(Continued from Page One).

BATTLE OF GIANTS.

to this one, and was here to represent such men to ask representation at the hands of those engaged in a contest so destructive.

Turning attention to the status of the Loan company that it could take any section of the road if it chose, and if that were true, Mr. Hall claimed it would not ask for a receiver to be appointed for the purpose. The evident intention was to take so much of the road only as needed the Loan company's purpose. He believed that a policy of that company was to take such part of the Short Line as could be operated in the interest of the Oregon Navigation company.

Mr. Stacy—That statement is wholly without foundation in fact.

Mr. Hall—Do you intend to take the Short Line to the contract?

To this there was no reply.

Mr. Hall—I know they would not answer the question. I say they propose to take such portion as they have agreed with the Loan company should be taken. They propose to disembarrass the road. Mr. Hall said he did not believe this court would allow such disembarrassment, should the Loan company be allowed to foreclose the interest of the Short Line by the use of the proposed certificates; should that Loan company be allowed to name the receiver, in view of its further interests. The receiver should be some local person who would protect the property, as the hand of the Utah court, and prevent the destruction of the Short Line system.

Mr. F. A. Williams said he represented, besides the Union Pacific, the interest of stockholders in the road and of bondholders, Mrs. D. C. Dunbar, Le Grand Young, J. E. Clanton, John Sharp, James Sharp and others, residents of this Territory, were named, it would be an expensive experiment, to appoint a new receiver, unfamiliar with the property and the people along its lines. Mr. Williams recited some of the history of the building of the lines of road, from the time of the connection of the Pacific roads, north of Ogden. He named the contribution, by President Young, John Sharp and others, of the Utah Central, dated in 1870, the Utah Southern, commenced in 1871, the Utah and Nevada, begun about the same time, and the Utah Northern Extension; the Utah Northern being in default of its payments was sold in 1878, and a reincorporation was made, then about 1881, there was built the Oregon Short Line. The talk of the population which supports these roads, all commenced in 1869, is the Short Line, was within the recollection of this court. There were eight suits consolidated. Six of them being in Utah. In consolidating the liabilities of all were assumed by the new corporation, whose interests were now sought to be disrupted. In Salt Lake City and vicinity is the center of the interests of the Short Line, and it could not be handled in view of the interests of the people here. The benefit of one was the benefit of the other.

Mr. Williams then directed attention to the proposition that the Loan company could choose what portions of the line it would take. He suggested that under such condition the Utah Southern Extension, not being a paying road, would not be taken hold of, and its bonds would thus be disbelieved. Mr. Williams insisted that if the present receivers should be superseded, the court's order should require that every section of the Short Line be included, and take direction of the properties to which the receivership should extend. Otherwise the stockholders and bondholders would be at the mercy of the advisers of the receiver, who naturally would select their own interests first, regardless of the injury to others. Under the scheme proposed hereby the Loan company, the owner could exclude himself from the jurisdiction of the court, leaving the interests of the road here sacrificed and ruined. The proposed receiver, Mr. Egan, was a stranger here, and Mr. Williams believed the court ought to appoint one, if any, who was better acquainted with local matters.

Judge John A. Marshall then presented on behalf of the American Loan & Trust company. He recited the institution of the four chief cases, at which time the gentlemen on the other side were not so anxious as now to have Salt Lake City considered as a place of central interest in this proceeding. The mortgage under which the Loan company was acting was a first mortgage on the Utah Central, Utah & Nevada, and Salt Lake & Western railways. The only thing that stood in the way of these roads being taken possession of, under the contract, by the Loan company was the receivership. The suit by which the five receivers were appointed was a collusive suit, and the parties did not represent any of the creditors of the Union Pacific. He urged that as to these roads the claim of the Loan company to a receiver was a right which could not be denied.

Judge Marshall was speaking at the time the NEWS went to press. He was to be followed by Messrs. Pierce, Young and Thurston, on behalf of the Union Pacific, and by Messrs. Kellogg and Stacy, for the Loan company. It is quite probable that Senator Thurston and Mr. Stacy will conclude their arguments tomorrow morning.

Admitted to Probate.

On the petition of Petronella Morey the last will and testament of James Morey, deceased, was admitted to probate by Probate Judge McNally today, and the said Petronella Morey was appointed executrix of the estate.

The County Court.

The county court will hold a session at 2 o'clock tomorrow afternoon.

For Maintaining a Nuisance.

Enoch Ford was arrested today on an indictment found by the grand jury on May 20th, charging him with maintaining a nuisance. He was taken before Commissioner Greenman and gave bonds in the sum of $200 for his appearance.

Baccalaureate Sermon.

An interesting variation in the exercises usually incident to graduation week is to be introduced by the University of Utah. On Sunday evening next a sermon, addressed particularly to seniors and the student public, will be delivered, as the first in the series of appointments which are to mark the close of a most successful year in the University's history. The address will be given in the Salt Lake Theatre, commencing at 8 p. m. of the day named, the speaker on the occasion will be Dr. J. E. Talmage, president of the University. Before the sermon there will be excellent music by the Mendelssohn club. A general invitation is extended to the public, and of course the seniors will be free.

Hotels Being Good Business.

As an indication that time are steadily getting better, Chief Clerk Harris, of the Knutsford, points to the fact that the hotel business is rapidly getting better. For the last three or four months, he says, patronage from the travelling public has been heavy and profitable. The best evidence he says, of a big city, he thinks, are the hotels, and in that opinion he will not find it difficult for other people to agree with him.

Boy Flower Thieves.

The business of stealing flowers of all kinds and disposing of them as bequets on the streets is being carried on in a manner so extensive as to call for prompt and hearty action on the part of the police. Chief Pratt has decided that the traffic must be stopped and with that idea in view has instructed the officers to be on the lookout for the youthful offenders. This morning two little fellows, George Harris and Joe Brown, were brought in on the charge indicated, and they will have an opportunity to explain themselves before Justice Smith tomorrow.

Land Office.

The following filing was made in the local land office under date of June 6:

Owen J. Nielson, of Gunnison, Sanpete county, desert entry of the northeast quarter of the southwest quarter of section 24, township 19 south, range 1 east.

From Leadville Tonight.

The officer expected in the last two or three days from Leadville to die here tonight. Which one, if any, of the three men who were arrested here will be taken back is not known owing to a confusion of names and descriptions.

AMUSEMENTS.

ELEUSINIA, which being interpreted means Maud May Babcock's Greek Exhibition of Poetic Pose, will be done at the Theater tonight by a company of 200 young people, under the direction of the well known teacher of physical culture. Popular prices will prevail and the University boys and girls will see to it that the house is filled.

THE THREE BLACK MANTLES has suspended; "caught on;" it has been going to such good business that it will be continued the remainder of the week; this defers the Tar and the Tartar till Monday.

Two Old Cronies, a farce comedy whose printing reminds one of Evans and Hoey in the Parlor Match, will put in one night at the Theater Saturday evening. The Wills Comedy company is the organization presenting it.

Returned Home.

Elder Charles D. Evans Jr., of Springville, arrived in this city June 5, returning from a mission to the Southern States. He left for his field of labor July 19, 1893, and has been laboring in the West Virginia conference. During his absence he enjoyed good health and met with fair success, he says, meeting many kind friends in various parts of the Mississippi field he visited.

THE LATE JOHN LYON.

A Scotch Paper Makes Pleasing References to Him.

SWAN VALLEY, Idaho,
May 21st, 1895.

Editor Deseret News:

I send herewith a clipping from the Kilmarnock *Standard*, published in the town where Brother Lyon was born, and where I embraced the Gospel. I knew all the parties well, and thought it might look well in a corner of the NEWS. Respectfully,

H. C. Martin.

REMINISCENCES OF JOHN KELSO SUNTER.

John Lyon, the Mormon Poet—The "New Mill"—The Mill's Bond on Impressment—Sunter's Mission.

John Lyon was a poet worthy of his name. There was a rampant nobility in his nature. He spoke in advance of his time. Society was slow of faith to the facts uttered by him, and he resolved to leave Kilmarnock in the dark, and advance the light of the Mormons at Salt Lake. John had clear views of progressive perfection, and declared that the summit could only be reached by perpetual culture, and that those who left this world in a state of mental decline, would be set on a very low cloud in the next. John believed in class spiritual as well as to class temporal. While talking to me one day of the reign of King, "Depend upon it," said he, "society will be very select there. There will be no flatfoots; worth alone will procure a seat suited to the mental capacity. Would it be fair to sent such saints as Sir Isaac Newton's on a barrow track to mingle in Irish mirth with roistering wind musses of dirt as had set in motion by little force in the old world? Not likely." This confused scrap is from a poem on the "New Mill," and dedicated to Duncan McMillan, westbiggin:

"O the New Mill's a sauce while we can be jolly,
Wi' the dam-dire the lass wonder the water time through;
Though the miller be dead who first gaed in the scene,
And the sons of the grinders and hopper's the same,
O what an i more o' the year mostly rolls,
Where we collected in shoes (well the wot the cost pence),
As the colier an' little ones for manure cut,
Would for and hotch lees o' the mother and mill."

It was after this date when he had some very funny stories about the different kind o' customers he had ground onto by how he had lost his mutter, and how he had got it. In the year 1860 there was a death sirie as we have not seen since. At that time forestillers were to be had on sellie lowest class of wretches, and they who were known to have meal on hand could be compelled to bring it to market, and have it disposed of at market price. A sort of strike was resorted to control as well as reveal the real state of things. Many a body had corn, but naebody had meal. Among the miller's customers was a widow woman, who, poor thing was like her parents, vanity, not of a sour' stamp. She had a few earns o' corn at the mill. It was dried and ready for milling some weeks past. She had breakfa' the miller to be ready to make it into meal at an hour's notice. He remained with her on the impossibility of so doing, but said that he could mean it, and she could fill it when she liked. "Yes, ma," quo' she, "I'm no coun' to the sun' my soul that way; in the meantime I can safely say that I hae no meal." "Hoot," quo' the miller, "it's the big price that ye're after, and just ye ha' the reason fond to get it." "I'll hae no sin way wi' my son," quo' the wife, "but ye can do as ye like wi' yours, so see and be ready when I tell you." Her sacks were soon turned smooth, one of other paupers, till the meal rose to four shillings and thirpence the mill peck. Out came the widow smiling as evening sun said, "Miller, I want my meal the morn, so be expected up to five shillings." "I cannae help that," quo' the miller, "ye maun fa' it when I could gie yeth, and ye maun tae wait till ye get it." The woman began to rage and said, "Wealver the meal fell below five shillings, she would look to him for't, so he had better get it done without any talk." She went away home, and got one sleep that night, for reports of a shuffling chancifer were rife as to the use of the meal on the morrow. It rose to the wished-for pinnacle of the wee note. At that time, owing to the scarcity of silver, there was no note of paper at that value. One peck was only to be sold to the Old Meal Market at this wonted price, which was expected to make one widow's heart to sing aloud. The tide turned, and thrice in one hall hour the low-bred to pound the widow's one, each time threepence down. Here was alongsawn off the peck, and who could say what the next half hour would do. The widow started the face of the mill, w' matters to weaklings on her legs and hankies on her ey', which, after showing her green dog, she took to her hame, and in this plight passed the mill. The miller laughed, and he remarked that her hook was mighty turned when her back was to the mill, instead of being on her ee. Her grief and rage now knew no bounds. John Lyon's lines on a "duckpond" show a manly state of mind and some poetic power, which would almost make a poem quite like at in his own language.

"Thou representative of unmeaning pride,
Wake with thine ire thy innocent the wind;
Thou'rt but a thing of an hour—to-day you be,
To-morrow thou shalt be no more.
Thy boasted power is but a dream,
Thou art but a bubble, which soon will burst;
Thou art but a wave on the ocean of time,
Thou'rt but a leaf on the mighty tree,
Thou'rt but a bubble, and thou shalt soon pass,
Forgotten of the mighty dead,
Thy fate is like the fragment of a rock,
Thy fate is like the fragment of a rock,
Thy fate is like the fragment of a rock