

larly those of a people whom he hated intensely.

George C. Lambert was called for and Mr. Dickson discovered that the volumes of the NEWS asked for were not the ones wanted, so Mr. Lambert was sent back for others.

Mr. Dickson said all they wanted was the dedicatory prayer offered in the St. George Temple; but if any new testimony should be discovered, they would want to use it.

Mr. Moyle said he would object.

Court—It would be but justice to the applicant that all the evidence of the objectors to Mr. Moore's naturalization should be brought in at the outset of the case.

Mr. Lambert arrived at this stage of the proceedings and Dickson and Baskin retired to delve into the files of the DESERET NEWS for a while.

After a lapse of some time Baskin returned and read from the *Millennial Star*, Volume 19, page 804, regarding the government of "Mormonism."

An hour passed by, when Baskin announced that the document they were searching for was the most important of all they had, and they had not been able to find it.

Mr. Dickson said a synopsis had been found, but the part they wanted was not there.

Baskin had an alleged copy of his own, but there was no evidence that it was authentic, so it was not accepted.

Mr. Baskin said there were other documents, but as yet he had not been able to secure them.

Mr. Dickson was given a subpoena to bring in the official Church records of the dedication of the St. George Temple, and of the site of the Manti Temple, and the case was postponed till 10 a.m., November 16, to which hour the court adjourned.

November 16th, Mr. Dickson said he had found the prayer that he had referred to, and offered it in evidence.

LeGrand Young objected to it, as it was not doctrine. It was not assumed to be revelation, and it had never been put before the people and accepted as doctrine. The declarations of any individual were not binding on the members of the Church.

Court—Let it be admitted in evidence.

Mr. Dickson then read from the prayer by Wilford Woodruff, in which there is a request for the nation which makes war against the Saints, unless it repents, to be swept from the earth as with a besom of destruction.

Mr. Baskin offered the writings of Orson Pratt on the government of the Church.

LeGrand Young objected on the ground that the parts proposed to be brought in were openly declared by the President of the Church not to be doctrine.

The Court admitted the statements objected to.

The extracts read were from Orson Pratt's pamphlet on "The Kingdom of God."

Dickson offered a discourse by George Q. Cannon, delivered Dec-

ember 2, 1883, in Salt Lake City, in which the people are advised to be united and keep the commandments of God. The discourse also deals with the doctrine that revelation from God comes only through the one whom God called to preside over His Church; refers to the disfranchisement of the leading "Mormons" by the Edmunds law, and to the divine authority of those called by the Almighty to act in His name and by the Powers of His Priesthood.

Baskin then offered in evidence the Doctrine and Covenants. He then announced that his case was closed.

Le Grand Young stated that, at the first, the court had said, the inquiry would be confined to a certain scope; but this had been departed from, and an effort was made to prove that the Church, and the members thereof, were enemies of the government. The enemies of the people had been called to explain their views and doctrines. This was an unjust procedure. It may be that the witnesses we put on will not disclose the Endowment ceremonies. But we will prove that the allegation that there is an oath against the government is a false allegation. The expressions by President Geo. Q. Cannon, that only one man could receive doctrine for the Church, and that by revelation from God, is a statement of our position, and no member of the Church is bound by the ideas or opinions of another.

#### APOSTLE JOHN HENRY SMITH

was the first witness. He testified—I am 41 years of age; I am a "Mormon," and so were my parents and grandparents; my father was an Apostle, and I am recognized as one; there are the First Presidency of three members; the Twelve Apostles, and the quorum of Seventies. These three quorums possess equal authority, in their capacity as quorums. I belong to the second quorum in the Church, the Apostles. The First Presidency, when organized, is the authoritative quorum. I have had my endowments. Have officiated in the Endowment House, now torn down. In those ceremonies there is no oath or covenant to avenge the blood of the Prophets on this nation or people; nor is there any oath against the government. Nothing of the kind was ever presented to me—no such oath, bond or covenant of that kind, nor anything that would be so construed. Had any man presented such a thing to me I would have repudiated it. I never heard such an oath administered to me. Implicit obedience is not taught. Intelligent obedience to that which we understand is right is taught in our church. I am as free as any man on earth from my file leader. The basis of our religion is that every man must act on his own free agency. That cannot be infringed upon. No bond is asked, requiring implicit obedience to the Priesthood. We are instructed, in our Church, to be united, as is set forth in President George Q. Can-

non's discourse, which has been read here. It has been our union that has enabled us to make this country habitable. There were hostile Indians here, and there were great difficulties, which we overcame by our union. It is a doctrine of our Church that men should live in union, and protect each other's rights and interests. In the Endowment there is nothing requiring the avenging of the blood of the Prophets on this nation. The only thing that can be in any shape so construed is in passages of scripture which are read. They are found in the 6th Chapter of Revelation, 9th and 10th verses. I have been astonished at the testimony here. The verses I refer to are as follows:

And when he had opened the fifth seal, I saw under the altar the souls of them that were slain for the word of God, and for the testimony which they held:

And they cried with a loud voice, saying, How long, O Lord, holy and true, dost thou not judge and avenge our blood on them that dwell on the earth?

This is given in the course of a lecture, that is, it is read when no obligations are imposed, and the people are advised to pray that the Lord will avenge the blood of all the Prophets, of any age, precisely as it is set forth in the verses I have read. The names of Joseph and Hyrum Smith were not mentioned to me in this connection. The prayer is taught in the Church, to all members, that justice might be done by the Lord. If the "Mormons" are unjust, they are responsible under this, as well as are others. There is nothing authorizing or approving the shedding of blood. The man who breaks the law of the land is, by command of God, to be turned over to the law of the land for punishment. That is the condition, belief and practice of the "Mormon" people. In the Endowment ceremonies there is no covenant, vow, oath, or agreement by which a man's arm is to be made strong to avenge the blood of Joseph or Hyrum Smith on this nation or any other. The "Mormons" believe in anointing with oil for sickness, and is a habit with them. In all anointings we pray to God to bless the person anointed.

Baskin—That is balderdash.

Court—What is your objection.

Baskin—It has nothing to do with this case.

Court—It is impossible, sometimes, for a witness to confine an answer so that it is responsive to the question. But he will do so as much as possible.

Mr. Smith, continuing—A person is not required in the Endowment ceremonies to take an oath to go into polygamy.

To Mr. Dickson—I am reasonably familiar with the Endowment ceremonies. I have a deep affection for my country—the United States. I would repudiate any oath, covenant or condition opposed to my country. I am a polygamist, and entered that relation in 1877, before the anti-polygamy law was declared constitutional.