

the government being clothed with absolute power, should be considered and accepted by every true American, and no departure from it be permitted. The power of Congress, being delegated, is necessarily limited. Not only is this logically the case, but it is inferior to the power that is inherent, the latter being inviolable by any earthly authorization. The power delegated to Congress is obtained from a source whose rights are inherent, never having been conferred. Among these inherent, individual rights is equality before the law and its administration. Congress nor any other department, nor all of the departments of the government combined, have authority to break that individual equality. No such power is within the province of delegated authority. But there could scarcely be a more flagrant breach of it than is involved in the confiscation of the property in question.

The power of Congress to make laws for the suppression of crime in the Territories may not be denied, but the confiscation of the property of individuals and corporations either actually or supposedly guilty of illegal practices, in consequence of that real or imaginary status, is contrary to the entire genius of American institutions. When the confiscatory process is applied to people against whom not a breath of reasonable suspicion can be given, the operation becomes still more of an outrage and a disgrace. It is a flagrant infraction of the most common and accepted principles of civilized legislation and jurisprudence.

The dissenting opinion is a model document, conveying a great deal in a short space. It consists of a series of sound propositions which require no bolstering. They stand out in glowing prominence as gems of truth that cannot be dimmed or covered by the cunningly devised assaults of sophistry. Its statements will in future be quoted as evidence of the genuine patriotism of those who expressed them in the face of popular prejudice.

MUD-THROWING IS NOT PROOF.

THE "Liberal" organ in this city made the following baseless accusation, intimating that the DESERET NEWS would not deny it:

"What we charge is that there has never yet been a convention of that kind that someone in the convention has not had a list of the men to be nominated made out and given him at headquarters, and that list has invariably made up the ticket."

This we denied, most emphatically, because we knew it was not true, and that there was not the slightest reason in truth for making the charge. We referred to the late municipal convention and asked for proof that a "list of men to be nominated" there was made out or given at "headquarters" or any other "quarters."

The utterly unprincipled sheet comes back with a tirade of personal abuse, asks more questions, each of which embodies a lie by implication, and tries to palm all that off as proof of its original charge.

This is the usual resort of the cornered blackguard and the detected falsifier. The libel flung at the editor of this paper, even if it contained the slightest grain of truth, or there was the faintest shadow of excuse for uttering it, would afford no evidence whatever in support of the charge which we have quoted above. So with all the rest of the rhodomontade intended to throw dust in the eyes of the critical reader. The charge is utterly false, and not a syllable of evidence is offered to meet our demand for proof of any dictation from a "trinity" or other authority, in reference to the late municipal election.

But a writer who states as "the best of proof" concerning other exploded charges, that an old woman long since deceased "told us so," may be expected to resort to any nonsense, however irrelevant to the issue, in support of equally unfounded assertions.

The writers and publishers of the unmanly and cowardly personalities in which the *Tribune* indulges as a substitute for evidence and argument, will find that it only serves to disgust decent people of all classes, and to show that its charges cannot be substantiated or it would not fly into a rage and get down into billingsgate and scurrility in lieu of proof.

THE DESERET NEWS, it is true, has been silent as to many unfounded charges made by the "Liberal" organ, not feeling under the necessity of noticing a tithe of such ribaldry and falsehood. But that is no evidence either that we admit the accusations or that they are founded in truth. It is only once in a while that we stoop low enough to touch the *Tribune's* level, and whenever we meet it in argument we get mud in the face, and repeated proof that it is useless to bandy words with a blackguard or reason with a ruffian.

THE SUPREME COURT DECREE SET ASIDE.

The following Order of the Supreme Court of the United States vacating the decree in the Church cases has been received from Washington:

SUPREME COURT OF THE UNITED STATES.

The late corporation of the Church of Jesus Christ of Latter-day Saints et al., appellants, vs. the United States, and

George Romney et al., appellants, vs. the United States.

Ordered by the court that the decree entered herein on the 19th instant be, and the same is hereby, vacated and set aside.

May 23, 1890.

This order is more sweeping than we were led to believe by the press-dispatches at the time it was made. While the opinion of the court of last resort on the constitutionality of the law and the power of Congress to repeal the charter of the church corporation may not be set aside by this order, yet it appears that the whole case of the disposition of the property is yet undecided. The question is still open and will have to come before the court again at its next term which will be in October.

If Senator Edmund's new bill to facilitate the spoliation of the Church shall meanwhile become a law, the Supreme Court may be somewhat relieved of a great responsibility. And then again, it may not. For we hope that every act of Congress, and every judgment of a court, which supports the doctrine of confiscation will be tested to the last legal extremity. The contest has only just commenced.

A PROPER VINDICATION.

WHEN a man does a graceful act, no matter how widely we may differ from him on matters in general, we take unqualified pleasure in acknowledging it. Hence we speak with gratification of the attitude assumed in the City Council June 17th by Col. Merritt, the City Attorney, in the matter of the bill presented for payment of the fine and costs imposed upon ex-policeman Joseph S. Barlow. The arrest and conviction of the latter was an outrage, and Col. Merritt so designated the proceedings.

Mr. Barlow, in the prosecution of his duty, went to a house to arrest a notorious thief, who had committed a long series of burglaries. A. G. Paddock, father of the criminal, endeavored forcibly to prevent the arrest. He threateningly flourished