

were incorrect.) Mr. Fotheringham was Bishop's agent, and I suppose his reports are correct; I have no reason to doubt them; the meeting-house at Beaver occupies a block 24 rods square; there is a small piece of land at Minersville, which is used for storing tithing; the grounds at Minersville are worth about \$400; I don't know whether Bishop McKnight or the ward association holds the title; he procured it for the association.

To P. L. Williams—The wheat, potatoes, oats, barley, etc., on hand March 2, 1887, were disposed of through orders from Bishop Preston, by November, 1887; I do not know what portion was on hand by the latter date; almost or all of it had been disposed of; the title to the lot in Beaver I obtained from the government, and held it for the Church till I turned it over in 1887; I transferred it at the request of George Q. Cannon; there was no consideration; my deed ran to the Stake incorporation; I recognized that the lot was the property of the general Church, and transferred it at Mr. Cannon's request, recognizing him as an officer of the general Church; the title of the tabernacle block at Beaver is in a board of trustees, Messrs. Shepherd, Ashworth and Stewart; it was built for religious purposes; the trustees obtained the title from the mayor; there is no other real estate or personal property in that county that has belonged to the Church; there are a few sheep, received since March 2, 1887; the collection of tithings in kind still goes on.

To Mr. Critchelow—On March 2, 1887, there were a few sheep; they were in M. S. Shepherd's herd; we made no distinction between what was transferred to the Stake Association and what came in afterward; I have seen the tithing building at Cedar City; it might be worth \$1000; that at Parowan may be worth \$500; the tithing storehouse at St. George may possibly be worth \$1000; I could not say.

To Mr. Williams—I don't know anything of the title to the property in Parowan, Cedar, or St. George; I do not know whether or not the Church has any interest in these properties.

To Mr. Critchelow—The Church had no interest in the Beaver Woolen Mills prior to March 2, 1887.

Le Grand Young stated to the court that some of the answers might have an effect upon the settlement with the Church; and he would like some additional questions asked that the witness might correct any mistakes.

The counsel for both sides objected to this.

Judge Harkness said Mr. Young could talk with the witness, and if he desired to correct his statements he might do so.

ABRAM HATCH

of Heber City, testified—I am President of the Wasatch Stake; have not been Bishop for 10 years; the towns in the Stake are Heber City, Charleston, Midway, Wallsburgh, Centre and Woodland; about March 2, 1887, the clerk made an inventory of

the Church property in the Stake; before that date the tithing-office at Heber City was used by the Church; its value is about \$2,500; at Midway there was real estate worth about \$1,000 used by the Church; at Charleston \$100 or \$200; at Wallsburgh \$300; the inventory includes all of the personal property of the Church on March 2, 1887; there was a lot in Vernal, Uintah County, worth about \$300; that was all in that county.

To Mr. Williams.—Of the wheat reported on March 2, 1887, there was very little if any left in November, 1887; it was absorbed in Salt Lake; "we eat it;" the butter, potatoes, etc., were either disbursed in the Stake or sent to Salt Lake; of the personal property mentioned, but little remained in the Stake on November 1, 1887; I remember the demand made by the receiver; at that time I proposed to turn over the butter which had been there two years, and some notes; there was very little else on hand; the title of the tithing grounds in Heber is in the Stake incorporation; before then I held it, from the government, as my own property; I became burdened with so much property that I deeded it to a friend at home; I made an absolute deed; it was in fact the property of the Church, and they could have had it whenever they called for it; the local office accounts to the general tithing office in Salt Lake, I am sorry to say; I received no consideration for the property, nor did my friend; the Stake incorporation was made in pursuance of advice from the general authorities of the Church, two or three years ago, and by advice from the same source the property was deeded to the Stake, by Thos. H. Giles, I think; I think the ward incorporation holds the property at Charleston; it was deeded at the request of the Church agent; all of the property in other parts of the Stake was transferred in the same way.

WILLARD BEAN

testified—I live at Richfield, Sevier County; know of Church cattle there in 1888; I had them in my care; about 180 head came from Panguitch, 44 from Sanpete, and the rest from Sevier; there were 320 altogether; that was all that belonged to the Church; they were branded "47" on the left side; I do not know whose brand it is; we brought 200 head of the cattle to Salt Lake last fall; we still have the 120 head; they are still unsold; there are altogether in the herds there about 495 head; there are in the whole lot about 350 steers worth \$15; the remainder are worth \$10 or \$11 per head; the stock that came to Salt Lake was delivered at the Church farm; no cattle from our county were sold to John W. Young; I also had 11 horses; we had 271 head of sheep that were turned over to the receiver; they were an inferior grade; there are tithing grounds in Richfield, worth about \$700 in 1887; since then an elevator has been built at a cost of about \$20,000; at Monroe the tithing grounds are worth about \$400; there has been

a new tithing office erected recently.

To Judge Powers—I know nothing of the title to the lots I have spoken of as tithing grounds; we gathered the cattle at Richfield for the receiver, but he sent no one to receive them, and I was ordered to bring them to Salt Lake; I was acting under my father's orders; "Bill" Showell subpoenaed me, and said I was wanted to testify of the cattle which I had in my charge; he told me I would be paid, but have not been yet; I was not glad to come and testify; I have not been turned out of school; you are mistaken in the lad; I have had no trouble there; did not say I would come and do all the injury I could; we gathered the cattle for the receiver.

NEILS ANDERSEN

testified—I am postmaster at Richfield; know the tithing grounds there; the value was about \$1200 in 1887; since then an elevator has been built there.

To Mr. Williams—I do not know who holds the title; Jos. S. Horne is Bishop; W. H. Seegmiller is President of the Sevier Stake; Judge George W. Bean built the elevator; he has charge of the tithing there; the elevator was built out of the tithing; know what is supposed to be Church property; don't know who has the deed.

E. G. WOOLLEY

testified—I have resided in St. George, Washington County; was probate judge; was once employed in the tithing office at St. George; it is on a lot 8x16 rods; the value now is about \$1000; there are other places where the Church had tithing grounds, but I don't know their value.

To Mr. Williams—I do not know who holds the title of these lands; know of no Church property in that part of the Territory.

Recess was taken till 2 p. m.

In the afternoon R. N. Baskin, having returned from Washington, was in attendance and held a brief consultation with the attorneys.

Judge Powers stated that it was necessary for him to be absent for a short time, and was willing to have the examination proceed without him. This was agreed to.

R. N. BASKIN

announced that he understood the trustees were held to show cause why they should not be punished for contempt until this examination was concluded, and he wanted to appear in their behalf. He asked to be allowed to come in.

Judge Powers said the trustees had been adjudged guilty of contempt. He would like to consult with his associates before consenting for Mr. Baskin to appear. He had no particular objection, however.

Judge Marshall said that counsel for the court had nothing to say, either one way or the other, as it was not their place to do so.

Judge Harkness said the court had appointed attorneys to manage the case and he could not do otherwise. If the attorneys for the court