

Mr. Oates—This fund is derived from the sale of personal property?

Mr. Broadhead—Yes, sir, from personal property entirely.

Mr. Stewart—How much is there of that.

Mr. Broadhead—Three or four hundred thousand dollars. Some of it is deposited in banks there, bearing interest, and some of it is in the original form; there are about twenty-five or thirty thousand sheep, I think, which are still in the hands of the receiver. Part of this fund is in railroad stock, street railroad stock, telegraphic stock, and in the stock of the Salt Lake City gas company, I think, which pays dividends annually. These stocks have been taken possession of and are held by the receiver and he is getting the dividends upon them from time to time. They are very valuable stocks, because the city is increasing in population rapidly; and then there is some rent from real estate, a farm which is rented for \$250 a month, and the property is considered very valuable in that Territory at this particular time.

Mr. Culberson—I sympathize very much with your position and I do not want to lumber up your remarks with what I say, but I would like to ask this: Would not this school fund go alone to the education of the Mormons?

Mr. Broadhead—It is for the purpose of educating the Mormons, and for the purpose of educating the poor.

Mr. Culberson—I understand that point, but if this fund is donated for the purpose of educating the Mormon children and instilling in them the doctrines of the Mormon Church, including polygamy, would not that fund be tainted with that kind of illegality which the court would not sustain?

Mr. Broadhead—I will say this in reference to polygamy, that it is pretty much extinguished in Utah.

Mr. Culberson—I do not doubt that.

Mr. Broadhead—And it is going down and growing less every day.

Mr. Culberson—I understand it and I think it is so, too, and I think Congress will hold a donation to charitable purposes perpetual, providing the charity is legal.

Mr. Broadhead—The decree of the court may cover that whole ground. It might require the trustee to report on that from time to time.

Mr. Culberson—I would like to ask whether you do not think that donation would be tainted with illegality if that fund or any part of it was donated for the purpose of educating Mormon children, and if being so donated to the Mormon Church it shall educate them in the tenets of that Church, that being part of the education, now is not that donation and fund tainted with illegality, and therefore should you claim that the fund should still be kept for that purpose?

Mr. Broadhead—I should not claim it should be devoted to any purpose that has been pronounced in the law and judgment of the court illegal; unquestionably not.

Mr. Oates—I understand you to draw a distinction and cite what I

do, that where a bequest was for two purposes, one of which was legal and the other was illegal, the court should apply it to the legal one and refuse to apply to the illegal one; now the question put by brother Culberson was, if the court should distinguish in the education that which was of the Church and that which was not of the Church, the one being legal and the other illegal, how would you do about that?

Mr. Rogers—In other words, could not the decree be so shaped as to apply the fund to education to the exclusion of religion?

Mr. Broadhead—There is no question about that at all; the whole matter is in the power of the court.

Mr. Rogers—Applying it to the children of Mormon parents and not permitting education in the tenets of their Church.

Mr. Broadhead—Most unquestionably so, because the Supreme Court has decided that the doctrines of equity jurisprudence prevail in that Territory. They say the chancery court has exclusive control of this matter, and having once got possession of it, it will disburse it according to the principles of equity; and if a court of equity can not control it, I know of no earthly power that can.

Mr. Wilson—I understand your argument to mean this, in regard to the purposes for which this fund was from time to time given—there was no express dedication, yet it can be learned from ascertaining the mode in which it was heretofore disposed of.

Mr. Broadhead—Yes, sir.

Mr. Wilson—And if a part of the dedication heretofore has been lawful and a part unlawful, the court will see that it goes hereafter to the lawful purpose?

Mr. Broadhead—Yes, sir.

Mr. Wilson—And no law of Congress is necessary?

Mr. Broadhead—There is no law of Congress necessary. The court can manage it, and I say that a law of Congress to divert the fund from the intention of the donor is just as illegal as to take one man's property and give it to another.

I thank you, gentlemen, for the attention you have given me in the discussion of this question.

Thereupon the committee adjourned.

WASATCH STAKE CONFERENCE.

The fifty second quarterly conference of the Wasatch Stake of Zion commenced in the new Stake house, Heber City, August 2, 1890. Present on the stand: Apostle F. M. Lyman, A. Hatch, President of the Stake, and his Counselors, members of the High Council, Bishops of the various wards, etc.

10 a.m. After the usual exercises, Apostle Lyman spoke at length on the necessity of attending to our own business and letting other peoples' affairs alone. He referred to the troubles that existed all around us, both in families, wards and Stakes. He had noticed that disunion was like epidemics, coming along at intervals and being very "catching."

Benediction by President J. M. Murdock.

2 p.m.—The time in the afternoon was occupied by Elders Robert Lindsey, George Wilson, Samuel J. Wing, Orson Hicken, and Presidents T. H. Giles and H. S. Alexander. Each speaker made some excellent remarks and bore testimony to the truth of the Gospel God had restored in these latter-days. Apostle Lyman made some edifying remarks and gave some good counsel on a variety of subjects, viz: the necessity of the Saints turning out to their meetings; the duty of ward teachers to notify the members to be punctual in their attendance at the quarterly conferences; the imperative duty of every one to be honest in all his dealings, and to be economical in all his ways—making the most of everything around him; to obey the laws of the land as well as the laws of the Gospel; to take care of our bodies and surround ourselves with the comforts of life.

Singing. Benediction by Bishop Van Wagener.

In the evening at 7:30 a Priesthood meeting was held, when much valuable instruction was given on local affairs.

Sunday, 10 a.m.—President J. M. Murdock gave a little of his experience, and referred to the testimony that had been received of the truth of the Gospel.

President Hatch said that when he thought of the prosperity that had attended the Saints' labors it made him feel grateful. He gave some good instructions on education and commended the Bishops for their untiring labors.

Bishops R. S. Duke, Henry Clegg, N. C. Murdock, D. Van Wagner and Benjamin Cluff reported the condition of their wards. Peace and plenty prevailed and good health was general.

3 p.m.—Bishops Moon and Fraughton reported their wards as prospering, after which the sacrament was administered, and the Stake authorities and Missionaries were presented and unanimously sustained.

President Hatch referred to the Stake Academy and the district schools, and said it was necessary to sustain both. He hoped to see this city contain 5,000 people, and desired the Saints to be energetic, both in temporal and spiritual duties.

Apostle Lyman said he felt well and believed there was as good a people here as could be found anywhere. He referred both to the district and Church schools, and said they should both receive our strict attention. He concluded by referring to the duties of the Bishops and other officers, and felt to bless them for their faithfulness and labors.

On Saturday the attendance was rather small, but on Sunday there was a very large attendance.

We had a most excellent time and every one felt well paid for coming to conference.

Benediction was offered at the close of the conference by Apostle Lyman, HENRY CLEGG, Stake Clerk,