

have "attempted to establish an independent community," and to "drive from the Territory all who were not connected with them in communion and sympathy." This is not in the record, and the facts prove the contrary. The court has no right to incorporate the slander of anti-"Mormons" in a judicial decree on a matter of law and equity.

The court is also unfair in excluding parts of the findings of fact which modify other and immediately connected parts. For instance: The court cites the language of the lower court in regard to the teaching and practice of polygamy or plurality of wives, as one of the tenets of the late Church incorporation, but omits the qualifying portion of the very sentence quoted, which is as follows: "but only a portion of the members of said corporation, not exceeding 20 per cent of the marriageable members, male and female, were engaged in the actual practice of polygamy."

Let us figure on this a little. We do not admit it as a correct estimate. But the court so stated it. The usual ratio is placed at five persons to the family. That is, two-fifths or 40 per cent of the population are adults. One-fifth or 20 per cent of two fifths would make eight per cent of the "Mormon" population, including male and female, who were engaged in the practice of polygamy, according to the estimate of the court.

Well, is it right to conclude that a Church in which eight per cent of the population are polygamists, is an organization for the purpose of the establishment of polygamy? And is it fair or judicial to rule that because eight per cent of a Church population are engaged in the practice of something declared unlawful, therefore the ninety-two per cent who are law-abiding, shall be deprived of the property donated by them for religious and charitable uses?

We regard the polygamy pretence as a very thin pretext for stripping an unpopular Church of its property. And we are sure that it will have no effect on the exaggerated polygamy question, nor will it induce anyone who is a Latter-day Saint at heart to forsake the Church which he believes to be divine.

Such injustice only serves to increase the faith of the devout, and render more determined the steadfast and true. This is proven by history and will be demonstrated again in the near future.

The question of the final disposition of the personal property is not yet settled. And the question as to which pieces of realty will become forfeit and escheat to the United States is still open. Suits will have to be carried on in the District Courts, and will no doubt be taken up to the court of last resort, in regard to each piece of property claimed by the Government.

Meanwhile, the Latter-day Saints will look calmly on, knowing that the property part of this great controversy is but a small thing, in view of the violation of justice which is being perpetrated in the Government under which they live, and of the glorious principles of truth which they live and labor to maintain.

Senator Edmunds, as will be seen in our press dispatches, has come to the help of the Supreme Court, and proposes to effect by legislation what the court hesitates to do by judicial authority. The principle involved is just the same, and no excuse will justify wresting from the Latter-day Saints that which rightfully belongs to them, and giving it to persons who never owned it or had, or pretended to have, any claim upon it. Will Congress and the country sanction this renewed attempt at robbery?

HORSEMEN AND SPORT VS. THE PEOPLE.

A SHORT time since Arthur L. Thomas *et al.* petitioned the City Council to set apart a portion of Liberty Park for a race track. The subject was referred to a committee. At last Tuesday's session of the Council the committee reported in favor of the petition. Then the city attorney called attention to the fact that there was an ordinance which conflicted with the granting of the prayer of the petition; whereupon a motion was made, put and carried, referring the matter to the committee on municipal laws with instructions to frame an ordinance which would provide for the establishment of a race track as asked by the petitioners.

Councilman Hall was the only member of the body who appeared to have either the courage or disposition to make the faintest protest against this flagrant encroachment upon the rights of the people. This motion is intended not only to grant an objectionable privilege to a class,

but, in order to do so, to sweep away a wholesome ordinance which protected the popular right in the premises, and which was enacted to prevent just such invasions as the one now about to be perpetrated.

Liberty Park was purchased with the people's money, and is their property, the officers of the corporation being merely their agents to transact their business. The grounds in question were procured by the city to be used as a public park, a place to which the general inhabitants could resort for innocent pleasure and recreation, and was never intended for class uses. Horse racing, which is inseparable from betting, a dangerous form of gambling, is not popular but distasteful to the mass of the people.

If there are public pleasure grounds used in any part of the United States for horse-racing and its objectionable and inseparable concomitants we are not informed of the fact. If there are any such instances they are rare exceptions, and necessarily so. Race courses are, as a rule, owned by private corporations, jockey clubs, or other organizations of that nature, not by municipal corporate bodies.

To perpetuate such an act of class legislation in favor of owners of fast horses and sports to the injury of the people's rights is nothing short of being a high-handed and disgraceful outrage, and we doubt if it would stand a legal test. The transaction is none the more consistent because the petition for it is headed by the signature of the Governor of the Territory. It simply shows that either he is being used by a certain class to enable them to accomplish their purpose in the premises or he voluntarily engages in a business that does him no credit. The latter idea is not likely to be the correct one, for the reason that Mr. Thomas has no reputation as a turfman.

The summary disposal of this subject so far as it has proceeded adds to the growing impression among all classes of the community in regard to the City Council as a whole—that it is the most "thumbs up" or "thumbs down" body of the kind that ever laid claim to being a deliberative entity in the Rocky Mountain region. It is a matter of remark, the judgment being based on facts and appearances, that when matters of the weightiest importance are placed before it, especially when the subject is based upon requests from presumed important persons of its own