Idaho to the contrary, nothing of that kind can affect the citizenship of any of its residents legally or in fact. To assume that the Idaho solons are unacquainted with that fact would be tantamount to attributing to them a density of ignorance that we cannot conceive can even exist in them. Such measures must therefore be considered in the light of unadulterated villainy.

The question connected with all these conditions is not one of legislation, but of politics, which underlies the whole scheme of rascality. Everybody possessing a moderate degree of sense and intelligence knows that the notorious Idaho test oath act is unconstitutional, as it practically nullifies that clause in the sacred instrument which forbids the application of a religious test. The act serves, however, as a political barricade, and will suit that purpose until swept away by the Supreme Court of the United States. To reach that tribunal requires time, and in the interim the mischief and wrong intended by the measure is accomplished. There is a prospect of the test oath law being overthrown before a great while; one would surely presume that such would be its fate so soon as the court of last resort is reached. This prospect causes the nullifiers to formulate another barricade, that the wrongs inflicted upon an honest and longsuffering people may be continued. It is expected that if the proposed bill to decitizenize members of the Mormon Church should pass, it will be a period of years before it can be taken to the Supreme Court of the United States, and in the meantime it is presumed that the victims at whom it is aimed can be kept in political serfdom.

Men who will favor such anti-republican legislation are self-seeking tyrants, and traitors to the institutions of the country.

CHARGE OF CORRUPTION.

THE Edmunds-Tucker law is responsible for the most peculiar and tangled-up situations that ever grew out of a statutory enactment since the creation of the world. It is a wart on the nose of the body-politic, and from every standpoint from which it is contemplated it has a forbidding aspect. It is to be trusted that when the Supreme Court of the United States takes a square look at the ugly thing it will be treated by that august body to a vigorous application of judicial aqua fortis, that it may be burned out of the nasal protuberance of our national system, and no longer lay the rulers of the Republic open to the charge of anarchy, in seeking to escheat the property of peaceable citizens without due process of law.

The scene of Jan. 21 in the Territorial Supreme Court is but one of a series of pictures of the same description. In considering it the admission must be made that it is very much mixed. The opinions of the judges upon the question of the contempt of Receiver Dyer, or rather, more particularly in relation to the scope of the investigation into the charges preferred against him by Judge Zane, are in some respects out of harmony with each other. In perusing these learned disquisitions upon what appears to be esteemed to be a knotty point, the person who is not supposed to be possessed of what is sometimes designated as "a legal mind" is led to exclaim, "What do they mean, anyhow?" Or he may be in the position of the little boy at the show, who asked, "Which is the lion and which is the sacred ass?" The showman's reply comes neatly in place—"My little boy, you pays your money and you takes your choice."

The charges preferred by Judge Zane against Messrs. Dyer, Williams and Peters, are "corruption, fraud and unprofessional conduct." We observe two preliminary points that the gentleman planting these charges is seeking to attain. He wishes it to be understood that he does not stand in the position of a prosecutor, but rather as a public benefactor. He wants no squandering of the property escheated to the government under a law regarding whose constitutionality he was in serious doubt. This doubt existed in his mind at the time he, together with his "brethren on the bench," decided it to be constitutional. Judge Zane is exceedingly anxious that this doubtful escheatment shall be protected. That being the sole desire actuating his proceeding in pursuit of Messrs. F. H. Dyer, P. L. Williams and George S. Peters, whom he charges with corruption, fraud and unprofessional conduct, he does not wish to be viewed by the court and others in the light of a prosecutor of those gentlemen. This amounts to his saying: I mean to conduct an official slaughter if I can, but it is all for a beneficent object — that the "large amount of property taken from a church" by a process of doubtful constitutionality may go to the purposes for which the escheatment was made.

The other point is, to make the scope of the examination as wide as practicable. Those whose characters have been assailed owe it to the public and themselves that it should assume as great a breadth as can be legitimately given to it. But if it be possible to keep anything connected with or growing out of such a legal monstrosity as the Edmunds-Tucker law within legal bounds, it should, as all other judicial matters, be so restricted. The common sense position on this question is that as a general charge has been preferred, the specific allegations made under it only should be considered. We understand this to be in consonance with a vital principle of law, that the pursuer may not be permitted to spring unexpected traps upon the pursued. This point of scope is a prominent contention between the parties, and necessarily so. This of course will be governed by the order of court, which Judge Powers, of counsel for the receiver, has been authorized to draft, subject to the approval of the other side.

This business is developing into a gigantic scandal, and if the parties to it know what is to their best interests they will insist that the investigation be complete and speedy.

All of the three judges held that Mr. Dyer was in contempt because he refused to answer certain questions put to him by the other side. He is now given an opportunity to purge himself of it, the mitigating element in his favor being that his refusal was the result of advice from his counsel.

Suppose this exculpatory ingredient had not existed, it would have devolved upon the court to punish him. There is no knowing whether the receiver will not still persist in refusing to answer, or may decline to answer some other interrogations with or without the advice of his counsel. This would evolve another peculiarity of the Edmunds-Tucker eccentricity. It is not improbable that the result would be that Mr. Dyer would be ordered imprisoned until he should conclude to answer, and for that purpose would be turned over to the custody of the U. S. Marshal. In other words he would be turned over to the custody of himself, the receiver and marshal being officially distinct but individually one and the same person.

The consequent question would naturally arise as a subsequent is-