hold its nose as a protection against the foul vapor which arises from the stale mass when it is tendered.

The Payson case is old enough to speak for itself, and if it is brought forward for political capital, we do not see that it will be a bonanza. It will doubtless be placed on the same political platter as the delectable proceedings that have been conducted in the Third District Court during the last few days.

ANOTHER HIGH COURT.

The judiciary of the United States as now organized provides for appeals from circuit and Territorial supreme courts to the Supreme Court of the United States, in cases which involve $5,000 or upwards. Prior to 1875 the amount required to be in controversy was $2,000, but so many cases were carried to the highest tribunal that they could not be determined with reasonable expedition, and to relieve its docket Congress raised the minimum amount involved in cases that could oe carried to that court to $5,000.

The relief thus afforded was but temporary. Soon the docket became more crowded than ever, and at the opening of the October term of this year there were 1,248 cases upon it. If the cases shall be taken up in their successive order, the last one will not be reached until about four years have expired. At the present rate the court falls behind its docket about one year in each five, so that, unless something shall be done for its relief, it will soon cease to be of practical value to many litigants in cases involving large sums and important principles.

Without an amendment to the Constitution, no court of co-ordinate jurisdiction can be established. The Supreme Court must remain as now, the highest. But it is suggested that Congress might establish a court inferior to it, to consist of a sufficient number of judges, and to embody sufficient learning, dignity and authority, to greatly relieve the Supreme Court. By increasing the minimum amount that must be involved in a case to render it appealable to the highest court the docket of the latter might be fully relieved.

On repeated occasions the people of Utah have awaited, with great interest, the action of the United States Supreme Court; as, indeed, they are now doing. A case involving vast sums of money, and principles of right, whose importance cannot be measured by a monetary standard—an issue in which tens of thousands of the citizens of this Territory are vitally interested, is awaiting decision by that august tribunal. On account of the power for good or ill which this high court is able to exercise over the affairs of the people of this Territory, they feel a peculiar interest in its personnel, its work, and all legislation directly affecting its authority or jurisdiction.

RUNNING COMMENT ON THE EVIDENCE.

THE alleged investigation said to have been instituted for the purpose of deciding whether or not "membership in the Mormon Church is compatible with good citizenship," has been watched with keen interest by the whole community. A running glance over the evidence produced fails to warrant any other conclusion, thus far, than that the Latter-day Saints are as loyal a people as live within the Republic. In not one instance has it been shown that the Priesthood have taught disloyalty to the government.

It has been darkly hinted by some of the witnesses known to be pronounced and bitter enemies of the Church, that some of the teachings might have been inferred to have a bent in that direction, but the inferentialism of opponents is always to be taken with a few grains of salt. The explanation of Mr. Lawrence on the point was significant. The expressions of the authorities were not directed against the government, but against officials acting under it who dealt oppressively and unjustly with the "Mormon" people, from the latter's standpoint.

A long and almost inexhaustible list of wrongs could be enumerated. Not only the authorities, but the whole community have taken exceptions to measures of that character. It is not necessary to go outside of the court room where the investigation is in progress for illustrations. Mr. Dickson is understood to have formulated and applied, when he was U. S. District attorney, what has been called the segregation system, by means of which—being an indefinite multiplication of indictments for one offense—"Mormons" could be sent to prison for several hundred years, and be fined a sum impossible of satisfaction by a Rothschild. The ex-District attorney and those who operated with him were criticised to some extent for this unwarrantable course. We have never thought that the censure applied to that measure and the U. S officers who worked it was unpatriotic or treasonable. We couldn't think of such a thing, because it would be an undue reflection upon the Supreme Court of the United States, which smashed segregation and characterized it as an unprecedented legal monstrosity.

Instead of it being shown that the "Mormons" have been disloyal, even their enemies, in the proceedings of the last few days, have testified that they have always held to the belief that the Constitution is an inspired instrument. The logical inference from this position is that all laws made in pursuance of it are of the same genius. If it has come to pass that men and measures cannot be criticized without those engaging in that Constitutional exercise being not only charged with disloyalty, but virtually punished by disability for it, then let freedom shreik and liberty fall prostrate in the mud to be kicked to disfigurement by the iron shod feet of tyranny.

Belief, during the peculiar investigation in question, has been introduced as an element of unpatriotic quality. But the shoe is on the other foot, the enemy of free government being he who would make his fellow an offender on account of a mental condition superinduced by evidence. A man can no more help his belief on any subject coming within the purview of his intellect than he can the shape and size of his head. The spirit that would apply a coercive process of any kind, either in the shape of disability, a thumb-screw or an ankle-crusher to coerce a man from one belief to another, has not drunk at the living fountain of liberty, but might have been esteemed an average citizen of an unlimited despotism in the dark ages of the world's history. The Supreme Court of the United States has asserted, on this question, that the law deals only with overt acts, belief not being a proper subject of restriction.

The attempt to present a phase of disoyalty in the endowments has failed, the testimony as whole leading to the effect that the government is not mentioned in connection with them in any form. Then steps in the inferentialism, which was all the coloring there was to the allegation, and it does not amount to more than so much smoke.