

## Young vs. Young.

There appears to be no visible ending to the interminable windings of the alimony *pendente lite* proceedings in the suit of Young vs. Young in divorce. After the carriages and other sequestered property of the defendant had been sold by the commissioner *without* bonds, appointed by the Court, the same Court ordered the sequestration of the rents and profits of certain property of the defendant, to satisfy the balance unpaid and alleged to be due under the order. Here is the order of seizure—

Ann Eliza Young } District Court  
vs. } 3rd Judicial  
Brigham Young. } District  
of  
Utah Territory.

The foregoing report having been submitted to me, it is ordered

That the rents and profits as above seized be and the same are sequestered to the use of the plaintiff for the payment of the moneys yet due and unpaid under the order of the Court of Oct. 25th, 1876, and said A. K. Smith is directed to collect said credits so far as necessary and until the said order shall be complied with, and for that purpose he is authorized to receipt for said rents and give full and complete discharge to the person paying the same.

(Signed)

M. SCHAEFFER,  
Judge 3rd District Court,  
Nov. 9, 1876. Utah Territory.

J. W. COREY,  
Agent to Singer Sewing Machine  
Manufacturing Co.,

By virtue of an order, issued in the case of Ann Eliza Young, vs. Brigham Young, by the Hon. the 3rd Judicial District Court of the Territory of Utah, of date of November 9, 1876, and of which the above and foregoing is a true copy, I hereby notify you not to pay over to any one except myself, any rents now due or to become due to the said defendant, Brigham Young, until further notice.

A. K. SMITH,  
Commissioner.

SALT LAKE CITY,  
Nov. 9, 1876.

On December 1st the agent of President B. Young and the commissioner *without* bonds, Mr. Smith, both called upon Mr. Corey, and each formally demanded the rent of the premises. Mr. Corey, of course, could not see that there was any joke in paying double rent, and, being in a dilemma, being liable to be sued by the bona fide proprietor of the premises if he failed to pay up, and to be imprisoned for contempt if he did not obey the mandate of the Court, so he evaded the matter, and, for the time being, obeyed neither. His failure to comply induced the following showing and application—

In the District Court of the Third  
Judicial District of the Territory  
of Utah, Salt Lake County.

Ann Eliza Young, Plaintiff,  
vs.  
Brigham Young, Defendant.  
Territory of Utah, Salt Lake  
County, ss.

A. K. Smith, being first duly sworn, deposes and says, that he is the Receiver appointed by the Court in the above entitled action.

That the Singer Sewing Machine Manufacturing Company is a corporation, carrying on business at Salt Lake City, county aforesaid, and having an office on Main Street in said city. That the said company rents from the said defendant its aforesaid office at a monthly rent of one hundred and twenty-five dollars, payable every month in advance; and that there is now due, owing and unpaid, from the said company to said defendant, on account of rent for the above described premises, one hundred and twenty-five dollars.

That on or about the tenth day of November, A.D. 1876, affiant served a true copy of the order, made in the above case on the 9th day of November, 1876, upon the said Company, by leaving the same at the aforesaid office with a clerk of said Company, and also a notice in writing that the rent then due or to become due on and for said premi-

ses should be paid to affiant and none other. That at the dates aforesaid one J. W. Corey then was, ever since has been, and is now, the managing agent and chief officer of said company, collects all dues to it, and pays all debts and liabilities by it, and has, as affiant is informed and believes, ample means belonging to said company to pay said sum of one hundred and twenty-five dollars. That said Corey has full knowledge of said order and notice, and that the aforesaid copy and notice were left at the office of said company by affiant as above stated. That affiant did, on this day, 1st December, 1876, call upon and demand from the said Corey payment of the rent then due, to wit, the sum of one hundred and twenty-five dollars, rent of said premises. That said Corey refused and still refuses to pay said sum to this affiant. That said Corey did not deny having in his hands ample means to pay the rent then due as aforesaid, but declined to pay affiant.

Wherefore affiant prays that the Court will make such further order in this case as may be necessary and proper to carry out the aforesaid order of this Court.

A. K. SMITH,  
Subscribed and sworn to before me  
this 1st of December, 1876.

C. S. HILL, Clerk.

The foregoing affidavit and motion of the commissioner *without* bonds, resulted in the granting and issuance of the following order—

In the District Court of the Third  
Judicial District of the Territory  
of Utah, County of Salt Lake.

Ann Eliza Young, Plaintiff,  
vs.  
Brigham Young, Defendant.

On reading and filing the affidavit of A. K. Smith, receiver, duly appointed in this action, and it appearing therefrom that one J. W. Corey had, on the first day of December, 1876, one hundred and twenty-five (\$125.00) dollars then due and unpaid by him to said defendant as rent for certain premises occupied by the Singer Sewing Machine Manufacturing Company, of which said Corey was and is managing agent and principal officer, and it further appearing that said Corey had full notice of the order made herein on the ninth day of November, 1876, and that a notice had been on the 10th day of said month duly served upon him by said A. K. Smith, requiring him to pay over to said receiver all moneys then due or to become due to said defendant in his hands; and it further appearing that said Corey has refused and still refuses to pay said sum of money to said A. K. Smith;

Now, therefore, on motion of said A. K. Smith it is ordered that the said J. W. Corey be and appear before this court at the hour of ten (10) o'clock a.m., 2nd day of December, 1876, to show cause, if any he has, why he should not be punished as for contempt of court in refusing to pay over to said A. K. Smith the sum of one hundred and twenty-five dollars in his hands as aforesaid, and that a copy of this order be served on said Corey.

Date Dec. 1, 1876.  
M. SCHAEFFER, Judge,  
Third District Court,  
Utah Territory.

Attest: C. S. HILL,  
(Seal.) Clerk.  
Territory of Utah,  
County of Salt Lake.

I, C. S. Hill, Clerk of the Third Judicial District Court of Utah Territory, do hereby certify that the foregoing is a full, true and correct copy of the original order in the above entitled action filed in my office, Dec. 1st, 1876.

Witness my hand and the seal of said court at Salt Lake City, this 1st day of Dec., A. D. 1876.  
C. S. HILL, Clerk.

As a matter of course, Mr. Corey appeared as directed, by the order to show cause, and thereupon made the following answer—

In the District Court for the Third  
Judicial District of the Territory  
of Utah.

Ann Eliza Young, Plaintiff,  
vs.  
Brigham Young, Defendant.  
Territory of Utah,  
County of Salt Lake. } ss.  
Jasper W. Corey, being duly

sworn on his oath, says, I am the managing agent for the Singer Manufacturing Company in this Territory. That said company is a tenant of defendant, renting from him an office on Main Street, Salt Lake City, at a monthly rent of \$125 per month, payable in advance, but with the privilege, by agreement between said company and defendant, of deferring the payment of said rent until the 10th day of each current month. That affiant is also the financial manager of said company, and pays said company's debts in the order in which they are most pressing. That when said A. K. Smith, commissioner of this court, on the 1st day of December, 1876, demanded of affiant the sum of \$125 for rent due defendant for said month of December, affiant, in performance of his duties to said company, found it necessary, in conducting and managing the business and finances of said company, to avail himself of the privilege of deferring said payment until the 10th day of said month.

That affiant deemed it necessary to consult and did consult counsel as to whether a payment of said rent to said commissioner would be a protection to said company from any claim by defendant. That affiant did so consult Messrs. Hempstead and Gamble, attorneys of this court, but they declined to answer definitely until they had an opportunity to examine the records and orders of this court in this case. And they advised affiant that the right to retain the said rent from defendant would give affiant the right to retain the same from said commissioner.

That affiant answered said commissioner that he had no money to pay said rent.

That affiant disclaims any intention to treat this court, or any of its orders, with contempt, but has acted solely with a view to the best interest and best management of the business and finances of his employer, and to protect his said employer from loss.

J. W. COREY,  
Subscribed and sworn to before  
me, this 2nd day of December,  
1876.

C. S. HILL, Clerk.

The Court decided that the answer was sufficient, that Mr. Corey was not in contempt and would not be, providing he paid the amount in question on or before the 10th inst. Mr. Corey is now in a position to choose between two horns of the dilemma, having to obey the order of the Court, or be sent to jail, or bear whatsoever punishment the Court may see fit to inflict for contempt. On the other hand are the consequences that may result from his non-payment of rent to the owner of the property.

## SILICULTURE.

Minutes of a special meeting of the D. S. Association, held in the Fireman's Hall, Dec. 7, Mrs. Barney presiding. Mr. P. A. Schettler felt proud of our success, the past season. He exhibited some fine specimens of silk that had been reeled in Logan, which went to show that those interested in this branch of home industry are making rapid progress and ere long it was expected that the raising and manufacture of silk would become one of the principle sources of labor and wealth in this Territory. He stated that this season from the small expense of forty-five dollars for the raising of the cocoons, he received a profit of eighty dollars, receiving two dollars per pound for cocoons; and that amount of cocoons when reeled into raw silk would bring a net profit of one hundred and twenty dollars, paying at the rate of three dollars a pound, for reeling. He stated that some samples of silk had been sent east to Patterson, New Jersey and other places, and an answer received that it was worth twelve dollars per pound, which was very encouraging to the society and ought to give us more courage another year. He said that those wishing to secure mulberry cuttings should get them now and keep them in the cellar until the frost was out of the ground next spring, and then set them out.

Mrs. Barney said that the prospects of our home industries were brightening and especially that of silk, and this association hoped that all those who might have felt discouraged by not finding a market for their cocoons, would take new courage as we could now reel out silk at home, and get a remunerative price for it. All of our farmers should set out mulberry trees next spring. She said that it would not interfere with their farm work, as the worms were through before harvest commenced, and their wives and daughters could attend to the silk business. Their granaries and barns would do for the raising of the worms and could be all cleaned out before harvest, and by so doing they would be helping one of the home industries that ere long would rank among the best and be enriching themselves and the community, by keeping hundreds of dollars at home which now was sent out of the Territory every year.

The meeting was addressed by others and all felt encouraged.

Meeting adjourned till the first Wednesday in January, 1877, at the Firemen's Hall.

R. SIMPSON, Secretary.

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## DIED.

In the 10th Ward of this city, on Friday, December 8th, of diphtheria, RHODA ELLEN, daughter of Thomas C. and Mary Orgill Jones, aged 1 year, 9 months and 19 days.

In the 18th Ward of this city, December 7th, SARAH, wife of James Lees.

Deceased was born February 10th, 1810, at Doncaster, Yorkshire, England.

In Alma City, Weber county, Utah, December 3rd, 1876, CATHARINE GLOVER, aged 86 years. Born in Kilmarnock, Ayrshire, Scotland.

At Wallsburg, Wasatch county, Utah, November 27th, 1876, EMMA ADELIA, daughter of William M. and Emma Wall, aged 16 years and 10 months.

Deceased emigrated from the Tottington Branch, Lancashire, England, in the year 1863.

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