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is no place set apart specifically for it.

Q.—Is there any other proper place for the performance of these rites?

A.—As I have said, there are places that are appointed for a great many ceremonies, among which is the ceremony of marriage. The ceremony of marriage can be performed outside of any of these places.

Q.—I am speaking of plural marriages.

A.—Yes, sir.

Q.—Does the Church allow members of its faith to enter into plural marriage, according to circumstances?

A.—Yes.

Q.—Where? Any place, indoor or out of doors?

[Question objected to.]

Q.—Under what circumstances does the Church authorize the performance of the ceremony of plural marriage outside of the Endowment House or temples of the Church?

[Question objected to as immaterial and irrelevant.]

Judge Zane—Answer the question, [Exception taken.]

A.—I do not know anything special about the matter.

Q.—Mr. Taylor, if members of the faith, a man and woman, members of the Church, were living, for instance, in this city, within convenient reach of the Endowment House, desired to enter into plural marriage, would not the law of the Church require them to have the ceremony performed in the Endowment House?

[Question objected to.]

A.—Not necessarily so.

Q.—Would they not require a dispensation from the Church to authorize its celebration elsewhere?

A.—Yes, sir.

Q.—Under what circumstances would the dispensation be granted?

[Question objected to.]

Judge Zane—For what purpose do you ask this question?

Mr. Dickson—For the same purpose, all tending to show that this marriage must have been performed in the Endowment House in this city.

Mr. F. S. Richards—It has already been shown that marriages could be performed elsewhere than the Endowment House.

Judge Zane—Answer the question, [Exception taken.]

Mr. Dickson—What are the circumstances necessary to the obtaining of a dispensation?

A.—It would be very difficult to say. There might be twenty or thirty different circumstances.

Q.—Well, do you know of some circumstances that would authorize such a dispensation?

A.—I do not know particularly.

Q.—Did you say it would require a dispensation?

A.—Yes, sir.

Q.—For the performance of the act, but not for a specific place?

A.—Yes, sir.

Q.—If parties are living here in Salt Lake City, members of the Mormon faith, a man and a woman who are desirous to enter into plural marriage, would they not be required in the absence of a dispensation, to have the ceremony performed in the Endowment House?

President Taylor—In the absence of a dispensation?

Q.—In the absence of a dispensation authorizing the marriage elsewhere?

A.—It would be the authority to get married that would pass, no matter where it was.

Q.—Who gives the authority?

A.—I give that authority.

Q.—In all cases?

A.—Generally in all cases.

Q.—Is there any other person authorized to grant the dispensation?

A.—There are persons I might appoint.

Q.—Have you conferred upon any person that authority within the past three years?

[Question objected to as immaterial and irrelevant.]

A.—Yes, sir.

[Exception taken.]

Q.—Who?

A.—Sometimes Joseph F. Smith, sometimes George Q. Cannon.

Q.—Do you remember any others upon whom you conferred that authority within that time?

A.—I do not remember any at present.

Q.—When this authority is conferred upon any one by you, is it an authority limited to some particular case, or a general authority?

A.—It would be a general authority until rescinded.

Q.—Give me the names, if you can, of the priests or ministers, or whatever name they are known by in the Church, in this city, who were authorized to perform plural marriages within the past three years?

[Question objected to as immaterial.]

Mr. Dickson—It may be that he is one, and I may follow it up by showing that he was present at that marriage.

Mr. Bennett—Oh, anything may be. The question is whether it is lawful.

Judge Zane—I do not see that it is not material if followed up. He may answer the question.

[Exception taken.]

Question repeated.

A.—I could not give you these names.

Q.—Can you give me any of them?

A.—No, sir.

Q.—Can you not give the name of any person in the Church who was authorized to celebrate plural marriages within this period of time?

A.—I will state in relation to these matters, that I have nothing to do with the details.

Q.—I understand it is you from whom the authority comes?

A.—Yes, sir; but I have nothing to do with the details of the matter.

Q.—But you are the person who confers the authority.

A.—Yes, sir.

Q.—Then you do know upon whom you do confer authority?

A.—There are hundreds of people who have authority.

Q.—In this city?

A.—Well, there are a great many in this city.

Q.—How many?

A.—I could not say.

Q.—Do you keep any record of the appointments?

A.—No, sir.

Q.—You do not know at any time who is authorized to celebrate plural marriages?

A.—No, sir; I do not know.

Q.—Is there no means by which you can inform yourself?

A.—There may be.

Q.—Do you think you could find out?

A.—I might by asking the parties.

Q.—But if you don't know who to ask?

A.—Then I would not know who to ask.

Q.—Then I understand you to say you do not know who they all are?

A.—I do most emphatically.

Q.—There are persons; but with your unaided recollection you are unable to say who is or who is not authorized to administer that rite?

A.—I do not understand you.

Q.—If I understand you aright, by your unaided recollection to-day you are unable to say who is or who is not authorized to celebrate the rites of marriage in the Church?

A.—My recollection would tell of hundreds if I could remember their names that would be authorized, but my recollection would not tell me who is or who is not.

Q.—Your recollection would not give all who are? Is there any means by which your recollection could be refreshed?

A.—I do not know. I could investigate.

Q.—There is no records kept?

A.—Don't have any such records.

Q.—Then if you don't know the names of the persons who celebrate the rites, and there is no record of it known to you, how can you tell whether a marriage is celebrated?

A.—I have nothing to do with details.

Q.—It is a matter of no concern to the Church whether these marriages are celebrated by persons authorized or not?

Question objected to and sustained.

Q.—During the year 1883 give me the names of persons who were authorized to celebrate plural marriage in the Endowment House of this city?

A.—I could not tell you, sir.

Q.—Can you ascertain?

A.—I presume I could ascertain.

Q.—In what way?

A.—By asking, as I said before. I answered that question before.

Q.—Is there any record of marriages?

A.—I am not acquainted with the records.

Q.—Do you know whether a record of marriages is kept?

A.—It is very probable there is.

Q.—Can you say whether there is or not?

A.—I think likely there is.

Q.—Did you ever see it?

A.—I do not know that I have.

Q.—If you wanted to see it is there any means of ascertaining where it is?

A.—I could find out by inquiry.

Q.—Will you be good enough to do so?

A.—Well, I am not good enough to do so.

Q.—I understand, then, that unless you are compelled to do so, you would refuse?

(Question objected to.)

Mr. Dickson—I have the right, I presume, to ask the witness, whether or not he could ascertain where the records are, or whether he refuses to do it.

A.—I do not know anything about the records. They are not in my custody.

Q.—I understand you to say you could inquire as to their whereabouts. Will you be good enough to do so and give us the information?

A.—I do not think I am good enough.

Q.—Who is the custodian of the records?

A.—I cannot tell you.

Q.—Did you ever know who the custodian of the records was?

A.—I do not know that I ever did.

Q.—Do you know you don't?

A.—Yes, I know that I don't.

Q.—You know that you have never known who the custodian was? Did I understand you to say that you have never seen the record?

A.—I do not think I ever have to the best of my knowledge.

Q.—Have you ever given any directions as to the custody of the record?

A.—No, sir.

Q.—At no time?

A.—No, sir.

Q.—Have you ever enquired of any one where the record was?

A.—I could not say positively whether I have or not.

Q.—What is your best recollection?

A.—I do not know.

Q.—You do not know whether you have enquired as to the record? Have you ever inquired as to the custodian of the record?

A.—I do not think I have.

Q.—Have you ever been told who the custodian of the record was?

A.—Not to my recollection.

Q.—Do you know whether Elias Smith, sen., during the year 1883, was authorized to celebrate plural marriages in the Endowment House of this city?

A.—I don't, sir.

Q.—Do you know whether Angus Cannon, sen., was?

A.—I do not.

Q.—Do you know whether there is any person or number of persons, body of persons, in the church, who are authorized to direct the custody of the records?

A.—I do not.

Q.—Do you know whether there is any regulation in the church, or adopted by anyone in authority, with respect to the records?

A.—I am not acquainted with anything pertaining to the records.

Q.—Has anyone not authorized the right to celebrate the rites of matrimony?

A.—No, sir.

Q.—It must be some one upon whom authority has been conferred by you?

A.—No, sir, not by me.

Q.—Who confers the authority?

A.—Sometimes others.

Q.—Well, who else besides yourself?

A.—Well there are others besides myself.

Q.—Who in this city besides yourself?

A.—Quite a number.

Q.—Who in this city is authorized to celebrate plural marriages?

A.—A great many have been appointed—hundreds.

Q.—Can you give me the names of those in this city who are now authorized to perform plural marriages?

A.—I could not.

Q.—Do you mean there are so many?

A.—There are a great many that would be authorized under certain circumstances.

Q.—Is it not a fact, Mr. Taylor, that plural marriage is a secret rite, a secret ceremony?

A.—It is a secret to some and not to others.

Q.—I of course exclude those who were present?

[Question objected to; overruled.]

Q.—With the exception of those present—parties to the contract—is not that a secret ceremony?

[Question objected to.]

A.—Necessarily so.

Q.—What do you mean by that answer?

A.—There might be a great many others, acquainted with the circumstance and who could be present if they desired.

Q.—Is that confined to members of the priesthood, or those in authority in the church?

A.—No, sir; those who were properly recommended could be there.

Q.—Those in whom the church had confidence?

A.—Yes.

Q.—Are not the parties who enter into the contract of plural marriage and those who are present in officiating sworn to secrecy?

[Question objected to as immaterial.]

Mr. Dickson—I think we are entitled to know how these marriages are celebrated, what ceremony has to be gone through and observed from the time parties enter upon it until it is concluded.

Judge Zane—You may answer the question.

Question repeated.

A.—No, sir.

Q.—Is secrecy enjoined upon such?

[The same objection made.]

A.—Not that I am aware of.

Q.—What is the ceremony of plural marriage?

A.—I do not propose to state it.

Q.—Do you decline to answer?

A.—I do.

Mr. Bennett—We object, your honor. Question withdrawn.

Q.—Are you acquainted with the defendant?

A.—Yes.

Q.—How long have you known him?

A.—A number of years.

Q.—You have been on speaking terms with him?

A.—Oh yes, all the time.

Q.—Have you ever had any conversation with him about his marriage relations?

A.—No, sir.

Q.—Did you ever hear him say anything about it?

A.—No, sir.

Q.—Do you know whether he has taken a plural wife or not?

A.—I don't.

Q.—He is a member of your church, in fellowship?

A.—Yes, Sir.

Q.—You knew there was an indictment against him?

A.—I have heard of it.

Q.—Did you ever ask him whether he had entered into plural marriage or not after you had ascertained that he had been indicted?

A.—No, sir.

Q.—You have met him since his indictment was found?

A.—I do not remember.

Q.—Have you any means of knowing whether or not he has entered into plural marriage?

A.—I do not know that I have.

Q.—Do you know that you have no such means?

A.—Yes.

Examined by Mr. F. S. Richards: President Taylor, in your direct examination you spoke of having appointed or authorized persons to celebrate plural marriages. State whether or not such authorization or appointments extended only to plural marriages, or whether the appointees had the authority to celebrate first marriages also. In other words, was the authorization general as to marriage, or confined to plural marriage only?

A.—It was general in all these matters, and things performed in the house.

Q.—And as to all classes of marriage, Mr. Taylor?

A.—Yes, sir.

Q.—Whether plural or first marriages?

A.—Yes, sir.

Q.—You also made some reference to authorization or recommendation of parties to the buildings at which these ceremonies are performed. State also whether the regulations and recommend you refer to applies equally to parties who go to celebrate marriages, first marriages, or plural marriages, or whether there is any distinction?

A.—There is no distinction.

Q.—Mr. Taylor, I will also ask you whether such authorization or recommendation that you might give to individuals would designate the purpose for which they go to the house?

A.—No, sir, it would not.

Q.—Would it even show that they went there for the purpose of marriage at all?

A.—No, sir.

Q.—Are there not various other rites and ordinances performed in these houses aside from marriages?

A.—Yes, sir.

Q.—Then in giving an authorization to go there, you would not signify or indicate for what purpose?

A.—I do not know for what purpose they go.

Re-direct by Mr. Dickson—You stated in answer to Richards' question as to the scope of the authority?

A.—My answer was that it pertained to all matters performed in the house. I refer to the Endowment House or to the temple.

President Taylor, having exchanged a few words with Judge Zane, left the room, and with him the interest for a large number went also, for they passed out in swarms after him.

ELIAS SMITH, SR.,

the next witness, said he had seen the defendant; don't think I officiated in 1883 in any plural marriages in the Endowment House; I was sick or absent from the Endowment House in January, February, March, April, May, June and July; I never was authorized to perform marriages there, nor was I present, to the best of my knowledge, when defendant was married.

C. J. THOMAS,

the following witness, stated that his office as Elder and his position as Janitor at the Temple Block, did not include any service in relation to marriages in the Endowment House; he knew the defendant, but not Lydia Spencer, and never saw defendant at the Endowment House.

Heber Dinwoodey, was called, but the prosecution in his case admitted they had been misinformed as to information in his possession, and he was quickly excused.

ANGUS M. CANNON, SR.,

being sworn, testified as follows:

I am a member of the Mormon church; I did not officiate in any plural marriages in 1883 that I know of; November in 1882; nor last Thursday. It is some months since I was at the Endowment House; I don't know of any record of marriages; I never saw one or any part of one; never had one in my house, and don't know of the existence of one.

Mr.