

Mr. Moyle offered Baskin's statement, made Jan. 21, 1870, before the House Committee on Territories.

Baskin denied having made it.

Moyle—Do you deny it?

Baskin—That is not all I did say. I made that statement, and more. I made a speech there, but I never revised it. The reporter did not report all I said, or it is not correct. I used language like that in connection with something else.

Baskin took the statement and began to read it, but the Court said that Baskin could not be bound by his statements of nineteen years ago. No lawyer could.

Moyle—He asked us to bring it, and we did so. We withdraw it if he feels embarrassed.

Baskin—I would like it to go in with an explanation.

Moyle—We don't care.

Baskin appeared badly nettled at the presentation of the extract from his speech.

#### MRS. BATSHEBA W. SMITH

testified—I am 67 years old; have resided in Utah since 1849; was born in West Virginia; am a member of the "Mormon" Church; joined it in 1837; my husband, George A. Smith, died in 1875; he had been an Apostle and was then First Counselor to President Young; I knew the Prophet Joseph Smith quite well; my husband was his first cousin; my husband was one of the Twelve five years before Joseph Smith died. Joseph Smith was killed June 27, 1844, at Carthage, Ill.; I had my endowments in Nauvoo, in 1843; Joseph Smith presided at the meeting then; I officiated in the Temple at Nauvoo subsequently; my own endowments were received in the Masouic Hall, Nauvoo. I became quite familiar with the ceremony; worked in the Endowment House here many years, assisting in the ceremony as Priestess; there have been no changes in the ceremony up to the present time; they are the same today as in the lifetime of the Prophet Joseph; no change has been made in any respect from the first.

To Mr. Dickson—The ritual is not written. I officiated eight or ten years in the Endowment House, up to its close, about five years ago. My duties were confined to a particular part, but I frequently listened to the whole ceremony, and was familiar with it all. In our room I did not accompany the males. I know what the ceremony is, but did not witness it performed.

To Le Grand Young—In the course of the ceremonies there is no reference to avenging the blood of the Prophets, except to pray to the Lord and quote the verses in the Bible—in the book of Revelation. It is just the same now as before Joseph Smith's death. It is referred to only in the presence of both males and females.

In response to a question by Le Grand Young, the Court said the documents and extracts read by Mr. Penrose were admitted in evidence.

Le Grand Young said the defense did not admit that all the expressions made by the leading speakers were doctrines of the Church.

Le Grand Young said he expected Joseph Follett, whom Wardell said saw the killing of Green on the next train; also that he wanted the deposition of Mrs. M. R. Thompson, who was too ill to attend. He also wanted to prove, which he could do, that the records alleged to be burned, and which caused the Utah war, had not been burned at all.

The testimony of Mrs. M. R. Thompson was expected to be a substantial reiteration of that by Mrs. B. W. Smith in regard to the Endowment ceremonies, and that there had been no change made in them.

By agreement this evidence was admitted without Mrs. Thompson's deposition. After some further discussion, however, this plan was changed, and Mrs. Thompson's evidence was taken, the court having a recess in the meantime.

Mrs. Thompson's testimony presented nothing in addition to that given by Mrs. Smith. Her deposition was read at the opening of court this afternoon.

LeGrand Young stated that Mr. Follett had not yet appeared, but they still expected him.

Jesse West was called and sworn, but LeGrand Young said it was a specific act and they would withdraw the witness.

Dickson said they were prepared to sustain McGuffie's character.

In reply to Le Grand Young the Court said Joseph Follett would be examined when he came.

Le Grand Young offered the Bible, Book of Mormon and Doctrine and Covenants in evidence on the part of the defense.

Dickson—Call George Q. Cannon.

#### PRESIDENT GEORGE Q. CANNON

testified—I am one of the First Presidency of the Church. Have been in that office since 1880, except from July, 1887, to April 1889. I remember the Epistle to the Church in 1885.

Dickson—Read that (handing him a paper).

Mr. Cannon read the document and then continued, in response to questions—I cannot say positively that this is a copy of that Epistle, but I think it is. It was addressed to the officers and members of the Church.

Dickson—That is all.

Dickson said he introduced the Epistle to show that the Church was acting in concert to overthrow and defeat the laws of the government.

S. R. Thurman said the defense objected to this, as it was not the proper order of evidence.

Dickson said the first proposition was whether there was anything in the endowment ceremonies that was incompatible with good citizenship? Second, was bloodatonement a doctrine of the Church? Third, is control in temporal affairs claimed by the Priesthood? The defense had denied these propositions by evidence, and the document was to rebut that evidence.

Thurman—From what I have witnessed in this case, the testimony of the objectors went to prove a general tendency of the teachings of the Church leaders against the

government; and expressions were cited for that purpose. This is claimed to be in the same line, and on the statement of counsel should be excluded. We should not drift too far from the rules of evidence.

The court said he had asked whether the feeling of the "Mormon" people was hostile or friendly to the government.

Baskin said his position was that no member of the Mormon Church was eligible to naturalization; and that the oaths of the Endowment House were such as no citizen could take. The defense had claimed this position was incorrect, and had introduced evidence to sustain their claim.

The Court admitted the document and said the responsibility of the investigation rested on the court. The question was whether persons, otherwise qualified, were to be excluded from citizenship because of membership in the "Mormon" Church, and wanted to hear all evidence it could to determine that fact.

The Epistle was then read. It is dated May 26, 1885, and is signed by Presidents John Taylor and George Q. Cannon.

#### MRS. SARAH GILMOR

testified—I am 38 years old; have been a member of the "Mormon" Church; passed through the Endowment House; Eliza R. Snow, Mrs. B. W. Smith and Mrs. Hyde were there.

The evidence was objected to. Dickson asked permission to reopen his case by the introduction of witnesses who could not be procured before this. One of them had officiated in the Endowment House.

Mrs. Gilmor continued her testimony—there was an oath that the blood of Joseph and Hyrum Smith should be avenged on the American nation, and that they would teach it to their children and their children's children to the third and fourth generation. There was also a covenant of strict obedience to the Priesthood in all things, spiritual and temporal. We were told that if we revealed anything we would be dissected.

To Mr. Thurman—I did not take the oath. There were so many there that they couldn't tell who who took it or who did not. I am the wife of Charles Gilmor.

#### HENRY W. LAWRENCE

was called for and testified—I am 54 years old; have resided in Utah 39 years; have been a member of the Mormon Church; my parents also were members; I was 15 when I came to Utah; I was 3 years old when my parents joined the Church; I have left the Church; when a member I was a counselor to the Bishop of the Eighth Ward; officiated in the Endowment House from 1865 to 1869. The Endowments are taught orally; they are not written. I was familiar with them, and assisted in administering them. It would take time to tell them. Obligations and covenants were entered into. There is a covenant to avenge the blood of the Prophets; reference is made to Joseph and Hyrum Smith. There are explanations; in substance