

EDITORIALS.

A NEW WAY WITH A WILL.

THE Wisconsin Legislature has under consideration a bill providing that wills may be admitted to probate during the lifetime of the testator. The Michigan Legislature has already passed a measure with the same provision. It is a new departure in legislation, but we think it is likely to find favor and be followed in many States of the Union. The scandals which occur through contests over wills of deceased persons are greatly to be deplored, and there seems to be no better or more efficient remedy than the Michigan plan.

It provides that any testator may, by application to the Probate Court, have his will admitted to probate, and his capacity tested at any time after it is made. The heirs and other interested persons are cited, after the application, to appear before the Court, and a hearing is had in which any objections to the sanity of the testator or other alleged causes of incapacity, may be made and determined. When the Court has decided upon the capacity of the testator and that the will has been made "without fear, fraud, importunity or undue influence," a decree may be issued and this, when recorded and attached to the will, is of the same effect as though made after the death of the testator, and cannot be assailed on the ground usually set up by discontented heirs, relatives or legatees.

The quarrels which take place among relatives of decedents over property bequeathed often in plain and simple terms, leaving no room for dispute by honorable and unselfish claimants, are so frequent and disgusting that a remedy like this comes as a boon to humanity, and like most things which are new and useful, the wonder is that it was never thought of and made practical before.

So far as we have been made acquainted with the measure, it appears to us an excellent one. It does not require that wills shall be proven before the death of the testator, but only that they may. Neither does it render compulsory the disclosure of the provisions of the will. The persons to inherit must be named, of course, so that all may have the opportunity of declaring objections to the capacity of the testator to make a will. But the extent to which they will be benefited or otherwise, by the document, need not be brought to light until after the death of the testator. Then all chances to "break the will" by allegations of insanity or incapacity will be at an end, and the scandals of that kind now so common will be avoided.

Every now and again we read of cases where a decedent is declared by his children or other heirs to have been of unsound mind, simply because he left his property in a way disagreeable to them or insufficient to meet their expectations and administer to their avarice. During his lifetime if anyone had intimated that he was insane they would have resented it as an insult. But as soon as his body is out of sight, in scrambling for his property they forget all claims of kindred and decency, and drag before the public gaze things that belong only to private life, and distort them into evidences of idiocy or insanity.

The new measure seems to have the great merit of making these unseemly disputes and this disgraceful kind of litigation to a great extent impossible. It will, no doubt, be opposed by some of the legal fraternity, as it will render law-suits less frequent and do away with some opportunities for fat fees. But we think that it will be approved by the best class of lawyers, and will recommend itself to the general public. Legislators in all the States and Territories will do well to examine into its provisions and see if it is not wisdom for them to go and do likewise.

UTAH CO-OPERATION.

We so seldom see any thing at all favorable to the majority of the people of Utah in a San Francisco paper, that we are surprised at the following, which we clip from the *Alla California*:

"It is one of the anomalies of Mormonism that the only great success in co-operation which has been achieved in America has been by this sect in Utah, albeit so little is known of the matter outside of the Territory, that when Gen. Barnard was hunting for examples of American co-operation for his book on that subject, he never once thought of mentioning Utah. Yet each Mormon village and hamlet has its co-operative and mercantile institution wherein every mechanic and farmer has a small share. They naturally all trade with the establishment in which they are interested, and this assures its prosperity, at the same time making it almost impossible for an outside trader to come in and compete. For this reason the co-operative enterprises of the Mormons are disliked by the Gentiles and commonly spoken of as an illustration of Mormon clannishness and intolerance.

It is true that the religious and commercial ideas of the Saints work together very handily, the influence of the Church being lent to sustain the co-operative stores, and the latter teaching and helping to maintain the solidarity of the religious fabric. But it would not be just to treat Mormon co-operation as merely a proof of bigotry and exclusiveness. If co-operation is preached to working men in other parts of the world as the most advantageous type of industrial organization, why should it not be equally commendable in Utah? Moreover, co-operation has been of incalculable assistance to the people of Utah, in enabling men of small means to obtain credit and accumulate property when they could not have done so in other ways.

A poor immigrant from Europe, by joining a co-operative institution and taking a small tract of land, can get advances and be "carried over," as they say in the agricultural regions, until he has had time to make a crop and get returns. It is also reasonable to suppose that the noticeable influence which co-operation has everywhere else exerted to make the industrial population frugal and saving, has existed in full degree in the Utah community."

THE CHURCH AND ITS COUNTERFEIT.

We print to-day an open letter to certain "Josephites," written by Brother L. O. Littlefield and published in the *Utah Journal* of April 27. We recommend it for perusal to all persons who are interested in the question of the origin, in this Church, of the doctrine of celestial marriage. Connected with this subject are two theories on which the "Josephite" movement is based, namely, the alleged necessity for the reorganization to the Church, and the succession of the Presidency by lineage. We look upon them as transparent fallacies, and will offer a few reasons for our views.

The "Josephite" movement is called the "Reorganized Church of Jesus Christ of Latter-day Saints." Its very name pre-supposes, what its members claim, that the original Church of Jesus Christ of Latter-day Saints was disorganized. When did the event take place? We know nothing of any such occurrence. The expulsion of the Saints from Nauvoo did not disorganize the Church or affect its constitution in the slightest degree. If it is claimed that the removal of the great body of the Church from Illinois was its disorganization, then it must have been disorganized several times, having been forcibly removed from several places previous to its location at Nauvoo. But it was never claimed in the days of Joseph the Prophet that the Church was disorganized when the majority of its members was driven from Missouri, nor at any time of its persecution and expulsion.

When the body of the Church moved from Nauvoo, it simply changed its location, as it had done before, the Church remaining intact with its organization unimpaired. The authorities which managed its affairs, and every essential to its perpetuation, continued in it and directed and animated it. The Priesthood in all its quorums and councils—excepting for a little season that of the First Presidency—officiated in the various callings and duties pertaining thereunto, the work of proselytism and gathering went on, the Spirit that inspired the Church at every previous stage of its progress increased rather than

diminished, and the Hand of Providence was manifested in its protection, consolidation and increase in a more signal manner than ever before.

The persecutions and tribulations through which it had passed were overruled by the Almighty for its exceeding benefit. It was elevated on high. The place of its people's defence became "the mountains of rocks"; "bread was given unto them, their waters were made sure"; "the wilderness and the solitary place were made glad for them"; "streams brake out and waters, in the desert"; "joy and gladness were found therein, thanksgiving and the voice of melody." "The mountain of the Lord's house" was established "in the tops of the mountains" and to it came people from all nations that they might "learn of His ways and walk in His paths," and here they were free to carry out the work revealed to the Prophet Joseph, and build upon the foundation which he laid. To this both leaders, and people diligently applied themselves, and God worked with them, confirming the word with signs following and giving the testimony of the truth to all who received the gospel under their teaching, in every land and clime.

There was no break in the continuance of the Church. Neither was there any token that the Lord had withdrawn Himself from His people. The "Josephites" quote the word of the Lord in commanding the building of the Temple at Nauvoo: "And if you do not these things at the end of the appointment, ye shall be rejected as a Church with your dead, saith the Lord your God." And against all the certain signs and proofs to the contrary, they gratuitously assert that the Lord did reject the Church and its dead. But the Temple, on the neglect to build which this provisional curse was predicated, was erected by the Saints, and the ordinances revealed for the living and the dead were administered therein, as a cloud of witnesses can testify. And even if it had not been fully completed, the Church labored on it faithfully, incessantly, and under the most disadvantageous circumstances, until the very time when they were driven by their enemies, as they had previously been driven from Missouri, out into the bleak and inhospitable wilderness. And as a proviso to this law of God with its penalty, we find in the same revelation:

"Verily, verily I say unto you, That when I give a commandment to any of the sons of men, to do a work in my name, and those sons of men go with all their might, and with all they have, to perform that work, and cease not their diligence, and their enemies come upon them, and hinder them from performing that work; behold, it becometh me to require that work no more at the hands of those sons of men, but to accept of their offerings." (Doc. and Cov. Sec. cxxiv, v. 49.)

This is good common sense, sound justice and the word of the Lord. It applies to the case of the Temples which should have been built at Far West and Independence, in Missouri, and to every other work which the Lord has required or may require of "any of the sons of men." The object of the Temple is shown in the revelation. That object was measurably accomplished. "The anointings and washings, and baptism for the dead, and the solemn assemblies," were all attended to in that holy house, many of which, if not all, are now repudiated and scoffed at by the persons pretending to have reorganized the Church, and who have done nothing towards even attempting to carry out the principles and purposes of the revelation from which they make the solitary quotation that we have here explained.

That the Lord did not reject the Church nor its dead is evident to those who have eyes to see, for the blessings, and endowments, and sacred ordinances for both the living and the dead have been continued in the Church, and have been and are now administered in the holy places which the Lord has permitted his people to build in these Stakes of Zion, the keys and authority to attend to which have remained with the Priesthood that administer here, and with them alone! Here is the solid substance of that power and authority; and the pretended re-organization of something that was never disorganized, has but "the shadow of a shade."

The Lord, from the beginning of the Church, gave the most solemn

and certain assurances to His servants and Saints that the power of this Priesthood was revealed "in the last days and for the last time," that this kingdom should "not be prevailed against, but should prevail," that it should "not be left to another people;" that the keys thereof were not only given to the Presidency but to the Twelve, in connection with the Priesthood from the beginning, being sent down from heaven" unto them "last of all." It was "never to be taken again from the earth until the sons of Levi do offer unto the Lord an offering in righteousness." "Fear not little flock," said the Lord, "the kingdom is yours until I come." The whole tenor of the revelations in the Doctrine and Covenants is to the same effect as these quotations. It was understood from the first that transgressors should be dealt with from, the greatest unto the least, but the Church and Kingdom of God set up on the earth should remain, "no more to be thrown down for ever."

Neither did the death of the Prophet Joseph affect the organization of the Church. It would be a poor system that depended upon the life of one man or two or three men. Even the death of the Savior, the head of the primitive Christian Church did not affect the organization thereof; it continued and grew and increased as has the latter-day Church under similar circumstances, and like the tree springing from the grain of mustard seed, flourished and spread forth when watered by the blood of martyrdom. The Quorum of the First Presidency was dissolved by the death of Joseph and Hyrum, but the Quorum of the Twelve, with its President designated by revelation, was in full force and, according to the order of the Priesthood "was equal in authority" to the First Presidency, and expressly endowed with power to "build up the Church and regulate all the affairs of the same in all nations" (Doc. and Cov. Sec. cvii.) When the First Presidency is in active existence the Twelve with all other quorums and councils are under its direction. But when the first quorum is dissolved the next succeeds, because the Church was organized for perpetuity and the order of the Priesthood is arranged with that grand object in view. Thus the disorganization of any quorum or council does not and cannot disorganize the Church, but each and every quorum may be set in order again under the keys and authority given for that purpose, The Quorum of the First Presidency grows out of the Melchisedek Priesthood.

"Three Presiding High Priests chosen by the body, appointed and ordained to that office, and upheld by the faith, confidence and prayer of the Church, form a quorum of the Presidency of the Church." (Doc. and Cov. Sec. cvii, ver 22.)

After the Twelve, as the Presiding High Council according to the revelation, had been in charge of the Church for some time, finishing the Temple, officiating therein and regulating the work of God in all nations, the First Presidency was reorganized according to the plan and pattern designated. The same course was repeated after the death of President Young. The position is impregnable. The Church continues. If its earthly head is removed from any cause it has vitality and power to bring forth another, and so with any of its essential parts, that it may never perish nor be materially affected by the violence of the wicked, the transgression of any of its officers or members, change of location or any trial or vicissitude through which it may be called to pass.

The theory of a reorganization of a Church that has never been and cannot be disorganized, is only surpassed in absurdity by the theory that Joseph Smith's son succeeds by lineage to the Presidency of the Church. There is no such thing in the order of the Priesthood. If the son of the First President must succeed in that office the principle would hold good in every Quorum and Stake and Ward and Conference of the Church and what would this lead to? But the revelation will be quoted which says, concerning Joseph the Prophet:

"For this anointing have I put upon his head, that his blessing shall also be put upon the head of his posterity after him." (Doc. & Cov. c. xxiv, v. 57.)

Does this refer to presiding over the Church? Not in the remotest degree. Does it specify any particu-

lar individual? Not one. It is a general blessing upon Joseph's posterity, predicated, like all blessings and contingent, upon the faithfulness and obedience of the recipients. But the context shows that the special blessing here alluded to is inheritance in the Nauvoo settlement "from generation to generation" "Joseph and his seed," a home afterwards by the faith, peace, means and sacrifices of the Saints and people whom Joseph's elder sons after reaping the fruits of labor for years, is now seeking to injure by all the means at his command.

However there are rights of inheritance in the Priesthood that would be the last to deny, and descends under certain regulations from father to son, the same as having prior rights. This Priesthood held by a man of God descends to his sons born in covenant, the first-born having claim upon it, after complying with the conditions. But supposing argument's sake that Joseph Smith, had himself worthy of the birthright here is the word of the Lord: "Again I say unto you, the shall not be given to any one else, for to preach my Gospel, build up my Church, except I have ordained by some one who has authority, and it is known to the Church that he has authority, has been regularly ordained by the heads of the Church. (Doc. and Cov. Sec. xliii, v. 11.)

"And this shall be a law, that ye receive not the testimony of any that shall come before you, of revelations or commandments, until I give unto you that you shall not be deceived; for verily I say unto you that he that is ordained by me shall come in at the gate and be ordained as I have told you before." (Sec. xliii, v. 5-7.)

Under these directions, before a son can receive the Priesthood from his father, or any Priesthood from another, he must be regularly called and ordained by those who are acknowledged to have authority in the Church. But this claimant declares that there was no Church when he was called; that it was dissolved. How did he obtain authority? Under persons who had been excommunicated from the Church for transgression, and had no more authority than any one than an unbaptized heathen. Again, those who pretend to ordain him never had the authority of the Apostleship and of Presidency; and even if they were not apostates and excommunicants, could not bestow that which they never possessed. He who sides over the Church must be the fullness of the Priesthood, all the keys and powers of the Apostleship, which have remained in the Church from the days in which they were conferred upon the Prophet Joseph till now, but never bestowed upon those sumptuous persons who present Joseph at the head of this counterfeit organization.

Further; if the son of the man had proven himself worthy by following in the footsteps of his father, had "come in at the gate," and been called and ordained in the Priesthood held by the Prophet, would not even then follow the necessary consequence that he would be called to preside over the Church. *Heirship* relates to the Priesthood, but does not involve the Presidency. Priesthood and Presidency are two different things. No man can preside in or over this Church without the Priesthood, but a man may have the Priesthood without the Presidency. What might be, if the son of the Prophet had taken the only legitimate course to obtain the keys and powers of the Holy Melchisedek Priesthood for us to say. But the facts are he holds neither Priesthood nor Presidency to-day. If he had understanding of the doctrine of Priesthood as received and administered by his father, he would perceive the fallacy of his claims, the lack of authority in the organization which he was appointed to by presumptuous men who had the prestige of his name without their purpose, and the wide publicity of the cause he represented to the grand and glorious introduction by Joseph the Prophet continued by President Young, now expanding while consolidating under the leadership of President Taylor, whose blood mingled with that of the martyrs in the streets at Carthage.

Take away the two theories which we have here exploded, and