

also thought at the time that Cardinal Manning and other Roman ecclesiastical dignitaries were conversant with the situation, and shaped their public utterances accordingly.

The deceased cardinal was one of the few English clergymen who have renounced Protestantism and adopted the Roman Catholic faith.

### HIGH TIME.

It is time that committees of the respective political parties were waking up for the work that should be done prior to the municipal election. The registry lists should be overhauled and the names of improperly registered persons should be noted. Then proceedings should be instituted before the proper officer, to have those names expunged.

We are sorry that Judge Zane finds himself unable to devote the time necessary to sit on these cases and that therefore another person, and he not a judicial officer, is selected to fill the place. We regarded the action of the Utah Commission in the appointment of Judge Zane as evidence of a desire to comply with the spirit of the election laws. The change shows altogether another inclination.

But we hope all necessary steps will be taken to purge the registration lists, and that the gentleman appointed to perform the duty which should devolve on a Justice will prove to be a "proper person" and not a partizan. It is time that those who are interested should bestir themselves.

### DON'T FORGET.

We hope our legislators will remember that the Constitution of the United States applies to the Territories. Any measure which is contrary to its provisions is void from the beginning. Attention to this simple principle will save inexperienced lawmakers considerable trouble and mortification. We are led to make these remarks because of a bill, recently introduced, for the purpose of preventing mine owners from keeping stores and engaging in merchandise or conducting lodging houses.

The object in view may be praiseworthy. It is wrong to attempt to compel working people to trade at a particular store. Mine owners and other employers in this country and in Europe make big profits out of their workmen, by arranging their business so that the employes have to draw their supplies from places owned by the employers. This often works a great hardship on the poor, who are charged excessive prices, or are

supplied with inferior articles, or are induced to run accounts which bring them into the employer's debt and thus give him an advantage over them. It is possible to pass laws which will regulate and restrict this evil to some extent and protect the employe in his rights. But we do not think the Legislature has any constitutional power to prevent a mine owner or any other capitalist or employer from engaging in mercantile pursuits, keeping a lodging house or following any other legitimate business.

If new fledged legislators desire to distinguish themselves they had better get a little advice from more experienced heads. There is a great prejudice among some people against lawyers in the Legislature. But the history of every commonwealth shows that a sprinkling at least of the legal element in all such bodies, if not actually essential is certainly very beneficial.

### SELF-INDUCED PAUPERISM.

It is pitiable to note the position of the morning "Liberal" organ on the report of Master in Chancery Loofbourrow with regard to the disposition of the escheated funds of the Church of Jesus Christ of Latter-day Saints. It commends the finding of the Master and takes the ground that his recommendation, that the fund be devoted to the benefit of the public schools, is eminently proper. The reason given is that the "Mormon" children in attendance at the public educational institutions outnumber the other students. This is one of the most absurd, not to say infamous, reasons for compelling the majority of a community to pay for the education of the children of the minority by a special and one-sided process that could be imagined.

The non-"Mormons" who advocate such a use of the funds in question are urging for themselves and their children a condition of self-induced pauperism. That this desired bestowal of charity has associated with it the glamor of law, does not alter the position of those who are commending an outrage so glaringly unjust. They favor their own degradation, by endorsing and clamoring for the money—donated by an honest and industrious people for communal benefit within the pale of their own Church—to be devoted to the education of their children, that they may be relieved from a duty that properly belongs to each individual or to the State.

There is no excuse for such a manifestly dishonest diversion from the ideas of the original donors and owners of the funds in question,

because, as heretofore stated in these columns, there are numerous lawful purposes to which the property could be devoted. These objects are also in harmony with the wishes and intentions of the people who contributed the means. We hold it to be beyond the realm of successful controversy that no other application of the funds than that which is in unison with the intent of the owners and is at the same time legal, is either just or honest. That there should be non-"Mormons" who, in effect, endorse a process by which they can be partly relieved of the duty of educating their children, at the expense of the Church of Jesus Christ of Latter-day Saints, does not speak well for their dignity or consistency.

With regard to those non-"Mormons" who have been opposed to the confiscation scheme and regard the application of the funds of the Latter-day Saints to purposes foreign to the intent of the donors as wrong in principle, we have nothing to say. If the recommendation of Judge Loofbourrow shall be accepted by the Supreme court of the Territory, and that of the United States, the class of people referred to will be placed in an unpleasant position, but it will be to them an enforced situation, for which they are in no way responsible.

We believe we speak the sentiment of the whole "Mormon" community, when we express the conviction that any proposition that would place upon them the taint of pauperism, by an appropriation for their benefit of the funds of any church, outside of their own, would never have their sanction or approval. We are safe in saying further, that it would, doubtless, meet with their determined protest. But then, different people have various ways of looking at things and there are divers ideas of what constitutes honest independence, which is dear to every upright citizen.

### "CY PRES."

THE legal term *cy pres* occurs in the suits in relation to the personal property of the Church, and also in the decisions of the courts and the report of the Master in Chancery. We have been asked to explain its meaning.

The rule of *cy pres* in the distribution of a fund for eleemosynary or educational purposes, has in view the ascertainment and accomplishment of equity in its common as well as its legal sense. That is—it being so well understood that it is a difficult thing to exactly express in language all that a testator, or benefactor or a lawmaker desires to have carried out, in the inter-