

*Two Trials for One Offence.*

Kennedy, J. W.; J. Kerr, Chaplain. W. B. Read, Treas.; J. H. Thompson, Secy. The third degree was exemplified by the W. Bros., and a very instructive and agreeable evening was spent.

Bro. Edward Moss, who died on Dec. 8th, last, whose will was proved on the 10th ult., bequeathed, amongst many other legacies, one to the Zetland Lodge of Freemasons of Montreal, of which deceased was for many years Treasurer.

DIED.—At New Hamburg, on 14th January, 1877, JOHN ERNST, JR., aged 46 years and 6 months. Deceased was a member of New Dominion Lodge, No. 205, and was buried with Masonic honors, over one hundred Masons turning out in Regalia, and about 2,000 people attending the Funeral. Our late Brother was well known in the vicinity and was highly esteemed by the Craft and his fellow citizens generally for his many virtues.

BAD BUTTER.—At the last session of the Grand Lodge of Tennessee, a case by appeal was presented for redress, in which a brother had been expelled from Masonry by his Lodge for selling "bad butter." From the evidence it did not appear that the butter was strong enough to appear as a witness against him, yet it was evidently strong enough to kick the owner out of the fraternity; although the sentence was modified by the Grand Lodge to suspension.

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### TWO TRIALS FOR ONE OFFENCE.

It is true that there is no Masonic law expressly touching the question, to be found in the Regulations or Ancient Constitutions. But the same may be said of very many principles that are adopted into Masonic law. All rules of right and justice, growing out of the relations of man to his brother man, though not found in the old constitutions, are universally accepted as binding upon Masons. The very design of these rules is to defend right against might—to protect the right of the individual against the might of the many. And Masonry, more than the civil law, more than any law save that of the New Testament, teaches that the rights of the individual must be sustained.

As under the civil law a prosecution for an offence is a contest between the government representing the whole people and an individual—so under the Masonic law a prosecution is a contest between the fraternity and the accused.

One of the early concessions, and, as it has ever been considered, one of the most important concessions won by the people from arbitrary power, was that no one should be twice put in jeopardy for the same offence. So jealous were our fathers in respect to this, that no constitution has ever been framed, in which this principle was not expressly embodied. It is the result of the wisdom of past ages, and is sustained by the support of nearly all the civilized world. If, as is universally admitted, it is a wise and just principle in the administration of civil law, it follows that it is a wise and just principle of Masonic law; for a man is no wiser as a Mason than as a citizen, and he should be at least as just as a Mason, as he is as a citizen.

But it is said that under this principle the guilty may escape just punishment; this is true, since men are not perfect, and no more so as Masons than as citizens; but the same would be true under any mere human system. The evils that would result from the opposite rule would be much greater than the occasional failure of justice. It would open the door to the accuser, to renew the charges and compel a trial thereon as often as he pleased. The result would be an interminable wrangle in every Lodge in the land. Innocent parties would be subjected to repeated accusations and trials, and harmony would never again be known among us. This would not necessarily be the result of malice; for it is almost the universal rule that the defeated party in such a trial firmly believes that the decision is wrong and unjust, and if he could have a new trial he could show it, this is human nature.

Let us not reject rules which the wisdom of ages and all nations have established for the protection of the one against the many—for the defence of right against might.—*Josiah H. Drummond.*

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Most of the shadows that cross our path through life are caused by standing in our own light.