

THE DIVINE AUTHENTICITY OF THE BOOK OF MORMON.

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NO. IV.

In Ohio there are effigies of men formed of raised embankments, over 100 feet in length, animals with tails 50 to 200 feet long, birds with wings 100 feet each, lizard mounds, 200 to 400 feet in length, and serpents 1,000 feet long. Over 100 enclosures, and 500 mounds in the State of Ohio have been examined, and the number in the State has been estimated at 10,000 mounds, and 1,500 enclosures of a military order of protection. Ohio proves to have been a centre of military mound building, especially in rude and unscientific works of defence. Many of these extensive and irregular walls and enclosures are overgrown with a second and third growth of trees. Deductions based upon scientific researches, date the existence of the mound builders prior to the fifth century of the Christian era. An able defence of the antiquity of many of these mounds and enclosures will be found in Vol. 4, page 789 and 790 *Native Races*, which, with other evidences, agrees with the history in the Book of Mormon, not only in time and date, approximation, but in peculiar and forcible evidence, demonstrating the existence of two orders of military construction, two forms of worship, and two nationalities cotemporary—the Nephites and Lamanites. Also for antiquity of mound builders see “Baldwin’s Ancient America,” page 47, chapter 2.

It is admitted that after the abandonment by the mound builders of many of these scientific and mathematically arranged fortifications, they were taken possession of by a savage foe. General Mormon, seeing that it was the determination of the Lamanites to overthrow his people, addressed an epistle to the king of the Lamanites and desired that he would grant unto him the privilege of gathering all his people into the land of Cumorah, by a hill that was called Cumorah, and there he would give him battle. This was granted, and after a period of four years, and the people were all gathered in from all parts of the land, the Lamanites came upon them. Hence during these four years, it is reasonable to suppose that those who were for General Mormon, and gathered to his standard, would erect walls of security, and select places suitable for agricultural purposes, and build the same, in a systematic way.

The most authentic writers and researchers into, and upon the mound builders, and their work of fortifications, are Squiers and Davis, who locate in the north-western part of the State of New York mounds and fortifications entirely different from those found in Ohio, being regular and more durable. *Native Races* informs us of “fortified camps surrounded by rows of holes in the ground which once supported palisades, also many embankments, which form enclosures, to cut off the approach to the weaker side of some naturally strong position, being found always on hills, lake, or terraced river banks, and other high places, and are often protected on one or more sides by morasses or by streams with steep banks.”

“These strong natural positions, with due regard to the water supply, carefully planned means of exit, and in many instances graded roads to the water, leave no doubt of their original design as fortifications, places of refuge, and of protection against enemies. *Native Races* locates these fortifications in the western part of New York, and the Book of Mormon places the people there—states who built them, and describes the circumstances under which they were built. (See Book of Mormon, pages 506 and 507 and *Native Races* page 750, vol. 4.) Could testimony be more clear! “Cumorah was in a land of many waters, rivers and fountains.” This hill Cumorah is situated in Ontario County, New York, about four miles from Palmyra, and near the village of Manchester.

Prominent among the remains of the mound builders are the following earthworks and enclosures: A mound near Miamisburg, Ohio, is 68 feet high and 52 feet in circumference; one at Cahokia, Illinois, 700 feet long, 500 feet wide and 90 feet high; at Marietta, Ohio, a mound in the form of a Maltese

Cross, 188 feet square, top measurement; fortified hill, Butler County, Ohio; Great Serpent, Adams County, Ohio, 1,000 feet long, over five feet high and 30 feet wide at base, its mouth extended and in the act of swallowing an oval figure which rests within its extended jaws; this oval embankment measures 160 feet by 80 feet. This earthwork has been regarded as a representation of the oriental cosmological idea of the serpent and the egg. The most favorite seats or extension earthworks are found at Marietta, Portsmouth, Chillicothe, Circleville and Hope-town, State of Ohio, also near St. Louis, Mo., and Frankford, Ky. That these mounds and especially the enclosures were erected for a certain purpose has been conceded by all, and that they were not the works of the savage tribes found in America, although they descended from the remnants of the Lamanites who were not destroyed at the great battle in Cumorah.

In the Book of Mormon we are informed who possessed the land during the fourth century of the Christian era, from whom they date their origin, the time of their inheritance in the land, and the reason of their overthrow when one branch of the family and nation was completely annihilated, which was referred to in chapter 4 of this series of articles. The Smithsonian Institute in its classification of mound relics has produced indubitable evidence of the two national existence and occupancy cotemporary of the important military mounds and enclosures whose erection correspond with the fourth century of the Christian era. It is an important fact to establish truly, that these mounds and enclosures are not the works of the Indian tribes found in possession of the country at the time of the European discovery and conquest. Every evidence and research demonstrates that they are the works of a people far more civilized and educated in the arts, sciences, and modes of warfare; and remarkably is it shown that there were two orders of civilization, as clearly portrayed in the Book of Mormon. *Native Races*, in its epitome of the different histories of the mound builders (mostly written since the Book of Mormon has been published), gives emphatic evidence that they were not the works of the tribes of Indians who were found occupying the land some three or four centuries ago, and who said that “the ancient people built them.”

Mr. Pidgeon, in his work (referred to in *Native Races*), states that in Ohio a line of defence or earthwork extends for 17 miles, varying from three to 30 feet in height, and that in the State are over 300 miles of such lines of defence, the immense number of arrow heads, flint points, spear points and other evidences of implements of war, with the many far decomposed bones buried without regard to any peculiar form of interment, go far to show that they are the remains of those who fell in battle. Many of those ditches which are found at the foot of these lines of defence are filled with the remains of human beings. The Book of Mormon, page 345, informs us that in an attempt of the armies of the Lamanites to pull down the earthworks and walls of defence erected by General Moroni, to protect the Nephites, the Lamanites were slain, and their bodies filled the ditches, which surrounded their walls of defence.

The reader to be more clearly informed upon the subject of the mound builders must look into the histories written by Squiers and Davis, Baldwin, Pidgeon, Bradford, Bancroft’s Antiquities of Licking County, Ohio; Atwater’s Antiquities of Ohio; and Squier’s Antiquities of the State of New York, where will be found a flood of light corroborative of the divine authenticity of the Book of Mormon.

For more voluminous testimony proving the position taken, that the Nephites and Lamanites (whose history is given in the Book of Mormon) from the 376th year to the 385th year of the Christian era were the builders of the fortified mounds referred to, the immense and extensive walls of defence, and numerous fortifications, especially in Ohio, Indiana, Pennsylvania and New York, (see *Native Races*, vol. 4, page 744 to 790, Smithsonian Institute reports and Baldwin’s Ancient America in company with the Book of Mormon.)

In the State of New York, Ontario County, where is situated the Hill

Cumorah, here, as has been stated, is the land where General Mormon, for a period of four years, gathered in the Nephites, for the last and final struggle. It was in this same land and around this same hill the Jaredites about 600 B. C. (who called the hill “Ramah”) were entirely overthrown. In the beginning of the 385th year of the Christian era, the mighty army of the Lamanites entered the valley of Cumorah and encamped for the night. On the following day at early dawn, the tramp of armed men broke the stillness of the hour. In the distance the Nephites, 230,000 warriors strong, looked with fear and terror, because of the greatness of their foe. “And it came to pass that my people (the Nephites), with their wives and children, did now behold the armies of the Lamanites marching towards them; and with that awful fear of death, which fills the breasts of all the wicked, did they await to receive them. And it came to pass that they came to battle against us, and every soul was filled with terror because of the greatness of their numbers. And it came to pass that they did fall upon my people with the sword, and with the bow, and with the arrow, and with the axe, and with all manner of weapons of war.”

On this valley of Cumorah are commingled the ashes of thousands and tens of thousands of Jaredites, Nephites, and Lamanites. Alas, how fearful have been the calamities that have befallen the inhabitants of ancient America! Nations, kingdoms, and empires wasted away by the fierce rage of battle and the stern hand of war! (Book of Mormon page 507, 548 and 549.)

The next chapter will consist of evidences of the divine authenticity of the Book of Mormon, from the extensive and remarkable ruins of South America.

To be continued.

EASTERN ARIZONA STAKE CONFERENCE.

Quarterly Conference of the Eastern Arizona Stake of Zion, held in Snowflake, commencing at 10 a. m., June 28th, 1879.

Present on the stand, President Jesse N. Smith, the Bishops and their Counselors of the Stake, President Lot Smith, of Sunset, Bishop Lake of Brigham City, and many others.

Opening prayer by Elder L. H. Hatch.

President Jesse N. Smith made some remarks stating that this was the first conference held in this Stake, and gave a cheerful welcome to all present.

Bishop John Hunt reported the condition of the Snowflake Ward, Bishop Oscar Mann reported the condition of the Forest Dale Ward, Elder Jacob Hamlin reported the condition of the Round Valley Branch, Elder Jas. C. Owens reported the condition of the Bush Valley Branch, Elder L. C. Burnham reported the condition of the Savola Branch, all of which were favorable and encouraging.

The statistical report of the Stake was read which made a very good showing, giving the total number of souls in the stake to be 664.

President Lot Smith spoke of the great work of the latter days, giving all honor to God, and showed that the line of demarcation between Saints and sinners should be more distinctly drawn.

2 p. m.

Prayer by Bishop Lake.

The General and Stake Authorities were sustained by vote of the Conference. Bishop Lake made some excellent remarks upon our duties as Saints, what the Lord required of us, and what the gospel teaches us.

The following named persons were sustained as missionaries to the Lamanites and native races: L. C. Burnham, Ernest Tietjen, Jewella Harris, Ammon M. Tenney, Jacob Hamlin, Ebenezer Thayne and Peter J. Christofferson. A large number of home missionaries were called and sustained by the conference.

The setting of Utah, the labors of the Twelve Apostles, the opening up of foreign missions, the care that God has over his people, and many other important subjects were ably treated upon. Bro. L. Harris gave an interesting account of his travels among the Lamanites.

June 20th, 10 a. m.

Prayer by Bishop Mann. The

name of Bateman H. Wilhelm was added to the list of missionaries to the Lamanites and native races.

The organization of the Church, revelation to man, the ordinances of the gospel and many other subjects were ably spoken upon. Bro. John Oakley made some encouraging remarks in reference to our quarterly conference and our trusting in God.

2 p. m.

Prayer by Elder John Kartchner.

Sacrament was administered, after which Elder L. H. Hatch spoke at length upon various subjects.

The fulfilment of prophecies and the great events which are near to our doors were subjects which were clearly portrayed to the conference.

President Lot Smith made some excellent remarks upon our duties as missionaries in this land; our daily walk and conversation.

Prest. Jesse N. Smith expressed his thankfulness to all for the part that they had taken in the conference. Spoke of our duties and our prospects in this land, encouraged all to be faithful and look to the interest of their children.

Conference adjourned till the last Saturday and Sunday in September next, the 28th and 29th.

JOSEPH FISH, Clerk.

THE “CONTEMPT” CASE.

DECISION OF JUDGE BOREMAN.

In the District Court for the Third Judicial District of Utah Territory, July, 1879.

Emeline A. Young, et al., Plaintiffs,

vs. George Q. Cannon et al., Defendants.

OPINION OF THE COURT UPON HEARING AN ATTACHMENT AS FOR CONTEMPT.

Boreman, Justice, said: Emeline A. Young, brought the above entitled action on behalf of herself and other heirs of Brigham Young, deceased, against the executors of the estate of the said Brigham Young, deceased, and other parties, alleging fraudulent management and waste of said estate, and praying for an accounting by said Executors, for orders that they make good the amounts wasted or illegally disposed of, for a removal of the Executors, for the appointment of a Receiver, etc., etc., etc.

On the 12th of June last, the District Court made an order appointing W. S. McCormick and M. Shaughnessy Receivers of all the property, real and personal, and assets of Brigham Young, deceased, and the rents, issues and profits thereof, and the defendants now before the Court, were by that order, required by name to “deliver over to said receivers, or one of them demanding the same, all such property and assets of whatsoever name, nature or kind, and wherever situated.”

A demand was made on the three executors and on defendant John Taylor, for such property and assets, so far as the personal estate and property were concerned.

It appearing to the court that all said property and assets had not been delivered to the receivers, or to either of them, but that the order for the delivery thereof to the receivers had been disregarded, an attachment as for contempt was issued against said executors, George Q. Cannon, Albert Carrington and Brigham Young Jr., and against John Taylor to whom a large portion of the assets had, it was alleged been transferred. These parties were all brought into court upon the attachment and filed their answers in writing. The evidence for the plaintiffs and for said executors and for said Taylor, was introduced and heard, and, after arguments by the counsel for these respective parties, the matter was submitted to the Court, and it is this matter of the alleged contempt alone which I have now to consider. Of the various issues involved in the main cause itself, I have nothing to do.

It is said that the order of the Court appointing receivers and requiring the assets of the estate to be delivered to them, was beyond the power of the Court.

Every court having a general chancery jurisdiction has a superintending control over the estates

of deceased persons, to prevent waste and destruction of the estate. (Story’s Eq. Juris. § 532 to 534.) And I do not think there ever was a time since the creation of courts of chancery that said courts did not possess this authority.

The appointment of receivers to take charge of the estates of deceased persons, when the executors or administrators are abusing the trust, is a firmly and well established doctrine. (High on Receivers, § 796, etc.)

When the Court has appointed receiver, it is to be presumed that a sufficient showing was made at the time, when nothing to the contrary appears. But in the case bar, no such presumption is needed, for the complaint itself upon its face shows a wanton and reckless waste of the estate of the deceased. The complaint was the only pleading to guide the Court at the time. If afterwards these defendants thought that the appointment of the receivers had been improper, or that the order directing the assets to be turned over to the receiver had been improvidently granted, they should have applied to the Court for its revocation. They cannot sit quietly down and neglect to take any steps to test the validity of the order of the Court, and yet decline to obey the same. They thus usurp the authority of the Court to decide whether the order was improvidently granted or not.

(High on Receivers, § 143, 203.)

These defendants had nearly a month in which to have applied to the Court to revoke the order, before this proceeding for contempt was begun; and they do not even to-day claim that they ever intended to ask the Court to revoke the order, but have simply contented themselves with not obeying it. They cannot now, in answer to the attachment to enforce the order, answer that it was improvidently granted. That is a question for the Court, upon direct application to the court for the purpose, and not for the parties to settle. Although, as a rule of law, the defendants are not entitled to this proceeding to show that the order was improvidently granted, I have admitted all the testimony, and now, upon the evidence pro and con before me, it does seem to me that the abuse of the trust imposed in these executors is unparalleled for its recklessness and utter disregard of law, through out the whole administration. They have assumed to themselves the powers of a court of chancery, and decided upon their own judgment what property they should convey and what not; they have assumed to decide that vast amounts of the property left by the testator as his, was not his property, and without asking direction of any court, they have transferred such vast amounts of the estate. The executors are to decide what property they may transfer to any body, and their action be held valid, there can be no safety to heirs or legatees in any case. These executors have allowed claims against the estate to amount of hundreds of thousands of dollars barred by the statute of limitations, and without submitting the same to the Probate Court. They paid claims for which no vouchers appear have been taken. They paid claims without taking them up. They unhesitatingly paid claims which were barred by the statute of limitations, when the Territorial statutes relating to executors say they shall not do so. They paid large sums of money for John W. Young, without authority, and paid him money whilst by their own showing he was indebted to the estate, and there was no deduction for such indebtedness. They borrowed money on the credit of the estate and without the presence of any authority from any court for so doing. They borrowed money from the estate themselves, and left their notes in place of the sums borrowed, and they took money out of the estate without even giving their notes but simply charging same to “self.” They paid claims against the estate without the affidavit of the claimant, as required by statute. And in the case of John W. Young, at least, said affidavit could not have been made, and yet no executor or administrator can lawfully pay any claim without such affidavit. Indeed the instances of the disregard of law and of duty by the executors, are very numerous—too numerous to be given in detail—and in fact the whole course of the ad-