

may, it will be seen that it is an un-republican and improper provision, and it is bound to defeat itself. There is time yet, before the Convention, to make sure that no such violation of simple right and justice shall be effected.

GARBLING AGAIN.

It is almost waste of time to argue with or reply to an adversary who persistently misstates one's entire position, makes garbled quotations, changes one's language and proceeds to reason from it as an admission, and winds up with ribald abuse. We shall therefore make but brief allusion to the latest effusion of this kind from the daily organ of slander and vulgarity. It says:

"The Doctrine and Covenants says of such men, even if subject to like passions as others, that after ordination, 'whatever they shall speak shall be scripture, the will of the Lord, the mind of the Lord, the word of the Lord, the voice of the Lord and the power of God to salvation.'"

The Doctrine and Covenants does not say anything of the kind in any part of the book. There is nothing in the "Mormon" creed that makes the word of any man divine. The revelation intentionally misquoted by the organ of prevarication says concerning the preaching of the Elders sent out as missionaries to preach the Gospel:

"And whatsoever they shall speak when moved upon by the Holy Ghost shall be scripture, shall be the will of the Lord, shall be the mind of the Lord, shall be the word of the Lord, shall be the voice of the Lord and the power of God unto salvation."

The words we have italicized are omitted purposely by our opponent, and yet they form the hinge on which the whole question turns. It is only when "moved upon by the Holy Ghost," that the words of holy men of old were called "scripture." It is the same now, in the Church of Jesus Christ of Latter-day Saints. This declaration does not place the men authorized to preach the gospel above the laws of God or of man. It does not make "their thoughts God's thoughts" nor "their word God's word." It simply places their utterances, when "moved upon by the Holy Ghost," on the same plane of authority as the utterances of men similarly commissioned and inspired ages ago.

In order to convey the false impression that these men are considered in the Church to be above subjection to the laws of the land he says:

"Further on in the same book it is commanded that none of these shall be tried or condemned for any crime save it be before the First Presidency."

This too is a falsehood, a wilful misquotation, an intentional perversion. The book does not say so, either "further on" or elsewhere. In designating how every member and officer of the Church shall be amenable for transgression, it provides that a Bishop of the Church must be tried before the Presidency. This is obvious to those who know anything of the Church organization, because the Bishop is himself "a common judge in Israel" and it would not be proper that he should try himself or be tried by one holding no greater authority. That is all there is of the matter. It does not refer to any other officer than the Bishop. And the revelation prescribing this rule says, specifically, that this trial is to be "according to the covenants and commandments of the Church." It has no reference to the civil law.

But there is a revelation in the same book which commands that if any man in the Church kills, robs, lies, or commits other crime, "he shall be delivered up to the law of the land." This is the doctrine of the Church. It is the law of God to the Church. The courts of the Church are only ecclesiastical, they only relate to Church matters and to fellowship, and they do not interfere in any way with civil or criminal courts under the laws of the land.

Attempts to make the contrary appear are simply exhibitions of shameless mendacity. As to the epithets that follow them, they are characteristic outpourings of a bitter spirit and call to mind the saying of the Savior, "Out of the abundance of the heart the mouth speaketh."

A succeeding article, of a personal character, against a correspondent on lead and silver whose views do not correspond with those of the ranting writer, is a stream of scurrility suitable only to the lowest haunts of degraded humanity, and which proclaim the character of the being who flings his mud at the "Mormons" and misrepresents their faith and purposes.

THE RIGHT TRIUMPHANT.

THE decision of the Supreme Court of the United States in the Nielsen case, appealed from the First District Court of Utah, as was

expected, reverses the decision of the lower court and releases the defendant from the penitentiary. He will be set at liberty as soon as official advices can be obtained.

The history of the case has been detailed in these columns, the brief of counsel for the appellant has been summarized, and the able argument of Hon. F. S. Richards on his behalf has been given to our readers in full. The court of last resort agree with the defendant's counsel, and decide that a man cannot be convicted of two different offenses which are covered by the same transaction. A man cannot be punished for the offense of adultery who has been convicted of unlawful cohabitation, when the former offense is alleged to have been committed during the time of the cohabitation.

"Of course not," will be the response of most people who know anything of constitutional law or common justice. A man cannot be legally punished or placed in jeopardy twice for the same offense. But, strange to say, this very thing has been attempted in Utah in different ways, in a pretended effort to make the people of Utah have extra respect for the law and its administrators.

The famous or rather infamous "segregation" scheme was of this character. It was spoiled by the Supreme Court of the United States. The latest plan to inflict double punishment has been defeated by the same judicial authority. In both cases our native Utah attorney has been the active counsel and the chief mover and adviser in the legal controversy. His success is gratifying, as his labors have been unwearying and performed in the face of much opposition and many difficulties, which are not generally known or appreciated. Brother Richards is in every way worthy of his laurels.

It is to be greatly regretted that either attorneys or judges will allow anti-"Mormon" prejudice to affect them in the discharge of their important duties. The cry was raised many years ago that "the laws should be enforced in Utah as in other parts of the United States." To that there will be little objection. But who that is acquainted with the facts and the situation here, can say, candidly, that this has been the rule since the special raid upon a certain class of this community was inaugurated? The Chief Justice on the bench at the time announced his opinion that the penalties