ization to control his actions within the province of the state"-

If there was no such effort being made or thought of?
Senator Smoot—I think he must have been making the statement that the been making the statement that the been making the statement that the church was doing that, and they church was doing that, and they claimed that they were not.

I will be the statement that the been making the state of the s

freedom, for interry, for the integrity of American institutions. the state is to be controlled by dictation of the Church its sovereignty is lost and its independence is a myth, descent dream.

And so on. Smoot-If it is a charge senator Smoot-If have been based senator Smoot—if it is a charge against him, it must have been based upon the fact that he had made a statement to that effect.

Mr. Tayler—At the close of the find—

Mr. Tayler—At the close of the find-ings the high council which tried him, before their decision, say; before their decision, say; li was also very gratifying to hear Brother Thatcher acknowledge the Brother Thatcher acknowledge the Apostles as the mouthpieces of the

You understand that an Apostle is a nouthpiece of the Lord? Senator Smoot-Not unless he speaks by command from the Lord. I under-stand that the President of the Church

when speaking to the Church is the menthplece of the Lord.

Mr. Tayler—Do you want to correct this statement of the High Council?
Senator Smoot—Oh. I could not say sto that. I could not be—

Mr. Tayler—Is it correct that the Apostles are the mouthpleces of the

Senator Smoot-I do not so under-

Taylor-Then this is not correct? Mr. Taylor July Senator Smoot I do not think the Senator Smoot I do not think the spostles are the mouthpleces of the ord. I think the President of the

Lord. I think the President of the Church when speaking—
Mr. Tayler—They go on to say:
The Apostles as the mouthpieces of the Lord, clothed with authority as shets, seers, and revelators." That is right

Senator Smoot-I think a man is a rophet when he speaks by the spirit Mr. Taylet -Now, let us not get men

nd Apostles mixed, Senator. lenator Smoot-An Apostle-Mr. Tayler-You are an Apostle? think an Apostle Senator Smoot-I an only be a prophet when he speaks

the spirit of prophecy, Tayler-Very well. Then this uld have been quite as accurate had said: It is very gratifying to hear Brother

fracter acknowledge that all good formous are the mouthpieces of the lard, clothed with authority as phets, seers, and revelators." s that right? Senator Smoot-They are not susned as such. That would be the

Mr. Taylor-Do you know who formed the chiefs of it? Senator Smoot—I know who the pres-lency of that stake were. Mr. Tayler-Who were they?

Mr. Tayler—And Variet Hey Senator Smoot—Angus M. Cannon— Mr. Tayler—And Joseph E. Taylor? Senator Smoot—Joseph E. Taylor and Mr. Tayler-Three of the most intelligent, ecclesiastically speaking, of all your Church authorities?

enator Smoot-Oh, I could not say fr. Tayler-I did not say the most telligent. I say they rank very high. Mr. Van Cott-I think you said three the most intelligent.

Senator Smoot-I misunderstood you. dr. Van Cott-May we have the ques-The Chairman-It is not of sufficient

onsequence. Proceed. Senator Smoot—That is the way I The Chairman-Let the reporter read

the question. reporter read as follows: Mr. Tayler-Three of the most inteligent, ecclesiastically speaking, of all

Mr. Tayler-In the decision they find The charges against Brother Moses tcher have been sustained, and that

order to retain his standing and fel the Church of Jesus Christ Latter-day Saints, he publish a state nt to the satisfaction and approval the presidency of this stake of Zion

the presidency of this stake of Zion illy covering the following points. Then follow a number of points, to be or two of which I wish to refer, irst, although they are not numbered the decision, but I will so designate That in taking the position that the

thorities of the Church, by issuing the declarations of principles on April 1896, acted in violation of pledges eviously given and contrary to what by had published in the Deseret News nd given to the Salt Lake Times, he was in error and in the dark."
Senator Smoot-Moses Thatcher so

stated, that he was mistaken in that understand. Tayler-I will come to his language in a moment.
That he now sees there is no con-

between that declaration and their grances in reference to po-

that the Church authoritie red and intended to unite exercise undue influence

weherein the public have been elieve through his utterances leaders of the Church were chains to bind the members of orging chains to an impression was created

wherein he has placed the aufities of the Church in a false posi-h, however, unintentionally, he has them an injustice, and is ready to amends as lie in his power acknowledges the dency and Council of the Apostles ts God's rvants, as prophets,

Do you shy at the word "supreme?" nator Smoot-I do not know what shying.

Mr. Tayler I mean, do you feel, as Doctor Talmage did, as though some-"The 12 traveling counselors are called to the Twelve Apos-tles, or special wtinesses of the name hing was going to happen if you per-nitted yourself to face that word of Christ, in all the world; thus differ-ing from other officers in the Church in

tor Smoot-I can not tell how Talmage felt, I do not want to ne duties of their calling." Senator Smoot-Let me have the volime, please. Mr. Tayler—Certainly.
Senator Smoot (reading): "The Twelve traveling counselors are called to be the Twelve Apostles, or special witnesses of the name of Christ, in all the world; thus differing from other officers in the Church in the duties of their counters." ayler No.

sator Smoot-Or a question, or anyhing that may be asked me. I will answer to the best of my ability. -Undoubtedly, Senator, but Doctor Talmage when I in-"supreme" here the

er day respecting the First Presitor Smoot-I do not want-

Mr. Tayler—Did he not shy all around that word, claiming that I was digging a pit, or his counsel did, beause I was trying to put the word supreme" into his mouth? Senator Smoot—I was out at the time ctor Talmage so testified.

Tayler-But that is right? Senator Smoot—Not as I understand I do not understand that the Presicy and the Twelve Twelve Apostles are things. I understand at anything pertaining to the Church

the Presidency of the Church is at the head of the Church. Mr. Tayler—That is what Moses Thatcher agreed to, anyhow? Senator Smoot-That I can not say

Mr. Tayler-Did not Moses Thatcher this whole thing-bait, hook everything—without a qualifica-tion or reservation? Did he not, Sen-

Senator Smoot-I think he accepted

Mr. Tayler-I will read what he said. Senator Smoot (reading): "And every Mr. Smoot—That will be better. Mr. Tayler (reading): decision made by either of these quor-ums must be by the unanimous voice of the same; that is, every member of each quorum must be agreed to its de-"BROTHER THATCHER'S EN-DORSEMENT. cisions, in order to make their decisions "Without qualification or mental resof the same power or validity one with

Senator Smoot-He accepted it then. Mr. Tayler-This is what Mose

That he was in error in stating in

'During all these weary months.

his published letter to President Lor-enzo Snow:

"That in speeches and published let-ters he has used expressions which had been better unsaid, and that he regrets

thoritles of the Church in any way.

s grieved that his language has been so

Senator Smoot-I think that was one

of the charges that he was tried on. and now he says it is not true.

Phatcher is alleged to have used the

language. How can anybody say whether Moses Thatcher intended to

east a reflection upon the Church un

Moreover, I object, Mr. Chairman, to

what he thinks Moses Thatcher meant

by writings which are in evidence in

The Chairman-I should like to ask you a question in this connection, Sen-

is supreme in all affairs pertaining the Church.

it comes to a question of a revelation that is to be binding upon the people

Thurch-

Prophets?

upon him

same way.

of in their stead

o perform'

s the supreme head

President himself receives it, and i

The Chairman-He is supreme in the

Senator Smoot-He is the highest au-

thoity in the Church.

The Chairman—Am I to understand you to say that the Apostles are not

Prophets?

Senator Smoot—I say they are sustained as Prophets. I qualified it in this way, by saying that I do not think a man is a Prophet at any time unless he speaks by the spirit of prophecy, or, in other words, I do not believe that a man has always the spirit of prophecy upon his

myself clear. You think that the President of the Church communicates directly with God; that he has direct revelations?

Senator Smoot-Oh, no; not in the

understand to be the authorities and duties of the Twelve Aposties?

They meet with them and counsel with

them, and their duties are, of course defined in the Doctrine and Covenants

Senator Overman-Only in missionary

Senator Smoot-I was going to say

Senator Overman -- Does each one of

Smoot-No, they have not.

hem have separate and defined duties

Senator Overman—They are only ad-isers of the First Presidency? Senator Smoot—The First Presidency.

Mr. Tayler+Now, I also asked you the other day whether it was not necessary that the Apostles should be unanimous, and you said you thought

Senator Smoot-I know they have no

Mr. Tayler-Of course, they are not

Tayler-Those are the Twelve

Senator Smoot-Yes; those are the Twelve Apostles.

Mr. Tayler-I now read from the next

'And they form a quorum equal in authority and power to the three presi-dents previously mentioned." Senator Smoot—That is correct.

Mr. Tayler-That is, the First Presi-

Senator Smoot-Let me explain what that means before you go any further That means that in case the Presidency

of the Church is disorganized by death of the President, or otherwise, the quor-

um of the Twelve Apostles are equal to the Presidency and they become the leading authority of the Church.

Senator Smoot-That is what it

Mr. Tayler-That is not what I am

after now. I want merely to identify those as the Twelve Aposties. Will you please read verse 27?

Tayler-I was not raising that

unanimous at all stages, but I read from section 107 of the Doctrine and Cove-

Senator Smoot-Yes, sir.

nants, verse 23:

Apostles'

verse, the 24th:

question now.

Chairman-I think I can make

government. As head of the Church he

Mr. Tayler-Now, Senator-

he is shown the connection in ch Thatcher used the language?

witness being interrogated as to

Then the finding-

Do you recall that?

ervation, I accept this decision in full. "MOSES THATCHER." Which means this, that if the Presidency of the Church is disorganized, the quorum of the Twelve Apostles are then in power or at the head of the Church, Thatcher agreed to, according to these findings: it takes the unanimous vote of it quorum on any question that may come up to equal a decision of the Presidency of the Church if they were at the head of the Church.

while friends and physicians believed I was on the verge of the grave, I was administered to only once by members Mr. Tayler-Now there is no Presi-

weive Apostles.
Senator Smoot—Now, I should like—
Mr. Tayler—Then-you say the Tweive of our quorum, although day after day engagements made for that purpose were, for reasons unknown to me, not Apostles must be unanimous? Apostles must be unanimous?

Senator Smoot—I want to go on further and state this: If the Twelve Apostles were all dead and the Seven Presidents of Seventies took charge, it would be the same; or, in other words, whenever the Presidency of the Church is discovered to the charge whenever the Presidency of the Church is discovered to the charge whenever the Presidency of the Church is discovered to the charge when the charge whe "In this connection he may state that one such engagement was not kept, but that this was not an intentional

disorganized the quorum which has be authority to make rules binding upon the Church, or to pass anything upon the Church, or to pass anything that would be binding on the people of the Church, after presenting the same to the people, must be unanimous to be equal to the decision of the Presidency of the Church.

Mr. Tayler—Then during the time that the Twelye Aposties were at the head of the Church they could not act at all unless they were unanimous?

been better unsaid, and that he regrets their utterance.

"That he ki, was of no higher allegiance or more solemn and binding chiligations than those of a religious character between a man and his God.

"That in speaking of 'chains,' 'oppression,' 'curtailment of liberty,' 'malice,' 'anger,' 'spite,' and 'revenge,' he did not intend to reflect upon the authorities of the Church in any way and Senator Smoot-I never asked

question, whether it was in that reto be unanimous to elect a President or not: because that has never come to my attention. This is a section on Priesthood, defining the duties and the allings of each of the quorums of the

and now he says it is not true,
Mr. Tayler—Do you think that when
he did make use in this connection of
the words "chains," "oppression," "curtailment of liberty," "malice," "anger," "spite," and "revenge," he did
not intend to reflect upon the authorities of the Church in any way?
Mr. Worthington—I object to that
question unless the witness shall be
shown the connection in which Moses
Thatcher is alleged to have used the Senator Overman-If I understand ou, then, Senator, you say that as to lings political and temporal the things political Twelve Apostles have nothing to do, and never discuss such subjects. Am I to understand that? Senator Smoot—They are asked many times about things temporal which per-

tain to the Church only Senator Overman-Church institu-

tions? Senator Smoot-Yes; that the Church Senator Smoot—Yes; that the Church own. For instance, take the Deseret News building, which the Church built on the corner of South Temple and Main streets. They built it for the purpose of a home for the Deseret News, and also an office building. That question was brought before the quorum of the Twelve by toof the Church for advice. by the Presidency

Scoutor Overman-Take your own Senator Smoot-I stated then that I

ator. Is the First Presidency supreme in all affairs relating to the Church? Senator Smoot—The First Presidency was opposed to that, and I gave as my reason why I was opposed to it, that I would much prefer the Church to get out of debt rather than to go in debt to build a building that would The Chairman-In everything relating to the Church?
Senator Smoot-Well, of course, when not pay interest on the amount of money invested. You ask as to my own affairs. The

Church has no more to do with my personal affairs than you, Senator. must be accepted by the people,
The Chairman—I understand,
Senator Smoot—He could not be supreme in that sense. But what I mean
is that by being the head of the Senator Overman-Now, let the re-porter read my question and see if you have answered it completely.

The reporter read as follows: "Senator Overman—If I understand you, then, Senator, you say that as to things political and temporal the Twelve Apostles have nothing to do and never discuss such subjects. Am I to under stand that?"
Senator Smoot—I stated that they ilscussed things temporal as far as the temporal things pertained to the

Senator Overman-You do not discuss political matters at all. Senator Smoot—We do not discuss po-

litical matters as a quorum of the Senator Overman-That was included the question, and I thought you vould like to answer as to that part. Senator Smoot—Thank you, Senato

Senator Overman-Those matters are never discussed? Senator Smoot—They are never dis-

Senator Smoot-If God desired to peak to His people, it would be through the President of the Church.
The Chairman—Does God speak
through the Apostles in the same way? natters in which the Church has business or temporal interests? Senator Smoot-Yes. If the Church has temporal interests, whenever the Presidency of the Church ask our ad-Senator Overman-Then what do you

vice, we give it, and give it freely as ve think best. Mr. Tayler-The Church owns not only the building, but owns the Deseret

Senator Smoot-The Apostles are ad-risers to the Presidency of the Church. News, does it not? Senator Smoot-Yes; they own the Senator Dubois-How much did the they are those of directing the mis-sionary work and as missionaries to the world,

building cost, Senator? Senator Smoot-I do not know what t cost, but my opinion-

Senator Dubois-Are taxes paid on Senator Smoot-Oh, yes.

Senator Smoot—I was going to say, Mr. Senator, and further than that, if they are at home they are under the direction of the First Presidency, to go into the stakes and organize those stakes, providing they act by direction of the First Presidency. But an Apostle has no more authority in a statke in Zion or a ward in which he lives than a lay member has, unless he has been sent there by the Presidency to act in their stead. Mr. Tayler—Now, to continue with the line I was pursuing, do you under-stand that it is forbidden in the Church to criticise the Prieshood—to complain of them?

complain of them?

Senator Smoot—I understand that it is not a proper thing to do that, at least until you go to them and let them know that you have a grievance against

Mr. Tayler-But you ought to go at it through some higher authority? Senator Smoot—No: but you ought to go at it yourself right direct to the erson against whom you have

Tayler-The Juvenile Instructor s a Church publication, is it not? Senator Smoot—It is published by a Mr. Tayler-1s it not a Church affair?

Mr. Tayler—And the seat of the au-thority that selects his successor? Senator Smoot—When the President dies the only authority for the direction of the Church rests with the Twelve Senator Smoot—No, the Church does not own it. I will say this, however, that the publication is distributed to Mr. Tayler—They act in the intering the head of the Church, and nomthe Church people-Mr. Tayler-We find here in the reinate the man who is to succeed the dead President?

ord an article by George Q. Cannon, published in the Javenile Instructor,
Mr. Worthington—What page?
Mr. Tayler—Page 448.

Mr. Worthington-Of the second vol-Tayler-Yes.

"The Lord has not given to the mem-bers of the Church the right to find fault with or condenn those who hold Priesthood. Do you agree to that? Senator Smoot-I think that mer

peaking, and sometimes writing, make remarks which are their thought, and do not think the people accept them, and I am sure it is not binding on them, and I think that anybody has the ight to do what they want to, if they desire. But I do believe that, as a member of the Church, where they have a grievance or where they feel that there is a fault it is proper for them to go to the party direct them-selves and make it right.

The Chairman—Then what is the an-

ower to the question, if the reporter vill read it The reporter read the question as

follows: "Mr Tayler-Yes. "The Lord has not given to the members or the Church the right to and fault with or condemn those who

"Do you agree to that?"
Senator Smoot—I think the Lord has given a man the right to do that.

Mr. Tayler—Or this:
"Neither is "the content of the content of

Mr. Tayler—Or this:
"Neither is it the right of an Elder or other officer to judge or censure or speak disrespectfully and condemnatory of his file leader or of the men who

Do you think that is correct? Do you think that is correct? Senator Smoot—I do not think he would be justified in doing it without following the rule adopted by the Church, to meet with him and discuss Mr. Tayler (reading): "Has any man

n the Church such a right?" It continues.
"Certainly not. If file leaders or presiding authorities lo wrong God will deal with them in the way He has or-dained." Is that your view of it?

Senator Smoot-I think not. And I ilso think every man has a perfect think if any man, whether a file leader or any other kind of a man in the Church, does a wrong to a soul on earth God will punish him for it.

Mr. Tayler-(reading): "There need be no fear that the Lord will neglect to hold His servants who lead or preside to a strict accounta-bility for their conduct. He has made ample provision, so that every per-son who is accused of wrong, however high his position in the Church may be, can be brought to trial before a proper tribunal. No necessity will ever arise, therefore, for men to take upon themselves in their individual capacity the right to judge and condemn the servants.

Lord's servants."
Is that your view of it?
Senator Smoot—My view is as stated first there, that there is not a person in the Church, I do not care who, from the President to the humblest one, as to whom there is not a way to handle him for any wrong he may do. The Chairman—I did not understand the question. I suggest that it be read

Senator Foraker-Do not read it

ngain; it is quite long.

Mr. Tayler—I will read the latter part of it, and I ask Mr. Smoot whether he believes that this is the view that should be taken of the

fore, for men to take upon themselves to their individual capacity the right to judge and condemn the Lord's serv-ants." Senator Smoot-If one of the Lord's servants should do a wrong to me I would condemn him, and I would bring him to trial just the same as I would the most humble man in the Church, and there are rules in the Church for

Tayler-But you would go to him

would you? Senator Smoot-I would try first to Senator Smoot—I would try first to settle it with him, the same as I would with any other man.

Mr. Tayler—But you would not condemn him otherwise than by going to him and stating that if he did not make

it right you would bring him before the proper Church authority? Senator Smoot—Of course I would. Mr. Tayler-Is that the only way you Senator Smoot-No: I would condenue him, and if it was not made right, I

would file my complaint.

Mr. Tayler—Would you make public condemnation of him?

Senator Smoot—If he did wrong Mr. Tayler-Without going to the

Senator Smoot-No; I would go to the man. According to the rules of the Church, I would first go to him, and Mr. Tayler-You must go to him? Senator Smoot-Not to him or any-one else in the Church, Mr. Tayler.

Mr. Tayler-I read from the Journal of Discourses, by Brigham Young. Mr. Worthington-What page? Mr. Tayler-Page 457, where, amongst other things, he said:
"No man need judge me. You know nothing about it, whether I am sent or not: furthermore, it is none of your

business, only to listen with open ears to what is taught you, and serve God with an undivided heart." Senator Smoot-That would never do today. I do not think that Brigham Young ever said that under any spiration of the Lord, if he did say Mr. Tayler—You have no doubt of his saying it? It is published in the Journal of Discourses.

Senator Smoot-There are quite number of things in the Journal ourses which are not accepted by the

Tayler-I understand that, but you believe it to have been said?
Senator Smoot—As I said before, our people are called up from the audience to speak, Nobody knows when he is going to be called on. There is no special preparation for any sermon. A man gets up and speaks, and sometimes I think he says things that perhaps he yould not say under calmer considera tion. I know men sometimes speak under the spirit of inspiration, as it were. At other times it is a labored effort on their part, and they can hard express themselves.

ly express themselves.

Mr. Tayler—No, what do you think about the spirit that moved Joseph F. Smith, Dec. 5, 1900, when—

Mr. Worthington—What page?

Mr. Tayler—Page 458, When he said

this:
"I believe in union. I believe that except we are one in those things which pertain to the building up of Zion we are not God's children. But I want to say to you that we are not one. There is not that union amongst us that should exist. Sometimes when President Snow tells a brother what he would like him to do, he at once turns on his heel and says that comes in contact with his manhood and his independence, and his manhood and his independence, and he prefers to follow the bent of his own mind rather than to take such coun-

Senator Smoot-That man has that Mr. Tayler-Who. Joseph Smith or the other man?

Senator Smoot-No: the man to comlain. He has a perfect right to com-

plain.

Mr. Tayler—Then Joseph Smith was not speaking the will of the Church?

Senator Smoot—Oh, he was speaking thus: That it was the wish of the authorities of the Church, and the Church itself,more than likely,that there should be unity among the membesr of the Church, and which I believe would be a very good thing, not only in the Mor-mon Church, but in any other church

upon the earth.

Mr. Tayler—And that a man ought
not to turn on his heel, when President
Snow speaks to him, and say that conflicts with his manhood and independ-Senator Smoot-I do not say that, If

felt like that, that is what he has a right to do. Mr. Tayler-And he continued in this

"The question in my mind is this; Who is to judge who is the good man and the wise man? If you leave me to judge, I say one man; if you leave Brother Brigham to judge, he may say another man; or, if we leave it to the people to judge, one says this is the wise man, and another says that is the wise man, and another says that is the wise man. The question with me is; Am I in a frame of mind that when I get the word from the Lord as to who is the right man, will I obey it, no matter if it does come contrary to my convictions or predilections?"

Senstor Smoot—I think that is what he meant—that his 'udgment as to the good man may be one, mine may be an The question in my mind is this:

good man may be one, mine may be another, just as he says there; but if the
Lord should speak to him and tell him
that it was such and such a man, then
he would certainly obey the Lord.
The Chairman—That is the rule today Sentor? Senator?

day, senator!
Senator Smoot-If the Lord should
tell me, Mr. Chairman, and I knew it
was the Lord, I do not think I would disobey it. The Chairman-You would obey the command under such conditions?
Senator Smoot-If God stoke to me.
Mr. Tayler-What are the living or-

senator Smoot—As I understand they are men who preach the Word—the liv-ing oracles are.

Mr. Tayler—The men who preach the

Senator Smoot Preach under the in-spiration of the Spirit of our Lord. Mr. Tayler—They are only oracles when they speak with the inspiration of the Lord? Senator Smoot—I think so. Mr. Tayler—I see the statement here, n page 459, by Apostle Merrill, who

Of the great goodness of the Lord in granting living oracles and Prophets to the Latter-day Saints and said that the prophecies of the present were to be preferred to the Bible or to the Book Mr. Worthington-I object to Mr.

Mr. Worthington—1 object to Sir. Tayler assuming in this question that Mr. Merrill said that. All that the testimony shows is that the Daily Tribune published the statement that Mr. Merill made that statement. There is no

roof that he made it. The Chairman-I suppose, Mr. Tayor, your point is to ascertain from the enator whether he is in accord with not declaration or with such a declar-

Mr. Tayler-I do not say that Merrill I say he is reported to have

Mr. Worthington-You said he said it. Let the reporter read it.

The reporter reads as follows:

"Mr. Tayler - I see the statement here,
on page 450, by Apostle Merrill, who
snoke..."

Mr. Tayler-Change that, I see, be-Mr. Tayler Change that, I see, beginning on page 458 of the record, an extract from the Desert Evening News of Monday, Oct. 4, 1857, in which Apostic Merrill is reported to have said:

The value of the living oracles of God for the present guidance of the

propio was strongly emphasized.
"President Wilford Woodcuff spoke briefly upon the comparative value of the living oracles and the written word

Senator Smoot -As I understand that,

Senator Smoot—It means that men speaking today under the inspiration of the Lord, their counsel is just as good as the counsel of the ancient Prophets when they spoke under the inspiration of the Lord.

Mr. Tayler—In the Journal of Dis-courses, volume 5, pages 22 and 22 and 22.

courses, volume 5, page 82, are some remarks by Fresident Woodruff. You knew President Woodruff in his life-time?

time?

Senator Smoot—I did.

Mr. Tayler—He there said:

"Now, whatever I might have obtained in the shape of learning by searching and study respecting the arts and sciences of men, whatever principles I may have imbibed during my scientific researches, yet if the Prophet of God should tell me that a certain principle or theory which I might have learned was not true. I do not care what my ideas might have been. I should conideas might have been, I should con sider it my duty, at the suggestion o my file leader, to abandon that princi ple or theory. Suppose he were to say the principles by which you are gov-erned are not right, that they were incorrect, what would be my duty? answer that it would be my duty to lay those principles aside, and to take up those that might be laid down by the servants of God."

Have you any doubt about his having

Senator Smoot-I do not know that he d. I could not say whether he r did not. Taylor—The Journal of Disourses is published by the Church? Senator Smoot—My opinion is if it is

in the Journal of Discourses, more than likely he said it.

Mr. Tayler—At least until 1899 the people of the Church did live up to that principle, did they not? Senator Smoot—I could not say that ney did—as broad as that. Mr. Tayler—That is, the latter part of

Senator Smoot-I never heard it preached in that way in my life.

Mr. Tayler—Senator, you testified respecting the endowment ceremony. Did

ou ever go through it more than once? ator Smoot—But once,
Tayler—That was before you Senator Smoot-Before I was mar-Mr. Tayler-Did you not take any

endowments when you were married Senator Smoot-I did not. Mr. Tayler-But you were married in the Temple? the Temple?
Senator Smoot—I was
Mr. Tayler—You say you have no
recollection of the ceremony in detail?
Senator Smoot—I could not give it in

Mr. Tayler-But I understand you to say positively that there was nothing at all in the ceremony about avenging the blood of the martyrs or prophets?

Senator Smoot-I said so Mr. Tayler-You heard the testimony Mr. Dougall here? Senator Smoot-I did. Mr. Tayler-A witness who was put

n the stand by you. Senstor Smoot-I did. Mr. Tayler-You heard his statement hat they were importuned to avenge

Senator Smoot-I heard him say so Mr. Tayler-You say there is nothing at all like that in the ceremony? Senator Smoot-I do not recall it, nor do I believe that there is. Mr. Tayler-I understood you to say

Mr. Tayler—I understood you to say a few moments ago that there was nothing in the ceremony anywhere like that. You said that positively—that there was nothing in the ceremony about avenging the blood of the maryrs or avenging the martyrs Senator Smoot-You never asked me

Mr. Tayler Mr. Tayler-I ask it now. Is there anything in the ceremony about aveng-

Senator Smoot-No; there is not. Mr. Tayler-Do you know Dr. Heber ohn Richards? nator Smoot—I do. Tayler—Who is he? Sepator Smoot—He is a doctor whoves in Prove now. I think he has re

turned from Europe.
Mr. Tayler-What relation, if any, is he to Franklin S. Richards?
Senutor Smoot-I do not know that. Mr. Tayler-I did not know whethe which has been prominent in the his-ory of I'tah and the Church. Is he? Senator Smoot—Yes, his father was in

Tayler-Is he a Mormon? Mr. Worthington-Who; the father of Mr. Tayler-Heber John. He said his ather was in the Church.
Senator Smoot—I do not know whether he was ever cut off by the Church ot, or whether he professes to be

nember of the Church. Mr. Tayler-You do not know whethhe eyer was a member of the hurch? inter Smoot-I think he was.

Senator Smoot—I think he was.

Mr. Tayler—You remember there was an investigation on the subject of the endowment ceremony and the coyenants there, before Judge Anderson, of the United States district court, some of the United States district courtsolle fifteen years ago?

Senator Smoot—I remember that at the time when there was a very bitter political fight there between the People's party and the Liberal party there was an investigation before Judge Anderson for the purpose of keeping as many of the Mormon people as possible from voting or registering, and they took that means of doing it.

from voting or registering, and they took that means of doing it.

Mr. Tayler—And they had a very extended examination on the subject of what the endowment ceremony was, at least so far as related to the oaths or covenants or obligations, as claimed.

Senator Smoot—As I remember it.

Mr. Tayler—If Dr. Heber John Richards, put on the stand by the applicants—that is to say, by those who claimed there was nothing improper in a good Mormon voting—when asked the question whether there was any covenant to avence the blood of life prophets upen this nation—

Mr. Worthingten—One moment, I ob-

Mr. Worthington-One moment, I ob-

ject?
The Chairman—What is the question?
Mr. Worthington—Here is an attempt
on the part of the counsel to get into
this record something alleged to have
been testified to by a witness in a case which was pending in a court in Utah twelve or fifteen years ago. It is a matter that bears upon the question of what is the obligation which a member of the Mormon Church takes when he goes through the endowment ceremanics. The Chairman-What do you seek to Senator Smoot-I prefer not to say

show, Mr. Tayler.
Mr. Tayler—The witness has said that
there is nothing in the ceremony about am going to refresh his memory about in the cer it—that there was something of that necessity?

it—that there was something of that sort in the ceremony.

Mr. Worthington—I do not object in the slightest degree to the witness being pressed on that question.

Mr. Tayler—It may be perfectly innecent and proper, and I think if I suggest to him what was testified to by a Mormen, at the instance of the Mormons, when they were undertaking to attack this claim that a good Mormen could not be a good citizen and an elector—that what the witness said was the foundation of the claim that there was a vow of yengeance—will refresh his recolof vengeance-will refresh his recol-lection and may furnish his explana-

tion.

Mr. Worthington-I have no objection to your asking the witness whether the guise of a question, to having in-corporated into the record in this case what counsel is informed in some way was testified to on the subject by some other witness in a case that occurred

12 or 15 years ago. The Chairman—I do not understand that you seek to show what the ceremony is by proving what somebody said in some other case. r. Tayler-I suggest that you let

Mr. Tayler—I suggest that you let me finish the question—
Mr. Worthington—What we object to is putting into this record what it is alleged in the pamphlet which counsel apparently holds somebody else said on some other occasion.
Mr. Tayler—Let me get it in, and then it can go out if it is not proper. He said:

He said: In the forepart of the ceremony, in the annointing, they annointed my right arm that it might be strong to avenge the blood of the prophets; but that was all that was said."

Mr. Worthington-I have stated my objection. I should like to have a rul-The Chairman-What is the objection? ing upon it

Mr. Worthington-That counsel, in the guise of a question, is attempti to incorporate into this record wh be alleges was testified to by somebody else in another proceeding, to which Mr. Smoot was not a party and had no chance to cross-examine the witness.
The Chairman—This is done, t chair understands, merely for the pur-pose of refreshing the recollection of

Mr. Worthington-Let me ask the senator a question. W Senator, at the trial? Were you present.

enator, at the trial? Senator Smoot—No; I was not, Mr, Worthington—Did you not hear

strange of the strang body else said on some other occasion when he was not present.

ynen he was not present. Mr. Tayler—You can refresh a man's recollection on cross-examination in any way you can. You can refresh your own witness' recollection in certain very narrowly-defined ways. But I think that this will refresh the sena-

tor's recollection fairly.

Mr. Worthington—Then I think he should be asked whether his recollection can be refreshed by being informed that somebody else testified 15 years ago, in another judicial proceed-ing, that something of the kind hap-pened—a proceeding of which he never heard until now.

The Chairman—Why not ask the sen-

ator the direct question if any cere-money of that kind was performed? Mr. Worthington—Yes; I have no ob-Tayler-If the chairman thinks

The Chairman—It will serve to re-fresh his memory, possibly, Mr. Tayler—Does the question I have asked, Senator, refresh your memory? Senator Smoot—No, Mr. Tayler; it does not.
Mr. Tayler-Then you have no recollection fo anything of the sort, said to have been testified to as having occurred in connection with anointing

the arm during the early part of the ceremony' Senator Smoot-No, sir: I do not. Tayler-Did any such thing oc-

cur at that point?
Senator Smoot—Not as I remember.
Mr. Tayler—Is it a mere case of
blankness of memory? Is that all you can say about this business?
Senator Smoot—I do not know Mr.
Tayler; I cannot call it to mind in any

way. The Chairman-Is that all, Mr. Tay-Mr. Tayler-Yes. The Chairman—Let me ask a ques-tion, because I am sure, Senator, you want to be understood. How long did take to perform this ceremony Senator Smoot-My judgment v e from the beginning to the end about

three or four hours.

The Chairman—Were others present? Senator Smoot-When I irough' The Chairman-Yez. The Chairman—129.
Senator Smoot—Yes.
The Chairman—How many?
Senator Smoot—Thirty or forty I
hould think; may be not so many.
The Chairman—Will you state that

eremony? Senator Smoot-I could not do it. The Chairman-State what you are ble to recall? Senator Smoot-I would very much refer not to, Mr. Chairman, The Chairman—Why not? Senator Smoot—For cons

asons. I want to say this, Mr. Chair-The Chairman-Let me inquire-Senator Foraker-Let the witness

The Chairman-Certainly; the senator shall have ample opportunity.

Senator Foraker—He is answering now, and I should like to have the benefit of his answer at this point.

benefit of his answer at this point.

Senator Smoot—I have conscientions reasons for it. I made a vow, not an oath, with my God, not with any man, not with the President of the Church or with a living soul; bit I did make a vow that I would keep those andowment ceremonies sacred and not reveal them to anybody, and I have kept that all my life, and if I went out of the Church tomorrow and remained out of the Church until I was gray-headed I would never feel that it was my duty. would never feel that it was my duty, nor would I divulge what little even I

remember of them.

The Chairman-Is that the whole of your answer? You can, then, at this recall some portions of the ceremony? Senator Smoot-Very little of it.

The Chairman—I say you can recall some portion of it.
Senator Smoot—I could not recall it so as to be accurate. Mr. Chairman. The Chairman-But I understand you

would prefer not to.

The Chairman—That you entered into an obligation, I understand you to say, not an oath, but a promise, with the Lord, not to reveal these things?

Senator Smoot-I did. The Chairman-Was there any penal-y attached in the obligation for its violation? Smoot-I prefer not to say

anything further. The Chairman—Do you know why the oath of secrecy or the obligation of secrecy was imposed? What was there in the ceremony that makes secreey a

Senator Smoot-It is a purely relig-Schator Smoot—It is a purely religious ordinance, and reters absolutely to man's hereafter, and it has nothing whatever to do with anything other than man to his God; and I suppose that it is in ordinance in our Church, and the rule is that it be not revealed.

The Challeman Ways these very less that it be not revealed. The Chairman-Were there any signs, passwords, or grips?
Senator Smoot-1 prefer, Mr, Chair-

man, to say nothing about it.
The Chairman—i will not press it,
of course. You decline to state any of

Senator Smoot—Yes, sir.
The Chairman—And for the reasons
you have stated?

Sepator Smoot-And for the reasons I have stated. The Chairman-Do you belong to any

other organization in the Church except the Apostles?

Senator Smoot—That is all,
The Chairman—You are a member of
the Melchizedek Priesthood?
Senator Smoot—I took that many
years before I was an Apostic. I have stated, Mr. Chairman, that the Mel-chizedek Priesthood is the same that chizedek Priesthood is the same that an Elder holds, and that Priesthood was given to me when I was ordained an Elder, and after that I was set apart as a Seventy, when I went upon my mission. The Alostic does not hold any more Priesthood than the Elder does—not one bit.

The Chairman—Is that a secret order?

Senator Smoot-Oh, no. Ordination

is done in public meetings.
Senator Overman-How much money is collected each year by the Church in the way of tithes; what is the total Senator Smoot-I could not say, I

do not know, Senator Overman-Have you any Senator Smoot-I would not want to a guess at it, and it would be a

mere guess. Senator Overman-Do you collect as much as a million dollars?
Senator Smoot—I have understood that some years it was about that and some years under.

Senator Overman-Say it is a million. How is it invested?
Schater Smoot-Of course I know lite Senator Smoot—Of course I know little about that. There is about a hundred and forty thousand dollars of it that goes to the educational institutions. I am only felling you just what I have heard indirectly. There is about a hundred thousand dollars of it that goes for the feeding of the poor, other than what they collect as fast offersings in the wards. Then there is a great deal of it that goes for the payment of missionaries' fares returning home. They pay their own fare and expenses while upon a mission, but if penses while upon a mission, but if they serve a mission two years, a faith-

ful mission, and receive honorable re-lease, their fare is paid home. Senator Overman—What I wish to get at is this: Is any of it invested in in-dustrial and commercial institutions? Senator Smoot-The Church has som these, but the Church is in debt, Mr. Senator. They issued bonds, you know, and I think they have outstanding bonds to the extent of about a million dollars, with some two hundred thousand or something, as I remember

Senator Overman-Has the Church stock in banks? Senator Smoot-They have very lit-Senator Overman-In rathroads?

Senator Smoot-I do not know of any

that they have in railroads. Senator Overman-In sugar refiner-Senator Smoot-They have in sugar factories. Senator Overman-This store is owned by the Church? Senator Smoot-Oh, no; not 7 per cent

of it. Mr. Senator, of the Z. C. M. I. not 7 per cent is owned by the Church. think there is 40 per cent of the dock of the Z. C. M. I. owned by non-Senator Overman-How much? Forty

per cent did you say? Senator Smoot—I think that is the last estimate I heard, or a little over Senator Hopkins-Suppose, Senator, 60 or 75 per cent were owned by the Church, Would it make any practical difference in the issues before us? Senator Smoot—I own stock in it.

Worthington-That question was not addressed to the witness.

Senator Hopkins-I made the suggestion to my colleagues on the commit. Senator Overman-To me?

Senator Hopkins—Yes.
Senator Overman—It might be very interesting as showing the power of the Church and what it does in Utah, we think, outside of Mr. Smoot. Senator Foraker—The committee has not gone beyond Smoot's relation to

the matter? the matter?

Senator Overman—The investigation has gone far into what the Church is doing in Utah. I wanted it for my own information, in order that I might know what power the Church has lu the way of owning commercial indus-tries, and as to the independence of the

Senator Smoot—I assure you there are many senators of the United States who own a great many times more money than the Church does.

Senator Overman—I want to find out what influence the Church has. In fact, I have a letter from out there, and I am inquiring for my own information.

Senator Smoot—I will answer any constitution.

Senator Overman-I have a letter Senator Overman—I have a letter from out there, suggesting outside of Mr. Smoot that the power of the Church there, in commercial and industrial institutions, is such that a man outside of the Church has no independence whatever. Now, I want to know whether that is the fact, for my own information, and not an affective Sen formation, and not as affecting Sen-

whether that is the fact, for my own information, and not as affecting Senator Smoot.

Mr. Van Cott—Now will you have the question read?

Senator Smoot—It is not true, Senator. I was just looking over, today, some of the leading institutions of Utah, and as my thought goes back now to the business concerns of our capital city, Salt Lake, it seems to me that the Mormon people there are fastgoing out of all kinds of business. You can take the wholesale grocery birals ness. You can take the great retail grocery stores, and, outside of the Z. C. M. I. there is not one Mormon store that amounts to much. Take the banks. Outside of one or two banks, of the 13 hooks there, they are all Gentile: that is, the Gentiles control them. The largest bank there, Mr. McCornick's bank, and the second one, Wells, Pargo & Co., are Gentile institutions. Then, I suppose, comes the Deseret National bank, which is not in any manner a Church institution. There are Mormons and Gentles on the board of directors, and I am one of the directors of that bank. It is not a Mormon Institution by any manner of means. Then take the wagen and machinery business. There is Studebaker's, with a mammoth company, a great big concern. It is true the Mormons lave the control of the Company, but Banker McCornick.

the banks in the State of Utah.

and a good many others, too,
Senator Overnan-I want to know
whether the Church has a majority of
the stock in these institutions so as to the stock in these mentitudes so as to control them.

Senator Smoot—I do not believe they have one cent in the Deserer National bank, and I do not think the Church has bank stock to the amount of \$20,000; no. I do not think it is \$15,000 in all the banks in the State of Ulah. anything further, Mr. Chairman?
The Chairman—Do you remember whether there was or not?

to say that you decline to state that portion of it which you can recall? Senator Smoot—With all due defer-ence and respect to the committee. I