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THE DESERET NEWS, WEEKLY:	TRUTE AND LIBERTY.	BOOK BINDING AND PAPER BULING
copy, one year, with postage,		In all its Branches, at the Deseret News Bookbindery.
OFFICE Corner South and Bast Temple-sta.	SALT LAKE CITY, UTAH, TUESDAY, AUGUST 5, 1879	OFFICE Corner South & Enst Temple &
The Church of Jesus Christ of Latter-day Saints and its Trustee-In- Trust. The Executors, Heirs, Legatees and Receivers of the Estate of Brigham Young, deceased. <u>COMPLAINT.</u> In the District Court for the Third Judicial District of Utah Terri- tory, Sall Lake County. The Church of Jesus Christ of Latter-day Baints, a Corporation created under and by virtue of the Laws of Utah Territory, and John Taylor Trustee-in-Trust for said Church, plaintiffs. <i>18</i> George Q. Cannon, Brigham Young and Albert Carrington, Ex- ecutors of the last will of Brigham Young, deceased, W. S. McCor- nick and M. Shaughnessy, Receiv- ers; John Sharp, Edward Hunter,	V. That said Testator by his last will and testament directed his him and to make settlement and to pay all debts that he might owe in relation to said trust, and in pur- suance of said provisions and direc- tions of said last will, said Execu- tors and said Corporation and Church by its acting President and Truste in Trust, John Taylor, in relation to said trust, and in pur- tions of said last will, said Execu- tors and said Corporation and Church by its acting President and Truste in Trust, John Taylor, in relation to said last will, said Execu- tors and said Corporation and Church by its acting President and Truste in Trust, John Taylor, in the said set will said for test and and test and and test thence W. 16 rods and 12 feet, thence M. 16 rods and 12 feet to place of beginning, containing 3334 Trustee in Trust, John Taylor, there a the ward beeneficiaries under the papers were executors, legatees and devisees, here a differences and and testament the secutors, legatees and devisees, here a differences and and testament and the sceutors, legatees and devisees, here a differences and and testament the secutors, legatees and devisees, here a differences and file testa- tors and said Corporation and Church have been for the said trust and the following named this secutors, legatees and devisees, here a differences and devisees, here a differences and devisees, here a differences and devisees,	time of his death, and which in- debtedness and liability he directed in his said will should be paid by his executors. Wherefore plaintifls pray for and demand orders and judgments as follows: Ist. That some proper person or persons be appointed by the court to defend for the numerous parties, defendants, as helds, legatees, de- visees and beneficiaries under said will, and for such proper orders in relation thereto as will make the preparation and hearing of this case practicable and convenient, and as may be authorized by law or equity. 2 and. That said defendants and particularly the defendants Eme- line A. Young, Louisa W. Young Ferguson, Dora Young Dunford, Marinda Hyde Conrad, Ernest Irv- ing Young, Elizabeth Young Elis- worth, and Vilate Y. Decker, heirs, devisees, legatees and beneficiaries under said testator's last will and testament, and said W. F. McCor- nick and M. Shaughnessy receivers appointed by the Judge of the and for the Territory of Utah, in the said case of Emeline A. Young, devise of Emeline A. Young, and for the State executors, John
dard, Leonard W. Hardy, Theodore McKean, Joseph C. Kingsbury and Angus M. Cannon; Mary Ann Angell Young, Brigham Young, Luns Young Thatcher, John Willard Young, Brigham T. Young, Richard W. Young, Catherine Young, Amelia Young, Joseph A. Young, Briant B Young, Walter S. Young, Lester K. Young, Junius Young and Eugene J. Young, children and Eugene J. Young, children and Eugene J. Young, children and heirs at law of Joseph A. Young, deceased, and Alexander C. Pyper guardian of said Richard W. Young, Catherine Young, Ame- lia Young, Joseph A. Young, Bri- ant S. Young, Walter S. Young, Lester K. Young, Eugene J. Young, and Junius Young, Minor; John Willard Clawson, Leo H. Clawson, Walter Clawson, and Seldon Claw- son, minors, children and heirs at	came to an accounting and leftless of said testator both as, to the property held by the first state and that the parties are forever closed. That the parties are forever closed. The property held by the partiess of said close are of said cl	possession of the property real and personal, which was conveyed by the said executors of the last will and testament of Brigham Young, deceased, to John Taylor, Trustee-in- Trust for said Church, whether as trust property or in liquidation of said account, and that they be or- dered to return to the custody of John Taylor, President and chief officer of said corporation, and Trustee-in-Trust for said Church; all such personal or real estate which he may have turned over to them or either of them under thele said order of appointment, or which they or sither of them may have received, as rents on real estate, or otherwise, together with all such real estate as they, or either of them, may have taken possession of, whether as the property of plaintiffs or of their vendors afore-

Lucy Ann Decker Young, Fanny guardian.

Caroline Young Thatcher, Heber Young, Ernest Irving Young, Shamira Young, Arta D. Christa Young, Feramorz Little Young, Clarisea Hamilton Young. Ella Elizabeth Young Empey,

Marinda Young Conrad, Hyium Smith Young, Emeline A. Young, alias Emelloe A Young McIntosh, Louisa W. Young Ferguson, Loret z) D. Young, Alorz) Young, Ruth Young Johnson and Adelia Elvira Young, and Hyrum S Young guaidian of Alorz) Young and Adella Elvira Young, minors. Emily D. Partridge Young, Emily Augusta Young Clawson, Caroline Young Croxall, Joseph Don Carlos Young, Miciam Young Hardy and Josephine Young. Clara Decker Young, Jennette

Richards Young Sneil, Nabby Howe Young Clawson, Charlotte Talula Young and Clara D. Young, guardian of Charlotte Talula Young, a minor.

Lucy Bigelow Young, Dora Young, alias Dora Young Dunford, Susa Young Dunford, Rhoda Mabel Young, and Lucy B. Young, guar-dian of Rhoda Mabel Young, a minor.

Eliza Burgess Young and Alfales Young, Margaret Pierce Young, and Brigham Morris Young.

Zins D. Huntington Young and Zina P. Young Williams.

Harriet E. Cook Young and Os-

car Brigham Young, Harriet Barney Young, Phineas Howe Young and Harriet B. Young, guardian of Phineas Howe Young a minor.

Mary Van Cott Young, Fanny Van Uott Young, and Mary Van Cott Young, guardian of Fanny Van Cott Young, a minor.

7, 8, 9, 10, 11 and 12. And said plaintiffs aver that, after allowing Susannah Snively Young and Julia Young Burton alias Julia several large amounts as credits Young.

aggregating over \$100,000, and also credits for about \$75,000, Elizabeth Young Ellsworth and Vilate Decker. there remained due to said Church

Mary Eliza Croxall and Willard from said testator's estate, nine Croxall, minors, and Mark Croxall hundred and ninety-nine thousand, their guardian, Maria Young Dousix bundred and thirty-two 90-100 gall, Willard Young and Phebe dollars, but to have the same set-Young Beatie, children of Clara tled agreeable to all parties con-

Roes Young. Evalue L. Young Davis, Ma-honri Moriancumer Young. Elizi R. Snow Young, Naamah cerned, and that no further difficul ty might be presented to its settle ment, a credit for three hundred

thousand dollars was allowed there K. J. C. Twiss Young, Martha on, after its said allowance an Bowker Young, Harriet Amelia Felsom Young and Augusta Adams approval, for the services of said testator rendered to said Church Young, defendants.

VII. And said plaintiffs aver The plaintiffs complain and althat after said settlement of the

That Brigham Young, decease trust property so held by said tesed, died resident of, and in the tator in trust for the Church, and County of Salt Lake, Territory of Utah, on the 29th day of August, of the claim as aforesaid, 1877, testate, and that his will was and its approval and allow duly probated in the Probate Court ance by the executors and the for Sait Lake County aforesaid, Probate Judge us aforesaid, and which said Court had jurisdiction thereof; a copy of which is hereto attached and made part hereof Taylor as Trustee-in-Trust afore

II. That the executors therein named, to-wit: George Q. Cannon, Albert Carrington and Brigham Young, a son of testater duly cited to appear before the Probate Court of Sait Lake County, where-Young, a son of testator, duly qual-fied as such and gave bond with approved surelies in the sum of one which Court had jurisdiction there hundred thousand dollars each, for a faithful performance of their du-tiles as such executors and trustees, conditioned according to law.

tween the legatees, devisees, bene-ficiaries, etc., under said last will of said testator and of said John Taylor, . Trustee-in-Trust for said Church, dated May 30th, 1878, a to place of beginning, containing ing 2 72-10 acres all in U.S. Survey fifty (50) square rods of of Utab. fifty (50) square rods of ground, as platted in plat B,

copy of which is hereto annexed as part hereof marked Exhibit B. Copies of the deeds of convey ance of said executors to said John Taylor, as Trustee in Trust for said Church, in liquidation of said account, are also hereto attached as part hereof, marked Exhibits No. 6.

ground as platted in plat A, Salt Lake City Survey. Also lots three (3) and four (4) in section seventeen (17) and lot one (1) in section eighteen (18) and the northwest quarter (4) of the north-west quarter (4) of , section twenty (20), containing one hundred and sixty-two (162) acres. Beptember 1st, 1876 at the nominal yearly rent of one dollar, and he thereby declared a trast in himself as Trustee for the use of said Church to said property for 99 years, and that said Church, and the said John Taylor as its Trustee-in-Trust have a right to the use and possess-lon of said Gardo House and premisixty-two (162) acres.

Also the east haif (1) of the north-west quarter (1), and the north half September 1st 1876, independent of (d) of the northeast quarter (i) of section twenty (20), containing one hundred and sixty (160) acres. Also lots one (1), two (2), three (3) and four (4) and the southwest

hundred and twenty thousand dolquarter (1) of the northeast quarter

Trustee in Trust for said Church, with the freese west for the pro-perty and a peets and effects of said (20) rods, thence south fires south (20) rods, thence south fires south (20) rods, thence south fires (30) rods, thence south fires (40) 

lege that the sum of one thousand dollars, the penalty of the bond

 If y (50). require roles of proving as platted in plats B.
 IX. That after the conveyance of a grant of the securitors of sail and be roles of the securitors of sail and be roles of the securitors of sail and be roles of the securitor of the securit of the securitor of the securit of the securitor of the securities of the securitor of the securities of the securitis of the securitis of the securitis of the securities of the s IX. That after the conveyances signed by the sureties of said Eme-

loss of the assets which have gone into his hands, or may hereafter go into his hands, as property of said Church, or to which it sets up claim.

And plaintiffs allege that all ed, and both of whom are livin these things, whether acts of omis-sion, oversight, irregularities or otherwise, are contrary to haw and equity, and violative of the rights of said Church, and its Trustee in-

Trust, and said corporation; XIII. And plaintiffs further state that in the said order so made (1) of section nineteen (19), contain-ing one hundred and sixty-four and seven-tenth (164 7-10) acres. Also the south half (3) of the southeast quarter (1) and lot two (2) of section seventeen 7(17), contain-ing one hundred and twenty-two for lite in said property under said to get the south half (1) of the south and twenty-two for lite in said property under said to get the south half (1) of the south and twenty-two for lite in said property under said to get the south half (1) of the south and twenty-two for lite in said property under said to get the south half (1) of the south and twenty-two for lite in said property under said to get the south half (1) of the south and twenty two for lite in said property under said the south seventees (1) of the south and twenty two for lite in said property under said the south have all this time to south seventees (1) of the south and twenty two for lite in said property under said the south have all this time to south seventees (1) of the south and twenty two for lite in said property under said the south have all the time to south seventees (1) of the south and twenty two for lite in said property under said the south have all the time to south seventees (1) of the south and twenty two for lite in said property under said the south have all the time to south seventees (1) of the south and twenty two for lite in said property under said the south have all the time to south seventees (1) of the south and twenty two for lite in said property under said the south as a place of the south seventees (1) of the south as a place of the south as a place of the south as the south as the south seventees (1) of the south s

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living. Class ten-Harriet E. Cook Young

made

Young, de

i thence west forty (40) rods, thence north two (2) rods, thence north two (2) rods, thence and turniture to himself individually, (40) rods, to place of beginning containing eighty rods (80-160) of ground as platted in plat A, Sait Lake City Survey.
issid church, and to issid receivers, nor are the survices of said Bhaughnessy bound to these plaintiffs for any section sevence (1) and four (4) in section sevence (18) and four (4) of the resty declared a trist in himself (1) in section sevence (18) and four (4) of the approximation, nor as Trustee-in-Trust for said Church, which have gone or may set to said property for 99 years, and (1) in section sevence (18) and four (4) of the approximation of the approximation, and the said exact theres y declared a trist in himself (1) in section sevence (18) and four (4) of the approximation (18) and the property for 99 years, and (1) in section sevence (18) and four (4) of the said property for 99 years, and (1) in section sevence (18) and the property for 99 years, and (1) in section sevence (18) and the property for 99 years, and (1) in section sevence (18) and the property for 99 years, and (1) in section sevence (18) and the property for 99 years, and (1) in section sevence (18) and the property for 99 years, and (1) in section sevence (18) and the property for 99 years, and (1) in section sevence (18) and the property for 99 years, and (19) the property fo

Evaline L. Young Davis and Ma-honri Moriancumer Young, children low the credit of three hundred thousand dollars for such services, which was placed as a credit on said account for \$999,632.90 by way

of compromise, adjustment and set-Class seventeen-Young, Naama K. J. C. Twie Young and Martha Bowker Young ect to its allowance, or any part hereof, or any other sum for such Young and Martha Howker Young, all of whom are surviving. Class eighteen—Harriet Amelia Folsom Young, who is living. Class nineteen—Augusta Adams services, on the reopening of said accounts between these plaintiffs

Class nineteen-Augusta Adam Young who is still living.

And of all the abye named per counting be refused them, then said ne as heirs, ohn Taylor as Trustee-in-Trust or said Church ontha anny Van Cott Young befillag ment of account age Mary Van Cott Young, her guardi an; Mary Eliza Crozail and Wil lard Crozail, minors, Mark Crozail And of the said named

ties as such executors and trustees, conditioned according to law. III. That by virtue of an ordi-nance of the Provisional Govern-ment of the State of Deseret, enti-tied "An Ordinance Incorporating the Church of Jesus Christ of Lat-ter-day Saints," approved February Sth, 1851, which said ordinance was been under said will, are still willing to struct of the mothers of testator's tory of the mothers of testator's stator as its Trustee, which was duly verified, for the sum of nine hundred and ninety-nine thousand, six hundred and thirty-two 90-100 dollars, and then duly the following are minors above the age of fourieen years, and have the following statutory guardians: Phineas Howe Young, Harrist B.

Class nine-Zina D. Huntington Young and her child, Zina P. Young Williams, both of whom are since his death, accounted to said al, which came to him as the beneficiary for the same, other than President and chief officer of said

> them, a judgment be rendered against the said executors and the heirs, devisees, legatees and beneffclaries to whom said estate has been was legally or equitably entitled to any compensation, or credit for such services, and they deny that said corporation, or the Church or its Trustee-iz-Trust, are bound to aland allowed and approved by the Probate Judge of said Balt Lake County, April 10, 1878, as aforesaid. for nine hundred and ninety-nin thousand six hundred and thirty two dollars and ninety cents, with legal interest thereon from said date of approval, and not subject to ent as aforesaid; and they obthe credit of three hundred thousand dollars allowed for the services of said testator to said Church a sloresaid, or any other sum, but that the whole of said account as and said estate, the executors, heirs, approved, and allowed by the exce utors and said probate judge, to But should such general ac

ether with legal interest thereon om the 10th day of April, 1878 aintiffs state and ailege that said c allowed to these plaintiffs, an hat a lien upon the property written ten rights of property conveyed by after the executors executors to said John Taylo out a state-Prustee-in - Trust as aforesaid, he liquidation of said account aiust the estate allowed to these plaintiffs, and that said executors and the heirs, de visces, legatees and beneficiaris: m an open, mutual, and current count between said Church and vicees, legatees and cohencianty under safd will, be orjoined and re