

to it by saying, in effect, that the Gentiles of Utah had had from Congress all the legislation they could reasonably ask, and must fight it out with what they had, so far as he was concerned.

If the above is true, it would seem that the "iceberg of the Senate" has thawed out a little under the blandishments lavished upon him by the agencies of centralization for Utah, and that the frozen rigidity of his former resolve has been superseded by an astonishing pliability, which he shows in yielding to the manipulations of those influences. So far has he forgotten his former self that he has introduced into the Senate a bill designed to become a complete school code for Utah, and to abolish and forestall all local legislation upon the subject of schools. A synopsis of the bill, which was described as "a most elaborate and comprehensive measure," appeared among the press dispatches.

The bare introduction into Congress of this bill is an outrage upon American principles and doctrines. The school stands next to the home, and to take from the people the control of the schools in which their children are educated is closely akin to taking from them the control of the domiciles in which their children are born. When centralization seizes the schools of the people, it can take only one step more, to seize their homes.

Full expressions of the American doctrine upon this subject have been called forth by Senator Blair's bill, which aims to take money from the United States treasury and distribute it among the common schools of the various States, without, in any manner, interfering with the management of the schools. This bill has been denounced by hundreds of newspapers and public men as an outrageous attack upon the right of the people to maintain and manage their own schools, and other social institutions and affairs; and notwithstanding the great amount of good it aims to do in facilitating the education of the children of the masses, it has met with the most determined opposition in Congress and throughout the country on account of its covert attack upon fixed American principles. The Democratic party is solid in its hostility to the famous Blair bill.

But this bill, compared with the Edmunds Utah school bill is a gnat to a camel. The latter, instead of providing the schools of this Territory with financial aid from the

general government, provides for burdens of an oppressive character to be laid upon the people on pretense of their support. The taxation provided for in this bill is immense. There is a three mill Territorial tax, a six mill county tax, and a district tax for school buildings the limit of which is not stated. Probably it has none. The worst feature of the whole measure is the fact that the Territorial and county officers to supervise schools and school affairs are made appointive instead of elective by the people who pay the monies to be disbursed by the minions of centralization.

We do not wish to believe that the Senate will give serious attention to this latest legislative production, fathered by Edmunds, but begotten in Utah. The fact that the Utah Legislature is now maturing a school code, with a view to putting the district schools in the best possible condition, ought to prevent congressional action upon the subject.

TWO OF A KIND.

THERE is a bunch of prickly pears on Judge Blackburn's seat on the bench. They must make his position exceedingly uncomfortable, as they have already almost, if not quite, penetrated his judicial unmentionables. One section of the group of the thorny plant is from Provo, another from Ogden, while a few pricklers have been gathered in Salt Lake to make the bouquet complete. The bar of the two first named cities and a portion of that of the capital protest against his confirmation by the Senate.

The ground of the objection is incompetency. In legal parlance, the point is well taken. If the objectors only knew enough they would present to the upper branch of Congress the opinion formulated by His Honor on the General Municipal Election Law. If any member of that august body can make out what the Supreme Court of Utah intended to say by what it did state in that alleged opinion through Judge Blackburn, he will not only show his capability to sit in the Senate, but also to conduct a law office in Philadelphia. It is truly a heterogeneous concatenation of extraneous phraseology, and would, we believe, on careful examination, seal the judicial doom of its author.

So far as we know it is only paralleled in point of clearness by the alleged legal argument made today by

Mr. Caleb W. West before Judge Pyper, in which the learned gentleman contended that a man's residence in a place is co-eval with his intention to locate in it. Consequently, that a person living in Denver who conceived an intention in June to reside in Salt Lake was a resident of this city from that time, although he did not reach here till August.

Just let a person apply this theory to the general affairs of life, and then calculate the character of the bolt he makes from the line of the commonest kind of common sense.

Indeed, it looks as if, even upon the basis of qualification, Governor Thomas' recommendation of his predecessor to a post on the Utah Commission was on a par with the one which placed Judge Blackburn in the important office from which the legal fraternity are now seeking to dump him.

ALARMING LOGIC.

THIS chief "Liberal" organ of February 14, contained this editorial paragraph:

The *News* last evening misstated Gov. WEST's argument and then jeered at it. What the Governor claimed was that residence was a matter of intention. If a man in Denver had fixed his business to settle in Salt Lake and had left Denver to come here, his residence here had begun, even as the date of a foreigner's residence here begins when he sails from his native country to make this country his home. In the early days of California men were six months crossing the plains to go there. The courts decided that their residence began coincident with the date they left home for the purpose of settling in California.

Here is what the *News* said about Governor West's argument, being the paragraph to which the foregoing refers:

"So far as we know it is only paralleled in point of clearness by the alleged legal argument made today by Mr. Caleb W. West before Judge Pyper, in which the learned gentleman contended that a man's residence in a place is co-eval with his intention to locate in it. Consequently, that a person living in Denver, who conceived an intention in June to reside in Salt Lake was a resident of this city from that time, although he did not reach here till August."

If we misstated Governor West's position, the paper which offers the soft impeachment is in the same box. The intelligent reader will see that the definition of the argument given by the *News* is identical with that given by our muddled cotemporary. Worse than all, it endorses the idiotic legal absurdity.

So "the date of a foreigner's residence here begins when he sails