

day of June, 1879, the said W. S. McCornick made a demand on him for property of said estate, but said demand was confined to a demand for personal effects, the said receiver stating that he was in his bank and could not take charge of the realty, and that Mr. Shaughnessy, who was then and is still absent, would take charge of the realty when he came. That this defendant replied the personal property was somewhat scattered, and that it would be collected for delivery, which seemed entirely satisfactory to said receiver; that this defendant and his co-executor, Albert Carrington, proceeded to collect the personal effects and expected a further call from the receiver; and the said Brigham Young and Albert Carrington say, that on or about the 28th day of June, they heard that complaint was made that they had not complied with the order herein, and they at once sent word to said receiver that they could then deliver part of the personal property, and on the same day did deliver to him the property named in the affidavit as delivered on the 28th of June; that at the same time, they explained to him the situation of the property named in his affidavit as delivered on the 12th of July; and also the situation of ten shares of Rio Virgin stock, to the effect that certificate for said stock was not in their hands, and would have to be procured from the secretaries of the various companies, and the said Mr. McCornick was asked whether he would take an order on said secretaries for the shares belonging to the estate, or whether these defendants should procure the certificate, and at the same time said receiver was informed it would take some time to get said certificate; and that the certificate for the Rio Virgin stock would have to be procured from St. George, Utah. The said McCornick replied he preferred deponents should get said certificate; that Mr. Webber, clerk of these defendants, wrote to St. George for said Rio Virgin certificate, by direction of defendants, and defendants have not yet received it. The estate had large certificates in said companies; defendants deposited the same with the secretaries, and drew for shares as needed in distributing the estates, and the amount of shares still due the estate would be evidenced by a new certificate. These defendants proceeded to procure the certificates, other than the Rio Virgin, and delivered them on the 12th, as stated in the affidavit of the receiver. That defendants have at all times been informed by said McCornick that the said arrangement in regard to said certificates was satisfactory, and no proceeding for contempt was predicated thereon; and defendants are informed and believe said McCornick and the counsel for plaintiff have also disclaimed that any proceeding for contempt was based on the non-delivery of said certificates. These defendants have not yet received the certificates of said Rio Virgin stock, but tender their order therefor, or will deliver the same when received. As to the real estate of the estate of said deceased, each of these defendants says no demand has been made therefor. That soon after the appointment of the receiver, an order of court was taken by consent, that Wm. A. Rossiter collect the rents due July 1st, 1879, and pay the same to the receiver; that said Rossiter has charge of the leases, and as defendants are informed and believe, collected said rents and paid them to said receiver, or under his order; and these defendants have in no wise interfered with the same. And the defendants, Brigham Young and Albert Carrington, say that at the time the receiver received the property turned over to him, June 28, 1879, he was informed these defendants held several notes, barred by the statute of limitations, or regarded as uncollectable and valueless, and the said McCornick replied in substance that he did not wish to be bothered with such property. The defendants brought said notes into court and offer to surrender the same. And the said George Q. Cannon, for himself, says that since before the commencement of the principal suit, and until the evening of the 6th of July, 1879, he was continually absent from the Territory; and each of the defendants says no demand has ever been made by the receiver, except a general demand for the money and personal assets of the estate of Brigham Young, deceased, and on the 12th inst., at the time property was delivered to him, the receiver said the lawyers

thought there was a large amount of money. That at the same time he explained that the reason why he had not demanded the real estate was because he thought some of it was out of the city.

And these defendants, each for himself, says, that, except the ten shares of Rio Virgin stock above named, and the barred and worthless notes here produced, and except some packages of crockery in the warehouse formerly occupied by Wells, Fargo & Co., and which deponents had forgotten until this morning, and which they are ready to deliver, the property and effects turned over to the receiver, as shown by the schedules in his affidavit, constitute all the personal property, effects, assets and choses in action of the estate of Brigham Young, deceased, which was in his hands, possession, or control, or in the hands, possession or control of himself with any or either of his co-executors, or of which he had any knowledge, at the time of the appointment of the receiver therein or at any time since; and that he has not, either by himself, or with any or either of his co-executors, at, or any time since, the appointment of said receiver, had in his possession or under his control, any other personal property, effects, money or choses in action of said estate of Brigham Young, deceased.

And defendants further show that, as executors of said estate, they each gave a bond as such executor, in the probate court, approved by the judge thereof, in the sum of \$10,000.

And these defendants further say that at the time of the distribution of the estate to the heirs and devisees named in the will, as set forth in their answer in the principal suit, the appraised value of the real and personal estate remaining in their hands, and retained to support the mothers of the children of the various classes named in the will of the testator, and the reversion of which was to make good the difference between \$18,000 and \$21,000 distributed to the heirs, was \$227,205, and no more; and in the opinion of these defendants the appraisal was the full or more than the full value thereof, and these defendants retained no other property of said estate than that named in the schedule so appraised. These defendants understand that Wm. A. Rossiter has the leases of the real estate under the order of the court, made by consent, but if any further act is required to a complete surrender of the real estate, these defendants are ready, on demand, to fully surrender the same.

GEO. Q. CANNON,
BRIGHAM YOUNG,
ALBERT CARRINGTON.

Territory of Utah,
Salt Lake County. } ss.

Geo. Q. Cannon, Brigham Young and Albert Carrington, each being duly sworn, says he is one of the persons named in and who subscribed the foregoing answer; that he knows the contents of said answer and the same is true of his own knowledge, except as the matters therein stated to be on information and belief, and as to those matters, he believes it true.

GEO. Q. CANNON,
BRIGHAM YOUNG,
ALBERT CARRINGTON.

Subscribed and sworn to before me, July 14, 1879.

C. P. MILL, Clerk,
By B. P. HILL, Deputy Clerk.

The Ocean Floor.

Here is an end of all romance about hidden ocean depths. We can speculate no longer about peris in chambers of pearl, or mermaid, or heaped treasures and dead men's bones whitening in coral caves. The whole ocean floor is now mapped out for us. The report of the expedition sent out from London in Her Majesty's ship *Challenger*, has recently been published. Nearly four years were given to the examination of the currents and floors of the four great oceans of the world. The Atlantic, we are told, if drained, would be a vast plain, with a mountain ridge in the middle running parallel with our coast. Another range crosses it from Newfoundland to Ireland, on top of which lies a submarine cable. The ocean is thus divided into three great basins, no longer "unfathomable depths." The tops of these sea mountains are two miles below a sailing ship, and the basins according to Reelin, are

fifteen miles deep which is deep enough for drowning if not for mystery. The mountains are whitened for thousands of miles by a tiny, creamy shell. The depths are red in color, heaped with volcanic masses. Through the black, motionless water of these abysses move gigantic abnormal creatures, which never rise to upper currents. There is an old legend coming down to us from the first ages of the world on which these scientific deep sea soundings throw a curious light. Plato and Solon recorded the tradition, ancient in their days, of a country in the western sea, where flourished the first civilization of mankind, which by volcanic action was submerged and lost. The same story is told by the Central Americans, who still celebrate in the first of Izcalil the frightful cataclysm which destroyed this land with its stately cities. DeBourbourg and other archaeologists assert that this lost land extended from Mexico beyond the West Indies. The shape of the plateau discovered by the *Challenger* corresponds with this theory. What if some keen Yankee should yet dredge out from its unfathomed slime the lost Atlantis!

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NOTICE

I hereby given that I have entered the S 1/2 NW 1/4 and SW 1/4 Sec. 28 and NW 1/4 and NE 1/4 of W 1/4 and W 1/4, N 1/4 Sec. 35 Township 28, South of Range 2 West, for Townsite of Glenwood Sevier County, U.T., and all persons claiming to own lots or parcels of land in said townsite are required to file their declaratory statements therefor, with the Probate Clerk, within six months from date hereof, as provided by law.

GEO. W. BEAN, Probate Judge,
Richfield, Sevier County, March 7, 1879.
w3m

NOTICE

I hereby given that I have entered the S 1/2 NW 1/4 Sec. 10 and N 1/2, SW 1/4 Sec. 15, and E 1/2 SE 1/4 Sec. 9, and E 1/2 NE 1/4 Sec. 18, Township 28, South of Range 3 west, for townsite of Monroe, Sevier Co., U. T., and all persons claiming to own lots or parcels of land in said townsite, are required to file their declaratory statements therefor, with the Probate Clerk within six months from date hereof as provided by law.

GEO. W. BEAN, Probate Judge,
Richfield, Sevier County, March 7th, 1879. w3m

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