

The Deseret Weekly.

PUBLISHED BY

THE DESERET NEWS COMPANY.

SALT LAKE CITY, UTAH.

SUBSCRIPTION PRICE:

Per Year, of Fifty-two Numbers, . . . \$2.50.
 Per Volume, of Twenty-six Numbers, . . . 1.50.
 IN ADVANCE.

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Saturday, . . . April 6, 1889.

THE CHURCH PROPERTY.

RELIGIOUS bigotry has been aroused again in this country and Canada by a recent event affecting the Roman Catholic Church. The Legislature of the Province of Quebec passed a bill to indemnify that Church for the confiscation of lands which belonged to the Order of Jesuits, and the sum of \$400,000 was appropriated for that purpose. The Dominion Government holds the power of veto, but Sir John Macdonald, the Canadian Premier, has stated that the measure will be allowed to become a law. This has stirred up the "no Popery" fanatics to extreme wrath.

From the history of this case, as it appears of record, the Quebec Legislature have erred only in the smallness of the appropriation. It is a sort of compromise measure. Such half-hearted settlements are seldom right. Through lack of moral courage to face hostile public sentiment, public men play fast and loose with conscience, and fail to do right while they fear to do entirely wrong. They yield a little to conscience, and grant the rest to popular clamor.

It is like some other people's method of settling a dispute over property. Instead of boldly deciding in favor of the lawful claimant, regardless of anything but justice and truth, they divide it between the claimants as Solomon proposed to do with the child claimed by two mothers. The difference between Solomon's wisdom and their weakness is, that his proposition was only a ruse to make sure where justice lay that right might be done, and their policy is a sacrifice of justice in a puerile desire to please both parties.

The present case is described as follows: "When Great Britain acquired Lower Canada, under the treaty of 1763, the Jesuits were possessed of property amounting to more than five hundred thousand acres of land in extent, and in value to about \$3,000,000. In 1773 the

Order of Jesuits was abolished by the Pope. Under the rules of the Roman Catholic Church, every kind of ecclesiastical property belongs to the Church at large, represented by the Pope. On the suppression of the order of Jesuits, therefore, under Roman Catholic law the property held by the order would have reverted to the Pope; under the English law it reverted to the Government, and in 1800 a warrant was issued declaring that by reason of conquest and confiscation the property of the Jesuits belonged to the Crown, and later these properties were taken possession of by the Government.

The Catholic clergy never acquiesced in this decision. They have always protested against this seizure of property, which they claimed belonged to the Church and not to the Crown. On the other hand, the Canadian Protestants have held that on the extinction of the Order of Jesuits in that province, the property lawfully became escheat to the Government. Perhaps under the letter of the law the Protestants are right, but in justice and equity they are clearly in the wrong. It is also doubtful whether a fair interpretation of the law would establish the power of the Crown to confiscate the property in dispute.

It is a question whether or not the British Government, by leaving undisturbed the possession of these lands by the Jesuits after the conquest of Canada, recognized their legal rights thereto. Also if, when the Catholic Church administered these estates, it was as the legal successor to the property. The original purpose of the trust was to promote the extension and interests of that church and therefore, under well known principles of English law, the judicial power should be exerted to secure the execution of the trust, after the dissolution of the particular Order or corporation which was created for that purpose. This would place the property in legal control of the Catholic Church, where it justly belonged. And though this might be against the Protestant policy, yet it would be both lawful and right, putting sectarian considerations aside, and these ought not to figure in any dispute over property.

The confiscation of these Catholic estates was effected in a similar spirit to the attempt to escheat to the United States Government property belonging to the "Mormon" Church. But in the former

case there was more of the semblance of settled law than appears in the latter. Reversion and escheat to the Crown were recognized in certain cases as established principles in English jurisprudence. Property of extinct corporations could be and often was turned over to the Government. But in the United States there is no "Crown" to confiscate estates, and the property of defunct corporations goes to the stockholders, or contributors, or trustees for persons holding individual or associate rights.

In both cases prejudice, bigotry and religious antagonism prompted the robbery and moved under the pretended forms of law. In both instances the motive and the deed were wrong. Quebec is endeavoring in a timid, paltry way to undo the injustice perpetrated many years ago. The small sum of \$400,000 is poor compensation for the loss of the estates wrested from the Catholic church. It is to be hoped that the august tribunal before which the "Mormon" Church confiscation case is now pending will not be swayed by the hostile spirit in which this attempt to escheat the property of a Church has been made but will fearlessly do right according to law and equity, regardless of the popular voice and the prospects of clerical criticism.

The Legislature of Quebec in touching the matter of the Catholic estates at all, should have either thrown out the bill or made fair compensation to the defrauded church. And if wrong is allowed to prevail in the present instance, there will come a time when it will be recognized, and the history of this assault upon the property of the Latter-day Saints will reflect no credit upon its promoters and abettors.

MANUFACTURING EPOCH.

In our last issue a circular appeared signed by a large number of our most prominent and influential citizens, recommending the establishment of the sugar industry as a practical measure likely to prove successful and sure to be a benefit to the people of this Territory.

Little need be said now, we presume, in support of the proposition that the manufacture of sugar can be established in Utah with profit to those who invest in the enterprise. The subject has been discussed at length. Practical business men have investigated the claims of the projectors of the movement. Visits