

bounded as follows: Commencing at a point four (4) rods north of the southwest corner of said lot four; running thence north sixteen (16) rods; thence east twenty (20) rods; thence south twelve and one half (12½) rods; thence west fourteen (14) rods thence south three and one half (3 1-2) rods; thence west six (6) rods to the place of beginning, and a part of what is known as the Tithing Office and Grounds, and is of the value of \$50,000.

3. All the south half of lots five (5) and six (6), in Block eighty-eight (88), as the same are platted and designated in Plat "A", Salt Lake City Survey, said tract containing two hundred square rods of surface ground and being a part of what is known as the Tithing Office and grounds, and is of the value of \$25,000; all situated in Salt Lake County, Utah Territory.

And for that, The west half of the real estate above described as the Temple Block and all buildings and improvements upon the same, and which said block and buildings were at the date of the dissolution of said corporation as aforesaid, used exclusively for the worship of God according to the tenets of said Church of Jesus Christ of Latter-day Saints, and which said property had been acquired by said corporation subsequently to the passage of the Act of July 1st, 1862, above mentioned, and which they acquired and held in violation of said Act of July 1st 1862, being in excess of \$50,000 in value was, and is exempt from the forfeiture prescribed by said Act by virtue of the provisions of said Act of Congress of March 3rd, 1887, and the east half of said Block was, and is of great value and largely in excess of \$50,000.

And for that, in addition to the real estate known as the Temple Block, held and used as aforesaid, the said corporation of the Church of Jesus Christ of Latter-day Saints, on the 3rd day of March, A. D. 1887, when it became and was dissolved as aforesaid, had theretofore and subsequently to the passage of the act of Congress, of July 1st, 1862, acquired and was at the date of its dissolution, holding in the name of one Robert T. Burton, who held the same upon a secret trust the following described pieces and tracts of real estate, to wit:

1. Part of lots 3 and 4, in block 88, as the same are platted and designated on Plat "A," Salt Lake City survey, county of Salt Lake and Territory of Utah, and bounded as follows: Commencing at a point four (4) rods north of the south-west corner of said lot four; running thence north sixteen (16) rods; thence east twenty (20) rods; thence south twelve and one half (12½) rods; thence west fourteen (14) rods; thence south three and one half (3½) rods; thence west six (6) rods to the place of beginning, and being a part of what is known as the Tithing Office and grounds.

2. All the south half of lots 5 and 6, in block eighty-eight (88), as the same are platted and designated in Plat "A," Salt Lake City survey, in the county of Salt Lake, Utah

Territory, said tract containing two hundred square rods, more or less, of surface ground, and being a part of what is known as the Tithing Office and grounds.

Both of which tracts of land is of the value of \$100,000, which are all and entire in excess of the amount of real estate which said corporation was by law entitled to hold, and no part of said real estate was held or occupied by said corporation as a building or ground appurtenant thereto, for the purpose of worship of God or parsonage connected therewith, or as a burial ground.

And the said United States further complains for that:

The defendant, Robert T. Burton, on the 3rd day of March, A. D. 1887, held the legal title to all and singular the property hereinbefore described, in secret trust for the then corporation, "The Church of Jesus Christ of Latter-day Saints," and afterwards, to wit, on the 2nd day of July A. D. 1887, he, the said Burton, attempted to convey the same by his deed of conveyance to himself and the other defendants, William B. Preston and John R. Winder, as trustees for an alleged voluntary association, described as the Church of Jesus Christ of Latter-day Saints, and to them in trust for alleged religious and charitable purposes; that the said defendants were parties defendant to the original bill filed in the Supreme Court of Utah Territory, hereinbefore referred to, and appeared and by answer made claim to the real estate hereinbefore described; that upon a hearing, evidence was heard and their said claim was finally adjudicated and determined as against them and the said late corporation, the Church of Jesus Christ of Latter-day Saints; that the deed from defendant Burton, to the other defendants hereinbefore mentioned, was made without authority and that no estate passed thereby, and the same was by final decree in said court on the 8th day of October, A. D. 1888, annulled, cancelled and set aside.

That it was further adjudged and decreed by said court that the legal title and estate in said real property was acquired by said corporation, above mentioned, and its trustees subsequently to July 1st, A. D. 1862, and the same was the property of the corporation at the date of its dissolution, to wit, March 3rd, A. D. 1887, that said decree remains of record, and has never been reversed or modified.

And the said United States complains further, for that, information against the hereinbefore described property and all claimants thereto was filed in this court on October 8th, 1888, and thereupon a monition issued to the United States Marshal of the Territory, to seize the property and to give due notice to all persons claiming the same, or having anything to say why it should not be escheated to the United States, to be and appear before the court at a time and place specified, then and there to make known their claims; that such notice was duly given, and the property seized; that the only persons who have appeared

in obedience to said monition, although the time for appearance has long since expired, are the defendants, William B. Preston, Robert T. Burton and John R. Winder, who have entered and filed their allegations in writing, whereby they make claim to said real property as the trustees for an alleged voluntary religious association known as the Church of Jesus Christ of Latter-day Saints.

And the said United States upon its information and belief, alleges and complains: For that, the said defendants have no other right, title or claim to said property or any part thereof, except under and by virtue of the alleged conveyance of July 2nd, A. D. 1887, from Robert T. Burton, being the same which was, as hereinbefore stated, adjudged and decreed to be void, and cancelled and annulled.

And for that, all of said real property, as hereinbefore described, was acquired by the late corporation of the Church of Jesus Christ of Latter-day Saints, subsequently to the 1st day of July, A. D. 1862, and after said corporation had acquired and while it held real property of value in excess of \$50,000, and the same was and is subject to forfeiture or escheat to the United States of America; that the defendants have no legal claim, estate or title to said property or any thereof; that none of said real property, or its appurtenances, is, or ever was, held, or occupied exclusively for purposes of worship of God, or as a parsonage or as a burial ground.

Wherefore it is prayed that the real property hereinbefore and in the title described, and the whole thereof, be forfeited and escheated to the United States of America, to be disposed of according to law, and that the said United States have judgment against the defendants for their costs.

CHAS. S. VARIAN,
United States Attorney, Utah, for
W. H. H. MILLER,
Attorney-General, United States.
No. 7503. Title Court and Cause.
Information.

Filed November 5, 1890. Henry G. McMillan, Clerk. By Geo. D. Loomis, Deputy. C. S. Varian, U. S. Att'y.

TERRITORY OF UTAH, } ss.
County of Salt Lake.

I, Henry G. McMillan, clerk of the Third Judicial District Court of Utah Territory, do hereby certify that the foregoing is a full, true and correct copy of original complaint information in the action therein entitled, filed in my office Nov. 5th, 1890.

Witness my hand and the seal of said court, at Salt Lake City, this 5th day of Nov., A. D. 1890.

HENRY G. McMILLAN, Clerk.
By GEO. D. LOOMIS,
Deputy Clerk.

GLASGOW, Nov. 15.—At the election of rector of the Glasgow University today, Balfour, chief secretary for Ireland, conservative, was elected, he receiving 948 votes against 717 for Lord Aberdeen, Liberal.