

principles, practices, teachings and tenets, and that from the time of the organization of said corporation up to the time of the passage of said act of February 9th, 1887, it never had any other corporate objects, purposes and authority; never had any capital stock or stockholders, nor have there ever been any natural persons who were authorized under its act and charter of incorporation to take or hold any personal property or estate of said corporation, except the trustees provided for by said statute of incorporation.

That the said personal property heretofore set out had been accumulated by said late corporation, prior to the passage of said act of February 19th, 1887, and that such accumulation extended over a period of twenty years or more. That prior to and at the time of the passage of said act, the said personal property had been used for and devoted to the promulgation, spread and maintenance of the doctrines, teachings, tenets and practices of the said Church of Jesus Christ of Latter-day Saints, and the doctrine of polygamy, or plurality of wives was one of the doctrines, teachings, tenets and practices of the said late Church corporation; but only a portion of the members of said corporation, not exceeding 20 per cent of the marriageable members, male and female, were engaged in the actual practice of polygamy. That since the passage of the said act of Congress of February 19th, 1887, the said voluntary religious sect known as the Church of Jesus Christ of Latter-day Saints has comprised the great body of individuals, who formerly composed the membership of said corporation, and the organization, general government, doctrines and tenets of said voluntary religious sect have been and now are substantially the same as those of the late corporation of the Church of Jesus Christ of Latter-day Saints. That certain of the officers of said religious sect, regularly ordained and certain public preachers and teachers of said religious sect who are in good standing, and who are preachers and teachers, concerning the doctrines and tenets of said Church, have, since the passage of said act of Congress of February 19, 1887, promulgated, taught, spread and upheld the same doctrines, tenets and practices, including the doctrine of polygamy, as were formerly promulgated, taught and upheld by the said late corporation, and the said teachings of the said officers, preachers and teachers have not been repudiated or dissented from by said voluntary religious sect, nor have their teachings and preachings or their actions created any division or schism in said voluntary religious sect.

That any dedication or setting aside of any of the personal property heretofore set out as having belonged to the late corporation, to the uses and purposes of, or in trust for the members of the late corporation of the church of Jesus Christ of Latter-day Saints, or any of them, would practically and in effect be a dedication and setting aside of said personal property to the uses, and for the purposes of, and in trust for, the unincorporated religious sect known as the Church of Jesus Christ of Latter-day Saints.

That at the commencement of this suit all of said personal property was in possession of Wm. B. Preston, who held it in trust and for the benefit of said corporation.

That all of the above described property, real and personal, is now in the possession of Frank H. Dyer, receiver of this court.

That of the above described real estate, the following tract, including the buildings thereon, situated in said County of Salt Lake, Territory of Utah, and being all of block 87, plat A, Salt Lake City survey, at the time of the passage of the act of Congress of February 19, 1887, was used exclusively for the worship of God, according to the doctrines and tenets of the Church of Jesus Christ of Latter-day Saints.

That several proceedings have been instituted by and with the advice and consent of this court by information on behalf of the United States of America, in the Third District Court of said Territory of Utah, for the purpose of having declared and adjudged forfeited and escheated to the government of the United States all of the above described real estate, excepting the said block 87, plat A Salt Lake City survey last above mentioned, by virtue of an act of Congress, entitled "An act to amend Section 5352 of the Revised Statutes of the United States in reference to bigamy and for other purposes," which proceedings are now pending in said court and undetermined.

DECREE.

It is therefore adjudged and decreed by the court upon the facts ascertained and declared as aforesaid, as follows, to wit:

That on the 3d day of March, 1887, the corporation of the Church of Jesus Christ of Latter-day Saints became and the same was dissolved; and that since said date, it has had no legal corporate existence.

2.—It is furthermore adjudged and decreed that the following alleged deeds heretofore set out, were executed without authority, and that no estate in the property set out in said deeds is passed by the same or any of them, to wit: The deed dated June 30, 1857, from John Taylor, trustee-in-trust, to W. B. Preston, Robert T. Burton and John R. Winder, as trustees, for the property described in the Temple Block; the deed, dated July 2, 1857, from Theodore McKean and wife to

the property known as the Garde House and grounds; the deed from R. T. Burton and wife for the property described as the Titling House and grounds. And it is, therefore, ordered, and decreed that said alleged deeds and each of them be, and the same are hereby annulled, cancelled and set aside.

3.—It is further adjudged and decreed that block 87, known as the Temple Block, be and the same is hereby set apart to the voluntary religious worshippers and unincorporated sect and body known as the Church of Jesus Christ of Latter-day Saints, and that the said W. B. Preston, Robert T. Burton and John R. Winder, trustees appointed by the Probate Court of Salt Lake County, as heretofore set out, do hold, manage and control said property, so set aside for the benefit of said voluntary religious worshippers and unincorporated sect and body, and for the erection and use by them of houses of worship, and for their use and convenience in the lawful exercise of worship, according to the tenets of said sect and body. And it is ordered that Frank H. Dyer, receiver of this court heretofore appointed, do surrender and deliver possession and control of all of the property so set aside, to the trustees, Wm. B. Preston, Robt. T. Burton and John R. Winder.

4.—It is furthermore adjudged and decreed that except as to the Temple Block aforesaid, the petitions of Wm. B. Preston, Robt. T. Burton and John R. Winder, trustees, filed the 6th day of October, 1888, in this court, for the setting aside of certain real estate for the uses and purposes of the religious sect known as the Church of Jesus Christ of Latter-day Saints, be and the same are hereby denied. And it is adjudged and decreed that the balance of the real estate, over and above said Temple Block, which has been heretofore found as belonging to said corporation, has not, nor has any of it, ever been used as buildings or ground appurtenant thereunto, for the purposes of the worship of God or of parsonages connected therewith, or for burial grounds, by the said late corporation of the Church of Jesus Christ of Latter-day Saints, nor is the said real estate except as set aside, or any part thereof, necessary for such purposes for the unincorporated religious sect known as the Church of Jesus Christ of Latter-day Saints.

5.—It is further adjudged and decreed that all of the real estate set out in the findings of fact heretofore was the property of and belonged to the late corporation of the Church of Jesus Christ of Latter-day Saints, and the same was held in trust for said corporation. And, furthermore, that the legal titles of and estates in said real estate, and every part and parcel thereof, were acquired by said late corporation and its trustees subsequent to July 1st, 1852, and that prior to said date neither the said corporation nor its trustees had any legal title or estate in and to said real estate or any part thereof.

6.—And it is further adjudged and decreed that the petition of intervention by George Romney, Henry Dinwoody, James Watson and John Clark, on behalf of themselves and other members of the late corporation of the Church of Jesus Christ of Latter-day Saints, filed this day in this court, which said petition alleges the claim on behalf of the petitioners and those for whom it is filed, in and to the real and personal property formerly belonging to said late corporation, and now in the hands of the receiver of this court, be and the same is hereby denied. And it is adjudged and decreed that neither said intervenors nor those in whose behalf they filed said petition, have any legal claim or title in and to said property, or any part thereof.

7.—And the court does further adjudge and decree that the late corporation of the Church of Jesus Christ of Latter-day Saints, having become by law dissolved, as aforesaid, there did not exist any trusts or purposes within the objects and purposes for which said personal property was or originally acquired, as heretofore set out, whether said acquisition was by purchase or donation, or for which said personal property or any part thereof could be used or to which it could be dedicated that were, and are not in whole or in part, opposed to public policy, good morals, and contrary to the laws of the United States. And furthermore, that there do not exist any natural persons or anybody, association, or corporation who are legally entitled to any portion of said personal property as successors in interest to said Church of Jesus Christ of Latter-day Saints, nor have there been, nor are there now, any trusts of a definite and legal character upon which this court, sitting as a court of chancery, can administering the personal property heretofore set out, and it is furthermore adjudged that all and entire the personal property set out in this decree as having belonged to said late corporation of the Church of Jesus Christ of Latter-day Saints has, by reason of the dissolution of said corporation as aforesaid, on account of the failure or illegality, of the trusts to which it was dedicated at its acquisition, and for which it has been used by said late corporation and by operation of law, became escheated to and the property of the United States of America, subject to the costs and expenses of this proceeding, and of the receivership by this court instituted and ordered.

8.—It is furthermore ordered and adjudged that there is not now, and has

not been, since the 3d day of March, 1887, any person legally authorized to take charge of, manage, preserve and control the personal and real property heretofore set out, except the Receiver heretofore appointed by this court; and it is therefore ordered that the receivership heretofore established by this court, is continued in full force and effect, and that the said Receiver shall continue to exercise all and entire the powers and authority conferred upon him by the decree appointing him. And it is further ordered that he do continue in his possession and keeping all of the property, real and personal, heretofore set out, except such realty as has been set apart by the provisions of this decree, for the benefit of the unincorporated religious sect known as the Church of Jesus Christ of Latter-day Saints, and that he do safely keep, manage and control the same in accordance with the provisions of the order of this court appointing him Receiver, pending the determination of the proceeding upon information heretofore referred to, and until the further order of this court and final action upon and determination concerning the accounts, proceedings, and transactions of said Receiver, and all matters connected with or incidental thereto are ordered to be reserved for the future consideration and decision of this court.

PRIMARY FAIR.

Display of Children's Work in Farmington.

FARMINGTON, Oct. 2, 1888.

Editor Deseret News:

Under the management of President Aurelia S. Rogers and her counselors Julia Herr and Lucy Clark, the primary Associations of Davis Stake held a fair to the court house at Farmington, beginning Sept. 27 and ending Oct. 1.

A great variety of articles were on exhibition, showing skillful handiwork on the part of the little ones who had contributed to the fair.

Articles worthy of special mention were miniature frame houses, cupboards, wheelbarrow, garden rake, hayrack, fruit dryer, wash-board, tops, puzzles, etc.; a good display of melons, squashes, beans, beets, corn, onions and other garden products; also a choice collection of fruits and flowers of different kinds, and a nicely arranged variety of quilts, tidies, cushions, rugs, mats, laces, carpets and artificial flowers.

Eighty quarts of canned fruit, thirty-five glasses of jelly—a collection of herbs, a cheese and one quilt of the articles exhibited were donated to the Deseret Hospital.

Twelve yards of carpet and \$10.75 the proceeds resulting from the sale of two quilts, were donated to the Mantle Temple.

The Stake and Association officers are entitled to many thanks from the parents of the children they have taken so much interest in instructing since the Primary Associations were organized.

Great credit is due Brother James and Sister Jane Smith, and Miss Kate M. Chase, for the excellent arrangement of the exhibits, their general supervision of the fair and the gratifying success attained. OBSERVER.

STRAYED.

FROM THREE MILE CREEK RANGE, one black yearling COLT, branded P on left thigh. Any person will be liberally rewarded by giving information of its whereabouts to DAVID PETERS, Brigham City. d s & w 11

NOTICE TO CREDITORS.

Estate of Levi E. Ritter, Deceased.

NOTICE IS HEREBY GIVEN BY THE undersigned, Administrators of the Estate of Levi E. Ritter, deceased, to the creditors of, and all persons having claims against the said deceased, to exhibit them with the necessary vouchers, within ten months after the first publication of this notice, to W. W. Ritter, at No. 345, Fourth East, Salt Lake City, in the County of Salt Lake.

W. W. RITER, LEVI E. RITER, Administrators of the Estate of Levi E. Ritter, deceased. Dated Salt Lake City, Aug. 8, 1888. w4w

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Z. C. M. I. Drug Store General Agents. ds&w

NOTICE.

THERE WILL BE A MEETING OF the stockholders of the DESERET NEWS CO., at the company's office, No. 3 E South Temple Street, in this city, on Monday, November 5, 1888, at 11 a. m., for the purpose of amending Article 6 of the Articles of Association, with a view of increasing the number of directors from five to nine.

THOS. E. TAYLOR, Secretary.

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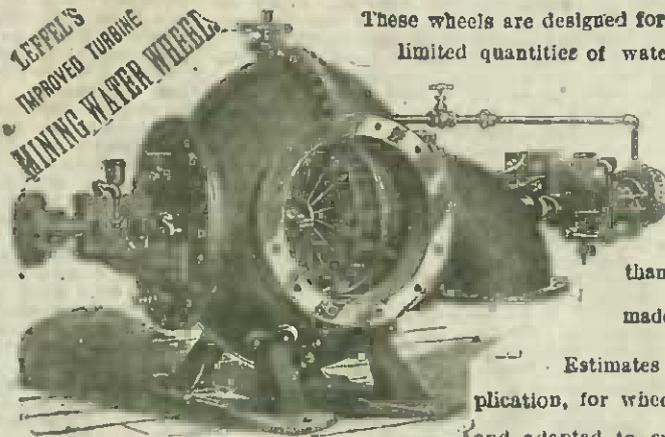
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