaltering in his allegiance and fidelity to the Church, which he took delight in sustaining by both word and deed.

Nineteen Years Old.—We have before us the closing number of Volume Nineteen of the *Juvenile Instructor*, than which we do not think a more valuable periodical of its class is published anywhere. The contents are:

The Royal Palace at Madrid, (illustrated); The Happiest Christmas; Beauties of the Gospel, by E. F. P.; Boys' Leisure Moments; A Life's Review, by Kennon; Editorial Thoughts; The Archer Fish, (illustrated) by F. F. P.; Lessons for the Little Ones; Topics of the Times, by the Editor; Pulling Up the Weeds; The Spirit of 1775; A True Incident; Christmas Thoughts of a Little Girl, by A. P. Welchman; A Christmas Story, (illustrated) by Homespun; The Work of the Lord, words by Wm. Powell, music by E. Stephens; Trial Before Reward.

We congratulate the publishers on the success which the *Instructor* has achieved during its existence. It has been the recognized and genuine organ of the Sabbath School cause in Utah and wherever else the Latter-day Saints have been located, and has probably contributed more than any other means to its phenomenal success. The editor, in the number before us, comments upon the achievements of that movement and the causes that have led to it, and likewise clearly points out the extent of the field still open within its pale for the energies of all who wish to take part in the noble work of educating and training the young. The *Instructor* should be in every household of the Saints. We hope the subscriptions for Vol. Twenty will roll in rapidly.

FURTHER PARTICULARS

OF THE RAILROAD HORROR—DEVELOPMENTS AT THE INQUEST.

The inquest to have been held over the bodies of the men killed by the railroad collision yesterday afternoon at 4 o'clock, was postponed until 7.30, at which hour the little office of Jos. W. Taylor was crowded to its utmost capacity with participants and eye-witnesses of the sickening horror. The injured men had been taken to the hospital where they received the necessary surgical attention, but the bodies of the three dead men lay in a shed behind the undertaker's office and presented a ghastly spectacle. Edward Worley, aged about 21 years, and Owen Larrissay, aged about 40, were neatly dressed in white, but their limbs were frightfully mangled and twisted, while their heads were crushed to a jelly. The body of Alexander Wallace still lay in the box in which it had been brought from the train. The head was entirely missing and the body so horribly crushed and mangled that it retained but little semblance of human form.

The first witness examined before the coroner and jury was A. N. Russell, the engineer on the freight train. Said he was coming down the cañon Wednesday forenoon at 10.52, with 30 cars.

was moving at about 12 miles an hour; the fireman was wiping the windows and suddenly shouted "Look out for yourself!" He had only time to throw on the air and jump from the window to save his life, as the train struck as he touched the ground. He released, one man pinned between rocks, and saw Wallace buried under the engine. Had it not been for the fireman's wiping the windows, they would not have seen the train at all.

On being asked to what he attributed the accident, he replied that there was no flag out, and he had no orders to look for any work train. The engineer and conductor of the work train were responsible for the accident, and the former had acknowledged as much on the ground. The cause of the accident was that they had no flag out. The work train was running with caboose forward. Did not know at what speed the work train was going. The rules of this company were produced and it was clearly shown that the freight train had the "right of the road" and therefore its men could not be held responsible.

John Griffin, fireman on the work train limped forward and was sworn as the next witness. The conductor had told him that the freight train had left Clear Creek ten minutes before but to proceed anyway. He jumped when the trains were only half a rail apart. The steam burned the side of his head badly and he was otherwise injured. Said they had no flag ahead, and were going about six miles an hour.

John Welsh, foreman of the work train was the next witness. He was simply the boss of the workmen on the train. There was no flag-man to warn the coming train. He had asked the conductor where the other train was but got no reply and was afraid of an accident. He knew the men that were killed.

Fred Branning, the foreman on the freight train, next testified but developed no new features of importance, confirmed the testimony of the engineer, Mr. Russell.

John Welsh, foreman on the freight train, said that he had asked Seaboldt, the conductor, several times where the train was, but got no answer, and feared an accident might occur. The flagman was with him and was not sent ahead. He had known the three dead men for some time, but could give no particulars about them. Larrissay lived until they reached Springfield; Wallace was killed instantly under the engine, and Worley died shortly after the accident. Eleven workmen were on the train; three were killed and four injured.

H. C. Osterwald testified that he was engineer on the work train, and had orders to work between Thistle and Spanish Fork (produced the order). The order gave them no right against any train except they flagged. Did not know as they had sent out a flag. Left Spanish Fork at 10. When the conductor came out of the telegraph office he said the freight train had left Clear Creek only two or three minutes before. He had nine miles to go while they had twenty-one, and of course thought they could make it. He went around curves slowly, blowing three whistles as warning, and before striking the short curve where the collision occurred he gave three whistles. Saw smoke coming around the hill ahead, and reversed the engine at once. On giving his first whistle he saw someone jump from the caboose but did not know who it was.

The reason he did not send a flagman ahead was because he had no orders to do so and had no idea of meeting a train. He whistled to reverse breaks. The collision separated his engine from the cars in front and he moved backward some distance to get out of the way. Did not remember admitting that he was to blame, but when he saw what had happened he was very much affected and confused, and did not recollect what he did say. Acknowledged that he was equally responsible with the conductor according to the rules, but he took the conductor's word for it. Some further questioning occurred, when the inquest adjourned until 10 o'clock this morning. Burt Seaboldt, the conductor and operator of the work train, was arrested at Thistle, yesterday, and lodged in jail last night.

THIS MORNING'S PROCEEDINGS.

The examination of witnesses was resumed at 10.15 this morning, in the office of Jos. W. Taylor.

B. W. Nelson was the first witness, he testified as follows: I was brakeman on the work train at the time of the collision. I was on the front end of our caboose, which was being backed up. It was snowing hard at the time. When I saw the smoke of the freight train No. 21, opened the door and said to the boys inside "Good God! here she comes, jumping!" I saw Mr. Seaboldt, our conductor, give the signal to the engineer to stop, then he got off the train. Saw the men jump from No. 21 engine, train still coming towards us. When at Spanish Fork I asked the conductor where No. 21 was and he said he didn't know, but afterwards told me she had just left Clear Creek and that we would go on without orders and flag, also that he knew we would have plenty of time. The fireman on our engine could not keep much steam up, so I suggested that I go back to the engine and help him out, but the conductor said no, for me to remain as we would have to flag. We knew No. 21 was due; and we were running on her time, but knew we could make it if the train had just left Clear Creek. The conductor is supposed to know where superior trains are, and to see that flags are out where

required. The rules on the Rio Grande are different to the rules on roads I've worked on. The conductor signs the orders for the engineer on the road.

Q.—Wouldn't this give the conductor more authority than the engineer?

A.—Yes, sir.

Q.—What other roads do you refer to?

A.—Well, the Union Pacific.

Q.—What is your impression as to the cause of the accident?

A.—Some one is to blame, certainly, but don't know how you can get at it. I heard the conductor say the train had just left Clear Creek, and as it was 10 o'clock we would have plenty of time to make our switch, as we had but nine miles to go, while they had twenty-one.

Q.—How long were you delayed on the road?

A.—We were all ready to start at Spanish Fork and had some rails to unload, which only took us five minutes.

Q.—At what speed were you going?

A.—When I first saw No. 21, we were making about six miles an hour. Work trains vary in speed. We knew we had a right to run as fast as No. 21. Our train was still before the other struck us.

Q.—How many cars were damaged?

A.—Five or six; some of ours and some on the freight train.

Q.—What would be the duty of the conductor in such a case as this?

A.—Why to flag each way while standing still, and when moving he should have a flagman ahead.

Frank Hoffman said he had been requested by some of the railroad boys to appear in their behalf, and put the following questions to the witness:

Q.—Did the engineer of the engine on the freight train give any signal?

A.—No, sir.

Q.—Did your engineer?

A.—Yes, sir.

Q.—Did train 21 have air brakes?

A.—Yes, sir. Our engineer gave three whistles, as he struck the curve. If they had used their air their train could have been stopped before the trains struck. I can't swear they didn't use air but think not. We met near east end of curve.

A Juror then asked: From whom do you receive your instruction?

A.—From conductor, the engineer hasn't anything to do with it.

Q.—Where was the engineer of your train when you had stopped?

A.—He was on his engine.

Q.—Have you ever known these trains to exceed 15 miles an hour?

A.—No. Never was on any other than work train.

Next witness was the conductor of the work train, Burt Seaboldt.

Q.—What was your position on the Rio Grande road?

A.—I was conductor.

Q.—Please state fully what you did on the day of the accident. Where you met the freight train, what time, and any other facts you can.

A.—We were at Spanish Fork at 10 a.m. We had working orders between Spanish Fork and Thistle. These orders gave us a right to work between these points, but our rules require us to flag against all regular trains that are due. We have no right on their time without doing so. Our orders came that morning addressed to the conductor and the engineer, and I signed for both and delivered a copy to the engineer. We proceeded from Spanish Fork, making about twelve miles an hour, where we could see a good distance ahead. Where the view of the track was obstructed we flagged. We ran very slow around curves. We stopped a short distance west of Pole Cañon and unloaded some iron.

Q.—How long did you stop there?

A.—About 15 minutes.

Q.—After that you proceeded?

A.—Yes, sir, and the collision occurred about three miles from there.

Q.—How fast were you running when the trains struck?

A.—We were standing still. When we first saw No. 21 our train was making about five miles an hour. I had given the signal to stop and was just climbing down from the platform to go ahead and flag the train, as I saw her coming. Cannot say whether he saw it or not, but I jumped and ran ahead as fast as I could to caution the approaching train.

Q.—You got information at Spanish Fork regarding No. 21, did you not?

A.—No, sir, nothing definite. Was trying to find out where she was.

Q.—What is the reason you couldn't get track of it?

A.—The operator tried to get in on the wires, but some one snapped him off. The wires were very busy, so he couldn't get in, and I told him to never mind as we would have to flag up any way. Operator said he thought he heard No. 21 reported out of Clear Creek about fifteen minutes before ten.

Q.—Is there a regular operator at Spanish Fork?

A.—Yes, sir.

Q.—You are an operator?

A.—Yes, sir.

Q.—Did you touch the wire at Spanish Fork?

A.—No, sir.

Q.—Do you carry an instrument.

A.—Yes, sir.

Q.—Did you cut in wire that morning?

A.—No, sir, not after I received our orders in the morning.

Q.—Had you passed any curves before this one was approached?

A.—Yes, sir, and flagged around them.

Q.—How far distant was the freight train when you first saw it?

A.—About 300 or 400 feet away. Cannot say for sure.

Q.—How fast was No. 21 running?

A.—Eighteen or twenty miles an hour, which is faster than rules allow them to run. Did not hear them whistle.

Q.—Do you think any one is to blame for this accident?

A.—That's a pretty pointed question. It was storming very hard and we got further around the curve than we should have.

Q.—What did you do after the accident had happened?

A.—I ran to Thistle Gravel pit, where the wires are ready for use; had no instrument, but reported the accident by touching the ends of the wires together.

Conductor Gray of train 21 then testified.

Q.—What is your name?

A.—Geo. D. Gray.

Q.—What is your position?

A.—Conductor.

Q.—What train were you conductor of on Dec. 19th?

A.—Train 21.

Q.—Where was your train when the trains struck?

A.—It was a little east of the centre of the curve when we struck.

Q.—Did you see any flags or hear any signals?

A.—No, sir, I did not.

Q.—Were you on any other train's time when you struck?

A.—Yes; on No. 15's time and my own delayed time.

Q.—Did your engineer give a whistle?

A.—Don't know; didn't hear any whistle.

Q.—Should a whistle have been blown?

A.—Yes, sir. All trains should blow the whistle before striking a curve; there are posts up indicating where they should whistle. Don't know whether there is one at this curve or not.

Q.—Do you think there is anybody to blame for this accident?

A.—Yes, sir, I think somebody is to blame for it.

Q.—What did you do after the accident?

A.—Went down to the wreck and helped to get the men ready to go to Springfield.

Q.—Were you acquainted with either of the men?

A.—No, sir.

Q.—What was the length of your train?

A.—I had 30 cars.

Q.—Could you see the other train coming towards you?

A.—No, sir; the first I knew of the collision was when I felt the jar.

Q.—Did the work train engineer say anything about them being to blame?

A.—He said they were to blame.

Seaboldt called his engineer Osterwald outside and cried like a baby. He feels very badly.

The witness Nelson being recalled, said he saw Seaboldt jump off. The train was moving about four miles an hour. Witness gave the alarm about the time he jumped. Did not know which incident occurred first. Never carried a flag.

Following is the

VERDICT OF THE JURY:

TERRITORY OF UTAH,
County of Salt Lake.

An inquisition holden at the office of Joseph Wm. Taylor, in the Second Precinct of Salt Lake City, Territory of Utah, on the 18th and 19th days of December, A. D. 1884, before George J. Taylor, Coroner of said County, upon the bodies of Edward Worley, O. Larrissay and Alexander Wallace, there lying dead, by the jurors whose names are hereunto subscribed:

The said jurors upon their oaths declare that the said persons before mentioned came to their deaths by a collision of freight train No. 21, bound west, and work train engine No. 20, bound east, on the Denver & Rio Grande Western, at a certain curve on said road about three miles below Thistle station, west, on the 17th day of December, at about 10.50 a.m., A. D. 1884; and they further find that Alexander Wallace was killed instantly, and that Worley and Larrissay died from the effects of injuries there received a few hours thereafter. They also find from the evidence presented, that the management of the work train was at fault for not having out signals such as the laws of the road required.

In witness whereof the said jurors have hereunto set their hands the day and year first above written.

W. D. HICKMAN,
JOHN H. RUMEL,
ISAAC SEARS.

FROM SATURDAY'S DAILY DEC. 20.

More Changes.—Commencing today the Juab express train over the Utah Central leaves here at 7.20 a.m. instead of 7.30 a.m. and returning, arrives at 6.40 p.m., instead of 6.20 p.m. The Milford express leaves at 3.55 p.m. instead of 3.40 p.m., and arrives at 10.05 a.m. instead of 10.20 a.m.

Another Case.—A short time since a warrant was issued for the arrest of Aurelius Miner, Esq., charged with unlawful cohabitation. This morning the witnesses subpoenaed appeared before Commissioner McKay for the second time, but as Mr. Miner could not be found, proceedings were continued until Monday, at 2 o'clock.

Arrested at Alta.—Sheriff Turner, of Alturas County, Idaho, arrived here Wednesday evening with a requisition from the Governor of Idaho, for the

arrest of Edward Sims, charged with grand larceny. Captain Greenman, knowing the man left yesterday for Alta, Utah, where he found and arrested him and brought him to this city.

Sheriff Turner left for home this morning with his bird.

Those Women Again.—Mrs. Sarah Turner and Mary Crowther, charged with obtaining goods to the amount of \$10.50 from Mary Harris of the 18th Ward, by fraudulent representation, came before Judge Spiers yesterday afternoon. Blandin, the alleged lawyer, appeared for defendants and entered a demurrer to the complaint, which was overruled.

On motion of the defense the case went over until Monday, 10.30 a.m. The accused filed bonds to the amount of \$50 each and were released.

An Ingenious Invention.—Last Thursday we were shown a very ingenious machine for cutting mince meat, hash, etc., invented and made by Mr. H. E. Taylor. It consists of an upright bar on the lower end of which is a knife that is raised with exceeding rapidity by means of a crank and lowered each time with considerable force by means of a spring. This bar, spring and crank are arranged in a frame at the bottom of which is a revolving receptacle for meat or anything desired to be chopped fine. The machine works with rapidity and ease, and would doubtless reduce to hash in short order anything put under the knife.

A Rascal.—About ten days ago Sheriff John A. Groesbeck received a letter from J. W. Atkinson, sheriff at Aspen, Colorado, giving a description of a man named W. K. Charles, and asked that he be arrested if seen. Sheriff Groesbeck caught him man yesterday and immediately notified the sheriff at Aspen, who answered as follows:

ASPER, Col., Dec. 19.

John A. Groesbeck, Sheriff:

Hold Charles until I arrive. Leave to-morrow.

J. W. ATKINSON, Sheriff.

Charles is said to be a desperate man.

Pamphlet on Sale.—The lecture on "The Mountain Meadows Massacre," delivered by Elder Charles W. Penrose, is now out in pamphlet form, having been issued by the *Juvenile Instructor* office. It comprises 80 pages, is printed in clear type, on an excellent quality of tinted paper. It is one of most interesting pamphlets ever published in Utah, and is of special value on account of the large amount of light it throws upon a subject that has received wide attention and regarding which there has been much misunderstanding. It can be had at the *Instructor* office, of Mr. Penrose, or from any of the leading booksellers. The price is only 20 cents.

Diphtheria.—We condole with Brother W. H. Thorup, of the First Ward, in the loss of three of his children within six days, from the fatal hand of diphtheria. They were three girls, aged respectively 13, 6 and 2½ years. The first died last Sunday, the second on Tuesday, and the third early this morning. This is indeed a heavy blow, and the family have our warmest sympathy. None of the rest of the family are at present afflicted with the terrible disease, but a neighbor, John R. Powell, we understand, has one child down with the contagion, but we were unable to learn whether her condition is dangerous or not. Due precaution should be taken to prevent the spread of the malady.

Class in Obstetrics.—The class in obstetrics, which has been conducted by Mrs. E. B. Shipp, finished one term of the course to-day. Two of the students have completed their studies—Mrs. E. Kiaser and Miss Mary Olsen—and the others are making good progress. The course includes three terms of ten weeks each, but new students are received at the beginning of each term. The next will begin on December 29th. All who wish to identify themselves with the class and pursue this interesting study under the direction of a competent instructor, should bear this in mind. The sessions of the class are held in Morris' new building opposite Z. C. M. I. and over Mrs. Burrows' millinery store. See advt.

Cattle Growers.—A meeting of the cattle growers of Utah, convened at Hon. Wm. Jennings' office this morning.

On motion of F. H. Meyers Esq., Mr. William Jennings was elected chairman of the meeting, and Joel Grover secretary. It was decided that this association be known as the "Utah Cattle Growers' Association." Chairman Jennings, upon motion made by Mr. Meyers, suggested the names of five men to act as a committee to draft by-laws. The names submitted and adopted are as follows: P. T. Farnsworth, Joel Grover, F. H. Meyers, Geo. C. Whitmore and S. McIntyre.

Mr. Whitmore moved a committee of three be appointed on credentials. The following named gentlemen were selected: Wm. McIntyre, E. B. Leavitt and J. M. Whitmore.

Meeting then adjourned until seven o'clock this evening.

Another Burglary.—Early yesterday morning, Mr. J. H. Midgley, on entering his store in the 12th Ward, found the door open and goods to the amount of \$30 or \$40 missing, besides some change left in the money drawer. An entrance was effected by means of a broken glass