

# **The Creation, Male and Female—Calling of Enoch and Noah—God Selected Abraham and His Seed to Be a Chosen People—He Commanded His People to Multiply But Forbade Adultery and Whoredom in Every Form—Plural Marriage Enjoined Upon Abraham and His Seed to Make Them a Great People—The Principle of Life and Eternal Increase is a Spiritual Power—Modern Christendom Opposed to Large Families—Latter-Day Saints Encourage Them—The Edmunds Law Passed With the Pretence of Repressing Immorality Among the Mormons—That Mask of Hypocrisy Now Thrown Off—The Religious Sentiment of the Latter-Day Saints the Real Object of Persecution—Concluding Exhortations**

*Discourse by Apostle Erastus Snow, delivered in the Tabernacle, Provo, Sunday Morning, May 31st, (Quarterly Conference) 1885.*

The speaker commenced by reading from the 1st chapter of Genesis—from the 25th verse to the end of the chapter.

Proceeding, he said: In the writings of Moses we have an account of the creation of this earth and the inhabitants thereof, both man and beast and every living thing, as also vegetation. In the first verse we read, “In the beginning God created the heavens and the earth.”

In attempting to communicate intelligence upon any theme, if we attempt to do it by using words and phrases, we are obliged to use such language as the hearers or readers are able to comprehend, and if the language be imperfect the ideas conveyed may be somewhat imperfect or defective, and if the understanding of the persons to whom this language is addressed is limited, and their use and understanding of language is limited, the information sought to be communicated to them will be correspondingly limited and defective. It is only by the inspiration of the Holy Ghost that we are able to see clearly the things of God; but the language employed by the writer of the Book of Genesis and by the translators of that work is perhaps sufficiently clear for our purpose at this time, though the inspired translation rendered by the Prophet Joseph Smith is somewhat clearer and more impressive than the present King James’ translation. In the inspired translation by the Prophet Joseph Smith, it is written that in the beginning the Gods created the heavens and the earth; that the earth was empty and desolate, and God said unto His Only Begotten, let *us* do so and so; let *us* divide the light from the darkness; let *us* separate the waters and cause the dry land to appear; let there be lights in the firmament in the midst of the heavens to give light to the earth; let *us* create animals to walk upon the earth, and creeping things, and fowls to fly in the air and fish to swim in the waters, &c.; and let *us* make man in *our* own image and after our likeness—that is the Father addressing the Son, taking counsel together. This rendering of this first chapter of Genesis is sustained by the writings of the Apostle Paul, when he says: “For of Him”—speaking of the Only Begotten—“and through Him, and for Him, are all things.” Again, it is written in the New Testament concerning the Savior, that He is “the brightness of His glory, and the express image of His person.” So that when the Father said unto His Son in the beginning, let us make man in our image and after our likeness, it conveys to us the idea that man was organized in the same form and general appearance of both the Father and the Son. This especially in relation to the man himself; for you will remark the wording of the text which we have read—“in the image of God created He him”—referring to Adam—“male and female created He them.” You will perceive a difference in the language in regard to the creation of females.

Now, it is not said in so many words in the Scriptures, that we have a Mother in heaven as well as a Father. It is left

for us to infer this from what we see and know of all living things in the earth including man. The male and female principle is united and both necessary to the accomplishment of the object of their being, and if this be not the case with our Father in heaven after whose image we are created, then it is an anomaly in nature. But to our minds the idea of a Father suggests that of a Mother: As one of our poets says:

“In the heavens are parents single? No; the thought makes reason stare! Truth is reason; truth eternal Tells me, I’ve a Mother there.”

Hence when it is said that God created our first parents in His likeness—“in the image of God created He him; male and female created He them”—it is intimated in language sufficiently plain to my understanding that the male and female principle was present with the Gods as it is with man. It needs only a common understanding of the organism of man and of all living creatures, and the functions of this organism to show the primary object of the Creator, and that is the multiplication of the species, the fulfillment of the commandment given, to multiply and replenish the earth, given to both man and beast. We need only to study the anatomy and construction of the human system, and to understand its powers and capabilities, to comprehend the object and purpose of the Creator, even though the commandment had not been written to multiply and replenish the earth. The ancients who feared God, and kept His commandments, showed that they understood this principle and were willing to obey it. It is written of the first fourteen generations, that each succeeding generation of them lived so many years and begat sons and daughters, and some of them lived well nigh on to a thousand years. They multiplied and increased in the land until wickedness overran the land and it pleased God to check the growth of wickedness by the flood, which swept the wicked off the earth. But before thus destroying the inhabitants of the earth, He caused the righteous to be gathered out from among the wicked by the preaching of the Gospel. Enoch, the seventh from Adam, was a powerful instrument in the hands of God, of rebuking the wickedness of the times. He taught righteousness, gathered the people together, and established a Zion. He labored we are told some 365 years, in the which he communed with God, and taught the people and sanctified his people, so that they were translated to heaven. Many others who remained upon the earth, who had accepted the Gospel, but were not sanctified and prepared to be caught up with Enoch and his people, sought diligently to follow; they purified themselves so that angels ministered unto them, and they were caught up unto Zion before the flood; even all who remained and kept the faith, except Noah and his sons and their families, who were especially called and chosen and detailed to build the ark and enter therein with a selection of the beasts of the earth and the fowls of the air, to preserve seed through the flood. Thus did the Lord gather a harvest of souls unto Himself, of those who believed and obeyed the Gospel and worked righteousness, while the wicked perished in the flood. Then again, the commandment of God to multiply and replenish the earth, was renewed to Noah and his posterity, and soon the desolate places became inhabited. But in the course of a few generations, blindness and darkness and ignorance again began to prevail; wickedness began to raise its head among the children of Noah, and it became necessary that the Lord should select from among the children of Noah the better and nobler seed with whom He would establish His covenant, and upon whom He would confer the keys of the Priesthood, and from among them should be raised up Prophets and Seers and Revelators to teach the people of the nations of the earth, as the oracles of God. These chosen people were Abraham and his seed. Of Abraham it is written that God called him from his father’s house when he dwelt in Ur of the Chaldees, and commanded him to go out from his father’s house because his father was given to the ways of the heathen and to the idolatry of the surrounding peoples. He called him to go to another land where he should be separate from the traditions and teachings of his father, and where he would make of him a great nation, and raise up from his seed a holy people. God appeared unto him in Canaan, whither He led him, and swore by Himself—because He could swear by no greater—that in blessing He would bless him, and in multiplying He would multiply him; that his seed should be as the stars of the heavens and as the sand which is upon the seashore for multitude. He renewed this promise to his son Isaac, and his grandson Jacob, who was also named Israel, and from them sprang the house of Israel, and also the children of Arabia, the sons of Ishmael, and the chief tribes of central Asia. It was the seed of Abraham that dwelt in Egypt who were brought into bondage to the Egyptians, and subsequently delivered by the hand of Moses, after wandering forty years in the wilderness, in the land of Canaan. It was from among this people that God raised up prophets from generation to generation to whom He revealed His mind and will. It was this people that was commanded to build first the tabernacle journeying in the wilderness—a sort of moveable temple and subsequently a temple in the land of promise when they should

become settled and located there. It was among this people the Savior was born, and labored and taught the Gospel, and was crucified, and rose again from the dead. It was from among this people that He (the Savior) selected and ordained His Apostles to preach the Gospel to all the world. The whole tenor of the Scriptures shows us that those who believed God and were counted His people multiplied and replenished the earth and became numerous as the stars in the heavens and as the sands upon the seashore for multitude, while many of the other unbelieving nations and peoples comparatively dwindled away; and when the history of the generations of Adam shall be revealed and comprehended by the human race, it will be found that in the providence of God He has greatly restricted the more corrupt, while He has enlarged and multiplied the seed of Abraham, who did abide in the covenant; and although many of them have come short in many things and have wandered in darkness and unbelief, yet as a people they have maintained a degree of sexual purity unknown in the Gentile world, and for this reason has God multiplied them in the land. They have great and special promises that in the latter days God would remember them.

Now, while God commanded His people to multiply and replenish the earth, He gave strict laws against promiscuous sexual intercourse. He forbade adultery, fornication, whoredom in every form, and the same doctrine was taught by Paul, the Apostle, namely, "Marriage is honorable in all, and the bed undefiled; but whoremongers and adulterers God will judge." This law prevailed in all ages among the people of God, encouraging honorable wedlock, and restraining illicit sexual intercourse, and there are many physical as well as theological reasons for this law. It is especially binding upon mankind, because they are organized after the image of God, and are His offspring. I refer now to the spirit; for we understand that man in the nobler sense and the true sense, is that immortal eternal being which has come forth from God, and that the earthly tabernacle is but an outer clothing of that immortal being; that the earthly tabernacle is in the image and likeness of the heavenly or eternal being; in other words the body is in the likeness and form of the soul or the spirit, and that it is made conformable to any for the spirit to dwell in, and to fill every portion and particle thereof, and to direct its energies and powers to develop its capabilities and to guide its actions. Hence that immortal man is held responsible for the deeds of the body, and it is written he shall be judged according to the deeds done in the body; because the body does not control the spirit, but the spirit controls the body. Still the Apostle Paul says that there is a law of the flesh—that wars against the spirit; and, says Paul, "to be carnally minded is death; but to be spiritually minded is life and peace." He further says that this law of the flesh—that is, in our members and the lusts thereof—that wars against the law of the spirit brings our bodies into bondage, even the bondage of sin; but it is made the duty of the spirit to subdue the flesh and the lusts and the desires thereof, and to bring it into subjection to the law of the spirit. This is the warfare and the struggle of our lives. This begins with the development of our physical power and the lusts and desires of the flesh. The spirit of man is capable of receiving from the Spirit of our Father the Holy Spirit, which is in connection with the Father and the Son, and is a minister of God unto men; which lighteth up our minds and giveth us understanding; for "the spirit of man is the candle of the Lord," says one of old. This teaches us just as far as we will give heed to it, how to walk in obedience to the law of God, and how to resist and overcome evil with good, and as far as the written word of God is given to us, its object and influence upon us is to restrain the flesh and bring it into subjection to the spirit. The lusts and desires of the flesh are not of themselves unmitigated evils. On the contrary they are implanted in us as a stimulus to noble deeds, rather than low and beastly deeds. These affections and loves that are planted in us are the nobler qualities that emanate from God. They stimulate us to the performance of our duties; to multiplying and replenishing the earth to assume the responsibilities of families, and rear them up for God. They encourage and stimulate the woman to bear her burden and perform the duties of life because of the hope of a glorious future, while it stimulates the husband and father in like manner. Every instinct in us is for a wise purpose in God when properly regulated and restrained, and guided by the Holy Spirit and kept within its proper legitimate bounds. But all these instincts and desires of the flesh are susceptible of perversion, and when perverted result in sin. Whenever the Gospel has been preached on earth, and Prophets and holy men have been sent among the people, the burden of their lives has been to encourage them to the proper exercise of their powers and functions and to regulate them and restrain them within proper limits, such as are prescribed in the written law, and in the law of our being. Excesses of all kinds tend to death and to sickness and misery, physically and spiritually; while temperance and moderation and the proper use of all our functions tends to the glory of God and the welfare of His children. The chief study of man is to comprehend these principles, and to

apply them in their lives.

I said there was a time after the flood that the seed of Noah began to corrupt their ways, and God chose out from among them the seed of Abraham, with whom He established His covenant that He might preserve unto himself the Priesthood and its ordinances, and a people who would receive His law, and among whom He would raise up Prophets, and through whom He would send His Son in the meridian of time to become the Savior and Redeemer of the world. Thus Abraham was blessed of the Lord to multiply and increase in the earth greatly. When the Lord determined to bless and multiply Abraham and His seed, He commanded that they should take of the daughters of Eve for wives and multiply and increase in the land. I do not say that plural marriage was not practiced prior to this time, but I say from and after Abraham it was enjoined upon Israel, the seed of Abraham, for a wise and glorious purpose in Him, namely, that of increasing them and giving them the ascendancy among the nations of the earth, as I once heard the Prophet Joseph remark. In speaking of these things, and inquiring wherefore God had enjoined plural marriage upon Abraham and his seed, his answer was, because He had purposed to multiply and increase them in the land and make of them a great people and give them the ascendancy over other peoples of the earth, and that because, as he said of Abraham, He knew that He would serve Him and command his seed after Him.

We are aware that in modern Christendom there are some people who forbid to marry. In one of the Epistles of Paul [1 Timothy iv. 3] he states that in the latter times there would be those who would forbid to marry. We know there are some professing Christians who regard the union of the sexes as an evil, as a sin, as the result of our fallen natures, and as a form of the gratification of fleshly lusts which is offensive before God. Hence we have the Shakers who, acting upon this doctrine, abstain from marriage. If all were to embrace their faith, and carried it out in their lives, the human race would soon be extinct, and the great purpose of Jehovah in their creation would seem to have failed. But fortunately those who embrace this faith, and exemplify it in their lives, are few. Yet there are many who are willing to gratify the lusts of the flesh but strive to avoid its consequences and responsibilities. But those who have received in good faith the commandment of God to multiply and replenish the earth and assume the proper responsibilities of the household, and regulate their lives and household by the law of the Lord, have always been blessed and favored of God, and the great difference between the Latter-day Saints at the present time and modern Christendom, is this more extensive comprehension of this first law of God to man. We understand there is a purpose in all these things; that the Supreme Being is working with an object in view and for the accomplishment of an end, and that object and end is worthy of the God who has created us; that in infinite space He may cause to be organized innumerable worlds and glorious orbs to be filled with intelligent beings capable of enlargement, of an expansion of glory and of happiness; for in their enlargement and increase He is glorified, while they in turn are glorified in and through Him in the performance of their labors and duties and the multiplying and increasing of their species, inasmuch as they do it unto the Lord and keep His law, so that they can be sanctified before Him and be endowed with the power of endless lives.

I know it is supposed by some that the power of increase is inherent in us and in all living things, and in all plants, but I do not view it in that light. I view the temporal organism as the instrument and not the creator itself; it is only the instrument by which it is worked out and accomplished; that the principle of life and eternal increase pertains not to the flesh nor to the grosser elements of this earth, but it is the spiritual power that has emanated from a nobler sphere that has come out from God, or that had its existence previously in a first estate. Our Savior Himself is an example of this. We are told He was born of the Virgin Mary, in the meridian of time. Yet we learn He was with the Father from the beginning and was with Him in the morning of creation. While he was here upon the earth 1,800 years ago, He said to the Jews, "You speak of Abraham as your father. Verily I say unto you before Abraham was, I am." And again in John's revelations it is written that He was as a lamb slain from the foundation of the world. He is called a lamb of God typically speaking, because the offering of a lamb in sacrifice upon the altar was a type of the crucifixion of the Savior, and the commandment of God given to the children of men in the beginning to build an altar and offer sacrifice with a lamb upon it, was typical of the Savior of the world. Hence came the term that He was the Lamb of God which the Father sent unto the world to be an offering for sin. So also it is written in the Scriptures—speaking of God—that He is the Father of our spirits, and, says Paul, it is necessary to be in subjection to the Father of spirits and live.

In modern Christendom—in these United States especially, and in staid New England more than perhaps any other portion of this American continent—is this commandment of God to multiply and replenish the earth nullified. The Latter-day Saints are looked upon with envy, with jealousy and reproach because they do not take the same view as they do, and their numerous families stand out in bold contrast with the New England families, where you will find as you go through the land one, two, or at most three children in a family, and many families with none. In some instances this apparent sterility may have resulted from various abuses, but in most causes the result of devices of wicked men and women to counteract and prevent the fulfilling of the great commandment of God to multiply and replenish the earth, and in many instances, feticide, infanticide and child murder are the result of this very general desire to avoid the responsibility of families. It has become a crying evil in the land. Some writers deeply deplore this crying evil, and represent it in its true light; while many other writers and speakers are either silent upon the subject or give their voice and influence in its favor. A few years ago I remembered to have read a discourse of Brooklyn's great orator, Henry Ward Beecher, in which he took the ground that any considerable increase of the human species would be a positive evil, something to be deplored; and he elaborately attempted to portray the evils that would result from it, and the whole tendency of the discourse was to discourage the multiplication of the human species. Others have followed in the same train of reasoning. They seem to have forgotten the commandment given to our first parents, and never to have comprehended the purposes of Jehovah. Those who adopt these views have seemed to imagine that there would be greater happiness in the gratification of fleshly lusts, and in pandering to pride and worldly pleasures, and the increase of wealth, than to obey the commandment of God. They have resolved to avoid raising large families. The last tour I took through New England (which is my native country), about twelve years ago, I was more deeply impressed with this state of things than I had ever been before. When I was a boy, in Vermont, I knew not the ways of the world, and comprehended not what was going on, in our large cities and more populous parts of the country. I was born of honest parentage, who revered the principles of life and salvation, and I understood not what was going on around me, nor do I think those evils existed there to the same extent that they now do. But as I remarked, when I made my last tour through New England, I was more forcibly impressed with this state of society than ever before. I spoke of it to my aged aunt in Rhode Island. I said to her: "Aunt, when you were young, and when my mother was young, rearing large families, it was a source of joy and pleasure to rear offspring. Now as I go through the land, I see the efforts of the people are in an opposite direction. "Oh, yes," said she, "it is unpopular now, for people to have large families; it is considered vulgar, men and women now seek to avoid these responsibilities." This is a well known fact. The tendency of the age is to animalism, to the gratification of fleshly lusts and worldly pleasures.

Well, the Latter-day Saints have experienced in their own lives something nobler, and have learned to recognize the wisdom of Jehovah in that order of things which He enjoined upon our first parents. This is the marked difference between the unbelieving world and the Latter-day Saints. I say the unbelieving world, because I regard this doctrine which I have referred to as a doctrine of devils and not the doctrine of Christ; that the tendency of it leads, as I before remarked, to feticide, infanticide, child murder, and to the gratification of fleshly lusts and worldly pleasure without fulfilling the great object and purposes of our Father, and the effect in the end would be the wasting away of the human species if it were generally adopted. It is high time that a voice from heaven should rebuke it. It is high time that the Lord, who wishes to raise up seed unto Himself, should command His people and renew upon them the obligations placed upon our first parents. It is to the Latter-day Saints that this mission has been committed, and the result is the multitude of school children that we find all over this Territory. Over fifty thousand Sabbath school children in the Territory of Utah—nearly one-third of the entire population, as shown in our statistics at our various Conferences—are children under eight years of age. This is a startling fact to that class of the Christian world who are pursuing the opposite course. One of the Sabbath school superintendents of the City of New York, recently expressed himself very pointedly and plainly upon this subject in relation to the wealthy portion of the church-going people of New York. In several thousand families attending the popular churches of New York, there could be mustered only about eighty Sabbath school children, and he attributed it to this prevailing desire for pleasure, wealth, and the shirking of the cares and responsibilities of the household, until the rearing of families was left almost entirely to the poor, to what is termed the vulgar people.

I need not harrow up the feelings of the people with lengthy details such as are found in police reports and statistics from various sources, showing the alarming increase of these crying evils. Suffice it to say that the chief

warfare against the Latter-day Saints at the present time is an endeavor to compel us to conform to their new state of things, or to their ideas of social sins and social duties. In other words it is laconically expressed by President Cleveland in the late interview he had with our delegates that were sent to him with the memorial and protest adopted by the Latter-day Saints in mass meeting a few weeks ago. President Cleveland listened with courtesy to what our delegation had to say with regard to the feeling and desires of the people, and expressed himself in this wise: that he would endeavor as far as lay in his power to give us honest men to administer the law, and he concluded with a smile upon his countenance, with this expression: "I wish you people out there could be like the rest of us." This is a homely phrase, it might not attract any special attention under ordinary circumstances; but when we consider the facts as they exist, and the tendency of the age, and of the Christian world at the present time, and the state of things in the east when compared with us, the remark is very significant. It comes home to us, and we ask ourselves, can we, after the light that we have received, after the experience that we have had, and with the hopes that are placed before us in the Gospel of a glorious future—can we relapse back into that state of things and be like unto them? I would not say aught personal in relation to Mr. Cleveland, believing him to be an honorable man of the world, yet his enemies in the campaign accused him of some irregularities of life that are common in the world, and it is reported that he knows something of sexual relationship, though he has not assumed the responsibility of a family and household; and in this respect, though perhaps among the most honorable, he represents a large and respectable portion of unmarried men. We do not understand that in thus expressing himself to our delegates that he desired us to exactly imitate himself, but that he wished we could confine ourselves at least to one wife. If however, the parallel were carried out more fully, we would not only confine ourselves to one wife as far as owning them in that capacity is concerned, but we would try like others have, to limit our children also and imitate the other vices of the age.

Well, now, the expounders of the federal laws in our midst—the Prosecuting Attorneys, Judges, Marshals, and other federal representatives that have been sent among us to enforce the special laws that have been passed by Congress against the Latter-day Saints, seem to make the line of distinction more marked than has ever before been done. During the great furor which swept over the land four years ago, which resulted in the passage of the Edmunds law, the Christian ministers urged their congregations to send memorials to Congress for the passage of that law *on the ground of repressing immorality, licentiousness and crime among the Mormons*, and it was this hypocritical mask which they took on at that time that hoodwinked and deceived the great body of the people and lashed the country into a furor and crowded Congressmen to vote for the unconstitutional measure, that wicked and malicious law known as the Edmunds law. I may be accused of treason for speaking in this way, in calling this a wicked and malicious law. I may be counted guilty of treason because I dare to think; but yet, treason has never been defined by the Constitution of our country nor the Courts, to consist in a freedom of speech, much less in the freedom of thought, but has been defined as levying of war against the Government, or aiding and abetting its enemies in time of war.

The great furor in the Christian world, or at least throughout the Christian denominations of America four years ago, urging upon Congress the passage of the Edmunds law, was on the ground of the immorality and licentiousness of the Mormons, and a desire to repress it. But now the federal representatives in their efforts to enforce it in our country, have found themselves under the necessity of throwing the mask off themselves and off the country—off the priests and religious people. I believe some of you in Provo had something to do in bringing this about and rendering it necessary for them to lay off the mask. I believe Commissioner Smoot was called upon to investigate a case of an outsider seducing his wife's sister, and a child was the result; and he felt called upon under the law to hold him to answer before the grand jury for unlawful cohabitation. The assistant prosecuting attorney unwillingly allowed the thing to go on until the man was committed for this offense; intimating at the same time that he thought this was pushing the Edmunds law a little too far and beyond what was the spirit and intent of the law. If this case should be carried to its legitimate end, and the man should be sent to prison and fined for unlawful cohabitation, then the door would be thrown wide open for many others to follow for the same offense. Hence such a construction was considered an element of danger to themselves, to the representatives of the federal government and their aiders and abettors in this country; that such a construction of the Edmunds law as had been the popular construction and the understanding of the masses, and as was the professed understanding

of the Christian world—for they urged its passage to repress immorality and sexual crime—that if this construction was allowed to prevail in Utah and the surrounding Territories, and the District of Columbia, and other places where the United States exercise jurisdiction, it would operate very hard on a great many who would not be so well prepared to bear it as the Latter-day Saints. Hence it seemed very desirable that their feet should be slipped out of the trap and ours left in. Accordingly their wits were brought to bear in this direction, and on the occasion of the trial of President Angus M. Cannon on the charge of unlawful cohabitation a plan was concocted and carried out, with all the leading attorneys of the land and the Chief Justice upon the bench, to discuss this question and decide upon it. In this connection the representative of the government boldly came to the front and threw off the mask and proclaimed at the outset of this trial that he knew he could not prove sexual intercourse between the parties at bar, and that he should not attempt it. Furthermore he stated that he did not consider sexual intercourse any element of crime; that the Edmunds law, so called, was a blow aimed at the status of the Mormon system of marriage alone, and that the third section of that law relating to unlawful cohabitation had no reference to sexual sins; that it was not designed to repress adultery, fornication, lust, or any term of sexual sin; that that was left to local legislation; that the legislation of Congress in the third section of the Edmunds law, as well as all other legislation upon that subject was aimed directly at the status of the marriage alone. In this regard, therefore, he took precisely the ground that Governor Murray did when he first issued his oath for notaries public, and which was afterwards adopted by the board of Utah Commissioners and incorporated in their test oath for registration, referring to cohabitation with more than one woman in the marriage relation. Mr. Dickson took this view, that Murray was right; that the Utah Commissioners were right; that this was the sense of the country; that this was the design of Congress; that the Edmunds law was a blow aimed at the Mormon system of marriage, or to use Judge Zane's term, the habit and repute of marriage, or the "holding out," to use another favorite phrase, of two or more women as wives of one husband—that the whole and only object of the third section of the Edmunds law relating to unlawful cohabitation, as well as all other anti-polygamy acts of Congress was against the institution of marriage. Finding, however, it difficult to prove marriages because of the disinclination of people to testify, and because of the difficulty of reaching any record evidence of these marriages, it was thought necessary to take high grounds and assume this: that the Mormons are known to be a virtuous people, are known to condemn in strong terms and by every influence in their power every form of sexual sin, and that they do not indulge in intercourse with the sexes to any extent only in the marriage relation. This was the well known and established character of the Mormon people, and was the result of their teachings and practice for a generation past. Hence wherever children were found in Mormon families, they are the result of marriage. If a woman is found pregnant, she must be looked upon as a wife, and the officers are justified in seizing her and bringing her before a commissioner, or a jury or judge, and compelling her to give the name of the father of her child, and that is deemed sufficient proof that he is guilty of polygamy, or if two or more women live in close proximity to a man, and he is seen visiting them, and especially if the children call him father, it is sufficient proof on which the jury may indict for polygamy or unlawful cohabitation, as the case may be. Consequently they have taken this high ground that it is no longer necessary to prove even the first or second marriage, nor is it any longer necessary to prove sexual intercourse in order to establish unlawful cohabitation, but the common habit and repute of marriage and the appearance of marriage is all sufficient. Thus the ordinary rules of evidence are set aside, and the mask of hypocrisy which governed the Christian world when they were urging the passage of this Edmunds law through Congress is thrown aside. A bold and important testimony is given to the world through our persecutors to the morality of the Mormon people being so far in excess of the rest of the world of mankind, and to our integrity to the marriage relation. We wish indeed that all that is said in this respect were strictly true, that there were no irregularities among us. We cannot quite say that, but we do rejoice and thank God for the general good testimony which has been given of us in truth in this behalf. Not long since President Smoot and myself and some others were congratulating ourselves, and President Taylor was congratulating himself, and many others of our aged fathers, in having placed themselves in a condition to escape the operation of the third section of the Edmunds law by confining themselves to one woman. I said to some of my brethren in a Priesthood meeting in St. George, one time when they were very badly agitated and not knowing whom the lightning—or the Edmunds act would strike next—I said to them, you old grey-headed men whose wives have grown old with you and are past bearing children, if you choose now to agree among yourselves that you will live within the third section of the Edmunds law and allow the husband and father to confine himself to one wife, while he cares for the balance and cares for and protects his children, I see not but

what you may do this with honor to yourselves and without sacrificing any principles of the law of God, or going back upon your covenants, providing this be agreeable among yourselves. I was somewhat with others, congratulating myself in being able to do this without sacrificing any special principle or going back on our families, but it would seem that these noble, aged sires in Israel were not to be let out quite so easily as this, for I am a little inclined to feel it was a little dishonorable, and yet perhaps not altogether before God. The idea was that they might possibly escape, while their sons and others who might have taken wives and raised families, and entered into those sacred relations which are to them dearer than life itself, would have to abide the consequences. But it seems that under Judge Zane's ruling it is not these who are raising families that are always liable; for you may raise a family by your sister-in-law, if you don't call her your wife, as you understand from the case I have referred to. No sooner had Judge Zane sustained Prosecuting Attorney Dickson's view of the case, than this Mr. Aimes was brought before him on *habeas corpus* and discharged, and he (the Judge) fully announced the doctrine that a man could have as many children by sister-in-laws as he pleased; that no matter how much a man might seduce his neighbor's wife, or neighbor's daughter, if he is not in the marriage relation with them, it is no offense against the Edmunds law. But with a Mormon, whether he is raising a family or not, if he is even so unfortunate as to have no children, or if his wives are past bearing children, and he has entirely separated himself so far as bed is concerned, and there is evidence of entire restraint on his part, still, unless he goes back on himself and on his wives and children, he comes under the law. In other words, if he continues to "hold them out" as wives he is guilty of cohabitation. Hence, Brother Smoot and myself, and others, have been congratulating ourselves a little too soon. You will find that the old men and the young men are all coupled together, their feet still in the trap, while the adulterer, fornicator, whoremonger, harlot and libertine, the trap is open just enough to let their feet out. Now they can vote, they can hold office, they can raise children providing they do not do it in the marriage relation, and they hold out this inducement to you and me: "Become like one of us." "I wish you out there could be like the rest of us." "I wish you would only disown your wives, then do what you will you are secure—that is, you must only own one wife, for this is the popular idea, the sentiment of the age. This is the voice of fifty millions of people. You must listen to it. Congress has said it. If you hesitate (some go so far as to say), you will be held to answer for treason. Treason against what? Treason against the law. Well, then, of course every thief is guilty of treason. Every man that steals an axe handle shall be tried for treason because he disobeys the law, by the same parity of reasoning. Again, if you try to avoid the law and we can catch you, why you are doing a terribly wicked thing. Yes; if spotters are hunting down some luckless fellow or his wife, and they slip out at the back door, or hide in a haystack, why, you must be held for treason, or some other crime. Now, I have always understood that catching goes before hanging; that it is the duty of the officers to make arrests when indictments are found; and it is equally understood that there is a guarantee in the Constitution of the United States that no man shall be held to answer for any crime except on presentment of an indictment by a grand jury. Furthermore, when indictments are found, the parties against whom they are found are known only to the jury and public prosecutor; the general public are not supposed to know anything about them, and the general maxim of law is that everybody is innocent until they are proven guilty. Consequently, we are not supposed to know that when anybody is going out to the haystack that they are fleeing from an officer, or that every tramp that comes along is a deputy marshal, or if he is that he has a warrant in his pocket for that man, and if he has it is his business to catch him and not ours. Does not the law forbid you to aid in the escape of a criminal? Yes, if he has been found a criminal by a competent jury and under sentence of the law. Then it is public notice to you that he is a criminal, but not otherwise. I merely make mention of this because of the foolish threats that are sometimes made to terrify ignorant people. Because it is well known the world over, so far as anything is known of us, and of the legislation of Congress against us as a religious people, that there is an issue between Congress and the Latter-day Saints, and that issue is of a religious character and relating to the social relations of the Latter-day Saints. The views which we hold are founded upon the revelations of God, both ancient and modern. We have given evidence to the world of our sincerity in this, and yet the world do not seem to accept it. I believe that Mr. Dickson was honest enough to express his conviction of our sincerity in this, and that the Mormon people, as a people, were moral people, and that their teachings and actions showed that they did not indulge in these sexual sins outside of the marriage relation to any great extent; while the great mass of mankind who know us not are not willing to give us this credit. They have raised the hue and cry all over the land for so many years, that we were guilty of gross immorality, that it seems as if the Lord intended in the way now being done to give the world ocular demonstration and a strong testimony of the integrity of this

people, of the sincerity of their actions, of the depth and strength of their faith, and their devotion to their religious convictions, and their integrity in carrying them out. It is a source of gratification and thanksgiving that but few, comparatively speaking, among us have felt to go back on themselves and to throw off allegiance to God and to their families and friends, and to violate their consciences; but few have been found to do this in order to escape fine and imprisonment. How far it will become necessary that this testimony should go forth to the world, and how many should suffer so that their testimony should go abroad to mankind to convince the world and to vindicate God and His people, I am not yet able to say, for I am persuaded it will be as the Lord will; that whatsoever is necessary we must submit to with the best grace possible. I do not mean to say that every one who may be thought to come under the third section of the Edmunds law shall go and complain on himself, or if complained of by some spotter that he shall go straightway and confess guilt, or if arraigned for trial on an indictment, that he shall plead guilty without a trial; I do not say this. Every man must be left to choose for himself what course he will pursue in relation to those matters; for pleading guilty or not guilty when arraigned before the Court is a mere technical form and a liberty which every prisoner enjoys, that of pleading guilty or not guilty. The plea of guilty, of course, saves the expense of a trial, while a plea of not guilty, means that the prosecutor must prove the charge made in the indictment. I do not say, therefore, that in submitting as best we can to the operation of the law that we shall not avail ourselves of constitutional privileges and the rights accorded to us. We have the right to be tried by a jury of our peers if we can get one, but we cannot get one under this act. The act was purposely framed to cut off that right. The right of a man to be tried by a jury of his peers—this term originated in Great Britain and was guaranteed in the Magna Charta—means simply a jury of his equals. If a man belonged to the nobility of the land, he was entitled to be tried by a jury of his equals. If he was a plebeian, a common laborer in the humble walks of life, he was entitled to a jury of his equals, his associates, neighbors, those that knew him best and were able to sympathize with him and comprehend his position and circumstances and the motives governing his acts, so that a righteous judgment might be rendered concerning him. This guarantee was incorporated in the American Constitution. The right of a man to be tried by a jury of his peers implied all that was necessary to protect the citizens against malicious prosecutions; but in our special case, under the operation of special laws enacted against the Latter-day Saints, we are compelled to go to trial before a jury of our avowed enemies; indeed, none are qualified to sit upon juries in our case unless they are pronounced against us; because, as I said before, it is not a sexual crime that is on trial; it is a religious sentiment of the Mormon people; it is this status of their social relations founded upon their religious convictions that is on trial. Hence it is the pronounced opposition to our convictions that is a qualification for a jurymen in our case.

Well, we were told by the Prophet Joseph Smith, that the United States Government and people would come to this: that they would undermine one principle of the Constitution after another, until its whole fabric would be torn away, and that it would become the duty of the Latter-day Saints and those in sympathy with them to rescue it from destruction, and to maintain and sustain the principles of human freedom for which our fathers fought and bled. We look for these things to come in quick succession. When I first heard of the—what shall I call it? The somersault of Judge Zane and Prosecuting Attorney Dickson, the question was asked, Now that the mask is thrown off, how will this take throughout the country? Will the hireling priests throughout the land sustain this action? Will they consent to have this hypocritical mask thrown off then, and will the Supreme Court of the United States and the people of the United States sustain the ruling? I unhesitatingly answer, yes, they will, and if ever it reaches the Supreme Court of the United States, they will sustain it; the hypocritical hireling priests will sustain it; the people will sustain it and say, "Crucify them, crucify them, they have no friends."

It becomes us, then, to be better Saints, does it not? Yes. It becomes us to be more united than we have ever been before. It becomes us to put away our foolishness; to cease all sin; to observe the words of wisdom; to walk in all humility before God; to be faithful and earnest in our prayers, and to imitate good old Daniel. Never mind the lion's den nor the murderer's Pen, but so live that we can be counted worthy before God, and whatsoever He has designed should come upon us that we may have grace given unto us according to our day, and that the world may record of us in future generations that we were an honest and a noble race, true to our God and to our convictions, and worthy of the high calling of God, which is in Christ Jesus our Lord. We should not blame one another for not going to the Penitentiary. We should not find fault with President Taylor, or President Cannon, or President Woodruff, because they do not rush into the Penitentiary, or go into court and plead guilty, and at once

go to prison. Nor need we until the Lord requires it, rise up and say, "build a new Penitentiary and let us all go in together." We are not required to do this, but may claim our rights under the law. We may leave the Government officials to do their duty, and if they will honestly and rightly act according to the rules of evidence within their prescribed jurisdiction, it will take them some time to get us all into the Penitentiary, because under the law we can insist upon a trial and upon a jury. Judge Howard was reported to have said that it took very little law and less evidence to convict a Mormon in Arizona. Nevertheless there are certain forms that they have to go through, all of which takes a certain length of time, and a certain amount of labor on the part of the Prosecuting Attorney, and if he gets but \$40 for each indictment, give him the privilege of drawing up the indictment and proving the charge therein. Amen.