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The Laws of the Nephites: The Nephites Under the Kings

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Abstract: Discusses the Nephite political system under the monarchy and judges. Also considers legal matters under the judges, such as procedures for being heard as the “voice of the people,” various sanctions for crime, and treatment of prisoners of war.

minister, we thought, used every exertion to convert us, but we were "Valley-tan," and his eloquence fell upon our ears with but little effect.

At the close of the meeting, Mr. Parks offered his house for us to preach in, which was just what we wanted. We held a meeting there in the evening, and the people seemed to come from all directions, filling the house and yard, the greater portion of whom had never before seen a "Mormon." The spirit of the Lord was with us and we had an excellent meeting. After it was over, quite a number stayed. They asked many questions, and appeared much pleased with our doctrines.

We next went to Brother Lindsay's where we made our appointment. Here a Methodist preacher tried his utmost to prevent the people from hearing us, but it ended in our having a better attendance than we had ever before in the same place.

And thus we are able to look with pleasure at the unfruitful efforts of our enemies to hinder the progress of God's work, for when we returned to Brother Parks, we held more meetings, and he, with his wife, and another man and his wife demanded baptism, and a great many more seem to be strong believers.

On our return to Lindsay's we baptized a young man, and prospects for more are promising. We started back for Surry, where we arrived Christmas eve, and found Elder Taylor and the Saints feeling well. Four have been baptized in Surry since I have been here and we expect to baptize quite a number shortly. One family emigrated during our absence and more expect to in the spring, while others are anxiously awaiting their deliverance from Babylon. The outlook is certainly encouraging.

That heaven's richest blessings may rest upon you and all in Zion, is the prayer of your humble brother in the gospel of Christ,
J. H. MOYLE.

PROSPECTS IN THE GERMAN MISSION, DISTRESS AMONG THE POOR.

ELDER ABRAM H. CANNON, writing from Ludwigs-hafen, Switzerland, December 24th, 1879, says:

"There is a great amount of labor to be done amongst the German people in this land. In this little place, which has not been open to our Elders but a short time, there are 97 members of the Church, and 16 more persons waiting for the Rhine river to open, so that they can be baptized. I am confident that before very long, our Elders will be permitted to preach in all parts of this land, and then there will be thousands upon thousands who will accept the gospel.

"It is only within the last week or two that the Saints have had singing in their meetings here, for fear of gathering a crowd, and thus bringing the police down on them.

"In Berlin, a person can talk to an assembly as much as he likes if he will remain sitting, but the moment he arises and starts to preach, he is arrested. There is so much fear of socialism—and well there need be—that every assembly is watched, and any very large gathering is not permitted. We have to be very quiet just at present, in trying to obtain converts, and in teaching the principles of the gospel.

"There is a great amount of suffering among the poorer classes here, as well as in England, and what many of them will do for bread until another harvest, I do not know. The Elders are always received very kindly by the Saints, wherever they go, and their wants supplied, as far as the limited means of the people will admit."

PROGRESS IN THE VIRGINIA MISSION.

ELDER M. F. COWLEY, writing from Burk's Garden, Tazewell Co., Va., December 31st, 1879, says:

"I have been laboring in this part of the Virginia Conference with moderate success. Baptisms have been frequent, and a number have emigrated, with prospects for more in the spring. Prospects in the mission, so far as I know, are generally

encouraging. We have received some opposition from hireling priests; but it is all right. 'The more they kick the mustard tree, the more they scatter the seeds.' Let them kick.

"The weather here has been remarkably warm for this season; frequent rains, causing high water and muddy roads. We expect a visit from Pres. John Morgan before long. He is visiting the branches of the Mission in the south, and will be heartily welcomed by the Saints and friends in this locality."

THE LAWS OF THE NEPHITES.

BY G. R.

THE NEPHITES UNDER THE KINGS.

THE first portion of the history of the Nephites, when they were governed by kings, covers almost exactly one half of their national existence, or from the time of the landing of the colony on the coast of Chili to 509 years after the departure of Lehi from Jerusalem. Of the laws by which the people were governed during this period, which however we are told "were exceeding strict" (page 153), (2) we have few details, for the reason that the plates from which the greater portion of the Book of Mormon which relates to this period was taken contain the records of their prophets rather than the annals of their kings. With regard to these kings, they of whose lives we have any particulars (viz: Nephi, the first king, and Mosiah I., Benjamin and Mosiah II., the three last) were eminently virtuous, just and merciful men, who reigned as all monarchs should, but few do—with an eye single to the good of their subjects. Of their kings in general the prophet Jarom incidentally remarks, about 400 years before Christ, "Our kings and our leaders were mighty men in the faith of the Lord: and they taught the people the ways of the Lord" (p. 153); indeed, we recollect no intimation, in any part of the sacred record, of tyranny on the part of those who reigned over the main body of the nation: the government may, we think, be justly considered to approximate nearest to a limited monarchy, in which, as in ancient Israel, the prophet often exercised more power than the king. Though this be true of the central government, it unfortunately cannot be so stated of the colony who returned to the land of Nephi in the days of King Benjamin; that people suffered beyond description from the tyranny and wickedness, and the consequences resulting therefrom, of their second king, Noah, the murderer of the servants of the true and living God.

Of the life and character of the first king of the Nephites, the father of his people, Nephi, the son of Lehi, we need say nothing here. History affords no better model of the true prince. So thought his people, and they, to retain in remembrance his name, and to perpetuate the recollection of his virtues, called his successors, second Nephi, third Nephi, etc., no matter what their original name might have been (p. 129). Thus, with this people every king was a Nephi, as in ancient Egypt every ruler was a Pharaoh, and in Rome every Emperor, for a long period, was a Caesar.

The right of choosing his successor appears to have been vested in the reigning sovereign. When Nephi became old, and saw that he must soon die, "he anointed a man to be a king and a ruler over his people" (p. 129). King Benjamin chose his son Mosiah to reign in his stead, and then gathered the people to receive his last charge and ratify his selection. Mosiah gave the people yet

(2)—The pages all refer to the Book of Mormon, last edition, divided into verses.

greater liberty, and instead of nominating his successor directed them to make their own choice. The people highly appreciated this act of grace on the part of their beloved king, and selected Aaron his son. We are not informed, by the sacred historian, why the people made choice of Aaron, in preference to Ammon, whose name always occupies the first place when the sons of Mosiah are mentioned, and consequently may be supposed to be the eldest of the family. Aaron, whose heart was set upon the salvation of the Lamanites, declined the kingly authority, when Mosiah very wisely advised his subjects not to select another to fill the throne, lest it give rise, in the future, to bloodshed and contention, but to elect judges to be their rulers, instead of kings, which proposition they accepted with great joy.

With regard to the Nephite laws in the days of the kings and the manner of their execution, we can learn most from the parting addresses of Kings Benjamin and Mosiah II. to their subjects. We are frequently told by the sacred writers, from Nephi, the founder, to Nephi, the disciple, that the people observed the law of Moses (p. 109, 135, 153, 162, 192, 193, 320, 327, 336 and elsewhere), modified, we judge, in some of its details to suit the altered circumstances of the Nephites from those of their brethren in the land of Palestine. As an instance we draw attention to the fact that, as there were none of the tribe of Levi in the colony that accompanied Lehi from Judea, the priestly office must necessarily have been filled and the required sacrifices and burned offerings offered (p. 162) by some of the members of the tribes who were with them. Nephi (doubtless by the direction of the Lord) appointed his brothers Jacob and Joseph to be the priests for the people, they being of the tribe of Manasseh, and the care of the sacred records remained with the descendants of the first named for several generations. The members of the various orders of the priesthood when not actually engaged in the work of the ministry, in the duties of the temple, or the service of the sanctuary were required to labor for their own support, that they might not prove burdensome to the people (p. 202, 223, 235, 236, etc.). A merciful provision was, however, made for the sustenance of members of the priesthood in cases of sickness or when in much want (p. 223).

Though the laws were strict, they were mercifully and equitably administered, which gave much greater stability to the government and respect for the law than if they had been loosely adjudged, and with partiality towards classes or persons. It has been wisely observed that it is not the severity of the law but the sureness of the punishment that deters the evil doer, and in this respect the Nephite nation had cause for thankfulness. All men were alike before the law; there were no privileged classes as in Rome, or in feudal Europe in later years. Mosiah says, "whosoever has committed iniquity, him have I punished according to the law which has been given to us by our fathers" (p. 230).

From the charge of King Benjamin to his son Mosiah we learn that slavery was forbidden (p. 161). All the inhabitants of the continent being of the house of Israel, they could not observe the law of Moses and enslave their brethren.

Murder, robbery, theft, adultery and other sexual abominations were punished by the law (p. 164), as also was lying or bearing false witness.

Ammon states that in King Benjamin's days the false Christs, etc., were "punished according to their crimes." (p. 159); but we are not informed if those crimes consisted in false personation, etc., or in fomenting, aiding and abetting treason and rebellion, as was almost universally the habit of those who apostatized from the gospel and sought to establish false relig-

ions in its place. King Benjamin also states that he had not permitted the people to be confined in dungeons (p. 164); but we are uncertain whether to infer from this remark that the king intended his hearers to understand that he had not done this, as so many tyrants do, without cause and without trial, or that some other more effectual means had been found of punishing those transgressors not deemed worthy of death. We incline to the former opinion.

When the Nephite kingdom was first established the people were so few that they could not possibly sustain the expenses incidental to royalty. Thus it became the rule for the kings to sustain themselves. This unique, though most excellent custom continued as long as the monarchy lasted, even when the nation had grown rich and numerous. King Benjamin reminds his subjects that he had labored with his own hands that they might not be "laden with taxes" (p. 164). Of Mosiah, his successor, it is written (p. 232) that "he had not exacted riches" of the people and that "he had granted unto his people that they should be delivered from all manner of bondage."

We must not forget that, in connection with the civil law, the law of the gospel was almost unceasingly proclaimed during the whole period of the monarchy. Various false Christs and false prophets had arisen at different times, but the power of the priesthood had remained, ministering in holy things, rebuking iniquity and aiding in the suppression of vice. The kings of the Nephites, as we before observed, were, as a rule, men of God, holding the priesthood, and were often prophets and seers as well as temporal rulers. To this happy circumstance we must attribute greatly the peace and good order that so generally prevailed, the respect for the law that was so widespread, the large amount of liberty accorded to the people and the few abuses they made of that freedom. To use the idea of the prophet Joseph Smith, for long years, they were taught correct principles, and they (to a great extent) governed themselves.

In the course of the centuries, as the people increased and spread far and wide over the land, they appear to have introduced local customs to suit their differing circumstances, or in some cases their whims and notions. Thus, until King Mosiah II. established uniformity by law, nearly every generation and each section of the country had its own moneys, weights, measures, etc., which were altered from time to time according to the minds and circumstances of the people (p. 265). This custom naturally caused confusion, annoyance and distrust, and to obviate these, and possibly greater evils, Mosiah consented to "newly arrange the affairs of this people" (p. 229); and, if we may so express it, to codify the law. This code became the constitution of the nation under the rule of the judges, which limited the powers of the officials and guaranteed the rights of the people. This compilation was "acknowledged by the people" (p. 233), whereupon the historian remarks, "therefore they were obliged to abide by the laws which he had made" (p. 233, 234). And from that time they became supreme throughout the nation. It is stated in another place that this change was made by the direct command of Jehovah.

KEEP pushing! 'tis wiser than sitting aside,
And sighing and watching and waiting the tide,
In life's earnest battle they only prevail,
Who daily march onward and never say fail.

A contented mind is a continual feast.