

# EVIDENCE CLOSED.

Dr. Park of the University on the Witness Stand

He Turns Out Infidels, Instead of Mormon Scholars.

Arguments of Counsel on Both Sides to Follow.

In the school tax case the defendants read in evidence from page 63, volume 21, from a sermon by John Taylor wherein he proclaimed perfect religious toleration for all people.

Dr. John R. Park was then called and testified he was the president of the Deseret University and had been such since 1859. Prior to that he taught a district school at Draperville, which was supported by taxation, and in which no sectarian doctrine was taught, as principal of the University the selection of teachers had been left to him. The course of study in the University had been left to him, and in the employment of teachers no religious test had been applied, and non-Mormons had been employed, Prof. Bolrieva and F. M. Bishop, among the number but he was not certain in regard to others. It was impossible for him to tell whether any of the teachers had been active Mormons. The instructions in the University are such as are usual in institutions of the kind. The normal branch had been under his immediate charge, the character of the instructions in which, had been the theory and practice of teaching. In that course no instruction in religion had been given, unless moral instruction could be regarded as such. In this particular the students were taught the differences between moral and religious training. There had been given no instructions as to the tenets of any church, nor had any church works been used as text books or otherwise.

The present teachers were named

I often visit the departments of the

institution, and none of the teachers

indicated religion. I have visited

most of the schools in the Territory,

and the most of them are taught by

Mormons, but a number are taught by

non-Mormons. I myself was employed

before I became a Mormon. In visit-

ing these schools, I have found no re-

ligion being taught, I have counseled

with the trustees and never heard of

any sectarian doctrines being taught.

CROSS EXAMINED.

My purpose was to visit the schools

under the direction of President Tay-

lor to ascertain the character of the

schools and make such recommenda-

tions as might be deemed proper. I

held no official position, except as

principal of the University. Prof.

Mobch accompanied me in 1879. We

did not visit the central school of

Ogden, of which Mobch was

principal. We visited the Brig-

ham Young college at Logan.

That institution I don't include in my

testimony, that we found no sectarian

doctrines being taught. When we

went into a county we notified the

county superintendent who notified the

schools, so that they were expecting

us.

An extract of a report by John Tay-

lor, to the Legislature, including a re-

port from witness to Taylor, was read,

which the witness recognized.

In 1881 in company with Prof. M.

H. Hardy we visited the schools of

southern Utah, but did not visit the

schools of Utah county, because they

were under the supervision of Prof.

Hardy. We visited the schools of

Juab county, and the same plan was

carried out, except that we published a

programme of our tour, so that the

schools would know of our coming.

It was no part of the object of our visit

to awaken an interest in religious in-

structions, and we were not asked to

report on this point.

An extract was read from a report

by witness to John Taylor, who made

a report to the Legislature as school

superintendent, to the effect that a

more efficient system of edu-

cation in secular branches,

and true religion was needed.

The witness recognized the report and

stated that it was made voluntarily on

his part, and not called for by Taylor.

The attention of the witness was

called to the report of D. H. Wells,

Chancellor of the University, in which

he stated to the Legislature that he

had expended \$10,000 of the public

money for Books of Mormon and

primers in the Deseret Alphabet on

behalf of the University. Of these the

witness said he had one copy of the

primer in the characters indicated, in

the library of the institution, and had

seen no others.

A REPLY BY DR. JOSEPH W. WELLS.

Defendant's counsel read extracts

from the Doctrine and Covenants,

pages 219, 242, 463 and 434, to show

that the Church inculcated obedience

to law as one of its cardinal doctrines.

AN INFIDEL INSTRUCTOR.

Mr. Alfeles Young testified that he

was educated at the Deseret University,

and that no sectarian doctrine was

taught there, and that the general repu-

tation of the University was to the

effect that it turned out infidels. Six

or seven young men who attended the

same class with witness were named

as having become free thinkers or in-

fidels.

T. V. Williams was recalled and

testified that young Van Outt one of

the teachers employed in the Twelfth

district school was the son of a high

church official.

S. W. Alley, a trustee of the Eighth

district, testified that the school in his

ward was not, and had never been

sectarian, and that no religious test

was applied to applicants for teachers.

THE ARGUMENTS.

This concluded the testimony and

Mr. Varian, for the plaintiffs addressed

the court. In preliminary he said the

objects of the suit were not only to cor-

rect an evil in the Seventh school dis-

trict, but to make a similar correction

for the whole Territory. The real issue

involved was the Union of Church and

State, and to their severance in school

matters, at least the suit was directed

Counsel then summarized briefly the

history of Utah's settlement; the per-

sistent and unyielding antagonism of

the majority against the laws, and the

purpose and intent of the community

to establish and maintain a system of

theological government, and conduct

in connection therewith, the public or

district schools. In support of these

propositions Mr. Varian read from the

revelations, so called, contained in the

Doctrine and Covenants, and from the

inspired utterances of the prophets and

apostles, as contained in the Journal of

Discourses.

Before reaching a review of the testi-

mony, an adjournment was taken until

2 p. m.

At the afternoon session, Mr. Varian

concluded his speech, reviewing the

testimony of the witnesses at great

length, and carefully pointing out the

strong points going to support the

allegations in the complaint.

Mr. Sheeks, for the defendants, fol-

lowed in a law argument, citing a num-

ber of authorities, and Mr. Rawlins,

his associate, closed on behalf of the

defendants with an eloquent appeal—

as eloquent as the subject would admit

of—for the continuance of the district

school system of Utah as it is.

Mr. Varian will make the concluding

argument this morning at 10

o'clock.