

great heights, causing vessels within their circle to be tossed and rolled about, to the great discomfort and distress of passengers not accustomed to sea travel.

The recent inability of the splendid White Star steamer *Majestic* to land mails or passengers at Queenstown was a most unusual circumstance. The harbor is one of the most secure in the world, and if the wind was blowing with such velocity and the sea running so high as to prevent the approach and departure of a tender, the storm must have been one of great violence.

Among the prophecies of Joseph Smith are several that point to a time when it will be exceedingly perilous for people to travel on the waters. The recent storms, at a time of the year when they are rather unusual, are suggestive of the approaching fulfillment of those predictions.

While these turbulent atmospheric conditions have prevailed on the ocean, they have also exhibited much force and been productive of great damage on land exposed to the seaboard. This has been especially the case in Western Europe.

Since the foregoing was written dispatches have arrived giving details of further storms on both sides of the Atlantic. On this side, at Rockaway beach, huge waves were washing dwelling houses and boats out to sea. In Scotland, between Glasgow and Hellensburgh, a passenger train was placed in a perilous situation by the washing landward of the waves. The engine fires were extinguished and the endangered people on board the cars were in such a position that assistance could not be rendered them. It seems that in both instances the waves must have been "heaving themselves beyond their bounds."

THE CHURCH PERSONAL PROPERTY

THE Master in Chancery, Judge Loofburrow, appointed by the Supreme Court of Utah, commenced October 19th to make inquiry and report thereon as to what charitable uses lawful in character and most nearly corresponding to those originally designed, the personal property of the late corporation of the Church of Jesus Christ of Latter-day Saints can be limited and appointed. Particulars of the examination will be found in another part of this paper, and will be given from day to day until completed.

The case, in brief, is this: By act of Congress the Church corporation was dissolved and its real property, in excess of the value of \$50,000,

was declared forfeited to the Government, to be used for the benefit of the common schools of the Territory, with the exception of such real property as was necessary for houses of worship or parsonages or burial grounds. The corporation being dissolved, its personal property was declared to be without any natural persons or any body or association legally entitled to hold it, and therefore it devolved to the United States.

After considerable litigation and appeals to the court of last resort, it was ordered by the Supreme Court of the United States that the Supreme Court of Utah should appoint a Master in Chancery for the purpose described above.

Counsel for the Government will claim the personal property for the use and benefit of the District Schools. Counsel for the Church ask that it shall be devoted to the relief and support of poor and distressed members of the Church, and for the building and maintenance of houses of worship of the Church. The latter application was filed this morning and appears in full in our report of the chancery proceedings. The claim of counsel for the Government has not been formally filed, but will be, no doubt, at a later stage of the examination.

There are some points in the scheme presented by the Church counsel which we desire to emphasize. They show that among the uses to which the property in question has been put in the past are those we have named. That while polygamy was formerly practiced by some members of the Church, by the manifesto of President Woodruff and the declaration of the Church in Conference assembled, that practice has been formally discontinued. That as a matter of fact there have been no such marriages since the date of that manifesto and its public acceptance. That the property in dispute would not be put to any unlawful use in the future, if placed in the hands of the President of the Church as trustee for the purposes mentioned. And that these are lawful uses which most nearly correspond to the purposes originally designed.

We think these statements and arguments will strike the public as eminently fair and just, and in accordance both with the ruling of the Supreme Court and the doctrine of charitable uses which has been set forth in judicial rulings for centuries. What the Master in Chancery may think of the matter, of course, is another thing.

The District Schools of the Territory are worthy of all proper public support. At first sight, the proposition to divert

this property to that purpose appears an easy and legal method of its distribution. But on closer examination it seems clear that it would be foreign to the original purpose in the donation of the funds. Also that people would obtain benefits from which they are not legally or equitably entitled. The property was donated by members of a particular Church for Church purposes, and it would seem that those purposes, if not unlawful, and that Church within lawful limits, should receive the sole benefit of the funds. And this not only on the principle of common right and reason, but also by the terms of the law and of the rulings of the highest judicial tribunal.

The case will be watched with intense interest, not only by the people of Utah, but by the legal fraternity and thinking people everywhere. It is a new cause in American jurisprudence. No attempt has heretofore been made by the Government to seize upon and appropriate the property of any ecclesiastical organization. It is distasteful to the very large majority of the people of the United States. It is in conflict with the feelings of all liberal-minded people. And even persons who would regard with favor the destruction of "Mormonism," view with alarm the precedent afforded by the national seizure of Church property under any pretext whatever.

We believe that the country would endorse any just plan for the settlement of this matter, one that would not involve the robbery of an unpopular religious body, and would yet uphold the laws of the United States in reference to polygamous practices. The case will no doubt be thoroughly ventilated, and we hope a judgment will be rendered and reported that will be just and reasonable and in accordance with existing rights and the public interest.

STATESMAN AND HERO.

THE following was published in the Mexican *Financier* of September 19th, and is referred to in a communication from Brother A. F. MacDonald, which appears in this issue. The deceased soldier and statesman was evidently a statesman and hero, and the kindly interest he took in the Saints entitles him to the gratitude of our people:

"The death of General Carlos Pacheco at Cordoba on Tuesday night, on the very eve of the country's greatest holiday, removes from the elder generation of Mexican statesmen one of the most illustrious and famous of that diminishing group. The men whose courage and skill in war, and whose intelligently directed activities in peace, have made the country what it is today, are passing away, and it will not be many years before younger men must assume control of affairs. Gen. Pacheco's military and