

the terms of said franchise—said franchise to be forfeited in case

1—The prospect work is not commenced within ninety days from the date of such franchise and completed within two years from said date.

2—The failure to put in plant for supplying natural gas and oil within six months from the discovery of such gas and oil in paying quantities.

JOHN JOHNSON.

Pembroke introduced a resolution instructing the city scavenger to remove or burn a quantity of garbage lying on the bank of City Creek, in the canyon. Adopted.

The sidewalk pay roll, calling for \$156.50 was submitted.

Anderson moved that 2000 feet of hose at 90 cents, be purchased. Carried.

The city attorney made a somewhat lengthy explanation of the nature and effect of the bill for a new sewer ordinance, after which the Mayor remarked that the bill might be read by its title and passed.

The recorder thereupon read the title of the bill and recorded the vote, which was a unanimous affirmative, and the bill was declared passed.

Parsons inquired if the Council had ordered Commercial Street to be paved.

Recorder Hyams replied in the negative.

Parsons insisted that the order had been made, but the recorder insisted to the contrary.

Then Parsons, to make the matter certain, moved that Commercial Street be paved with asphalt, and that bids be advertised for.

Pembroke moved to amend so as to provide that Utah asphalt only should be used. This led to a debate in which Pembroke, Parsons, the city engineer and others took part.

Pembroke's amendment was lost, and Parsons' motion was carried.

Parsons moved that property owners on Commercial Street be notified, as required by ordinance, to put in sewer gas and water pipes, preparatory to laying the pavement. Carried.

The following appropriations were made:

Professor Kingsbury.....	\$ 75 00
Board of Health.....	589 60
Feeding city prisoners.....	1,623 00
Mount & Griffin.....	2,000 00
S. L. P. & H. Co.....	1,500 00
Gas Co.....	137 75
Sidewalk Department.....	156 50

Adjourned for one week.

### MR. DYER'S RESIGNATION.

On July 14th, it became known to several people that Frank H. Dyer had formulated his resignation of the office of receiver in the suit of the government for the confiscation of "Mormon" Church property. Mr. Dyer stated that he did not intend filing the document until this morning, and requested that no publication be made of his action till his letter had been sent to the court. About 5:30 last evening, however, his attorney, Mr. Williams, filed the paper with Clerk Bache. It reads as follows:

In the Supreme Court of the Territory of Utah.

The United States of America, plaintiff, vs. the Late Corporation of the Church of Jesus Christ of Latter-day Saints et al., defendants.

To the Honorable Supreme Court:

I respectfully submit that on November 7, 1887, I was by this court appointed to the position of receiver of the Church of Jesus Christ of Latter-day Saints, and required to give a bond for the faithful performance of my duty as such receiver in the sum of two hundred and fifty thousand dollars, (immediately after which I entered actively and vigorously upon the discharge of the duties of that responsible position). This appointment was made in pursuance of an act of Congress approved March 2, 1887, authorizing and directing the Attorney General of the United States to bring suit and to wind up the affairs of the late corporation of the Church of Jesus Christ of Latter-day Saints, and to escheat its property to the government for school purposes. It is a matter of public notoriety as well as of record that this bill was introduced in Congress the season prior to its passage, being in the winter of '85-'86, and passed in March, 1887, and I was not appointed receiver until over eight months after the passage of the act, and nearly two years after the introduction of the bill in Congress. It will thus be seen that the managers of this late corporation had all this time in which to prepare for what all the time seemed to be the inevitable, by selling or otherwise disposing of all the property belonging to said corporation, and in view of the fact that this to them seemed like unwarranted confiscation and that they have always been hostile to the enforcement of all United States laws which in any manner affected them or their religion, it was no surprise to the public generally when it was disclosed that they had disposed of all their property—at least had endeavored to do so, and evidently thought they had succeeded; so that after my appointment there was not property to be had except at the end of litigation, and it was not thought by many that we would ever recover probably more than \$200,000 worth of property, which at the time consisted of what is known as the tithing yard grounds, the Gardo House and Historian's Office. Myself and attorneys began a vigorous search, however, which was kept up unrelentingly for a time almost night and day, and as a result of this search and long and tedious examinations and investigations, litigation, etc., and the use of every means that we could command, dealing as we were with a people, who, as a unit, were hostile to us and our cause, I have succeeded in getting ready to the value of about \$900,000, and personal property to the value of about \$426,800 (\$255,589.11 is in cash), making a grand total in my possession, as heretofore reported to this court, of about \$1,326,000 worth of property. Thus it will be seen that from five to eight times as much property has been reduced to the possession of

this receiver as was expected by him or any one whom he ever heard express an opinion upon the subject. I have at all times given to this business all the attention that I deemed essential, at times forsaking everything for it. In cases where I could not give my personal attention to the management of the personal property, such as sheep, I have hired the most competent and reliable men that I could find, and in no case ever paid more than I should have paid had I been hiring them privately. I have scrutinized the expenditures as closely as it was possible for me to do under the circumstances, and believe them to be as just and reasonable as the surrounding circumstances would permit. That I have labored under difficulties and disadvantages at times I think you are fully aware, but under all circumstances and in all cases I have labored honestly for the best interest of this fund with which I have been entrusted. The whole thing was without precedent and beset with complications, frauds and so many conflicting ideas that I simply ignored all except the judgment of myself and my attorneys, and went on and did the best I knew how, always, however, with an eye single to the best interests of the fund. And now, gentlemen, I desire to say that I have recently become the manager for two large corporations here, in both of which I have large personal interests; this, with my private matters, gives me more business than I can attend to and do justice to the receivership, and as I have no disposition to hold it simply for the salary or no desire to get anything unless I render full value therefor, and after thanking the court as such for the kindnesses and courtesies shown, I beg to resign the position of receiver of the Church of Jesus Christ of Latter-day Saints, in which position I have served you a little more than two years and a half, and ask that my successor be appointed as early as is convenient for the court. The property is all in such condition that it can be turned over in a few hours.

Very respectfully,

FRANK H. DYER,

Receiver.

SALT LAKE CITY, July 14, 1890.

The Supreme Court held a brief session this morning, but only Judges Zane and Anderson were there. The chief justice announced that the court would appoint M. H. Stone as special examiner and commissioner, to examine the accounts of Mr. Dyer, as receiver. Mr. Stone was not in court, but it is presumed that the judges ascertained whether or not he would act, in view of the result that followed the appointment of Mr. Jones.

Who is Mr. Stone? is a question that was many times repeated after the appointment was made. Very little is known about him, as he is comparatively a new comer. He is an attorney, and it was only on Saturday last that he was admitted to the bar of the Territorial Supreme Court. He is from Nevada, and is