

that the position of Judge Marshall may not be misunderstood. It appears that the applicant Cope, the son of the late Thomas Cope by a plural wife, was born in the interim defined by Judge Marshall, otherwise the latter would have granted the application. But we still hold that his Honor was in error, because we cannot see that any such interim as the one referred to existed. The law of 1852 was in exact line with that of 1876, with the exception that in the former recognition of illegitimate children by their parents was not made an element to ensure helpship. As polygamists invariably recognized their children, the intent of the measure was evidently to cover all cases, including the issue of sporadic sexual commerce, where parents are not usually ready to acknowledge their progeny. Besides, the Congressional law of 1882 (the Edmunds Act) legitimated all issue of polygamous marriages born previous to Jan. 1st, 1833. Consequently it bridged Judge Marshall's vacuum.

It may be held, in controversy, that helpship and legitimacy are distinct conditions. They are, however, intimately related. For instance, of what particular good would the solitary beneficent provision of the Edmunds act be to the beneficiaries—children not in any way responsible for the conditions of their birth—if it simply placed upon them the legal stamp of legitimacy without relating to any of the rights or privileges growing out of that status? It is not to be presumed that Congress, and especially the grim author of the bill, had any thought of giving the children born within the plural marriage system a merely sentimental standing. The Territorial statutes of 1852 and 1876 were plainly in line, in this particular, with the anti-polygamy law of 1882. Consequently, although Judge Marshall did not go so far as Judge Anderson, he was, in our judgment, in error in the case in question.

POINTED STATEMENTS.

THE Leadville, Col., *Democrat* speaks pointedly upon the Utah situation. Speaking about the People's Party it says: "We could have wished that its defeat could have been brought about by different and more creditable means." Dwelling still further on the anticipated results, our Colorado cotemporary speaks thus:

"They have formed a community—yes, a series of communities—conspicuous for local and general prosperity, and now on the road to wealth. This prosperity and coming wealth have excited the greed and covetousness of the gang of hoodlums who are at best but next door to thieves, and they are determined 'to spoil the Egyptian' Mormons, and possess their belongings. 'But will thievery be countenanced and robbery allowed?' you may ask. Oh, that will be easily enough arranged. Of course no plain, everyday hold-up robbery will be attempted. There are other ways of accomplishing it. The increase of population and a probable boom will be the means used to accomplish the designs of the despoilers, who already openly boast that they will 'tax the Mormons out of Utah.' In centers where there is a good deal of wealth this cannot be made to work; but in the valleys, where the farmers have but little money besides their pretty homes, it will be a very easy matter to inflate the valuations, cover them with taxes and evict the owners who could not meet the collector's demands. These are the means to be employed by the new regime which was ushered in by fraud at the election in Salt Lake City. What will be the end? Who shall say? It has a momentous outlook at present, and we can only hope for the best. Hoodlumism will force the Mormons to keep united and fight to the last, and thus perpetuate to a degree the claimishness that in time would have disappeared. Judge Anderson's decision would have done the business in time. The hoodlum descent can but seriously complicate matters.

THE INSANE ASYLUM.

INFORMATION laid before the Legislature soon after the session opened was to the effect that \$163,000 would be necessary to complete the Territorial Insane Asylum at Provo, and when that sum should be expended upon it, it would accommodate less than one hundred patients more than were now in it, and that there would not be room in it for all patients in whose behalf applications for admission had already been filed. This showing was discouraging, and on the strength of it the project of purchasing Fort Cameron for a branch asylum was seriously considered. The special committee charged with the investigation of the matter, on their return from a visit to Fort Cameron, reported that the property could be purchased for \$25,000, that it could be fitted up for the purpose of an asylum for \$35,000 more, that with that expenditure it would be well adapted to the object in view, and that, in the opinion of the committee, the purchase should be made and a branch asylum established there.

Later a supplemental report was rendered by the directors of the Insane Asylum to the effect that the building could be completed for the sum previously named, but according to revised plans, which would

greatly increase its capacity to accommodate patients. Yesterday the House committee on asylum, in a report upon this subject, stated that there were 129 patients now in the asylum, occupying a space originally designed for 75; that the building could be finished for \$163,000 in a manner that would make its total capacity sufficient for "300, or 350, or even 400 patients;" and that the cost of maintaining it for the next two years would be \$60,000. The committee, therefore, recommended that the sum of \$223,000 be appropriated to complete the building and maintain the institution for the next two years.

In view of the information relative to the increased capacity of the institution consequent upon revising the plans for its construction, the proposition to purchase Fort Cameron is abandoned. Probably this was a wise step, though the News at the time favored that proposition. We, however, mentioned the objections to a division of the asylum, and are willing to concede that those objections, coupled with the promised increase in the capacity of the asylum when finished, outweigh the considerations in favor of the Fort Cameron project.

If the Assembly can see its way clear to the immediate completion of the building at Provo, the necessary steps to accomplish that object should be taken at once. For a long term of years the Territorial Insane Asylum has been a source of perplexity to the Legislature, and of discussion and criticism by the public. The sooner it is finished the better, on this, as well other important accounts.

SCHOOL LEGISLATION.

THREE voluminous bills have been introduced in the Legislature relative to the district schools. Two of these were offered in the House by Mr. Allen, and the other was a Council bill of which Mr. Collett was the author. One of Mr. Allen's measures provided for a free school system in cities, and the other was a code for the government of schools throughout the Territory. Both were duly considered in the House and passed by it, neither of them meeting with any serious opposition.

They at length were placed in the hands of the Council committee on education, and, pending a report from them, the Council spent considerable time in the consideration of Mr. Collett's bill. This was a