

## ISAAC WHITTAKER

testified—Charles Gilmor's reputation for truth and veracity is very bad.

To Mr. Dickson—Every neighbor he has has thus spoken of him. Have heard men from Pioche say he was a bad character.

To Baskin—Gilmor told me he was an apostate, and I was surprised to hear he was a "Mormon;" never heard anyone else say he was an apostate; if the people there had any ill will to him they could starve him out. The people all say he will not tell the truth where a "Mormon" was interested, nor in other cases where he was involved. When he was hurt, they went and aided him in distress, and we would do so again.

To LeGrand Young—His stock trespass on other people, and that is how he makes a living.

Charles W. Penrose was called. As he was sworn Baskin remarked, in an undertone, "We'll have all that we want now," and Mr. Dickson said, "That's all that we want now."

R. W. Young came into the court room, and Mr. Penrose was called back while some documentary evidence was being read. The first consisted of an extract from a pioneer address by Wilford Woodruff, in which he says that upon the youth of the Latter-day Saints rests the responsibility of building up a State that will be an honor to the American Government, and that it is their duty to maintain the principles of the Constitution.

The next was an extract from an address of John Taylor, made in March, 1865, in which it is said that it was not the right of the Elders to interfere with the political institutions of any nation, and that the Saints owe their allegiance to the government and were loyal thereto—that the only trouble was when the laws were not justly administered; President Taylor also referred to the loyalty of the "Mormons" to the Union when the rebellion broke out; also to the conspiracies and abuses by some Federal officials.

An extract was read from an address by President Brigham Young, in 1874, regarding the establishment of the Kingdom of God, and the protection it would give to the people of the earth.

In volume one, *Journal of Discourses*, is a speech by George A. Smith, July 4, 1852, from which Mr. Young read.

The next was an extract from a discourse by President Young, delivered on the 6th of April, 1853, on the Endowments, in which it is declared that their purpose is for the next world.

## CHARLES W. PENROSE

testified—I have resided in Salt Lake City over ten years; have been in the Territory about 29 years; have been a member of the Church nearly 40 years; am now editor of the *DESERET NEWS*; was also editor of the *Ogden Junction*, and before that was in the mercantile business; have been preaching the Gospel in most of the countries of Europe and in the United States; am second

counselor to the President of Salt Lake Stake. Whatever I state about doctrine is only authority as far as it is sustained by the standard works of the Church; preachings not thus sustained are not doctrines. The terms "Church" and "Kingdom of God" are sometimes used synonymously, but they are separate; Jesus Christ is the first and only King of the Kingdom of God; there can be no kingdom established till He comes. That is the doctrine of the Church as set out in the Doctrine and Covenants, a standard of authority. That revelation, section 58, verses 21 and 23, tells us to be subject to the powers that are till Christ shall come. That is a command of God, through Joseph Smith, the Prophet. There are other commands of the same nature, as sec. 98, verses 4, 5 and 6; sec. 101, verses 76 to 80. In regard to the difference between the Church of Christ and the Kingdom of God, President Brigham Young, in July, 1855, delivered a discourse, speaking of the time when the Kingdom of God shall be established; (this was read from by the witness); it declares that the Kingdom of God grows out of the Church of Christ, and that the agency of man shall not be interfered with; the discourse also says that the flag of the United States will be defended and sustained by a free people. In another discourse, published in volume seven, *Journal of Discourses*, are the remarks of President Young on the divine inspiration of those who established the government of the United States and a declaration that the Latter-day Saints will sustain the principles of the Constitution of the United States. The sayings of Orson Pratt on the organization of the Kingdom of God were read from. Mr. Penrose stated that some of the writings of Orson Pratt had been disapproved, and he had afterwards made a confession that he had been wrong. (This confession was read from.) President Young, in referring to Orson Pratt's "Kingdom of God," and "Great First Cause," said that Brother Pratt's vain philosophy was no guide for the Latter-day Saints. The Kingdom of God is to exist in the future; we understand that to be Bible doctrine. The germ of the Kingdom is in the Church, but it cannot be established till Christ comes, when, as the Bible says, "The kingdoms of this world shall become the kingdom of our God and His Christ." This was referred to by Isaiah, John, and all the Prophets. The Priesthood have no right to coerce; they have a right to control the temporal matters of the Church, but not of the people. President Young believed he had the right to counsel in all things, when he was asked, but the people could follow his advice or not just as they pleased. The Priesthood have no authority to compel obedience to its mandates; any exercise of that power is contrary to the laws of the Church; if a man does not conform to the Church laws, excommunication is the penalty.

(Mr. Penrose read from the revelation, in proof of his statement that

the Priesthood had no right to coerce. He also read from an article on Church government, in the Doctrine and Covenants.)

This article has been published in every edition of that book.

Court took recess till 2 p.m.

During the forenoon much of the time was spent in reading the extracts noted, which explained the ideas of the "Mormon" people relative to the government, and their belief with reference to the powers of the Priesthood and the establishment of the Kingdom of God. In the afternoon Judge Anderson stated that the use of the legislative chamber in the City Hall had been secured, and an adjournment was taken to that place, whence the crowd repaired.

Le Grand Young said that he had intended to bring Mr. Green, of Farmington, and the only one of that name who had resided there, to testify. He was not with the train that crossed the plains in 1862. He would leave it to Judge Anderson whether evidence of Mr. Green's subsequent residence in Farmington would be taken. The witness Wardell had said that the murdered Green had lived at Farmington.

The court said a limited amount of such testimony would be admitted.

## MRS. EMMA GROVER

was called and testified—I have lived at Farmington since 1856; I know the people who live there; knew all who lived there from 1856 to 1863; Isaac Green was one; he is my brother-in-law; he came there about 1862 or 1863; I think he now lives at Wellsville, Cache County; there has been no other family, named Green, there since 1856; never heard of a Farmington man being killed on the plains; Isaac Green, the only one of the name of Green, who has resided at Farmington, still lives. I last saw him five years ago, in Farmington; he lived about 200 yards from my house.

## JAMES MILLARD

testified—I have lived at Farmington since 1853; there was not a house there when I went; I know all the residents; Isaac Green lived there from 1858 to 1863; he moved to Kaysville and then to Wellsville; I saw him last April; no other family named Green has resided there. I never heard of a man named Green, or of any man from Farmington being killed on the plains.

## JAMES T. SMITH

testified—I went to Farmington in July, 1854; knew Isaac Green well from 1858 to about 1863, when he moved to Kaysville, and thence to Wellsville; no other man named Green has resided there; never heard of a Farmington man being killed on the plains.

## MR. PENROSE

was recalled and continued his testimony. The Book of Doctrine and Covenants is an accepted book of the doctrines of the Church; it was formally accepted at a General Assembly of the Church, October 10, 1830; the book as it existed in 1835