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DIVINE AND HUMAN LAW.

Perhaps it is not quite safe to quote
from a telegraphed report or a lawyer's
argument, but the regular press dis-
patches from Washington, detailing
the proceedings in the case of Senator
Smoot before the Committee on Priv-
ileges and Elections, have been in the
main so nearly correct that we may take
the purported remarks of Judge
Taylor in his opening speech as sub-
stantially correct, particularly when
they harmonize with expressions that
have come from him during the pro-
gress of the case. The gentleman took
very singular ground, on several points
more or less associated with the mat-
ter under consideration, but we will
now direct attention to just one sen-
tence, which is this:

"A conscientious, sincere man who
says that the law of God is superior to
the law of man is a traitor to his
country."

This assertion, we think, will not be
endorsed by any believer in the Su-
preme Being, no matter what may be
his particular creed or form of worship.
No believer in the Bible will coincide
with the learned lawyer in such a sen-
tence. Plain, ordinary reason will
perceive that if there be a God, and He
promulgates a law, it must be of neces-
sity superior to any human enactment;
also that if a conscientious, sincere
man says so, it does not follow that he
is a traitor to his country."

Will any sane person assert that De-
ity is not higher than humanity? God
is perfect, man is imperfect. His law
must, in the nature of things, be su-
perior to anything that man can origi-
nate. The Bible, both in its history
and its theology, supports this doc-
trine. Peter, the Apostle, when
brought before the Council, charged
with disobeying the law, enunciated
this rule: "We ought to obey God
rather than men" (Acts, v. 29). From
the earliest ages believers in God have
stood by the maxim announced by
Peter. It was declared by all the in-
spired prophets whose testimony has
come down to us through holy writ.
It was manifested in their lives, their
sufferings and their martyrdoms.

The very government under which
we live, with its guarantees of civil and
religious liberty, was brought into be-
ing as a consequence of this principle.
For, the Pilgrim Fathers, obeying God
as the Supreme Ruler, left the lands
where human laws came into conflict
with divine laws, and fled to this con-
tinent, where they established the in-
stitutions under which we live. Were
they traitors to their country? We do
not think that any true American will
dare so to assert.

The heroism, firmness and grandeur
of character exhibited by most of the
great religious men and women of
ancient and of modern times, have
been the result of fidelity to the prin-
ciple that the law of God is supreme.
In cases where it was impossible to
carry out the divine mandate because
of the oppressive laws of man, many
of them left their native countries and
moved to other parts, where they could
be free to worship and serve their
Maker according to the dictates of their
own consciences, without molestation.
For the utterances of a sentiment in
harmony with this proceeding, the law-
yer whose words we have quoted at the
beginning of this article, virtually
condemned a witness in his own be-
half as a traitor to his country, and
thus that lawyer showed that he placed
humanity above Deity, or proclaimed
himself an atheist.

When we speak of a law of God
we mean that which is actually re-
vealed from heaven for obedience by
man on earth. Not any doubtful say-
ing, or mysterious utterance, or any-
thing that is not clearly demonstrated
and received as mandatory from the
Almighty. Clearly, if God speaks and
man receives His word, it must be
superior to anything that is merely
human. It does not follow, however,
that man is under compulsion to obey
the divine word, or that while it is and
must be superior to man's law, one is
necessarily in conflict with the other.
Human law may harmonize with divine
law, yet that the latter is superior to
the other is almost self-evident.

But if it happens that there is such
a conflict, even then, every person is
or should be free to take his choice
as to which he will obey. He must
abide the consequences in either case.
It is for him to choose his own course.
He may be justified before God, under
given circumstances, in yielding to the

law of man, or he may feel it to be
his duty to follow rigidly the doctrine
of the Apostle Peter, to which we have
referred, but whichever path he takes,
it does not constitute him a traitor
either to God or his country.

The notion that every man who,
through belief in that which he regards
as a divine command, breaks a law of
man, is of necessity a traitor to his
country, reaches down to the depth of
absurdity. There have been mighty he-
roes who fought and bled and died for
their country, who yet were law-
breakers in some manner or de-
gree. There have been glorious
martyrs for religion's sake who yet
were not perfect keepers of divine law.
In neither case were they traitors, ei-
ther to their country or to their God.
Obedience to the Supreme Being, who
is the Creator and Ruler of the universe
by whom we live and move and have
our being, is the first and highest law.
No true believer in God will attempt to
dispute this. But as we have shown,
fidelity to Deity does not by any means
imply treason to human government or
betrayal of one's country.

In these United States, in a govern-
ment established for the very purpose
of securing to every human being full
liberty to worship and serve God ac-
cording to the dictates of conscience,
there need be no conflict between hu-
man and divine law. Congress, which
derives all its powers from a written
Constitution, has no authority to pass
a law against an establishment of re-
ligion, or to prohibit the free exercise
thereof. Every establishment of re-
ligion is based on the theory of God's
supremacy, and the free exercise of re-
ligious liberty must not be infringed.
If a national enactment prevents a cit-
izen from believing, and saying, and
doing that which God commands, then
there is a fault in the law, and if it is
violated, the law-breaker must take the
consequences. But in doing so he need
not be in any sense a traitor.

We think that Judge Taylor, when he
laid down his ridiculous theory that a
man is a traitor to his country for say-
ing that the law of God is superior to
the law of man, must have forgotten
the guarantee of freedom of speech and
of the press, which is embodied in our
national Constitution; or was he talk-
ing nonsense for a fee? And did he
mean that a man who is not "con-
scientious and sincere" might hold and
utter the sentiment that the law of
God is superior to the law of man with-
out being a "traitor to his country,"
while the conscientious, sincere pro-
claimer of the same principle is neces-
sarily a traitor to his country?

It is noticeable that in every en-
deavor to bring "Mormons" and "Mor-
monism" into obloquy and contempt,
their adversaries invariably resort to
misrepresentation, abuse, sophistry or
pettifoggery in order to make out their
case. "Mormonism," pure and simple,
has never been met with truth in de-
fining its doctrines or fair argument
in attempts to overthrow them. "Mor-
monism" does not teach defiance of
human law. It proclaims the divine
word, but does not require disobedience
to the law of the land.

In all the controversies that have
arisen through an apparent disposition
to resist the power of the State against
the Church, the enactments which were
at first contended against were passed
specially and purposely against a fea-
ture of the faith of the Latter-day
Saints. One part of the "Mormon"
creed requires obedience to constitu-
tional law. After those provisions were
fully tested before the court of last
resort in this nation, they were submit-
ted to. And a most wonderful com-
pliance with them, under the circum-
stances, has been the result, which
must be a marvel to all beholders who
have a disposition to be just and fair
and reasonable.

However that may be viewed, it must
be patent to every Christian in the
United States, including the preachers
and the women's societies that engaged
Mr. Taylor to conduct their case against
an honorable, upright, law-abiding be-
liever in Almighty God and in the Lord
Jesus Christ, that their champion has
not only assailed the object of their an-
ger, but has dealt a mighty and direct
blow against their own faith and prin-
ciples. We hope they duly enjoy the
sentiment expressed by him which has
called forth this article.

FOOTBALL CONDEMNED.

President Eliot of Harvard university
is never afraid of stating his opinions
on the questions of the day, even when
he entertains views contrary to those
of the general public. It is, therefore,
not strange that he should strongly con-
demn the game of football, but to some
his denunciation of it on moral grounds
may appear without good ground.
The president, however, has well con-
sidered what he advances on this point.
He says, in part, that "the game is
played under established and recognized
rules, but the uniform enforcement of
these rules is impossible, and violations
of the rules are in many respects high-
ly profitable toward victory. Thus,
coaching from the side lines, offside
play, holding and disabling opponents
by kneeling and kicking, by heavy blows
on the head, particularly about the
eyes, nose and jaw, are unquestionably
profitable toward victory; and no
means have been found of preventing
these violations of rules by both play-
ers and coaches."

President Eliot also condemns the
game as a detriment to the educational
progress of students. He declares that
it "has become seriously injurious to
the rational academic life in American
schools and colleges." Too much time,
he says, is spent in developing players
for their own good, and too much time
is spent by the undergraduates in
watching the practice and following the
fortunes of the game. President Eliot
believes that "the crude and vociferous
criticism, blame and praise which fall
to the lot of the football player can be
of no possible advantage to any young
man at the opening of his active life."

These declarations should have
weight with the public, and as popular
sentiment is influenced, the needed re-
forms in college athletics will be ef-
fected. For, many educators now re-
alize that brutal games have become a
source of moral deterioration and
physical danger, but they are silent, be-
cause they also know that "success" in

such games means prosperity to the in-
stitutions they represent. They will
speak, though, as soon as they believe
they can do so without financial loss.

IN FAVOR OF SENATOR SMOOT.

The New York Evening Post, after
having scanned the press comments on
the investigation of the charges against
Senator Smoot, is convinced that public
opinion has been changing in his favor,
since the "defense" was heard. In its
issue of Feb. 2, the Post says:

"In spite of the rumor that the Sen-
ate Committee on Privileges and Elec-
tions will decide adversely to Senator
Smoot, the comments of the press
throughout the country seem to show
that the trend of feeling just now is
rather in his favor. As a matter of
fact, the public has never quite known
what to think about the Mormon Sen-
ator, and has caught at every sugges-
tion eagerly. 'What is to be done
with him?' was the heavy question
the news first came that the Utah Leg-
islature had chosen an Apostle to re-
present the State. 'He has only one wife,'
the dispatches announced at once, 'Oh,
very well,' said the public with relief,
and Mr. Smoot was sworn to with none
of the hubbub that attended the ad-
vance of Roberts at Washington. Then came
the testimony of the poisonous rela-
tions of the head men in the Church.
'So this is the sort of crowd Smoot con-
sults with!' was the horrified exclamation.
A popular vote last March would
have expelled the Senator with scant
courtesy. But the attempted demon-
stration of Church control in politics
was not clear enough to startle any-
body, and Mr. Smoot's excellent per-
sonal reputation has told in his favor.
'The question is,' said one newspaper,
'can a Mormon be a good citizen? We
are compelled to admit that in Mr.
Smoot's case, at least, he can.' As
the facts stand, this is not an issue
on which conscientious people can be
expected to agree. The sentiment
against Smoot has naturally been more
audibly manifested, but there has un-
doubtedly developed a great deal of the
other way."

SICKNESS CONQUERED.

It is noted as a remarkable feature
of the war in eastern Asia, that the fat-
ality in the Japanese army, on account
of disease, are astonishingly few. Thus,
for instance, the report of the chief sur-
geon of the field surgeons and hospitals
in Oku's army shows that out of 26,642
cases of disease since its landing on
May 6th, only forty resulted fatally.
There were 18,573 recoveries; 5,609 were
sent to Japan, and the remainder were
being treated in the field hospitals when
the report was made. Only 192 cases of
typhoid and 342 of dysentery were re-
corded, although these are usually the
most numerous and deadly diseases af-
flicting the camps of an army during
war time. Of the disease beriberi there
were 5,070 cases, but the mortality was
insignificant.

The explanation offered is, that the
Japanese commissary and medical de-
partments are almost perfect in every
detail of their organization. The Jap-
anese soldier lives on a simple diet—
dried fish and rice being the principal
articles of food, it is asserted, and on
this he is able to accomplish the most
strenuous labor required of him. The
physicians are constantly looking out
for the sanitary conditions of the
camps. The water in wells, springs and
creeks is analyzed, and, if found unfit
for drinking, it is let alone. Never was
there, we are told, so careful attention
paid to the physical well-being of an
army, as has been bestowed upon the
Japanese soldiers in the field. And the
result is a low death rate of disease,
which is all the more remarkable be-
cause, generally, the greater propor-
tion of fatalities in war is due to that
cause.

Then, it is probably also true, that
the Japanese are exceptionally honest
in the supply of food and medicine in-
tended for their soldier boys. If these
were given "embalmed beef" to eat,
they would undoubtedly suffer from
disorders that are now hardly known to
them; and if their medicine were adul-
terated, they would, naturally, die. As
it is, the Japanese have furnished to
the world an object lesson, showing the
results of the honest application of sci-
entific methods in dealing with the
health of large bodies of men in mili-
tary camps.

The Russian strike may be described
as going from bad to Warsaw.

Warsaw continues to be the storm
center of the Czar's empire.

If there is no deficit legislation there
will be more deficits in the future.

The Governor-General of the Philip-
pines would rather be Wright than any-
body else.

The moral of the Machen-Lorenz-
Groff case is, Don't monkey with gov-
ernment mail facilities.

"To be or not to be. That is the
question," that Mr. Thomas Niedring-
haus is continually asking himself.

Samuel Gompers says that he wears
union made clothes. The burning ques-
tion now is, Does he wear union suits?

The interior department continues to
be monarch of all it surveys and has
surveyed in the Utah reservation.

Those Colorado handwriting experts
are just as good as the average expert,
but the average expert is generally no
good.

A woman bowling over ten pins may
be all right but a woman with a rolling
pin in her hand seems rather more
proper.

Father Gopon is reported to be in
Paris on his way to London. In that
mighty human maelstrom he will soon
be lost.

It was fit that the decision in the
Beef trust case should have been deliv-
ered by the son of the Autocrat of the
Breakfast Table.

And now Minnesota is thinking of
establishing the whipping post. What a
recrudescence of barbarism the coun-
try is passing through!

President Eliot of Harvard in his an-
nual report denounces football as
played at present. In other words,
President Eliot denounces brutality.

Luke E. Wright is the first American

governor-general of the Philippines.
With what ease we are coming to adopt
monarchical names for republican of-
fices!

Russian strikers killing workmen who
wanted to return to work shows that
they know all about the most approved
methods of conducting strikes. They
are quite up to the Cripple Creek stand-
ard.

It is very doubtful if Dorothy Rus-
sell Einstein will derive any profession-
al benefit from her divorce suit. As
an advertising medium for the stage
the domestic scandal business has been
overworked.

SALT LAKE'S LAST SPIKE.

Los Angeles Express.
With the laying of the last rail near
Caliente, yesterday at noon, the Los
Angeles and Salt Lake railroad is an
accomplished fact, and the last gap in
a third transcontinental line between
Los Angeles and the east was closed.
There were no ceremonies connected
with this important event in the his-
tory of two great cities. Chief Engi-
neer Tilton drove the final spike home,
and the work train crossed with a
hurrah, and the main physical part
of the great enterprise which ought to
mean much to Los Angeles and South-
ern California was consummated.
At a later period will come
the public celebration of the comple-
tion of the road, when the
commercial bodies of Los Angeles and
Salt Lake will join hands in a demon-
stration befitting the occasion, and in
which the leading citizens of both mu-
nicipalities will take part. Of course,
it will be weeks before trains will be
running regularly between Salt Lake
and Los Angeles, but now that the road
has been built, the formal opening has
only a sentimental interest.

Los Angeles Times.
The practical completion of the San
Pedro, Los Angeles and Salt Lake Rail-
road, the graphic details of which were
given in yesterday's issue of The Times,
mark an epoch in the history of the
Southwest. The achievement binds in
closer bonds of mutual commercial in-
terest two great and growing sections
of our common country and brings the
splendid metropolis of Utah within easy
reach of the metropolis of the Southwest.
It beats a pathway and blazes a trail
across the primeval deserts, opens up
a mining country richer in promise than
Golconda, gives mighty untouched for-
ests to the woodman's ax, and breathes
the breath of life into the dead and
solenn wastes of the ages.

NO RED FLAG IN BOSTON.

Boston Traveler.
Boston was treated to an unusual
sight on Saturday. A crowd of parad-
ers, the greater number of which were
men, were hardly long enough in the
country to wear American made
clothes, marched through the streets,
bearing the blood red flag which is the
universal emblem of anarchy.

The trouble in Russia has been a
great advantage to this revolutionary
class in the foreign quarters of the
large cities. It gives them the oppor-
tunity to cry "Down with tyrants." It
doesn't make much difference who or
where the tyrant is—any old tyrant will
serve their purpose.

The majority of these paradars came
from countries where liberty of action
and speech are not thought of. They
mistake the liberty they find here for
license, and before they know they
sneak they live on, under the teaching
of leaders, most of whom live abroad,
who prey on their ignorance, are will-
ing and anxious to tear down our form
of government and substitute therefor
their anarchistic theories.

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very likely.
Your grocer knows.
Your grocer returns your money if you don't like
Schilling's Tea.

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