

to that which the complete document would convey.

Mr. Dickson asked the court to go down to the house of Vincent Shurtliff, whom Dickson claimed to be an ex-Bishop, and who was too ill to come into court.

The court suggested that the stenographer go down, and that the testimony be taken and read to the court.

This was agreed to.

Mr. Baskin—We want to introduce the revelation on polygamy.

This was admitted, and court took a recess till 2 p. m., to get the testimony of Vincent Shurtliff.

VINCENT SHURTLIFF

testified as follows to Mr. Baskin—My age is 79 years next May; am a native of Massachusetts; have resided in Utah 42 years; have been a member of the "Mormon" Church—first became a member in 1842; ceased my connection with the Church about 16 or 18 years ago. I passed through the Endowment House in the fall of 1850.

Baskin—In passing through the Endowment House did you take an oath relating to your obedience to the "Mormon" Church or Priesthood?

Le Grand Young objected to the question on the ground of its general character, and of its requiring the witness to divulge religious ceremonials which did not pertain to the question at issue, and which, under oath, he is obligated to keep secret.

Witness Shurtliff—Yes, my obligation was in regard to obedience to the Priesthood in all things.

Baskin—Did you take any obligation relating to avenging the blood of Joseph and Hyrum Smith? If so, state it.

LeGrand Young repeated his objection.

Shurtliff—There was, I expect. I raised my hand to tell the whole truth. It was that the sword should not be sheathed until the blood of Joseph and Hyrum should be avenged.

Baskin—Avenge on whom?

Shurtliff—I concluded, on the United States.

Mr. Moyle objected to the conclusions of the witness.

Baskin—Were the children mentioned in connection with them?

Shurtliff—Yes, we covenanted to teach it to our children and our children's children, down to the fourth generation.

Baskin—Were there any penalties attached to the obligations you took? Objected to on the ground of being too general.

Shurtliff—Yes, I concluded there would be—I am of course a Mason.

Baskin—Well, state the penalties attached to the ceremony.

Shurtliff—Well, on the whole, I think it was if we divulged and went against the Priesthood we should have our throats cut, and be disemboweled.

Baskin—Was there anything in that ceremony relating to the establishment of the Kingdom of God? If so state what it was.

Shurtliff—I don't remember, though I concluded it was the

Kingdom of God. I don't know that there was anything said on the subject.

Baskin—Was there anything said in the ceremony on the subject of the United States government being overthrown and some other government taking its place?

Shurtliff—I don't remember anything of that sort.

Baskin—You were anointed?

Shurtliff—Yes.

Baskin—State what was said in regard to anointing the arm.

Shurtliff—That it might be made strong in defending the Church and the Kingdom of God, or the Church and people of God—I forget how that was worded.

Baskin—Anything in that connection about avenging the blood of the Prophets?

Shurtliff—That was said before or after—I forget which.

Baskin—Was anything said on the subject of polygamy?

Shurtliff—I don't think there was at that time.

Baskin—Was there any obligation taken by you which bound you to obey the law of polygamy?

Shurtliff—No, I don't think there was. I had wives with me at that time; I was already a polygamist.

Baskin—Did you ever know of the penalties that were taken in the Endowment House visited upon any one who violated them?

Shurtliff—I never did.

Cross-examined by Le Grand Young:

Q.—In the general teaching that day, and general course of the Endowment, I understand you there was no particular admonition upon you to be a polygamist?

A.—None.

Q.—You would have heard if there had been?

A.—Yes.

Q.—You say you were once a Mason, in the course of the Masonic covenants did you enter into any particular agreement not to disclose the secrets of the order?

Mr. Baskin objected to the question.

A.—I did not get as far as that; I only attended one meeting; I don't know anything about their covenants; I have talked with my brother-in-law about it, and what he told me was in substance what I witnessed in the Endowment House.

Mr. Dickson referred to a sermon by President Young, in 1862, and read from the *Journal of Discourses*. The sermon refers to the unwarranted persecution of Joseph Smith and the "Mormons." In this the government was referred to as the best of all earthly governments. Mr. Dickson said the tenor of it was to teach the "Mormons" that the government was their enemies.

Mr. Dickson also read sentences from Heber C. Kimball's remarks, on August 2, 1857, wherein there is a curse pronounced against every man who lifts his heel against the Saints from that day forth.

From a sermon by Heber C. Kimball, Sept. 27, 1857, on obedience, Mr. Dickson also read a number of excerpts.

On Nov. 8, 1857, was another discourse on the same subject, by Heber C. Kimball, from which a paragraph was read; also a sermon on August 30, 1857, in regard to the Gentiles ruling over the Saints. A few lines were also read from one of Heber C. Kimball's sermons, delivered August 2, 1857. Quotations were also made from a discourse given June 7, 1857.

Baskin said similar quotations could be found by the hundred in the *Journal of Discourses*.

Baskin offered in evidence a portion of an Epistle to the Church, published October 7, 1855, and signed by Presidents John Taylor and George Q. Cannon. Paragraphs and sentences here and there were picked out and read. They related to the promises of the Lord to deliver those who trusted in Him; to the revelation on celestial marriage, and to religious liberty.

Baskin offered to read from the revelation on celestial marriage.

Mr. Moyle objected, as there was no issue upon that revelation, but the objection made to Mr. Moore was that he had taken an oath in the Endowment House against the government. The United States Supreme Court had said that belief in plural marriage was not unlawful.

Mr. Dickson said that he thought no one who believed polygamy was right should be admitted to citizenship. It will be our contention in this case that no man who believes in plural marriage should be admitted.

Baskin—No man who believes in that revelation.

Dickson—To admit such a one is a farce.

Baskin—This polygamy is one of the doctrines of the Church. If it was a mere matter of belief, an abstract idea, then it could not be reached. But this revelation calls for action, and requires obedience under the penalties of damnation. Thousands have been incarcerated in the penitentiary and hundreds are serving today. Eight or ten thousand citizens have practiced polygamy. This Church assumes to control a man in all things, and one who unites himself with such an organization is not a man of good moral character. Can it be said that a man voluntarily connected with an organization like this Church is well disposed to the American government?

Court—I don't think it necessary to argue that further. There are several cases depending on whether an oath was or was not taken in the Endowment House. They were also objected to because they were members of the "Mormon" Church. That is, is membership in that Church incompatible with citizenship? The court will hear the portions of the revelation which counsel desires to read.

Baskin then read extracts from the revelation, arranging them to suit himself. He then made an absurd spectacle of himself by endeavoring to explain the meaning of some of the quotations.

Mr. Moyle objected to this, as Mr. Baskin was not a capable expounder of religious doctrines, and particu-