

and said there might be a fair inference that the murder grew out of the fact that Green had been a member of the Church and had apostatized.

Mr. Moyle—It is not shown that any of these men who committed the crime were of the traveling company, or connected with the Church.

R. W. Young remarked that Mr. Moore would like to get through in time to vote at the next election.

Baskin, sneeringly—It would be a great pity if a member of that organization should not be allowed to vote.

Court—If this man has taken such an obligation he should not be in a hurry.

ANDREW CAHOON

testified: I came to Utah in 1848; joined the church in 1833, in Kirtland; was a member till 1871; I was a Bishop 18 years; was one when I left the Church; I received my Endowments 44 years ago, and am familiar with the ceremony so far as my memory goes; never officiated; got my endowments in 1845 or 1846; I took obligations there—everyone has to; there are oaths administered there; they relate to obeying the Priesthood, and to avenge the blood of the Prophets; this was understood to mean Joseph and Hyrum; the blood was to be avenged on any who were guilty of shedding the blood, or consented to it; there was also a covenant to yield implicit obedience, at all times, to the Priesthood; the penalty was death for revealing any of the secrets; I did not understand how the penalty was to be inflicted; the understanding was that if a man apostatized and divulged the secrets he should meet the death penalty; there was something about the throat being cut, and being disemboweled; the right hand was also forfeited; one of the penalties was for disobedience to the Priesthood. The highest allegiance was to the Mormon Church or the Kingdom of God. There was nothing said of obedience to the law of the government. They were instructed that polygamy was a command of God—that all must endorse it or be damned; it was not practiced. There is no age set for a person to go through the Endowments. It was expected that all members would avail themselves of the privilege of going through. A man cannot be legally married except there, as the Church does not recognize any other marriage. A civil or legal marriage is considered good as long as parties live. They regard it as legal in the eyes of the law, but not legal as pertaining to the Priesthood. This is taught in the Endowment ceremony.

To Mr. Young—In the obligations to avenge the blood of the Prophets, the idea conveyed was the blood of all the Prophets and especially of Joseph and Hyrum, on all connected with their death or who consented to it. There was an instruction of allegiance to the Church. There was no instruction to break the laws of the land, but we were to obey the Priesthood. We were not taught

to be immoral, we were taught to be good men, and not to break any law of morality; only the doctrines of the Church were considered highest. I considered the general teaching of the Church was in hostility to the law of the land, wherein it advised obedience to the Priesthood. I know instances but cannot name one. I never heard it taught directly that we were to take from our foes. I never taught it, because I did not believe it; some did, but I cannot name who, except Lyman Wight, at Adam-Ondi-Ahman. I did not see it, but I did the results. Lyman Wight apostatized more than forty years ago. The doctrine of taking from our enemies was not taught publicly. The Cahoon family were not trusted with secrets. I was told it would be no harm to put a man out of the way. I don't know that any man was put out of the way. I don't remember any man who was referred to. It was some man who had been in some mischief. Never heard he was put out of the way. I was not connected with any of the work, and don't know a man that was put out of the way. I knew indirectly that men were put out of the way, but it is out of my power to name one. Almon W. Babbitt was killed; I don't know who did it, or who ordered it. I don't know that it was ordered. But he was killed, and it was reported that it was done by Indians. I don't know but what Bill Hickman done the job. Indians may have killed him. I was never advised to break the law of the land, but that was implied in the teaching to obey the Priesthood. It was understood that we should obey the Priesthood. I never taught any one to disobey the law of the land, and was never asked to disobey it myself, or to tell anyone to disobey it; that is a part of the instruction in the Endowment. The Mormons regard a civil marriage as unauthorized. They do not say the offspring are illegitimate. They regard marriages outside of the authority of the Priesthood as of no force in eternity. They taught a legal marriage, under the law of the land, did not go into the other world. They married for time and eternity. They regarded the marriage ceremony of the world as good while the parties lived.

To Mr. Baskin—If a man not married by the Priesthood died, he would have no wife in the next world.

To Mr. Young—Joseph Smith and the leaders of the Mormons professed loyalty, but taught that the Government would be overthrown, and the Kingdom of God would be established. They taught that the Constitution was inspired, but it would be hetered by the Priesthood; that time has been put off from time to time. In the Endowment House they were careful not to mention the Government of the United States.

To Mr. Baskin—It was taught that the kingdom of God would be established, and all other governments would be overthrown, and the United States would be the first.

To Mr. Young—I did not enter into any covenant to overthrow the government, but to sustain the kingdom of God against all others. It was understood that we had to establish the kingdom of God against all other powers. No government was mentioned but it was implied, when we said we would sustain the kingdom, that we would go any way to sustain the kingdom of God. This was to be accomplished by every means, persuasion and force, if necessary. That was the teaching, but I do not remember what was said, I can't remember the ceremony, but it was that we would sustain the kingdom against all other powers. The government of the United States was not mentioned. They were careful not to do so; they did not need to.

To Mr. Baskin—When I was Bishop, I was taught generally that I had to endorse or embrace polygamy or be damned; don't know of a case of a man being found with his throat cut; I heard that Ike Potter was so found.

Mr. Moyle—I protest against such proceedings in the name of justice, because I know it is wrong.

The court said it should be known if there was an implied feeling of hostility to the government. If this was one of the penalties inflicted for revealing the secrets of the Endowment House, I think these instances can be shown. If it can be established that members took an oath of hostility to the government, and these penalties were executed, the nature of the ceremonies should be known.

Mr. Moyle—Does the court mean to say that every murder committed in this Territory is to be charged against the Church?

Court—If they can show instances of where this penalty is enforced, that is proper.

Mr. Baskin—I propose to specify cases that the witness could not tell Mr. Young of.

Mr. Moyle—These witnesses are full of hostility to the Church in every way, and their understanding is not proper. We don't object to the truth, but we do to those hostile ideas.

Court—Let the witness answer.

Witness—I heard of Ike Potter's death.

Mr. Baskin—Have you ever heard of any others who had their throats cut?

Objected to, as hearsay was not evidence. If the witness knew of anything they have no objection. Objection overruled.

Mr. Baskin—We have proven that oaths are taken under penalties of death. If we can show that there have been mysterious crimes committed in this Territory, that should have a bearing on this matter, and connects them with the Church.

Court—That might be an inference.

Mr. Baskin—We can prove these penalties have been inflicted by Elders and members of the Church, and Potter's case is one.

Court—If a man enters into such an obligation, that is sufficient.

Witness—I don't know anything about Nigger Tom's assassination.