

Judge Powers—Your clients were willing for \$3000 for each attorney, or \$15,000 for both?

Mr. Young—No, sir; I said I would not oppose \$15,000, but my clients consented to no stated figure.

THOMAS HOUSE,

of Oneida County, Idaho, testified—In 1880, I came from Washington, D. C.; was never in the employ of the Church, in any capacity; never worked on the Church farm at Oxford; lived over two miles from the farm there; there are about 480 acres of hay land; in 1887 there were 1800 or 2000 head of cattle, and 130 or 140 horses—geldings and mares; in 1888 there were 1000 to 1100 head of cattle there; they were mixed, and their value would be about \$18 per head, without the calves; in 1888 there were 100 or 110 horses, worth about \$40 each, on the Oxford farm; there were also farming utensils and 300 or 400 tons of hay, worth \$5 or \$6 per ton; in 1887 there were 175 tons of hay there; **Mr. George McCullough** had charge of the farm; part of the stock wintered on the Logan bottoms, Utah; there were also two stallions, worth about \$400 or \$500 each; the ranch people valued them at \$1000 each; no grain was raised there, and none stored except for the animals; I also know the Star Valley herd, which was 140 miles east of Oxford; there were 456 head of horned stock, and 90 to 110 geldings and saddle horses; **Wm. Preston**, of Logan, had the herd in charge; the cattle and horses would be worth about the same per head as the Oxford herd; these herds were rounded up in October, 1888, to be delivered to Receiver **Dyer**; at the time of rounding up there were 680 head at the Oxford herd; there was another round-up in November, and part of the herds were taken to Logan to winter.

To **Judge Powers**—I can give figures, because in June, 1887, there were 1280 head sold to **F. Little**, **J. Sharp**, **H. S. Eldredge** and others. I counted the herd for Star Valley, with the rest of the boys; I estimated the amount of hay; had no special object in making observations; the original herd being between 1800 and 2000, 1280 were sold to Messrs. **Little & Co.**, leaving 600 or 700; there were 800 or 900 head in the spring of 1888, exclusive of the Star Valley herd; most of the horses were also rounded-up to turn over to the receiver; I do not know who owns the Church farm; we simply know it by that title; I was subpoenaed in Idaho by **Mr. Ramsden**, on a subpoena issued by **Mr. Goodwin**, of Logan; he told me I would get fees, but did not pay me any; I was notified on Sunday evening, and did not know before then that I would be wanted as a witness; I was not notified on a subpoena issued by the Supreme Court; I had heard of the investigation; had furnished a statement of what I would testify to, in December, 1888; I gave it to **Mr. Ramsden** in writing; I do not know whether or not he is an officer; he said I would get my fees; **Ramsden** is in the cattle business; I reported to **Judge Zane** on Monday night; paid my own fare;

Ramsden came down with me; I will procure the original statement I made out, or a copy of it.

To **Mr. Critchelow**—The Church farm at Oxford is worth about \$10,000; it has been occupied by various parties.

GEORGE D. MC'CULLOUGH

testified—I live at Logan; know what is called the Church farm at Oxford, Idaho; had partial charge of it from 1886 to October, 1888; the general overseer was **M. M. Sheets**, of Salt Lake; in 1887 there were 1,200 or 1,400 head of cattle altogether; the amount may possibly have reached 1,500; the horses numbered 65 or 70, according to the books; a couple of stallions were brought there by **Mr. Martineau**, from Logan; they were valued at about \$400 each; the value of the cattle, in 1887, was \$12 or \$14 per head, all round; I don't know the number turned over to Messrs. **Little & Eldredge**; there were at least 1000, leaving 300 or 400 head; in the summer of 1888 there were about 600 head; I have seen the Star Valley herd; **W. B. Preston, Jr.**, had charge of it when I saw it; there were 300 or 400 head; most of the cattle in the Star Valley herd were branded "47," and the Oxford herd "Z Z;" the latter brand is said to belong to the Oneida Stake Association; a cross is the Church brand.

Judge Powers—Gentlemen, what point in the complaint is this testimony on?

Judge Marshall—The failure to gather property and the alleged compromise for \$75,000.

Judge Powers—Do you claim that this property was assigned to the Church Association, or was outside?

Judge Marshall—We cannot limit ourselves as to that. We are not sufficiently informed to concede either one way or the other.

Judge Powers—We have a right to know the purport of the testimony.

Judge Marshall—We are attempting to prove the charges made. The evidence warns the respondents as to what is the special point referred to. We cannot say whether this property was in that assigned to the Stake or not.

Judge Harkness—At this stage I will not require counsel to state their position in regard to this.

Mr. McCullough, replying to **Judge Powers**—All of the cattle were sold in 1887, and new cattle brought there; the cattle were turned over to the Stake; **E. F. Sheets**, of Salt Lake, owns the ranch; the cattle were claimed by the Stake associations of Oneida and Cache; I was first employed by Presiding Bishop **Wm. B. Preston**.

To **Mr. Critchelow**—I worked for the Cache Stake association in 1887; then went to work for **Geo. Parkinson**.

To **Judge Powers**—The Cache Valley Stake had possession when the cattle were sold to Messrs. **Little and Eldredge**.

Recess was taken for ten minutes, when

EDWARD KENDRICK

testified—I live at Granger, Salt Lake County; I applied to Receiver

Dyer to lease Church sheep; he told me to call again; I came back, according to appointment, and his clerk told me they were all let; I mentioned no sum for the rental, nor did I say the number I wanted. (Mr. Kendrick is the witness whom the officer started out after at 4 a.m. in the morning, and made a 20-mile ride, with the thermometer dodging about the zero point.)

NIELS NIELSON,

of Logan, testified—I know what is called the Church farm, in Cache Valley; don't know how many acres there are in it; there are over 5000; I have 80 acres, leased from **Lyman R. Martineau**; before this year I got permission from the railroad company to live on it; never paid any rent.

Mr. Critchelow—How much hay was raised on the Church farm?

Judge Powers—I object to that unless it is shown that the farm belonged to the Church. The land is claimed by the Central Pacific and the B. Y. College, to whom it was deeded by **Brigham Young**.

Judge Marshall—We expect to show the facts as to the title.

Judge Powers—Then I withdraw the objection.

Mr. Nielsen—On the Church farm there was about 700 tons of hay raised in 1887; it is fed to cattle; who owns them I cannot say; they are branded "47," "zz" and a cross; there were about 800 head there last winter; I was hired by **Lyman Martineau**; he paid me in grain and cash—no titling orders; there were orders for grain, but I do not know they were titling orders; I also fed about 100 horses.

To **Judge Powers**—The farm is also called the College farm; the Church leased a portion of it for feeding cattle; all the hay was fed out in the winter; the titling cattle were fed there; not one-fourth of the College farm is used by the Church.

JOSIAH HENDRICKS

testified—I live in Logan; I lease land from the College, or from **Martineau**; **George Thatcher**, president of the college, signed the lease; I have 100 acres, but can only use 50; it is called the Church farm, but it belongs to the college; it was given to the college by **Brigham Young**; I pay \$25 per year; **Martineau** is not a Bishop; he is a clerk.

Judge Powers—I don't know that I can ask him anything to throw light on this subject. I might inquire for some reminiscences.

A recess was here taken till afternoon.

During the examination in the forenoon it developed that a **Mr. Goodwin**, of Logan, was subpoenaing witnesses that were not on the list furnished by the trustees to the Supreme Court, and consequently not entitled to pay under the ruling made. This proceeding caused some unpleasant feeling, especially on the part of those thus put to unnecessary and unlawful expense in having to come from Cache Valley to this city, and then get no fees or mileage. **Judge Powers** wanted to know, if these