

TEN THOUSAND DOLLARS.

B. B. BITNER SUES THE UTAH CENTRAL RAILWAY COMPANY FOR DAMAGES.

Our readers will remember an item appearing in this paper some months ago, relative to an accident and narrow escape from death of B. B. Bitner, while crossing the Utah Central Railway track near the Fracklyn Smelter, south of this city. It seems that Mr. Bitner has since instituted a suit for damages in the Third District Court, the substance of his complaint being as follows:

"That on December 20th, 1883, there existed a public highway which crossed the defendant's track immediately north and east of what is known as the Fracklyn Smelter, which highway was then and for a long time prior thereto much traveled by the public. That there existed immediately south of said highway and west of said railway track, a high embankment that was covered with sagebrush so as to prevent a view of trains and locomotives approaching said highway from the south by persons approaching the track from the west on said highway. That the Fracklyn smelter was so near the said crossing that the noise caused by its operation prevented any one approaching said crossing from the west from hearing a train or locomotive approaching on defendant's track without a loud warning. That said smelter was in operation almost continually, and was in operation on December 20th. That on that day while plaintiff was lawfully traveling along the said highway with his wagon and team, he approached said crossing from the west where his view was obstructed by the aforesaid embankment and brush, and while the noise of the said smelter prevented his hearing any approaching train, he without any fault on his part, was driving across defendant's said track; that as he reached said track defendant negligently caused one of its locomotives, with a train of cars attached, to approach rapidly from the south, without giving any signal of warning that could be heard by any one travelling across said track; that in consequence thereof the locomotive then and there struck the plaintiff's wagon, mashed the same in pieces, and with great force and violence threw plaintiff into the air, severely injuring and bruising him and rendering him for some time insensible; that plaintiff was thereby seriously and severely crippled and injured in the right shoulder and arm, and as he is informed and believes was seriously injured internally. That by reason thereof plaintiff was confined to his bed for a period of three weeks, and has been and still is unable to attend to his business as a farmer. Wherefore he prays judgment for \$10,000 as damages suffered and for costs of suit. Sheeks & Rawlins appear as attorneys for plaintiff.

LOCAL NEWS.

FROM FRIDAY'S DAILY, APRIL 25.

High Water Impending.—A Kamas correspondent writes: "We still have about one foot of snow on the level in this place, but it is going fast. We have about the same amount of snow in the mountains as in the year 1876, when we had very high water. So the people of Ogden and Provo may look out."

Married.—Another happy union took place in this city yesterday, the principals being Mr. I. M. Coombs, Jr., of Payson, and Miss Clara Ella Woolley, daughter of Bishop S. A. Woolley, of the Ninth Ward, of this city. President Joseph F. Smith performed the ceremony. The News adds its earnest congratulations.

Kelley the Violinist.—The friends of Prof. John Kelley the California vocalist and violinist, will be glad to know that he is now quite well, after an illness of several weeks. Accompanied by his wife he left to-day for a professional tour through Cache Valley and Montana. His entertainments have been witnessed by thousands of our people. Upon his return from this tour he will favor our citizens with one of his inimitable concerts. His present dates are Brigham City, Monday April 25th; Willard 30th; Mendon, May 2d, and Logan, May 5th.

A New Journal.—The infantile town of Shoshone, Alturas County, Idaho, has an eight-page weekly newspaper, the Shoshone Journal. It is bright and newsy and conducted with ability. It is a paper that would do credit to a town of more advanced age and larger dimensions. It will be devoted principally to the material interests of the locality where it is published. The front page of its first number contains a cut of the noted Shoshone Falls of Snake River. We wish our new Idaho contemporary well in proportion as it continues in well-doing.

Information Wanted.—Isaac Riddle, whose address is Otter post office, Piute County, Utah, wants to know something of Elias Eagles, his father-in-law, who was born in the year 1813, at Apperly, Gloucestershire, England. He was at Nauvoo at the time of the exodus, but did not come west with the Saints, and the last heard of him, he was at Burlington, Iowa, in 1863. His wife's name was Mary Crook, his oldest daughter's Mary Ann, and the other's Elizabeth. They came on to Utah in 1853, when both girls were

quite young. He was a mason and a first class workman; also a fiddler. It will be to his advantage, if alive, to make himself known. Any information of him will be thankfully received by the above.

Third District Court.—Proceedings before Chief Justice Hunter, on Friday, April 25th, 1884:

M. M. Young vs. John Neil; death of plaintiff suggested, and case continued.

W. H. H. Bowers vs. London Bank of Utah. Motion for an increase of bond on attachment. Argued by Basskin and Van Horne for defendant; and by Sutherland and Brown for plaintiff.

The People vs. Henry Newman and William Hally. Robbery of a watch and the sum of \$40 from John Foth, on the 20th of March last. Defendants were arraigned and a plea of not guilty recorded. E. B. Critchlow was appointed their attorney. After consultation, Newman withdrew his plea of not guilty and pleaded guilty. Sentence was deferred to May 20th, 1884.

The People vs. James Garlington. Two charges of housebreaking, one for entering the house of Rudger Clawson and the other for entering the house of John Rumell, jr. Defendant was arraigned, and pleaded guilty. Time for sentence, May 4, 1884.

THE CRISMON CASES.

UTAH TERRITORY VS. THE SALT LAKE COUNTY COLLECTOR.

As set forth in the News last evening, the two cases of the People of Utah vs. George Crismon et al., came up in the District Court yesterday, and were argued on the demurrer and motion made in each case to strike out parts of the complaint. The matter was taken under advisement by Judge Hunter.

The complaint in the first case alleges defalcations in the official returns of Mr. Crismon, in his office of County Collector, as follows: For 1878, \$4,343.31; for 1879, \$4,370.29; for 1880, \$13,307.10; total \$22,020.70. And prays for judgment for plaintiff in this amount, together with interest thereon, the penalty of defendant's bond, viz. \$100,000, and costs of action. The defendant's bonds men, F. Little, L. E. Holden, I. M. Stewart, Jacob Weiler and A. H. Raleigh were made parties in the defense.

In the second case the allegations are that similar shortages occurred in the Collector's returns as follows: For 1881, \$3,849.58; for 1882, \$18,808.91; total, \$22,658.49. And the plaintiff prays for judgment for that amount with interest thereon, the penalty of defendant's official bond, viz. \$55,000, and costs of action, etc. The sureties on the second bond are E. M. Weiler, S. B. Young, A. H. Raleigh, H. Dinwoodey, W. W. Ritter, Bolivar Roberts, L. S. Hills and R. C. Chambers, who are made parties defendant in this action.

The principal ground of demurrer was that several causes of action were improperly united in the complaint as one cause of action, instead of being separately stated as separate causes of action, to wit:

First—A cause of action for taxes due to said Territory, and also a cause of action for school taxes which do not belong to the Territory of Utah.

Second—That the amount of said taxes, school and Territorial, are given in gross, and the complaint nowhere specifies how much is claimed or due from said defendants for Territorial or how much for school tax.

The said complaint is ambiguous, unintelligible and uncertain in the following particulars, to wit: Said complaint does not show, first, that any valid tax was ever assessed or levied; or second, that said Collector has ever collected money for taxes from any person or persons which he failed to pay over to the proper custodian thereof; or third, that said Collector failed to collect any tax from any person or persons which he was required by law to collect; or fourth, what part of the several sums claimed or alleged to have been received and not paid over by said Collector, or alleged to have been taxes which should have been, but were not collected by said Collector, was a Territorial tax, or what part thereof a school tax.

POLYGAMY.

ELDER RUDGER CLAWSON INDICTED BY THE GRAND JURY.

The Grand Jury for the April term of the Third District Court, yesterday found an indictment under the laws of the United States, and the fact was duly recorded in this journal. Later on it transpired that the person indicted was Elder Rudger Clawson, son of Bishop H. B. Clawson, and a resident of the Eighteenth Ward. He was arrested by Marshal Ireland yesterday afternoon, and having given bonds in the sum of \$3,000, before Commissioner McKay, was given his liberty. Following is the full text of the indictment:

UNITED STATES OF AMERICA, ss
Territory of Utah.

In the Third Judicial District Court of Utah Territory, of the April term, A. D. 1884, of the District Court in and for said Third Judicial District, held in Salt Lake county, in said Territory.

The United States, }
vs.
Rudger Clawson. }

The grand jurors of the United States of America, good and lawful men, residents of the Third Judicial District of Utah Territory, legally chosen, selected and empaneled,

sworn in and for the body of said district in the name and by the authority of the United States of America, on their oaths do say, find and present: That Rudger Clawson, late of the said District, on to-wit, the 1st day of August A. D. 1882, at the city of Salt Lake, in the county of Salt Lake, in the Territory of Utah, did marry and take to wife one Florence Ann Dinwoodey, spinster, and her, the said Florence Ann Dinwoodey, there and then had for his wife, from whom the said Rudger Clawson has never been divorced, and that she, the said Florence Ann, ever since the day and year aforesaid, has been and still is the lawful wife of him, the said Rudger Clawson. And that the said Rudger Clawson after the date last aforesaid and while he was so married to the said Florence Ann as aforesaid to wit, on the first day of June A. D. 1883, at the city of Salt Lake, in the county of Salt Lake, in the Territory of Utah, unlawfully and feloniously did marry and take to wife one Lydia Spencer, and to him the said Lydia Spencer was then and there unlawfully and feloniously married, the said Florence Ann, his said former wife, being then and there alive; and so the grand jurors aforesaid do charge him, the said Rudger Clawson, with the crime of polygamy, committed in the manner and form aforesaid, contrary to the form of the statute of the United States of America in such case made and provided, and against the peace and dignity of the said United States.

And the grand jurors aforesaid on their oaths aforesaid do further say, find and present that the said Rudger Clawson late of said district on to wit the first day of June, A. D. 1883, and on divers other days and continuously between the first day of June, A. D. 1883, and the 17th day of April, A. D. 1884, at the city of Salt Lake in the county of Salt Lake in the Territory of Utah and within the jurisdiction of this court did unlawfully live and cohabit with more than one woman to wit, with one Florence Ann Clawson and one Lydia Spencer, and that the said Rudger Clawson during the time aforesaid did unlawfully claim and treat said two women as wives of him the said Rudger Clawson, contrary to the statute of the United States in such case made and provided, and against the peace and dignity of the said United States.

JOHN TIERNAN,
Foreman of the Grand Jury.
W. H. DICKSON,
United States Attorney.

FROM SATURDAY'S DAILY, APRIL 26.

STAKE CONFERENCE.

The Quarterly Conference of the Salt Lake Stake of Zion will begin its session in this City, on Friday, May 2nd, at 10 a. m. in the Assembly Hall.

A full attendance of the Priesthood and members is earnestly desired.

A. M. CANNON,
D. O. CALDER,
J. E. TAYLOR,
Presidency of Stake.

Married.—In this city, April 24th, Mr. Charles H. Hyde, son of Patriarch Charles W. Hyde, and Miss Carrie Stanford, daughter of Mr. Stephen Stanford, of the Fifteenth Ward. Counselor D. H. Wells performed the ceremony. We congratulate our young friends on their union.

Information Wanted.—Of Ann Loope (her maiden name), who was born in and emigrated from Stockport, Cheshire, England, with her husband, a great many years ago. Her husband died in St. Louis of cholera. After coming to Utah she married again, and the last heard of her, about eight or ten years ago, she was in or near Provo. Should this find her, she will confer a great favor by writing to her nephew—Mr. H. Loope, General Contracting Agent, 115 Vine Street, Burnett House, Cincinnati, Ohio, U. S.

Obsequies.—The funeral services of Sister Sarah B. Davies, whose death notice appears elsewhere, were held in the Fillmore meeting-house, on Sunday, April 20th. Discourses were delivered by Pres. I. N. Hinkley, Elder J. V. Robinson, Bishop J. D. Smith, Elders James Abrahams, Alexander Fortie, Alfred Gull and Brother Doroty of Kanosh, each speaking of the good record Sister Davies had made, and encouraging all to follow in her footsteps. The remains were followed to the grave by 27 vehicles and a large number of persons.

Third District Court.—Proceedings before Chief Justice Hunter on Saturday April 26th, 1884.

The People vs. Henry Dalton. Charge of grand larceny of a horse from one Stokes. Mr. R. B. Tripp was appointed attorney. Defendant was arraigned, and a plea of not guilty recorded.

Joshua R. Nichols and E. R. Young (separate cases) vs. London Bank of Utah. Hearing on an order to show cause why the notes of E. and W. H. Sells and proceeds should not be paid to judgment creditor under the garnishee made.

L. R. Brown vs. H. S. Campbell; amended answer filed by consent.

A Chinese Funeral.—Yesterday was an eventful day with the almondest fraternality of this city. The occasion was the death of one of their countrymen, Fong Tai, who was found dead near Alta last Sunday. The funeral rites were conducted in the open air, in one of the alleys on Commercial Street. In the coffin lay the body with eyes and mouth wide open. A grand banquet was going on close to the feet. A table was spread with oranges, cakes, candies, nuts, rice, roast chicken, roast pork, etc. The dirge was sounded by a gong, a pair of large cymbals and a drum. The drum resembled a five-gallon powder keg, with a rawhide top. Prayers, singing, the burning of incense and a grand display of rude banners, with plenty of goodies,

terminated the exercises, which were no doubt very impressive from a Chinese standpoint.

Primary Meeting.—The annual meeting of the Primary Association of the 20th Ward, was held in the school house, Thursday, April 24th, at half past 1 p. m., Mrs. Emma Toone presiding. There were about one hundred and fifty children present and the order was almost perfect. The exercises were well rendered and the selections were appropriate. Several of the brethren and a large number of the sisters were present, and short speeches were made by Counselor W. C. Dunbar, Brothers C. R. Savage, Geo. Romney, T. B. Lewis and W. Salmon; also by Sisters P. L. Kimball, E. B. Ferguson, Louie Felt, E. C. Clawson, E. B. Wells, Jane Miller and the President. After the exercises were over Miss Phillips, in behalf of the Association, presented the President, in a few choice words, with a purse of money. Sister Toone was very much affected. She is very deserving and has done a wonderful work for the children in that ward and won the gratitude of the parents.

After the close of the meeting refreshments were served to all in the house. In the evening the room was beautifully fitted up with tables and pictures, views, stereoscopes, etc., and with music, singing, speeches and conversation the evening was passed very pleasantly.

Railway Time.—Mr. Francis Cope, Passenger and Ticket Agent of the Utah Central Railway, informs us that that road is about to adopt the mountain or standard time, for the running of its trains. This is the Denver time, which is 28 minutes later than the Salt Lake meridian.

The time conventions which have been held in the United States during the past year, have adopted five divisions, embracing the country from ocean to ocean. They are as follows: Inter-colonial, Eastern, Central, Mountain and Pacific; with not more than half an hour's difference between any two principal cities. The standards are just one hour apart.

The convenience of the proposed change will be seen readily, when it is known that in Ogden there are at present, four different times, used by the railroads running out of that city, as follows: Laramie time, used by the U. P.; Sacramento, used by the C. P.; Denver, used by the D. & R. G.; and Salt Lake time used by the Utah Central and the Utah and Northern.

The U. P. will on May 1st, adopt the standard or mountain time on its main line and the Utah and Northern, the D. & R. G. are now using the Standard time, and with its adoption by the Utah Central, it will be uniform with the exception of the C. P., which will run on Pacific time.

The question now is, will Salt Lake City and other towns of Utah, adopt the Standard time, so that uniformity may prevail between them and the railroads.

From the Islands.—Elders John B. Meldrum, of Provo, James H. Gardner, of West Jordan, and Samuel E. Woolley, of Grantsville, returned this morning from the Sandwich Islands, where they have been laboring in the missionary field. Brother Meldrum left November 14th 1881. Brother Gardner Dec. 14th 1880, and Brother Woolley Dec. 11th 1880. Their labors have mostly been of a temporal character, on the Church plantation, but they have each spent several months in travelling and preaching. All have had good health and return well satisfied with their missions, and prize their experience beyond calculation.

Brother Meldrum, assisted by others, built a new meeting house on Oahu, and spent two months in preaching and laboring among the natives. He baptized fourteen, blessed three children, and re-baptized eighty-two. Brother Gardner assisted considerably in sugar boiling, but spent ten months in traveling, acquired the language, baptized twelve persons, rebaptized nine, confirmed twenty-nine new converts, re-confirmed sixty-four, and blessed twenty-four children. Brother Woolley spent sixteen months traveling, baptized seven, rebaptized six, confirmed six, reconfirmed forty, blessed fifteen children. He also acquired the language. He closed his mission as president of the Oahu conference.

Coming home on the S. S. Mariposa, they were asked by the captain to hold service in the hall on the upper deck, and did so last Sunday, there being about fifty persons present, including Captain Howard and other officers. It was the best trip the vessel ever made. Brother Woolley leaves for home in the morning, the other brethren this evening.

PERE HYACINTHE.

HIS REMARKS LAST NIGHT AT THE EPISCOPAL CHURCH.

The Episcopal Church was well filled last night, by an audience eager to hear the lecture by Pere Hyacinthe, the noted French divine, whose coming to Salt Lake has been anticipated with general interest. The meeting was opened with the Episcopal service, Pere Hyacinthe, Bishop Tuttle, and two others appearing dressed in the robes of Episcopal clergymen. Bishop Tuttle introduced the Pere, who proceeded to deliver in eloquent style, and in his native tongue, his address on church discipline, of which the following is a translated synopsis:

"I am happy to address the audience of St. Mark's Church. I thank the

Bishop and the people for their hospitality and courtesy. May God bless them all." He urged on the audience strict attention to the duties of their faith. "I am much attached to the ancient laws of the Established (Catholic) Church. From the deep and mysterious depth of God's goodness I urge you all to that duty which devolves upon every Christian. What should be the object and aim of the disciple of Christ? It should be to imitate the sparkling water, in its clearness and purity—avoid sin in every shape, seek the purification of the Holy Spirit. Water and the Spirit are the means of grace offered by God to those who would honor His name.

God is in everything. What we should understand is the ever-penetrating spirit of God. God is our Savior, our Pacifier. Those who are baptized in the name of the Holy Spirit have a claim upon Divine grace. Water is everywhere, grace is everywhere, God the Father, Son and Spirit is everywhere. Those in any sect who are baptized in the name of the Holy Spirit, in any church, have made the necessary acts to obtain Divine favor. What is the name of the true church? The Church of Christ, wherever it may be—the Christian Church, the universal one, the all-prevailing one of those who honor the name of God. Baptism is the essential element, whether in the Greek, Roman or any other church—the universal panacea is the acknowledgment of God's grace and acceptance.

Christ is everywhere. The Episcopal Church is a grand institution. The Baptist Church is also a special institution. But they are different, with the same object in view. Individual ideas among men, as to this idea or that idea are all right, but all must acknowledge the Father and Son as the divine source of grace, call them as you may. It is impossible to believe in the infallibility of the Pope. No man is infallible. When we go to the primitive church we do not find any such sentiment as infallibility believed or received by man. All ends in the efficacy of baptism—all must bend to this.

There is a great church in Europe. I respect all sects—they all have truth. Christ has said I and the Father are one. From one end of the earth to the other, where the name of Christ is named, I respect the messenger. If you will be perfect, renounce your follies, follow Christ, imitate his example my brothers. All there is that is mysterious, is written in the oriental languages—they are the simplest in form and expression. The Gospel of liberty, the Gospel of peace, can there be found by all as it is written. The moralist may say that conscience is the guide. Not so, God and the Holy Spirit is the guide. Those illuminated by the Spirit of God are true exponents of the Christian life—holy liberty—such is the Christian's gift.

Particular passages are not to be taken only as they sustain the grand idea of obedience to the behests of the Holy Spirit. The golden age was the true apostolic age. He who says I believe in God and His Son, has made the grand declaration of faith that leads to the higher life. I believe in God that has done all for me—that has died for me, that lived for me, that prayed for me. My brethren, the only idea that should fill our minds is the cross—this is the emblem of the great sacrifice offered by Jesus Christ. The examples offered by the early Christians should be imitated by us all. We forget ourselves in Christ—his mission, his expiatory life.

The love of God is universal. It is within the reach of all. "He that eats my body and drinks my blood" hath testified. I do not occupy myself upon the discussion of transubstantiation. His image, his life, is before me. No discussion on immaterial matters can blot out the real efficacy of His life and labors. Jesus Christ is our Elder Brother.

Bishop Tuttle followed, with a few remarks in explanation, stating that Pere Hyacinthe differed from the church he had left (the Catholic) in the manner of the performance of baptism, and gave a clear idea of his position. The grounds of his objection were the non-supremacy of the Pope.

A Lucky Fisherman.

In the vast amount of business transacted at the Baltimore, Md., Post-office, Mr. M. V. Bailey, Superintendent of the Mails, is kept exceedingly busy, but somehow he finds a spare hour or day to go fishing, and from his experience he gives his testimony, that St. Jacobs Oil is the best remedy in the world for rheumatism, sprains, sore feet and joints, bruises, etc. It is the remedy for fishermen and gunners who should always keep a bottle on hand.

A CURE OF PNEUMONIA.

Mr. D. H. Barnaby, of Owego N. Y., says that his daughter was taken with a violent cold which terminated with Pneumonia, and all the best physicians gave the case up and said she could live but a few hours at most. She was in this condition when a friend recommended Dr. Wm. Hall's Balsam For The Lungs, and advised her to try it. She accepted it as a last resort, and was surprised to find that it produced a marked change for the better, and by persevering a permanent cure was effected.

I Had Catarrh in its worst form. One bottle of Ely's Cream Balm stopped droppings into my throat pain and soreness in my head and deafness. Mrs. J. D. Hagadorn, Union, N. Y.