

in regard to himself and every member of the Church, was, that the law should be observed in relation to plural marriage, embracing the present condition of those who had previously entered into it. Now, isn't that a plain answer?

Q.—Do you understand that this manifesto is to take its place in the revelations in your books and creed?

A.—I understand that that requisition in the manifesto will be strictly and sacredly observed by all the members of the Church; but whether that will be incorporated and written and connected with the revelation formerly given to Joseph Smith, of course I do not know.

Q.—You do not think there will be any release from this manifesto?

A.—That is so. I am under the impression that the Lord had a certain design in that manifesto, and one was to have the Latter-day Saints exhibit in their acts and in their sacrifices one of the great principles of the Gospel, that when a man is compelled to go one mile he should go two, and that when a man was asked for his coat he should give his cloak also. It was to show the nation that we were willing to sacrifice to the full extent. I think we have shown that—for hundreds of us have gone to the penitentiary—I among the rest for eleven months. And the Lord through this manifesto was willing to accept their offerings, if the Saints are willing to conform to the principles of the Gospel to the fullest extent, and give up one of our esteemed doctrines—that of plural marriage—this they have done faithfully.

Q.—Does not future conformity with this manifesto depend upon whether the Lord should speak again upon the subject; that is to say if the Lord should speak again through President Woodruff, setting aside this manifesto, the obligation would not exist that exists now to conform to it?

A.—The Lord gave Joseph Smith revelations in regard to plural marriage; and so He has the right to restore that practice if He thinks proper. But it might be a thousand years, and it might never be.

Mr. Varian—And it might be a month.

Apostle Snow—And it might be ten hours; but I do not believe for a moment that the practice will ever be restored until the Lord comes Himself and then I do not know that it will be. That is His own business.

Q.—You think, then, that any member of the Church who should fail to follow the counsel given in the manifesto would be subject to discipline by the Church authorities?

A.—Most certainly he would.

Q.—Even where he believed, as you do, in the revelation from Joseph Smith, and that it was a true principle. In such a case would the Church discipline one of its honest believers?

A.—I do not understand.

Q.—You have stated that in your opinion any member of the Church who violates this manifesto and refuses to obey it would be "disciplined" by the Church—that possibly his offense would be followed by excommunication. In the light of your answer I now ask you if that would be so—where one of your members honestly believing, like yourself, in the revelation of Joseph Smith in relation

to the principle of plural marriage,—that it was mandatory in some instances and permissive in others—entered into plural marriage; would the Church feel authorized to "discipline" one of its members under such circumstances?

A.—I suppose it would.

Q.—Is that your best judgment?

A.—Yes.

Q.—Then the creed of your Church depends upon the revelations or manifestos made sometimes through its Presidents?

A.—The President stands in that relationship with the Lord that he sometimes receives revelations in regard to the general interests of the Church.

Q.—Has the membership of the Church anything to say about accepting or rejecting revelations?

A.—Every member of the Church can do as he pleases—accept or reject a revelation.

Q.—Is he at liberty to reject it if he pleases?

A.—Most assuredly; a man can go to heaven or the devil, as he pleases.

Q.—And still retain his membership in the Church if he rejects the revelation?

A.—He might.

Q.—Under those circumstances would he be punished by the Church for obeying the law that the Church had taught all these years, but rejecting this later revelation?

A.—Yes, sir, perhaps he would.

Q.—And yet you say he has a right to use his own judgment about it?

A.—Yes, and the Church has the right to excommunicate him.

Q.—There never has been an instance where the Conference rejected any statement of that kind made by the President of your Church?

A.—Not within my remembrance.

Mr. Richards—I understood you to state that you believed the manifesto to be a revelation to President Woodruff?

A.—Yes.

Q.—State whether or not President Woodruff had the power through that revelation to stop the practice, whether put to the Conference or not? Does not the revelation on plural marriage say that the keys shall be vested in but one man on the earth at a time?

A.—Yes.

Q.—That being so, has the President of the Church authority or not by revelation to discontinue that practice, without any action on the part of the Church?

A.—Certainly.

Q.—Speaking of the publication of revelations, are all of those that have been given to the President of the Church put in the book of revelations, the book of Doctrine and Covenants? Have there not been revelations received by the late President John Taylor and others which have never been incorporated in the book of revelations published by the Church?

A.—Some have not.

President George Q. Cannon was recalled, and in answer to Mr. Richards as to what was the income of the Church on a cash basis last year or the year before, he replied: "Well, I do not know exactly—probably \$300,000 or \$400,000." The \$30,000 appropriated for the poor for the present six months was actual cash value.

APOSTLE ANTON H. LUND,

residing at Ephraim, Sanpete, was next called and questioned upon the manifesto, which he said had his entire approval. He had never heard any remarks of disapproval thereto. He understood the object was to stop plural marriage and believed President Woodruff was inspired of God in issuing the manifesto. He believed it would be displeasing in the Lord's sight to contract such marriages after such inspiration had been given. The disobeying of the command would subject any member of the Church to excommunication. He had not since the adoption of the manifesto counseled or advised any person to enter into plural marriage, and never again expected to see polygamy practiced.

To Mr. Varian—If he knew of any member of the Church having disobeyed the manifesto he would report the case to President Woodruff. The law of plural marriage, in his opinion, still remained right as a principle, but was against the law of the land, as they all recognized.

Q.—Did you not understand that the reason for this revelation was because of the present condition entailing hardship and misery upon the people?

A.—Yes, I believe the Lord saw the condition of the people, and inspired President Woodruff to issue that manifesto.

Q.—For the purpose of relieving the people?

A.—Yes.

Counsel for defendants, having called all their witnesses, here rested, and testimony was next taken on behalf of the other side.

Mr. J. F. Millsbaugh, city superintendent of public schools, was the first witness who took the stand on the government side of the case. He was questioned by Mr. Rawlins as to the condition of the school buildings in the Territory and the present requirements thereof. The need of school buildings and libraries all over the Territory was, he said, very urgent. The school buildings in this city especially were sadly inadequate to the demands made upon them, though accommodation had thus far been found for all applicants. The enrolment last year was 6500, while there were then suitable accommodations for about 1000 only.

Free schools were first established in the entire city a year ago last July. The attendance had since very greatly increased, nearly double that of the year preceding the inauguration of the new school system. The lack of proper accommodation had been detrimental to the health of the pupils as well as to the school work.

To Mr. Dickson—He spoke exclusively of the free common schools in this city. Apart from these schools, almost every Christian denomination in the city had a sectarian school belonging to its church. The residents of this city this year voted \$600,000 of bonds for public school purposes.

Dr. John R. Park, president of the University of Deseret, with which he became associated in March, 1869, said he had in 1884-5-6 visited the different schools in the Territory as superintendent of education. This was during his three years of office. One prominent lack was the absence of buildings for district schools, as in some of the settlements school was held in the meeting