

THE HEAVENS.

Beyond each faint, still, stellar ray
Are there—lo! men oft think there are—
Yet other realms of night and day?
And still another Milky Way—
Another universe afar?

And onward, onward, 'round all gloom,
Decay or age, do regions blest
Enfold that vast, supernal dome,
Where sweet intelligences roam
In active joy and varied rest?

And as from strength to strength they go
Through opening seals and mists bright—
Hear they new songs around them flow,
From still new morning stars, which glow
In wisdom's grandeur infinite?

By aided powers we dimly gaze
From sphere to sphere until we see
The gleam of faintest deepening rays,
Till all are lost, within His ways
Who was, and is, and is to be.

And ah! where is that high abode
Which holds in ever-blest control
All space by orbs and systems trod,
All suns, which 'round the mount of God
In august millions meekly roll?

Haply, yon star-dust—wheel on wheel—
Yon clustering fires of worlds unknown—
Are spiral way-marks, which reveal,
Yet hide, in their unfathomed zone,
That central home for which we kneel,
Eternal round the great White Throne.

FROM FRIDAY'S DAILY, NOV. 30.

THE UNSEEMLY SCRAMBLE.

Eager Hands that Reach Out for
"Mormon" Church Property.

ZANE'S CHARGES TO BE INVESTIGATED.

The Whole Scheme Means; Robbery of the
Church and Making Political Capital.

After the report of the proceeding in the Church case on Wednesday closed in the News, Judge Zane continued his argument in support of his application to have the school interests recognized as an element in the suit of the government for the confiscation of Mormon Church property. He stated that the government had no interest in the suit but to have the property escheated; those directly interested were the common schools, which, under the rules of equity were entitled to be represented when they had an interest in expectancy in property which was the subject of litigation.

United States District Attorney Hobson, of Colorado, arose to reply to Judge Zane's argument.

Judge Sandford asked—Mr. Hobson, whom do you represent?

Mr. Hobson—I represent the government of the United States and no one else. I appear under the direction of the Attorney General, and have done so from the opening of this case. Counsel then took up Judge Zane's petition and argument. He said the charges made in the document presented were very serious, and affected not only the Receiver and his attorneys, but even the integrity of the Attorney General of the United States. Judge Zane was Chief Justice of the Supreme Court when it allowed the compromise be new attacks.

Judge Zane (interrupting)—You never called my attention to the matter of personal property while I was on the bench.

Mr. Hobson—The compromise of taking \$75,000 in lieu of the \$268,000 was approved by your court.

Judge Zane—No, sir, not while I was on the bench.

Mr. Hobson then took up his argument against the schools being permitted to be represented. They had no interest until the money was turned over to them by the government, and then the commissioner of schools should act as their representative. He was the only person who had legal standing in this respect. Unless the Secretary of the Interior so directs, the schools can never get a dollar of this money. They could come and charge maladministration and take the case out of the hands of himself and Mr. Peters. The compromise had been approved, and Judge Zane could not get around it. The amount of the compromise seemed small compared to the alleged total value. But there had been doubt as to whether any of it could be recovered. In fact if an effort had been made to chase up the cattle, horses, sheep, hogs, desks, chairs, etc., it could not have been found. "If we had gone to pursue this property it is doubtful if we would have got \$75,000 out of it instead of \$75,000." He would not consent to the Receiver being paid \$25,000 for what had been done. As to Mr. Peters' employment as attorney for the Receiver, that had the sanction of the Attorney-General of the United States.

Judge O. W. Powers said the charges made were very grave, but no proof in support of them had been brought forward.

Judge Zane—Give us a chance to prove them and we will do so. All we ask is a chance.

Judge Sandford—Please wait till the gentleman is through, Judge Zane.

Mr. Powers continued, arguing that the case had gone beyond this court. The Receiver's books were open to inspection. As to the standing of the schools, if they ever had any it is now too late to claim it. The Receiver was

simply holding the fund in trust, and he did not propose to have his rights interfered with. The petition making the allegations was not even sworn to. An investigation of the charges therein should be made.

LeGrand Young, of counsel for the Church, objected to the schools being represented. They had no right to the Church property. As yet that property was not escheated and might not be; and until it was the schools had no excuse for setting up any claim to it.

Judge Zane again spoke. He said he had inserted the charges in his petition because he wanted to get a chance to prove them. In reference to Mr. Peters dual position he believed a man could not ride two horses going in opposite directions at the same time. All he wanted was the truth in regard to these matters, no matter where it struck. He wanted to prove the truth, and if any court on earth could smother it, let it be smothered. The schools did not ask to interfere until it was apparent that in the examination before the Examiner, the Receiver's attorneys were having everything their own way, the government not being represented, and the Church counsel withdrawing from the examination.

Mr. Hobson replied that he welcomed the filing of charges by any one if there was foundation for the charges. But he objected to the schools being given any standing, because they had no right to any. If he were to do, as he believed had been done, he could gather in street rumor and say that these charges had been made for political effect, and to bring about certain political changes. He asked that the court suspend further proceedings in the case and make an investigation of the charges that had been made.

Court then took a recess till 7 p. m.

On resuming, at the evening session, Mr. Hobson stated that, in view of the serious charges made, he would suggest on the part of the government that not one dollar of the compensation claimed be paid until the charges were investigated. If they proved to be true, he would ask the removal of the receiver.

Judge Powers also demanded an investigation, and stated that the receiver would not accept one dollar of compensation until the charges made were refuted.

The court then filed the following opinion, refusing to permit the school districts to come in and ordering an investigation of the charges that had been made:

Supreme Court, Territory of Utah:

United States vs. The late corporation of the Church of Jesus Christ of Latter-day Saints.

This is an application of certain school trustees to be allowed to intervene as parties to the case. We are of opinion that petitioners do not show by their petition any right to intervene as parties. There is nothing to show that the government is not disposed to look after the interests of the fund, and the interest of petitioners as school trustees are too remote to be recognized by an order allowing them to intervene. But the petition which has been read contains charges of a vague and serious nature against the Receiver and his attorneys, Messrs. George S. Peters and Parley L. Williams. The charge has been directly made that the Receiver has acted corruptly and in criminal collusion with the defendants, and that this court has been imposed upon by the representations of the Receiver and his said attorneys, and a fraud thereby accomplished. If this is true, a crime has been committed and this court cannot and will not pass it by without attention; as the action of these officers, charged with a delicate and difficult duty, should be met by responsible accusers and have the opportunity to confront them. Either the Receiver and his attorneys have been guilty of a crime, or some person or persons are interested in falsely accusing them. This petition, upon being verified and endorsed by some persons responsible for the costs which may be incurred, should be received and filed as charges against the Receiver and said attorneys, and they should each be required to file their respective answers thereto, so far as the charges of corruption, fraud and unprofessional conduct are charged against them respectively, and upon the filing of their answers, it should stand referred to an examiner to take such testimony as is offered, both to sustain and disprove the charges contained in the petition, and report the same to this court on or before the next regular term of this court. If the charges of corruption and improper conduct are sustained and the fund in controversy in this case thereby preserved and protected, provisions can hereafter be made for the payment of the expenses incurred, but in the meantime we shall postpone the question of compensation to the Receiver and attorneys until the bringing in of the report. We have only had a few hours to consider this matter, and therefore have not had time to state more in detail our reasons for this action. An order should be entered unfavorable to this petition.

The question as to who should be the examiner was then taken up, and it was found that there was a broad gap between the choice of the government and the receiver on the one hand and the counsel for the trustees on the other.

Judge Powers thought that, owing to the seriousness of the charges, the examination should be made in open court.

Chief Justice Sandford said that it was too much to ask of the court, and that an examiner would answer the purposes just as well. His Honor then asked if there were any suggestions as to who should be the examiner.

Mr. Hobson said that he would suggest Mr. Sprague, but he took it that he (Sprague), as the examiner in the other investigation was also implicated by the charges in the petition.

The Court then asked as to who should stand the costs.

Judge Zane did not think the petition should be verified to place the costs upon the petitioners, as the court in ordering the investigation placed the expense upon the fund in dispute.

Mr. Hobson said that he was ready to state for the government that he was willing the fund should stand the costs, if the court should decide that to be right.

Justice Henderson stated that if the charges were sustained, and it was shown that the fund had been benefited by the investigation, it would be proper that the fund should bear the expense, but if the allegations in the petition were disproved, the parties making the charges should bear the expense.

Judge Powers stated that Mr. Williams and the receiver would rather bear the expenses than to have the matter dropped.

Judge Zane suggested Judge Harkness as referee in the matter.

Judge Powers was satisfied with the choice, but thought the court reporter could act as well as any one and save expense at the same time.

The court thought a lawyer should be appointed.

Mr. Bennett thought Judge Harkness would not object owing to ill health.

Counsel engaged in a prolonged discussion among themselves as to the referee, and finally informed the court that they couldn't agree among themselves.

The court suggest further consideration, but the attorneys insisted that it would be of no use.

The court then instructed the attorneys to make lists of those whom they thought acceptable. This was done, and the court took a recess for half an hour to consult. At the end of this time they returned to the bench and announced that Judge Harkness had been chosen as referee and had signified his willingness to act. The entire bar had been ransacked, and Judge Harkness had been found to be the hundredth man.

It was decided that the examination should begin on Monday, the 10th of December, Judge Zane being allowed until December 25th to present his evidence. The Receiver will be allowed from December 26th to January 6th to examine witnesses, and the referee shall report to the court on its convening on January 14th, 1889.

The court then adjourned.

Hymeneal.

On Wednesday, at Logan, Wm. A. Cowan and Miss Annie Durrans, of the Fifth Ward of this city, were united in marriage. The wedding reception was held at the residence of the bride's mother last evening, when a goodly number of their friends united in congratulating them. The bridegroom was connected with this office for a number of years. The News wishes them unalloyed happiness.

Surveyor-General Bowman Dead.

At a few minutes before 4 o'clock yesterday afternoon, Wm. H. Bowman, Surveyor-General of Utah, died at his residence in this city. The immediate cause of death was dropsy, growing out of a complication of diseases. The remains will be shipped to Hawkeston, Ill., for interment. General Bowman was appointed to office about three years ago, it being hoped that the change to Utah would improve his health. He made a trip east a few weeks since, and returned ten days ago. He was 60 years of age, and was highly esteemed by his acquaintances. He had occupied prominent positions in Illinois before being sent to Utah.

Sister Thompson Dead.

Shortly after 1 o'clock this morning Sister Sarah S. Thompson, widow of the late Ralph Thompson, passed from this life. She was born in Yorkshire, England, in April, 1835. When quite young she came to America, and was residing in Tennessee when she heard and embraced the Gospel. For many years she has been a great sufferer, the result of hardships endured in the early settlement of Utah, and when she was with her husband on his mission to Carson Valley, Nevada. She was patient in her prolonged illness. She was full of faith and integrity, and in her labors in the Relief Society she exhibited a sympathetic and generous nature. She was respected and beloved by those who were associated with her. The funeral service over her remains will be held in the Sixth Ward meeting house on Sunday, at 11:30 a. m.

Third District Court.

Proceedings before Judge Sandford today:

United States vs. F. A. Nims et al.; until Feb. 1 allowed to prepare notice of motion for new trial.

M. B. Buford et al. vs. S. J. Loneragan et al.; same order.

M. J. Thomas was excused from further service as a petitioner.

Agnes Coltrin vs. G. Coltrin; referred to Frank Pierce as referee, to take testimony.

H. R. Watrous vs. John P. Jones; on trial and given to the jury.

United States vs. Certain Lands heretofore owned by the Church of Jesus Christ of Latter-day Saints; time to answer extended to December 3d, at 10 a. m. There are three of these cases, the substance of which is an action to have escheated to the government the Tithing Office, Historian Office and Garde House grounds, in this city.

Geo. A. Luke vs. Harriet A. Lewis; the plaintiff missed the train at Ogden, and failed to reach this city as expected; the case was continued till tomorrow, plaintiff to pay costs.

Two other cases were called, but not being ready, they were put over till tomorrow, and court adjourned till 9:50 a. m.

D. & R. G. W. ACCIDENTS.

One Man Killed and Two Badly Injured.

On Wednesday evening brakeman Henry J. Moore, of this city, was engaged in making up a D. & R. G. W. train at Green River. In attempting to couple two freight cars, the drawbars of which were of unequal height, he was caught between the two and badly crushed. His left leg was broken in two places, and the right leg in one. He was brought to St. Mary's Hospital in this city. His left leg had to be amputated, but the surgeons hope to save the other. The final result of the shock to him cannot yet be determined. He is about 23 years of age and has a wife and one child; his wife is the daughter of Apostle Brigham Young.

At noon yesterday another accident happened on the D. & R. G. W. This time it was at P. V. Junction, and the result is a fireman killed and an engineer badly hurt. The locomotive on which the two men were going down the hill to help No. 7 train up, and came upon an open switch. The engine was off the track before the men realized their danger, and rolled down the embankment about fifty feet. The fireman was caught under the engine and crushed to death. The engineer was badly hurt, having one leg broken and sustaining some severe bruises. He was brought to the hospital in this city. Fireman David Goodman was 23 years of age and a resident of Provo. He will be buried on Sunday. The engineer was E. C. Baker.

Rumor reached this city this afternoon that still another accident had occurred on the narrow gauge, and that the injured persons would be brought to Salt Lake this evening. The railroad men, however, had not heard of it this afternoon.

Error in a Name.

The following is self-explanatory:
EPHRAIM, Sanpete County,
November 28, 1888.

Editor Deseret News:

In the Sanpete Stake conference report which appears in the SEMI-WEEKLY NEWS of yesterday, there is an error in the name of the counselor to Bishop J. W. Irons, of Moroni. It should read Nathan Faux instead of Jabez Faux. If you will kindly make the correction the incumbent of that office will, no doubt, consider it but just to himself, be having already called my attention to the mistake.

Respectfully,
GEORGE TAYLOR,
Stake Clerk.

DEATHS.

WENZEL.—In the Seventeenth Ward, of this city, December 1st, 1888, of typhoid fever, Hermann Wenzel; born April 10th, 1849, in Rossia, Germany.

BURGIN.—At Kinterton Park, near Sheffield, Yorkshire, October 19, 1888, of consumption, Mark James Burgin. He was born April 25, 1837, at Fenton, Lincolnshire. On his deathbed he bore a faithful testimony to the restored Gospel of Jesus Christ, and urged his relatives to obey this Gospel as taught by the Latter-day Saints, that they might be reunited in heaven.—Millennial Star.

CUMMINGS.—In the Twelfth Ward, this city, Nov. 28, 1888, at about 11 o'clock a. m., of lung disease, William Ridge, infant son of Horace and Tillie Cummings, aged 3 months.

FISHER.—In this city, at 4 a. m. Nov. 28, 1888, of typhoid fever, Madeline, beloved wife of Herman Fisher, aged 30 years, 1 month and 2 days.
Sister please copy.

HARDY.—In Scofield, Emery County, Nov. 22, 1889, of a complication of disorders, Mary Jones, wife of Thomas L. Hardy.

She was born July 28, 1818, at Tondou, near Bridge End, Glamorganshire, South Wales; came to Utah in 1883, and soon afterwards was baptized. She was the mother of eleven children, seven of whom are living, who, with her husband, are left to mourn her loss. She died a faithful Latter-day Saint.—[COM.]

CLARK.—At the residence of her son, near Elba, Cassia County, Idaho, on Nov. 13th, 1888, of pneumonia, Mrs. Nancy A. Clark, wife of Ezra T. Clark, of Farmington, Davis Co., Utah, aged 63 years, 3 months and 5 days.

She was born in Vienna, Trumbull County, Ohio, August 8th, 1825. Her parents, Sanford and Nancy Porter, joined the Church in 1851, moved to Jackson County, Missouri, in the spring of 1852. She was there baptized in 1853, when eight years old, the year the Saints were driven from that county, the family sharing in the suffering of that memorable persecution for religion's sake. She remained true to her religion throughout her life.—[COM.]

WHITAKER.—In the Fourteenth Ward of this city, Nov. 28th, of whooping cough, Mary Taylor, daughter of John M. and Ida Taylor Whitaker, aged 2 months and 4 days.

SCOTT.—At 841 e South Temple Street, Monday, November 26th, 1888, at 5 o'clock p. m., of inflammation of the brain, Hazel M. daughter of Jos. S. and Rachel Scott, aged 22 months.

Funeral from residence Thursday, at 2 p. m. All friends invited.

BROWN.—In Leeds, Washington Co., Utah, Nov. 13, 1888, of pneumonia, Mary Jane, beloved daughter of Ellen Brown, born Feb. 5, 1867, at Bristol, England.

INVENTION

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ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One old bay HORSE, white in face, scars on shoulders, side of back and hip.

If said animal is not claimed and cost and damage paid within 15 days of said notice, they will be sold to the highest cash bidder, at Sandy, estray pound, December 12th, 1888, at 10 o'clock a. m.

Dated Sandy, November 28th, 1888.
NEILS M. NEILSON,
Poundkeeper of said Precinct.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One spotted roan STAG, crop and slit of right ear, slit in left, age not known; no brands visible.

If the above described animal is not claimed and taken away and all costs paid, on or before the 13th day of December, 1888, it will be sold to the highest cash bidder, at 10 o'clock a. m., at the estray pound, Mill Precinct, Tooele County.

Dated at Mill Precinct, E. T. Toole Co., November 29, 1888.

WILLIAM HAMMOND,
Poundkeeper.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One red and white spotted COW and calf, branded on left horn G. O. C., part of left horn off.

If the above described animal is not claimed and taken away on or before December 15th, 1888, it will be sold at public auction at the City Estray Pound, Washington Square, to the highest responsible bidder, at 2 p. m.

M. SHELMEIDINE,
City Poundkeeper.
Salt Lake City, Nov. 30, 1888. d841

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One dark bay HORSE, white in face, left hind foot white, saddle-marked, about 13 years old.

One dark bay or brown HORSE, ball-faced, three white feet, roach-maned and saddle-marked, about 12 years old.

If damage and costs on said animals be not paid within fifteen days from date of this notice, they will be sold to the highest cash bidder, at South Precinct estray pound, at 2 o'clock on the 13th day of December, 1888.

Dated at South Precinct, Davis County, Utah, this 28th day of November, 1888.
JOHN JOHNSON, SEN.,
Poundkeeper of said Precinct.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One red STEER, 2 years old, white flanks, tips of horns broken off, branded resembling 1 on left side, ear marks under half

crop and upper slope in left ear, crop off right ear.

If damage and costs on said animals be not paid within 15 days from date of this notice it will be sold to the highest cash bidder, at the Fillmore estray pound, at 10 o'clock a. m., on the 10th day of December, 1888.

Dated at Fillmore Precinct, Utah, this 28th day of November, 1888.
A. MELVILLE,
Poundkeeper of said Precinct.

NOTICE TO CREDITORS.

Estate of Eliza Ordridge.

NOTICE IS HEREBY GIVEN, BY THE undersigned, Administrator of the Estate of Eliza Ordridge, deceased, to the creditors of and all persons having claims against the said deceased, to exhibit them with the necessary vouchers within four months after the publication of this notice, to the said administrator at his residence, No. 556 W. 3rd North Street, or by the statute, be forever barred.

JOHN L. NERKER,
Administrator of the Estate of Eliza Ordridge, deceased.
Dated Salt Lake City, Nov. 27th, 1888. d1 w31

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