DESERET EVENING NEWS.

PUBLISHED EVERY EVENING EXCEPTING SUNDAYS, AT 30 EAST QUARTER.

ENTERED AND PUBLISHED BY

THE DESERET NEWS CO.

CHARLES W. PENROSE, EDITOR.

MONDAY, - DECEMBER 21, 1891.

ANOTHER CLAIM ON CHURCH PROPERTY.

We publish today the petition of the trustees of the Brigham Young Academy of Provo, which has been filed in the Supreme Court of the Territory, asking for a portion of the property of the Church that is now in the hands of the Receiver.

The claims of the Academy are clearly set forth and the facts presented are indisputable. If this property is to be distributed in a manner not designed by the original contributors, it looks as though the B. Y. Academy at Provo, the B. Y. College at Logan and the B. Y. University to be established in this city, should each come in for a fair share of the funds. They were all intended by the late President Brigham Young as a means of securing advanced education to children of members of the Church of Jesus Christ of Latter-day Saints. And the existence, in design or in fact, is evidence that the stories of "Mormon" opposition to schools are an invention of the enemy.

But the personal property of the Church was not donated for these institutions or either of them. The contributions came to the Church in the form of tithings for Church purposes. The objection to the retention of the funds by the Church, authorities, or their posing from the defunct corporation to the living body, was that they might possibly be used for improper purposes, to wit, the support or spread of polygamy. That objection having been fully removed, there is no reason in morality or justice, neither in law or logic, why the property should not be held by trustees of the Church for general Church purposes, with legal restrictions preventing its use for any unlawful purpose.

It seems as though the method proposed by counsel representing the original donors to the fund was the easiest, fairest and most consistent way of disposing of the property in dispute. And it is certain that if as placed it would be applied to those lawful uses nearest in line with the objects for which it was originally donated.

But if the courts finally decide that it shall not go where it really belongs and would naturally revert, then we see no good reason why those educational establishments to which portions of Church funds have been devoted, should not each receive a fair proportion of the escheated property, that children of the people who donated the means might receive its benefits.

However, the time is a little late for the petition from Provo. We do not know whether it is too late to receive attention from the Master in Chancery, who it is supposed has nearly if not quite completed his report. It is worthy of consideration and the claim is urged in a concise, yet comprehensive manner.

We hope that, whatever time it may take to reach a conclusion of this vexed question, justice will be done at last, and that this government will not place itself on record in the history of the nineteenth century, as despoiler of a religious organization because it was unorthodox. In this age of religious toleration, such a proceeding would be an anachronism, as well as a direct departure from the spirit and tendencies of the period and from the genius of the institutions of the country.

THE BASIS OF THE EUROPEAN DIFFICULTY.

Those only who have given more than cursory scrutiny to the European situation are informed with regard to the cause of the present misunderstanding between leading nations of that continent. Russia, in combination with France, insists that all international conditions be squared upon the basis of treaties heretofore entered into by the great powers. The Dreibund, consisting of Germany, Austria and Italy, and, to a certain extent England, take the ground that matters shall remain in status quo. The Czar then holds that if the other powers thus disregard the obligation of treaties he is justified in doing the same and looking after his own interests. The British occupation of Egypt is pointed at by him as a breach of international agreement, hence, in retaliation, he operates in the Pamir region in a way to threaten India, and France brings about a rupture between herself and Bulgaria in order to give Russia an opportunity to interfere in that country, which occupies so important a point geographically, as to entitle her to be called "the key to the East."

The difficulty in chief can be understood on this basis, as every movement must grow out of it. As there is no prospect of the nations on either side relinquishing their respective positions on the main question, it looks as if an ultimate conflict is inevitable. The situation grows more and more critical.

DEATH OF SENATOR PLUMB.

The dispatches bring news of the sudden death of Senator Plumb of Kansas, at his apartments in Washington, D. C. He died of apoplexy superinduced by overwork.

Preston B. Plumb was born in Delaware County, Ohio, October 12, 1837. He commenced life as a printer. He removed to Illinois in 1857. He was admitted to the bar in 1861, and was a member of the state legislature in 1865. In the meantime he was a reporter of the Kansas legislature and later on at the front he entered the Union army as a soldier. He served throughout the remainder of the civil war, and came out with the rank of Lieutenant-Colonel. He entered the Kansas legislature a second time in 1867, and was Speaker of the House in 1868. He was elected United States Senator from Kansas in 1876, was re-elected in 1883, and was, at his death, on his third term. The deceased Senator also figured as an author. In 1878 he edited and studied a law work entitled "Practice Before Justice Courts in Kansas."

He was a strong and able man both physically and mentally. He was a great champion of Western interests and indefatigable in committee work. He was for a long time on the committees of Agriculture and Appropriations, and was chairman of the Committee on Public Lands. He was thoroughly posted on public affairs and gave his county the full benefit of his more than ordinary powers. His death will be greatly regretted by his constituents and by his associates in the Senate and is a loss to the nation.

PLUMB AND SILVER.

The death of Senator Plumb of Kansas removes from the free-silver party one of its most aggressive champions in Congress. The bill introduced by Senator Stewart about ten days ago is said to be a copy of one introduced by Senator Plumb at the last session of Congress, but with some amendments. Plumb's measure was as follows:

"That from and after the date of the passage of this act the unit of value in the United States shall be the dollar, and the same may be coined of 412½ grains of standard silver, or of 25.8 grains of standard gold and the said coins shall be equally legal tender for all sums whatever.

"That hereafter any owner of silver or gold bullion may deposit the same at any mint of the United States to be formed into standard dollars or bars for his benefit without charge; but it shall be lawful to refuse any deposit of less value than $100, or any bullion so base as to be unsuitable for the operations of the mint."

The amendments to this bill, as outlined by Senator Stewart, provide for the coinage into standard silver dollars of the bullion now deposited in the mints, and also that the certificates issued in exchange for bullion shall be of denominations of not less than $1.00 nor more than $10,000, instead of not less than $100.

The appointment of a successor to Senator Plumb now rests with Governor Humphreys of Kansas. The Legislature of that State will not meet until one year from the present. Ingalls is already talked of as the future Senator. If he should be applied, a sturdy, energetic and vigorous anti-free silver man will succeed Plumb. It would be interesting to see Peffer and Ingalls face to face in a debate in the Senate.

A MORE EXCELLENT WAY.

THE Chicago *Herald* of 12th inst. contains a report of some remarks made by Mr. F. G. Brampton, of Salt Lake City, in regard to the character and present attitude of the "Mormon" people. We are not acquainted with the gentleman, but it is evident from his remarks that he is desirous of telling the truth abroad about his neighbors at home. This is more than we can say for some of his non-"Mormon" fellow citizens, including a few of the would-be religious reformers and educators of Utah. Here are some of his expressions as reported in the Chicago *Herald*:

"There seems to be no attempt on the part of the Mormons to evade the Edmunds law prohibiting polygamy. Apparently they mean to obey it. The Mormons thoughts that they are citizens of this government and that its laws are binding upon them. It is rare now and then that a man is found and arrested for plural marriage."

Then follows an account of the marriage relations of the Presidency of the Church and his observance of the laws of the land concerning them. The gentleman further said:

"The stories that are frequently told in the East about the Mormons sometimes perpetrating the conflict are absurd. I am a gentile and a merchant, and Mormons and all classes trade with me. A stranger would not tell the difference between a mormon by a Mormon and one by a gentile. No apparent distinctions are made in the patronage."

Would it not be more conducive to the prosperity of Utah—to say nothing about regard for truth and fairness—if visitors to the East from this city would follow this example, instead of pandering to the morbid public desire to hear something defamatory of the "Mormons?" We think and non-"Mormon" fellow townsmen ought to make a point of endeavoring to correct public sentiment on the "Mormon" question. Enough has been said in the way of reasoning and fidelity and retelling of old stories to please reporters and hotel lounges. Why not take a course to dissipate the unfavorable impression existing, by the relation of living witnesses and the diffusion of correct information? This could certainly aid in the building up of the Territory and the promotion of its material interests, and those who engage in it would have the added satisfaction of doing right and undoing wrong. Try it, and see the good that will result.

ENGLISH [illegible]

Among legal marriages will soon take place [illegible] Prince Albert Victor, [illegible] and the Princess Victoria Mary of Teck. [illegible] the City of London [illegible] As a matter of course Parliament will be asked to make permanent provision for their maintenance as the possible future rulers of Great Britain. This will afford the English radicals a good opportunity to remonstrate the expense of royalty to the nation, and doubtless some severe things will be said.

These young people have been prepared to enter matrimony any time during the past three years, but Queen Victoria sternly forbade it. She wished her grandson to marry the German Emperor's youngest sister, Margaret of Prussia, a clever but by no means handsome lady.

Princess Mary, mother of the prospective bride, is the younger sister of the Duke of Cambridge, Commander-in-Chief of the British army. She married the Duke of Teck in 1866, being then thirty-five years of age. The Queen was opposed to the marriage, but Mary, who had been disappointed in many good matrimonial ventures by Her Majesty, at this time completely ignored the royal mandate.

The Princess Mary was a remarkably handsome woman in her youth. Suitors for her hand were many and famous. Among these were the Prince of Orange, heir to the throne of Holland, Prince Napoleon, surnamed "Plon-Plon," Napoleon III, and Victor Emanuel. The Queen opposed all these, it is said, because of jealousy. Her cousin was looked on as the Cinderella of British royalty, and she could not bear the possibility of her becoming a queen.

In Europe the present marriage will be regarded as a mésalliance in royal and aristocratic circles. The Duke of Teck, father of the bride, is of morganatic birth. He is son of Alexander of Wurtemburg and of his morganatic wifeu Hungarian Countess. But in England it is probable that this will cut no figure. The young lady is looked on as a thoroughly English girl, and is popular with both the nobility and people. The match is regarded as a love one, and the Teck family has been financially embarrassed for some time. This may induce Parliament to take a sentimental view of the matter, and make provision for young Albert Victor.

WEEKLY TRADE REVIEW.

DUN & CO. in their trade report for the week ending December 12, 1891, state that the approach of the holiday season brings business activity, and confidence in the future everywhere, except at the South, where cotton is low in price. There is no lack of money in any part of the country, except at some Southern points, and the fact that cotton now accumulated at a few ports and interior towns represents fully $50,000,000 in value tends to obstruct trade, explains the difficulty, and suggests that it is not permanent.

The monthly crop report showed a yield of wheat, corn and oats, which aggregate 36 per cent. more than last year's, and fifty-two bushels for every inhabitant, against thirty-nine bushels in 1890. Wheat on farms brings 2.5 cents more than the average for the past ten years, corn 2.9 cents more, but cotton on plantations brings only 2.5 cents per pound, against an average of 8.4 for the past five years.

The Bank of England has lowered its rate of discount to 3½ per cent., and is gaining, while the German and French banks are losing gold. The Treasury has taken in more money than it paid out by $1,300,000. There is no feeling of apprehension regarding the monetary future.

Business failures for the week mentioned were in the United States 280, and in Canada forty. For the corresponding week last year the figures were 347 in the United States and twenty-seven in Canada.

ANOTHER APPLICATION.

Personal Property of the Church Wanted for Educational Purposes.

The following petition was filed with the Master in Chancery of the Supreme Court of Utah in the Church escheat case, on Saturday, the 19th instant:

In the Supreme Court of the Territory of Utah.

United States of America, plaintiff, vs. the late corporation of the Church of Jesus Christ of Latter-day Saints et al., defendants.

To the Hon. C. F. Loofbourow, Master in Chancery, and to the Supreme Court of the Territory of Utah.

Come now your petitioners Abraham O. Smoot, Myron Tanner, Harvey H. Cluff, Wilson H. Rosecrans, Karl G. Maeser, David John, Thomas R. Cutler, George H. Snell, Hiram S. Young, Hale Y. Stokes and George Holliday, and show unto the court that in the year 1876 there was established at Provo City, in Utah County, Territory of Utah, an institution of learning known and designated as Brigham Young Academy; that the first scholastic year of said academy began on the 31st day of August, 1876, and that the same has been kept in active operation from year to year up to the present time.

Petitioners show that during the first scholastic year of said school there were in attendance 112 pupils under the management and tuition of two teachers; that said school has increased its attendance from year to year, and its teachers and departments also. The fifteenth scholastic year, which there were in attendance 450 students under the tuition and management of twenty teachers.

Petitioners further show that there are taught in said school different branches of learning in the primary classes, in the normal department, by its and school [illegible] all of [illegible] school [illegible] ... the petition.

Very early in [illegible] said school was founded as a church school, and that the beneficiaries thereof were sons and daughters of the Church of Jesus Christ of Latter-day Saints, and the donors thereof were members of said Church, and that the donors of said school, or the parents of such donors, but that in its operation they have not confined the scholastic study to such, but from time to time have taken and have continued also to admit children from outside of non-members as well as from parentage of the members of the Church. They show that at no time has the doctrine of polygamy or of plural marriage been taught in said school, nor has any doctrine, tenet, or dogma of any kind been taught or inculcated in said school contrary to good morals, public policy or the laws of the United States, or of the Territory of Utah.

They further show that on the 26th day of June, 1891, Abraham O. Smoot and his wife, and H. H. Cluff and his wife conveyed to the Brigham Young Academy, in the city of Provo, Utah county, described as follows: All of lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7) and eight (8) in block twenty-eight (28), plat "A," Provo City survey of surveyed land, being the whole of said block, and situated in Provo City, Utah county, Utah Territory, containing three and ninety-six one-hundredths (3.96-100) acres of land. That said deed was duly executed and recorded as required by law, and was the following language:

"Whereas, there is now existing and being conducted in Provo City, Utah County, Utah Territory, an institution of learning known as the Brigham Young Academy, and for the various terms of the second part are the trustees of said academy, and whereas it is the desire of the parties of the first part and second part that the said academy shall be continued, and there is not in the establishment and support of said academy, and for which purpose they are about to convey the property hereinafter described. Now, therefore, this indenture witnesseth: That the parties of the first part, in consideration of the premises and of the sum of one dollar to them in hand paid, the receipt whereof is hereby acknowledged, and of the promises and covenants of the parties of the second part hereof to fully carry out the said institution herein referred, have granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto the parties of the second part, their heirs, successors and assigns for ever, all that certain lot, tract or parcel of land situate, lying and being in Utah County, Utah Territory, and being in the city of Provo, and being and being a part of the Church of Jesus Christ of Latter-day Saints, and such others as said parties of the second part may hereafter make to them, and which are described as follows, to wit: [illegible]