DESERET EVENING NEWS MONDAY FEBRUARY 18 1907

KNOX'S SPEECH ON SMOOT CASE

Able Argument Opposing Resolution Reported Against Senior Utah Senator.

KEARNS CROWD DON'T LIKE IT. Inferentially and Actually Gives Them

Jolts That Make Them Dizzy When They "Think."

Following is the full text of the able speech of Hon. Philander C. Knox, former United States attorney general. and now United States senator from Pennsylvania, delivered in the distinguished body to which he belongs, on Feb. 14. It has made the Kearns crowd hereabouts, and throughout the country, squirm, and has given them "that dizzy feeling" when they try to think. Readers of the "News" will ap-preciate it in its entirety, and thus it is reproduced. Mr. Knox said:

Mr. President: The Territory of Utah was admitted as a state by proclama-tion of the president on Jan. 4, 1896 (29 Stat. L., 876), that territory having, by the adoption of its constituation of Nov. 5, 1895, fully compiled with the terms of the enabling act of July 16, 1894 (28 Stat. L., 107). This enabling act stated the terms upon which Utah would be

the enabling act of July 16, 1894 (25) Stat. L., 107). This enabling act stated the terms upon which Utah would be admitted into the Union. Congress by this act authorized the admitsion of Utah on condition that its convention should nass an "ordinance irrevocable without the consent of the United States and the people of said state," providing "First, that per-fect toleration of religious sentiment shall be secured, and that no inhabitant of said state shall ever be molested in person or property on account of his or her mode of religious worship: Pro-vided, That phygamous or plural mar-riages are forever prohibited." This was the agreement between the people of the Territory of Utah and the United States, the condition upon which, for their mutual benefit, the state was admitted.

It constitutes a compact concerning the Mormon question in Utah. The Mor-mons were to forever prohibit the mak-ing of plural marriages. Otherwise they were not to be disturbed about their religion. Fetters on ineir minds were not sought to be imposed. The de-struction of their existing families was

struction of their existing families was not required. Utah was admitted on equal terms with the other states, since by reason of the Constitution it had to be. She is entitled inter alla to representation in the senate. If any valid condition was imposed upon her it was the irrevocable ordinance providing for perfect tolera-tion of religious senitment and protion of religious sentiment and pro

tion of religious sentiment and pro-hibiting polygamous marriages. Senator Simoot was regularly elected to represent the equal State of Utah in the senate. The senate is now asked to expet him and deprive the state of one of its votes arbitrarily. Can it do so? Certainly it has the power, but only as Concress has power to refuse all appropriations or the senate to rati-fy all treaties or confirm all appointees.

appointees. Utah has not the power to maintain Utah has not the power to maintain its right to representation, but this fact adds to the necessity of the sen-ate proceeding dispassionately and ju-dicially when the right of a states of it senstorial choice is challenged. If it were otherwise the states would be nothing more than nominating powers, and the senate would merely confirm or refuse to confirm such nominations. This is not the proper office of the sen-ate.

ate. But should the senate expell Senator Smoot, and why? He should not be ex-pelled for believing in the Mormon re-ligion. The irrevocable ordinance ex-pressly, and with Mormonism in view, guaranteed religious toleration in the State of Utab. He should not be ex-pelled for being a member of officer of pelled for being a member or officer of

by the Constitution, the states are left untrammeled in their right to choose their senators. This constitutional provision secures a measure of maturity in counsel, and at least a presumption of interest in the welfare of the na-tion and state. By another provision—namely, that relating to expulsion—the Constitu-tion enables the senate to protect it-self against improper characters by expelling them by a two-thirds vote if they are guilty of crime, offensive immorality, disloxality, or gross im-propriety during their term of ser-vice.

vice. I specify these reasons because I can not imagine the senate expelling a member for a cause not falling within one of them.

a member for a cause not fulling within one of them. Mr. President, I would be false to the traditions of my state, forgetful of her history and the relations she has sustained to the birth, development and defense of the national govern-ment, if I falled to raise my voice in protest against an encroachment up-on the rights reserved to the states when she so promptly unconditionally, and unreservedly ratified the Consti-tion of the United States. As Pennsylvania was first to take steps to approve the Constitution, so I pray she will be the last to ac-quiesce in the invasion of rights in-volved in this heresy of semitorial power to add to the constitutional qualifications of senators and kindred modern heresies of constitutional con-

modern heresies of constitutional construction

The perfection of human liberty un-The perfection of human liberty un-der law will only be attained under the American Constitution when each of the dual sovereignties within its sphere exerts its powers to the utmost limits for the public weal; when the states and the artificial bodies they have created cease to deny and resist the rightful and full exercise of the national power over national uffairs; when there are no attempts to en-croach upon the undenlable reserved powers of the states for the aggran-dizement of national power; when the people discriminate between wise poli-cies designed to meet the imperative people discriminate between wise-poli-cies designed to meet the imperative needs of modern conditions and dema-gogic assaults upon the foundations of the republic for political or person-al purposes; when the people shall not be vexed by unnecessary legislation upon their daily affairs, and normal conditions are undisturbed by cease-less agitations—agitations fomented by ignorance and insincercity and misless agriations—agriations fomented by ignorance and insincercity and mis-representing those just and constitu-tional policies of the time which had a due beginning, have a reason for their existence, and shall have a due ending when their work is accom-plished. Mr. President I know no tenet in

plished. Mr. President, I know no tenet in the new propaganda of constitutional construction that begins to contain the danger to our country involved in the contention that a senator of the United States may be deprived of his seat whenever the majority of the schate concludes that there are doc-trines taught, or have been taught in the past, by some church organization to which he belongs, which that ma-jority believes to be, or have been. dangerous. langerous;

It is an easy step after the first one is taken, because of a man's religion, to take the next and logical one of exclusion because of a man's politics, and then because of his notions upon economics and then because of his at-titude toward certain legislation. Identically the same argument can be nade mutatis mutandis in support of senate's power in all these in-ces, as is now advanced, namely, duty to guard and protect the senate from the contagion of false doctrine.

I know of no defect in the plain rule of the Constitution for which I am contending. I know of no case it does not reach. I can not see that does not reach. I can not see that any danger to the senate lies in the fact that an improper character can not be expelled without a two-thirds not be expelled without a two-thirds vote. It requires the unanimous vote of a jury to convlct a man accused of crime; it should require, and I be-lieve that it does require, a two-thirds vote to eject a senator from his posi-tion of honor and power, to which he has been elected by a sovereign state. The simple constitutional require-ments of qualification do not in any

The simple constitutional require-ments of qualification do not in any way involve the moral qualify of ahe man; they relate to facts outside the realm of ethical consideration and are requirements of fact easily estab-lished. Properly enough, therefore, as no sectional, partisan, or religious feeling could attach itself to an issue as to whether or not a man is 30 as to whether or not a man is 30 years of age, had been a citizen of the United States and an inhabitant of a state for the periods prescribed, the decision as to their existence rests the decision as to their 'existence rests with a majority of the senate. When, however, a different issue is raised, dehors the Constitution, upon ailega-tions of unfitness, challenging the moral character of a senator, involv-ing a review of questions considered and settled in the senator's favor by the action of his state in electing him, then the situation is wholly changed-and a different function is to be per-formed by the senate, calling for its proper exercise the highest delleacy and discretion in reviewing the action of another sovareignty.

well go to the root of the matter at once. It is only this: He is a member and officer of the Mormon Church-nothing more. There is no other charge brought against hlm. All other charge es are included in or grew out of the fact that he is a Mormon, and one of the advisory counsel to the presidency of that Church. Clearly, that in itself can not disqualify him in this govern-ment, where, as Mr. Justice Story said: "The Catholic and the Protestant, the Calvinist and the Armenian, the Jow and the infide, may sit down at the common table of the national councils without any inquisition into their faith or mode of worship." It is said, however, that the Mormon government of priests, claiming to rule by divine authority in matters tem-poral as well as spiritual, whom all its adherents must obey absolutely, even to the disregard to the laws of the land, if they should conflict with each other, that avery Mormon's allegiance is first

to the disregard to the laws of the land, if they should conflict with each other, that every Mormon's allegiance is first to his Church and secondly to his country; that the kingdom of God, as it is termed, is the only legal govern-ment that can exist in any part of the universe, and that all other governinent sure illegal and unauthorized; and that Senator Smoot, being a member and an officer of this organization, is dominated thereby and would yield obedence to the dictates of his Church rather than to the laws of the land, and therefore is not and can not be a loyal citizen of the United States, and consequently is not qualified to sit as a senator of the United States. One thing must be borne in mind in connection with these claims and that

is, that we are to take into account only what the Mormon Church is teach-ing and practising today, and not what it taught and did twenty to fifty years age

ago. Now is it true that Mormons must absolutely obey the Church even to the disregard of the law of the land: that a Mormon's allegiance is first to his Church and secondly to his country and that as a senator. Mr. Smoot would obey the dictates of his Church rather than the laws of the land?

than the laws of the land? I inquire again, Is this true? For if it is, Senator Smoot should be expelled for disloyalty to his country, estab-lished by the fact of a higher allegi-

ance. Of course, Mr. President, no one is unreasonable enough to ask the senate to assume these charges to be true or to ask us to deprive Utah of her senatorial choice unless they are proven to be true

would seem in respect of charge of this nature that they could be easily and overwhelmingly proven, if true, because of the nature of the offense and the publicity that would be inci-

dent to its commission. If you want to know as to the loyal-ty of a great number of people organ-ized into an ecclesiastical body, whose doctrines are publicly promulgated and whose actions may be daily witnessed, it seems to me the obvious way to as-certain the truth would be to exam-ine their doctrines and search into their acts. Their teachings and their acts ought to furnish the best evidence of which the case in its nature is suscepi-

It ought to be very easy to ascertain if the Mormon Church requires a mem ber to obey its law rather than the law of the land, and to ascertain if it re

of the land, and to ascertain if it re-quired a Mormon senator, or other pub-lic officer, to submit his official judg-ment to church dictation. The thing to do in such a case is to examine the doctrines of the Church as they are now promulgated, and if you find they teach no such disloyalty as is churged but quite to the contrary, then, if still dublous, the next step would seem to be to look over the rec-ords of the various Mormon officers who have served Utah since her admission as a state, and see if such disloyalty

as a state, and see if such disloyalty can be shown as a fact. A third step might be taken for the benefit of those who insist upon the utlegal proof, and that is to subject each Mormon officer to an inquisition as to his mental state of loyality. I propose to submit these charges to

Now, how does the Mormon Church treat this duty of loyalty to the coun-try in its published doctrines and reve-

lations I find upon an examination of the Articles of Faith of the Mormon Church and its Book of Doctrines and Cove-nants that the Mormon doctrine re-lating to human governments and the duties of citizenship is set out in great data! detail I quote Church Articles of Faith, No.

12: "We believe in being subject to kings, "We believe and magistrates in

presidents, rulers, and magistrates in obeying, honoring, and sustaining the

mony would be supplanted by aparchy and terror, human laws being institut-ed for the express purpose of regulat-ins our intervences purpose of regulattions, between man and man, and di-vine laws given of heaven, prescribing rules on spiritual concerns, for faith and worship, both to be answered by man to big dates. ing our interests as marviauls and

and worship, both to be also man to his data. "7. We believe that rulers, states, and governments have a right and are bound to enact laws for the protection of ril citizens in the free exercise of their religious belief; but we do not be-lieve that they have a right, in justice, n justice. lieve that they have a ris rivilege or to deprive citizens of the proscribe them in their o shown to as a regard and revere opinions the laws, and such relig do not justify sedition no "8. We believe that th aspiracy. minission of crime should be put according that mur-and the to the nature of the offe der, treason, robbery, breach of the general p in all rebreach of the pun spects, should be pun to their criminality and to evil among men by to evil among men by according tendency s of that mense is government in which committed; and for th lic peace step forand tranquility all men sho ward and use their ability offenders against good laws bringing to punish-

ment. We do not believe it i to mingle religious influence with ernment, whereby one religi civil gov-us society ernment, whereby one religious society is fostered and another proscribed in its spiritual privileges and the individ-ual rights of its members as citizens denied.

"10. We beleve that all religious socleties have a right to deal members for disorderly cond with their members for disorderly conduct accord-ing to the rules and regulations of such societies, provided that such dealings be for fellowship and good standing; but we do not helieve that any religious society has authority to try men on the right of property or life, to take from them this world's goods, or to put them in jeopardy of either life or limb, neither to inflict any physical punishment apon them, they can only excommuni-ate them from their society, and with-iraw from them their fellowship."

draw from them their fellowship." Mr. President: It seems to me it would be difficult to draft a creed more nearly antipodal to the teachings of a theocracy than the creed of the Mor-mon Church I have just read. A theoc-racy is defined by Webster to be "the exercise of political authority by priests presenting the Detire". The need of representing the Deity." The creed of the Mormon Church not only disclaims the right to exercise political authority, but enjoins obedience to the authority

of the state in all things. So much, Mr, President, for the first test I proposed to apply, namely, the ascertainment of what the Mormon

test I proposed to apply, namely, the ascertainment of what the Mormon Church teaches, in reply to the charge that it is a theocracy and teaches obe-dience to the Church, even to the dis-regard of the law of the land. Now, let us inquire, as I have pro-posed, if the practises of the Church in this respect have been consistent with its teachings. That is, have Mormon officeholders disregarded the laws of the land and substituted therefor the will of the Church. There has not been the suggestion of an attempt to establish any such fact. But, Mr. President, it is claimed that the head of the Mormon Church may and does at times receive divine reve-lations in respect of a variety of sub-jects, and therefore is liable at any moment to receive one enjoining dis-loyalty to the United States. Suppose he does. None of these revelations are in any way binding upon the Church morth. he does. None of these revelations are in any way binding upon the Church until it has been ratified by a vote of the whole congregation or convention of its members, and even then it is not binding as against the law of the land. Senator Sinoot's testimony touching this is very clear. He states that the members of his Church are free agents, and that any one of them has the right to disobey any divine revelation given to the head of the Church, even though submitted to the Church conference and o the head to the Church conference and accepted by it; that it is the fundamen-al and primary law of the Mormon Church that its members must obey the aw of the land, and there is a revelalaw of the land, and there is a revela-tion to that effect; and that as between a revelation and the law of the land, it is the duty of the members of that Church to obey the law of the land; but he did testify that if he himself should receive a revelation command-ing him to disobey the law of the land; but he disc sure that (field had)

und if no were sure that God had spoken to him, he would feel the obli-ration to obey it, but that he would leave the country and go where the law of the land would not conflict. His testimony on this point is as follows (Vol. III, pp. 251-

³⁾ "Senator Beveridge. I merely want continue a question which was put moment ago, putting it in its simplest

mportant.

of the land.

"Senator Overman---Right here--

"Senator Smoot-That is correct.

WOMEN.

In the case of a Burn o

Scald there is nothing on earth more healing that soft cloth saturated with

Mustang

and bound loosely on the wound. It drives away the inflammation at once and is cooling and sooth-ing. Try it for an old sore.

Liniment

Mexican

MEN.

If you have an Injury, an Ache, a Cut or Bruise, Lumbago, Rheumatism or a Stiff Joint, better get

Mustang

It cured aches and injuries of Man and Beast before many of you were boru. Your grandfather found it reliable and so will you.

Liniment

Mexican

the fundamental principles of your re-

Interfundamental principles of your re-ligion?
"Senator Smoot-It would.
"Senator Knox-Is that correct?
"Senator Knox-That is correct.
"Senator Knox-That is all."
I pause here long enough to observe that this, in connection with the creed I have read, conclusively shows that the Mormon Church is not a theocracy is that the will of the Deity as promul-gated by priests is the highest political authority.
"Senator Foraker-I understand you to say that rather than to undertake to obey such a revelation you would leave the country and go where the law of the land would permit obedience to the revelation?
"Senator Smoot-Yes; if God had giv-

revelation? "Senator Smoot-Yes; if God had giv-en it to me Himself then I would, be-cause I would feel then that I was under direct obligations to my Maker to carry out what He revealed directly to me, and if I could not do it in this country I would go to some other country where I could. "Mr. Tayler-So that you would, of course, obey the revelation coming from God? "Senator Smoot-If I knew that God

from God? "Senator Smoot-If I knew that God had spoken to me. I would obey it. "Mr. Tayler-Suppose the revelation commanded of God was that you should do a certain thing and also stay in the country? "Senator Smoot--Well, I do not think the God I worship is such a God." This recital, which reads like a chap-ter from the Spanish inquisition, con-tains Senator Smoot's belief as regards his duty in case of any possible con-

This recital, which reads like a chap-ter from the Spanish inquisition, con-tains Senator Smoot's belief as regards his duty in case of any possible con-flict between the law of the land and any revelation which might be received by his Church or by himself directly. I quote his testimony because it states the whole case so far is it concerns us. What finer or more accurate declara-tion of a man's duty in relation to God, to the Church, and to his country could there possibly be? His whole testimony and atterance is of that careful, con-scientious, and reverent character, not seeking in any way to shield himself from the just consequences of any of his positions, which must have indelibly impressed upon the minds of everyone who heard him the conviction of the absolute truthfulness and reliability of his answers. He, then, clearly states under oath that he is not bound to obey, and will not obey, any revelation of his Church in conflict with the laws of the land. His answer is absolutely conclu-sive upon this matter. He himself, and he alone, knows the exact state of his mind and his purposes in this regard, and it is this exact state of his mind that is the controlling point. The truthfulness and sciently of his state-ments have not been questioned. If they could be questioned without any evi-dence of overt act or statement on his part to the contrary, ti of the oath of every senator present might be similarly questioned. If this this fully meets the requirements of the third test 1 proposed, to wit, a rigid inquiry into the mental attitude of the individual as to loyalty. I will not discuss the question as to the particular danger arising from Sen-ator Smoot's belief that he may re-ceive a direct revelation from God; that he is capable of being in such conscious fellowship with God, as to be aware of His presence, or hear His voice, and in that personal relation to receive the wish and command of God, and that for this reason he is constitutionally in-capable of being a part of a man-made governmen

to God for guidance in matters both spiritual and temporal, and particu-larly in times of perplexity and doubt, but many believe that they receive

but many believe that they receive such guidance. If the Almighty can not speak to Smoot he could not have spoken to Moses or Mahomet or Joseph Smith or Brigham Young, as the case may be, and as people variously believe. I am not prepared to attack the foun-dations of all religons based on reve-lation by denying that God has the

lation by denying that God has the power to reveal His will to man. I am not prepared to deny that the Omnipotent Creator of the Universe lacks the power to speak to one of His creatures, if such is His will, nor ann I disposed to challenge the wisdom of the fathers of this government who rovided that in such matters every nan should be projected in his in-lividual belief.

dividual belief. In this country of ours religious be-lief is not an offense or a defense. A man may believe what he chooses without fear of molestation from the law or deprivation of his civil rights. On the other hand, his religious be-



Ask your druggist 25 cent a vial of Munyon's Cold Cure. If II fails to cure 1 will refund your money.

MUNYON

Every precaution should be taken to check a cold before it assumes the form of Grip or Pneumonia. My advice is check a cold at once. Don't let it set two of three days the start of you. If I could hand you the names of thomands of pe-ple who have been saved from long spells of sickness by the use of my Cold Cur-ple who have been saved from long spells of sickness by the use of my Cold Cur-ple who have been saved from long spells of sickness by the use of my Cold Cur-ple who have been saved from long spells of sickness by the use of my Cold Cur-ple who have been saved from long spells of sickness by the use of my Cold Cur-these little pellets check discharge of the Nose and Eyes, stop Sneesing promi-system. They are invaluable in all forms of Influenza or distinate colds. It you don't feel better after two hours and oured in a few diys i will refund money. I want every person who suffers with any kidney allinent to linkat you your money. I want every person who suffers with indigation or any sitemate invert trouble to get a 26 cent vial of my spepsis clure. If the des net cure indigestion, constipation, sour stomach, belching wind, distings headache ure indigestion, constipation, sour stomach, belching wind, distings headache in the very person who suffers with refugation or any stomach e cure indigestion, constipation, sour stomach, belching wind, distings headache ure indigestion, and liver allmed is I will refund your money. Munyon, If you have Catarreh or are s i cied with deafness use Munyon's Improved in-haler. It cures obstinate chronic cures.

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the Mormon Church for the same the Mormon Church for the same rea-son. He should not be expelled for the vindication of Utah's law, violated by certain Mormons continuing polyg-amous relations with Senator Smoot's consent or approval; supposing he did consent to approve; for Utah, without being ignorant of the facts, elected him additionarian model are be herited at its and the senate would not be justified in going out of its way to enforce respect for the formerly expressed will of Utah embodied in its law against polygamous reflations by defeating its later ex-pressed will shown in its electing Smeat.

For what, then, should be be expelled

and Utah be deprived of a senatorial vote? Is it for his violating or consenting to or approving the violation of rederal law?

or approving the violation of rederal law? There is no federal law against polyg-amy or polygamous relations applicable to Utah, now that Utah is a state, and when she was admitted to the Union of states it was known that there would and could be none. Why, then, I repeat, should the sen-ate expel Senator Smoot? Because, first, it is claimed he is wicked in this, that some of his friends having cohabited with several women before Utah became a stale are con-tinuing to do so until death, and that he approves of them as officers of a church which does not chastise them for so doing; and, second, because he is a Mormon, and the Mormon Church is a hierarchy disloyal to our institutions whose will he is bound to obey. Mr. President, the Constitution pro-vides that the senate shall be the judge of the qualifications of its members; a majority of the senate can determine whather of not a senator possesses them. The Constitution law provides

whicher or not a senator possesses them. The Constitution also provides that the senate may, with the concur-tence of two-thirds, expell a member. I have intentionally referred to the

I have intentionally referred to the proposed action against Senator Smoot as expulsion. I do not think the sen-ate will seriously consider that any question is involved except one of ex-pulsion, requiring a two-thirds vote. There is no question as to Senator Smoot possessing the qualifications pre-scribed by the Constitution, and there-fore we cannot deprive him of his seat by a majority vote. He was at the time of his cleetion over 30 years of two and had been mine years a citizen I the United States, and when elected as an inhabitant of Utah. These are a noisy to the states these the matination, and it is not in our power to may to the states these are not used, we require other qualifications, any to the states these are not ugh, we require other qualifications, to say that we cannot trust the gment of states in the selection of thors, and we therefore insist upon aright to disapprove them for any

claim of right to disapprove is claim of right to disapprove is zen subject to any rule of senate specifying additional leations of which the states have at the time of selecting their prix, but it is said to be absolute th case as it arises, uncontrolled y canon or theory whatever, one who takes the trouble to ne the history of the clause of pastitution as to the qualification affors must admit that it was suit of a compromise. The con-

artors must admit that it was suit of a compromise. The con-n that the states should be the adges of the qualifications and after of their representatives in mate was acceded to with this fion. A snator must be 30 years of states, and an inhabitant of thate from which he is chosen, set to these limitations imposed state

and discretion in reviewing the action of another sovereignty. If I were asked to state concisely the true theory of the Constitution upon this important point, I would

upon this important point, I would unhesitatingly size. First, that the Constitution under-takes to prescribe no moral or predict qualification, and in respect to such qualifications as it does prescribe, the senate by a majority vois shall judge of their existence in each case, whether the question is raised before or after the senator has taken ase, whether the question is raised refore or after the senator has taken

id. That as to all matters affect. ing a man's moral or mental fitness, the states are to be the judges in the first instance, subject, however, to the power of the senate to reverse their judgment by a two-thirds vote of expulsion when in offense or an offensive status ex-ends into the period of senatorial ser-ches, and such a question can only be nade after the senator has taken his

If to this it is objected that it con-templates admitting a man who may be immediately expelled. I reply that it is hardly proper to adopt a rule of con-stitutional construction and scenatorial action based upon the theory that the states will send criminals or idiots to the senate. Besides, it does not seem to me to be conceding much to a state after it has deliberately and solemnly elected a senator after the fullest con-sideration of his merits to concede on the first blush of the business the state's intelligent and honorable con-duct by allowing its chosen representa-tive admission to the body to which he is accredited. As regards Senator Smoot, all have agreed that he is a man of unblem-ished character, possessing every con-situtional qualification as a senator of the United States. What, then, is the charge against him? We may as If to this it is objected that it con-

HORSES.

If your horse has an ail

ment of any kind that can be cured by a liniment get the old, time-tried

Mustang

It has been curing every-thing in horses and cattle that a good, honest pen-etrating liniment can cure for the past sixty years.

Liniment

Mexican

As regards Senator Smoot, all have agreed that he is a man of unblem-ished character, possessing every con-situtional qualification as a senator of the United States. What, then, is the charge against him? We may as

COWS.

In case a dairyman finde

one of his cows "laid up" with a caked and inflamed

udder, if he rubs it with

Mustang

gently but thoroughly he

can depend upon a quick and complete cure. Sore teats also, are soon healed by this reliable liniment.

Liniment

Mexican

Also from the Doctrine and Cove-nants, pages 483-485, verses 1 to 11: "1. We believe that governments were instituted of God for the bene-fit of man, and that He holds men accountable for their acts in relation to them either in making laws or adminthem, either in making laws or admin istering them, for the good and safety

of society. "2. We believe that no government can exist in peace, except such laws are framed and held inviolate as will secure to each individual the free ex-ercise of conscience, the right and con-trol of property, and the protection of life.

trol of property, and the protection of life. "3. We believe that all governments necessarily require civil officers and magistrates to enforce the laws of the same, and that such as will administer the law in equity and justice should be sought for and upheld by the voice of the people (if a republic) or the will of the sovereign. "4. We believe that religion is insti-tuted of God and that men are amen-able to Him, and to Him only, for the exercise of it, unless their religious opinions prompt them to infringe upon the rights and liberties of others; but we do not believe that human law has a right to interfere in prescribing rules of worship to bind the consciences of men, nor dictate forms for public or private devotion; that the civil magis-trate should restrain crime, but never control conscience; should punish guilt, but never suppress the freedom of the soul. "5. We believe that all men are "Senator Overman-Right here-"Senator Beveridge-Pardon me. Sup-pose a revelation is received, as you described a moment ago it might be, and suppose, in addition to its having been received in that way, it is con-firmed, or whatever term you use, by the people, and then that revelation, thus confirmed by the people, is in con-fict with the law of the land; which is binding?

POULTRY.

It may seem a little odd

to recommend liniment for poultry ills, but all the big breeders will testify that

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a moment ago, putting it in its simplest possible form. As between the law of the land and any revelation, which is binding upon the members of your Church? "Senator Smoot—What would I do? "Senator Beveridge—No, sir. I did not ask what you would do. I ask you as an officer of the Church to answer my question. As between a revelation and the law of the land, which is bind-ing upon the members of the Church? "Senator Smoot—The law of the land in which we live. "Senator Beveridge—Do I understand you to say that there is no law, rule,

On the other hand, his religious be-lief will not avail him as a protection if he violates the law. Senator Smoot merely says that he believes it is possible that he might receive a revelation. That is all. From the importance placed upon this mat-ter by counsel for protestants one would be led to think that Senator Smoot had been in the habit of re-ceiving such revelations every day or so. As a matter of fact he has never received one, and so testified. He merely asserts that he believes he is capable of receiving one. Surely this is not a danger of such magnitude and of such an imminent character as to you to say that there is no law, rule, or ordinance of your Church by which a revelation from above, even when confirmed by your people, is superior-to the law of the land? of such an imminent character as to justify expelling him from the United States senate, especially since he as-serts under oath that in case he should "Senator Smoot-I do no." think it have such a revelation, and it should command him to break a law of the United States, he would leave the country before violating the law. ould be, senator. "Senator Beverläge—My mind was lirected to that very point. It is rather nportant. "Senator Simoot-We have a revela-ion in the Doctrine and Covenants that is mandatory upon all members of ur Chourch to honor and obey the law

country before violating the law. It was stated by counsel for the protestants that "the chief charge against Senator Smoot is that he en-courages, countenances and connives at the violation of law." (Vol. 3, p. 611.) Senator Smoot is one of the twelve apostles of the Mormon church, and as such he has voted to sustain in office members of the Church who continue to cohabit with wives which In once members of the Church who continue to cohabit with wives which were taken prior to the manifesto of 1890, and the admission of the state into the Union. It is claimed that by thus voting to sustain them in the Church he encourages, countenances, and connives at a violation of law,

flict with the law of the land; which is binding? "Senator Smoot-The law of the land. "Senator Overman-I understand you to say, if I apprehend your answer cor-rectly, that when a divine revelation is given to the president of the Church, is submitted to the Church conference, and is accepted by the conference, then, as a free agent, any member of the Church has a right to disobey it? "Senator Smoot-They have senator. "Senator Knox-Senator Smoot, let me ask you what I consider a question that should have followed Senator Ber-eridge's question. I understond you, It will be borne in mind that in doing this Mr. Smoot merely approved of their fitness and qualifications for the particular positions they occupied. He did not in any way pass upon the legality of their acts, but merely upon the moral quality of the acts as meas-ured by the standards of that Church, and therefore of their fitness to hold the exaited positions which they oc-cupied. He in no way countenanced or encouraged their lilegal acts. With that he had nothing to do. His own views and conduct in regard to that subject were well known, and pre-vented the possibility of any misun-derstanding on that point. He merely passed upon their qualifications with respect to the particular Church posi-tions which they then held and the advisability of retaining them in those offices. Some officers of the Mormon eridge's question. I understond you, then, that fundamentally and primarily it is a law of the Mormon Church that you must obey the law of the land? "Senator Knox-If there should be a revelation now that commanded you to disobey the law of the land, that reve-lation would be in conflict with one of

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