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Journal of Mormon History

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Letters

Editorial Reviewers AWOL?

I did some catching up on recent back issues of the *Journal;* and here and there, I encountered an article that made me wonder about the thoroughness of the *Journal's* review process. The most puzzling example was Brandon Morgan, "Educating the Lamanites: A Brief History of the LDS Indian Student Placement Program" (35, no. 4 [Fall 2009]: 191–217). This piece inadequately reviewed the extant scholarly literature, and the author was ill served by reviewers who did not notice that inadequacy. I kept looking for a new contribution to our knowledge about that placement program, and I saw very little that I had not already encountered much earlier.

Though the article did add more about the nature and extent of the opposition to the placement program from non-Mormon social scientists, I found nothing of substance that was not already published. I was especially astonished to read the author's sweeping and totally inaccurate generalization that "only one scholarly work on the subject has been published since the late 1970s" (217). This work was James B. Allen's fine and thorough article in a 1998 FARMS collection, but it is far from the "only" one.

At least the following obvious exceptions to that generalization about the twentieth-century relationship between the LDS Church and American Indians would be: (1) Neil Birch's article on Helen John (perhaps the earliest placement client) in the winter 1985 issue of *Dialogue* (this entire issue dealt with Indians/Lamanites); (2) Tona Hangen's article on the placement program in the spring 1997 issue of *Dialogue;* (3) George P. Lee's letters in the August 1989 issue of *Sunstone* (perhaps not strictly "scholarly" in themselves; but the accompanying article provided important context, and these letters were more complete and candid than the excerpts the author referred to in the Kimball biography); and (4) my own *All Abraham's Children: Changing Mormon Conceptions of Race and Lineage* (Urbana: University of Illinois Press, 2003), chapters 3–5 of which were also devoted to LDS history with the Indians. Chapter 4, in particular, reviews the placement program in the context of four Lamanite programs that the Church sponsored during the second half of the century—a context that is, incidentally, crucial for understanding the "fate" of placement, rather than seeing it only in isolation or in the context of "Indian programs" elsewhere in the nation.

The author showed little awareness of certain other secondary and primary sources, too, aside from official internal pamphlets and directives, most of which presented idealistic descriptions of the program and how it was supposed to work. Some of the evaluations of the program from BYU dissertations and the like are included in the author's references, but he seems to shrink

from the clear consensus of the program's evaluations—namely, that it might have had the intended effects on the assimilation and the secular success of LDS Indian youth, but almost no effect on their spiritual or religious commitments.

The author would have found further useful references by consulting the huge bibliography by James B. Allen, Ronald W. Walker, and David J. Whittaker,[1] which contains many relevant references, especially on p. 804, and (somewhat less focused but also relevant) on pp. 1131–33. He cites very few of these references. The end result, in my opinion, was an article that largely reinvented the wheel, since so much of the material had already been adequately covered in the four secondary sources and the Allen article mentioned above.

I imagine that this and the other most recent articles (even in the 2009 issues) were processed during the previous editorial regime, but perhaps at least I can use this occasion to express a hope and a recommendation that the *Journal* will, as a matter of explicit policy, require every published manuscript to have been reviewed by two or more external reviewers or referees. The rapidly accumulating research in Mormon history has become far too complex and detailed to expect any internal editorial board to have the specialized knowledge needed for a thorough vetting of all the manuscripts submitted.

Note

1. James B. Allen, Ronald W. Walker, and David J. Whittaker, *Studies in Mormon History, 1830–1997: An Indexed Bibliography, with a Topical Guide to Published Social Science Literature on the Mormons* by Armand L. Mauss and Dynette Ivie Reynolds (Urbana: University of Illinois Press in cooperation with the Joseph Fielding Smith Institute for Latter-day Saint History, Brigham Young University, 2000).

Armand L. Mauss
Irvine, California

Editor's note: We are currently sending all articles out to external reviewers.

Brandon Morgan Responds

I appreciate that the JMH editors have given me the opportunity to write a response to Armand L. Mauss's letter.

As with any scholarly work, "Educating the Lamanites: A Brief History of the LDS Indian Student Placement Program" went through many iterations, and its long route to publication included much refining. It originally reached the editorial board of the *Journal* in mid-2006. From there, it was sent out to eight anonymous peer reviewers. After several revisions, the article was accepted for publication in mid-2008. Throughout the entire process, I was impressed with the rigorous standards of the editorial staff and peer reviewers. Their insightful critiques and suggestions strengthened the piece immensely. Of course, any errors or omissions in the work are my sole responsibility.

I concede that I focused exclusively on works specifically about the Indian Student Placement Program itself. Therefore, I neglected to mention others, such as Mauss's *All Abraham's Children,* that discuss the pro-

gram as a small part of a much larger argument about Latter-day Saint conceptions of race and ethnicity. My contention that the program is worthy of more in-depth scholarly study still stands; as my article and Mauss's letter indicate, there is a wealth of primary and secondary material relating specifically to the program. Indeed, writing a complete history of the program is a book-length endeavor. Regrettably, my current academic track has taken me away from such pursuits. Hopefully, future scholarship, whether worked out by myself or someone else, will eventually produce such a work.

Placing any study of the program within a larger historical context is crucial. My work acknowledges the framework of the various programs of the Lamanite Committee (195–96 and note 9), but then continues in another, equally important direction by situating the program within the context of Indian education programs carried out by other faiths and the federal government. Such perspective provides insight on the efficacy of the program by evaluating it within a nation-wide structure of education programs for Native American children during the twentieth century.

Additionally, my use of Church instruction manuals indicating how the program was supposed to work is vital in providing an appraisal of the distance between program intentions and what actually played out on the ground when Native children and their parents elected to participate. My argument that the placement program sought acculturation rather than assimilation hangs on such documentation. Combined with former students' personal evaluations of their experiences and the reaction of non-Mormon social workers and tribal officials, these sources support the position that the program was never successful in assimilating Natives into U.S. Anglo society. Most former students, even those who praised their placement experience, reported feeling that they were never fully accepted in either Anglo or Native society as a result of their participation in the program. For many, the best result of the program was their ability to participate in ecclesiastical positions. This interpretation challenges the consensus of the 1970s.

I enjoy the opportunity to contribute to the scholarly debates that have evolved through the study of the placement program, and I look forward to seeing the new directions that they may take in the future.

Brandon Morgan
Albuquerque, New Mexico

Small Arms Fire

I could not agree more with Claudia L. Bushman's recent assessment of Thomas L. Kane's importance to Mormon history and her related enthusiasm for the sterling quality of Matthew J. Grow's biography, *"Liberty to the Downtrodden": Thomas L. Kane, Romantic Reformer.* I am writing to add a few emendations to her review in the interest of rounding out readers' appreciation of Kane's efforts on behalf of the Latter-day Saints during the Utah War of 1857–58.

First, I want to make sure that Bushman's characterization of Kane as born in 1822 "to wealth and gen-

tlemanly pursuits in Philadelphia" (268) is not misinterpreted to mean that, by 1858 when Thomas left for Utah, he had substantial means and could embark on a mission of uncertain duration on behalf of a reviled people without regard for its significant economic cost. At the end of December 1857, Kane prepared to travel west by resigning his clerkship in his father's Philadelphia federal district court, his sole source of income. Kane then, in effect, parked his young English- born wife, Elizabeth, and their two young children with his parents. They lodged there, virtually penniless, during his absence—an abrupt, makeshift arrangement and quixotic absence that alarmed all of the Kane family, especially Elizabeth, who found herself in a situation not of her choosing: with loving in-laws, to be sure, but lacking independence and financial stability.

For decades Elizabeth's diary recorded her frustration over not only this arrangement but her husband's persistent refusal to seek or even accept reimbursement by the U.S. government or Brigham Young for the thousands of dollars he spent on travel to Utah and back. It was a sacrifice galling not only to Elizabeth but to her Kane in-laws who became increasingly hard-pressed following the death of Thomas's father in February 1858 and the subsequent fleecing of his widow by a dishonest family financial advisor. Elizabeth's father was simultaneously struggling with emotional and financial problems induced by the Panic of 1857. Bushman clearly recognizes these dynamics with her comment that it was not until the 1870s that Thomas and Elizabeth Kane "came into some money" (217), but I want to emphasize the hardship that the Kane family experienced while Thomas was in Utah on behalf of the Church. By 1858 Thomas L. Kane's family was still socially, professionally, and politically prominent, but hardly wealthy.

Second, Bushman's comment that Thomas's mission and mediation "rendered the encounter bloodless" (271) should not be interpreted to mean that blood was not spilled during the Utah War. Civilian and military casualties during the Utah War were roughly equivalent in total to the 1854–61 bloodshed that earned Utah's neighboring territory the enduring nickname "Bleeding Kansas." (See William P. MacKinnon, "'Lonely Bones': Leadership and Utah War Violence" 33, no. 1 [Spring 2007]: 121–78.) Of these incidents, the appalling Mountain Meadows Massacre of September 11, 1857, was the most substantial, but the execution of the six members of the Aiken party in November 1857 should not be overlooked, nor should the raid on Fort Limhi on February 25, 1858, in which two Mormon farmers were killed and five wounded on the very day that Kane arrived in Salt Lake City. Two days later, an accused miscreant was castrated by vigilantes only blocks from where Kane and Brigham Young met to discuss the cause of the war. I do not think that it is accurate to characterize the Utah War as "bloodless," but it is fair to say that the war-related killing stopped at Fort Limhi. For this chain of events, Kane deserves his fair share of the credit.

Finally, although Bushman describes Kane as traveling "without a

weapon" (270) to Utah, in fact, he had one (or more) revolvers. In March 1858, he imprudently used them to "announce" his arrival by firing four shots into the air as he galloped toward the U.S. Army's lines at Fort Bridger. A startled federal picket, assuming that the Mormons were attacking, fired and narrowly missed Kane. I point this out not to nitpick but to bolster Bushman's and Grow's characterization of Kane's mission to Utah as courageous. Kane went west armed, not only because it was a normal precaution for the region, but also because he feared for his safety from both irate Californians and suspicious Mormons. These fears were stoked, if not inspired, by warnings from President Buchanan in his Christmas 1857 meeting with Kane and also by Utah's territorial delegate John M. Bernhisel. Accordingly, Kane armed himself as Brigham Young advised all Mormon travelers across the plains to do. Furthermore, once Governor Alfred Cumming, Young's successor, had arrived in Utah, he presented Kane with a Sharp's pistol-rifle, handsomely engraved with a beehive and other symbols of Utah/Deseret to commemorate his remarkable mediating mission.

William P. MacKinnon
Santa Barbara, California
2008 Recipient,
MHA Thomas L. Kane Award

Utah Coal

It was not until near the end of the nineteenth century that coal usage as fuel exceeded that of wood in the United States. It was almost fifty years earlier that, following the epic journey led by Brigham Young, the Church of Jesus Christ of Latter-day Saints made its base in what is now Utah. During the second half of the nineteenth century, therefore, the Church's influence was very powerful in the region; and to a large extent, Church policy was community policy. One such policy was that the wood resources of Utah should be diverted to building rather than fuel use, which led to a demand for coal as an alternative to wood.[1]

The first discovery of coal in Utah was at Chalk Creek (later Coalville), and mining began there. A better deposit was later found near Coalville at Grass Creek, and the mine there became known as Church Mine. Once Church Mine was up and running, coal production at Coalville ceased. However, far from becoming a derelict area, Coalville became (and remains) a residential town. This was undoubtedly due to the decision to build the Summit Stake Tabernacle completed in 1886 and demolished in 1971. Coalville's development as a town also owed something to the Zion's Cooperative Mercantile Institution, the brainchild of Brigham Young, which is believed to have been the first chain of department stores in the United States.[2] Its initial *raison d'être* was to protect the interests of LDS members when, with the completion of the transcontinental railroad in 1869, there was increased competition from businesses run by non-members of the LDS Church.

In contrast to the mine at Coalville, the Church Mine at Grass Creek is still producing, now as part of the Southern Utah Fuel Com-

pany. Utah has produced coal at an annual rate of 25 to 30 million short tons during the opening years of the twenty-first century, much of it destined for export via Los Angeles to Japan.[3] The biggest coal-producer in the United States is Wyoming, which in 2004 produced 396 million short tons.

Notes

1. http://www.onlineutah.com/miningcoal.shtml (accessed January 29, 2010).

2. Both Iowa and the Midlands in England have coal-mining towns called Coalville. http://www.economicexpert.com/a/Zion:s:Co:operative:Mercantile:Institution.html (accessed January 29, 2010).

3. http://www.mining-technology.com/projects/sufco/ (accessed January 29, 2010).

J. Clifford Jones
Aberdeen, Scotland

Actions Paint a Portrait

In Utah, James W. Loewen observed, "bad things happen in the passive voice."[1] An excellent example is Breck England's critique ("Handcart Study Misleads," 36, no. 1 [Winter 2010]: vi–vii) of my article: "'One Long Funeral March': A Revisionist's View of the Mormon Handcart Disasters," 35, no. 1 (Winter 2009): 50–116. England blames what I called a "catastrophe" (Bagley, 80) on "imprudent decisions made in Liverpool, Iowa City, and Brigham Young's office in Salt Lake." Exactly whose imprudence caused so much death and suffering, England does not say, yet he finds unsatisfactory my alleged "shaky assumptions and downright inaccuracies," "omission[s], and purported "slipshod and tendentious approach to the story" (vi–vii).

I will cheerfully provide further light on the centerpiece of my analysis, Brigham Young's concern for his steamboat engine. I concede that I was mistaken in equating this steamboat engine with the machine that was running the *Deseret News* press from a shed that caught on fire in 1870 (Bagley, 107). That particular machine was apparently the "power press, caloric engine, &c., for the Deseret News" that arrived in October 1864 with Captain Isaac A. Canfield's train of 208 Scandinavian immigrants.[2] Thus, it was not the engine hauled across the plains by the dutiful A. O. Smoot in November 1856 and sold to southern Utah residents for $2,181 (92).

I will, however, stand by my statement that Young's concern to get the engine to the Salt Lake Valley took precedence over the handcart victims. It is still not clear what use Young had in mind for it; but in March 1857, Cedar City Stake President Isaac C. Haight took a break from "preaching the reformation" after he "received a letter from Prest. Young that we might have his engine for the iron works, and for me to send a company of faithful Saints with tithing wheat and get their endowments, and bring down the engine." The reliable Haight, always a good man to carry out a tough assignment, tackled the job himself and had the steam engine (and a new plural wife) back to Cedar City by April 5, 1857.[3]

This clarification does not deal directly with England's charge that I

disregarded the facts in a misleading attempt to discredit Brigham Young. The article went though three arduous revisions to address the objections raised by England and his fellows on the executive committee of the *Journal of Mormon History*. (Emeritus editor Lavina Fielding Anderson concluded in private correspondence that I might deserve "the Patience of Job Award for the number of times you revised this article.") During that ordeal, England asked and I answered in the body of the article the information that he calls "misleading." England hypothesizes that "standing orders" forbade late starts across the plains, but Young admitted, "We have not expressly, and with a penalty, forbidden the immigration to start late" (Bagley, 94).

As for the claim that Young learned of the last two handcart trains only in October 1856, England takes the prophet's word for it. His mistake is to look only at the chronology of the Spencer letter, which both of us state was written on June 19 and received in Salt Lake City on August 4 (Bagley, 81–82; England, vi–vii). England correctly notes that the Willie and Martin companies did not decide to leave until August 15, after Spencer's letter had been received in Salt Lake City. He therefore assumes that Brigham Young had no way of knowing that more handcart companies were on the plains (vi–vii; Bagley, 81–82). His facts are correct but his conclusion is not.

Writing to George Q. Cannon on the very day he received Spencer's letter, Young said he expected a total of 1,200 handcart pioneers that season, over 800 of whom had already left. Obviously, this left 400 still to come (Bagley, 82). Based on Daniel Spencer's report, Lyndia Carter, the world's leading expert on the handcart migration, concluded: "Brigham Young *was* aware there were probably a lot of people coming." Historian David Roberts, author of the most recent study of the handcart disaster, observed that Young "claimed to know nothing about" the late arrivals, "not even of their existence, but this too is a demonstrable falsehood." On June 11, 1856, William Woodward wrote Heber C. Kimball that he expected 764 souls under James Willie to reach Iowa City within days. A clerk's notation on the letter, now in the Brigham Young Collection at the LDS Church History Library, dates its receipt: "Recd July 30/56." Roberts therefore drew a conclusion he called "inescapable": "Heber Kimball and Brigham Young were fully aware that more than seven hundred more handcart Saints were preparing their journeys westward."[4] My article cited not only Daniel Spencer's June 19 letter but also Daniel H. Wells's letter to Lewis Robison on August 30 that said, while he had "no definite news concerning the Hand cart trains," the First Presidency was well aware that "Our trains are sure to be very late." (Bagley, 81–82) Brigham Young was not merely, as I delicately put it, "shad[ing] the truth" when he claimed not to know that other companies were following in August and September: He was lying to shift responsibility for his own actions to the shoulders of others.

England challenged my conclusion that Young refused to mobilize his own enormous wealth for the

rescue and ordered his impoverished followers to provide the manpower, food, teams, and supplies for the relief—"as if there were anyone else he could turn to" (vii). In fact, Young himself admitted he could have called upon his own vast resources until he was "perfectly stopped in every kind of business"—but he refused to curtail his grandiose overland express company scheme, announcing in a tabernacle address on November 2 before all of the suffering emigrants had been transported to the city: "I do not intend that the fetters shall be on me another season" (Bagley, 87). I also stand behind my portrait of Brigham Young's obsessive penny-pinching, his order diverting resources desperately needed to save human lives to rescue a perfectly safe steam engine, and a callous disregard for the suffering his policies inflicted. It is not a "caricature" (England, vi). It is a portrait painted in Young's own words and actions.

People who care about history can judge the quality, care, and integrity of my work on its merits. England is correct that the published article did not mention (although the information was in my final draft) that a trickle of teams "arriving from the valley" reached the Willie Company. I urge readers to consult William Woodward's journal, cited in England's letter, to see how desperately the party needed every ounce of assistance and to note his grim report of the deaths of Peter Madsen, Susannah Osborn, Archibald McPhiel, Rasmus Hansen, Maren Jorgensen, "aged 8 years," Theophilus Cox, William Empey, "aged 9 years," and Rhoda R. Oakey, "aged 11 years," who died over the next four days. Readers can judge for themselves whether diverting a single man or ox from their rescue was entirely justifiable or a morally bankrupt act of "callous indifference." Finally, as my friend Brigham D. Madsen once heard Juanita Brooks tell Kate Carter, "You can defend Brigham Young if you want, but I won't."

Will Bagley
Salt Lake City

Notes

1. James Loewen, *Lies across America: What Our Historic Sites Get Wrong* (New York: New Press, 1999), 93.

2. "Arrivals," *Salt Lake Daily Telegraph*, October 6, 1864, 3.

3. Isaac C. Haight, Journal No. 2, typescript, 16, Special Collections, Southern Utah University Library, Cedar City, Utah.

4. David Roberts, *Devil's Gate: Brigham Young and the Mormon Handcart Tragedy* (New York: Simon & Schuster, 2008), 119–20, 290.

Materialism and Mormonism: The Early Twentieth-Century Philosophy of Dr. John A. Widtsoe

Clyde D. Ford

At the dawning of the twentieth century, a number of new challenges confronted the Latter-day Saints.[1] One was the encounter with empirical science. As British philosopher C. D. Broad (1887–1971) observed, at the turn of the century "the conflict between Religion and Science . . . [was] appetizingly hot from the oven."[2] At this time, a handful of Mormons became the Church's first professionally trained scientists. Recognizing the struggles that Mormon youth were encountering in their education, some suggested that the Church would be well served by an expanded Mormon philosophy that encompassed the findings of science. Among them was John A. Widtsoe, one of the first Church members to receive a Ph.D. (Göttingen, 1899) in a scientific discipline (chemistry). As Widtsoe observed while in Germany, "I have myself gone through the critical period when science and religion seemed to rise up

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[1]Thomas G. Alexander, *Mormonism in Transition: A History of the Latter-day Saints, 1890–1930* (Urbana: University of Illinois, 1986).

[2]C. D. Broad, *Religion, Philosophy and Psychical Research: Selected Essays* (London: Routledge & Kegan Paul, 1953), 220.

against one another; and can sympathize keenly with every young person who is in the same condition."[3]

Between November 1903 and October 1904, Widtsoe published a series of articles on science and Mormon philosophy in the *Improvement Era*. They were later expanded into a YMMIA manual, *Joseph Smith as Scientist*.[4] Widtsoe's purpose in writing was to demonstrate that the teachings of the Church are "in full harmony with the most advanced scientific thought of today" (9). Although *Joseph Smith as Scientist* was the Church's course of study in 1908 and 1920 and has been published in several subsequent editions, few have attempted to examine Widtsoe's proposed synthesis in any detail. For example, in his recent biography, Alan Parrish was able to devote scarcely a page to the subject because of obvious space restrictions.[5] The purpose of this article is to explore how Widtsoe approached such a challenging task by examining factors that may have influenced Widtsoe's thought, his position on important aspects of modern science and philosophy, some of Widtsoe's proposals for a unified philosophy that incorporated both those of science and Mormonism, and some problems inherent in Widtsoe's philosophy.

Intellectual Influences on Widtsoe

Widtsoe's philosophical development progressed substantially during his undergraduate days at Harvard (1891–94) and graduate education at Göttingen, Germany (1898–99). During these times, Widtsoe fought his "religious battles" as he encountered the conflicts among the major philosophical systems of the day.[6] A useful description of these systems appears in the work of two Harvard philosophy professors, Ralph Barton Perry (1876–1957) and William Hocking

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[3]John A. Widtsoe, "A Voice from the Soil," *Improvement Era* 2 (December 1898): 108–9, quoted in Alan K. Parrish, *John A. Widtsoe: A Biography* (Salt Lake City: Deseret Book, 2003), 209.

[4]John A. Widtsoe, *Joseph Smith as SCIENTIST: A Contribution to Mormon Philosophy* (Salt Lake City: Young Men's Mutual Improvement Association, 1908), hereafter cited by page number in the text. Widtsoe's original articles were reproduced with minimal changes except for an expanded chapter on "the universal ether" and new chapters on "Organized Intelligence," "The Nature of God," and basic Church theological doctrines.

[5]Parrish, *John A. Widtsoe*, 213.

[6]John A. Widtsoe, *In a Sunlit Land: The Autobiography of John A.*

(1873–1966).[7] According to Hocking, the "philosophy . . . contained in religion" (which would include Widtsoe's traditional Mormon beliefs) is "the original form of philosophy" and postulates the existence of an extra-sensory world that is "continuous with nature" and that contains divine "powers or agencies" which control and explain natural phenomena. I use "religious philosophy" to describe that portion of a theological belief system addressing problems posed and resolved in other systems of philosophy. For his part, Perry regarded religious philosophy as outdated, "primitive," and unrefined, then described more approvingly what he considered to be the four legitimate, very early twentieth-century systems of philosophy: idealism, naturalism, pragmatism (including William James's philosophy), and neo-realism.[8]

Idealism postulates that the basis of all reality is mind. An important type of idealism—absolute idealism—holds that the underlying basis of both our mental experiences and a continuous process of world creation is an all-encompassing mind or "Absolute Self." The absolute mind was sometimes thought of as "the philosophical equivalent of God" although, as Perry correctly observed, for believers in a traditional religious God "Spirit [mind] so generalized as to coincide with the totality of things has lost its savor."[9]

He continues: Naturalism assumes that nature is "the whole of reality . . . [and] denies the existence of anything beyond nature [such as the extra-sensory world of religious philosophy], [or anything] behind nature [such as the absolute mind of idealism], [that is, natural-

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Widtsoe (Salt Lake City: Deseret News Press, 1952), 37.

[7]Ralph Barton Perry, *Present Philosophical Tendencies* (London: Longmans, Green, and Co., 1912); William Ernest Hocking, *Types of Philosophy* (New York, Charles Scribner's Sons, 1929).

[8]Hocking, *Types of Philosophy*, 24–27; Perry, *Present Philosophical Tendencies*, 28. In addition to Perry's list are other potentially important philosophical systems under development, perhaps most notably the phenomenology of the German philosopher Edmund Husserl (1859–1938). However, Husserl's major philosophical work, *Logical Investigations*, was not published in Germany until 1900–1901 and he did not join the teaching faculty at Göttingen until 1901, well after Widtsoe's departure. I found no evidence that Widtsoe was significantly influenced by his work.

[9]Hocking, *Types of Philosophy*, 369; Perry, *Present Philosophical Tendencies*, 193.

ism denies anything] supernatural or other-worldly." "Materialism" and "scientific materialism" are sometimes used synonymously with "naturalism" but also refer to a type of naturalism that reduces everything, including life and mind, to matter and motion (energy, force) and applies the philosophy and techniques of science to study the materialistic world. Thus, Perry described naturalism as "but science in the role of philosophy."[10] Some pertinent aspects of Perry's two other philosophical systems are dealt with below.

At Harvard, Widtsoe encountered "materialism," which he described as "the order of the day" and which "permeated every classroom."[11] As Widtsoe learned from his university instructors and from the writings of philosopher/scientists such as Karl Pearson (1857–1936), Peter G. Tait (1831–1901), and John Tyndall (1820–93),[12] scientific materialism assumes that (1) matter and motion are all that exist, (2) matter and motion are entirely governed by independent and reproducible natural laws, and (3) the scientific methods of observation, experimentation, and reasoning therefrom are the only reliable ways to knowledge.

Widtsoe was particularly fond of Josiah Parsons Cooke (1827–94), head of Harvard's Department of Chemistry. Cooke had published two books on the relationship of science and religion: *Religion and Chemistry; or, Proofs of God's Plan in the Atmosphere and Its Elements* (1865) and *The Credentials of Science the Warrant of Faith* (1893). The latter especially influenced Widtsoe, which he described six decades later as "as good today as yesterday."[13] Although Cooke was a successful scientist, he felt "the firmest assurance of the underlying truths of Christianity." For Cooke, science is an existing "system" encompass-

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[10]Hocking, *Types of Philosophy*, 40–41; Perry, *Present Philosophical Tendencies*, 46.

[11]Widtsoe, *In a Sunlit Land*, 37.

[12]John Tyndall, *Fragments of Science*, 2 vols. (London: Longmans, Green, and Co., 1892); Karl Pearson, *The Grammar of Science* (London: Adam and Charles Black, 1900); Peter G. Tait, *Lectures on Some Recent Advances in Physical Science with a Special Lecture on Force* (London: Macmillan, 1885). These were popular texts, all published in several editions, that summarized the history, philosophy, and findings of science. Widtsoe quoted all of them in *Joseph Smith as Scientist*.

[13]Widtsoe, *In a Sunlit Land*, 37. See Josiah Parsons Cooke, *Religion and Chemistry; or, Proofs of God's Plan in the Atmosphere and Its Elements* (New

ing "the knowledge of material things" just as Christianity encompasses "spiritual truth." The two are perfectly compatible since Christianity, like science, relies on "experience as a test of truth" and is in "harmony with [the laws of] nature."[14] Widtsoe noted that in their frequent discussions, Cooke greatly helped him in deciding "the best manner of picking one's way among contending doctrines."[15]

While at Harvard, Widtsoe encountered two of the greatest American philosophers of the time, Josiah Royce (1855–1916) and William James (1842–1910). Widtsoe later recalled that he was a "listener" in "the first course in philosophy" taught by Royce and also spent "one year" in class with James.[16] Royce, an absolute idealist, postulated an "absolute World-Self [mind], who embraces and is all reality, whose consciousness includes and infinitely transcends our own, and in whose unity all the laws of nature . . . must have . . . their very being." Royce considered that the God of "traditional theology" had become outdated after Immanuel Kant (1724–1804) introduced his philosophy.[17]

William James, a psychologist and founder of a form of pragmatism, was hostile to Royce's idealism and questioned the postulates of scientific materialism. James suggested that certain individuals invent and adhere to naturalistic or idealistic beliefs because of "our indomitable desire to cast the world into a more rational shape." Rather than the materialist's concept of truth as copying or corresponding to reality, James suggested that truth is that which leads to successful adaptation to our environment. James, who defended free will as aiding such adaptation, found materialistic philosophy problematic as it implies determinism—"the predestination of all human actions" in which "we can never volitionally feel at home." Against the view held by many materialists and others that individuals are not justified in believing anything grounded in "insufficient evidence," such as religious philosophy, James argued in his famous essay, *The Will to Be-*

York: Charles Scribner, 1865) and *The Credentials of Science: The Warrant of Faith* (New York: D. Appleton, 1893).

[14]Cooke, *Credentials of Science*, 290–95.

[15]Widtsoe, *In a Sunlit Land*, 37.

[16]Ibid., 34–35.

[17]Josiah Royce, *The Spirit of Modern Philosophy* (Boston: Houghton, Mifflin, 1892), 349, and *The Religious Aspect of Philosophy* (1885; rpt., New York: Harper & Brothers, 1958), 476.

lieve, that "it is our right to adopt a believing attitude in religious matters, in spite of the fact that our merely logical intellect may not have been coerced."[18]

After Harvard, Widtsoe was accepted to the prestigious program in chemistry at Göttingen, Germany. Göttingen, was also the home of Albrecht Ritschl (1822–89), founder of the school later known as liberal Christianity and a lecturer in theology at Göttingen, from 1864 until his death. Even though Widtsoe came to the university after Ritschl's death, his thought continued to influence theology at the school and Widtsoe likely had some exposure to it.

Liberal (or modern) Christianity, which differed markedly from Widtsoe's Mormon upbringing, had two features that greatly aided its accommodation to the emerging findings and theories of science. The first was a rejection of Christian doctrines that conflicted with naturalism, and the second was the compartmentalization of religion and science. Concerning objectionable Christian doctrines, Bradley J. Longfield, historian of American Christianity, observed, "If modern Christians had difficulty with the resurrection, the virgin birth or the miracles of Jesus, they need only realize that these . . . [were] outmoded expressions."[19] Concerning the proper focus of religion, Keith E. Yandell (1938–), a professor of the philosophy of religion, has noted, "At the turn of the twentieth century, liberalism dominated the theological scene. Liberals saw the Bible as one of many religious writings, Jesus as one of many religious teachers . . . and morality as the heart of religion."[20] Consequently, Ritschleans largely restricted the Christian religion to ethical issues, leaving scientists free to explore the physical world and conclude what they will. For Ritschl,

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[18]William James, "The Dilemma of Determinism" (1884), "Great Men and Their Environment" (1880), "Reflex Action and Theism" (1881), and "The Will to Believe" (1896), in William James, *The Will to Believe and Other Essays in Popular Philosophy* (1897; rpt., New York: Dover, 1956), 126, 147, 218, 126, 1–2.

[19]B. J. Longfield, "Liberalism/Modernism, Protestant (c. 1870s–1930s)," in *Dictionary of Christianity in America*, edited by Daniel G. Reid (Downers Grove, Ill.: InterVarsity, 1990), 647–48.

[20]Keith E. Yandell, "Protestant Theology and Natural Science in the Twentieth Century," in *God & Nature: Historical Essays on the Encounter between Christianity and Science*, edited by David C. Lindberg and Ronald L. Numbers (Berkeley: University of California, 1986), 448.

"religious" and "scientific" knowledge were "heterogeneous."[21]

By the early twentieth century, the impressive advances of science had rendered the accompanying philosophy of scientific materialism a formidable influence that needed to be reckoned with by the other philosophies. Royce suggested that the challenge of philosophy should no longer be "to invent some revolutionary novelty"; rather, "the great business of modern thought is the discovery of the unity of apparently diverse lines of [philosophical] investigation."[22] And regarding religious philosophies, James pointed out, in true pragmatic fashion, "Those faiths will best stand the test [of time] which adopt also his [the scientist's] hypotheses and make them integral elements of their own."[23] Widtsoe not only agreed with Royce's assessment of the task of philosophy and with James's challenge to religious philosophy but argued that Mormonism had already met these demands. As Widtsoe put it, "not only do 'Mormonism' and science harmonize; but . . . 'Mormonism' is abreast of the most modern of the established views of science" (2). In Widtsoe's view, it only remained for persons of adequate training in both scientific and Mormon philosophy to demonstrate that correspondence. This task Widtsoe set out to accomplish.

WIDTSOE'S POSITION ON PHILOSOPHICAL POSITIONS

Necessary preparation for this challenge was clarity on where Widtsoe stood on the day's controversies. As physicist and theologian Ian G. Barbour (1923–) has noted, "Any view of the relationship of science and religion . . . must draw from three disciplines . . . *science*, . . . *theology* [which includes religious philosophy] . . . and *philosophy*."[24] In theology, Widtsoe had two choices. The first was traditional Mormonism, in which he had been faithfully reared. Widtsoe had been a serious student of the revelations of Joseph Smith as contained in the Doc-

[21]Albrecht Ritschl, *The Christian Doctrine of Justification and Reconciliation*, 3rd ed. (1888; English trans.: New York: Charles Scribner's Sons, 1900), 208.

[22]Royce, *Modern Philosophy*, 293, 297.

[23]James, *Essays*, xii.

[24]Ian G. Barbour, *Religion in an Age of Science: The Gifford Lectures, 1989–1991* (San Francisco: Harper Collins, 1990), 3; emphasis his.

trine and Covenants and elsewhere.[25] He also studied the important expansion of Smith's published ideas made by the Pratt brothers, Orson (1811–81) and Parley (1807–57).[26] Widtsoe felt that the Pratts were simply restating Smith's views and posited that Smith had verbally "explained in detail the meanings" in conversations with them. Widtsoe referred to Parley P. Pratt's *Key to the Science of Theology* (1855) as "perhaps the best and safest exposition of the philosophy of 'Mormonism'" (70).

Widtsoe's second possible choice for his theology was the liberal theology, which, as noted above, dominated the American theological scene in the early twentieth century. In *Joseph Smith as Scientist*, Widtsoe clearly rejected this choice, endorsing Church leadership past and present as the only sources of true religious doctrine. Widtsoe repeatedly emphasized that Church "authorities" such as Joseph Smith (1805–44), Brigham Young (1801–77), the Pratts, and Charles W. Penrose (1832–1925) had previously taught all of the Mormon philosophical principles presented in *Joseph Smith as Scientist*.

Widtsoe also rejected the second assumption of liberal Christianity—the compartmentalization of science and religion, which allowed a readier accommodation of scientific findings and theories. Rather, Widtsoe believed "that all human knowledge and all the laws of nature are part of its [Mormon philosophy's] religious system" (5).

In terms of his science, Widtsoe also had to make a choice. He could modify or reject scientific teachings that were seemingly difficult to harmonize with Mormon theology. But Widtsoe recognized that such a methodology would hardly solve any problems for his young audience nor would it be philosophically rigorous; instead, to be truly useful, his work must "harmonize science and religion, on the basis of accepted science" (2). He expressed confidence that he could

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[25]Widtsoe had authored *A Concordance to the Book of Doctrine and Covenants of the Church of Jesus Christ of Latter-day Saints* (Salt Lake City: Church of Jesus Christ of Latter-day Saints, 1906).

[26]In *Joseph Smith as Scientist*, Widtsoe's "authorities" included Orson Pratt, "Absurdities of Immaterialism, or, A Reply to T. W. P. Taylder's Pamphlet, Entitled, 'The Materialism of the Mormons or Latter-day Saints, Examined and Exposed'" (Liverpool: R. James, 1849; rpt. in *The Essential Orson Pratt* (Salt Lake City: Signature Books, 1991), and Parley P. Pratt, *Key to the Science of Theology* (1855; rpt., Salt Lake City: George Q Cannon & Sons, 1891).

show Mormonism as "a system of philosophy" that already contained "comprehensive, fundamental principles, which . . . make intelligible to the human mind any or all of the phenomena in the universe" (145).

In his philosophy, Widtsoe had a choice among the four prevailing systems noted above. Widtsoe accepted some of the teachings of the major early Greek philosophers such as Plato and Aristotle, whom he called "the greatest of early thinkers" (134), as a beginning. But like his philosophical contemporaries, he regarded the metaphysical systems elaborated before the late eighteenth century as "mere speculation" (103) because they had not been adequately informed by modern scientific thought. In taking this position, Widtsoe echoed Tyndall, who had already pointed out that modern "philosophy is forsaking its ancient metaphysical channels, and pursuing others which have been opened, or indicated by, scientific research."[27] Likewise Royce noted that philosophy before G. W. F. Hegel (1770–1831) contained many "arbitrary speculative guesses," which should be rejected because they were incompatible with "the empirical sciences."[28]

But although in agreement over the problems of dated philosophies, Royce and Tyndall obviously disagreed in other areas. One example is the idea of "history." Royce saw the world as gradually progressing over the centuries under the direction of the "absolute mind" toward an ultimate and purposeful conclusion. Royce even suggested that scientific theories proposing a gradual progressive development, such as geologic uniformitarianism and biological evolution, are simply extensions from the idealistic view of "history."[29] Conversely, Tyndall saw the philosophy of scientific materialism as a complete break with the past: "Before these methods [of science] were adopted the unbridled imagination roamed through nature, putting in the place of law the figments of superstitious dread" such as "witchcraft, and magic, and miracles, and special providences."[30]

Widtsoe obviously adopted the main elements of Tyndall's thought. Before modern science, he wrote, the world abounded with

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[27]John Tyndall, "Scientific Materialism" (1868), in Tyndall, *Fragments of Science*, 2:78.

[28]Royce, *Modern Philosophy*, 268.

[29]Ibid., 287–88.

[30]John Tyndall, "Miracles and Special Providences" (1867), in Tyn-

"many harmful superstitions" including "alchemy, astrology, magic, witchcraft, and all other similar abominations of the intellect" (31–32). Significantly, he dropped Tyndall's "miracles" and "special providences" as these remained a part of Mormon theology.

Although we can detect possible influences of Royce's idealism and James's pragmatism in Widtsoe's thought, he clearly rejected both in favor of scientific materialism. Widtsoe noted that Royce had "failed to convince me that all things had existence only in the human mind"[31] and probably would have included the idealist's view of the absolute mind with those philosophies that give God "a more shadowy form, and made of Him nothing more than an all pervading spiritual essence" (135). Likewise, Widtsoe found James's philosophy reflective of "a dark and uninviting universe."[32] For example, in choosing sides in the disputes between the materialists and James over the reproducibility and independent existence of natural law, Widtsoe rejected James's views. To salvage the idea of human freedom, James had proposed that "chance" might still operate in nature.[33] Not surprisingly, Tyndall had already rejected such an idea, "Nothing has occurred to indicate that the operation of the [natural] law has for a moment been suspended . . . or that a state of things at any time existed which could not be rigorously deduced from the preceding state."[34] Widtsoe likewise insisted: "There can be no chance in the operations of nature. This is a universe of law and order" (35). Thus, Widtsoe chose the philosophy of scientific materialism: "Modern science refers all phenomena to matter and motion; in other words, to matter and force or energy" (61).

Widtsoe's Harmonization of Science and Mormonism

As expected, Widtsoe began his quest by accepting the teachings of Mormon philosophy. This left him important issues to resolve for the young readers of *Joseph Smith as Scientist*. Although he moved rather fluidly from theme to theme in his various chapters, I think a useful method of analyzing his thought is to consider how he approached four questions: (1) What scientific results and conclusions

dall, *Fragments of Science*, 2:32.

[31]Widtsoe, *In a Sunlit Land*, 34.

[32]Ibid.

[33]James, "Dilemma of Determinism," 159.

[34]Tyndall, "Miracles and Special Providences," 30.

can young Latter-day Saints rely on? (2) What general principles should guide youth in integrating the propositions of science with the truths of revealed religion? (3) How do the "explanations of the phenomena of nature" found in contemporary science correspond with the explanations in Mormon philosophy? and (4) How can the major "conflicts" between science and Mormonism best be resolved?

Question 1. What scientific results and conclusions can young Latter-day Saints rely on?

Nineteenth-century debate included a number of difficult and fundamental issues that went to the very heart of the validity of the scientific method and its results. I briefly explore Widtsoe's positions on three of these issues: (1) What is the relation of our sensory perceptions of and the actual objects in the material world? (2) To what extent can human reason aid our perceptions in discovering the truths of the material world? (3) How do we know when we have finally discovered a correct scientific hypothesis?

The first issue is the relation of our sensory perceptions of and the actual objects in the material world. In his *An Essay Concerning Human Understanding* (1690), philosopher John Locke held that our sensory perceptions—and thus the information they relay to the mind—are at best incomplete images of material objects. Our senses, in the process of relaying information to the mind, receive only incomplete images, which he called "ideas," of material objects. Locke reasoned that we can perceive "simple ideas"—for example, the color and hardness of gold—of an object if the object has the "power" to convey these qualities to our senses. But our perception of the object could never completely correspond to the object itself because our perceptions "do not contain in them *all* the simple ideas that are united in the things themselves"; and even if they did, we would still have no understanding of the unperceivable "real essence" upon which the "powers or qualities . . . depend . . . and flow from."[35] In the idealist tradition and using different reasoning, Kant had also argued in his *Critique of Pure Reason* (1781) that "our [mental] representation of things, as they are given to us" through the filters of our senses and minds "does not conform to these things [real objects] as

[35]John Locke, *An Essay Concerning Human Understanding*, 2 vols. (1640; rpt., New York: Dover Publications, 1959), 1:501–13.

they are in themselves."[36]

The suggestion that mental perceptions, upon which scientific observations depend, may not accurately reflect real objects, relations, causes, etc. was obviously problematic for scientific materialists. Some solutions had been suggested. Absolute idealism grounded both human perception and the real world in the absolute mind. As Royce argued, knowledge of the world would not be possible "*unless* the thought [human perception] and its object [in the real world] are parts of one larger thought" in the Absolute Mind."[37] Another potential approach was that of the philosophy of "neo-realism," which was just beginning to emerge in America about the time Widtsoe published *Joseph Smith as Scientist*. Neo-realists denied Locke's limitations and held that the "independent world can be directly presented in consciousness and not merely represented or copied by 'ideas.'"[38] The extent to which Widtsoe was aware of the neo-realism movement is uncertain, although he could have advocated a similar teaching as simple common sense.

Conversely, the scientific materialists had agreed with Locke and Kant. Tyndall admitted, "Philosophers may be right in affirming that we cannot transcend [our mental] experience" and perceive nature as it really is,[39] while Karl Pearson observed, "How close then can we actually get to this supposed world outside ourselves? . . . [Of] the nature of 'things-in-themselves,' . . . we know nothing at all."[40] Cooke also pointed out the human inability "to go behind the phenomena to their proximate causes" and expressed doubt "whether by man's limited powers the anomalies of nature will ever be fully explained."[41] And Widtsoe agreed, "We know things only by their effects [on our senses and minds]; the essential nature of matter, ether, and energy is far from our understanding" (31).

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[36]Immanuel Kant, quoted in Paul Guyer, ed., *The Cambridge Companion to Kant* (Cambridge, England: Cambridge University Press, 1992), 12.

[37]Royce, *Spirit of Modern Philosophy*, 373; emphasis his.

[38]Edwin B. Holt, Walter T. Marvin, William Pepperrell Montague, Ralph Barton Perry, Walter B. Pitkin, and Edward Gleason Spaulding, *The New Realism* (New York: Macmillan, 1912), 10.

[39]Tyndall, "Scientific Use of the Imagination" (1870), in Tyndall, *Fragments of Science*, 2:103.

[40]Pearson, *Grammar of Science*, 61–62.

[41]Cooke, *Credentials of Science*, 188.

This position inevitably poses a serious problem. If we cannot directly and accurately perceive the material world, how then is scientific knowledge, defined as a true correspondence with reality, possible? The answer of Cooke, Widtsoe, and their predecessors was that human reason could at least partially fill the void by inventing, testing, and perfecting laws, hypotheses, and theories.

The second issue in trying to discover reliable principles upon which young Latter-day Saints can rely is the extent to which human reason can aid the physical senses in discovering the truths of the material world. Cooke, like his predecessors, had differentiated two types of scientific knowledge. The first is the "laws of nature." These are "*simply a declaration or statement of a certain order, sequence, or relation, observed among material phenomena*." Cooke distinguished four "definite" laws: the conservation of mass, the conservation of energy, the laws of motion, and gravitation.[42]

Cooke's second type of knowledge includes "hypotheses" and "theories." Hypotheses differ "from the laws of nature in that they seek to go behind the external [observable] relations of things, and explain how this order might have been produced." They are thus "an assumed explanation of natural phenomena."[43] But could such hypothetical guesses ever be valid? Tyndall was confident that "there is nothing [in nature] . . . which necessarily eludes the conceptive or imagining power of the human mind."[44] For Cooke a theory is a whole "system of science" that explains multiple laws and hypotheses. As the number of test observations increases, a theory (or hypothesis) may be rejected if "we can find a better theory to take its place." He identified four great "theories" of science: universal gravity, the undulatory theory of light (including the "luminiferous ether," the invisible medium through which light "waves" were hypothesized to travel), the molecular theory, and biological evolution, which Cooke understood as Deity "introducing new conditions into old chains of causation."[45]

Widtsoe defined natural law as "man's simplest and most comprehensive expression of his knowledge of certain groups of natural phenomena" (34). Thus, the laws formulated by humans are only ap-

[42]Ibid., 160, 171; emphasis his.

[43]Ibid., 210–11.

[44]Tyndall, "Scientific Materialism," 83.

[45]Cooke, *Credentials of Science*, 215–17, 247.

proximations of the true laws, the purpose of which is to summarize the many observations "in language so simple as to reach the understanding" (33). Since the human "mind" is unable to understand "why certain causes save the simpler ones, should produce certain effects," we can have "no absolute certainty that though certain forces [as we understand them], brought into a certain conjunction a thousand times, have produced the same effect, they will continue to do so." Widtsoe insisted, however, that, should a variation occur from the consistent past observations, it would be due to human imperfection and not a challenge to the absolute governance of nature by law, since "this is a universe of law and order" (33, 35). Despite these theoretical limitations on human judgment, Widtsoe pointed out that, in practice, a considerable number of observations had by his time reproducibly confirmed the natural laws: "No matter how often [scientific] trials are made, the above [same] results are obtained; and today it is safe to assert that in the material world no relation of cause and effect, once established, has failed to reappear at the will of the investigator" (32). Such reproducibility was, of course, an impressive achievement of science that pointed to the validity of the invented laws.

Widtsoe treated "theories" with more caution, spending some time describing past theories which "had to be changed and extended" as research added new knowledge and corrected false beliefs (33–34). Nevertheless, like Tyndall and Cooke, Widtsoe seemed to feel that the more modern scientific theories were describing nature with increasing accuracy. Thus, he accepted Cooke's four great theories as established fact in *Joseph Smith as Scientist*. As discussed below, his confidence in the undulatory theory of light was misplaced.

The third issue confronting young Mormon scientists was the core question of reliability: knowing when they had finally discovered a correct scientific theory. James cautioned, "The empiricists [scientists] think that although we may attain it [scientific truth], we cannot infallibly know when."[46] Widtsoe's work implied a unique solution to James's challenge. If scientific conclusions derived from human observation and reason can be shown to correspond with knowledge derived from revelation, then such agreement would argue for the truth of both. Widtsoe then proceeded to show that Cooke's fundamental laws and theories of science had already been "taught" by Joseph

[46]James, "The Will to Believe," 12.

Smith (12, 18, 28). I explore some of Widtsoe's "correlations" below.

Question 2: What general principles should guide LDS youth in integrating the propositions of science with the truths of revealed religion?

Undergirding Widtsoe's and Cooke's philosophy is the belief that there are no contradictions between legitimate scientific knowledge and revealed religious knowledge. As Cooke put it, "All truth is one . . . there is no real distinction between heaven-born truth and earth-born truth."[47] In parallel fashion, Widtsoe wrote, "There is no real difference between [the truths of] science and [the truths of] religion" (1). But what guidelines should Widtsoe's young readers, who would be embarking on an education in science, use in integrating their new scientific knowledge with that of their Mormon upbringing? Widtsoe suggests three principles:

1. Young Mormons can accept Cooke's "definite" laws of nature, because they are supported by both scientific observation and by revealed Mormon theology. Widtsoe affirmed: "In the fundamental laws that underlie all nature, there is perfect harmony between science and 'Mormonism'" (148). It is likely that Widtsoe first recognized this harmony in the example of the law of conservation of matter. Widtsoe's undergraduate and graduate notebooks show that he was a meticulous laboratory researcher as a chemist, carefully weighing and analyzing the reactants and products of many chemical experiments. Although the measured weights of the compounds before and after the reaction were virtually never exactly equal, as predicted from the chemical equations, Cooke convinced Widtsoe that any differences could reasonably be attributed to the limitations of experimentation and measurement. Cooke termed these "unavoidable experimental errors."[48] Thus, Widtsoe insisted that the weights before and after reactions are always "the same. . . . [I]n every case matter has been changed into another form, but has not been destroyed" (146, 11–12). The law of conservation of matter implies the eternity of matter, a teaching that Widtsoe found in the Mormon scriptures (D&C 93:33).

2. The hypotheses and theories of science should be accepted only if they are consistent with both scientific observation and revealed truth. As Widtsoe pointed out, the history of science shows

[47]Cooke, *Credentials of Science*, 297.

[48]Ibid., 173.

that theories evolved depending on advances in scientific knowledge: "Theories of the universe were invented which should harmonize with the known facts. As new facts were discovered, the theories had to be changed and extended" (33). Like Cooke's natural laws, Cooke's four great theories had been adequately validated by scientific observation and reasoning. Widtsoe felt that these theories were also found in Mormon teachings and thus could be accepted. But he warned against false theories that, though popular, were not confirmed by Mormon teaching. As an example, he cited Darwinism, which under Widtsoe's interpretation included such unacceptable conclusions as: "Man, in the distant past, was a monkey," "the first life came upon this earth by chance," and natural selection is an adequate "explanation of the wonderful variety of nature" (108–9). I discuss Widtsoe's conclusions on evolution below.

3. Revealed theology may suggest scientific principles not yet discovered, which are therefore fruitful areas for scientific research. Mormon philosophy is based on divine revelation. Thus, Widtsoe argued, "in its completeness, it transcends the philosophy of science" and "goes farther than [known] science, and completes the explanation [of natural phenomena]" (156, 71). Widtsoe was confident that "science will soon discover" additional truths that Joseph Smith had already taught (26). An example is the Word of Wisdom, a revelation to Joseph Smith that prohibited alcohol, tobacco, coffee, and tea and suggested optimal dietary modifications. For Widtsoe, the chemist, the substances prohibited or endorsed were chemicals that could exert their effects on the body only through chemical reactions. Therefore, the proscribed substances must cause negative effects on the human constitution. Widtsoe knew well from his graduate training in organic chemistry that tea, coffee, and tobacco contain many chemical substances. After researching the question, Widtsoe identified ethanol, nicotine, and caffeine as the specific offenders. Widtsoe's interpretation of the Word of Wisdom as strong evidence for Joseph Smith's divine calling has remained prominent teachings in the Church throughout the twentieth century.

Question 3: To what in Mormon philosophy do the objects of science correspond?

It was in suggesting correspondences between scientific theories and the received teachings of Mormonism that Widtsoe made some of his most original contributions. Widtsoe observed that the

material world of science included only three things—gross matter, ether (a less dense form of matter), and energy (force, motion) (61)—while Mormon philosophy included gross matter, spirit matter, and "the energy of matter or of ether . . . the force of intelligence, which is the first and highest of the many forces of nature" (65, 67). He then argued that the world of science and of Mormon philosophy are the same by suggesting two ingenious correlations—that "ether" corresponded to the Holy Spirit and that energy could be correlated with intelligence.

The first correlation—between ether and the Holy Spirit—would have been more obvious in Widtsoe's day than it is now, since the hypothesis of the existence of ether has been long abandoned. Widtsoe approvingly quoted Lord William Thomson Kelvin (1824–1907), "the world's greatest physicist," that ether is "matter prodigiously less dense than air" (20–23). He constructed this argument: The universe of science consists of inert, or as Widtsoe put it, "dead and useless" matter (146) that can undergo changes in motion only by interacting with force or energy. Widtsoe pointed out that the various forms of energy (heat, light, electricity, and magnetism) are interconvertible and that each was conceived of as waves, vibrations, or "motions" in a hypothetical and invisible fluid substance, the "luminiferous" or universal ether, which "fills all space, and is found surrounding the ultimate particles of matter" (20–21). Thus, ether conveys energy to material objects.

While many theologians considered spirit to be an immaterial substance, one of Joseph Smith's revelations asserted that "there is no such thing as immaterial matter. All spirit is matter, but it is more fine or pure" (D&C 131:7) and that space is filled with a substance called the "light of truth" which "is the law by which all things are governed" (D&C 88:11-13) (See JSS 12, 24, 27.). Parley P. Pratt, who equated Smith's "light" with the "Holy Spirit," had further elucidated these ideas. Like the material ether, Pratt's "Spirit is matter" and consists of an "infinitude" of "individual particles" that are "widely diffused among the elements of space."[49] The similarities were apparent to Widtsoe who concluded, "The Holy Spirit in 'Mormon' theology, corresponds with the ether of science" (149).

As for the second correlation—that between scientific energy and Mormon intelligence—Parley P. Pratt had observed that an "in-

[49]Ibid., 44, 39.

herent property" of both material Holy Spirit (which is material in Mormon theology) and gross matter is "intelligence," which he seemed to equate in one sense with "energies." In its basic and "most refined" form, which Pratt termed "spirit element," the Holy Spirit is "the holy and divine fluid . . . [that controls] all other elements." In one of its grosser manifestations, it corresponds to scientific force or energy: "[The Holy Spirit] is, in its less refined particles . . . physical light" and probably also "electricity, [and] galvanism," concluded Pratt.[50]

Widtsoe extended this view, hypothesizing that "intelligence . . . corresponds fully with the energy of science" (149) and that "all the attractions, repulsions and equilibriums among natural objects are modes of expression of the force of intelligence" (137–48). Thus, Widtsoe could speak of "the ether of science, vibrating with the force of intelligence" (67).

Novel insights from the correlation of Mormon theology and scientific theory resulted, Widtsoe felt, in significant advances for both. For example, for scientists, acceptance of the Mormon concept of "intelligence" as the fundamental force would achieve the goal of formulating a unified theory of all forces, an objective that has continued to elude physics to the present. According to Widtsoe, "The central force of the universe is intelligence. Gravitation, heat, light, magnetism, electricity, chemical attraction, are all various manifestations of the all-pervading force of intelligence" (136–37). In addition, it offered a straightforward solution to what Widtsoe regarded as one of scientific materialism's most formidable problems: How could "blind forces" ever "have brought about the perfect order that appears everywhere in the universe?" (137). Widtsoe concluded, "The explanations of the mysteries of nature will be greatly simplified when the 'Mormon' doctrine . . . is clearly understood by scientific workers" (138).

Widtsoe also argued that his synthesis extended Mormon philosophy. For example, both Parley P. Pratt and Widtsoe recognized that the Mormon concept of Deity presented problems. Joseph Smith and the early Church taught that God is physically limited in space by "a body of flesh and bones" (D&C 130:22) and yet retains the traditional Christian attributes of being "omnipotent, omnipresent and

[50]Ibid., 44–45, 106, 111, 41, 39.

omniscient."[51] As Pratt noted: "The omnipresence of God must therefore be understood in some other way than of His bodily or personal presence." Pratt felt that his idea of the powerful "Holy Spirit" filling all space and communicating with and controlled by God helped resolve the mystery.[52] Widtsoe extended this concept by giving it a rational scientific mechanism: that God communicates with and controls the universe by means of vibrations in the ether. As Widtsoe put it, "By the ether . . . God holds all things in His keeping" (27). God could then be considered omnipotent because "His intelligent will radiates into space [through the ether], to touch [and control]," omnipresent because "God . . . is . . . carried by the ether, everywhere present," and omniscient because the ether, with which God is in constant communication, would retain a permanent record of events: "A word is spoken. The air movements that it causes disturbs the ether. The ether waves radiate into space and can never die. Anywhere, with the proper instrument, one of the waves may be captured, and the spoken word read" (27).

Question 4: How can the major "conflicts" between science and Mormonism be resolved?

Widtsoe believed that there could not be any conflicts between

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[51]"Theology Lectures on the Doctrine of the Church of the Latter Day Saints: Of Faith" (Lectures on Faith) in Joseph Smith Junior, Oliver Cowdery, Sidney Rigdon, and Frederick G. Williams, eds., *Doctrine and Covenants of the Church of the Latter Day Saints* (Kirtland, Ohio: F. G. Williams, 1835), 17. Although it is now recognized that Smith did not author the *Lectures*, there is ample evidence that these views of Deity reflected his and the Church's. Noel B. Reynolds, "The Case for Sidney Rigdon as Author of the *Lectures on Faith,*" *Journal of Mormon History* 32 (Fall 2005): 1–41. Smith was appointed, probably as leader, to the committee assigned to assemble materials for the first edition of the Doctrine and Covenants, which included the Lectures on Faith. (See Doctrine and Covenants, 1835, Preface.) At the time Widtsoe published *Joseph Smith as Scientist*, the Lectures had not yet been removed from the Doctrine and Covenants. In addition, similar language had been used elsewhere. For example, see the First Presidency's September 1840 letter, "Communications," *Times and Seasons* 1 (October 1840): 177– 79, in which God was described as "his love unfathomable, his wisdom infinite, and his power unlimited."

[52]Pratt, *Key to Theology*, 38, 107.

established scientific principles and revealed Mormon doctrines. Thus, he insisted, "Wherever the doctrines of 'Mormonism' and [true] science meet, they agree. No discord has yet been found between them" (156). Thus, if there is a conflict, it is likely due to a false scientific theory. He used as examples three such conflicts that he considered were based on false theories: Darwinism, Mormon free agency versus the determinism of materialism, and miracles versus orderly natural law.

As for the first, Widtsoe felt that Darwin and his supporters had discovered elements of truth that could be observed in nature and which were compatible with Mormon theology but had also advanced speculative hypotheses that were objectionable both theologically and in nature. They included the spontaneous generation of life, the evolution of existing life forms from earlier ones, the mutability of species, and natural selection. As Cooke had already cautioned, although "plausible," "there is not one of these propositions which has been demonstrated beyond reasonable [scientific] doubt"; and thus, unlike Cooke's other four "great theories" of science, he classed Darwinism as "a doctrine rather than a complete system of science."[53] From Widtsoe's Mormon perspective, these ideas were, in terms of science, "not established" and, in terms of Mormon philosophy, "unthinkable" (109).

After thus rejecting Darwin, Widtsoe turned to the nineteenth-century philosopher Herbert Spencer (1820–1903), whom Widtsoe characterized as "the one who most completely attempted to follow the method of science in [his] philosophical writings" (104). Antedating Darwin, Spencer's "optimistic" philosophical system had made "evolution" its centerpiece. According to Spencer, evolution is a progressive process that "can end only in the establishment of the greatest perfection and the most complete happiness."[54] Likewise, Parley P. Pratt, reflecting Joseph Smith's views, had taught that human beings as "the offspring of Deity" possessed "godlike attributes" that only needed "cultivating, improving, developing and advancing by means of a series of progressive changes, in order to arrive at . . . the

[53]Cooke, *Credentials of Science*, 244, 251.

[54]Herbert Spencer, *First Principles*, 4th ed. (New York: P. F. Collier, 1901), 511.

climax of divine Humanity."[55] Widtsoe concluded that "the parallelism [is] strong" between the teachings of the philosopher and the Prophet (although Smith "could have shown the learned philosopher the correct way"). He also asserted that "all things [including humans and other organisms] advance . . . [but] there is no jumping from order to order" (113). As theologian Jacob T. Baker has recently noted, because of Widtsoe and others of his generation "eternal progression became the centerpiece of a Mormon teleological cosmology in which God, man, and all of creation are eternally evolving within this cosmology."[56]

The second conflict pitted human free will and accountability, as taught in Mormon doctrine, against the determinism of materialism. A universe consisting only of matter and motion, all governed by independent and impersonal natural laws, would seem to have no room for human free will. Thus Tyndall asked, if we are "given" without "being consulted" our "tendencies and capacities" and thrust into a world that involuntarily presents us with "the circumstances in which motives and wishes . . . which determine our actions . . . in what sense can these actions be said to be the result of free-will?" Or in what sense can human beings have "moral responsibility"?[57] Likewise Pearson noted that "the ultimate message to the motor nerves appears to us voluntary, and we call it an act of *will*, however much it is really conditioned by the stored sense-impressions of the past."[58]

In contrast, free will and moral accountability are cornerstones of Mormon orthodoxy. As the Book of Mormon states, humans are "free . . . to act for themselves and not be acted upon" (2 Ne. 2:26).

To rescue free will from the materialists, James and Royce had advanced alternative views. James had simply denied that the laws of nature are unequivocally established; even if they were, there is no evidence that such laws would have universal or eternal applicability. As James put it: "The principle of causality, for example,—what is it but a postulate? . . . All our scientific and philosophic ideals are altars to un-

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[55]Pratt, *Key to Theology*, 32.

[56]Jacob T. Baker, "'The Grandest Principle of the Gospel': Christian Nihilism, Sanctified Activism, and Eternal Progression," *Dialogue: A Journal of Mormon Thought* 41 (Fall 2008): 61.

[57]Tyndall, "Science and Man" (1877), in Tyndall, *Fragments of Science*, 2:363.

[58]Pearson, *Grammar of Science*, 43; emphasis his.

known gods [including] Uniformity."[59] Widtsoe rejected this view insisting, like Tyndall, on uniformity in nature: "a given cause, acting upon any given object . . . will always produce the same effect" (32).

A second approach to the free-will problem was to accept the premises of materialism but only for part of reality. In the remainder would lie the basis for free will and accountability. Royce, the absolute idealist, had suggested that, since the ultimate reality is mind or the "infinite conscious Self," the material world of science and its laws must constitute a "subordinate part of reality."[60] As we have seen, Widtsoe rejected Royce's solution as well.

Both Cooke and Widtsoe strongly defended free will. Cooke insisted: "In all material relations man's free will is a definite factor, as much so as any other form of energy. . . . Man as a living creature has . . . power in the material creation. . . . Free will is a fact."[61] Likewise, Widtsoe argued, "Man, the highest type of living things . . . possesses the power to exercise his will in directing natural forces" (61). For Widtsoe, the explanation for free will must be found in matter and force since "modern science refers all phenomena . . . to matter and force or energy"; and therefore, "variations in the kind of matter and the kind of motion, lead to all the variations found in the universe" (61–62). Thus, it is the organization of matter and energy that explains life, mind, and free will: "man is organized from the eternal elements and elementary forces of the universe, in such a way as to produce the phenomena of higher life. . . . Man is superior to beasts because his organization permits a greater use of the universal force of intelligence . . . [and] an essential function of [organized] intelligence is free agency" (71, 137, 117).

The third conflict centered on miracles, accepted as common occurrences in Mormonism, versus the orderly natural law of materialism which did not allow exceptions to its rules. This conflict was a serious one for any believer in the Bible or the Qur'an. Tyndall characterized the popular religious view of a miracle as a "deviation from the order of nature" which indicates the existence of "a power higher than nature." He took the position that no trained eye had ever witnessed such a deviation. "Nothing has occurred to indicate that the operation of the [natural] law has for a moment been sus-

[59]James, "Dilemma of Determinism," 147.

[60]Royce, *Modern Philosophy*, 344.

[61]Cooke, *Credentials of Science*, 281–82.

pended."[62] Parley P. Pratt agreed with Tyndall that miracles, when defined as "events which transpire contrary to the laws of nature," do not occur. But for Pratt, natural laws do not function independently but rather are manifestations of the Holy Spirit which will always "execute all the mandates which are legally issued, and in accordance with the mind and wisdom of [God]." Thus, Pratt argued, God is perfectly capable of temporarily reversing the observable natural laws of science and producing "all the mighty wonders, signs, and miracles ever manifested" because He is "controlling all things" through the Holy Spirit, which operates "under the immediate direction of His own will."[63]

In this dispute, Widtsoe sided with neither Tyndall nor Pratt but adopted a popular compromise, proposed decades earlier, that was designed to preserve both natural law and God's sovereignty. An example is found in the oft-reprinted *Notes on the Miracles of Our Lord* (1846) by Anglican Archbishop Richard Chenevix Trench (1807–86): "We should see in the miracle not the infraction of a law, but the neutralizing of a lower law, the suspension of it for a time by a higher."[64] Widtsoe reproduced a version of this view: "The great laws of nature are immutable, and even God can not transcend them" (138). Thus, a miracle could only be an event misinterpreted as contrary to natural law by human beings because of their incomplete knowledge of natural laws and how they work. Thus, for Widtsoe, although a "supernatural being, might to all appearances change well-established relations of known forces," in actuality, He must be manipulating "forces, relations and laws . . . yet unknown to the world of science" (34–35).

SOME PROBLEMS WITH WIDTSOE'S PHILOSOPHY

Widtsoe's proposals, although ingenious, lend themselves to objections. Some of these result from Widtsoe's rather uncritical acceptance of contemporary scientific thought, which led to problems with both Mormon theology and science. An example of the first is whether God controls natural laws or is subject to them. An example of the second is how Widtsoe's "harmonizations" were sometimes stranded

[62]Tyndall, "Miracles and Special Providences," 10, 30.

[63]Pratt, *Key to Theology*, 104, 107, 42, 40.

[64]Richard Chenevix Trench, *Notes on the Miracles of Our Lord* (London: Kegan Paul, 1889), 16–17.

as new scientific theories replaced the old.

Problem 1. Does God control the natural laws or is He subject to them?

Widtsoe held that God is a "master builder" (68) who is subject to and limited by natural laws: "God is in no sense the Creator of natural forces and laws. . . . The great laws of nature are immutable, and even God can not transcend them" (137–38). Conversely, Widtsoe considered the opposing view to be dated: "Chief among the fallacies of the early ages was the belief that God at will could, and did, cause various phenomena to appear in nature, which were contrary to all human experience" (31). Thus, Widtsoe conceived of God as a being whose "great knowledge enables Him to direct the forces of nature" better than humans can (138). This view suggests that God, though definitely more powerful than human beings, is not omnipotent.

But in this overly enthusiastic defense of the independence of natural law, Widtsoe seemed to be at odds with early Mormon teachings as expressed in the Lectures on Faith, Smith's revelations, and Parley P. Pratt's doctrinal expositions. The Lectures on Faith, at one time canonical like the Doctrine and Covenants, had maintained that "unless God had power over all things, and was able by his power to control all things . . . men could not be saved."[65] Widtsoe's examples from Mormon scripture also seemed to confirm God's supremacy over law (35–37): "he [God] hath given a law unto all things" (D&C 130:20, 88:36). Likewise Pratt had emphasized that the particles of the Holy Spirit that control matter "execute all the mandates which are . . . issued by God."[66] The meaning and degree of God's "omniscience" continues to be the focus of lively theological discussions to this day.

Problem 2: The Changing Theories of Science

In retrospect, another problem for Widtsoe was his too-ready acceptance of the laws and theories of science as established truth. Naturally, his analysis required such an acceptance; but Widtsoe thereby ignored James's prudent warning that we should always be "contented to regard its [science's] most assured conclusions . . . as hypoth-

[65]"Lectures on Faith," 47.

[66]Pratt, *Key to Theology*, 107.

eses liable to modification in the course of future experience."[67] About the time, Widtsoe published *Joseph Smith as Scientist*, physicist Albert Einstein (1879–1955) was challenging the laws of conservation of matter and conservation of energy by showing, in his famous equation, that the two are interconvertible.

Further, the Michelson-Morley experiment (1887) had already cast some doubt on the ether theory by failing to confirm it. Although explanations for the failure were initially offered, new observations in physics soon required abandoning the ether theory for better ones. And finally, although Widtsoe had vigorously rejected Darwin's postulates of the mutability of species and natural selection, these theories became the basis of twentieth-century biology.

CONCLUSION

Joseph Smith as Scientist is a remarkable publication. Within its brief scope in language suitable for a lay audience, Widtsoe introduced his young Mormon readers to astronomy, geology, chemistry, physics, biology, the science of agriculture, the contemporary laws and theories of science, the history of science and philosophy, the modern philosophy of science, and Mormon theology, presenting a philosophy that he felt accommodated them all. The publication of Widtsoe's chapters in a Church periodical and use of *Joseph Smith as Scientist* as a Church manual indicates that Church authorities accepted Widtsoe's synthesis.

The magnitude of this achievement can be appreciated by examining the list of prominent individuals of Widtsoe's remarkable generation who failed in a similar quest of resolving the problems of science and Mormonism in a manner acceptable to the Church. These include William Henry Chamberlin (1870–1921) who had studied under Royce among others and taught a form of scientific idealism that he termed "spiritual realism," Brigham H. Roberts (1857–1933) who introduced Church members to James and others, and Mormon fundamentalist Joseph Fielding Smith (1876–1972).[68] Among this group only Widtsoe had the combination of extensive formal training in science, a strong belief in received Church doctrine, a sustained

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[67]James, *Essays*, vii.

[68]W. H. Chamberlin, *The Study of Philosophy* (Salt Lake City, 1919), 44; B. H. Roberts, *The Truth, The Way, The Life: An Elementary Treatise on Theology*, written ca. 1930 (San Francisco: Smith Research Associates, 1994); Jo-

close relation with Church leadership, and a clear recognition of the importance of scientific materialism—the philosophy that would dominate twentieth-century science. Given the hindsight of a century, Widtsoe was truly visionary; and despite some modifications, it may be argued that much of his work remains of value today.

In addition, Widtsoe's influence remains with us in the form of such commonly held Mormon beliefs as: (1) There is no conflict between "true" science and revealed Mormon theology, (2) God works through natural law, (3) Caffeine is harmful to our health and is the reason why we should abstain from tea and coffee (and perhaps other beverages), and (4) Joseph Smith anticipated the findings of modern science, which constitutes evidence of his divine calling.

But the challenging issues that Widtsoe raised for his young Mormon audience are still with us. Widtsoe clearly saw his work as "only a small contribution" with much "room for elaboration and extension . . . for many generations to come" (1). Those considering taking up the work would do well to follow Widtsoe's example of preparation. As Cooke rightly emphasized: "The scholar must worship at the shrine and wait on the altars, if he would interpret the oracles aright."[69] Few Church members have served so long and faithfully at the altars of theology, philosophy, and science as John A. Widtsoe, Ph.D.

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seph Fielding Smith, *Man, His Origin and Destiny* (Salt Lake City: Deseret Book, 1954).

[69]Cooke, *Credentials of Science*, 200.

Helvécio Martins: First Black General Authority

Mark L. Grover

On March 31, 1990, in the Saturday afternoon session of the LDS April general conference, President Thomas S. Monson, a counselor in the First Presidency, read the list of general officers, as was customary, including the announcement of new members of the Quorums of the Seventy. Few in the audience appreciated the significance of what was happening. Among the seven called were two with Latino names—not an unusual occurrence considering the high baptism rates for decades in Central and South America. The realization of something unusual occurred only after the sustaining of the General Authorities when the new members of the quorums were taking their seats on the stand. Helvécio Martins from Brazil modestly joined his quorum members, becoming the first General Authority of African descent to enter this select group of men. It

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had been almost twelve years since President Spencer W. Kimball announced the 1978 priesthood revelation that significantly changed the status of Martins and others of African descent in the Church. The calling of a black to this level of the administration in the Church was probably not something most members expected.

Reactions to his call varied. Members in Brazil who knew his ability and faithfulness were not surprised he would be considered for this type of a position. He was a prominent Church leader in Brazil who had been faithful since his baptism in 1972 and who had held numerous leadership positions, including mission president, after receiving the priesthood in 1978, His activities and devotion would place him among those who might be considered for this type of position.

For those who did not know him, the call had symbolic importance. For black members, it was a momentous event that in their minds eliminated an unstated barrier in the Church. Natalie Palmer Taylor, an African American member, exclaimed: "I can't even express the extent to which I am proud to be able to look at him and see black." Joe Smith, also African American, stated, "That tells us that someday there will also be probably a black American General Authority so that kind of gives us hope." Church officials minimized the event by stating that race had nothing to do with the call. Bruce Olsen, Church spokesman with LDS Public Affairs, stated, "The Lord also called an Englishman and He called a man from Chile this time and He happened to call one from Brazil and he happens to be black and that's how we see it. We don't want him to be seen as anything other than exactly what he is—a person regardless of color called to be a General Authority."[1]

For some academics, such as Armand Mauss, Elder Martins's call was connected to a hope that Church leaders would take a further step by denouncing the numerous myths and folklore created to explain more than a century of discrimination against Saints of African descent. For some nonmember Mormon-watchers it was a political move "on the part of Church leaders to distance themselves from public criticism and to respond to pressure from within the ranks," according to James Walker. Sandra Tanner of the Utah Lighthouse Ministry in Salt Lake City connected the call to the excommunication of the Native American Seventy George P. Lee six months earlier and

[1]Howard Burgess, reporter, National Public Radio Special Report, April 6, 1990, audiocopy in my possession.

speculated, "Martins' selection was intended to neutralize highly publicized charges of racism directed at the church."[2]

On May 14, 2005, Helvécio Martins passed away at age seventy-five. He had continued his Church service and maintained an active lifestyle after his release as a General Authority in 1995. He had recently finished three years of law school in Brazil and was hoping to work on a master's degree in comparative law at Brigham Young University. He went into the hospital for an operation and, after the surgery, suffered a series of heart attacks that proved fatal. Elder Neil L. Andersen of the Seventy, speaking at his funeral, described him as "a living example of Alma 13:3, 'called and prepared from the foundation of the world according to the foreknowledge of God.'"[3]

Martins was a simple man who achieved success in Brazilian society, where racial prejudice existed but could be overcome. His life experiences taught him how the Brazilian racial and social system functioned in such a way that he could respond to it positively. He was able to escape the extreme poverty of his childhood and succeed economically, thanks to a distinctive ability to understand the system and determine how best to deal with situations that might have affected him negatively. Martins had similar experiences in the Mormon Church after his baptism in 1972. This article will show that his ability to cope successfully with Brazil's social and economic structures facilitated his capacity to adjust comfortably to the culture and environment of the Church. His experience provides an example of successful international Church leaders and efficacious functioning in the Church both on the local level and in the culture of worldwide Church leadership.

I am not a casual observer of Elder Martins. We met in 1981 when I was in Brazil doing research on the history of the Church; and from

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[2]James Walker, "Mormons Change Temple Ceremony and Name a Black General Authority," *Watchman Expositor* 7, no. 5 (1990), http://www.watchman.org/lds/temple2.htm (accessed February 5, 2010); Sandra Tanner, quoted in Chuck and Dolly Sackett, "Mormon Church Secretly Alters Its Temple Rituals," *Christian Research Journal*, Summer 1990, 35.

[3]"Elder Helvecio Martins Dies in Brazil at Age 75," *Church News*, May 21, 2005, 6. Marcus Martins, Interviewed by Mark Grover, February 22, 2006, Provo, Utah, notes in my possession. See also Mariza and Ricardo Sant'ana, Interviewed by Mark Grover, June 18, 2006, Santo André, São Paulo, Brazil; transcription in my possession. Marcus is the son and Mariza is the daughter of Helvécio and Rudá Martins.

that first meeting, we became close friends. In the years that followed, we visited often both in the United States and Brazil. We worked together on his autobiography, and I translated and edited his story. We also talked by telephone on a variety of topics. We both enjoyed Brazilian politics, and that topic was often the focus of our discussions. In June 2004, the year before his death, we had a pleasant visit in Brazil, talking about his hopes and vision for the future. During all our conversations he was careful never to say anything negative about the Church—nor, for that matter, about any person. And finally, he was involved in my personal life during challenging times and was an important confidant and counselor. Though I am not a detached observer, I have tried to be as unbiased as possible in examining his life.

The Education of Helvécio Martins

Helvécio Martins was born on July 27, 1930, the first child of Honório and Benedita Martins. They lived on the outskirts of Rio de Janeiro, then the capital of Brazil. He knew little about his family background since black Brazilians traditionally do not talk about their heritage but surmised that he descended from slaves brought to Rio de Janeiro to work on plantations north of the city. His racial background was similar to that of most slave descendants in Brazil in having at least one white Portuguese ancestor.

His early years were spent in a relatively good economic situation because his father was a successful trader in animal hides. He and his two sisters had separate nannies to care for them, which was unusual for any family. He recalls an abundance of food in the house and many visitors joining them for meals around the kitchen table. That level of prosperity disappeared for the family in the mid-1930s when the economic difficulties and government programs of Brazil's president, Getúlio Vargas, decimated his father's business. Honório accepted a low-paying government job. Changes in the family's lifestyle became apparent to six-year-old Helvécio when there were no Christmas presents. Helvécio quit school at age twelve to work to help support the family. He also lived with his grandparents for a time to ease the financial pressure on his parents. His father felt deep shame at his inability to adequately support the family, shame from which he never completely recovered.[4]

With this background, it says much about Elder Martins's ability

[4]Most of the information on Martins's life comes from tapes he made

that he not only became financially comfortable but a highly respected administrator of a major Brazilian corporation. His success is partly related to Brazil's social system with its distinctive racial attitudes and conflicts. That social system defines how each person in the society must act to become successful, and Elder Martin understood early in his life what it took to succeed in Brazil. He had an ability to adjust to and use the system without attempting to change it. That skill allowed him to obtain positions of power and influence that few people from his background ever realized.

RACE IN BRAZIL

Brazil has a unique racial history that is seldom understood by those outside of the country. During the mid-sixteenth century, African slaves became the primary component of Brazil's labor force and the majority of its population. The economic value of this labor force was so important that Brazil did not abolish slavery until 1888, the last country in the Americas to do so. Though most of the effects of slavery were lamentable, it differed from other slaveholding societies by its acceptance of racial mixing to such an extent that, by 1850, a significant percentage of all Brazilians could trace at least some of their ancestry to Africa. The continuation of racial mixing after the end of slavery resulted in a large mestizo or mixed population, particularly in the northeast. According to Brazil's 2000 census, more than 39 percent of the population is *pardo* (brown or mulatto). Only 6 percent of Brazilians identify themselves as black.[5]

Nineteenth-century Brazilian scholars were influenced by European racial and social theories justifying ideologies that suggested

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for me during the preparation of his autobiography in August 1991 and from Helvécio and Rudá Martins, Interviewed by Mark Grover, April 18, 1982, Rio de Janeiro, Brazil, transcription in L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University. These tapes became the foundation for Helvécio Martins, *The Autobiography of Elder Helvécio Martins* (Salt Lake City, Utah: Aspen Books, 1994). I am using information and quotations from the 1991 tapes because some parts were not published and others changed in the final version of the book. I cite the page numbers of the transcription of the English translation parenthetically in the text.

[5]Stanley R. Bailey and Edward E. Telles, "Multiracial Versus Collective Black Categories, *Ethnicities* 6, no. 74 (2006): 76; Boris Fausto, *A Concise*

the superiority of whites over African and indigenous native races. Many of the ideas of the ethnological-biological school, the historical school, and Social Darwinism were accepted by Latin-American elites who then encouraged European migration to decrease the percentage of the darker populations in their countries. Interracial marriage among the poor was seen as a positive practice that would whiten the population. In nineteenth-century Brazil, ideas of white superiority were seldom questioned by elites who believed that their country was handicapped because of its African and native American citizens.[6]

In 1933, Brazilian sociologist Gilberto Freyre published a monumental study, *The Masters and the Slaves*, of the Brazilian colonial social system that challenged this racist view. Freyre argued that Brazilian racial mixing should not be seen negatively. Rather, Brazil represented an example of racial harmony because the three groups—Portuguese colonizers, American natives, and African slaves—came together racially and culturally in a positive amalgamation that was unique in the world, favoring the development of a population well adjusted to each other and to their tropical environment. Though he never implied a complete lack of racial discrimination, he suggested a unique compatibility among the groups that did not exist in other slave-based societies. The key to the unity was the lack of strict identifiable racial lines among the three, due to a large miscegenate population. This ambiguity, in his view, led to a positive view of all races in Brazil, making them more accepting of differences than in other countries.[7]

Freyre's book was an immediate success in Brazil. The school system quickly adopted his ideas, which became part of the curriculum at all levels. The result was the creation of Brazil as a society in

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History of Brazil (New York: Cambridge University Press, 1990).

[6]G. Reginald Daniel, *Race and Multiraciality in Brazil and the United States: Converging Paths?* (University Park: Pennsylvania State University Press, 2006); Thomas Skidmore, *Black into White: Race and Nationality in Brazilian Thought* (New York: Oxford University Press, 1974), 48–53.

[7]Gilberto Freyre, *The Masters and the Slaves: A Study in the Development of Brazilian Civilization* (1946, first English translation; 2d ed. rev., New York: Alfred A. Knopf, 1956). For a study of the origins of Freyre's ideas, see Jeffrey D. Needel, "Identity, Race, Gender, and Modernity in the Origins of Gilberto Freyre's Oeuvre," *American Historical Review* 100 (February 1995): 51–77.

which racism did not exist and in which all racial groups lived harmoniously in a racial democracy. The notion that discrimination was not part of the Brazil mentality became an integral part of Brazil's cultural presentation to the world. Scholars from the United States in the 1950s and 1960s enhanced the myth by negatively comparing the United States's racial history to that of Brazil. In short, Brazilians used their social experience to enhance their international reputation, while U.S. scholars and politicians used it to advance the civil rights agenda of the 1960s.[8]

Since the early 1980s, however, other scholars have presented abundant evidence critiquing Freyre's myth of racial harmony. Their studies have shown that Brazil's slave history was not as benign as Freyre suggested and that significant racial discrimination has always existed in Brazil.[9] These studies are important to our understanding of Brazil's racial history but are not satisfactory because they focus on refuting the myth while making only limited attempts to understand what was actually happening in Brazil. Much of the research done by Brazilians had political overtones, while American studies were so influenced by the U.S. racial experiences and ideologies that their conclusions often misrepresented what was happening. The Brazilian slave experience was indeed harsh, as revisionist scholars document; but it was also different from the American practice, as Freyre had argued. Brazil is not free from racism today, but it is articulated differently from that in the United States.[10]

Although this overview of Brazilian racial beliefs is understandably general and skimpy, it is necessary for appreciating Elder Martins's ability to adjust and fit in. More specifically, several features of Brazilian society are important in understanding his personal and economic success. First, when Brazil abolished slavery in 1888, it did not develop the Jim Crow laws and practices developed in the United

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[8]The most prominent of these books was Frank Tannebaum, *Slave and Citizen: The Negro in the Americas* (New York: Vintage Books, 1947).

[9]For an examination of this literature, see Michael Hanchard, *Racial Politics in Contemporary Brazil* (Durham, N.C.: Duke University Press, 1999).

[10]Edward E. Telles, *Race in Another America: The Significance of Skin Color in Brazil* (Princeton, N.J.: Princeton University Press, 2004), 35–38. For a criticism of recent research, see Ali Kamel, *Não somos Racistas: Uma reação aos que querem nos transformar numa nação bicolor* (Rio de Janeiro: Nova Fronteira, 2006).

States after the Civil War. Brazil did not have legal restrictions discriminating against any person of color. Social practices allowed degrees of separation in Brazil, but the legal restrictions against such customs were so strong that these practices were limited and often concealed. Consequently, early in the history of the country, persons of color were able to achieve social and economic status based on their abilities and talents. The lack of legal obstacles resulted in some Brazilians of African descent becoming prominent. An example is Brazil's most famous nineteenth-century literary figure, Machado de Assis.[11]

Second, because of the pervasiveness of racial mixing Brazilians tended not to identify themselves by basic racial groups (black or white), but by country of origin and with a shifting color line. If they were of European descent, they would use the country of their ancestry rather than race as an identifier. They would not say that they were white but rather that they had ancestors from Portugal, Italy, or Spain. If their roots in the country go back many generations, they would identify themselves as Brazilians regardless of color. A second method of identification was to use actual physical descriptions, including skin or hair color. The practice of lumping everyone with any ancestry of African origin into one legal group (e.g., federal censuses, birth certificates, and most legal documents), which is the situation in the United States, was never part of Brazilian racial identification. Brazil was considered a multiracial country not biracial.

Marvin Harris, a U.S. anthropologist who studied these differences in the 1950s, explained: "In the United States, the mechanism employed is the rule of hypo-descent. This descent rule required Americans to believe that anyone who is known to have had a Negro ancestor is a Negro. We admit nothing in between." But "in Brazil, the whole question of racial identity is resolved in a fashion which is much more befitting the actual complexity of hereditary. Racial identity in Brazil is not governed by a rigid descent rule. . . . Over a dozen racial categories may be recognized in conformity with the combination of hair color, hair texture, eye color and skin color which actually occur." Consequently a large number of terms (135 in one study) have histori-

[11]Marcos Frenette, *Preto e branco: A importancia da cor da pele* (São Paulo: Publisher Brasil, 2001).

cally been used as descriptors.[12]

Researchers have found that, in this type of a society, identification by race is relatively less important than wealth or education in establishing social status. As an interesting consequence, how a person of color is identified changes when he or she is educated or financially well off. A poor person may be identified as Black, but one of similar color but who is prosperous or well education, would not be.

Finally, Brazil is a large country with significant regional differences. The northeast has a history of a large slave population, and its racial makeup reflects that history. In this region today, there is relatively little concern about race except for a few white elitists. In the south, the population shows a large historic presence of European and Asian immigrants. Consequently, residents there are more likely to identify themselves by ancestral homeland and also have concerns over intermarriage. However, in all of Brazil, regardless of region, the belief in racial democracy is a strong characteristic of being Brazilian.

What continues to surprise researchers, particularly from the United States, is that even Brazilians of African descent sincerely claim racial democracy even while they acknowledge that most Brazilians of color are poor, that there are few blacks in position of power, and that the country does have social divisions that appear to be racial. Americans are likely to interpret this situation as a significant incongruence between what people say they believe and the reality of Brazilian race relations. For their part, many Brazilian blacks will advance other explanations for the gap between reality and the ideal, including history, geography, educational level, a lack of desire, and even diminished intellectual ability. More importantly, they focus on an individual's ability in dealing with social and economic situations.

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[12]Marvin Harris, *Patterns of Race in the Americas* (New York: W. W. Norton, 1964), 56–58. Sueli Carneiro, "O mito da democracia racial," in *Brasil e África do Sul: Uma comparação*, edited by B. Lamounier (Sao Paulo: IDESP, 1996). In any society when a variety of terms exist to describe differences, discrimination that does occur is generally based on appearance rather than ancestry. The result is that when a Brazilian uses the Portuguese word *Negro* as an identification (*Negro* is the preferred Brazilian term and does not have a negative connotation), he is referring to a person who is actually very dark and not just someone of African ancestry. This custom created significant misunderstanding by Brazilians when American used "Black" (or "Negro") to refer to a mulatto.

They frequently discount any suggestion of racism by highlighting examples of persons of color who have become wealthy and achieved social status.[13] Similarly, they point out the presence of poor whites.

At issue here is the Brazilian definition of racial discrimination. For a Brazilian, the poverty of a citizen of color should not be considered as evidence of discrimination but rather of an economic system that is generally restrictive. Brazilians always and proudly stress the lack of legal restrictions based on race. They explain the high percentage of blacks among the poor by the history of slavery and a patrimonial society where *who* you know is more important than *what* you know.

Thus, Brazil is a country with a unique racial experience. It is a racially mixed society with a broad range of physical differences which are seldom acknowledged. Brazilian students in a room will mingle freely, instead of forming racial groups of blacks, pardos, whites, or Asians. In contrast to other parts of the world where racial differences are frequently recognized, Brazil seems to be characterized by "color blindness." This racial climate is a positive factor in the functioning and success of Brazilians of African descent. It does not eliminate issues of race, but it places them in a different context. Elder Martins is an example of how a person of color can succeed in this type of a social system.

Childhood Experiences

Elder Martins said that he never experienced racial discrimination until age twenty-three. As a child, he never felt disadvantaged by his race but believed he could be successful if he got an education and worked hard. His father, Honório, never used race as an explanation or excuse for either his successes or struggles in life. Rather, Honório attributed his early economic success to "a love of work" (2).

That belief was underscored by Honório's career. After his business failed, he found only a low-wage job in the mayor's office where his advancement was seriously blocked by his inability to read. Because his salary was inadequate to support the family, he took a night job with a company that was tearing down buildings to make way for a wider avenue into the city. Even with two jobs, there was not enough

[13]France Winddance Twine, *Racism in a Racial Democracy: The Maintenance of White Supremacy in Brazil* (New Brunswick, N.J.: Rutgers University Press, 1997), 67–78.

money to support the family; and the hard physical labor and limited sleep took a toll on Honório's health. Helvécio observed, "Work will not kill a person but I am sure [my father's] time on the earth was shortened because of the amount of energy he had to expend to support his family" (18). Because of his father's experiences, Helvécio internalized the necessity of an education at a very early age.

Two minor incidents in school significantly influenced Helvécio. He attended good elementary schools with teachers who had a positive influence on him but confessed to a fear of being disciplined by a specific teacher if he failed to answer a question correctly. As a result, "I memorized entire pages so I would not get punished. . . . I found it interesting that he considered me to be a good student because in reality I was just a terrified student. The fear of punishment was what made me study for hours on end" (4).

A couple of years later, Helvécio was sitting next to some rowdy students in the classroom. Though he was not the cause of the commotion, the teacher singled out Helvécio and asked him to leave the room. When the school principal saw him in the hall and scolded him for being a less than satisfactory student, Martins was embarrassed. "At that moment I made a vow that something like this would never happen to me again. . . . From then on I sat on the front row of the class and away from that group of boys. Even as an adult when I returned to school I always sat on the front row, never in the middle. That incident affected my whole life" (5).

Like many other poor children in Brazil, he had to leave school early to help support the family. He liked school and had a firm commitment to education, so he was unhappy when, after the sixth grade, knowing that his parents needed help, he left school to begin earning money to help them. At age twelve, he found only low-paying jobs: picking oranges or digging ditches. It was a step up to become a courier for a law office.

He had no regrets about helping his parents support their seven children, but he was disheartened as he watched both parents work hard but still fail to make it financially. He learned the value of discipline and dedication but realized these attributes were not enough. He recognized that education was essential to get ahead but was caught in a trap of low-paying jobs and his family's desperate financial needs. He needed help in breaking free from this unsatisfactory situation. Rudá Torinho Assis provided the encouragement Helvécio needed.

Helvécio was twenty-three when they met. She was a secretary in

the law office where he worked. As their interest in each other developed so did the recognition of their families' economic differences. Rudá came from a middle-class and financially comfortable home. Her father was a bailiff in a city court. Helvécio was so poor that he would walk barefoot to her house and then put on his only pair of nice shoes so as not wear them out.

It was at this time that he encountered what he said was his first experience with racial discrimination—not from anyone at work or in school but from Rudá's family. "I . . . had heard about racial prejudice," he recalled, "but had never personally been the object of either racial, color, or social intolerance" (9). Now, however, Rudá's family opposed their developing romance. The first reason was obvious; he was poor with little immediate prospect of improving his life because of a lack of education. He was, according to the Brazilian popular saying, a "Jono Ninguém"—"a nobody who didn't even own a place to die."

The second reason was racial. Rudá's family were fair-skinned mulattos and were concerned about their daughter marrying someone darker. A common belief in the Afro-Brazilian community was that marrying someone darker would "weaken" their racial lineage. "They had feelings against those who were darker and were actually more intolerant because they were not white but yet did not want to marry someone who was darker," Helvécio explained. "They felt that it would be better if their children married either mulattos or whites but never someone darker than they" (10).

However, Rudá liked him and recognized potential, so she encouraged him to return to school and also encouraged him to continue their blossoming romance. During the three years they dated before becoming engaged, Helvécio was never allowed to enter the house. Rudá had to go outside and sit with him on the porch.

He continued to work at his day job but returned to night school, finishing the Brazilian equivalent of junior and most of high school. Rudá's father was the second to see Helvécio's worth. He persuaded his wife to allow Helvécio to join them for New Year's Eve dinner, during which he announced that he had given permission for the engagement. Rudá's mother and sister, dismayed, burst into tears and left the room.

The two young people continued with their plans undeterred. Helvécio was so dedicated to his studies that, on the day of their marriage on December 8, 1956, he took a biology exam between the civil

marriage required by law and their Catholic wedding (12). After the marriage, the antagonism disappeared, and Helvécio became a favorite of his mother-in-law.[14]

MARRIED LIFE, SCHOOL, AND WORK

Early married life for Helvécio and Rudá was not easy. Both worked during the day, and Helvécio continued night school courses, finishing the Brazilian equivalent of high school and a bachelor's degree in economics. Rudá worked for three years until their first child, Marcus Helvécio, was born. She then stayed home to raise their four children: Marcus, Mariza, Raphael, and Aline. After six years of marriage, Helvécio finished his bachelor's degree in 1962 and was hired as an accountant at the government-owned oil company, Petrobras. The company was expanding rapidly and soon became the largest corporation in Brazil—eventually one of the largest in the world.

As major structural changes occurred in the thriving company, Helvécio took advantage of several. Within a year, he was named head of his department. In 1966 he became head of finances for two new divisions in the Transportation Department. By 1970 he was promoted to work in the much larger Commercial Department, which was responsible for all financial aspects of the oil. In 1972 he was named head of finances for a large subsidiary of the company responsible for marketing all oil products. In this position, he supervised a department of more than 200 workers and had frequent contact with the executives of the company, including Petrobras CEO Ernesto Geisel, who became president of Brazil in 1973. Martins sat on the National Council of Oil, an important government entity that made energy decisions. He traveled throughout much of Brazil as an advisor to local governments. His salary was "excellent," and he was able to support Rudá and the children comfortably (24–25).

Race was occasionally a consideration as he moved up the administrative ladder. Between 1962 and 1964, the company's labor union leadership was aggressive, and labor representatives visited often to lobby him to support their political cause. They suggested that his race would be more beneficial to him if he was on the side of the un-

[14]For a study of marriage in Brazil during this period, see Austin J. Staley, "Racial Democracy in Brazilian Marriage: Towards a Typology of Negro-White Intermarriage in Five Brazilian Communities," *American Catholic Sociological Review* 21 (Summer 1960): 146–64.

ions. When he rejected their advances, they turned on him with vicious and vindictive racial attacks, hinting that they would see him fired because of his lack of support for the union. That did not occur, and union influence diminished significantly with a military takeover of Brazil in 1964.

Martins learned after the fact that his 1963 promotion to department head occurred, in part, out of fear that the company would be accused of racism were he not promoted. Another person with adequate qualifications was also considered and, furthermore, had political connections who lobbied against Martins. Martins felt that the issue of race was probably not really significant but that the company used it to justify not giving in to political pressures. He was aware that his race was occasionally discussed but always felt he was qualified for the promotions he received. He never believed he was a token black. "In my position, race was not a problem," he explained. "The advancement into new positions that I occupied occurred without incident and I was respected. I was the only black at that level; there were no others, but that didn't cause any problems" (25).

Even though his responsibilities in Petrobras increased, Martins did not stop going to school. He took numerous graduate classes in business administration and finance that helped qualify him for his promotions. He enjoyed his jobs but had a long-felt desire to be a professor, so he took teacher education classes and received a teaching certificate in 1965. He was hired as a part-time teacher of night classes at the State University of Rio de Janeiro's School of Finances and Administration (25).

Helvécio's family was practicing Catholics, but he had adopted the religion of Rudá's family, Macumba, an Afro-Brazilian religion that included, among other beliefs, spirit possession and the worship of African gods. Thus, even as Martins became one of few blacks in a job environment and social circle that included Brazil's president and was almost exclusively white, he and Rudá participated in one of the most distinct black cultural groups in the country—one that appealed primarily to poor and black Brazilians. His cultural circle further expanded when he joined the Masons, a common practice for Brazilian businessmen. Though non-Brazilians may see this combination of activities and beliefs as unusual, it was normal in Brazil.

Obviously Helvécio Martins was no ordinary man. The son of a poor illiterate construction worker, he had left school at age twelve to help support the family and returned to finish his schooling at age

twenty-three. In a few years, he became an influential administrator in Brazil's largest company, interacting personally with top government officials. He had significant experience with corporate administration and finances at the highest level. He was also a part-time professor at one of Brazil's most prominent business schools. In contrast, the economic situation of his parents did not improve and his brother and sisters remained relatively poor. By 1972, when he was at the height of his professional career, he came in contact with the LDS Church.

CONVERSION TO MORMONISM

The family's experience with and acceptance of Mormonism was not unusual but followed a pattern common to most converts. Despite their affluence and professional success, the Martinses were not happy. Helvécio admitted, "I was not pleased with my life. I was irritable and emotionally down. I would leave home troubled and return disturbed and had no idea what was happening. . . . We had everything to make us happy and satisfied but we weren't. Something was missing" (25). He and Rudá discussed the problem and felt that changing religions would help. While continuing to participate in Macumba, they began looking for a more satisfying religion. They attended the meetings of several different churches but never felt comfortable. They thought of investigating Mormonism but were discouraged from attending the meetings by a colleague. They prayed for help. When missionaries tracting in their neighborhood visited the home, Helvécio and Rudá invited the elders in and eagerly questioned them about a variety of topics. They had so many questions dealing with such key topics that the missionaries stayed four and a half hours on that first visit and basically gave them the substance of all six of the lessons then being used. The family attended sacrament meeting where they were touched by the Spirit; and after a period of preparation and experience in the Church, they were baptized on June 2, 1972; of their children, only Marcus was old enough to be baptized. They recognized that Rudá's family would be disturbed by this change in religion, and it did, indeed, create distance and conflict with her family. Helvécio's family was more accepting, and one of his sisters eventually joined the Church.

Helvécio's and Rudá's acceptance of priesthood restrictions was, surprisingly not difficult. It fact, it had been the first question they had asked the missionaries; and Helvécio, although he could not later remember the exact words, recalled that "it was very clear and

precise and sounded so right that it didn't bother me at all. At that time I accepted it as being the will and desire of the Lord" (28). In fact, they were somewhat annoyed that it became an issue that other members of the Church frequently brought up. In the beginning, their complete acceptance of the restrictions and continued activity in the Church created some questions and even mild antagonism toward them from members who were struggling to understand the restrictions themselves. Many expected the family to leave the Church soon and were surprised when they remained active. There were weekly questions about how they were feeling and reacting to the restrictions. One member told them, "If I were in your situation, I don't believe I would be able to take it and would not stay in the Church" (37). Martins responded by bearing his testimony and enumerating the reasons they stayed. They were happy and content in the Church. Once ward and stake members realized that the Martinses were serious about the Church, the questioning diminished.

However, they then went from being a novelty in the Church to notoriety, attracting attention that they did not desire. In fairness to their ecclesiastical leaders, the Martinses were unique. There were other faithful black members, but most were poor. Helvécio probably had the highest social position and prestige of any Brazilian member, white or black. Few members had any political or economic influence, while Martins was on a first-name basis with the president of Brazil. He met often with cabinet members and other government officials. Consequently, the Martinses were frequently asked to talk to individuals or groups about the priesthood ban. They also gave interviews to the press who were curious about the restrictions and about the Martinses' acceptance of those limitations. Helvécio spoke in stake conference shortly after his baptism and was introduced to all the General Authorities who visited Rio de Janeiro, including several apostles. His visibility was so extensive that his colleagues at work started referring to him as a "Mormon bishop."

None of Helvécio's reaction was artificial or compensatory. "I didn't feel bad, I felt very good," he states with the utmost sincerity. "I felt supported and blessed. Logically I realized there were many things I could have done and many ways I could have served that [were] not possible because I didn't hold the priesthood. But I didn't feel any less or inferior or rejected or relegated to a second-class citizen. Everybody supported me, everybody helped and assisted me, and I felt that things were even a bit easy for me" (38).

He probably was not very different from other Church members of African ancestry before 1978 who had to come to a personal peace about the priesthood issue to remain active. Sharing this situation, though not to the same extent, were white members like me who had to live with a racial restriction for which there was no logical explanation. For most, a spiritual experience confirmed the gospel truths in general but a separate comfort and confirmation made it possible to continue in faith.

Brother Martins had some advantages in this situation. First, he had a strong self-image. He came from a poor background but had worked himself out of the situation, married well, and was in high-status social and economic positions. He did not see the priesthood restrictions as aimed at him personally but rather to a group of which he was part. That is an important psychological factor that meant he did not take the restrictions personally. Second, because he lived in Brazil, he did not have access to much of the literature in the United States giving various unofficial "reasons" that could have created confusion and conflict. This lack of information probably helped eliminate many potential concerns, and he could reconcile himself to the restrictions with what he knew.[15]

Third, the restrictions did not significantly affect his participation in the Church. Some Afro-Brazilians in Brazil report being baptized and then forgotten; but Helvécio's leaders recognized and respected his status and experience outside of the Church. Within a week, both were immediately called to positions that did not require priesthood. Helvécio became teacher of the Gospel Doctrine class, while Rudá served as a counselor in the ward Primary presidency. Such callings quickly integrated them into the fabric of their ward and stake, giving them considerable interaction with the other members.

Finally, he was in a Brazilian congregation that did not exhibit the forms of racism that might have existed elsewhere, even in Brazil. Most in the congregation probably did not attach much significance to the racial restrictions except as an American practice

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[15]Marcus H. Martins, who studied and taught at Brigham Young University and who, at this writing, is chair of the Department of Religious Education at Brigham Young University—Hawaii, has confronted many of the ideas and written carefully and thoughtfully about them in his *Setting the Record Straight: Blacks & the Mormon Priesthood* (Orem, Utah: Millennial Press, 2007).

that came with the gospel but which was not essentially Brazilian. Most Brazilians dealt with the restrictions by ignoring them as much as possible. So the acceptance of the whole family by their fellow members, once they recognized the family's commitment, was complete.[16] Within a few months, Helvécio became a member of the stake Sunday School presidency while Rudá was called to the stake Primary presidency. A few years later, Brother Martins was called as the Church's Brazil North Region Public Relations director. In this position, he reported directly to the Regional Representative and became the Church's spokesman in a region that had many of the country's most important media outlets. Here he developed contacts with the media and gave numerous interviews to print, radio, and television journalists. He traveled throughout the northern part of the country, training and teaching Church leaders. He was photographed and profiled. He defused criticism of the racial policies of Mormonism and was able to focus the media's attention on other aspects of the Church. Furthermore, he also was called as a member of the Public Communications Committee for the 1978 São Paulo Temple dedication which involved him with the general leadership of the Church in Brazil.[17]

The Priesthood and Preparation

I have written elsewhere about Helvécio Martins's potential role in President Spencer W. Kimball's receiving the 1978 revelation on priesthood for all worthy male members.[18] It is true that Brazilian Church leaders made sure Martins met visiting General Authorities and spent time with them. President Kimball knew him well and had conversations with him on several occasions. The General Authorities were aware of the financial contributions he and Rudá had made toward the temple and his involvement in its construction. It is impor-

[16]My understanding of how Brazilian members dealt with the restrictions comes from numerous interviews I have conducted over the past twenty-five years.

[17]For an example of this type of newspaper article, see Cleusa Moria, "Sou o Testmunho vivo de que não há racismo na Igreja Mormon," *Jornal do Brasil*, January 22, 1979, 1.

[18]Mark L. Grover, "The Mormon Priesthood Revelation and the São Paulo Brazil Temple," *Dialogue: A Journal of Mormon Thought* 23 (Spring 1990): 39–53.

tant to point out, however, that the Martinses were not alone or unusual in their support. Other Brazilian blacks were also active members, also talked to President Kimball, and also contributed financially toward the temple's construction.[19]

After Helvécio Martins was ordained to the priesthood in June 1978, he was called as stake executive secretary, then served as a counselor in two stake presidencies, during which he participated in splitting a stake and a variety of other administrative experiences. He then served for almost six years as bishop of the Tijuca Ward. In 1987 he was called as the president of a new mission in Fortaleza, Brazil, which soon became one of the top baptizing missions of the Church. By that point, he had retired from Petrobras although he was still teaching night school. As mission president, he had significant interaction with American and Brazilian missionaries and Church leaders as well as local leaders. It was not an easy experience, in part because of challenges inherit in organizing a new mission.

ELDER MARTINS AS A GENERAL AUTHORITY

As he neared the end of his three-year mission, Elder Martins was called into the Second Quorum of the Seventy. It is not possible to establish why one is called to such a position and others are not, since records of such deliberations are not available to researchers. Elder Martins did not, however, deviate much from fitting what might be considered a profile of Church leaders outside the United States. He was fifty-nine, had been a prominent executive of a major company, and had served in leadership positions both before and after June 1978. The time was right for the calling of a second Brazilian to the Quorums of the Seventy because Elder Hélio da Rocha Camargo was being released. Elder Martins was finishing his term as president of a mission that had been notably successful in convert baptisms. As a mission president, he faithfully followed the general procedures of the Church and seldom deviated from what was expected. Elder Martins tried never to cause or create controversy. He was an effective leader who was committed to the Church and respected by the Brazilian members. He was a personal friend of Elder James E. Faust of the Quorum of the Twelve who had served his mission in Brazil, still spoke Portuguese fluently though with a strong accent, and made it a

[19]Edward L. Kimball, *Lengthen Your Stride: The Presidency of Spencer W. Kimball* (Salt Lake City: Deseret Book, 2003), 206, 334.

point to represent Brazil in quorum deliberations.[20] Elder Martins was a fairly recent convert so he was not one of the early founding members of the Church like Elder Camargo, the first Brazilian General Authority, or Elder Edwardo Ayala from Chile, who was called at the same time as Elder Martins. Others in Brazil also fit the profile of a General Authority, but the call to Elder Martins was not surprising.

I have limited insight into his experiences as a General Authority in part because he refused to say much to me. He promised me an interview after he was released to answer any questions I had, but he would never sit down for that interview. He said he planned to write two diaries, one official that was turned over to the Church and a second for him and his family. That personal diary was not among his papers after his death, and I doubt that he had the time to keep such a journal faithfully. He mentioned little to me about what he was doing nor did he confide much in his family.[21]

His call into the Second Quorum caused some notice in and out of the Church, but less than might be expected. The articles about general conference in the *Deseret News* and the *Salt Lake Tribune* did not mention his race. The *Ogden Standard Examiner* indicated his race but with no comment. The *Provo Herald* report contained two paragraphs on Martins in its description of general conference.[22] The only newspaper outside of Utah to report on the event was the *Los Angles Times*; a small article ran deep inside the paper but included Martins's photograph.[23] The most significant coverage to look at the significance of his call was a National Public Radio broadcast. It quoted two black

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[20]In February 2001, President Gordon B. Hinckley at the rededication of the São Paulo Temple, mentioned that Brazil's greatest support in the First Presidency came from his counselor President Faust. He humorously suggested that the influence was too great. The talk is recorded on the DVD *Um Dia de Celebração* (Sao Paulo: A Igreja de Jesus Cristo dos Santos dos Últimos Dias, 2005).

[21]As Marcus commented, "The one thing you need to realize to understand [about] my father was that he was completely dedicated to the Church and would never knowingly do anything that would harm it in any way." Marcus Martins, Interview, February 22, 2006.

[22]"Church Continues Growing Globally," *Provo Herald*, April 6, 1990, A1–2.

[23]"Mormons Pick 1st Black for Top Post," *Los Angeles Times*, April 7, 1990, F15; "Mormons Drop Rites Opposed by Women," *New York Times*,

members; Bruce Olsen, head of Church Public Affairs, who downplayed the issue of race; and Armand L. Mauss, an LDS sociologist, who hoped the call was a step in the direction toward disavowing much of the past rhetoric surrounding the issue of race in the Church.[24]

Elder Martins spent most of his time as a General Authority in Brazil. This was not unusual for most Brazilians called to the Second Quorum of the Seventy. As soon as Elder Martins completed his mission in July 1990, he and Rudá went to the Provo Missionary Training Center where they studied English. During this time, he accompanied several General Authorities, including Elders Howard W. Hunter, Neal A. Maxwell, and Dallin H. Oaks, on stake conference assignments where he learned the process of reorganizing and dividing stakes. He also received training at the Church's administrative offices in Salt Lake City. He and Rudá then returned to Brazil at the end of 1990 where he served as a counselor in four different Area Presidencies. He had a variety of different responsibilities and was involved in a pilot program of forming smaller stakes as a way of expanding the Church. He carefully watched over the funds of the Church and used his experiences in Petrobras to improve Church accounting practices in Brazil.

After a year in Brazil, he suffered a serious accident in June 1991. He fell in the shower and needed surgery on his neck to correct the effects of the fall and an earlier injury from a car crash in 1969. That surgery affected his ability to move, and he struggled to maintain his health. He continued to work hard though suffering chronic back pain. In October 1995 at age sixty-five, he was released after five years as a Seventy. He then spent a couple of years in the United States before returning to Brazil to attend law school.

THE AFTERMATH OF HIS CALL

It is interesting that, even though he was the first black to be called as a General Authority, he is remembered only sparingly in connection to the black issue. For example the issue in *Sunstone* commemorating the twenty-fifth anniversary of the priesthood revelation men-

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May 3, 1990, A22, mentioned Elder Martins in one sentence in an article focusing on changes in the temple ceremony a month after his call.

[24]Howard Burgess, reporting, Special Report, National Public Radio, April 6, 1990, audiotape in my possession.

tioned him only as part of a call for more black General Authorities.[25] In a special roundtable of ten African American members, also published in *Sunstone*, participants discussed the absence of black men among General Authorities, but no one mentioned Elder Martins, even when the history of the topic came up. Rich Wells, baptized in 1998, three years after Elder Martins's release, commented: "Besides Darius Gray being a role model for me, when I look at conference, I have to ask, 'Where is the black man in the Quorum of the Twelve who's representing me?' That's an issue for me; it may not be an issue for other people, but it's an issue for me. I know there are a lot of black men who are worthy to be up there. So where are they?"[26] In fact, it is an unanswered (and currently unanswerable) question; but my point is that Wells did not seem to be aware of Elder Martins's service.

In books and articles written about the Mormon issue of race, Martin has received little more than a brief mention. Only Armand L. Mauss paid tribute to Brazilian blacks who worked on the São Paulo Temple: "Of course there were other black heroes of this period, many of them living far from Utah. I think, for example, of the Saints in Brazil, many of whom were black but [who] poured their time, energy, and resources into building a temple there without any assurance that they would ever participate in its ordinances."[27] If this attitude is typical, Elder Martins is not seen as a person who had an influence on questions related to blacks in the Church.[28]

Although I think that knowing Elder Martins would greatly enhance anyone's life, this comparative anonymity would actually please him. The last thing he wanted was to be known as a symbol of his race. He stated firmly to me: "Soon after my call, some poorly informed peo-

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[25]Newell G. Bringhurst, "An Unintended and Difficult Odyssey," *Sunstone*, March 2003, 27.

[26]"Speak the Truth, and Shame the Devil: A Roundtable Discussion on Church, Race, Experience, and Testimony," *Sunstone*, May 2003, 29.

[27]Armand L. Mauss, "Reflections on a Lifetime with the Race Issue," *Sunstone*, March 2003, 29.

[28]See Jessie L. Embry, *Black Saints in a White Church: Contemporary African American Mormons* (Salt Lake City: Signature Books, 1994); Armand L. Mauss, *All Abraham's Children: Changing Mormon Conceptions of Race and Lineage* (Urbana: University of Illinois Press, 2003), and Newell G. Bringhurst and Darron T. Smith, eds., *Black and Mormon* (Urbana: University of Illinois Press, 2006).

ple ironically tried to identify me as the Brazilian General Authority, or a representative of the black race to the Lord. This idea is a mistake. I was not called by the Lord to represent any people, nationality, ethnic group, race, or any part of society or group of His children. I was called as a representative of the Lord to his people, just as those who preceded me, those at my side now, and those in higher Quorums than the one I now am a member. . . . Consequently I formally reject the idea of representing any group; that is not what I am" (76).

Regardless of Elder Martins's view, he remains notable. His calling as the first General Authority of African descent marked an evolutionary step for a worldwide church.

Even his relative obscurity is part of that evolution. Before the organization of the First and Second Quorums of the Seventy, all General Authorities lived in or near Salt Lake City, most spoke at general conference at least yearly, they frequently spoke in stake conferences, and they served for life. It was not uncommon for Church members to know several of them personally and to recognize them, either in photographs or in person.[29] With the establishment of area presidencies and the calling of General Authorities whose primary language is not English, Church administration moved toward decentralization, with a subsequent focusing of General Authority responsibilities and activities to geographical regions. Most Spanish-speaking General Authorities serve most of their entire time in Latin America and often serve in several Latin American areas; but Portuguese-speaking Brazilians stay almost exclusively in Brazil. Consequently they are isolated from Church leaders and members outside Brazil. Furthermore, those in the Second Quorum serve generally for only five to seven years, also limiting their influence and visibility.[30]

LANGUAGE ISSUES

Elder Martins was an eloquent speaker in Portuguese. A fellow

[29]Kahlile Mehr, "Area Supervision: Administration of the Worldwide Church, 1960–2000," *Journal of Mormon History* 27 (Spring 2000): 192–214.

[30]The only Brazilian General Authorities to serve outside of Brazil are Elder Claudio R. M. Costa who has served in Argentina, the United States, and Colombia as well as in Brazil, and Elder Marcos Aidukaitis who went to Argentina in 2008.

General Authority, Joe J. Christensen, described him as "a well-trained, cultured person. He has a great verbal gift. He speaks very well."[31] Elder Martins spent significant time preparing his talks and worked on his delivery. His ideas flowed easily from one to the other, and the structure of his talks strengthened his message. He had an extensive vocabulary and drew liberally on Brazilian poetry and history to make his points. I remember once having trouble concentrating on his message while I listened to him speak in Portuguese because I was so distracted by the beauty and eloquence of his voice and poetic delivery. Although he was raised in poverty, it was his education that showed, not his poor background.

English, however, was difficult for him. His reading facility of English was good, and he had a fair vocabulary, but he spoke with a strong accent. In this he resembled many other non-English-speaking General Authorities. I remember listening to his first conference talk and realizing that I had to think of the Portuguese sounds for letters and then transfer them to English to completely understand all he was saying. The talk was well written; it was simply his pronunciation that was difficult to understand.[32] A few days after his talk, I overheard two BYU students commenting on his talk and criticizing Church leaders for calling someone of such a low educational background. They obviously (but mistakenly) equated the ability to pronounce English words with intellectual capability. At that time, I wished that Elder Martins had been allowed to give his talk in Portuguese with a simultaneous translation so English-speakers could appreciate the way he spoke in his native Portuguese.

The question of language continues to be an issue not easily dealt with in the Church. Requiring non-English-speaking General Authorities to give conference talks in English is comparatively minor. Of greater significance are the variables that accompany language. The inability to communicate in English affects trust. After the cornerstone ceremony of the Brazil São Paulo Temple in 1977, President Marian G. Romney asked Elder James E. Faust, "Jim, do you have the same confidence in these leaders and these people that you

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[31]Joe J. Christensen, "A Reunion in Brazil," *Summit* 5 (Spring 1992): 11.

[32]Helvécio Martins, "The Value of a Testimony," *Ensign*, November 1990, 26; Helvécio Martins, "Watchmen on the Tower," *Ensign*, May 1995, 43.

had in the leaders in your own stake? "Elder Faust responded emphatically, "Yes, *absolutely*." Romney's response highlights the importance of language, "Well, I have a hard time where I don't understand their language to have that kind of confidence in them."[33]

The issue of language also affects academics studying the Church. We often ignore sources if we cannot understand the language. Translating these documents is expensive and time consuming; yet as the LDS Church continues to expand worldwide, this issue will become more problematic for academics. It is important that researchers find a way to overcome the challenge of language differences. Academics seldom research the Church outside the United States. Much has been written about Mormonism and race issues in the United States with minimal reference to South America or the Caribbean. Brazil has by far the largest number of members of the Church (hundreds of thousands) who are black. A high percentage of some congregations are of African descent.[34] Numerous black bishops and stake presidents are serving and have served. Research that discusses race in the Church but which does not examine what is happening in Brazil, Dominican Republic, Puerto Rico, Colombia, or other areas of Latin America, let alone Africa, will not be accurate.

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[33]James E. Faust, Oral History, Interviewed by Gordon Irving, 1977–78, 21, Salt Lake City, James H. Moyle Oral History Program, LDS Church History Library. Issues related to language affect our perceptions of each other. Several years ago, I watched an American stake president go from ease to tension just by leaving an English-speaking environment outside the chapel and going into a Spanish-speaking meeting. This same stake leader attempted to eliminate the Spanish branch organization, in part, because of his discomfort in not being able to understand the language. He admitted great discomfort with the issue of language. Paul Buckingham, Oral Interview, interviewed by Mark L. Grover, October 14, 1994, Provo, Utah; transcript in my possession.

[34]Determining the racial makeup of the Church is impossible, leaving only broad general estimates. Almost two-thirds of the Mormons in Brazil have been baptized since 1978, and my personal observation is that far more than half of these converts are of African descent. Church growth has been highest in areas where the highest percentage of the population have African ancestors. Since the number baptized in Brazil is over a million, my broad estimate would suggest that the number of African descent would be at least a half million members.

Focusing only on African Americans seriously distorts the overall picture of blacks in the Church.[35]

Conclusion

It was again the Saturday afternoon session of April general conference. On April 4, 2009, twelve men were called to the First and Second Quorums of the Seventy. Most were from the United States with two from Asia. Elder Joseph W. Sitati was called to take his place on the stand with the other leaders of the Church, and the visual picture of a black man again taking his seat was significant. This native of Kenya becomes the second black General Authority and will serve for many years before he turns seventy and is given emeritus status in the First Quorum. He has many similarities to Elder Martins, including around twenty years as a member, a business education, job experience in accounting, and executive positions in a major international oil company. He was also serving as a mission president at the time of his call. His origin has been barely mentioned in the press, though his call is significant because he is the first black African to serve as a General Authority.[36] His experiences will be different because of the pioneering role of Elder Martins.

The calling of Elder Helvécio Martins as a member of the Second Quorum of the Seventy is a symbolic event in the history of the Church in the twentieth century. The priesthood revelation of 1978 was an important institutional event that resulted in changes in the Church's functioning, particularly in Latin America, the Caribbean, and Africa. We all recognize that, although some attitudes generally held by members changed because of this event, pre-1978 cultural attitude still endure among some older members and leaders that result in racism. Time is needed to eliminate negative attitudes toward race and culture. The calling of Elder Martins suggests that, although there may have been such traditional attitudes among Church leaders, they did not block Elder Martins's call to a position of high responsibility. Elder Martins's call therefore indicates that race does not automatically eliminate a person from being considered for such a position.

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[35]Embry, *Black Saints in a White Church*, and Bringhurst and Smith, *Black and Mormon*.

[36]The first African called was Christoffel Golden Jr. in April 2001. Elder Golden is from South Africa and of Afrikaans descent.

Elder Martins's calling relatively soon (not quite twelve years) after the revelation on priesthood also suggests his own ability and talent to confront the potential remnants of a time in Church history in which negative reactions toward such a call may still have been part of American leaders' attitudes. His life history shows that he knew how to deal with both economic and social challenges using a nonconfrontational method of working around potential trouble points. His commitment to the Church was such that he dealt with those challenges with dignity and quiet reverence. His unidentified legacy to the Church may be his ability in this area.

The influence and memory of Elder Martins will be primarily limited to Brazil. Members of an area presidency—nearly always the calling of members of the Second Quorum of the Seventy—make administrative decisions of value to the Church. But more importantly, they work with youth who are struggling, couples with marital problems, missionaries who are discouraged, and members who are suffering because of the death of a spouse, parent, or child. Throughout Brazil, hundreds can point to the help and inspiration they received from Elder Martins at crucial times in their lives. The color of his skin or the fact that he was the first General Authority of African descent meant nothing to the person seeking help from someone they considered to be a representative of their Father in Heaven. That is the legacy of Elder Helvécio Martins whom President Hinckley described as a "wonderful man."[37]

[37]Teresa Watanabe, "Los Angeles Times Interview: Gordon B. Hinckley," *Los Angeles Times*, May 9, 1999, M3.

"A P.O. Box and a Desire to Witness for Jesus": Identity and Mission in the Ex-Mormons for Jesus/Saints Alive in Jesus, 1975–90

Sara M. Patterson

In 1979, Ed Decker visited a church in Washington state to speak to the congregation about the dangers of the Church of Jesus Christ of Latter-day Saints. While listening to the choir sing, he meditated on the fact that Ex-Mormons for Jesus (EMFJ), a group to which he had dedicated his life, needed a new name. The group, begun four years earlier, was struggling with its mission to Mormons in Utah. Some in the group believed that they were less suc-

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cessful than they could be because the "Ex-Mormons for Jesus" name was off-putting, hindering their mission to Mormons before it had even begun. As the choir sang, Decker came up with a new name—Saints Alive in Jesus (or, as the group's current website states, "Latter-day Saints [now] alive in Jesus")—a name intended to communicate a more positive message to those who were affiliated with the LDS Church.[1] Decker believed that Mormons, familiar with calling themselves "Saints," would be able to see the connections between Saints Alive in Jesus (SAIJ) and their own faith without feeling threatened by the "ex" in "Ex-Mormons for Jesus." Decker immediately wrote the name down in his Bible, and it has been a part of the organization's identity ever since.

Decker's inspiration for a new name did not result in a name change for the entire organization. Rather, it was used initially alongside the existing name; and as a consequence, it resulted in a complicated network of chapters with differing names, all claiming to be part of one organization. For most of its history, the official legal name of the corporation has been "Ex-Mormons for Jesus Evangelistic Association, Inc." Under that legal umbrella, local chapters could either continue to call themselves "Ex-Mormons for Jesus" or embrace the new "Saints Alive in Jesus" name.[2]

The disagreements over the two names for the organization reflect the tensions over the group's primary purpose. A 1976 newsletter stated that the mission of the group was two-fold: First, the group had a mission to other Mormons "to bring the knowledge of the *true* God and His gospel to our brothers and sisters still blinded by the craftiness of false doctrines." Second, it had a mission to other Christians "to warn as many other people as possible of the truth about the Mormon gospel."[3] These two goals, though not official national goals, represent the organization's conflicting ideals. Just how these missions have played out for the EMFJ/SAIJ will be the primary focus

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[1]Ed Decker, email to Sara Patterson, February 2007. See also Ed Decker, letter to Scott De Long (RLDS), February 19, 1980, and "The Chapter," (n.d.), MSS 210, Special Collections, Merrill-Cazier Library, Utah State University, Logan (hereafter Merrill-Cazier Library). For more recent discussions of the organization's name, see http://www.saintsalive.com/general/getinvol.htm (accessed March 8, 2007).

[2]Decker to Patterson, February 2007.

[3]*Newsletter*, January 1976, MSS 900, Box 52, fd. 3, Special Collections,

of the following analysis.[4]

While the initial intention of the EMFJ/SAIJ was to focus on its mission to other Mormons, providing them with a supportive community to enter as they left Mormonism, the second goal quickly became the group's focus after Ed Decker took over its leadership in 1979. Because this second goal of "warning" other Christians has often been interpreted as a call to protest LDS temple openhouses and general conferences, many Latter-day Saints have understood the group as part of the Evangelical anti-cult movement that is inspired by a hatred of the LDS Church. This second goal dominated as Ed Decker centralized the movement and as it became abundantly apparent that funding and membership came not from ex-Mormons but from Evangelicals who had never been Mormon. For this reason, the group often came across to outsiders as anti- rather than ex-Mormon.

This article examines the first fifteen years of the EMFJ/SAIJ organization and analyzes how this group developed its foundational practices, many of which are still used today. At first glance, it may seem odd to consider EMFJ/SAIJ when examining issues of Mormon history and identity; but to understand Mormonism fully, it is imperative to analyze those who crossed the boundary and moved from being "insiders" to "outsiders." It is precisely at this boundary that we can learn about the construction of religious identity. How insiders-turned-outsiders constructed the relationship between their past and present identity gives us an important window into understanding EMFJ/SAIJ's missionary identity and the history of its members' interactions with Mormons.

J. Willard Marriott Library. University of Utah, Salt Lake City. In this essay I rely primarily on newsletters from the various chapters of EMFJ/SAIJ, although they usually do not have separate names for the newsletter itself or headlines for their articles. Though not all chapters have newsletters, some have seen them as a primary form of mission work. Because I believe it is important to capture the goals and beliefs of movement members in their own words, I have chosen to use their words but have silently corrected grammatical errors. EMFJ/SAIJ newsletters tend to use a lot of capitalization, bolding, and underlining for emphasis, which I have reduced.

[4]For consistency in reading, I call the group EMFJ/SAIJ throughout, even though "Saints Alive in Jesus" was not added until 1979.

BACKGROUND

The impulse to embrace the first goal began in 1975 when the first EMFJ/SAIJ chapter was founded "with one member, a P. O. box and a desire to witness for Jesus."[5] Bob Witte, that one member, decided to join forces with two other ex-Mormons, Roger and Melaine Layton, also former Mormons, to create the group. Initially, all three lived in Wheeling, Illinois; but shortly after founding the group, Witte moved to Arizona and then to Florida, founding new chapters of the EMFJ/SAIJ network in each place. The founders planned, not a central headquarters, but rather that independent chapters would form throughout the nation and be organized in a democratic fashion.[6]

These founders of EMFJ/SAIJ envisioned the organization as "a system of affiliated former Mormons who have come to a saving knowledge of Jesus Christ as the Lord and Savior of their lives."[7] Later publications included more specific articulations of their mission. They believed they carried an immense burden: "As once deceived, escaped victims ourselves, we must publicly expose and answer the attack of Mormon doctrine, lest our silence be thought of as approval!" They approached their stated mission to enlighten current Mormons with an Evangelistic fervor, convinced that they had "NO choice" but to engage in such ministry.[8] This group considered (and still considers) itself "trans-denominational" and therefore held only to what it called the "essential points of doctrine which have unified the Body of Christ over the years." These points included "agreement that the Bible is God's verbally inerrant, eternal Word," "that Jesus Christ is the Word made flesh," and "that He is man's only hope of salvation." Such affirmations marked EMFJ/SAIJ as part of the broader Evangelical movement of the twentieth century. Portraying themselves as David to the LDS Goliath, one stated goal of the group was "to see Christian crosses replacing the naked spires and statues of

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[5]*Newsletter*, January 1976, MSS 900, Box 52, fd. 3, Marriott Library.

[6]Ibid.

[7]Ibid.

[8]*Newsletter*, February 1990, BX 8609 E 84x, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah (hereafter Perry Special Collections). An example of the churches listed by the EMFJ/SAIJ in Orange, California, includes various Baptist, Evangelical Free, Foursquare, and Lutheran congregations.

Moroni atop every LDS edifice in the world."[9]

Four years after its founding, things began to change for EMFJ/SAIJ. In January 1979, EMFJ/SAIJ held its first "General Conference," which included "about 25 Ex-Mormons for Jesus and 'gentile' co-workers" the latter of whom had never been Mormons.[10] It was also in 1979 that Ed Decker, a charismatic Evangelical who had converted out of Mormonism after twenty years of membership, changed the nature of EMFJ/SAIJ at the national level. In 1979, Decker committed himself to full-time leadership of the group, sought non-profit status for it, and decided to change the group's name to Saints Alive in Jesus.

Decker's rise to power and his centralization of authority fundamentally changed the nature of EMFJ/SAIJ and set it on a trajectory to become a strictly hierarchical group, with Decker at the helm. This process occurred because of a combination of Decker's full-time commitment, his incorporation of the group, his establishment of national-level rules of organization, and his personality. The 1982 production of the film *The God Makers* made Decker one of the best- known and most controversial ex-Mormons of record, and the national organization became increasingly synonymous with Decker's personality. *The God Makers* solidified Decker's claim to leadership and pushed the group toward an emphasis on its second mission.

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[9]"Utah Summer Missions Sheet," May 1982, MSS 900, Box 52, fd. 5, Marriott Library.

[10]*Newsletter*, January-April 1979 and February 1978, Box 52, fd. 3, MSS 900, Marriott Library. It is difficult to determine an accurate membership count of either chapters or individual members in EMFJ/SAIJ. The constitution and bylaws of the group state: "The Corporation shall have no membership," and so no records are kept of individual members. MSS 210, Box 105, fd. 8, Merrill-Cazier Library. Despite uncertainty about membership numbers, the EMFJ/SAIJ had three levels: (1) the status of general member, which is "simply a chapter of one person"; (2) "Fellowship Chapters," referring to groups that, according to headquarters, were meeting regularly; and (3) "Corporate Chapters," groups in existence for a year with "at least one ex-Mormon involved who does not necessarily have to be in a leadership role—yet must certainly be more than a 'token ex.'" Achieving this level enabled a group to have a bank account and non-profit status. MSS 210, Box 105, fd. 8, Merrill-Cazier Library.

"EX-MORMONS IS WHAT WE ARE"[11]

Before exploring the changes Decker made, I will investigate the initial stated intent of the group in its most democratic form. In its earliest years, the group focused on supporting Mormons who were leaving the LDS Church and providing them with a new and understanding community.

By merging elements of Evangelical Christianity, popular psychology, the structure and rhetoric of addiction programs such as Alcoholics Anonymous, and the cult theories of the 1970s and 1980s, the early founders and members of the EMFJ/SAIJ created a unique view of their identity as ex-Mormons. This group, like many Evangelical groups in the late twentieth century, embraced popular psychology and the self-help model as important explanatory devices for individual and communal behavior.[12] Though the experience of being "born again" and converting to Evangelical Christianity implies that EMFJ/SAIJ members rejected their Mormon identity, the situation is much more complicated. Early EMFJ/SAIJ members wanted to create a "sacred space" (both psychologically and within their group meetings) in which their new identity and past identity were in constant relation with one another. This initial expectation is evident in the newsletters of several local chapters and some chapters have maintained this impulse as a central component of their identity.

Perhaps the best explanation of the feelings that some ex-Mormon members had toward their previous religious faith lies in the literature that examines Mormonism not just as a religious tradition but also as an ethnicity. Ethnic studies scholars describe ethnicity as formed out of a complex matrix of communal identity factors. When individuals are asked about their identity, they place themselves within the context of history and community.[13] Because members of the LDS Church faced fierce persecution from critics throughout their early history and because they believed that the blood of Israel flowed through all members' veins, they constructed a tightly knit

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[11]This and the following sub-heading titles are slogans from a California EMFJ/SAIJ group.

[12]David Harrington Watt, *A Transforming Faith: Explorations of Twentieth-Century American Evangelicalism* (New Brunswick, N.J.: Rutgers University Press, 1991).

[13]Patricia Nelson Limerick, *Something in the Soil: Legacies and Reckonings in the New West* (New York: W. W. Norton, 2000), 241.

concept of peoplehood that continues in many ways to the present.[14] Mormons have tended to maintain boundaries between their own community and the outside world by emphasizing that which makes them unique.[15] Though the LDS Church has not been able to preserve the strength of its sense of peoplehood as well in the twentieth and twenty-first centuries as it did in the nineteenth, many complicated strands still bind the individual to the religious community in ways that more culturally mainstream Protestant denominations do not. Regardless of whether "ethnicity" or "peoplehood" can be accurately applied to the LDS community of the late twentieth century, what is clear is that Ex-Mormons for Jesus felt and described the bonds in these ways.

Because of the strength of this communal network, those wishing to leave claimed that they were leaving behind much more than their faith and their Sunday morning activities. Many described the transition as one of social and cultural disconnection, of feeling lost. "The rather total social cocoon of Mormonism, when coupled with the repeated mocking of 'orthodox' Christianity in the LDS temple ceremonies," one newsletter reported, "forces feelings of alienation on the departing LDS persons. Even for those who have come out of

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[14]See also Thomas F. O'Dea, *The Mormons* (Chicago: University of Chicago Press, 1957); R. Laurence Moore, *Religious Outsiders and the Making of Americans* (New York: Oxford University Press, 1986); Armand L. Mauss, *The Angel and the Beehive: The Mormon Struggle with Assimilation* (Urbana: University of Illinois Press, 1994); Armand L. Mauss, *All Abraham's Children: Changing Mormon Conceptions of Race and Lineage* (Urbana: University of Illinois Press, 2003).

[15]"The distinctive elements of Mormon theology, the receiving of endowments in the temple and the sealing of marriages for time and eternity; the growing emphasis on the Word of Wisdom; the daily practices of the priesthood; the Relief Society; Mutual, Primary, and the round of activities at the Ward Houses; the General Conferences; the missionary experience of young men; the baptizing of the dead; tithing; the creation of the church welfare system and the fasting funds for the poor; Family Home Evenings; large families to take part in those evenings; and, perhaps more than anything, the told and retold stories of Mormon history made it very unlikely that Mormons would lose their distinctive ethnicity and disappear into a homogeneous, mainstream, American whole." Limerick, *Something in the Soil*, 249. See also Mauss, *The Angel and the Beehive*.

bondage and into a *right* relationship with the real Jesus Christ."[16] Studies of those who have left the LDS Church show that individuals often have an intense identity crisis.[17] EMFJ/SAIJ leaders hoped that members might resolve that crisis in their new community, identity, and faith.

For example, consider a letter reprinted in the February 1990 newsletter of the southern California chapters. The anonymous author wrote: "I am currently a Mormon who is searching for answers. So far, my studies have led me to have serious doubts about Mormonism, however, I am so fearful and emotionally distraught over leaving the religion that it's sometimes difficult for me to think rationally. I have been a member for 25 years (I am now 34) and I have 4 children who are very involved in LDS activities. All my friends (most of them anyway) are members and my immediate family is too."[18] Early EMFJ/SAIJ newsletters abound with similar letters, illustrating the kind of trauma that leaving Mormonism entailed. They claim, in the words of Ed Decker, that the LDS Church was "more than a church for they [controlled] all areas of our lives."[19]

For this reason, some EMFJ/SAIJ members felt they had a special divine calling and mission. They alone, they argued, could understand the kind of obstacles people faced when leaving the LDS Church: "Christians that have not been Mormons themselves often do not understand the difficulties that leaving Mormonism presents."[20] EMFJ/SAIJ provided a network for people attempting to leave the Church: twenty-four-hour hotlines, supportive letters, and new social circles. One EMFJ/SAIJ member who helped staff a twenty-four-hour hotline remembered a phone call from a Mormon

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[16]*Newsletter*, November 1984, MSS 900, Box 52, fd. 3, Marriott Library.

[17]See James W. Ure, *Leaving the Fold: Candid Conversations with Inactive Mormons* (Salt Lake City: Signature Books, 1999) and Leslie Reynolds, *Mormons in Transition* (Salt Lake City: Gratitude Press, 1996). Reynolds's study has the goal of showing how Mormons can best make a transition out of the Church.

[18]*Newsletter*, February 1990, BX 8609 E 84x, Perry Special Collections.

[19]Ed Decker, Letter to Richard Christensen, April 1, 1981, MSS 210, Box 48, fd. 4, Merrill-Cazier Library.

[20]*Newsletter*, March 1990, BX 8609 E 84x, Perry Special Collections.

woman "who left the LDS church a year ago but is still having problems with her Mormon friends." The caller claimed that her old friends had a "hateful attitude" toward her.[21] The EMFJ/SAIJ member operating the hotline felt she had provided this woman with companionship she could find nowhere else in her community.

After leaving the LDS faith, ex-Mormons reduced their past identity to a cultural and ethnic one. That reduction let them construct a religious world in which God required them to go back to save "their people."[22] In effect, their construction of a Mormon ethnic identity enabled the invention of a new mission field on the boundaries of the Mormon faith. Even Ed Decker uses this rhetoric to describe his mission. Likening himself to the biblical Nehemiah, Decker "felt that same brokenness for the Mormon People that [Nehemiah] felt for his people. . . . I needed to share the truth with my people the Mormons."[23]

As part of their missionary vision, EMFJ/SAIJ members often likened the struggle of leaving Mormonism to overcoming drug or alcohol addiction or to cult deprogramming. Designed to be much like twelve-step programs and part of the "therapeutic culture" of the late twentieth century, some EMFJ/SAIJ groups met monthly.[24] These meetings could include a speaker, who would give an in-depth discus-

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[21]*Newsletter*, February 1990, Perry Special Collections.

[22]For an example of this construction of ethnicity, see Wendy Frazier (an SAIJ office worker), Letter to Marc Beauchamp, n.d.: "We are ex-Mormons going back to our people to tell them the true gospel of Jesus Christ." MSS 210, Box 44, fd. 5, Merrill-Cazier Library.

[23]Decker, email to Patterson March 24, 2009.

[24]R. Marie Griffith, *God's Daughters: Evangelical Women and the Power of Submission* (Berkeley: University of California Press, 2000) 34, characterizes the "therapeutic culture" in this way: "The boom of twelve-step groups or recovery groups has often been treated as marking a kind of spiritual shift in American life, in which the boundaries between the public and private have been repeatedly challenged and redrawn." See also Eva Moskowitz, *In Therapy We Trust: America's Obsession with Self-Fulfillment* (Baltimore: Johns Hopkins University Press, 2001); Ellen Herman, *The Romance of American Psychology: Political Culture in the Age of Experts* (Berkeley: University of California Press, 1995); and Wendy Simonds, *Women and Self-Help Culture: Reading between the Lines* (New Brunswick, N.J.: Rutgers University Press, 1992). For a history of Alcoholics Anonymous, see George H. Jensen,

sion of one aspect of Mormonism, followed by testimonials from EMFJ/SAIJ members about how they were able to leave the LDS Church because of the supportive networks provided by new EMFJ/SAIJ friends. The departing member received a program of steps to follow, much like those of other twelve-step programs; in this case, though, the addiction to be "cured" was the individual's ties to Mormon culture and theology. Leaders structured these meetings to help members in "recovery from their damaging experience," a recovery that required "sensitive, loving but firm guidance." EMFJ/SAIJ pamphlets counseled new members that they might experience "dependency, depression, low self-esteem, confusion and anger."[25] Particularly important to the EMFJ/SAIJ in this addiction model, I believe, is the twelfth step. For Alcoholics Anonymous, this step reads: "Having had a spiritual awakening as a result of these steps, we tried to carry this message to alcoholics."[26] For the EMFJ/SAIJ it could have easily read: "Having had a spiritual awakening . . . we tried to carry this message to Mormons." Sensing a divine imperative to return in mission to those who were still Mormon, EMFJ/SAIJ members used the addiction model to tie together their sense of identity, their commitment to God, and their sense of divine calling.

Closely related to the concept of addiction was the EMFJ/SAIJ's use of cult theories that gained wide popularity in the 1970s. "Because of this work," one newsletter argued, "many were kept out of the clutches of this deceptive cult [Mormonism]."[27] According to these new theories, cults preyed on the unsuspecting and naive. Once targeted, cult members "brainwashed" or "programmed" the new participant into believing every idea the cult leader taught and carrying out the leader's wishes.[28] Applying this model to an LDS context, the EMFJ/SAIJ position was that Mormons had given "unquestioned loyalty to their church." For this reason, newsletter authors claimed

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Storytelling in Alcoholics Anonymous: A Rhetorical Analysis (Carbondale: Southern Illinois Press, 2000).

[25]*Newsletter*, July 1990, BX 8609 E 84x, Perry Special Collections.

[26]*Alcoholics Anonymous: The Story of How Many Thousands of Men and Women Have Recovered from Alcoholism* (New York: Works Publishing Inc., 1951).

[27]*Newsletter*, February 1990, BX 8609 E 84x, Perry Special Collections.

[28]See Sean McCloud, *Making the American Religious Fringe: Exotics,*

that those separating from Mormonism would go through a process of denial, shock, and fear ("We have all heard, 'no it's not true,' when someone is given the bad news of the loss of a loved one") followed by anger ("Why did God let this happen to me?"), negotiation, compromise ("even though we know it is wrong we still want to make it right because Mormonism offers so much in other areas of our lives"), and withdrawal ("There was so much hurt [that] we pull back from people and activities").[29] Recovery was said to be particularly difficult because individuals were searching "for the fellowship we experienced as a Mormon." EMFJ/SAIJ chapters made an effort to provide activities for those coming out of Mormonism who felt the need to replace their "work-a-holic" Church participation.[30] Popular narratives in the group promised that the individual coming out of the Mormon "cult," if successful, would finally reach the point of acceptance and adaptation.

EMFJ/SAIJ members envisioned themselves as crucial to this process because "those who have never been Mormon just don't quite understand what all the big deal is about." What they could not understand, from EMFJ/SAIJ's perspective, was that "the bondage of this cult is very real and very difficult to get free from."[31] It is precisely for this reason that EMFJ/SAIJ members told their personal narratives;

Subversives, and Journalists, 1955–1993 (Chapel Hill: University of North Carolina Press, 2004); Philip Jenkins, *Mystics and Messiahs: Cults and New Religions in American History* (New York: Oxford University Press, 2000); Harvey Cox, "Deep Structures in the Study of New Religions," in *Understanding the New Religions*, edited by Jacob Needleman and George Baker (New York: Seabury Press, 1978); Anson D. Shupe Jr. and David G. Bromley, "Apostates and Atrocity Stories: Some Parameters in the Dynamics of Deprogramming" in *The Social Impact of New Religious Movements*, edited by Bryan Wilson (New York: Rose of Sharon Press, 1981); Mark Silk, *Unsecular Media: Making News of Religion in America* (Urbana: University of Illinois Press, 1995); Anson Shupe and David G. Bromley, "The Modern Anti-Cult Movement, 1971–1991: A Twenty-Year Retrospective," in *Anti-Cult Movements in Cross-Cultural Perspective*, edited by Anson Shupe and David G. Bromley (New York: Garland Publishing, 1994).

[29]EMFJ members enjoyed Ronald Enroth, *Why the Cults Succeed Where the Church Fails* (Elgin, Ill.: Brethren Press, 1985).

[30]*Newsletter*, MSS 210, Box 14, fd. 1, Merrill-Cazier Library.

[31]*Newsletter*, July 1990, BX 8609 E 84x, Perry Special Collections.

in so doing, they hoped to deconstruct the power of the institution that they believed had such powerful sway over them.[32] This is an important concept for understanding the early commitment to the first goal of caring for Mormons leaving the Church. This impulse—the vision that the EMFJ/SAIJ had a special and divine calling—played an important role for some members.

As stated earlier, EMFJ/SAIJ members felt they had "an unending burden to reach the Mormon people with the fact that there *is* an entirely different Jesus."[33] The burden they felt made them responsible for the souls of others. For example, one EMFJ/SAIJ member reported receiving a letter that confessed: "Last week I really muffed a chance to talk to a group of Mormons. There they were, about 200 of them. . . . I didn't even go to talk to any of them. . . . [I]t is entirely possible that their bus could have crashed on the way home, and they would have been left out in darkness for ever."[34] The author of this letter feared that she was fully responsible for the souls of these Mormons, and that sense of responsibility fueled much of the EMFJ/SAIJ mission.

In almost every newsletter, pamphlet, or speech addressing the question of evangelizing to Mormons, a distinction was made between the EMFJ/SAIJ's love for individual Mormons (who were, they believed, trapped in a cult) and the LDS institution. EMFJ/SAIJ literature reminded its members that Mormons believed they were serving God and that "the deception originates largely with the leadership, not the rank and file of the church."[35] Those newsletters instructed workers to have a "broken heart for the Mormon people" to pass on God's love to them.[36]

Early EMFJ/SAIJ founders sought to improve their understanding of the Mormon position to create a better mission. Enclosed in one

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[32]Though analyzing what they call "atrocity tales" (scary stories of what happens within cult boundaries), Shupe and Bromley, "Apostates and Atrocity Stories," 189–91, demonstrate the importance to apostates of telling their personal narratives to counter the claims of the institutions/groups they have left.

[33]*Newsletter*, February 1980, MSS 900, Box 52, fd. 6, Marriott Library.

[34]*Newsletter*, June 1978, MSS 900, Box 52, fd. 7, Marriott Library.

[35]*Newsletter*, December 1989, BX 8609 E 84x, Perry Special Collections.

[36]Bob Witte, "Where Does It Say That," Ed Decker, "Mormonism

of Bob Witte's first letters was a questionnaire developed to refine missions to Mormons. It asked such questions as: "While you were still a Mormon, what were your positive and/or negative reactions to evangelistic messages like those typical of Billy Graham, Oral Roberts, etc.?" "What approaches did Christian witnesses use that penetrated to any extent your Mormon 'blockade?'" "In what specific area(s) do you feel that most Christians *failed* to communicate with you?" It also urged recipients to share their conversion experiences in detail: "Please give the highlights of your own conversion to the Lord including especially the important 'seeds of doubt' concerning the church."[37]

Along with explanations of the culture they had left behind were discussions about the theological reasons for which EMFJ/SAIJ members left the Church. A common theme throughout the newsletters was a feeling of betrayal, the sense that the LDS Church lied to its members and made deliberate efforts to deceive. EMFJ/SAIJ members argued that the LDS Church would "misrepresent what they believe in order to induce you to join their organization."[38] They said the deceit lasted until the convert was "hooked" on the Church; then, slowly, one would learn what Mormonism was *really* about.

For members of EMFJ/SAIJ, the ultimate deceiver was Joseph Smith Jr., founder of the Mormon faith. Many EMFJ/SAIJ members remembered being taught that Joseph Smith was a perfect person.[39] With this view of a perfect prophet as the basis of their faith, they became disenchanted when they learned about Joseph Smith's shortcomings as a human being (including, in their view, his polygamy, his revision of divine revelations, his treasure-digging, etc.). For them Smith was "*too* human."[40] Having determined Smith's sinfulness, members described the feeling that Smith was a false prophet who

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Challenged," and Ed Decker, Letter to Steven James Anders, November 15, 1985, MSS 210, Box 43, fd. 3, Merrill-Cazier Library.

[37]*Newsletter*, January 1976, MSS 900, Box 52, fd. 3, Marriott Library.

[38]Ed Decker, Letter to Irving Gavin, August 21, 1985, MSS 210, Box 56, fd. 2, Merrill-Cazier Library.

[39]See, for example, Lawrence Foster's discussion of Jerald Tanner in "Career Apostates: Reflections on the Works of Jerald and Sandra Tanner," *Dialogue: A Journal of Mormon Thought* 17 (Summer 1984): 41.

[40]*Newsletter*, December 1990, BX 8609 E 84x, Perry Special Collections.

"led the Mormons back into the bondage of the Old Testament."[41] Collapsing history, EMFJ/SAIJ newsletters portrayed a Joseph Smith much like the "cult" leaders Jim Jones, Charles Manson, and Sun Myung Moon who, because of their charisma, were able to socially isolate their followers, brainwash them, and sexually exploit them. Once convinced that they had seen through the deception, they felt they should use that knowledge in their missions to Mormons, because "Joseph Smith is the most vulnerable thing the Mormons have."[42]

Just as frequently, EMFJ/SAIJ newsletters and pamphlets described changes in Church revelations, doctrines, and rituals. For them, change implied deception. In one of his stock public lectures, Ed Decker explained that "there isn't a single LDS produced standard work that hasn't undergone hundreds and even thousands of changes, additions, deletions and corrections . . . all of which were done without indications or acknowledgment of the actions taken."[43] In fact, many of the pamphlets created by EMFJ/SAIJ detail the changes to LDS Church documents over the years. Their critiques continue and are aimed at various theological concepts such as Jesus's marriage, God's origins as a human being, the insufficiency of Christ's blood for salvation, multiple gods, the belief in Mother in Heaven, and the idea that humans could achieve godhood. All of these doctrines were described as deceptions and counterfeits—what Bob Witte called "the $3.00 bill of Christianity."[44]

Despite their feelings of disillusionment and betrayal, ex-Mormon members of the EMFJ/SAIJ retained aspects of their past cultural and religious worldviews. These remnants often appeared in the way they constructed their new religious identities. Underlying many of their theological discussions is a clear sense that EMFJ/SAIJ members took from their past faith an approach to the world that is black/white, either/or. Ironically, though perhaps not unsur-

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[41]Ed Decker, "To Moroni, with Love," 46, BX8608 A1a #2458, transcript of speech later published as a pamphlet.

[42]Ed Decker, "Witnessing to Mormons," MSS 210, May 1982, Box 140, Tape 13, Merrill-Cazier Library.

[43]Ed Decker, "Some Unanswered Questions on the Mormon Gospel," Pamphlet, Issaquah, Wash.: Saints Alive in Jesus, n.d., Perry Special Collections.

[44]Bob Witte, "Mormonism, the $3.00 Bill of Christianity" (Safety Harbor, Fla.: Ex-Mormons for Jesus, n.d.), Perry Special Collections.

prisingly, this approach is almost necessary for their new view of the Mormon faith: What they once thought was true became false and, furthermore, wholly false. The logic by which they explained their mission is: If Joseph Smith is a false prophet and the Book of Mormon "is a work of fiction," then "any doctrine, belief, or practice that stems from a work of fiction is of no spiritual value."[45] Once having made that initial assessment, the individual had to face "the fact that either Mormonism is correct or Christianity is correct. . . . There is no middle-of-the-road in this particular thing."[46] In essence, as EMFJ/SAIJ members left the LDS Church, they tended to trade one dualistic view of the world for another.[47]

This comprehensive structure is not the only way that traces of the Mormon tradition appear in EMFJ/SAIJ publications. The Mormon structure of testimony is mirrored in the testimonies of EMFJ/SAIJ members. The testimonies spontaneously shared in monthly testimony meetings in LDS wards around the world tend to follow a certain format. Though laced with individual stories and flair, the testimonies usually conclude with statements of faith that Joseph Smith was a true prophet, that the Book of Mormon is the word of God, and that the current Church president is a living prophet. Of course, testimony is certainly not foreign to Evangelical Christianity. In fact, EMFJ/SAIJ testimonies tend to merge models of addiction testimony, Evangelical testimony, and Mormon testimony. In the addiction-testimonial model, testifiers discussed their sinful past and asserted that, through overcoming the addiction, they found salvation.[48]

Testimonies within the EMFJ/SAIJ newsletters abound. They will sometimes begin "As a Mormon, I believed . . . " Or as in the account of Thelma Geer, published by the EMFJ/SAIJ, "As a young girl, I too actually wanted to become a Goddess." In Geer's testimony, she shifts from her "As a Mormon" statements to "As a Christian, I am so grateful to know that I am sealed by the Holy Spirit of Promise—sealed directly to God, becoming His adopted child by faith in the

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[45]*Newsletter*, July 1990, BX 8609 E 84x, Perry Special Collections.

[46]Decker, "To Moroni, with Love," 11.

[47]I do not mean to imply that all Latter-day Saints view the world in an either/or fashion, but rather that *these* ex-Mormons did and still do.

[48]Moskowitz, *In Therapy We Trust*, 245–47.

shed blood of Jesus Christ."[49] Sometimes EMFJ/SAIJ testimonies also end with a statement of what the individual knows is *not* true. Thus, the testimonies served to merge past and present identities into a seamless narrative and justification for mission work. For example, Ed Decker's personal testimony claimed, "I do not place my eternal life in the hands of any latter-day prophet," that "Joseph Smith was not a prophet of God," and that "the Book of Mormon is a contrived document and not of divine origin."[50] This mirroring of LDS testimonies served both as a familiar method of relating personal spiritual commitment and as a missionary tactic.

Though EMFJ/SAIJ members believed that they had firmly divorced themselves from Mormonism, they still remained—and chose to remain—tied to it in a number of ways. First, residual structures of Mormon theology and culture appear in their published literature. Second, they clearly believed that coming out of Mormonism required a process of deprogramming and rehabilitation that continued to refer to their past life and identity. And, finally, the EMFJ/SAIJ members felt that they had a positive calling—to witness to Mormons about the evils of Mormonism. These various strands of connection insured that EMFJ/SAIJ members were continuously tied to their previous religious and cultural identity—in both unconscious and conscious ways. In their words, the burden they felt for Mormons made them responsible for the souls of "their people."

"FOR JESUS IS WHAT WE DO"

Two goals vied for the identity of EMFJ/SAIJ during its foundational years. Despite the founders' intentions to be a supportive net-

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[49]Thelma Geer, "Who Is This Man . . . and Why Did He Marry 19 Times?" (Clearwater, Fla: Ex-Mormons for Jesus, n.d.), Perry Special Collections, Brigham Young University, Provo, Utah. The phrase "sealed by the holy Spirit of promise" is biblical (Eph. 13:1), but "sealed" also appears frequently in the Pauline epistles (e.g., Rom. 15:28, 1 Cor. 9:2, 2 Cor. 1:22), and repeatedly in Revelation as a symbol of salvation (see, e.g., Rev. 7). In Mormon scripture, it appears only in the revelation authorizing plural marriage (D&C 132:7, 18, 19, 26).

[50]Decker, "To Moroni, with Love," 46. See also Ed Decker, Letter to Pat Largent, August 31, 1981, MSS 210, Box 66, fd. 2, and Ed Decker, Letter to Sandra Manness, August 18, 1981, MSS 210, Box 69, fd. 1, Merrill-Cazier Library.

work for Mormons leaving the faith, EMFJ/SAIJ did not retain most of its ex-Mormon members for very long. Rather, some ex-Mormons used the EMFJ/SAIJ as a supportive community during their passage out of Mormonism but did not make lifetime commitments to the group.[51] Because of this pattern, EMFJ/SAIJ's membership and funds tended to come from Evangelicals with no previous ties to Mormonism or from those who believed a family member or friend had fallen into Mormonism's snares. The composition of the membership is intimately tied to the question of identity. Non-Mormons and ex-Mormons apparently related to Mormonism differently.[52]

Pivotal to EMFJ/SAIJ's conception of identity and mission in more recent years, then, is its immersion in twentieth-century Evangelicalism.[53] Because so much financial support came from those who had never been Mormons and because educating other Christians could be counted as successful in ways missionizing to Mormons

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[51]As stated earlier, there is no official count of the number of EMFJ/SAIJ members and therefore no count of how many are ex-Mormons versus Evangelical Christians. However, Ed Decker, Letter to Sherry Clark, April 4, 1986, MSS 210, Box 48, fd. 4, Merrill-Cazier Library, confirmed that Evangelicals far outnumber (in membership and contributions) ex-Mormons and always have: "Most of our support comes from non-Mormons." See also Decker, email to Patterson, February 2007.

[52]Helen Rose Fuchs Ebaugh discusses this distinction in *Becoming an EX: The Process of Role Exit* (Chicago: University of Chicago Press, 1988), 149: "To be an ex is different from never having been a member of a particular group or role-set. Nonmembers do not carry with them the 'hangover identity' of a previous role and therefore do not face the challenge of incorporating a previous role identity into a current self-concept."

[53]For histories of twentieth-century Evangelicalism, see Randall Balmer, *Blessed Assurance: A History of Evangelicalism in America* (Boston: Beacon Press, 1999); Heather Hendershot, *Shaking the World for Jesus: Media and Conservative Evangelical Culture* (Chicago: University of Chicago Press, 2004); Susan Friend Harding, *The Book of Jerry Falwell: Fundamentalist Language and Politics* (Princeton, N.J.: Princeton University Press, 2000); Steve Bruce, *The Rise and Fall of the New Christian Right: Conservative Protestant Politics in America, 1978–1988* (Oxford, England: Clarendon Press, 1990); Walter H. Capps, *The New Religious Right: Piety, Patriotism, and Politics* (Columbia: University of South Carolina Press, 1990); R. Marie Griffith, *Born Again Bodies: Flesh and Spirit in American Christianity* (Berkeley: University of California Press, 2004); Clyde Wilcox, *God's Warriors: The Christian Right in*

could never be, the focus of EMFJ/SAIJ changed. For this reason, along with Decker's personality and goals, the second goal—to warn other Christians away from Mormonism—became the foremost EMFJ/SAIJ goal. As a result, EMFJ/SAIJ moved to a trajectory aligned with traditional anti-cult movements whose goal was simply to destroy those religious movements that it defined as cults.

Although the two impulses in the movement might be seen as parts of one organic whole, in fact, the two were clearly at times envisioned as entirely separate and potentially contradictory. For example, in 1982 assistant director Jim Witham wrote to a woman who requested that EMFJ/SAIJ officials like Witham and Decker visit her town to warn other Christians about the evils of Mormonism: "We require that our seminars not be an expense to the ministry, since it would not be right for us to spend money donated to minister to Mormons, in teaching the Christian body."[54] This view from the early years of EMFJ/SAIJ clearly differentiated the two goals and affirmed an ongoing commitment to "minister to Mormons."

Over time, however, EMFJ/SAIJ began to concentrate on the second goal, which it interpreted to mean direct "warfare" with the LDS Church. This shift is directly tied to Ed Decker's rise to leadership in the organization. Born in 1935, Decker converted to Mormonism at age twenty after being introduced to the LDS Church by his wife, Phyllis, an inactive Mormon, and Mormon missionaries. Over the next fifteen years, Decker worked in middle management at several large corporations, fathered five children with Phyllis and considered himself a faithful, "Temple" Mormon. After a complicated divorce from Phyllis and a second marriage to a woman named Carol with whom he had more children, Decker began to experience a spiritual crisis in the early 1970s. In 1975, Decker claimed that he found a true faith in Jesus through prayer. Within a few years, he had committed his life and career to actively evangelizing and providing evidence of what he described as the fraudulent claims of the LDS Church (and, to a lesser degree, Freemasonry). Since that time, Decker has lived primarily in Issaquah, Washington, where EMFJ/SAIJ was and is

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Twentieth-Century America (Baltimore: Johns Hopkins University Press, 1992); Sara Diamond, *Not by Politics Alone: The Enduring Influence of the Christian Right* (New York: Guiford Press, 1998).

[54]Jim Witham, Letter to Heidi R. Brennan, March 24, 1982, MSS 210, Box 45, fd. 3, Merrill-Cazier Library.

headquartered. Carol Decker worked to support the family financially, while Decker, who worked fulltime to advance EMFJ/SAIJ activities, took a small salary "when the ministry could afford it."[55]

Perhaps Decker's best-known contribution to the evangelization movement was the production of the 1982 film *The God Makers*. Attempting to expose what Decker and others found most absurd about the Mormon faith, possibly its best-known segment is a ten-minute cartoon claiming to portray the Mormon story of the creation of humanity. The film created considerable controversy, drawing in even more viewers. Some Jewish and Protestant communities stepped in to defend the LDS Church from the claims made against it in the film. Other Protestant congregations sponsored screenings to their members and the interested public. Because of the film, Decker received hundreds of letters of support. To this day, Jeremiah Films advertises it as a documentary that recounts "heart-breaking accounts of families and lives destroyed by the Mormon church" and "depicts accurate dramatizations of occult Mormon temple rituals . . . secrets so guarded that those who protect the rituals risk death!"[56] The LDS Church responded to the film on November 16, 1983: "In a country which prides itself on religious freedom and religious plurality, fairness and mutual regard should not let that happen. Simple courtesy would dictate a decent respect for that which is sacred to others."[57]

Decker, who was the "doctrine guy" and raised "the bulk of the [money] to do the film," believed that the film effectively encouraged "thousands upon thousands of people" to abandon Mormonism. *The God Makers* was buttressed by its follow-up film in 1987, "*The Temple of The God Makers*, the books and tracts, the summer mission work, and all of the other ongoing projects." He acknowledged, "I'm sorry that The God Makers at times seems like a anti-Mormon film, particularly when whoever is ministering with the film are [sic] there answering questions from an outsider's point of view, and not because they are broken by the shed blood of Jesus Christ." Decker considered the question-and-answer period after a screening as an important part of his ministry: "After the lights come on, I usually stand by the podium and share very briefly the power of Jesus Christ drawing people out of

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[55]Decker, email to Patterson, March 24, 2009.

[56] http://www.jeremiahfilms.com (accessed March 1, 2009).

[57]"Official Statement of LDS Church regarding film 'The God Makers,'" MSS 210, Box 31, fd. 4, Merrill-Cazier Library.

darkness. I will also give an altar call at times."[58] In fact, Decker found the film such a strong evangelization tool that he followed *Temple of the God Makers* in 1992 with *God Makers II*.

The production of these films contributed to a growing rift between Decker's EMFJ/SAIJ and other groups with similar goals. Jerald and Sandra Tanner, former Mormons who had launched their educational Utah Lighthouse Missions rooted in historical documentation of changes, believed that the films inaccurately portrayed the LDS Church and its belief system, thus hindering their movement more than it helped.[59] In addition to the disagreements about the films, the Tanners accused Decker of lying and of hurting the movement against the LDS Church in other ways. This second argument started in the late 1980s with the Tanners' accusation that Decker and other EMFJ/SAIJ officials inadequately researched their material (a particular strength of the Tanners' ministry) and therefore misrepresented the LDS Church.

The schism continued into the 1990s and came to a head when the accusations became more personal; the Tanners accused Decker of lying about attacks made against him by his enemies.[60] They expressed skepticism about Decker's claims that his enemies had almost murdered him on several occasions. In August of 1981, he claimed that several shots were fired into his bedroom by Mormons who "for all their sweetness and smiling faces have a part of them that you and I

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[58]Decker, email to Patterson, March 24, 2009; Ed Decker, Letter to Sherry Clark, April 4, 1986, MSS 210, Box 48, fd. 4, Merrill-Cazier Library.

[59]For an account of the rift written by Bill Schnoebelen, (an assistant of Decker's), see his Letter to Mike [no surname] of Youngstown, Ohio, December 10, 1987, MSS 210, Box 46, fd. 4, Merrill-Cazier Library: "We are profoundly disheartened by the entire situation with the Tanners and wish that they had proceeded in a more Biblical fashion with their grievances against us. . . . The Tanners' contention, to which you allude, that we are teaching that Mormons believe in a 'Lucifer-God' doctrine is totally false. . . . We do feel that since 'Elohim of Kolob' is demonstrably NOT the God of the Bible . . . the Mormon people are worshiping Lucifer—however ignorantly."

[60]See Foster, "Career Apostates," 35–60, and his "Apostate Believers: Jerald and Sandra Tanner's Encounter with Mormon History" in *Differing Visions: Dissenters in Mormon History*, edited by Roger D. Launius and Linda Thatcher (Urbana: University of Illinois Press, 1994), 344–65.

are only touching the surface of."[61] Not many months later, Decker, one of whose sons was serving an LDS mission in Chile, asserted that he was "notified by a member of the CIA who . . . said 'If you go to Chile, you are dead. They are planning on killing you in Chile.'"[62] In March of 1986, Decker claimed that a would-be assassin had "slipped a lethal dose of arsenic" into a meal he ate on a lecture tour in Scotland.[63]

The Tanners believed that these stories frightened people in the movement and discouraged support for other groups, like their own.[64] Regardless of whether the stories are true, they clearly provided Decker with a kind of cultural currency, generating even more support and confirming Decker's centrality to the movement; he was the one "they" bothered to attack. Arguments with the Tanners about the veracity of the stories caused a split in the broader movement; many felt that they had to side with the Tanners or with Decker. Decker's role in EMFJ/SAIJ, then, became more and more important as he shaped the group to fit his own goals.

Especially after the 1982 release of *The God Makers*, Decker's influence shaped the EMFJ/SAIJ particularly at the national level. On the local level, some members felt resentment that Decker's controlling behavior allowed him to become *the* personality of EMFJ/SAIJ.[65] Written institutional histories of the movement catalogued with Decker's papers, express the centralized role Decker played in the organization: "While some were called to plant the seed, Ed Decker was called to distill the loose organization into a mature, tightly function-

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[61]Ed Decker, Letter to Elizabeth Duerson, August 27, 1981, MSS 210, Box 51, fd. 7, Merrill-Cazier Library.

[62]Ed Decker, "Witnessing to Mormons," talk given at Capstone Conference, May 1982, MSS 210, Box 140, Tape 13, Merrill-Cazier Library.

[63]Decker wrote about this incident in a form letter. See, for example, Ed Decker, Letter to Einar Anderson, May 10, 1986, MSS 210, Box 43, fd. 3, Merrill-Cazier Library.

[64]MSS 210, Boxes 45, 54, and 88 hold all of the correspondence, from and to the Tanners, about the Tanner/Decker conflict. For the Tanners' version of the events, see *Salt Lake City Messenger*, Issue 76, http://www.utlm.org/newsletters/no76.htm#WAS%20ED%20DECKER%20POISONED (accessed February 14, 2010).

[65]See, for example, Dave Roberts, Letter to "Ed, Carol, and Jim," May 29, 1986, MSS 210, Box 135, fd. 3, Merrill-Cazier Library.

ing organization."[66] In fact, one timeline of "The Chapter" begins with January 1975 as the first date—"Ed Decker finds Jesus." The second date is 1975: "Bob Witte and Melaine Layton found Ex-Mormons for Jesus (Non-Incorporated)." These documents confirm an attempt on the part of Decker and others at the national level to recast the history of the group to emphasize Decker's centrality.

Where the three original founders—Witte and the Laytons—envisioned EMFJ/SAIJ as a loosely connected set of chapters within a democratic national organization, Decker's impact made it "not a 'democracy' in the simple sense," according to a history told in "The Chapter." It continues: "This may seem a bit 'authoritarian' in a sense, but put simply, We have a Vision to walk, and it is open to investigation. Those who want to walk this vision with us are welcome as long as they keep in step." Keeping "in step" included not only a commitment to the goals of the movement as Decker envisioned, but also a willingness to change other aspects of personal identity. Individuals were not allowed to smoke, drink, or neglect personal hygiene because it might offend potential Mormon converts.[67] Though Decker at times embraced the idea that EMFJ/SAIJ was for Mormons coming out of Mormonism, his leadership skills helped him recognize where the future membership of the group lay.

These aspects of organizational development may place Decker in the category that religious studies scholars call "career apostates."[68] Studying the role of the apostate has become an important aspect in understanding how people identify themselves in relation to their religious beliefs. Scholars have tended to define an apostate as

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[66]"Chapters and Organizations," MSS 210, Box 98, fd. 14, Merrill-Cazier Library.

[67]Ibid.

[68]A particularly important example of the use of "career apostate" for this study is Foster, "Career Apostates." Jerald and Sandra Tanner founded Utah Lighthouse Ministries, a publication-oriented endeavor that sought to expose historical changes in the LDS Church as evidence of its inherent problems. Foster commented, "Rather than moving on to make a new and more happy life for themselves, career apostates tend to define themselves more in terms of what they are against rather than what they are for." For Foster, they remain reactive, in a "sort of limbo"; they are never satisfied nor can they create a "positive alternative synthesis of their own." From Foster's perspective, the Tanners "have not yet developed a faith which is suffi-

"a person [who] exits, either voluntarily or involuntarily, [from] an unconventional or 'new' religious group or movement . . . and then becomes an outspoken, visible critic of the latter."[69] In so doing, the "apostate seeks to polarize the former and present identities" and become a "moral entrepreneur" who desires only to "expose the evils of the suspect group."[70] An apostate is "not primarily committed to the positive contents of his new belief and to the realization of its aims," but rather "lives only for [his or her former faith's] negation."[71] The new faith of this apostate is, in essence, a disguise that allows the apostate to attack her or his past identity.

Such definitions of apostasy, though helpful in their specificity, suffer from the major weakness of failing to allow for a spectrum of responses from those who leave a religious tradition and who actively choose to maintain an identity in response to those traditions. These standard definitions of apostasy imply a lack of maturity on the apostate's part. Thus, if the leave-taker then joins the Evangelical movement, which so often defines belief and action in either/or terms, it is impossible to be recognized as having a mature faith. "Apostate," in short, is a problematic category. Though Decker, who has committed more than thirty years to attempting to dismantle the LDS Church, may embody many of the characteristics of scholarly definitions of an

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ciently inclusive to encompass the full depth and richness of a mature Christianity" (54, 56, 60).

[69]Anson Shupe, "The Role of Apostates in the North American Anticult Movement" in *The Politics of Religious Apostasy: The Role of Apostates in the Transformation of Religious Movements*, edited by David G. Bromley (Westport, Conn.: Praeger, 1998), 209–17. See also Stuart A. Wright, "Exploring Factors that Shape the Apostate Role," in ibid., 95–114; David G. Bromley, ed., *Falling From the Faith: Causes and Consequences of Religious Apostasy* (Newbury Park, Calif.: Sage Publications, 1988); H. Kippenberg, "Apostasy," in *Encyclopedia of Religion*, edited by Lindsay Jones (Detroit, Mich.: Macmillan Reference, 2005); Elizabeth A. de Wolfe, *Shaking the Faith: Women, Family, and Mary Marshall Dyer's Anti-Shaker Campaign, 1815–1867* (New York: Palgrave Macmillan, 2002); John D. Barbour, *Versions of Deconversion: Autobiography and the Loss of Faith* (Charlottesville: University Press of Virginia, 1994).

[70]Wright, "Exploring Factors that Shape the Apostate Role," 95–97.

[71]Max Scheler, *Ressentiment*, translated by William W. Holdheim (New York: Free Press, 1961), 67.

apostate, many ex-Mormons within the EMFJ/SAIJ movement do not. Therefore, it is necessary to move beyond these definitions to a more nuanced perspective. The two missions of the EMFJ/SAIJ, often at odds with one another for the soul of the movement, show just how complicated defining the membership can be.

The EMFJ/SAIJ came to find the mission to warn other Christians so important that, in the 1980s, it increasingly portrayed suburban America as a battlefield between the Christian God and the Mormon cult. EMFJ/SAIJ literature reminded other Christians that "Mormon missionaries are not going into the poorest regions of India. They are going into virtually every middle-class town in America, and some 80% of their converts are coming from the traditional Christian churches."[72] The EMFJ/SAIJ pamphlet *Here They Come . . . 30,000 of Them* detailed the threat to suburban America that Mormon missionaries supposedly posed: "They are out to get the members of your church—those who will listen to them—those who are non-attenders—members who are weak in doctrine—members who have wealth or civic prestige." Most importantly, "they are out to gather in your people."[73] Interestingly enough, the "your people" in these documents implies EMFJ/SAIJ connections to Evangelical Christians, rather than the "our people" used to identify themselves with Mormons. The EMFJ/SAIJ employed these images and language of warfare and danger both to inspire its members to action and to emphasize the immediacy and importance of their religious mission.[74]

EMFJ/SAIJ newsletters, often sent unsolicited to Protestant churches in targeted communities, discussed various aspects of Mormonism that Christians might encounter. First and foremost, the EMFJ/SAIJ alerted other Christians to the fact that Mormonism would attempt to disguise itself as Christianity. EMFJ/SAIJ newsletters in the 1980s claimed that Mormons were attempting to "buddy up" with Protestant churches in their neighborhoods. This was all

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[72][No author identified], Letter to mailing list, October 1981, MSS 900, Box 52, fd. 6, Marriott Library.

[73]Saints Alive, *Here They Come . . . 30,000 of Them,* pamphlet, n.d., MSS 900 Box 52, fd. 5, Marriott Library.

[74]Military images abound in the anti-cult movement, though they are not always understood in religious terms as in the Ex-Mormons for Jesus. For a discussion of anti-cult military metaphors, see Wright, "Exploring Factors that Shape the Apostate Role," 98.

part of the Church's strategy: "With Mormonism's latest ploy to look, act and talk like Christians, many more-than-usual unsuspecting souls are being taken in by their ever evolving deception!"[75] According to the EMFJ/SAIJ, the LDS Church employed the most skilled psychologists and marketers in packaging the religion. A leading device was an apparently Christian vocabulary: "Mormons use the same words as Christians, but they are not the same in meaning. Therein lies the trap." The unsuspecting Christian "hears of the joys of the Gospel, the love of Christ, and God's desires for us—and steps into the realm of subtle doublethink."[76]

EMFJ/SAIJ pamphlets were often sent out in general mailings, but probably most important to the mission was the organized distribution of pamphlets at temple openhouses. It was and is at such events that EMFJ/SAIJ members looked the most anti-, rather than ex-, Mormon. Prior to the dedication of a new temple, the building is open to the general public for about three weeks of guided tours. Because temples are closed to all but LDS members in good standing once the building is dedicated, the LDS Church uses such openhouses as a gesture of goodwill to the community and to dispel lurid myths about the secret rituals that occur in the temples. EMFJ/SAIJ members seek to be present at every such openhouse, mobilizing their efforts with images of warfare: "The battle lines have been drawn and the enemy isn't happy."[77] Usually, EMFJ/SAIJ activists stand on the public sidewalk outside the temple carrying picket signs and passing out literature. This activity, for which the EMFJ/SAIJ spend months fund-raising and soliciting volunteers, allows it to be on the front lines of the "battle."[78]

For example, in preparation for the November 1989 openhouse for the Seattle Washington Temple, Ed Decker warned:

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[75]*Newsletter*, December 1990, BX 8609 E 84x, Perry Special Collections.

[76]J. Edward Decker, Jr., *Mormonism: What Should You Say When Mormon Missionaries Show Up at Your Front Door? Here's a Christian Primer from an ex-Mormon on One of Today's Fastest-Growing Cults*, pamphlet (Issaquah, Wash.: Ex-Mormons for Jesus, April 1979), Perry Special Collections.

[77]*Newsletter*, November 1989, BX 8609 E 84x, Perry Special Collections.

[78]*Newsletter*, October 1989, BX 8609 E 84x, Perry Special Collections, discusses the opening of the Portland Oregon Temple in November 1989.

"20,000 Mormons will be brought into the Seattle area during the time that the temple tours will be taking place and they're going to be knocking on every door." (This procedure is not, in fact, the case, although the approximately 250 full-time missionaries already assigned to the mission that includes Seattle would certainly make publicity about the temple openhouse part of their efforts to contact and interest local residents.) But the EMFJ/SAIJ mission was not going to be outdone, because "there are going to be four or five thousand Christians running faster than the Mormons, and we're going to leave a package at every door."[79] In these actions EMFJ/SAIJ members hope they will get their pamphlets in the hands of people open to their message. During the openhouse before Las Vegas Nevada Temple was dedicated in December 1989, one newsletter reported hopefully: "Most [visitors] drove away quickly before realizing that they were in possession of 'anti-Mormon' material. Who knows how many searching hearts will be led to pick up those materials at a later time." This is the promise on which EMFJ/SAIJ members rely. Their job is to get the word of God (usually in the form of pamphlets) into the hands of others, then trust that God will do the rest. In that respect, their hope is not unlike Mormon missionaries who frequently console themselves for less than enthusiastic receptions of their messages by describing themselves as "planting seeds" that will grow in the future.

A survey of EMFJ/SAIJ national newsletters from 1993 to February 2009 on its website {www.saintsalive.com} shows that since the early 1990s the emphasis on the second goal has become even more central to EMFJ/SAIJ. Because the web- site is maintained at the headquarters in Issaquah, Washington, and its newsletters appear on the webpage, Decker's hold on the group continues. Decker, now in his mid-seventies is still committed to the group fulltime. His leadership means that the group has embraced the larger Evangelical anti-cult movement and is committed to its first goal (assisting Mormons who are leaving the Church) primarily only on paper. The website terms the group's aim: "While our major ministry areas deal with Mormonism and Freemasonry, you will find numerous other world religions,

[79]Ed Decker, "The Mormon Dilemma," typed transcript of speech given in a Seattle church in 1979, BX8608 A1a #2457, Perry Special Collections.

cult groups and issues covered."[80] The focus of articles in the newsletters is still the exposure of "fraudulent" beliefs and people in the LDS Church and, to a lesser degree, Freemasonry. Yet numerous articles also appear, disparaging other world religions and new religious movements.

For example, the February 2009 email newsletter features a call to Evangelical ministry and faith, an article claiming that the LDS Church performed a posthumous baptism of serial killer Ted Bundy, and several statements and articles denouncing Islam and Muslim Americans.[81] In this way, Decker's group has become an apologetic movement that defends "orthodox Christianity" from all other religious perspectives. A recurring theme in the past decade has been the fight against a godless world. In the September-October 2008 newsletter, Decker wrote: "I do not think that organizations like Saints Alive have much time left before we are closed down for spreading 'hate' against other faiths. . . . In what I now consider our post-Christian society, every orthodox Christian belief is held up to scorn and every anti-Christian action lauded."[82] With that perception as a guide, the EMFJ/SAIJ portrays itself as fighting numerous enemies, both secular and religious, for the soul of the nation and the world. Though Mormonism may still be the primary enemy, it is now clearly one among many.

The goal of fighting the Mormon enemy for the souls of Christian America has overcome the attempts to provide disaffected Mormons with a supportive community on their passage out of Mormonism. This shift in EMFJ/SAIJ, reflected in its two names, occurred because Evangelical groups, who had few if any connections to Mormonism, supplied the majority of the membership and funding for the organization. Ed Decker, able to perceive each goal's potential, hierarchicalized the movement and pushed it toward supporting the second goal—to warn other Christians. Changes in the EMFJ/SAIJ's identity and mission have led to an increasingly tense relationship

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[80]See EMFJ/SAIJ homepage: http://www.saintsalive.com/ (accessed March 1, 2009).

[81]See articles at http://www.injesus.com/index.php?module=message&task=view&MID=PB007FXK&GroupID=KT02UVXT&label=&paging=all (accessed March 1, 2009).

[82]*Newsletter*, September-October 2008, http://www.saintsalive.com/newsletters/sept-oct2008.htm (accessed March 1, 2009).

with members of the LDS community. In many ways, Decker's influence situated EMFJ/SAIJ wholly outside the boundaries of the Mormon faith, attacking the institution while claiming to save its believers. And perhaps for this reason, Decker may fit into the category of "career apostate." However, on a local level, some EMFJ/SAIJ chapters and members have continued to construct their religious identity on the boundary of the faith, choosing to maintain an active and complicated relationship to insiderhood. They crossed into outsider status but created a space on the boundary of the faith tradition where their mission allowed them to mingle with insiders. In fact, their sense of religious identity combined insider and outsider status and placed them at the center of what they understand to be a divine plan for Mormons.

Jefferson Hunt: California's First Mormon Politician

Tom Sutak

Many people know Jefferson Hunt as the captain of Company "A" of the Mormon Battalion. Others know him as the guide for the wagon train from which the Death Valley '49ers departed. Still others know him as the founder of Huntsville, Utah, and as a pioneer in the upper Cache Valley. But few realize he was also a member of the first Los Angeles County Board of Supervisors and that he served five terms as an assemblyman in the California Legislature, thus becoming California's first Mormon politician.

Unfortunately, Hunt did not keep a journal or diary and only a few of his letters survive. Hunt himself reportedly said, when asked if he kept a journal: "Hell, I've been so busy making history I haven't had

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time to write it."[1] However, journals and documents written by persons associated with Hunt, coupled with records maintained by the LDS Church, the State of California, and the Los Angeles County Board of Supervisors along with several newspaper articles, give much information about his activities and accomplishments during his California years.

Jefferson Hunt was born on January 20, 1803, in Bracken County, Kentucky.[2] The Hunt family sold their farm in late 1815 and moved to southeastern Illinois near the present community of Albion. In December 1823, twenty-year-old Jefferson married eighteen-year-old Celia Mounts, and their first child, Gilbert, was born in April 1825.[3] In the fall of 1834, Jefferson and Celia were introduced to the teachings of Joseph Smith by Solomon Hancock[4] and were baptized on March 7, 1835.[5] In February 1837, Jefferson and Celia (who was expecting their seventh child) moved their family to a new home south of Far West in Caldwell County, Missouri. Two of his neighbors were future apostles Amasa Lyman and Charles Coulson Rich,[6] who would play important roles in the San Bernardino settlement that Hunt would represent as assemblyman.

Hunt became a major in the Caldwell County militia and partici-

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[1]Pauline Udall Smith, *Captain Jefferson Hunt of the Mormon Battalion* (Salt Lake City: Nicholas G. Morgan Foundation, 1958), 217.

[2]Ibid., *Jefferson Hunt*, 1. Some descendants believe his birth name was Charles Jefferson Hunt, and others believe that his date of birth was January 4, 1804. However, I have used the name and date accepted by Pauline Udall Smith, his biographer and descendant.

[3]Ibid., 24–25.

[4]Ibid., 25; Charles Brent Hancock, *Autobiography of Charles Brent Hancock 1823–1904*, 25, LDS Church History Library, Salt Lake City; photocopy of typescript courtesy of Michael Landon. Smith states that Levi Hancock introduced the Hunts to the LDS Church, but Levi's nephew, Charles, states that it was his father (Solomon, Levi's brother) who did so.

[5]Ibid., 25.

[6]Caldwell County Recorder, Kingston, Missouri. The office staff provided me with an untitled and undated alphabetical index of documents listing the name of the person who recorded the deed, the date, township, legal description, record number, and number of acres involved.

pated in the Battle of Crooked River.[7] Following the expulsion of the Mormons from Missouri, the Hunts settled on a farm near Bear Creek, Illinois, about twenty miles southeast of Nauvoo, and closer to the Hancock County seat of Carthage than to Nauvoo.[8] For the rest of his life, Jefferson tended to settle closer to the fringes of Mormon settlement than in main Mormon communities, a pattern that reflected his entrepreneurial spirit and independence. He was successful in his personal and commercial ventures and showed no tendency to deviate from the spirit or principles of his religion.

On July 12, 1845, Celia Hunt gave birth to twins, Mary and Parley, bringing their family to ten children, five of whom were ten or younger.[9] A family named Nease lived near the Hunts at Bear Creek. Both parents died in late 1845, leaving a married daughter, Mary Ann, and four minor children. Rhoda Nease, age fifteen, went to live with her married sister, Mary Ann; and the Hunts took in the three youngest: Matilda, seventeen; Peter, eleven; and Ellen, nine.[10] On January 2, 1846, the day after Matilda Nease's eighteenth birthday, she, Jefferson, and Celia received their endowments in the Nauvoo Temple. On February 7, Celia and Matilda were sealed as wives to Jefferson in a second temple ceremony.[11] The Hunt family, now consisting of fifteen members, fled from Nauvoo on February 15, 1846, and went to Kanesville (Council Bluffs, Iowa).[12]

Shortly after the start of the Mexican War in 1846, President James K. Polk authorized the recruitment of 500 Mormons to march to the Pacific Coast as part of General Stephen Watts Kearny's Army of the West.[13] Brigham Young selected Hunt as the captain of Company A and designated him as the ranking Mormon officer of the bat-

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[7]Smith, *Captain Jefferson Hunt*, 31–32. See also Alexander L. Baugh, "A Call to Arms: The 1838 Mormon Defense of Northern Missouri" (Ph.D. diss., Brigham Young University, 1996).

[8]Ibid., 36.

[9]Ibid., 244–45.

[10]Ibid., 44–45.

[11]Ibid., 46.

[12]Ibid., 48–49.

[13]See Norma Baldwin Ricketts, *The Mormon Battalion* (Logan: Utah State University Press, 1996); David L. Bigler and Will Bagley, eds., *Army of Israel: Mormon Battalion Narratives* (Spokane, Wash.: Arthur H. Clark Com-

talion.[14] Hunt's sons, twenty-one-year-old Gilbert and seventeen-year-old Marshall, were also in Company A; and the rest of the family, except for daughter Nancy, who was now married, accompanied the battalion until they separated to winter in Pueblo, in what is now Colorado.[15] The battalion reached California in January 1847 and played a major role in securing southern California for the United States. As a result, the battalion was well received; and during the march, Hunt acquired knowledge and skills that he would apply in subsequent travels on Western trails.

Following the battalion's discharge in July 1847, one group of eighty-two reenlisted for duty in San Diego and two contingents of veterans, one of them led by Hunt, headed toward Sutter's Fort at present-day Sacramento. John Sutter hired many of these hard-working veterans to help him develop his vast holdings. Some were instrumental in the discovery of gold at Sutter's Mill in Coloma. Hunt was not among them. He had continued on with the rest of his group over the Sierras and along the Humboldt River Route (the California Trail) to Salt Lake City, arriving on October 11, 1847.

During his seven months in California, Hunt became well known to many of the residents of the future state and personally met many of the most influential citizens including key army officers, local leaders, and entrepreneurial settlers like John Sutter. One of his most important meetings was with Isaac Williams, the American-born owner of the strategically located and very productive Rancho Santa Ana del Chino, the site of present-day Chino. Williams's ranch was located forty miles east of the Pueblo de Los Angeles and near Cajon Pass, the Old Spanish Trail entrance from the Mojave Desert into the Los Angeles Basin. During his first visit with Williams in 1848, Hunt and Williams discussed the possibility that the Mormons

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pany, 2000): Sherman L. Fleek, *History May Be Searched in Vain: A Military History of the Mormon Battalion* (Spokane, Wash.: Arthur H. Clark Company, 2006); Frank Alfred Golder, ed., *The March of the Mormon Battalion* (New York City: Century Co., 1928).

[14]Journal History of the Church of Latter-day Saints (chronological scrapbook of typed entries and newspaper clippings, 1830–present), July 13, 1846, LDS Church History Library.

[15]Gilbert, a corporal in his father's company, accompanied the family to Pueblo and then on to Salt Lake City. Hunt's infant son, Parley, and Hunt's nephew, Milton Kelly, both died in Pueblo.

might purchase this ranch.[16] Hunt's friendships and his reputation developed during the Mexican War proved important for his future political activities.

About a month after his arrival in Salt Lake from California, Hunt and three of his sons became part of a party of packers who returned to Williams's ranch via the Old Spanish Trail to obtain milk cows, seeds, and cuttings.[17] By the time Hunt returned to Salt Lake in the late spring of 1848, he had traveled more than five thousand miles in the American West, had traversed the three major trails to California, and was an experienced mountaineer. Then in late July 1849, Brigham Young presented Hunt to the emigrants in Salt Lake City who were bound for the goldfields and urged them to hire Hunt to guide them on the Southern Route from Salt Lake City to southern California.[18]

The Jefferson Hunt wagon train left Utah Valley on October 1; but conflict among the participants dissolved the traveling unit in early November. Against Hunt's advice, nearly a hundred of the emigrants headed directly west, arriving in Death Valley by Christmas. For his part, Hunt led his small band along the Old Spanish Trail, and they arrived safely at Isaac Williams's ranch in mid-December.[19] Hunt remained in California, primarily in the Mariposa area, for most of 1850, then returned to Utah in early 1851.[20]

Thus, by 1851, Hunt had been in California three times and

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[16]Jefferson Hunt, Letter to Brigham Young, May 14, 1847, in Kenneth N. Owens, *Gold Rush Saints: California Mormons and the Great Rush for Riches* (Spokane, Wash: Arthur H. Clark Company, 2004), 61.

[17]John Hunt, Statement, *Deseret News*, October 7, 1905, 27. John was Jefferson's son.

[18]Church Historian's Office, General Church Minutes, 1839–77 (CR 100 318), August 19 and 20, 1849, LDS Church History Library, in *Selected Collections from the Archives of the Church of Jesus Christ of Latter-day Saints*, 2 vols., DVD (Provo, Utah: Brigham Young University Press, [Dec. 2002], 1:18.

[19]For more information about the Jefferson Hunt wagon train, see George S. Ellsworth, ed., *The Journals of Addison Pratt* (Salt Lake City: University of Utah Press, 1990); William Lewis Manly, *Death Valley in '49*, edited by LeRoy and Jean Johnson (1894; rpt., Berkeley, Calif.: Heydey Press, 2001); Michael N. Landon, ed., *The Journals of George Q. Cannon* (Salt Lake City: Deseret Book, 1999).

[20]Smith, *Captain Jefferson Hunt*, 160–61.

had spent nearly two years in both the southern and northern parts of the state. As the Battalion's Mormon leader, Hunt was well known to many pre-gold rush Californians and was highly regarded throughout California. The Mormon Battalion, while under his command, treated the Californians compassionately and fairly, dealing with the citizens as equals, not as conquered subjects. Military and civil officials recognized the battalion's faithful service and competence, and Sutter had been gratified by those he had hired as workmen.[21]

Jefferson Hunt was the first to demonstrate to Brigham Young and the Church leadership the communication and transportation advantages of the Salt Lake/Southern California route, thanks to the fact that it was his party who brought the first word to Salt Lake City in 1851 that Utah Territory had been created and Brigham Young appointed governor.[22] The advantages of a Mormon settlement in southern California were becoming more obvious; such a settlement could be the western terminus of a Mormon Corridor and would facilitate travel to Utah by freighters and migrating Mormons alike.[23] In 1851, Brigham Young dispatched the first contingent of Mormon settlers to southern California. Jefferson Hunt was one of those selected to go with the party under the leadership of Apostles Amasa Lyman and Charles Coulson Rich.[24]

On March 21, 1851, 150 wagons and nearly 450 people began the journey to California. Twenty-two were members of the Hunt family. With Jefferson were his wives, Celia and Matilda, and all of their children. Three of Jefferson and Celia's adult children—Gilbert, Jane, and Nancy—were accompanied by their spouses and children. A fourth, Marshall, brought his fiancée. Four members of the Hunt party were infants or toddlers, including Matilda's first child, Sophronia. Matilda also brought her younger siblings, Peter and Ellen Nease, who had been adopted into the Hunt family. The adult children, particularly Gilbert before his departure to Utah in

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[21]In 1847, the U.S. Army officers in California encouraged Hunt to recruit another battalion of Mormons for service in California. Bigler and Bagley, *Army of Israel*.

[22]Journal History, January 21, 1851.

[23]Edward Leo Lyman, *The Overland Journey from Utah to California* (Reno: University of Nevada Press, 2004), 87–88.

[24]Journal History, February 23, 1851.

1854, concentrated on the family business in San Bernardino, which permitted Jefferson to be away from home dealing with California politics.

On June 12, 1851, an advance party, which included Lyman, Rich, and Hunt, met with Isaac Williams in Chino to finalize the sale of his ranch to the Mormon leaders. They discovered that Williams, who had previously offered to sell his ranch to the Mormons, was no longer willing to sell. The expanding California population had pushed the price of cattle from $2 to roughly $50 per head, and Williams wanted to capitalize on this price inflation. The Mormon elders searched for a new ranch to purchase. Finally, on September 22, they successfully negotiated the purchase of the San Bernardino Rancho from Isaac Williams's in-laws, the prominent Lugo family. Almost immediately, the settlers moved onto their new land and began constructing a new community, which they named San Bernardino.[25]

In this article, I argue that Apostles Lyman and/or Rich—or possibly Brigham Young himself—chose Jefferson Hunt to be the political voice of the California Mormons. His familiarity with California, his reputation as the senior Mormon in the Mormon Battalion, and his previous contacts with many influential Californians qualified him to best represent the Mormons' political goals. The time and effort he spent in his political endeavors significantly helped the Mormon cause in California but did little to further his personal finances and kept him away from his family about 40 percent of the time he was in California.

Hunt's first political effort began four weeks after the Mormons purchased the San Bernardino Rancho. On October 20, a convention to discuss the possibility of dividing the state began in Santa Barbara. Jefferson Hunt, one of twelve delegates from Los Angeles County, was among the thirty-one men present.[26] He may have also attended a September 12 meeting in Los Angeles to discuss the subject and select convention delegates. Thus, Hunt left his large family only three

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[25]For a history of this city, see Edward Leo Lyman, *San Bernardino: The Rise and Fall of a California Community* (Salt Lake City: Signature Books, 1996); and Edward Leo Lyman, *Amasa Mason Lyman: Mormon Apostle and Apostate, A Study in Dedication* (Salt Lake City: University of Utah Press, 2009), chap. 6.

[26]"The Arrival of the Gold Hunter," *Alta California*, October 26,

weeks after their new home site had been selected and devoted at least five days to travel the 150 miles to attend the Santa Barbara convention. He put his personal needs aside for the general benefit of his church and community.

The convention was called because southern Californians correctly believed they were unfairly taxed by the more numerous northerners, and many distrusted their northern neighbors. A small faction supported the South in the national battles heating up over slavery and U.S. Senate representation. They hoped that a division of California would lead to southern California being admitted to the Union as a slave state.[27] Jefferson Hunt represented the Mormon interest, believing it was possible to secure southern California as part of Utah Territory and, eventually, the Mormon state. While Hunt was presumably interested in reducing taxes on the San Bernardino Rancho, his main interest was in securing the California portion of the Southern Route in the Mormon Corridor, which was high on Brigham Young's agenda.[28]

During the four days of meetings, the delegates unanimously called for southern California to revert to federal control and either be annexed to an existing territory or become a separate territory. Because northern California controlled the political process, nothing came of this effort; but the subject repeatedly surfaced and involved Hunt in subsequent years.

While there is no direct evidence that Hunt attended the Santa Barbara meeting at the request of Lyman, Rich, or any other Mormon official, I argue that his most plausible motive for his action is either their request or as part of his role in a larger assignment to participate in California politics to benefit the Mormons. It seems unlikely that Hunt would have left his family and the San Bernardino settlement for more than two weeks during its first month of existence, when

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1851, [2]. The *Gold Hunter* was a ship that brought word of the meeting. Hunt's name is mentioned in the second column, which is headed "Proceedings of the Santa Barbara Convention."

[27]Ibid. See also Hubert Howe Bancroft, *History of California: Vol. 6, 1848–1859* (1889; rpt., Santa Barbara, Calif.: Wallace Hebberd, 1970), chaps. 13, 24.

[28]For information on the Mormon Corridor, see Edward Leo Lyman, *The Overland Journey from Utah to California: Wagon Travel from the City of Saints to the City of Angels* (Reno: University of Nevada Press, 2004), 87–88.

homes were being built and an infrastructure created, unless there was a compelling reason to do so. Setting aside personal goals to benefit the LDS Church and his community would have been such a reason.

For the first two years of its existence, Los Angeles County was governed locally by a court of sessions; however, the state legislature made all major decisions. In 1852, the county was granted more autonomy and the authority to create a board of supervisors to govern locally. On June 14, 1852, county electors (white males, both American and Mexican, twenty-one or older, who had been residents of the state for six months and of the county for thirty days), went to the polls and elected five members to the first board of supervisors. San Bernardino, the second largest city in the county, elected Jefferson Hunt.

This first board served from July to November 1852; in the state's general election, a new board and officials were elected, not including Hunt. Since San Bernardino was more than fifty miles from Los Angeles, Hunt spent at least two days traveling in each direction for each board meeting. A one-day board meeting required Hunt's absence from his home for at least five days. During the four months he was on the board, they met for eight sessions. Several sessions were two or three days in length. Hunt attended half of the meetings, spending nearly one full month on board business versus tending to his family and community obligations in San Bernardino.[29] During his brief time on the board of supervisors, Hunt introduced ordinances incorporating two towns near San Bernardino—San Salvador and Agua Mansa.

Hunt had decided not to run for reelection but had proposed himself as a candidate for the California Assembly as one of Los Angeles County's two assemblymen. If successful, he would be spending months away from his family, five hundred miles to the north in Vallejo—then the location of the state capital. He would thus be absent during the spring planting season when his family most needed his presence to help establish their prosperity in the new colony.

Again, I have found no direct evidence that Hunt ran at the di-

[29]For proceedings of the board of supervisors, see Minutes, Los Angeles County Board of Supervisors, July 5, 1852–November 8, 1852, photocopy of holograph minutes, available at the Clerk's Office, Los Angeles County Board of Supervisors.

rection of Lyman, Rich, or Brigham Young. However, six weeks before the election, Lewis Granger, a former Baptist minister who played a major role in organizing Hunt's 1849 wagon train, was now a prominent attorney who had assisted Lyman and Rich and was a Democratic Party leader in Los Angeles. Granger wrote Hunt on September 18, 1852, asking him to accept the party's nomination. Hunt gave the letter to Lyman and Rich, and they wrote Granger on September 22 that they would not endorse "either political party" but that if Hunt were nominated they would "cordially give him our undevided [sic] support."[30] Once elected, Jefferson Hunt's actions during his first year in the Legislative Assembly support my hypothesis that he was there to safeguard and advance the interests of the Mormon Church in general and the San Bernardino settlement in particular. His sole accomplishment that year, and a very important one, was the creation of San Bernardino County.

Hunt ran as a Democrat and, in the election of November 2, 1852, received 474 votes, the second largest number in the county.[31] The other assemblyman from Los Angeles County was J. P. McFarland, originally from Tennessee, now a doctor and merchant in Los Angeles. Even though San Bernardino was the second largest city in the county, about half the votes had to come from non-Mormon voters outside the Mormon city. Obviously Hunt's popularity and experience in southern California significantly contributed to this election—the first of his five terms.

After the election, Hunt left home a few days before Christmas, arriving in San Francisco aboard the steamer *Sea Bird* on December 30.[32] On January 3, 1853, the fourth session of the California Legislature began in Vallejo. Hunt was absent for the first two days, even though Vallejo was only an hour or two by boat from San Francisco. He first appears in the record on January 5—the session's third day. I have found no explanation of his whereabouts, but I hypothesize that he was meeting with other Mormons in San Fran-

[30]Amasa M. Lyman and Charles C. Rich, Letter to Lewis Granger, September 22, 1852 in LeRoy Hafen, ed., Introduction and Notes, *Letters of Lewis Granger* (Los Angeles: Glen Dawson, 1959), 32–33.

[31]Voting records are filed by election date and county in the California State Archives in Sacramento.

[32]Louis J. Rasmussen, *San Francisco Ship Passenger Lists, Vol. 4* (Colma, Calif.: San Francisco Historic Records, 1970), 226.

cisco, Mission San Jose, Sacramento, or the gold country. On January 5, Hunt was certified to take his seat as a representative of Los Angeles County.[33] Subsequently, the Committee on Mileage reported that Hunt had traveled 1,200 miles (round trip) and was eligible to receive travel expenses of $480 for travel. He tied with Assemblyman W. F Tilghman of San Diego for having traveled the greatest distance to the capital.[34]

The assembly's first order of business was to elect a speaker, and Hunt voted for the successful candidate, Isaac B. Wall, a lawyer from Monterey. Wall's first task as speaker was to appoint committees for this session. Among the committees considered more politically significant were those dealing with finance, land claims, and printing. The latter two were important because of ongoing scandals involving tidal land sales by San Francisco and excessive printing charges incurred by prior legislatures. A number of assemblymen clamored for these committee assignments, but Hunt was not among them.[35]

Assemblymen could be assigned to more than one committee depending on their preferences, the need for members on some of the less desirable committees, and the desires or whims of the speaker. The speaker undoubtedly exercised considerable power and discretion in making assignments, and members of the more popular committees were decided by political influence. Membership of the lesser committees probably fell to those who were willing to serve or who were not in the speaker's good graces. One of the committees with little to do—and which was therefore not considered significant—was the Committee on Counties and County Boundaries. This was the sole committee to which Jefferson Hunt was assigned[36]—and I assume that he received this assignment at his own request. It put Hunt exactly where he needed to be to solidify Mormon control over their new settlement and to exercise Mormon control over the

[33]*Journal of the Fourth Session of the Legislature of the State of California* (San Francisco: George Kerr, State Printer, 1853), 7. Hereafter cited as *Assembly Journal*, 1853.

[34]Ibid., Appendix 3.

[35]For more information on the San Francisco land sale and printing issues, see Theodore H. Hittell, 4 vols. *History of California* (San Francisco: N. J. Stone Co., 1897), 65–67, 122–24, 160–62.

[36]*Assembly Journal*, 1853, 35.

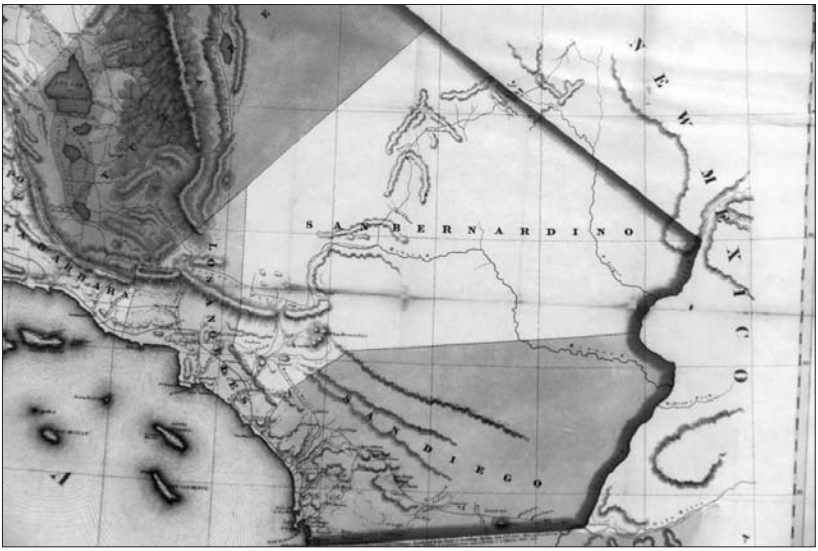
California portion of the road to Salt Lake City—the Mormon Corridor.

The original California constitution created twenty-seven counties. Boundaries conformed to the location of the population in 1849 and often enclosed unoccupied territory and even unexplored areas. The authors of the first California Constitution recognized that California was a work in progress; new counties would be added and boundaries changed as the population increased and new lands were settled. The first legislatures recognized the need to establish a procedure for creating new counties. This process required a petition signed by a large group (the number varied considerably) of residents in the area wishing to become a new county.[37] Its assemblyman would introduce the petition to the assembly, and the speaker would refer the petition to a subcommittee composed of the assemblymen from the affected counties and to the Committee on Counties and County Boundaries. These committees discussed issues such as boundary lines, how the new county would be divided from the existing county or counties, and how financial obligations would be divided. The Committee on Counties and County Boundaries then reported the final bill to the full assembly, which acted on the bill; if successful, they sent it to the senate and the governor.

Jefferson Hunt no doubt familiarized himself with the necessary procedure, either before his appointment to the committee on county boundaries or immediately afterward. Next, he arranged for the required petition, probably by requesting San Bernardino leaders to organize the effort. Unfortunately, no copy of that petition appears in California's state archives, nor is the matter mentioned in any communication with Lyman or Rich, both of whom were in Salt Lake City from November 1852 to May or June 1853. However, only six weeks after his committee assignment, Hunt had the petition in hand—and six weeks would be consistent with the time required to send a message from the Bay Area to San Bernardino, gather signatures, and transmit the document to Benicia.

On February 24, 1853, Jefferson Hunt "presented the petition of citizens of Los Angeles, praying for the erection of a new county [San Bernardino] out of certain territory now belonging to that

[37]"Residency" apparently had no legal definition. Voters were required to be white, male, over twenty-one, a U.S. citizen, a resident in California for six months, and a resident in the county for thirty days.



1853 Map of San Bernardino County, cropped and grayscaled from William Eddy, The Official Map of the State of California by an Act of the Legislature *(New York: J. H. Colton, 1854). Photo by Tom Sutak.*

County, which was read, and referred to the Committee on Counties and County Boundaries."[38]

A month later on March 24, W. P. Ewing of Sonoma County, chair of the Committee on Counties and County Boundaries, reported the bill to the full assembly and it went through the standard first and second reading. Next, the speaker referred it to the members from that county—Hunt and McFarland. Four days later, the "Assembly Bill for an Act dividing the County of Los Angeles, and making a new county therefrom, was taken up, read a third time and passed."[39] The senate passed it on April 21, the governor signed and returned it to the assembly on April 26, and it was properly enrolled as a law. It had taken just two months for San Bernardino County to be created and named.

The bill contained rather imprecise boundary lines using mountain ranges, peaks, homes, and ranches as reference points. At that time, surveys were few, but the descriptions were no doubt understandable to those familiar with the area. The bill also specified the

[38]*Assembly Journal,* 1853, 179.
[39]Ibid., 343.

county officers, provided for their election during "the fourth week of June next," and created a board of commissioners to establish precincts and conduct the election. That board consisted of Isaac Williams, John Brown (a mountain man who had met the Mormons in Pueblo in 1846–47 and who had settled in the area), David Seeley (one of the Mormon leaders on the journey to California), and Henry G. Sherwood (a surveyor and friend of Amasa Lyman). The bill also called for San Bernardino and Los Angeles counties to have one assemblyman apiece and to share one senator. A county court was created, and provision was made for both counties to create a commission to divide the debt of Los Angeles County so that San Bernardino would be responsible for its fair share. Additional administrative functions were also addressed.[40]

Two of the four election commissioners were Mormons of considerable stature, and two were non-Mormons with close ties to the Mormons. Each gave credibility to the election, whether viewed by Mormons or non-Mormons. Hunt served as one of the commissioners who divided the county debt.[41]

Today, San Bernardino County is the largest county in the contiguous forty-eight states, covering over 20,000 square miles. It is thirteen times the size of Rhode Island, almost three and a half times the size of Connecticut, and is larger than the states of Massachusetts and Vermont combined. It is twice as large as Israel and is larger than several European countries including Switzerland, The Netherlands, Belgium, Denmark, and Slovakia. But in 1853, it was even larger—later yielding portions of its area to Inyo, Kern, Riverside, and Orange counties. Another reduction occurred in the 1870s when the boundary with Los Angeles County moved eastward and the county boundaries were defined more precisely.

The city of San Bernardino was in the southwest corner of the new county, whose southernmost boundary extended nearly two hundred miles eastward to the California boundary at the Colorado River. The northern boundary extended northeasterly nearly two hundred miles to what is now the California/Nevada border northeast of Furnace Creek in Death Valley. Inside this boundary were the entire route of the California segment of the Old Spanish Trail, the

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[40]*Laws of the State of California, Fourth Session* (San Francisco: State Printing Office, 1853), 119–23.

[41]Ibid.

Benicia Capitol Building. The Legislative Assembly met on the second floor from February 3, 1853, to February 24, 1854. Photo by Tom Sutak.

eastern approaches to Walker Pass, and the entire California portion of the future Mojave Road. The county covered both the known route and possible future roads from Salt Lake City to southern California.[42]

Vallejo was an uncomfortable state capital. Accommodations were sparse and crude, there was no entertainment, and it was difficult to obtain supplies and goods. In 1852, the year prior to Hunt's first session, the legislature had met in Vallejo for one month, then finished the session in Sacramento. In 1853, legislators again found conditions in Vallejo deplorable. Nearby Benicia offered its city hall as a capitol building, and the legislature began meeting there on February 4, 1853. It also began the 1854 session in Benicia, then voted on February 24 to move to Sacramento (Hunt cast a negative

[42]An accurate 1853 map of California and San Bernardino County that shows the Old Spanish Trail is William Eddy, *The Official Map of the State of California by an Act of the Legislature* (New York: J. H. Colton, 1854).

vote), where it resumed the session on March 1.[43] After five moves in four years, the capital had found its permanent home. The original Benicia Capitol is today part of the California State Parks System.

One bill introduced during Hunt's first session undoubtedly caught his attention. That bill would have set punishments for adultery and polygamy (penalties not specified), which were both already banned by the state constitution. Jefferson Hunt was a polygamist, a fact known to his Mormon community, and most likely, to others in southern California. There is no indication that his polygamy was ever an issue, or even mentioned, by his fellow legislators during his five years in the Assembly. This bill was discussed on the floor only once and then tabled. Several days later, it was referred to a special committee of three members, and no further action was taken.[44]

Hunt's voting record during his first year in the assembly indicates that he tried to avoid favoring one side or the other on contentious matters, such as the sale of San Francisco tidal lands, moving the capital from Vallejo to Benicia, or the excessive printing costs the legislature had authorized. Each issue had multiple procedural votes, and Hunt often simply did not vote even though he was present. At other times, he did vote; but the only pattern I could identify was basically a low-profile one. Perhaps he wished to avoid upsetting other legislators while he had a bill pending. He seemed conservative in fiscal matters, often voting to avoid expenditures except for infrastructure, such as road construction.

In the 1850s, an assemblyman's term was only one year, and elections were held each fall. In the early 1850s, most Californians, including Hunt and most other Mormons, were Democrats. The other major party, the Whigs, had few followers in California and was on the verge of disintegrating nationally; consequently, it was never a ma-

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[43]Hittell, *History of California*, 72–78, 82, 94–95, 115–16, 149.

[44]While California legislators and newspapers often criticized polygamy in Utah, they seemed to simply ignore the practice in San Bernardino, probably since it was less evident. For example, Pauline Udall Smith, *Captain Jefferson Hunt*, 170, says that Matilda Hunt lived most of the time at Hunt's sawmill in the San Bernardino Mountains.

jor adversary to the Democrats in California.[45] In Hunt's five campaigns, he never ran against a Whig candidate. For the 1854 legislative year, Hunt received 224 votes, 262 votes for 1855, 257 votes for 1856, and 240 votes for 1857.[46] In the fall of 1853, the new county of San Bernardino elected Hunt for the 1854 legislative year. Hunt ran against Valentine ("Rube") Herring, a former mountain man who lived in Pueblo at the same time as the Mormon Battalion sick detachment, joined the LDS Church for a short period, and was briefly superintendent of schools in San Bernardino.[47] Hunt continued to command the loyal Mormon vote in San Bernardino, but Herring received eighty-two votes, reflecting increasing numbers of Mormons and non-Mormons in the community who objected to Mormon control of the county's political organization.

In his fifth and final election campaign, Jefferson Hunt faced two opponents. One was Duff Weaver, a former mountain man. His brother Powell (or Pauline) Weaver, was a former mountain man who had been a scout for the Mormon Battalion and was well known to Hunt.[48] The other was A. Boren. Prior to the election, a local Independent Party formed but could not decide between Weaver and Boren; thus, both ran, splitting the non-Mormon vote.[49] Hunt was victorious with 240 votes, while Weaver and Boren received 85 and 70 votes, respectively.

Thanks largely to Hunt's entrepreneurial gifts and the loyal work of his family, he managed to establish sound financial enterprises. By 1854, he was a partner in a sawmill in the San Bernardino Mountains north of the city; and for a year or two, he left his eldest son, Gilbert, in charge of family business affairs. In 1855 Hunt obtained a subcontract for mail service between San Bernardino and Salt Lake City. Son John and son-in-law Sheldon Stoddard were two of his mail carriers. But his political life was becoming increasingly com-

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[45]See Hittell, *History of California*, 172–76, 193–94, for information on California's political parties during this period.

[46]I obtained voting data from the microfilms, compiled by year and county, at the California State Archives.

[47]Lyman, *San Bernardino*, 152.

[48]Philip St. George Cooke, in *The Southwest Historical Series, Vol VII; Exploring Southwestern Trails 1846-1854*, edited by Ralph P. Bieber (Glendale, Calif.: Arthur H. Clark Company, 1938), note 70.

[49]Lyman, *San Bernardino*, 331.

plicated. In the spring and summer of 1855, opposition increased against the Mormon political domination of San Bernardino County. In April, while Hunt was in Sacramento, elections were scheduled for the newly created county board of supervisors. Some of the non-Mormon residents, including a small group of former mountain men, challenged the Church's practice of picking candidates who would then run without opposition. One of those mountain men, Louis Rubidoux, was the first candidate from this opposition party elected in the county. Then challenges to Hunt followed in the elections of 1855 and 1856.[50]

While Hunt's first priority in the legislature was to secure local control for the Mormons and the San Bernardino community, he also participated in the larger issues in California politics.[51] Most of those who immigrated to California were Jacksonian Democrats who favored westward expansion and settlement. The Mormons of San Bernardino consistently voted for the Democratic Party; and Hunt, who had frequently moved westward and settled new land, was a fully committed Jacksonian Democrat.[52] But the party itself was deeply divided between those who supported slavery and the South and those who supported abolition and the North. The dominant politician of the former group—the Chivalry Faction—was U.S. Senator William M. Gwin from San Francisco, while the dominant leader of the abolitionists was David Broderick, a former state senator, California's most powerful political figure, and a challenger for California's second U.S. Senate seat. During his years in the assembly, all of the state assemblymen and senators, including Hunt, were drawn into the battle between Gwin and Broderick.

This ongoing conflict rose to center stage of California politics during the 1854 session. U.S. senators were elected by the state's legislature, not popular vote, and Broderick unsuccessfully attempted to force an early vote to get elected as successor to Gwin, whose term was expiring. Two additional candidates also contended for Gwin's senate seat in 1855. On the first ballot held by the senate and assembly in joint session, Gwin had forty-two out of the necessary fifty-four, while

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[50]Ibid., 152.

[51]For California politics and legislative issues in the 1850s, see Hittell, *History of California*, 4:62–228; and Bancroft, *History of California*, 6:643–740.

[52]Voting records, California State Archives.

P. L. Edwards, the Whig Party candidate, received thirty-six, and Broderick garnered only twelve, one of whom was Hunt, who shared his abolitionist sentiments. Six minor candidates accounted for the remaining votes. On the fiftieth ballot, the vote was identical to the first. Hunt and his eleven associates steadfastly voted against Gwin; consequently, the senate seat remained vacant for a year. Jefferson Hunt had become a committed politician, no longer content to take a nonadversarial stance during his public service. However, when the legislature convened in 1857, Broderick brokered a deal that sent both him and Gwin to Washington. Broderick replaced outgoing Senator John Weller, and Gwin was reelected to his prior seat. Once again, California had two senators in Washington.

Simultaneously, the nativist American Party (Know Nothings) began a brief but influential rise in power.[53] Its strong anti-Catholic and anti-immigration platform attracted a large number of California miners, regardless of their prior political sentiments. During the 1855 election, the importance of the Mormon vote was not lost on the Know Nothings, who were attempting to take the state senate seat for Los Angeles and San Bernardino counties held by Democrat Lewis Granger. Apparently, the Know Nothings made two attempts to influence the Mormons; one involved offering Lyman a bribe of $7,000.[54] Lyman and the other Mormons firmly rejected all overtures. On September 5, 1855, they loyally voted for Democrat incumbents Granger and four-term Governor John Bigler by a margin of 332 to 14, the highest ratio of any county.[55] Of course, Jefferson Hunt was also reelected. Although Hunt kept his seat, the Know Nothings swept the ticket for statewide offices, defeating Granger and Bigler. Since the new Know Nothings had previously been Democrats, Hunt, regarded their defection as grave misconduct. When the legislative session began on January 8, 1856, Hunt seized the opportunity to remind his colleagues of the party's foundation: "Resolved, that in honor of the ever glorious battle of New Orleans, fought on the eighth of January, and in honor of the ever-memorable name of Andrew Jackson, the hero of that day, this House do now adjourn until 10

[53]Hittell, *History of California*, 4:17–176.

[54]Lyman, *San Bernardino*, 179–80.

[55]Voting records, California State Archives.

o'clock, A.M., tomorrow."[56] It lost by a vote of 24 to 51, and the assembly continued with its business.

Richard Hopkins, branch and stake clerk in San Bernardino, criticized Hunt's action in a letter to Amasa Lyman, then in Utah: "Capt Hunts patriotism got the better of his discretion and induced him to make a motion on the 8th of January that the assembly adjourn and thereby show their respect for the gallent Old Hickory. The motion to the opposite party had the appearance of extravagance, the KN having the majority compelled the old man to smother his patriotism and return to long speaches on financial reform. I judge the Capt's influence is not felt as it used to was."[57] Hunt was often solemn and brusque to those around him, and Hopkins's unusually candid comment reflects what were probably some internal tensions in the community.

Nine days before the 1856 session ended, Hunt made another attempt to honor Andrew Jackson. On April 12, he introduced a bill to commission a portrait of Jackson to be hung in the capitol.[58] The bill received its first two readings, then was referred to a committee of the whole, effectively halting it. In response, Hunt called for a rule change, which failed to reach the two-thirds majority needed for passage. The issue was probably not party loyalty as much as the expense of the gesture. The following year on January 8, 1857, the anniversary of the Battle of New Orleans, Hunt again introduced a resolution to honor Andrew Jackson.[59] After being tabled briefly, the assembly approved it and adjourned until the following day. The Know Nothings had significantly declined, the Democrats had regained their prior numbers, and Hunt had successfully recognized Andrew Jackson.

Jefferson Hunt's efforts to secure a Mormon Corridor and to improve transportation between southern California and Utah did

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[56]*Journal of the Seventh Session of the Assembly of the State of California* (Sacramento: James Allen, State Printer, 1856), 6. Hereafter cited as *Assembly Journal*, 1856.

[57]Richard Hopkins, Letter to Amasa M. Lyman, January 30, 1856, in *Selected Collections*, 1:37. Charles C. Rich, Hunt's close friend, was also in Utah.

[58]*Assembly Journal*, 1856, 744–45.

[59]*Journal of the Eighth Session of the Assembly of the State of California* (Sacramento: James Allen, State Printer, 1857), 69. Hereafter cited as *Assembly Journal*, 1857.

not stop with the creation of San Bernardino County. On February 27, 1855, Hunt introduced a bill that could have substantially benefited the Mormons and their expansion of Utah Territory, although it had little chance of passing. Hunt's bill would have "create[d] a new state out of a portion of the territory of California."[60] It created a firestorm, which he described in a March 7 letter to Rich: "All so you will see . . . a Bill to divide the State. Well that has set every thing in an uproar and now from thee look of every thing I can see it appearse to me that before we break up we shall divide it in to three parts and make three States of it."[61]

As Hunt predicted, David F. Douglass of San Joaquin County introduced a bill to petition Congress to create three states out of California and adjacent territories. It was referred to a Select Committee of thirteen members, of which Hunt was an original appointee. The bill would have extended California's eastern boundary well into what is now Nevada by annexing a significant portion of land then within Utah Territory, a small portion of New Mexico, and much of modern western and southern Nevada. The committee report argued for the bill on the basis of California's present and future rapid growth and the likelihood that it would soon be underrepresented in the Senate compared to many eastern states. The report also noted, presciently, that creating two new states, in addition to California, would further disrupt the balance of slave/free states in the Senate. Therefore, Congress was unlikely to take any action on dividing the state. Despite the committee's favorable report, the assembly did not submit the resolution to Congress.[62]

Hunt also actively pursued road construction legislation that would benefit San Bernardino and the Mormon Corridor. In early California, road construction was performed by those using the roads. Hunt had helped construct Cooke's wagon road from the Rio Grande to Warner's Ranch in California in 1846 and also the wagon road along the Old Spanish Trail from southern Utah to Chino in

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[60]*Journal of the Sixth Session of the Assembly of the State of California* (Sacramento: B. B. Redding, State Printer, 1855), 359. Hereafter cited as *Assembly Journal*, 1855.

[61]Smith, *Captain Jefferson Hunt*, 272.

[62]The full report is in *Assembly Journal*, 1855, Appendix, 4.

1849.[63] Hunt and many others rightly believed that the road construction should be carried out by the state or federal government.

During Hunt's third legislative session, 1855, his first issue was road construction. A good road system was in the best interests of San Bernardino and southern California in general. In the second week, he proposed a bill to "construct a Military Road, to connect with the Government Military Road, at the Eastern Boundary of the State."[64] Two weeks later, he gave notice of another bill to construct a road from San Bernardino to the mines at Mariposa. On March 3, he proposed a third bill: a wagon road from Santa Barbara to Stockton via Los Angeles and Tejon Pass. On April 4, he followed it with a bill that would have improved the road from California's eastern boundary through the Cajon Pass, to San Pedro.[65]

Of these four bills, the last was the most important for Hunt. It would have improved the California portion of the road that followed the Old Spanish Trail from San Bernardino toward Utah and Salt Lake City and thus expedited Mormon internal communications and transport from the coast to the Mormon heartland for mail carriers, freighters, converts, and individuals.

Hunt was not the only assemblyman proposing road legislation. Several proposals had the aim of extending roads from the northern mining camps to the state's eastern boundary, obviously hoping for increased economic prosperity for their communities. Hunt ruefully wrote to Charles C. Rich on March 7: "I have presented a Bill to get in a proposition to open the Rode from Salt Lake and since I have did that it has got the hole hose (sic) a fire and they are now trying to get three or four across the mountain and what we shal do I can't tell."[66]

The plethora of road proposals was referred to the Committee on Internal Improvements. On March 12, this committee's chair, C. T. Ryland, stated that each of the road proposals involved both benefits

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[63]This "Government Military Road" was probably the Gila Trail, also called the Southern Route by some, which for much of the way was the same as Cooke's Wagon Road, constructed by the Mormon Battalion. Cooke, *The Conquest of New Mexico and California*, 156–91.

[64]*Assembly Journal*, 1855, 98.

[65]Ibid., 608.

[66]Jefferson Hunt, Letter to Charles C. Rich, March 7, 1855, quoted in Smith, *Captain Jefferson Hunt*, 272.

and difficulties, and that cost was a major concern for each proposed route. The report recommended one central route, cost undetermined, from Placerville to the Carson Valley. Approximately today's Highway 50, it essentially follows a portion of the road first pioneered by battalion veterans traveling to Salt Lake City in 1848.[67] Hunt's four bills were defeated. Although the roads were considered important, the construction costs were beyond the ability of the young state to finance them, and the political power was centered in the northern goldfields.

After his freshman year, Hunt served as chair of the Military Affairs Committee for his four remaining years in the assembly. He was one of the very few legislators who had been in California during the Mexican War and was the assembly's most senior officer from that period. This assignment recognized his military leadership and reputation, reflecting his stature among his fellow legislators.

The appointment was no sinecure. By 1854, Indians had mounted several small rebellions, and criminal gangs had been quite active in both northern and southern California. The need for an organized militia was clear to most Californians. On March 21, Hunt's committee reported its findings, and he introduced a bill to establish the militia, which passed easily.[68] Three days later, the legislature appointed William C. Kibbe as the militia's quartermaster general. His responsibility would be supplying and organizing the various militia units in the state.

In 1855, the Military Affairs Committee modified and expanded the 1854 legislation. California had few federal soldiers. If troops were needed, it would take months to mobilize them and transport them to California. There were real and perceived threats from several Indian tribes, particularly in southern California. Southern Californians also feared possible incursions across the Mexican border, especially from the many bandit groups that freely operated in the less populated regions, often bringing terror and chaos to ranches, farms, and smaller communities.[69]

The original California Constitution gave the legislature the authority to more fully organize militia units to respond to these threats; but as California's population grew, so did the need to better

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[67]*Assembly Journal,* 1855, 426–30.

[68]*Journal of the Fifth Session of the Legislature of the State of California*, (Sacramento: B. B. Redding, State Printer, 1854), 268–69. Hereafter *Assembly Journal*, 1854.

[69]Lyman, *San Bernardino*, 60, 193.

organize state and federal support for these units. The Military Affairs Committee introduced a bill stating: "All free, able-bodied white [male] citizens, between the ages of eighteen and forty-five years, residing in this State, and not exempt by law, shall be subject to military duty, and shall be enrolled as hereinafter directed."[70] The law spelled out the organization of local units, created six divisions composed of two brigades each, and specified the method of appointing general officers. It expanded the role of the quarter-master general, who would also serve as adjutant general, with responsibilities for administration and supplying arms and supplies. The bill passed both houses and was approved by the governor on April 23, 1855.

For Jefferson Hunt this legislation was more than a successful military plan; he was appointed a brigadier general in charge of Brigade 1, Division 1, covering the militia units in California's southernmost counties: San Diego, Los Angeles, and San Bernardino. After serving as a major in Nauvoo Legion and as an army captain during the Mexican War, Hunt now became a general officer in the California State Militia. This appointment, as far as I am aware, made him the first Mormon to be appointed a general officer of a military unit composed primarily of non-Mormons. Even though the position carried no salary, it involved significant responsibilities and conferred considerable status on the fifty-two-year-old Hunt. Because of distance and communication issues, the local unit's officers had field command when deployment became necessary. Hunt's responsibilities were therefore mostly administrative. He resigned this commission just before he left San Bernardino in 1857.[71]

Throughout most of the 1800s, a man's military rank conferred social preeminence, and high military rank was so coveted that many men assumed a title they never actually held. For the remainder of Hunt's life, he was typically addressed as "General Hunt" by Mormons and non-Mormons alike.[72] Today, his most common title is "Captain," his rank with the Mormon Battalion.

Hunt's Military Affairs Committee was also involved in matters

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[70]*Statutes of California*, 1855, 136.

[71]Militia documents prepared by Hunt in the latter half of 1857, after he left the assembly, are in the California State Archives in the Assembly file for 1857. The annual files are not further organized by either subject or chronology.

[72]After his appointment, the *Los Angeles Star* and *Deseret News*, as well

beyond the militia. In March 1856, it reported to the assembly that a bill to prohibit the carrying of concealed weapons in California was "inoperative" in the rural parts of the state and should be postponed indefinitely.[73] California was considered too hostile and unsettled to prohibit its citizens from carrying weapons for self defense. Hunt's final action of the 1856 session occurred on April 19, two days before the session ended, when he introduced a resolution petitioning the federal government to give California 3,000 rifles or muskets, and associated equipment, worth $60,000. This resolution passed the assembly and the senate on the final day of the session.[74]

The original California constitution gave all law-making authority to the legislature. Consequently, cities and counties were severely limited in their authority to collect funds and make expenditures. Compensation or cash awards had to be authorized by the legislature and approved by the governor. During his first term in the assembly, Hunt introduced two such bills. On February 18, 1853, he introduced a petition from Powell Weaver, asking to be reimbursed for expenses associated with the capture of an Indian outlaw.[75] When the Mormons arrived in San Bernardino, Weaver owned a ranch at San Gorgonio, about twenty miles east. On February 19, Hunt introduced a similar bill on behalf of Samuel Whiting, presumably for a similar act.[76] After first reading, both bills were referred to the Committee on Indian Affairs, which did not report on them. Hunt withdrew both on April 2, apparently because the committee declined to issue a favorable report.

He had better fortune with a similar bill, submitted in March 1856, to "provide relief" (compensation) to Olive Oatman. In February 1851, the Oatman family, Mormons from Illinois who were followers of schismatic James Brewster, was traveling to California along the Southern (Gila) Trail from New Mexico. They were attacked by either Apache or Yavapai in Arizona; and the father, pregnant mother, and three children were killed. Fourteen-year-old Lorenzo was left for dead, while sixteen-year-old Olive and ten-year-old Mary Ann were

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as the LDS Journal History, contain multiple references to "General" Hunt. See "Report of Convention," *Los Angeles Star*, August 1, 1857.

[73]*Assembly Journal*, 1856, 498.

[74]Ibid., 858.

[75]*Assembly Journal*, 1853, 159.

[76]Ibid., 1853, 163–64.

captured and traded as slaves to the Mojave Indians near present-day Needles, California. During the 1850s, Lorenzo searched for his sisters and aroused significant public interest in their plight. Mary Ann had died in captivity; but in early 1856, twenty-one-year-old Olive was "traded" to the army at Fort Yuma. Her story of captivity and survival quickly captured the public interest.[77] Hunt's successful bill communicated his personal interest in Olive, who had been raised a Mormon and had been rescued in San Bernardino County.[78]

During his five years in the legislature, Hunt introduced other bills that would benefit his constituents. In March 1853, while he still represented all of Los Angeles County, he introduced a petition to translate California laws into Spanish.[79] On January 25, 1854, Hunt introduced "an Act for the government and Protection of Indians."[80] This bill reflected both the Mormons' concern about Indians and Hunt's personal interest in the many bands that lived near San Bernardino. The Committee on Indian Affairs recommended "no support," finding the current law adequate. On March 28, Hunt introduced legislation to incorporate the city of San Bernardino, which would bring even more autonomy to the Mormon settlement.[81] The bill passed the following day.

Another significant issue was title to land that had previously been part of Spanish and Mexican grants. Since San Bernardino's Mormon settlers, particularly Lyman and Rich, were directly involved in overlapping claims for the same land, Hunt had a particular interest in the issue. On January 20, he was appointed to a select committee to reconsider a resolution to the federal land commissioners, but the issue was not resolved until well after Hunt left California.[82]

In March 1856, Hunt introduced a resolution to the federal government calling for weekly mail service between San Diego and San

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[77]Olive and Lorenzo D. Oatman, *The Captivity of the Oatman Girls among the Apache and Mohave Indians* (ca. 1857; rpt., Mineola, N.Y.: Dover Publications, 1994).

[78]*Assembly Journal*, 1856, 518.

[79]*Assembly Journal*, 1853, 276.

[80]*Assembly Journal*, 1854, January 25.

[81]Ibid., 298.

[82]Hittell, *History of California*, 4:691–704.

Pedro via Los Angeles and San Bernardino.[83] This overland route would have connected the four cities, and Hunt might have benefited as a subcontractor had the U.S. Post Office instituted such a service. However, no further action was taken on the resolution. In 1856, he introduced legislation that extended the time for collecting taxes in San Bernardino and Los Angeles counties, and provided "relief" for the San Bernardino Rangers, a militia unit in his brigade. The money compensated them for their time on duty responding to an Indian scare. These bills passed before the session's end.[84]

Hunt's first bill in the 1857 session was a proposal on February 3 to create a board of water commissioners for San Bernardino County. This bill, which became law on March 2, established a process for allocating, controlling, and protecting water rights and for constructing and maintaining irrigation "ditches" in the county.[85] Because of the increase in non-Mormon population, the resulting decline of Mormon influence and control, and errors made by Rich in maintaining water rights, it was important to formalize agricultural and domestic water use in San Bernardino's productive but semi-arid climate.[86]

On February 17, Hunt introduced legislation to redefine the boundary between Los Angeles and San Bernardino counties. This bill clarified the line and moved a small portion of land back into Los Angeles County. Edward Hunter from Los Angeles, backed by some in San Bernardino introduced a competing bill with slightly different boundaries. Hunt and the Los Angeles delegation discussed the matter and reached an agreement on adjusting the county line, which quickly became law.[87] On March 6, 1857, Hunt introduced legislation authorizing San Bernardino County to levy taxes and build a jail, an action that, according to the California constitution, only the state could authorize. A week later, he introduced a bill to provide $3,000 to Los Angeles County and $2,000 to San Bernardino County "for the arrest and suppression of bands of armed banditti," a rather flowery way of referring to criminal

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[83]*Assembly Journal*, 1856, March 17, 492.

[84]*Assembly Journal*, 1856, 518.

[85]*Assembly Journal*, 1857, 221.

[86]For a discussion of the irrigation water issue in San Bernardino, see Lyman, *Amasa Mason Lyman*, 236.

[87]Ibid., 334.

gangs.[88] Both bills became law.

On March 28, 1857, Hunt introduced his final piece of legislation as a California assemblyman, enabling David Seeley, his friend and fellow lumberman, to collect tolls on the road into the mountains from San Bernardino that had been built by the Mormons working under Hunt's supervision in 1852.[89] San Bernardino's Mormons would soon be recalled to Utah as the U.S. Army traveled across the plains to suppress what it thought of as a Mormon rebellion. Whether Seeley and Hunt knew about the impending withdrawal is not clear.

Hunt was also involved with other bills and votes during his five terms that did not directly benefit his southern constituents. In 1854, he introduced a petition from the residents of Yolo and Sacramento counties to protect salmon runs in the Sacramento River. This legislature also adopted the first regulations providing hunting seasons for elk and antelope.[90] Even at this early stage, such bills manifest interest in protecting California's wildlife.

When the legislature met on January 2, 1855—Hunt's third term—electing the speaker stalled when no one received a majority vote on the first two ballots. Initially, Hunt and three others voted for E. Gould Buffum of San Francisco. On the third ballot, this group of four switched their votes to William W. Stow, assuring his election.[91] I interpret this move as evidence that Hunt, by now a veteran, was exerting greater influence in Sacramento. Possibly as a reward, he was assigned to the Committee on Printing. While this committee might sound unimportant today, in 1855 it was a very significant assignment. During the 1854 legislative session, the legislature had created a major scandal by authorizing outrageously high printing costs— $202,000—exceeding the per diem and expenses of not only the assembly and the senate but also the combined costs of the state's executive and judicial branches. No doubt much of the

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[88]Ibid., 522.

[89]In 1852, Hunt, probably because of his road-building experience with the Mormon Battalion, was placed in charge of a volunteer work crew of San Bernardino Mormons who built a road from the city to the summit of the mountains north of the city, a project that took 1,000 man-days of labor. Smith, *Captain Jefferson Hunt*, 170.

[90]*Assembly Journal*, 1854, 348.

[91]*Assembly Journal*, 1855, 9–11.

money went into the pockets of some of the legislators and their friends. But because of the politics involved, the 1855 legislature failed to fully rectify this problem, and Hunt's activities on this committee are not known.[92]

By 1856, only four assemblymen had greater seniority than Hunt, and he was one of the most senior Democrats during this flourishing of the Know Nothings. The legislature elected Democrat James T. Farley speaker over Democrat T. W. Taliaferro by more than a two to one margin. Hunt voted for Taliaferro. In apparent thanks for this support, Taliaferro voted for Hunt as speaker—the only legislator to do so.[93] Even Hunt did not vote for himself.

In 1857, Hunt's fifth and final session as an assemblyman, only Santa Barbara County's Assemblyman Jose Covarrubias, who was also a general officer in the militia, had more seniority. From this position of seniority, Hunt nominated Elwood T. Beatty of Calaveras County as speaker. Beatty defeated two other candidates. As a mark of respect, Hunt and two others were selected for the committee to report to the governor that the assembly was organized and ready to conduct business.[94]

On January 28, 1857, Hunt introduced a joint resolution calling for a constitutional convention. Perhaps he was again considering dividing the state, or perhaps the Democratic Party selected him, because of his seniority, to raise the issue with the Assembly. A constitutional revision was badly needed, but the contentious issue was tabled.[95] Over twenty years passed before the legislature successfully revised the California constitution, providing, among other reforms, changes in taxation and fiscal policies, restrictions on legislative actions, an enhanced judiciary, and controls on railroads, banks and other large corporations.

On March 3, 1857, almost certainly because of his seniority, Hunt introduced a highly controversial bill to bring to trial Edward McGowan for his role in the infamous murder of James King of William in San Francisco. King, a former banker, began publishing a newspaper, the *Daily Evening Bulletin*, in October 1855. He aggressively went after those San Franciscans he saw as swindlers or politi-

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[92]On the printing cost, see Hittell, *History of California*, 4:161–62.

[93]*Assembly Journal*, 1856, 7.

[94]*Assembly Journal*, 1857, 10–17.

[95]Ibid., 189.

cians who were taking advantage of the city's coffers. On May 14, 1856, King was shot on the street by James P. Casey, a member of the Board of Supervisors who had been targeted in the newspaper. King died six days later, and by then, the reconstituted Vigilance Committee had Casey and another member of the conspiracy in custody. They were publically executed on May 22. It was believed by many that Edward McGowan was part of the conspiracy to kill King but he managed to escape capture. McGowan was indicted for his role and was eventually taken into custody by San Francisco authorities. Hunt's bill was modified to provide for a change of venue and a trial was eventually held in Napa County where the jury found insufficient evidence that McGowan had participated in actually planning the murder, and he was acquitted.[96] Because Hunt rarely introduced legislation that did not directly involve his specific interests in southern California or the military, I hypothesize that the law and order faction of the Democratic Party selected him to present this controversial issue because of his seniority in the assembly and because he had no connection with San Francisco politics.

This 1857 session was Jefferson Hunt's last season in the California legislature in a year crammed with significant events. Ebenezer Hanks, a Mormon Battalion veteran who was a successful miner and merchant in Salmon Falls east of Sacramento, had moved to San Bernardino. In 1855, he had become a full partner by investing more than $25,000 into the ranch, thus personally paying off a third of the debt.[97] Brigham Young summoned Apostles Amasa Lyman and Charles Rich to Salt Lake City to prepare for proselytizing missions in England. That left William J. Cox, the stake president, in charge. Although both men had often been absent for several weeks or months of the year, this prolonged absence presented San Bernardino's leaders with a dilemma. Lyman and Rich had bought San Bernardino Rancho with $75,000 they had personally borrowed, much of it from other Mormons in California. They felt obligated to pay this debt. At this point, Hanks had moved to San Bernardino. Before the apostles left California in April 1857, they held public meetings at which they explained the financial status of the community,

[96]Ibid., 468; Hittell, *History of California*, 3:462–521, 645–47. James King had added "of William," his father's name, to his name to distinguish himself from others with the same name.

[97]Lyman, *San Bernardino*, 166, 174.

assured residents that their land titles were secure, and received the "unanimous" vote of the congregation expressing satisfaction with their course.[98]

Four months after the apostles' departure, about August 1, Jefferson Hunt and other Church leaders had learned of the Utah Expedition advancing toward Utah and the possibility of armed conflict. This deadline changed the confidence with which San Bernardino leaders had contemplated the community's finances. According to historian Leo Lyman:

> During an August meeting Cox requested that fifty settlers make good on a previous promise that if necessary they would "pay for the whole of the ranch." Assemblyman Jefferson Hunt, perhaps in a sincere effort to bolster their resolve, made a speech that insulted . . . [a] number of others, creating a situation serious enough that Cox intervened, saying he had convened the meeting and presumed he could "get through it" without abusing anyone. Hunt thereupon removed his name from the list of those committed to assist as promised, which in turn elicited comment that a half dozen others had made greater pledges than he. The incident clearly alienated a number of participating brethren from the longtime assemblyman, and stake president Cox soon requested that Hunt be reassigned to a Utah location for his own benefit.[99]

With elections less than a month away on September 1, this incident led many to support those who wished to replace Hunt in the assembly. Hunt's political opponents, who also included dissidents who resisted the Mormon domination in the area, strategically called a meeting on August 15 with the Mormon leaders at which they agreed on a slate of county officers that both sides could support.[100] Probably, this conference also decided to replace Hunt in the assembly. In any case, he did not run, and Dr. Isaac Smith was elected on September 1 amid general anxiety and confusion. Smith, who claimed to be Joseph Smith's cousin, had previously purchased

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[98]Ibid., 373.

[99]Ibid., 380.

[100]George William Beattie and Helen Pruitt Beattie, *Heritage of the Valley: San Bernardino's First Century* (Pasadena, Calif.: San Pasqual Press, 1939), 276.

Powell Weaver's ranch.[101]

On September 9, 1857, Richard Hopkins wrote to Rich in Utah about the election, expressing some satisfaction about what he saw as Hunt's rejection: "The old Captain or I should have said General was considerable discontented and in his way used his influence against us. Though his influence has greatly declined since your departure. But when he found the work did not stop if he was not sent to the legislature he turned around and voted the ticket. Though the old man thinks our influence in the north is gone. (I presume departed with his greatness)."[102]

While Hopkins's version of things is possible, it seems unlikely that Hunt's strong-willed and contrarian nature would allow others to force him out of office. More probably, he chose not to run for reelection and was already planning to return to Utah. Horace Rolfe, an early settler and eventually a lawyer and judge who wrote a brief history of early San Bernardino, recorded: "It was thought by many that the reason General Hunt did not run for the assembly at the last preceding election was because he had a foreknowledge of the general breakup that was soon to take place, but which did not seem to be generally known among the church members previous to the actual 'counsel' which came from their headquarters to that effect."[103]

In fact, word of the approaching army had been received in Utah by at least July 24; and the "actual counsel" to California Saints came in the form of urgent counsel on October 1 when Brigham Young wrote to William Cox and to Bishop William Crosby: "It is certainly advisable and my counsel that all in your place and region who desire to live as becometh saints should use all diligence to make their way into Utah with what they may be able to come with."[104] Many considered a recall to Utah to be in effect and prepared to leave California, the Hunts among them.

Hunt's political legacy in California, while often overlooked,

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[101]Lyman, *San Bernardino*, 381.

[102]Richard Hopkins, Letter to Charles C. Rich, September 9, 1857, *Selected Collections*, 1:36.

[103]Horace Rolfe, quoted in Beattie and Beattie, *Heritage of the Valley*, 288.

[104]Brigham Young, quoted in Lyman, *San Bernardino*, 390; see also Lyman, *Amasa Mason Lyman*, 240–41.

was significant. If, as I argue, Lyman and Rich and/or Brigham Young, assigned Hunt to represent the Mormon community in politics, then he was successful. His initial attendance at the division of the state convention, followed by his brief term on the initial Los Angeles County Board of Supervisors, established Hunt's and the Mormon community's credibility among the non-Mormon residents of southern California. In his freshman year in the legislature, he successfully oversaw the creation of the gigantic San Bernardino County, which gave local Mormon leaders control over their settlement and assured access for the potential Mormon Corridor. His subsequent reelections and growing seniority in the assembly reinforced his influence during a time of instability in California politics. Hunt's appointment as a brigadier general in the militia responsible for the southernmost and most vulnerable section of the state was a tribute to his political prowess and prior military experience. During six years of political service, he was away from his family and business affairs for 40 percent of the time, nearly two and a half years, but his personal sacrifice greatly enhanced the cause of the southern California Mormons and contributed to the family's financial stability.

During the summer of 1857, Hunt remained active in the Democratic Party and served as a delegate to the local convention to select a candidate for state senator.[105] On the Fourth of July he delivered an oration at the newly constructed bowery in San Bernardino.[106] That same day, his son John married Lois Pratt, daughter of the Hunts' good friends, Addison and Louisa Pratt. In August, forest fires swept through the mountains to the north, and one fire threatened Hunt's sawmill.[107]

On January 1, 1858, Hunt, Celia, and her children (eighteen-year-old Hyrum, thirteen-year-old Mary, married children John and Marshall and their families) with Matilda and her children (Sophronia, age eleven, Ellen, eight, Olive, four, and Tom, two) left California.[108] Like most of those who left San Bernardino for Utah, Hunt sold his property at a significant discount. Pauline Udall Smith, his descendant and biographer, says that he sold his interest in the saw-

[105]*Los Angeles Star*, August 1, 1857.

[106]"Later from the South," *Daily Alta California*, July 27, 1857, 1.

[107]*Los Angeles Star*, August 8, 1857.

[108]For a firsthand account of preparing to leave San Bernardino, see Edward Leo Lyman, Susan Ward Payne, and S. George Ellsworth, eds., *No*

mill worth $25,000 for a mere $2,500.[109] Three of Jefferson and Celia's daughters—Nancy Hunt Daley, Jane Hunt Stoddard, and twenty-year-old Harriet Hunt—remained in San Bernardino, maintaining a California branch of the family for the rest of the century. Celia spent her last years there with her daughters.[110]

Because of the evacuation of most residents in northern Utah, the Hunt family stayed in Parowan. Hunt continued on to Salt Lake City, which he reached by May 30, 1858. There he served on Brigham Young's committee that met with federal commissioners to negotiate a peaceful resolution to the tensions.[111] In September and October of 1858, Hunt was scouting a new wagon route to California just west of the present day Nevada/Utah border near where those states meet Idaho, and accompanied Jacob Forney, the federal Indian agent, to discussions with Indians along the Humboldt River west of present-day Elko, Nevada.[112]

In 1859, Hunt traveled to Washington, D.C., where he met with President James Buchanan, although I have been unable to locate anything in Buchanan's papers about the purpose and outcome of the meeting. On October 7, Hunt returned to Salt Lake City bringing four or five wagons of merchandise.[113] Late that year, he went to California on a trading trip, returning to Utah in early May 1860.[114] In the summer of 1860, he founded the community of Huntsville, Utah, on the Ogden River about fifteen miles east of Ogden. The Hunts also maintained a home in Ogden where Celia lived while her youngest daughter, Mary, attended school. Jefferson Hunt, a forceful speaker,

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Place to Call Home: The 1808–1857 Life Writings of Caroline Barnes Crosby, Chronicler of Outlying Mormon Communities (Logan: Utah State University Press, 2005). For a firsthand account of Crosby and Hunt families' travel to Utah, see Caroline Barnes Crosby, Journal, typescript, Jonathan Crosby Papers, Box 3, fd. 18, Utah Historical Society, Salt Lake City. See also Lyman, *Amasa Mason Lyman*, chap. 7.

[109]Smith, *Captain Jefferson Hunt*, 176.

[110]Ibid., 176–77.

[111]Journal History, May 30 and June 11, 1858.

[112]Thomas H. Thompson and Albert Augustus West, *History of Nevada* (Oakland, Calif.: Thompson and West, 1881), 104–5; Journal History, October 31, 1858.

[113]Journal History, June 26 and October 11, 1859.

[114]Journal History, May 2, 1860.

delivered addresses at community events. On Pioneer Day, July 24, 1860, while he was the "orator of the day" at Ogden's celebration, Matilda gave birth to her sixth child in Huntsville, a son named Liberty Independence Hunt.[115]

In 1865, Jefferson again relocated, this time to upper Cache Valley in what is now Oxford, Idaho. Because Matilda was pregnant and near delivery, she remained with one of Jefferson's sons and his family in Millville, Utah, just south of present-day Logan. Matilda's twin daughters were born on October 22, 1865, but she and one child died.[116] Sophronia, Matilda's oldest daughter, now seventeen, assumed much of the responsibility for raising her seven siblings.

The extended Hunt families now numbered five married children plus the younger children and grandchildren. Still maintaining their home in Oxford, Jefferson Hunt relocated the family ranch about nine miles north at Red Rock Pass.[117] Geologists later determined that it was exactly at this point on the northern rim of the Great Basin where ancient Lake Bonneville overflowed, spilling a gigantic flood into the Snake/Columbia River basins about 15,000 years ago. For a short time, it was probably the largest river in the world.

Jefferson Hunt died from cancer at the ranch on May 11, 1879, at age seventy-four, while Celia was visiting family in southern Utah.[118] He was buried on his ranch at a site he had selected next to Red Rock Knoll, beside today's Highway 91. Today, Jefferson's grave is well marked and other family members are buried in the same plot. A monument to Jefferson placed by his family rests atop Red Rock and another sign near the road explains the geological importance of the area. Celia spent her remaining years with John in Snowflake, Arizona, and with her daughters in San Bernardino. She died in San Bernardino on December 28, 1896, at age ninety-one and is buried in its pioneer cemetery.

Jefferson Hunt contributed significantly to the accomplishments of his church and to early California history, but it was his personal qualities that Samantha Brimhall Foley, who had grown up across the street from Jefferson's family in Oxford, shared with Lois Hunt West, Jefferson's granddaughter:

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[115]Journal History, July 24, 1860; Smith, *Captain Jefferson Hunt*, 256.

[116]Smith, *Captain Jefferson Hunt,* 201.

[117]Ibid., 203.

[118]Ibid., 218–19.

Captain was not an old man then. He was tall, stately, with sharp features, a forceful character. The very air and even the earth seemed to move as he went on his way about his work. Stern, kindly hearted, all the elements of a warrior and of a home man, a kindly husband and father were blended in his nature. . . .

He was noble but not proud. He was a natural orator, convincing, with an overflow of well spoken language. As to Church history, he seemed to know every step of Church history from the beginning. His voice was often heard at celebrations of the Fourth and Twenty- fourth of July. He was a high Priest and magnified his office with great dignity.[119]

[119]Ibid., 206–7.

Search for Sources for Wilford Woodruff's Idaho "Wagon Box Prophecy," 1884

Mary Jane Fritzen

In June 1884, Apostle Wilford Woodruff spoke words of encouragement to a small group of LDS settlers near present-day Idaho Falls, Idaho. Those comments have become known as the "Wagon Box Prophecy," frequently quoted in a spirit of faith in this region as promising that a temple would someday be built nearby. Elder Heber J. Grant, who accompanied Woodruff, told the story in a conference talk in 1899, emphasizing how these words provided hope and encouragement for struggling pioneers. In 1945, recently called Apostle Ezra Taft Benson spoke at the dedication of the Idaho Falls Temple, giving the words attributed to Elder Woodruff the form they have had ever since: as a prophecy of temples to be built in Idaho Falls and later in Rexburg. Pageants and celebrations of both temples have featured this "Wagon Box Prophecy." As one interested in local history, I sought records for its sources.

My interest had been stimulated in the 1980s when I assisted my father, Delbert V. Groberg, to write and publish a history of the Idaho

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Falls Temple.[1] He introduced his history with photographs of the three prophets—Wilford Woodruff, Heber J. Grant, and Ezra Taft Benson—, an excerpt from Elder Benson's 1945 address quoting Elder Woodruff's prophecy of future temples in the Snake River Valley, and an excerpt from Elder Grant's 1899 conference address about the visit to Idaho. We assumed that either written or oral history would be found to support the temple prophecy. Finding no earlier documentation, my father quoted Elder Benson, who spoke of "temples." Therefore, the 2003 announcement of a temple to be built in Rexburg caused a great interest in the Wagon Box Prophecy. Local Iona historians, wanting to clarify inconsistencies, requested my assistance in documenting its sources. This article reports the results of that search, with the relevant documents being generally organized chronologically. My intent is not to diminish faith but to make available for other historians a report of my research and findings.

WILFORD WOODRUFF IN IDAHO

In 1884, Elder Woodruff toured the settlements of the newly formed Bannock Stake in Idaho, accompanied by Elder Heber J. Grant and a few others. On June 17, they organized a small group of settlers on Sand Creek, now Iona, a few miles northeast of Idaho Falls, and addressed them encouragingly. The earliest version of Elder Woodruff's comments that I have found was made after Woodruff's death.

In April 1899, Elder Grant, speaking in general conference, recalled the experience:

> In hearing the remarks that have been made in this conference of the great growth of the people I was reminded of being with President Wilford Woodruff, standing in a wagon, in Idaho, some fifteen years ago next May, and talking to a half a dozen or a dozen young people that were located there, and I was also very forcibly reminded of the remarks of that prophet of God made [to] them. I remember that the young people were somewhat discouraged on Sand Creek, as they looked around over land, without a tree, without a shrub except sage brush, without so much as a log cabin. Brother Woodruff said to the young people: "Be not discouraged; be not disheartened, because

[1]Delbert V. Groberg, *The Idaho Falls Temple: The First LDS Temple in Idaho* (Salt Lake City: Publishers Press: 1985), 51. He had been instrumental in acquiring the land for the temple and served as its president (1975–80).

> God's blessing is upon this land. It will only be a little time until there will be prosperous and happy settlements of the Latter-day Saints here. You feel that you have gone away from your friends; that you are almost out of the world, but it will be only a short time when you will have a meeting house, and a school house and all of the facilities here that you had at home before you came here. God will bless and multiply the land." What is the result today? On that spot of ground stands the town of Iona, the headquarters of one of the Stakes of Zion, with about five thousand people instead of six or seven young people; the words of the prophet Wilford Woodruff have been fulfilled to the very letter.[2]

Since Wilford Woodruff's journal is famous throughout the Church, I expected to find a record of his prophecy in it. Disappointingly, his journal entry for June 17, 1884, is only a brief list of the speakers:

> June 17, 1884 We drove on the several Branches of the Willow & Sand Creeks to the Camp of C Owens, then to the Camp of Rufus Norton where we held a Meeting with the few Brethren who had gathered there. The Instructions of the Presidency were read. T E Ricks spoke 8 M[inutes] H. J. Grant 7 M, W Woodruff 7 M. Cadwalder Owens was Apointed a presiding Priest over that branch.
>
> We took dinner with Brother Norton. Brother Ricks & several of the Brethren rode out to pick out a town Cite [sic].
>
> We then drove [to] Eagle Rock Containing the Utah & Northern Rail Road Machine Shops with a population of about 600 souls.[3]

Woodruff and Grant's trip to Idaho began on May 29 and ended on June 18. Woodruff and others spoke at a number of other locations, and this journal entry is typical of those for other days. At my father's request to Elder Benson, Glenn Rowe of the LDS Church Library staff searched Heber J. Grant's journal and other sources. He summarized: Although historical records confirm the visit, "none of

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[2]Heber J. Grant, *Report of the Semi-Annual Conference of the Church of Jesus Christ of Latter-day Saints* (hereafter *Conference Report*), April 1899 (Salt Lake City: Church of Jesus Christ of Latter-day Saints, semi-annual), 28. See also Heber J. Grant, *Gospel Standards* (Salt Lake City: Deseret News Publishing, 1969), 84–85.

[3]Scott G. Kenney, ed., *Wilford Woodruff's Journal, 1833–1898*, typescript, 9 vols. (Midvale, Utah: Signature Books, 1983–85), 8:259–60.

these sources mention a prophecy about a future temple in Idaho."[4] Therefore, it seems apparent that Grant was recalling the event from memory fifteen years later. Thomas E. Ricks, Bannock Stake president, was present but does not mention the prophecy in his papers, nor does it appear in the Manuscript History of Fremont (Bannock) Stake.

JOHN TAYLOR'S 1884 VISIT

In August 1884, President John Taylor, accompanied by his first counselor George Q. Cannon and other General Authorities, attended Bannock Stake's second quarterly conference in Rexburg and conducted further organizational business. The *Deseret News* reported it in detail, writing that, at the close of the conference, President Taylor gave "a powerful appeal to the Almighty in behalf of this people. He blessed the faithful in the name of Jesus Christ in their flocks, herds, crops and surroundings. The whole congregation arose to their feet and sang with a mighty voice, 'The Spirit of God like a Fire Is Burning.'"[5] The party then went to Eagle Rock (later Idaho Falls) and took the train back to Salt Lake City.

In 1886 James E. Steele became bishop of Iona Ward.[6] On June

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[4]Glenn Rowe, Manager, Public Services, Historical Department, Memorandum to Geraldine Roser, Council of the Twelve Office, November 3, 1978, with copy to Delbert V. Groberg. Rowe sent my father a second letter on December 15, 1978, accompanying the *Conference Report*, April 1899, 28. In 2007 at my request, Jerry Glenn, a retired professor of religion and library science at Brigham Young University-Idaho (Ricks College), who was then serving as a Church Historical Department missionary, conducted a further search but found no additional sources. Jerry Glenn, Report to Mary Jane Fritzen, May 16, 2007.

[5]P[hineus]. Tempest, "Bannock Stake. Visit of President Taylor and Party," *Deseret News Semiweekly*, August 26, 1884, 1.

[6]Andrew Jenson, *Encyclopedic History of the Church of Jesus Christ of Latter-day Saints* (Salt Lake City: Deseret News Publishing, 1941), 365: "On May 23, 1886, the Sand Creek Branch was organized as a regular bishop's ward, with James E. Steele as Bishop. The ward was named Iona." See also James E. Steele (Bingham Stake president), *Conference Report*, October 1903; "James E. Steele and Elvira C. Crompton Steele," in ZoAnn Simmons and others, comps., *Iona Centennial History Book, 1883–1983* (N.p, n.d. [ca.

9, 1895, Bingham Stake[7] was formed from the northern portion of Bannock Stake with headquarters in Iona. Steele became its first president. Speaking at October 1903 general conference in the Salt Lake Tabernacle, he credited President John Taylor's blessing upon the land with the area's fertility: "Our land is very productive, and consequently we are prosperous as a rule. I feel that the Lord has blessed the country. The blessings that were petitioned for upon the land by President John Taylor, in 1884, have been realized by the Saints of the Snake River valley; and I feel that the Lord will continue to bless us if we will only keep His commandments. That He has done so is my testimony to you this afternoon."[8]

The Aaronic Priesthood Monument, 1936

The next record I found was an announcement on May 14, 1936, in the *Post Register* (Idaho Falls) that the Aaronic Priesthood quorums of North Idaho Falls Stake would erect a monument at the site of the 1884 Sand Creek meeting.[9] "Six of the pioneers who attended this first meeting on Sand Creek are still alive and five of them will participate in the dedication," the announcement read, then quoted H. L. Collard, stake clerk:

> "On the seventeenth day of June in 1884—52 years next month—the first meeting of which we have any record was held on the old Rube Norton farm out on the banks of Sand creek. A conference had been held a few days prior at Rexburg at which Apostles Wilford Woodruff and Heber J. Grant (now president of the church) and Thomas E. Ricks, president of stake, which is now Rexburg, were in attendance, the apostles representing the general authorities of the church. On their return trip they stopped at Sand creek to organize a branch of the church. No stake tabernacles were available then—no

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1984]), 331. These sources quote a dream Steele reported about Sand Creek in 1885: "Everything looked desolate and unproductive. . . . I went to sleep and during my sleep I saw this country in a most beautiful, flourishing condition."

[7]Jenson, *Encyclopedic History*, 355.

[8]James E. Steele, *Conference Report*, October 4, 1903, 17–18.

[9]The monument was located on the south side of Telford Road (49th North) about one-eighth mile east of the Ammon/Lincoln Road (35th East). It was about one-eighth mile west of a branch of Sand Creek (Willow Creek) and about one and one-half miles northeast of Iona. Information provided by Grant Collard, the son of 1936 stake clerk H. L. Collard.

> meeting houses were there in which to hold this gathering—not even a single house had been erected at this early date but in an open air meeting with a wagon box for a pulpit, these visiting authorities of the church gave counsel and encouragement to these families that were endeavoring to make a home. . . .
>
> Apostles Woodruff and Grant lent kindly encouragement to these discouraged families promising them that many of them would live to see the time when those forbidding stretches of sagebrush wastes would be changed to fertile fields and that in their day they would see fields of waving grain and hay up and down this valley. Of prophetic import was the promise that even the hills to the east would be covered with wheat fields. Mr. Norton, telling of the early meeting, said: "Yes, I remember distinctly the promises made that day. I have lived to see the desert blossom as the rose and to have seen the fulfillment of that promise to the very letter."[10]

An accompanying photo showed three of the surviving pioneers who would be honored: Charles Dayton, John W. [sic; Norton's middle name was Franklin] Norton, and George P. Ward of Iona. Four days later, the *Post Register* ran a follow-up account on May 18, which, among other details, reported Norton's reminiscence:

> He recalled about 25 persons attending this first meeting at which the first branch of the church in this particular section was organized. A young man of 24 he rode horseback notifying the other settlers of Apostles Woodruff and Grant being here with President Ricks to meet with the saints. Their meeting was held in the open air with a wagon box as a pulpit. He was eager and enthusiastic in relating the prediction of the visiting general authorities in predicting the future appearance of this valley. "I have lived to see the fulfillment of that prophecy to the very letter," he said.
>
> Cynthia Norton, widow of R. W. Norton, was present, having come here from Wyoming to attend the meeting. She told of her early recollection of this event, adding "we had no tables but took the end boards from our wagons and made tables of these to serve dinner to the visiting general authorities."[11]

THE TEMPLE CONSTRUCTION PERIOD, 1937–45

Neither of these 1936 newspaper accounts mentions a prophecy about a temple. However, expectations were high for a temple in Idaho, fueled by the negotiations that were then underway. Accord-

[10]"Youths to Honor Pioneer Mormons," *Post Register*, May 14, 1936, 8.
[11]"Marker Built to Pioneers," *Post Register*, May 18, 1936, 3.

ing to a 1963 article in the *Improvement Era* by Albert L. Zobell Jr.: "With the growth of the Church in Idaho, plans for a temple were discussed as early as 1918, but it was not until April 30, 1936, that the Council of the Twelve approved the erection of the temple. Public announcement was not made until March 1937."[12]

In joyful anticipation, members organized the Idaho Pageant Society, which produced both a pageant and a thirty-page booklet, *Landmarks: Souvenir Edition*, in June 1940. In the concluding chapter, "Fulfillment," the authors wrote, under the heading: "Visions of early church pioneers come true . . . in L.D.S. Temple":

> From the first visit of the church authorities to the Snake River Valley it seemed the pioneers visioned a temple somewhere in that region. As years went by John Taylor and Wilford Woodruff, as well as other general authorities would be so impressed with the possibilities of the valley that occasionally they would predict that a temple would be built in the valley. Wherever the sermon happened to be preached the saints of that locality thought it meant the temple would be built in their particular community. . . . The friendly rivalry continued for years, but nothing definite was ever revealed from the First Presidency regarding the matter.[13]

Obviously, by this point, the concept of a temple prediction had entered local beliefs.

Three months later in September 1940, *Liahona: The Elders' Journal*, then a magazine for missionaries being printed in Independence, Missouri, published "The Temple at Idaho Falls," by Fred Schwendiman. It begins: "For forty years, almost from the time that Latter-day Saints began to settle the broad and rich valleys of Idaho, these people have longed for, and expected a temple to be built here. Much time and means has been spent in traveling long distances to do temple work, and the need of a temple in Idaho has become more and more apparent. . . . Time and again our inspired leaders have prophecied that temples would be built in the State of Idaho. . . . The first of

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[12]Albert L. Zobell, Jr., "Concise Accounts of LDS Temples . . . Idaho Falls," *Improvement Era* 66, no. 11 (November 1963): 951.

[13]Edith Haroldsen Lovell, Fanny Brunt, and Others, Editorial Committee, Idaho Pageant Society, *Landmarks: Souvenir Edition* (Pocatello: Idaho Pageant Society, June 1940), 30.

these temples spoken of is now under construction."[14] He does not provide a source for his information about Idahoans' expectations of a temple.

Two years later in 1942, Schwendiman wrote a second article, this one published in the *Improvement Era*. It is the earliest source I have found that incorporates a temple prophecy into the Woodruff quotation:

> In the early days of this part of Idaho when the land was covered with sage-brush as far as the eye could see, Apostles Wilford Woodruff and Heber J. Grant representing the First Presidency visited the much discouraged Saints who had settled here, and admonished them to remain on their homesteads, promising them that the day would come when this soil would yield forth in its strength, and that flowers and trees, fine homes, schools, and meeting-houses would adorn the land from one end to the other. Every word of this prophecy has been fulfilled, and even more, for Brother Woodruff then added: "Yes, as I look into the future of this great valley, I can see beautiful temples erected to the name of the Living God, where holy labors may be carried on in His name for generations to come."[15]

Again, Schwendiman provides no source for this quotation.

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[14]Fred Schwendiman, "The Temple at Idaho Falls," *Liahona*, September 1940, 153. Fred Erick Schwendiman (1872–1962), second counselor to Idaho Falls Temple president David Smith, was born in Switzerland and emigrated to America with his family in 1884. They settled in Paris, Idaho. He married Ethel Amelia Williams in the Salt Lake Temple in 1897. They lived in Teton City, Sugar City, and Rexburg where he operated a hardware store and served in the bishopric and on the high council. The family moved to Idaho Falls in 1933, where he was associated with a son in the oil and gas business, served as genealogical chairman for Second Ward, and was on the Idaho Falls Stake Genealogical Committee. He died in Idaho Falls April 5, 1962. Obituary, *Post Register,* April 6, 1962, 2; April 10, 1962, 3. "Ancestral File," AFN:1809-LW, http://www.familysearch.org/eng/search/frameset_search.asp?PAGE=/eng/search/ancestorsearchresults.asp (accessed February 15, 2010); "Eastern Idaho Death Records," http://abish.byui.edu/specialcollections/famhist/obit/searchform.cfm (accessed February 15, 2010); and Rowe, Memorandum, November 3, 1978.

[15]Fred Schwendiman, "The Temple in Idaho," *Improvement Era*, June 1942, 378, 402. See also Schwendiman, "Finest of Materials, Art and Work Go into New Idaho Falls Temple; Dedication Fulfills Prophecy," *Post-Regis-*

Glenn Rowe's 1978 memorandum comments: "We talked by telephone with Fred W. Schwendiman, son of the author . . . [who] said that his father undoubtedly heard of the prophecy from the many hundreds of people who had heard Wilford Woodruff speak during the time he visited there in 1884."[16] Further research in early records may disclose a pre-1899 record of an Idaho temple prophecy, but I have found none. When President John Taylor and his party attended the Bannock Stake conference in August 1884, the detailed report in the *Deseret News* mentions that Apostle George Teasdale spoke on the importance of temples.[17] It also seems reasonable that Elders Woodruff and Grant, following the Logan Temple dedication in May 1884, would have spoken about future temples, possibly in another community as well as in Sand Creek, but I have not found such a record.

To summarize, then, the records that I have found before 1942 either quoted Grant's 1899 recollection of Woodruff's 1884 statement or made only general, non-attributed references to a future temple. Commonly they included a form of Elder Grant's phrase, "Every word has been fulfilled to the letter," as Schwendiman's account did.

The Reed Olsen/Grant Andrus Account, 1970s

I hypothesize that the six Sand Creek pioneers who were still alive in 1936 willingly shared their memories with others and that one of those who listened to the old-timers was Reed Olsen (1908–86), who grew up in Iona, worked for the U.S. Post Office, and wrote many historical accounts. One of those accounts was collected by Grant Andrus, Iona Stake's Historic Arts correspondent, who submitted it to the LDS Church Historical Department in 1978 as part of the Church's Bi-Centennial Historical Arts project:

> "The Wagon Box Prophecy" as related by Reed Olsen:
>
> At the Menan Buttes ford of the Snake River, John Norton drew his horse to a stop. . . .

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ter, September 23, 1945, 5. He quoted "His House shall there be reared[,] His Glory to display!," a line from a poem by Joel H. Johnson ("High on the Mountain Top," Hymn #5). Schwendiman, who was then serving as second counselor in the Idaho Falls Temple presidency, commented, "This inspiring prophecy is now once more fulfilled in the erection and completion of the beautiful new temple at Idaho Falls."

[16]Rowe, Memorandum, November 3, 1978.

[17]Tempest, "Bannock Stake."

It was June 17, 1884, and in the broad, level section of the Snake River plain, east of the frontier town of Eagle Rock, homesteaders were starting to build log homes, and clear the land of the over-grown sage. [Norton met the party with two visiting Church officials] . . .

In the two-seated surrey were Apostles Wilford Woodruff, then President of the Council of the Twelve, in his 77th year; and Heber J. Grant, age 27, a recently appointed General Authority. Accompanying the two Apostles were President Thomas E. Ricks, and Bishop Richard Jardine.[18]

Brother Norton made himself acquainted, and explained the purpose of his mission. Yes, the Brethren in the carriage told him, they had received the word of the need of the Saints in the Sand Creek area, and were now on their way to meet with the LDS people there. . . .

Nature favored the little assembly with a fair day. There was no building in which to meet, as the log home of the Nortons was under construction, but as yet was without a roof. A wagon box had been set on the ground—its running gears made ready to haul logs from the mountains. The visitors took their place in it, with boards across the box to sit on. [The Saints gathered about them.]. . . .

Elders Woodruff and Grant did not have to be told of the critical circumstances of the pioneering Saints. . . . [T]oil and discouragement was plainly visible on the faces of the Saints in the gathering. Would it be sensible to remain and fight the elements, or return to an easier life in the better settled parts of the west? They were not on a Church-called settlement mission, so they were free to return if they wished. . . . Perhaps it would be years before the humble sod-roofed cabin would be replaced by a comfortable home, or an age before the hard-worked men folk could find time to construct a school and a church building.

Now it was Elder Woodruff's turn to speak from the improvised rostrum. To the east, a fringe of willows and an occasional cottonwood tree bordered the edge of Sand Creek. Otherwise the landscape was a monotony of gray sage nearly as high as a horse and rider. . . .

The Apostle rose to face the little gathering. After the usual introductory greeting, he paused. Perhaps he saw in vision the green golden fields of waving grain of the future—row upon row of flourishing sugar beets and potatoes, with small rivulets of irrigation water to

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[18]Richard Jardine was president of the Lewisville Branch of the Bannock Ward, Bannock Stake. Jenson, *Encyclopedic History*, 431. See also Jenson, "The Bannock Stake," ca. 1890, 132, L. Tom Perry Special Collections and Manuscripts Division, Harold B. Lee Library, Brigham Young University, Provo, Utah.

> nourish them. Or perhaps he sensed the acres of alfalfa and clover in bloom, with its dainty scent fragrantly in the air.
>
> Yes, to one ordained to be a Prophet, there was much to be envisioned that day. A short five miles away, a Temple would eventually be built on the river bank, its beautiful reflection mirrored in the water, and the valley [would] be studded with attractive chapels. Comfortable homes and well-tended farms would be a reality. The useless grey sage would disappear from the landscape, and in its place would be orchards, productive fields, graded roads, and even a college to enrich the area with its culture.
>
> It was the day of the "Wagon Box Prophecy." Still remembered and part of the local history, are a few words of Apostle Woodruff, as he spoke with inspiration and seership this sunny June day:
>
> "Be not disheartened; be not discouraged, because God's blessing is upon this land. It will be only a little time before there will be prosperous and happy settlements of Latter-day Saints here. You feel that you have gone away from your friends, and you are almost out of the world, but it will be only a short time when you will have a meeting house, and a school house, and all of the facilities here that you had at home before you came here. God will bless and multiply the land!"
>
> After the meeting adjourned, hearts were lighter; a Prophet had spoken great promise and encouraging words. Those present bade goodbye to the visiting Brethren, and took leave for their humble abodes. . . .
>
> "God will bless and multiply the land!"[19]

The narrative mentions a temple ("A short five miles away, a Temple would eventually be built on the river bank, its beautiful reflection mirrored in the water") but it is not directly quoted from Woodruff. Nor do any of the other oral histories Andrus collected refer to such a prophecy. Still, Andrus wrote in his foreword: "In 1936 I heard this story of THE WAGON BOX PROPHECY from John Norton on the site where the meeting was held. Some fifty years later [in 1936] a monument of native stone was erected to mark the place. Four or five of that group of 1884 were present."[20] Thus, Andrus does not quote the prophecy itself—just Grant's memory of it.

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[19]Grant M. Andrus, "Iona Idaho Stake: Early Prophecies and Oral Histories" (Idaho Falls, ca. 1978), LDS Church History Library, copy at Idaho Falls Regional Family History Center.

[20]Ibid., 2–6. In his "Foreward [sic]," not paginated, Andrus included other details that Norton associated with the 1884 meeting: "Brother Norton had said that . . . Heber J. Grant predicted that great industries

The dedication of the Idaho Falls Temple was a great occasion—the first temple completed since the Mesa Arizona Temple had been dedicated eighteen years earlier in 1927. Most of the General Authorities attended and spoke on at least one of the eight sessions: two sessions on Sunday, September 23, 1945, and three each on Monday and Tuesday, September 24 and 25. George Albert Smith, first counselor in the First Presidency, conducted, spoke, and gave the dedicatory prayer at all eight sessions.[21] Elder Benson, who spoke at the second Sunday session, was the tenth General Authority to speak. The talks were reported in the *Church News*:

> Elder Benson referred to a prophecy of Wilford Woodruff made at one time when he organized a branch in the Snake River Valley. In part this prophecy reads: "The Spirit of the Lord rests mightily upon me and I feel to bless you in the name of Jesus Christ. I promise you that the climate will be moderated for your good. I can see these great sagebrush prairies as far as the eye can reach turned into fertile fields. I bless the land that it shall yield forth in its strength. Flowers and trees and fine homes shall grace this great valley from one end to the other. Schools and colleges of higher learning shall be built to serve you, that you may learn the mysteries of God's great universe. I see churches and meetinghouses dotting the landscape, where the God of Israel may be worshipped in spirit and in truth. Yes, and as I look into the future of this great valley I can see temples—I can see beautiful temples erected to the name of the Living God where holy labors may be carried on in his name through generations to come."[22]

The Genealogical and Historical Magazine of the Arizona Temple District published a souvenir edition about the dedication, quoting the *Church News*. Emphasizing the prophecy, editor Frank T. Pomeroy wrote:

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would be established in this area. I was born at Willow Creek (Ucon) in 1898 and am an eye witness to . . . seeing this prophecy fulfilled. Up the Ririe Highway No. 276 and about two miles east stands a million dollar stake center."

[21]Groberg, *Idaho Falls Temple*, 205–10, lists the program for each session.

[22]"Second Session. Righteous Living Emphasized," *Church News*, September 29, 1945, 5, 11. The articles are not bylined, but Henry A. Smith, *Church News* editor, attended and doubtless wrote the stories.

> President Wilford Woodruff, then Prophet Seer and Revelator of the Church, was the first to forsee [sic] a Temple of the Lord in Idaho. Over 60 years ago, he traveled over Idaho as far north at [as] Idaho Falls [sic], and organized a branch of the Church, and declared during the service: "The spirit of the Lord rests mightily upon me. . . . Yes and as I look into the future of this great valley I can see temples—I can see beautiful temples erected in the name of the living God where holy labors may be carried on through generations to come."
>
> President Woodruff's prophecy has been fulfilled in very truth.
>
> And now because of these first settlements and the thousands of saints since the first, have lived and had faith in his prophecy, and the future of Idaho, there now stands today a million-dollar Temple in Idaho Falls.[23]

Pomeroy's magazine also published an "Epitome of Addresses Delivered at the Eight Sessions of the Dedication of Idaho Falls Temple," and again quoted Benson's version of the Woodruff prophecy.[24]

The Benson version is markedly different and more detailed than the version Grant had recounted in 1899. Although Elder Benson does not cite a source, he is obviously drawing heavily from Schwendiman's June 1942 *Improvement Era*. In his diary, Benson wrote only one sentence about his address: "I spoke on the subject of ingratitude at the 2 p.m. session."[25] Whatever the source, it is the Benson version that has been accepted as the Wagon Box Prophecy.

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[23]"Church and City of Idaho Falls Makes Ready for the Dedication of the Idaho Falls Temple," *Genealogical and Historical Magazine of the Arizona Temple District* 22, no. 4 (October 1945): 50. Pomeroy documented the source: "All articles concerning the Dedication, with slight variations, and pictures and cuts were taken from the Official *Church News* of September 1st and 29th, 1945, with consent." Pomeroy had been born in Paris, Idaho, in 1870. Pomeroy's statement that the party traveled as "far north a[s] Idaho Falls" is slightly mistaken. The party had already gone farther north and was traveling south when they reached Idaho Falls. Also Woodruff in 1884 was not yet Church president.

[24]Ibid., 56–58. Zobell, "Concise Accounts of LDS Temples," 951, also quotes the Benson version. See also Groberg, *The Idaho Falls Temple*, 1, which in turn is quoted in the Idaho Falls Temple Visitors' Center.

[25]Ezra Taft Benson, Diary, September 23, 1945, photocopy courtesy of the Smith-Pettit Foundation, Salt Lake City.

EMBRACING THE WAGON BOX PROPHECY

Elder Benson's words had a great impact on the people of the Idaho Falls area. For example, in July 1982, the stakes in Idaho Falls presented a musical drama, *Beyond Each Mountain*, that included a depiction and quotation of the Benson version of Woodruff's prophecy.[26]

In 1983 the Iona Stake placed a historical monument on the Iona Town Square, which uses a more general version of the visit based on the Grant 1899 statement but without quoting anybody:

> MORMON SETTLEMENT ON SAND CREEK
>
> The earliest homesteads in the Iona area were filed here in 1883. Several families arrived from Utah in 1884 and the first grain was planted by June 1884. The first settlers were discouraged by the bleak treeless landscape, however, and it was not until they were urged to remain by Wilford Woodruff and Heber J. Grant, apostles of the Church, both of whom would later become Church presidents, that the settlers decided to stay.
>
> The first formal meeting of the Church of Jesus Christ of Latter-day Saints in the Iona area was held near Sand Creek 17 June 1884. Besides the apostles, the meeting was attended by Thomas Ricks of Rexburg, perhaps eight to ten adults, and a few children. It was an open-air meeting and a wagon tailgate served as a pulpit.
>
> Apostle Woodruff reassured the group that God's blessings were upon the land and that a prosperous settlement would soon develop with a school, meeting house and other facilities they had left behind in Utah. The Sand Creek Branch of the Lewisville Ward was organized with C. J. Owens as the first presiding Elder. The Bannock Stake was organized the same year, which included the entire eastern section of Idaho from Preston to the Teton Basin.
>
> This monument was erected by the Church of Jesus Christ of Latter-day Saints, Iona Stake in 1983. The stones in the base of this structure were part of an earlier monument erected by area Boy Scouts in 1936.

In 1986, a year after my father's history quoting the Benson version appeared, Reed Olsen's "The Wagon-Box Prophecy" was published in *Snake River Echoes*, a journal of Upper Snake River Valley history. Olsen had revised it from the earlier version in Andrus's compi-

[26]Groberg, *The Idaho Falls Temple*, 15.

lation by adding the Benson version.[27]

For the 1995 Idaho Falls Temple jubilee, the Church of Jesus Christ of Latter-day Saints produced a video dramatization, *Temple by the River*.[28] On August 22, 1999, Iona Stake members dedicated a monument at the stake center "to the settlers of Iona and to the fulfillment of President Wilford Woodruff's prophetic blessing that has become known as the Wagon Box Prophecy." The monument plaque quotes the Benson version.

On May 16, 2007, I sent a query to the LDS Church Historical Department, hoping that additional records had come to light since my father's query in 1978. Jerry Glenn, a retired professor of religion and library science at Brigham Young University-Idaho (Ricks College), who was then serving as a Church Historical Department missionary, listed fourteen probable records searched in vain for a record of the 1884 Sand Creek addresses. He summarized: "As to the Wagon Box Prophecy—the first recorded knowledge found on this was Heber J. Grant's talk in the 1899 April general conference. From the June 17th, 1884 meeting at Sand Creek, Idaho (Wilford Woodruff Journal for 1884, pages 259-60) until the April, 1899 conference talk nothing of this prophecy has been located during that time period."[29]

Old-timers remember a mural in the Iona Ward meetinghouse depicting the 1884 meeting; but the remodeled building now serves as the city building and the mural is no longer visible. A mural painted by Ramona Simpson Horton is in the high council room of

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[27]Reed Olsen, "The Wagon Box Prophecy," *Snake River Echoes* 15 (Winter 1986): 77–80.

[28]Church of Jesus Christ of Latter-day Saints, *Temple by the River* (Salt Lake City: LDS Church, 1995), copy in my possession.

[29]Jerry Glenn, Report to Mary Jane Fritzen, May 16, 2007, lists these sources that he searched: (1) Wilford Woodruff Journals, (2) Bannock Stake minutes, 1884–1898, (3) Bannock Stake Historical Manuscript, 1884–98, (4) Bingham Stake letterpress copybooks, 1895–1907, (5) Iona Ward records—incomplete, years from 1894, (6) Rexburg Ward, Bannock Stake, 1884–86, (7) Interview with President James R. [E.] Steele, 1925–26, (8) Rush[t]on, David, *Iona: Its Founders and Early History*, (9) *Iona Centennial History Book, 1883–1993* (sic), (10) *They Came: A History of the Early Settlers of Iona, Idaho*, (11) The papers of Heber J. Grant, (12) The papers of Thomas Ricks, (13) No records for Cadwallader Owens, (14) No records for Rufus Norton.

the Iona Stake Center. The Idaho Falls Temple Visitors' Center, remodeled in 2007, contains a photo display depicting the history of the Idaho Falls Temple. It includes a portrait of Wilford Woodruff and the text: "Prophecy Fulfilled: In 1884 Elder Wilford Woodruff prophesied to a small gathering of early settlers at Sand Creek (Iona) of the area's future. 'As I look into the future of this great valley, I can see beautiful temples erected to the name of the Living God, where holy labors may be carried on in his name for generations to come.'"[30]

In 2006 BYU-Idaho produced a video documentary about the prophecy at the request of President Kim B. Clark, who adopted the prophecy as a focus for faith in his devotional address, September 5, 2006, "God Hath Prepared a More Excellent Way." Clark introduced the video, saying, "Why is BYU-Idaho here in this valley? . . . My young friends, this is a prophecy fulfilled. The words of this vision uttered more than a hundred years ago in a time of despair in a desolate place vividly describe this university and this valley prepared for you and for me."[31] In 2007, this video with some additions was distributed in DVD form to a limited number of BYU-Idaho benefactors.[32]

This prophecy was also featured in the Rexburg Temple cultural celebration, "a vibrant display of costume, music, dance, and multimedia,"[33] on Saturday evening, February 9, 2008, preceding the tem-

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[30]The text continues: "In March 1937 Church members were delighted to see this prophecy begin to be fulfilled, when the First Presidency announced plans to build a temple in Idaho. Designs were completed in 1939, and it was announced that the temple would be located in Idaho Falls, on the banks of the Snake River."

[31]http://www.byui.edu/Presentations/Transcripts/Devotionals/2006_09_05_Clark.htm. The online transcript of his devotional includes a link to the video of *The Wagonbox Prophecy*, http://streaming.byui.edu/presentations/wagonbox.wmv (accessed January 29, 2010).

[32]My conversations with LaNae Poulter and Val Carpenter of BYU-Idaho staff, February 16, 2010. Poulter, Scheduling Office supervisor, was project coordinator for the production of the Wagon Box prophecy video and DVD and also served on the Rexburg Temple Cultural Celebration Committee. Carpenter is alumni coordinator. The DVD was authorized and distributed through LDS Philanthropies.

[33]http://www.ldschurchtemples.com/rexburg (accessed January 29, 2010).

ple's dedication on Sunday, February 10, 2008.[34]

Although only the 1899 Grant conference address, the Schwendiman article in the June 1942 *Improvement Era*, and the 1945 Benson address at the Idaho Falls Temple dedication have been found as sources for the Wagon Box Prophecy, it is embedded in the hearts of members in the Idaho Falls-Rexburg area.

[34]Laurie Williams Sowby, "Color, Culture, Energy Abound in Youthful Celebration," *Meridian Magazine*, February 12, 2008, http://www.ldsmag.com/churchupdate/080212rexburg2.html (accessed January 29, 2010): "Among the key events outlined in Rexburg's history was the Wagon Box Prophecy, wherein Wilford Woodruff stood atop a makeshift pulpit—a wagon box—during a visit in 1884, and prophesied to the Snake River Valley's settlers of fertile fields, green valleys, a university, and temples dotting the land. 'We believe the Rexburg Temple to be fulfillment of that prophecy,' said Greg Moeller, chair of the cultural celebration." With more than 200,000 visitors touring the open house, a BYU-Idaho student body of about 13,000, and many more thousands participating in and attending the celebration in the Hart Auditorium and its broadcast to stake centers and other buildings on campus, the prophecy has become well known in this valley.

Joseph Smith and the Development of Habeas Corpus in Nauvoo, 1841–44

John S. Dinger

> You speak of lawyers; I am a lawyer too, but the Almighty God has taught me the principle of law; and the true meaning and intent of the writ of Habeas Corpus is to defend the innocent, and investigate the subject. —Joseph Smith[1]

The Church of Jesus Christ of Latter-day Saints from its inception in 1830 to the present day has been involved in numerous legal controversies. In fact, legal troubles hounded Joseph Smith, the founder of Mormonism, even before the LDS Church's official organization because of his peculiar activities and religious beliefs. Usually when one thinks of legal controversy and the LDS Church, most often the topic that comes to mind is Mormon polygamy in

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[1]Joseph Smith, June 30, 1843, *Journal of Discourses*, 26 vols. (London and Liverpool: LDS Booksellers Depot, 1854–86), 2:167.

the late nineteenth century and *Reynolds v. U.S.*[2] that was argued before the U.S. Supreme Court.

However, an often overlooked legal aspect of the LDS Church and one that affected its development—much like polygamy—are the habeas corpus acts passed by the Nauvoo City Council, with Joseph Smith as its mayor in the early 1840s. The Nauvoo City Council took an extremely expansive view of habeas corpus and enacted ordinances implementing that right to the degree that it infuriated non-Mormon neighbors in Illinois. In fact, the Nauvoo City Council habeas corpus laws were likely the most expansive version ever passed in the American or British legal systems.

Habeas corpus is a legal proceeding that originated in British common law, in which an individual being held in custody can contest the legality of the detainment. The prisoner, or someone on his or her behalf, may ask a court or an individual judge for a writ of habeas corpus. After the judge issues a writ for one of these reasons, the detained individual would be brought before the issuing judge to determine whether the hold was legal. This was usually done by determining whether the process of issuing an arrest warrant or extradition order was done correctly. In the 1840s, the writ was used in four ways:

(1) a prisoner sought relief from a criminal arrest or commitment; (2) a prisoner sought relief from a civil arrest or commitment; (3) an individual sought relief from some restraint on his or her liberty that did not arise from a civil or criminal arrest or commitment; and (4) a third party sought to have a prisoner released from the respondent's custody so that the third party could take custody.[3] The Mormons used writs of habeas corpus for the first, second, and fourth goals.

The habeas corpus acts passed in Nauvoo were so expansive that they allowed the Nauvoo Municipal Court to review not only the legality of the arresting writ but the underlying crime for which the arrest was made regardless of the state in which it happened. This provision allowed the Nauvoo Municipal Court to adjudicate all cases against Joseph Smith and other Mormons on their terms and by Mormon or Mormon-friendly judges. Such an application of the writ was usually viewed in one of two ways. Either it could be seen as an exam-

[2]98 U.S. 145 (1878).

[3]Dallin H. Oaks, "Habeas Corpus in the States—1776–1865," *University of Chicago Law Review* 32 (1965): 257.

ple of Mormons' disregard for the laws of the land, or it could be seen as the Mormons attempt to defend themselves against religiously biased individuals who observed no limits in their efforts to bring down Mormonism and its leaders.

What neither side apparently foresaw, was a transformation of a relatively powerless nineteenth-century habeas corpus writ into the "Great Writ" it eventually became in the mid-1950s.[4] In 1953, the U.S. Supreme Court found that federal courts could examine the constitutionality of state criminal convictions, greatly expanding the strength of writs of habeas corpus. This situation is similar to what happened in Nauvoo over a century earlier when the Nauvoo City Council declared that the Nauvoo Municipal Court could examine the legality of warrants, orders, and convictions originating in other jurisdictions. Thus, habeas corpus became a "Great Writ" long before most legal scholars believe it did.

The habeas corpus acts in Nauvoo protected the Mormons but simultaneously alienated them from their non-Mormon neighbors, with the result that this "protection," ironically, rather than shielding Joseph Smith, contributed directly to his death. Robert B. Flanders, a historian of the Nauvoo period, wrote: "The frequent inability of county and state law enforcement officers to arrest accused persons in Nauvoo aroused the opposition of the gentile citizens around the city. . . . The habeas corpus clause of the charter and the cavalier fashion in which the Mormons used it generated much popular fear and hatred, and were the points upon which legal attacks on the whole [city] charter finally focused. Smith's riddled body at Carthage jail and the dissolution of the city corporation marked the conclusion of the issue."[5]

One of the major complaints from non-Mormon neighbors and apostates was Smith's ability to avoid arrest by his use of writs of habeas corpus. Thus, an analysis of the passage and use of these acts is necessary to fully understand critical legal and political aspects of the Nauvoo experience. Though these acts were used by many people in Nauvoo, this paper focuses on Joseph Smith, as most of the acts were passed in response to his activities.

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[4]*Brown v. Allen*, 344 U.S. 437 (1953); see also *Smith v. Bennett*, 365 U.S. 708 (1951).

[5]Robert B. Flanders, *Nauvoo: Kingdom on the Mississippi* (Urbana: University of Illinois Press, 1975), 99.

The Nauvoo Charter

The authority to pass habeas corpus acts came from the Nauvoo Charter. In early nineteenth-century Illinois, a city could not govern itself without being given that authority from the state legislature. Starting in 1837 with Chicago, the Illinois State Legislature began chartering cities under special acts passed by the general assembly.[6] At least eight cities and towns were also chartered, including Springville in early 1840.[7] The Springville charter is especially important in the history of Nauvoo, as the Nauvoo Charter is nearly an exact copy. In fact, Glen M. Leonard, who has written the most recent history of Nauvoo, observes: "More than 80 percent of its provisions closely followed franchises authorized for other Illinois cities."[8]

On December 16, 1840, the Illinois state legislature ratified the Nauvoo Charter, helping to set up the Mormon capital.[9] On October 4, 1840, John C. Bennett, a recent convert and confidante of Joseph Smith, had been appointed to assist Smith in writing the Nauvoo Charter and "urge the passage of said bill through the legislature."[10] Bennett had arrived in Nauvoo sometime in August or September of 1840 after offering his services to Joseph Smith through a series of letters.[11] In December 1840, Bennett lobbied the state legislature on behalf of the Church, gathering support for the charter from such prominent individuals as Stephen A. Douglas, then Secretary of State, and Sidney H. Douglas, a Whig senator and party leader.[12] Flanders describes its passage:

> On December 27 the Nauvoo charter bill was introduced in the

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[6]Chicago was chartered on March 4, 1837. Richard E. Bennett and Rachel Cope, "'A City on a Hill': Chartering the City of Nauvoo," *John Whitmer Historical Journal* (2002) Nauvoo Conference Special Edition, 20.

[7]Springville was chartered on February 3, 1840. Ibid. The other cities include Ohio City in 1863, Chillicothel in 1838, Maumeel in 1838, Dayton in 1841, Alton in 1837, Galena in 1839, and Quincy in 1840.

[8]Glen M. Leonard, *Nauvoo: A Place of Peace, A People of Promise* (Salt Lake City: Deseret Book, 2002), 104–5.

[9]Bennett and Cope, "A City on a Hill," 21.

[10]Joseph Smith, et al., *History of the Church of Jesus Christ of Latter-day Saints,* edited by B. H. Roberts, 7 vols., 2d ed. rev. (Salt Lake City: Deseret Book, 1948 printing), 4:205.

[11]Flanders, *Nauvoo*, 95.

[12]Ibid., 95–96.

> Upper House by Senator Little, whose only comment was that it contained "an extraordinary militia clause" which he considered "harmless." Under a suspension of the rules, the bill was read the first and second times and referred to the Judiciary Committee; on December 5 it was reported back with an unspecified amendment; and on December 9 it was read the third time and passed, in company with other miscellaneous bills. In the House of Representatives, the procedure was similar. Introduced from the Senate on December 10 it was read twice by title and referred to committee; two days later it was reported back without amendment, read again by title, and shouted through without calling for ayes and nays. It next went to the Council of Revision, a review body with amending powers made up of Democratic Governor Thomas Carlin and the four supreme court Justices, three Whigs and one Democrat. This group passed it without change on December 18.[13]

Both political parties, the Whigs and the Democrats, viewed the Mormons as a potential boon to their power, as they were sure to vote as a bloc. Bennett seemed to have perceived and exploited this fact. Illinois Governor Thomas Ford later wrote, "He flattered both sides with the hope of Mormon favor and both sides expected to receive their votes."[14]

Though the Nauvoo Charter was very similar to other charters, particularly Springville's, it was different in three important ways. The Nauvoo Charter included the right to create a university,[15] a

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[13]Ibid., 96.

[14]Thomas Ford, *History of Illinois from its Commencement as a State in 1818 to 1847 Containing a Full Account of the Black Hawk War, the Rise, Progress, and Fall of Mormonism, the Alton and Lovejoy Riots, and Other Important and Interesting Events* (Chicago: S. C. Griggs & Co., 1854), 264.

[15]Section 24 of the Nauvoo Charter allowed for the creation of a university. Other Illinois city charters allowed for the creation of "common schools," but none gave the authority to create a university. Bennett and Cope, "City on a Hill," 34. Section 24 of the Nauvoo Charter states: "Sec. 24. The City Council may establish and organize an institution of learning within the limits of the city, for the teaching of the Arts, Sciences, and Learned Professions, to be called the 'University of the City of Nauvoo,' which institution shall be under the control and management of a Board of Trustees, consisting of a Chancellor, Registrar, and twenty-three Regents,

standing army,[16] and a municipal court with unprecedented powers, especially the granting of writs of habeas corpus.[17] Only one other Illinois city, Alton, allowed its municipal court to grant habeas corpus

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which Board shall thereafter be a body corporate and politic, with perpetual succession by the name of the 'Chancellor and Regents of the University of the City of Nauvoo,' and shall have full power to pass, ordain, establish, and execute, all such laws and ordinances as they may consider necessary for the welfare and prosperity of said University, its officers and students; provided that the said laws and ordinances shall not be repugnant to the Constitution of the United States, or of this State; and provided also, that the Trustees shall at all times be appointed by the City Council, and shall have all the powers and privileges for the advancement of the cause of education which appertain to the Trustees of any other College or University of this State."

[16]Section 25 of the Nauvoo Charter gave the authority to create the Nauvoo Legion, a standing army controlled by the leaders of Nauvoo: "Sec. 25. The City Council may organize the inhabitants of said city, subject to military duty, into a body of independent military men, to be called the 'Nauvoo Legion,' the Court Martial of which shall be composed of the commissioned officers of said Legion, and constitute the law-making department, with full power and authority to make, ordain, establish, and execute all such laws and ordinances as may be considered necessary for the benefit, government, and regulation of said Legion; provided said Court Martial shall pass no law or act, repugnant to, or inconsistent with, the Constitution of the United States, or of this State; and provided also that the officers of the Legion shall be commissioned by the Governor of the State. The said Legion shall perform the same amount of military duty as is now or may be hereafter required of the regular militia of the State, and shall be at the disposal of the Mayor in executing the laws and ordinances of the city corporation, and the laws of the State, and at the disposal of the Governor for the public defense, and the execution of the laws of the State or of the United States, and shall be entitled to their proportion of the public arms; and provided also, that said Legion shall be exempt from all other military duty."

[17]The Nauvoo Charter, Section 17, reads: "The Mayor shall have exclusive jurisdiction in all cases arising under the ordinances of the corporation, and shall issue such process as may be necessary to carry such ordinances into execution and effect; appeals may be had from any decision or judgment of said Mayor or Aldermen, arising under the city ordinances, to the Municipal Court, under such regulations as may be presented by ordinance; which court shall be composed of the Mayor as Chief Justice, and the

by amending its city charter on June 1, 1839. Only two months later, however, Alton's citizens voted to eliminate its Alton municipal court, thus leaving the Nauvoo Charter as uniquely granting the power to its municipal court for writs of habeas corpus.[18] The charter was specifically created to be broad and powerful. Smith wrote, "The City Charter of Nauvoo is my own plan and device; I concocted it for the salvation of the Church, and on principles so broad, that every honest man might dwell secure under its protective influence without distinction of sect or party."[19]

With the passage of the Nauvoo Charter, the city was then allowed to set up a government and elect a mayor, counselors, and alderman. When this was done, these officers were able to pass laws and ordinances for the governing of the people of Nauvoo. Acting under the Nauvoo Charter's authority, the Nauvoo City Council passed many laws from the mundane to the very creative—but arguably, the habeas corpus acts were the most interesting.

THE HABEAS CORPUS ACTS

Though the municipal court of Nauvoo had the authority to pass acts dealing with habeas corpus in December 1840, it did not exercise that authority until July 1842. Between that date and December 1843, the municipal court passed six habeas corpus acts, all designed with the specific purpose of protecting Joseph Smith from arrest and extradition. Each new act broadened and increased the powers of habeas corpus. A discussion of the six acts and the context for their passage follows.

Aldermen as Associate Justices, and from the final judgment of the Municipal Court to the Circuit Court of Hancock county, in the same manner [that] appeals are taken from judgments of the Justices of the Peace; provided that the parties litigant shall have a right to a trial by a jury of twelve men in all cases before the Municipal Court. The Municipal Court shall have power to grant writs of habeas corpus in all cases arising under the ordinances of the City Council."

[18]Bennett and Cope, "A City on a Hill," 35; see also James L. Kimball Jr., "The Nauvoo Charter: A Reinterpretation," in *Kingdom on the Mississippi Revisited,* edited by Roger D. Launius and John E. Hallwas (Urbana: University of Illinois Press, 1996), 43.

[19]*History of the Church,* 4:249; emphasis mine.

June 4–11 1841: First Use of the Habeas Corpus

On June 4, 1841, Joseph Smith paid Governor Thomas Carlin a visit at his home in Quincy, Illinois, approximately fifty miles from Nauvoo. While Smith's reason for the visit is unknown, it is known that Carlin did not tell Smith that he had recently received a demand from Thomas Reynolds, the governor of Missouri to extradite "Joseph Smith, Jun., Sidney Rigdon, Lyman Wight, Parley P. Pratt, Caleb Baldwin, and Alanson Brown, as fugitives from justice."[20] These charges, contained in an indictment that accompanied the demand from Governor Reynolds, stemmed from the escape of these men (there is considerable evidence that they were allowed—and even assisted—to escape) after varying periods of imprisonment during the winter of 1838–39 when the rest of the Mormons were forcibly driven from the state. After Smith left Carlin, the governor sent "Thomas King, Sheriff of Adams county, Thomas Jasper, a constable of Quincy, and some others as a posse, with an officer from Missouri, to arrest [Smith] and deliver [him] up to the authorities of Missouri."[21]

The following day, June 5, the posse overtook Smith at a hotel in Bear Creek, Illinois, a city about twenty-eight miles south of Nauvoo, and brought him back to Quincy. There he was presented to a master in chancery—a clerk invested with the power to execute orders of the courts—for Adams County, from whom he obtained a writ of habeas corpus. It is unknown how Smith learned that this writ could prevent his extradition to Missouri, though he stated: "Judge Stephen A. Douglas happen[ed] to [be in] Quincy that evening [and] appointed to give a hearing on the writ on the Tuesday following, in Monmouth, Warren county, where the court would then commence a regular term."[22] Douglas, though not a Mormon, was very friendly to Mormons and had been instrumental is the passage of the Nauvoo Charter.[23] It is likely then, that he provided Smith with legal advice and obtaining the writ of habeas corpus.

News of Smith's arrest reached Nauvoo; and on June 6, a group of Mormons came down the river to Quincy to overtake the posse and

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[20]*Times and Seasons* 1, no. 11 (September 15, 1840): 169–70.

[21]*History of the Church*, 4:364.

[22]Ibid., 4:365.

[23]Edwin Brown Firmage and Richard Collin Mangrum, *Zion in the Courts: A Legal History of the Church of Jesus Christ of Latter-day Saints, 1830–1900* (Urbana: University of Illinois Press, 1988), 94.

rescue Smith. Smith, traveling by road, arrived at Nauvoo the same day while still in the charge of King and Jasper. The following day, June 7, Smith, King, Jasper, and a group of twenty of Joseph's supporters set out for Monmouth for the hearing on the writ of habeas corpus before Judge Douglas because he was considered fair and was relatively close by. The party arrived on June 8, and Douglas agreed to hear the case the next day.

The June 9 trial, by all accounts, was something of a circus. Illinois was represented by Thomas Morrison, who was ill prepared, since he had not had sufficient notice of trial or even seen the charges levied against Joseph Smith in an indictment issued in Missouri. Douglas ordered the case to proceed regardless. When Charles A. Warren, Smith's counsel, called witnesses, Morrison objected, claiming Warren was speaking to the merits of the writ of habeas corpus and could only speak about the indictment or charges that the demand was based on, which he had not seen. A lengthy discussion ensued, taking up the rest of the day.[24]

Later that night the court reconvened but seemed to focus less on the indictment and more on stirring up emotion. Two attorneys, Messrs. Knowlton and Jennings, tried "to excite the public mind still more on the subject [of Joseph Smith] and inflame the passions of the people against [the Mormon] religion." Cyrus Browning, Joseph Smith's other attorney, countered by reciting equally emotional stories of the persecutions: "Mr. Browning resumed his pleadings which were powerful and . . . gave a recitation of what he himself had seen at Quincy, and on the banks of the Mississippi river when the Saints were 'exterminated from Missouri,' where he tracked the persecuted women and children by their bloody footmarks in the snow."[25]

On June 10, the court reconvened for Douglas's decision. Eschewing the sensational arguments, Douglas ruled on the substantive issues of the writ:

> That the writ being once returned to the Executive by the sheriff of Hancock county was dead, and stood in the same relationship as any other writ which might issue from the Circuit Court, and consequently the defendant could not be held in custody on that writ. The

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[24]Richard Lyman Bushman, *Joseph Smith: Rough Stone Rolling* (New York: Alfred A. Knopf 2005), 426. See also *History of the Church*, 4:368.

[25]*History of the Church,* 3:69–70.

> other point, whether evidence in the case was admissible or not, he would not at that time decide, as it involved great and important considerations relative to the future conduct of the different states. There being no precedent, as far as they had access to authorities to guide them, but he would endeavor to examine the subject, and avail himself of all the authorities which could be obtained on the subject, before he would decide that point. But on the other, the defendant must be liberated.[26]

In essence, he ruled that for Missouri to arrest and extradite an individual, it must issue a new writ and not use a previously unused returned writ. (A returned writ has, basically, expired, since it was not served on the intended party before being returned by the issuing judge or governor.)

This trial is very important in the development of habeas corpus in Nauvoo, even though it did not involve a Nauvoo-issued writ. It showed the Mormons that they had a powerful legal device at their disposal which they could use to thwart their enemies using the legal system, something they had never been able to do before. Because of this introduction to habeas corpus, a year later the Nauvoo City Council passed the first of its stronger and more expansive versions in Nauvoo.

July 5, 1842: First Nauvoo Ordinance

After the 1841 trial in Monmouth, risk of Smith's being extradited was not high. In May 1842, however, Joseph Smith was blamed as an accessory in the attempted assassination of Lilburn H. Boggs, who, as Missouri governor, had authorized the violent expulsion of the Mormons from his state. Furthermore, beginning that same month, Smith had a falling out with John C. Bennett, assistant president of the Church and mayor of Nauvoo. On May 17, Bennett resigned as mayor, and the city council on May 19 unanimously accepted his resignation.[27] The council then resolved to "tender a Vote of Thanks to Gen[era]l John C. Bennett, for his great Zeal in having good & wholesome Laws adopted for the Government of this City, & for the faithful discharge of his Duty while Mayor of the same."[28]

Despite this public gesture of good will, the fact that Bennett

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[26]Ibid., 4:370.

[27]Nauvoo City Council, Minutes, May 19, 1842. All quotations from these minutes are from the typescript copy in my possession.

[28]Ibid.

had resigned amid allegations of "illicit intercourse with women"[29] rapidly became public knowledge. Bennett believed and taught that worthy couples, married or not, could engage freely in sexual activity provided they kept their conduct a secret. Rumors were rampant in Nauvoo that Joseph Smith taught and authorized this practice. Although the exact origin of the rumors is unknown, Bennett certainly had an interest in propagating them and Joseph had, in fact, entered into a number of plural marriages by this time.[30] As part of his resignation, Bennett signed an affidavit stating that "he never knew the said Smith to countenance any improper conduct whatever either in public or private; and that he never did teach to me in private that an illegal illicit intercourse with females was under any circumstances, justifiable; and that I never knew him to so teach others."[31] This denial was, of course, also a confirmation, even though it technically exonerated Joseph Smith.

Furthermore, although Bennett claimed that he wished to repent and regain the trust of the Saints, the situation turned ugly. In mid-June 1842, Smith went public with his allegations of Bennett's sexual impropriety; and Bennett, after a failed (and possibly staged)

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[29]Chauncey L. Higbee, Affidavit, May 17, 1842, printed in *Affidavits Contained in John C. Bennett's Letters* (Nauvoo: n.pub., August 31, 1842).

[30]Richard Van Wagoner, *Mormon Polygamy: A History* (Salt Lake City: Signature Books, 1986), 21–24. See also George D. Smith, "Nauvoo Roots of Mormon Polygamy, 1841–1846: A Preliminary Demographic Report," *Dialogue: A Journal of Mormon Thought* 27, no. 1 (Spring 1994): 13, which lists at least six plural marriages that Smith had entered into by May 1842: Louisa Beaman on April 5, 1841, Zina Diantha Huntington Jacobs on October 27, 1841, Prescendia Lathrop Huntington Buell on December 11, 1841, Mary Elizabeth Rollins Lightner on January 17, 1842, Patty Bartlett Sessions on March 9, 1842, and Marinda Nancy Johnson Hyde in April 1842. See also George D. Smith, *Nauvoo Polygamy: ". . . but we called it celestial marriage"* (Salt Lake City: Signature Books 2008), 621, which adds Agnes Moulton Cool- brith on January 6, 1842, Lucinda Pendleton Morgan Harris on January 17, 1842, Sylvia Porter Sessions Lyon on February 8, 1842, Sarah M. Kingsley Howe Cleveland in March 1842, and Elizabeth Davis Brackenbury Durfee in March 1842.

[31]Joseph Smith, "To the Church of Jesus Christ of Latter Day Saints, and to All the Honorable Part of the Community," *Times and Seasons* 3, no. 17 (July 1, 1842): 840–41.

suicide attempt, angrily left Nauvoo a few days later. On July 8, 1842, the *Sangamo Journal* of Springville, published a letter from Bennett dated June 27, promising to declare all that he knew about what occurred in Nauvoo. In the ensuing letters, Bennett made claims about the practice of polygamy and, most important, accused Joseph of authorizing the attempted Boggs assassination. He stated in an affidavit sworn on July 2, 1842, and later published in the *Sangamo Journal* under the headline: "The Fulfillment of Prophecy": "In 1841, Joe Smith predicted or prophesied in a public congregation in Nauvoo, that Lilburn W Boggs, ex-Governor of Missouri, should die by violent hands within one year. From one or two months prior to the attempted assassination of Gov. Boggs, Mr. O. P. Rockwell left Nauvoo for parts unknown to the citizens at large. I was then on terms of close intimacy with Joe Smith, and asked him where Rockwell had gone? Gone, said he, 'GONE TO FULFILL PROPHECY!'"[32] In later letters to the *Sangamo Journal*, Bennett repeated his allegations of Smith's involvement in the assassination attempt.[33]

Thus, during May, June, and July 1842, Joseph Smith and the city council had reason to believe that Missouri might again try to extradite Smith and other Mormon leaders. To head off any attempts, the council passed "An Ordinance in Relation to Writs of Habeas Corpus" on July 5, only three days after Bennett's accusatory letter was published. This act of habeas corpus was very expansive, but the minutes record no debate or discussion about the ordinance. Rather, the minutes simply record the language of the ordinance and record the unanimous vote that passed it.

> Sec. 1. Be it, and it is hereby Ordained by the City Council of the City of Nauvoo, that no Citizen of this City shall be taken out of the City by any Writs, without the privilege of investigation before the Municipal Court, and the benefit of a Writ of Habeas Corpus, as granted in the seventeenth Section of the Charter of this City. Be it understood that this Ordinance is enacted for the protection of the

[32]"Further Mormon Developments!! 2d Letter from Gen. Bennett," *Sangamo Journal* 10, no. 47 (July 15, 1842).

[33]Ibid., 10, no. 48 (July 22, 1842); see also "The Mormon Plot and League," 10, no. 46 (July 8, 1842); "Gen. Bennett's 4th Letter," 10, no. 48 (July 22, 1842); "5th Letter from Gen. Bennett," 10, no. 52 (August 19, 1842); "6th Letter from Gen. Bennett," 10, no. 52 (August 19, 1842); 11, no. 2 (September 2, 1842). All-capital headlines standardized from this point.

Citizens of this City, that they may in all Cases have the Right of Trial in this City, and not be subjected to illegal Process by their Enemies.

Sec. 2. This Ordinance to take effect, and be in force, from and after its passage.

Passed July 5th 1842.
Joseph Smith, Mayor.
James Sloan, Recorder.[34]

This ordinance was the first of six that greatly expanded the use of habeas corpus in Nauvoo, particularly in two ways. First, extradition or the use of any writ on a citizen of Nauvoo was not possible without first receiving a hearing before the municipal court. Thus, the municipal court had the authority to stop the extradition or arrest of any Nauvoo citizen. Second, the ordinance declared that, regardless of where a writ was issued or where an offense was committed, Nauvoo's municipal court had the right to try that case. Eventually, the city council ultimately declared that only the municipal court had jurisdiction over any crime allegedly committed by a citizen of Nauvoo.

This ordinance was first used only a month later when Smith was again arrested, this time for the attempted assassination of Boggs.

August 8, 1842: Second Ordinance

In the afternoon of August 8, 1842, the deputy sheriff of Adams County, Illinois, and two assistants arrested Joseph Smith for "being an accessory before the fact, to an assault with intent to kill made by one Orrin P. Rockwell on Lilburn W. Boggs, on the night of the sixth of May, A.D. 1842."[35] Thomas Carlin, governor of Illinois, issued the warrant for his arrest based on a request from Governor Thomas Reynolds of Missouri. Rockwell, the alleged assassin, was also arrested at this time.[36]

Although Smith and Rockwell submitted to arrest, the Nauvoo Municipal Court promptly convened and, within hours of learning of the arrest, had issued a writ of habeas corpus pursuant to the Illinois

[34]Nauvoo City Council, Minutes, July 5, 1842.

[35]*History of the Church*, 5:86.

[36]In March 1842, after these particular legal maneuverings, Rockwell was arrested in St. Louis, tried, acquitted, rearrested, and then released. He was never found guilty of the attempted assassination.

Constitution.[37] This writ of habeas corpus demanded that Smith and Rockwell be brought before the municipal court where, according to the July 5 ordinance, they would have the "Right of Trial." William Clayton, Smith's clerk, recorded in Smith's journal the dubious response by the deputy sheriff of Adams County and his assistants: "The Deputy Sheriff hesitated complying with the writ of Habeus Corpus for some time on the ground (as he said) of not knowing wether this city had authority to issue such writ but after much consultation on the subject they [the Deputy Sheriff and his assistants] finally agreed to leave the prisoners in the hands of the city marshall and returned to Quincy to acertain from the Governor wether our charter gave the city jurisdiction over the case."[38] The arresting posse then left Nauvoo, while Smith "and Rockwell went about our business."[39]

Compilers of the *History of the Church* would later list three reasons that Smith's arrest had been illegal. First, they claimed, "An accessory to an assault with intent to kill does not come under the provision of the fugitive act, when the person charged has not been out of Illinois." Basically, they were saying that, since Smith never left the state of Illinois, the fugitive act, a 1780 compact between states that authorized the transport of interstate criminals, could not apply. Second, "an accessory before the fact to manslaughter is something of an anomaly." Manslaughter is generally defined as killing a person without deliberation, planning, or premeditation. Thus, one could not be an accessory before the fact to an unplanned event. Third, "the [Illinois] constitution says, 'that no person shall be liable to be transported out of the state, for an offense committed within the same.'"[40] Thus, it was claimed that Smith could not be transported to Missouri for a crime (the ordering of an assassination) he allegedly committed in Illinois. Though these claims have possible merit, they

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[37]Ibid., 5:87. The municipal court cited Article VIII Sec. 13 of the Illinois Constitution (1818) which states: "All persons shall be bailable by sufficient sureties, unless for capital offenses, where the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion, the public safety may require it."

[38]Dean C. Jessee, *The Papers of Joseph Smith, Vol. 2: Journal, 1832–1842* (Salt Lake City: Deseret Book, 1989), 402–3.

[39]Ibid.

[40]*History of the Church*, 5:87.

were never adjudicated as the Adams County sheriff was not able to re-arrest Smith.

The city council, however, did not wait to see what Governor Carlin told the sheriff about his jurisdiction. That very afternoon, Hyrum Smith, Joseph's brother and the vice mayor, convened the city council, which passed another, more expansive ordinance dealing with habeas corpus.[41] The minutes again do not record any discussion or identify who provided legal advice. This ordinance contained four sections, the first of which reads:

> Be it Ordained by the City Council of the City of Nauvoo, that in all cases, where any Person or Persons, shall at any time hereafter, be arrested or under arrest in this city, under any Writ or process, and shall be brought before the Municipal Court of this City, by virtue of a Writ of Habeas Corpus, the Court shall in every such Case have power and authority, and are hereby required to examine into the Origin, validity, & legality of the Writ of Process, under which such arrest was made, & if it shall appear to the Court, upon sufficient testimony, that said Writ or Process was illegal, or not legally issued, or did not proceed from proper Authority. then the Court shall discharge the Prisoner from under ^said^ arrest, but if it shall appear to the Court that said Writ or Process had issued from proper Authority, and was a legal Process, the Court shall then proceed and fully hear the merits of the case, upon which such Arrest was made, upon such evidence as may be produced and sworn before said Court, & shall have power to adjourn the hearing, and also issue process from time to time, in their discretion, in Order to procure the attendance of Witnesses, so that a fair & impartial trial, & decision may be obtained, in every such case.[42]

This section gave the Nauvoo Municipal Court sweeping powers: (1) authority to examine the process by which a writ, like an arrest warrant or extradition order, was issued. (2) If the court determined that the correct process had not been followed, it could void the writ. This provision clarified the court's means for attacking a writ: first, the process by which it was issued; and second, whether the underlying crime on which the writ was issued constituted a sufficient reason for issuing the writ.

The second section states: "And be it further Ordained, that if upon investigation it shall be proven before the Municipal Court, that

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[41]Nauvoo City Council, Minutes, August 8, 1842.

[42]Ibid.

the Writ or Process has been issued either through private pique, malicious intent, religious or other persecution, falsehood, or misrepresentation, contrary to the constitution of this State, or the constitution of the United States, the said Writ or Process shall be quashed, & considered of no force or effect, & the Prisoner or Prisoners shall be released & discharged therefrom."[43] This section of the new ordinance also greatly expanded the municipal court's authority to void writs against Church leaders. I am aware of no other court that invalidates a writ issued for "malicious intent" or "religious . . . persecution." Since most Mormons firmly believed that arrest warrants and extradition orders regarding Joseph Smith were based on religious persecution, this power granted to the city court was as much a faith act as a legal one.[44]

The third section states: "And be it also further Ordained, that in the absence, sickness, debility, or other circumstances disqualifying or preventing the Mayor, from Officiating in his office, as Chief Justice of the Municipal Court, the Aldermen present shall appoint one from amongst them, to act as chief Justice, or president pro tempore."[45] This section enabled the municipal court to continue to function if Joseph Smith—who was both Nauvoo's mayor and chief justice—was arrested or in hiding. On August 8, 1842, Hyrum Smith filled both roles—presiding over the city council and also the municipal court. On other occasions, other city council members would act as chief justice.

The fourth section simply put the ordinance into effect immediately, so that, by the time the Adams County sheriff returned, Smith and Rockwell would have added protection.[46]

In the following days, Smith, being worried about this threat to his safety, sought advice about the legality of his arrest from Judge

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[43]Ibid.

[44]In regard to his arrest, Smith stated, "It is absolutely certain that the whole business is another glaring instance of the effects of prejudice against me as a religious teacher, and that it proceeds from a persecuting spirit, the parties have signified their determination to have me taken to Missouri, whether by legal or illegal means." *History of the Church*, 5:90. Based on Smith's statement, the new ordinance would allow the court to invalidate the writ.

[45]Nauvoo City Council, Minutes, August 8, 1842.

[46]Ibid.

James H. Ralston of Quincy and an attorney surnamed Powers of Adams County, while he moved about the city, out of public view and avoiding his home. On August 10, the deputy sheriff returned and, according to Mormon sources, "endeavored to alarm [Smith's] wife and the brethren with his threats, if [Smith] was not forthcoming."[47] On this same day, Smith escaped from Nauvoo and hid on a small island nearby in the Mississippi River. He stayed in touch with events in the city through messengers and friends. On August 11, he heard rumors that law enforcement officers from Lee County, Illinois, had joined in searching for him and that Iowa's governor had also issued a warrant for Smith and Rockwell if they tried to escape into that state.

Because of this experience, Smith essentially stayed in hiding until early November 1842, after two new habeas corpus ordinances were passed.[48] The second of these new ordinances made Smith feel secure enough to return to public life in Nauvoo.

September 9, 1842: Third Ordinance

On September 9, 1842, the city council, led by George W. Harris, a city alderman, passed its third ordinance dealing with habeas corpus. It stated:

> Sec. 1. Be it, and it is hereby Ordained by the City Council of the City of Nauvoo, that the Municipal Court, in issuing Writs of Habeas Corpus, may make the same returnable forthwith.
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> Sec. 2. This Ordinance to take effect, and be in force from and after its passage.[49]

Certain legal writs, such as arrest warrants and requisitions of extradition, must be returned to the issuing judge by a certain date to keep them from expiring. The wording of this ordinance is vague; but apparently, by using "may," the city council gave the court discretion in requiring service before a specified expiration date on writs of habeas corpus. The minutes do not list any debate or discussion on the passage of this ordinance, leaving the context unclear. No attempts

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[47]Ibid.

[48]Though Smith was in hiding, he still made occasional public appearances in Nauvoo. For example, he spoke at a special conference in Nauvoo on August 29 and to the Relief Society on August 31, 1842. *History of the Church*, 5:136, 139.

[49]Nauvoo City Council Minutes, April 15, 1843.

were made to arrest Smith or any other Mormon leaders near September 9. In short, whatever the intent of the ordinance, it did nothing to alleviate Smith's fears, and he stayed in hiding.

November 14, 1842: Fourth Ordinance

On November 7–12, 1842, the Nauvoo City Council met in Joseph Smith's home and worked on a fourth habeas corpus ordinance which would allow him to return to public life. Apostle Wilford Woodruff, who was also an alderman, recorded, "We spent several days in the city Council passing a law relative to writ of Habus Corpus. After it was passed Joseph felt secure to stay at home as the law protected him as well as all other citizens."[50] Again, the minutes do not record the discussion, so attempts to reconstruct the participants' understanding of the law or how they envisioned the threat to Joseph Smith is conjectural. Apparently the group spent these five days working through the conceptual problems and drafting the ordinance, for it was not actually passed until two days later on November 14. Reasons for the delay remain ambiguous. At nineteen sections, it was definitely the most comprehensive act passed to that point in Nauvoo on habeas corpus; and the city council obviously began with the text of the previous three ordinances before them, since this fourth ordinance repeats, at least in part, the earlier language or adds more explanation to existing clauses.

Section 1 sets out an arrested individual's right to the writ of habeas corpus: "Be it ordained by the city council of the city of Nauvoo, that if any person or persons shall be or stand committed or detained for any criminal or supposed criminal matter, it shall and may be lawful for him, her, or them to apply to the municipal court, when in session, or to the clerk thereof in vacation, for a writ of habeas corpus. . . . The said Court or Clerk to whom the application shall be made shall forthwith award the said Writ of Habeas Corpus."[51] This section did not alter the right itself significantly but it explains in greater detail the steps for obtaining a writ. A process that needed to be followed.

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[50]Scott G. Kenney, ed., *Wilford Woodruff's Journal, 1833–1898,* typescript, 9 vols. (Midvale, Utah: Signature Books, 1983–85), November 7–12, 1842, 2:191.

[51]Nauvoo City Council, Minutes, November 14, 1842. These minutes are the source for the quotations of the ordinance that follow. Strikeovers are silently omitted.

Significantly, it also specifies that, as soon as a writ was issued, the detainee should be brought "before the Municipal Court of said City."

The second section adds penalties to the August 8, 1842, ordinance which prohibited fraudulent, harassing, or persecuting writs: "Any officer, person, or persons knowing that he, or they, have an illegal Writ, or not having any Writ, who shall attempt through any false pretext to take or intimidate any of the inhabitants of this City, through such pretext, shall forfeit for every such offence a sum not exceeding One thousand Dollars, nor less than five hundred Dollars, or in case of failure to pay such forfeiture, to be imprisoned not more than twelve Months nor less than six Months." I have found no evidence that these sanctions were ever imposed, but their potential in hampering law officers outside Nauvoo from attempting to arrest Nauvoo citizens is obvious.

Section 3 states that all hearings under an issued writ of habeas corpus must occur within five days of the writ's return. At the hearing the "Prisoner or Prisoners may deny any of the material facts set forth in the return, or may alledge any fact to shew, either that the imprisonment or detention is unlawful." Further the "Court shall proceed in a summary way to settle the said facts, by hearing the testimony & arguments, as well of all Parties interested civilly, if any there be, as of the Prisoner or Prisoners, & the Person or Persons who holds him, her, or them in custody, & shall dispose of the Prisoner or Prisoners as the case may require." This section in essence spells out the procedure one must follow to challenge his or her detainment. If this process shows that the writ was legally constituted, Section 3 lists exceptions that may still allow a prisoner to be discharged.[52]

Section 6 prohibits the municipal court from issuing a second writ in cases where it is clear the detainee is guilty: "It shall not be law-

[52]These exceptions are: "First, where the Court has exceeded the limits of its Jurisdiction, either as to the matter, place, sum, Person or Persons; Second, where though the original imprisonment was lawful, yet by some Act, omission or event which has subsequently taken place, the party has become entitled to his, her, or their discharge; Third, where the process is defective in some substantial form required by law; Fourth, where the process though in proper form has been issued in a case, or under circumstances where the law does not allow Process, or orders for imprisonment or arrest, to issue; Fifth, where, although in proper form, the process has been issued or executed by a Person or Persons, either <un>Authorized to issue or exe-

ful for the Municipal Court on a second Writ of Habeas Corpus obtained by such Prisoner or Prisoners to discharge the said Prisoner or Prisoners if he, she or they are proven guilty of the charges clearly & specifically charged in the Warrant of Commitment with a criminal offence."

Section 7 passed a type of double jeopardy protecting individuals whom the municipal court had discharged: "No Person or Persons Who have been discharged by Order of the Municipal Court on a habeas Corpus, shall be again imprisoned, restrained, or kept in custody for the same cause." This section would basically end all arrests of Smith and Rockwell on grounds related to the Boggs attempted assassination. Although this section seems entirely pro-Nauvoo, the section provides three exceptions allowing a discharged prisoner to be retried. First, in a criminal case, if prisoners were discharged because of a "defect of proof" but more evidence was discovered, then the "Prisoners should be again arrested upon sufficient proof & committed by legal process, for the same offence." Second, in a civil suit, if the prisoner was "discharged for any illegality in the judgment or Process," he or she could "afterwards [be] imprisoned by legal process, for the same cause of Action." And lastly, if the discharge was caused by "the nonobservance of any of the forms required by law," then the prisoner could be detained a second time if "the forms required by law [are eventually] observed." Basically, this section recognizes that being released on a technicality is not the same thing as innocence and that the underlying substantive charges could allow for re-arrest

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cute the same, or where the Person or Persons having the custody of the Prisoner or Prisoners under such Process is not the person or Persons empowered by law to detain him, her, or them; Sixth, where the process appears to have been obtained by false pretence or bribery; Seventh, where there is no general law, nor any judgment, order, or decree of a Court to authorize the process, if in a civil suit, nor any conviction, if in a criminal proceeding. In all cases where the imprisonment is for a criminal or supposed criminal matter, if it shall appear to the said Court that there is sufficient legal cause for the commitment of the Prisoner or Prisoners, although such commitment may have been informally made, or without due authority, or the process may have been executed by a Person or Persons not duly authorized, the Court shall make a new commitment, in proper form, & directed to the proper Officer or Officers, or admit the party to Bail, if the case be bailable.

with the technical forms being properly observed.

Section 11 imposes penalties on any "Officer, Sheriff, Jailor, keeper, or other Person" upon whom a writ is served who refuses to "make the returns as aforesaid, or to bring the Body of the Prisoner or Prisoners according to the command of the said Writ, within the time required by this Ordinance." An officer refusing to produce the prisoner will be "committed to the City or county Jail . . . there to remain without bail or mainprize,[53] until he or they shall obey the said Writ." Furthermore, the offending officer must pay to the prisoner "a sum not exceeding One thousand Dollars, & not less than five hundred Dollars."

Section 12 broadens the penalties to include anyone who "with intent to avoid the effect of such Writ or Writs, shall transfer such Person or Persons to the custody of, or place him, her or them under the control of any other Person or Persons, or shall conceal him, her or them, or change the place of his, her, or their confinement, with intent to avoid the operation of such Writ or Writs." In this case, the penalty was a fine of "one Thousand Dollars, & may be imprisoned not less than one year, nor more than five years." Legally, "intent" does not necessarily mean just intended acts; intent can also include unintended consequences of intended acts.

Section 14 also imposes a penalty of "one thousand Dollars" on anyone who arrests or detains a prisoner for a crime after he or she has "been discharged by Order of the Municipal Court." The penalties in Sections 11, 12, and 14, are very harsh, showing the seriousness with which the Nauvoo City Council took the matter, even though I have found no evidence that these penalties were never employed.

The immediate effect of this ordinance was to reassure Joseph Smith that he could again engage in public life with considerable security. He returned to his home, attended a religious meeting on November 21, and presided as mayor at a public city council meeting on November 26.

Habeas corpus formed an important part of Joseph Smith's third arrest, with which he cooperated in the interests of getting a clear ruling on the extradition attempts from Missouri. In early December 1842, Jacob C. Davis, a state representative, urged the Illinois

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[53]Mainprizes or mainpernors are defined as a writ directed to the sheriff, commanding him to take sureties for the prisoner's appearance and to let him go at large.

House of Representatives to repeal the Nauvoo Charter, while another representative recommended that the legislature repossess any state-owned arms lent to the Mormons.[54] William Smith, the Hancock County representative and brother to Joseph Smith, "made a spirited speech" to the House of Representatives on the issue of "preserv[ing] our charter." He raised an interesting point of precedent by arguing that, if the Nauvoo charter were repealed, "all the Charters in the State should [be], especially Springfield, Quincy & Chicago."[55]

While the state legislature was "in a high state of agitation," Joseph Smith sent a delegation to the newly elected governor, Thomas Ford.[56] Among the delegates were Hyrum Smith and Justin Butterfield, the U.S. district attorney who had advised Smith in the past and supporting the view that Reynolds's extradition order and Boggs's affidavit was deficient after Smith's first arrest attempt.[57] The delegation met with Governor Ford on December 14, 1842, for two purposes: first, to present an affidavit certifying that Smith was in Illinois on May 6, 1842, and consequently could not have attempted to assassinate Boggs, and second, to ask Ford to revoke Carlin's writ for Smith's arrest.

Ford replied that he believed Carlin's writ was illegal but doubted "his authority to interfere." Though Ford did not want to get personally involved, he promised to submit the problem to the judges of the Illinois Supreme Court and to abide by their decision.[58]

On December 26, 1842, Smith, believing Carlin's writ illegal, submitted to an arranged arrest by Wilson Law, a member of the

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[54]*History of the Church*, 5:201. The state-owned arms were "three cannon, six-pounders, and a few score of muskets, swords, and pistols, which were furnished by the United States to Illinois, for the supply of her militia for common defense." Ibid. However, there is some evidence that the City of Nauvoo owned even more: "5 cannons, 460 pistols, 85 rifles, 500 muskets, 113 yagers (short-barreled but large-bore rifles), and 123 swords." Andrew F. Smith, *The Saintly Scoundrel: The Life and Times of Dr. John Cook Bennett* (Urbana: University of Illinois Press, 1997), 69–70.

[55]Jessee, *Papers of Joseph Smith*, 2:498.

[56]Ibid., 2:497.

[57]Ibid., 2:499–506.

[58]Ibid., 2:504–6.

Nauvoo City Council and a general in the Nauvoo Legion.[59] Law notified him that he must appear in the District Court in Springfield, the capital of Illinois. Smith sent Henry G. Sherwood, Nauvoo's sheriff and city alderman, and Smith's personal secretary, William Clayton, to Carthage to obtain a writ of habeas corpus issued by a non-Mormon. Law then released Smith into the custody of Willard Richards, an apostle and city alderman.[60]

Later that same day, Smith received Governor Ford's and the Supreme Court's opinions on the Missouri extradition order and writ. Ford basically repeated the same opinion he had given the delegation on December 14: The Supreme Court was "divided as to the propriety and justice of my interference with the acts of Governor Carlin." He therefore felt that Smith should "submit to the laws and have a judicial investigation of your rights."[61] Butterfield had spoken with the state Supreme Court justices and reported to Smith: "The judges were unanimously of the opinion that you would be entitled to your discharge under a habeas corpus to be issued by the Supreme Court, but felt some delicacy in advising Governor Ford to revoke the order issued by Governor Carlin." He further advised Smith to "come here

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[59]*History of the Church*, 5:209.

[60]Ibid.

[61]Ibid. 5:205–6. Ford's letter, dated December 17 from Springfield, reads: "Your petition requesting me to rescind Governor Carlin's proclamation and recall the writ issued against you has been received and duly considered. I submitted your case and all the papers relating thereto to the judges of the Supreme Court, or at least to six of them who happened to be present. They were unanimous in the opinion that the requisition from Missouri was illegal and insufficient to cause your arrest, but were equally divided as to the propriety and justice of my interference with the acts of Governor Carlin. It being, therefore, a case of great doubt as to my power, and I not wishing, even in an official station, to assume the exercise of doubtful powers, and inasmuch as you have a sure and effectual remedy in the courts, I have decided to decline interfering. I can only advise that you submit to the laws and have a judicial investigation of your rights. If it should become necessary, for this purpose, to repair to Springfield, I do not believe that there will be any disposition to use illegal violence towards you; and I would feel it my duty in your case, as in the case of any other person, to protect you with any necessary amount of force from mob violence whilst asserting your rights before the courts, going to and returning."

without delay" and assured him he would "stand by you, and see you safely delivered from your arrest."[62] Smith also received a short letter from Justice James Adams of the Illinois Supreme Court, corroborating Butterfield's summary: "I will say that it appears to my judgment that you had best make no delay in coming before the court at this place for a discharge under a habeas corpus."[63]

Finding these letters "highly satisfactory," Smith set out for Springfield on December 27, 1842, with a small party.[64] On December 31 in Springfield, Smith asked Ford to issue a new writ, based on the Missouri order, for his arrest and trial. Smith was then re-arrested. Smith's attorney, Justin Butterfield, then petitioned Judge Nathaniel Pope, of the U.S. District Court for Illinois for a writ of habeas corpus. Judge Pope issued the writ and set a hearing for January 2, 1842.

On January 2, Josiah Lamborn, the state attorney general, asked for a continuance of two days on the grounds of being unprepared. Pope granted this request.[65] On January 4, Lamborn asked that the proceedings be dismissed on the grounds that the district court did not have jurisdiction: "1. The arrest and the detention of Smith was not under or by color of authority of the United States, or of any officer of the United States, but under and by color of authority of the State of Illinois, by the officers of Illinois. 2. When a fugitive from justice is arrested by authority of the Governor of any State upon the requisition of the Governor of another State, the courts of justice, neither State nor Federal, have any authority or jurisdiction to enquire into any facts behind the writ."[66] Thus, he felt the state courts, not the federal court, was the correct venue for hearing the case; even if the case proceeded in the district court, it could only examine whether correct procedures had been followed, not whether the underlying facts justified acquittal or dismissal.

Butterfield countered by claiming that district court indeed had jurisdiction because the "constitution and laws of the United States

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[62]Justin Butterfield, Letter to Joseph Smith, December 17, 1842, *History of the Church*, 5:206.

[63]Ibid., 5:206.

[64]Bushman, *Joseph Smith: Rough Stone Rolling*, 479.

[65]*History of the Church*, 5:216.

[66]"Circuit court of the U. States for the District of Illinois," *Times and Seasons* 4, no. 5 (January 16, 1843): 66.

regulat[e] the surrender of fugitives from justice."[67] Further, "the whole power in relation to the delivering up of fugitives from justice and labor has been delegated to the United States, and Congress has regulated the manner and form in which it shall be exercised. The power is exclusive. The State Legislatures have no right to interfere; and if they do, their acts are void."[68] Thus, because Smith was being pursued as a fugitive, he was "confined under or by color of authority of the United States."[69]

Second, Butterfield argued that, at the return of the writ of habeas corpus, the court must "look into the depositions before the magistrate; and though the commitment be full and in form, yet, if the testimony prove no crime, the court will discharge ex-parte." What this means is, if an individual who was arrested by a warrant is brought before a court with a writ of habeas corpus, the court may look into the facts behind the warrant even if the form is correct. He also claimed that the original Boggs affidavit "does not show that Smith was charged with any crime committed by him in Mo., nor that he was a fugitive from justice." Butterfield concluded this argument claiming that "if the commitment be for a matter for which by law the prisoner is not liable to be punished, the court must discharge him." Further, "the executive of [Illinois] has no jurisdiction over the person of Smith to transport him to Missouri, unless he has fled from that state."[70]

Third, Butterfield argued that "the prisoner has a right to prove facts not repugnant to the return, and even to go behind the return and contradict it, unless committed under a judgment of a court of competent jurisdiction"; and "the testimony introduced by Smith at the hearing, showing conclusively that he was not a fugitive from justice, is not repugnant to the return."[71] This means that Smith was well within his rights to provide evidence or "go behind the return," and prove the facts that the warrant or extradition was based on are incorrect.

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[67]Ibid. Butterfield cited "2nd sec., 4th article Constitution of the United States, 1st sec. of the Act of Congress of 12th Feb., 1793."

[68]Ibid. Butterfield cited "2nd and 3rd clause of 2nd sec., 4th article Constitution United States, 2nd vol. Laws United States 331—16 Peters, 617, 618, 623; 4th Wheaton's Reports, 122, 193–12; Wendall, 312."

[69]Ibid. Butterfield cited "Act of Congress of Sept. 24th, 1789, sec. 14; 2nd Condensed 33; 3rd Cranch, 447; 3rd Peters, 193."

[70]Ibid., 66–67.

[71]Ibid., 67.

Finally, Butterfield argued that the original arrest warrant from Missouri was based on lies. In his closing arguments, he appealed to the emotions of all present: "I do not think the defendant ought, under any circumstances, to be given up to Missouri. It is a matter of history that he and his people have been murdered or driven from the state. If he goes there, it is only to be murdered, and he had better be sent to the gallows. He is an innocent and unoffending man. If there is a difference between him and other men, it is that this people believe in prophecy, and others do not."[72] The court then adjourned so that Pope could formulate his opinion.

On January 5, Pope issued his opinion. He confirmed the "importance of this case," since it "affect[s] the lives and liberties of [Illinois] citizens." He framed the issue before the court as a "question arising under the Constitution and laws of the United States whether a citizen of the state of Illinois can be transported from his own state to the state of Missouri, to be there tried for a crime, which, if he ever committed, was committed in the state of Illinois; whether he can be transported to Missouri, as a fugitive from justice, when he has never fled from that state."[73]

Pope first responded to Lamborn's case—that jurisdiction was improper. Pope stated, "Because the warrant was not issued under color or by authority of the United States, but by the state of Illinois" and "because no habeas corpus can issue in this case from either the Federal or State Courts to inquire into facts behind the writ." On the first point, he held that, when fugitives were returned to another state, it was done pursuant to an "act of Congress." Further, he held that this act does not "confer any additional power upon the executive of this state . . . but to make it the duty of the executive to obey and carry into effect the act of Congress." He then found that, because the warrant was "issued in pursuance of the Constitution and laws of the United States," his federal court did, in fact, have jurisdiction.[74]

Pope then recounted the history of habeas corpus, calling it "indeed a magnificent achievement over arbitrary power." He found it did not matter who issued a warrant—whether a king, governor, or a

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[72]Scott H. Faulring, ed., *An American Prophet's Record: The Diaries and Journals of Joseph Smith* (Salt Lake City: Signature Books, 1989), 277.

[73]"Circuit Court of the U. States for the District of Illinois," *Times and Seasons* 4, no. 5 (January 16, 1843): 66.

[74]Ibid., 67–68.

lowly official—"this munificent writ, wielded by an independent judge, reaches all."[75]

Pope then addressed Butterfield's claims, agreeing that the warrant for Joseph Smith's arrest was improper:

> The [Boggs] affidavit being thus verified, furnished the only evidence upon which the Governor of Illinois could act. Smith presented affidavits proving that he was not in Missouri at the date of the shooting of Boggs. This testimony was objected to by the Attorney General of Illinois, on the ground that the Court could not look behind the return. The court deems it unnecessary to decide that point, inasmuch as it thinks Smith entitled to his discharge for defect in the affidavit. To authorize the arrest in this case the affidavit should have stated distinctly, 1st That Smith had committed a crime. 2d, That he committed it in Missouri.
>
> It must appear that he fled from Missouri to authorize the Governor of Missouri to demand him, as none other than the Governor of the State from which he fled can make the demand. He could not have fled from justice, unless he committed a crime, which does not appear. It must appear that the crime was committed in Missouri to warrant the Governor of Illinois in ordering him to be sent to Missouri for trial. The 2d section, 4th article, declares he "shall be removed to the State having jurisdiction of the crime." . . .
>
> Mr. Boggs having the "evidence and information in his possession, should have incorporated it in the affidavit to enable the Court to judge of their sufficiency to support his belief." Again, he swears to a legal conclusion when he says that Smith was accessary before the fact. What acts constitute a man [being] an accessary in a question of law are not always of easy solution. Mr. Boggs' opinion then, is not authority. He should have given the facts. He should have shown that they were committed in Missouri, to enable the court to test them by the laws of Missouri, to see if they amounted to a crime. Again, the affidavit is fatally defective in this, that Boggs swears to his belief. . . .
>
> Again, Boggs was shot on the 6th of May. The affidavit was made on the 20th of July following. Here was time for enquiry, which would confirm into certainty or dissipate his suspicions. He had time to collect facts to be had before a grand jury or be incorporated in his affidavit. The court is bound to assume that this would have been the course of Mr. Boggs, but that his suspicions were light and unsatisfactory. The affidavit is insufficient, 1st, Because it is not positive. 2, Because it charged no crime. 3, It charges no crime committed in the State of Missouri. Therefore he did not flee from the justice of the State of Mis-

[75]Ibid., 68.

souri, nor has he taken refuge in the State of Illinois.[76]

Pope then concluded by ordering "that Smith be discharged from his arrest." Joseph Smith and his followers returned to Nauvoo in triumph.

June 29, 1843: Fifth Ordinance

In June 1843, Governor Thomas Ford issued a new writ based on a new requisition from Thomas Reynolds, governor of Missouri, for Smith's arrest.[77] At this time, Smith was preaching in Dixon, Illinois, north of Nauvoo. Joseph H. Reynolds, sheriff of Jackson County, Missouri, and Constable Harmon T. Wilson, of Carthage, Illinois, went to Dixon and presented themselves as Mormon elders who wanted to see Smith.[78] When they arrested him. Smith claimed that he had not been served with process, meaning he had not been served with a warrant and asked, "Gentlemen, if you have any legal process, I wish to obtain a writ of habeas corpus," to which he was answered, "G—d—you, you shan't have one." After hearing this, Smith yelled to a passerby, "These men are kidnapping me, and I wish a writ of habeas corpus to deliver myself out of their hands."[79] He believed that the officers intended to rush him into Missouri, thus preventing him from obtaining a writ of habeas corpus. It was his fourth arrest over unfinished Missouri business.

The two law officers took Smith to an inn, where he was allowed to receive visitors, a Mr. Patrick and a Mr. Southwick, both apparently non-Mormons. At Smith's urgent plea, they immediately went to a local master-in-chancery, asking for a writ of habeas corpus.[80] They also complained to a constable that the officers threatened to kill Smith. The constable then arrested Reynolds and Wilson. The following day, June 24, the master-in-chancery arrived with the writ of habeas corpus, which was returnable before the Judge John D. Caton of the Ninth Judicial Circuit at Ottawa, Lee County, a community sixty miles south of Dixon. This writ, served on Reynolds and Wilson, blocked

[76]Ibid., 69-71.

[77]Justice James Adams of the Illinois Supreme Court alerted Smith to this fact in a letter written on June 16, 1843. *History of the Church*, 5:433.

[78]Firmage and Mangrum, *Zion in the Courts*, 101.

[79]"Missouri v. Joseph Smith," *Times and Seasons* 4, no. 16 (July 1, 1843): 242.

[80]Ibid., 243.

their plan of carrying Smith to Missouri.[81]

Smith, who was without a lawyer, saw Cyrus Walker, who was in Dixon and was running for Illinois Congressman. Smith asked Walk- er to represent him, but Walker bargained. "He could not find time to be my lawyer unless I could promise him my vote." Smith, considering him the "greatest criminal lawyer in that part of Illinois," promised him his vote. Walker complacently stated, "I am now sure of my election, as Joseph Smith has promised me his vote, and I am going to defend him."[82]

Within hours later, the circuit court of Lee County charged Reynolds and Wilson with "private damage" and "false imprisonment," setting bail at the exorbitant sum of $10,000.[83] Ironically, it was their turn to seek a writ of habeas corpus, for the purpose of being discharged before Judge Caton.[84] It took until June 25 for Smith's attorney to realize that the judge was out of the state. The whole party, including Reynolds and Harmon, went to Nauvoo, which they reach- ed on June 30. To no one's surprise, the Nauvoo Municipal Court discharged him on the writ of habeas corpus.

Even before Joseph Smith and his growing band of mounted supporters reached Nauvoo, the city council again passed an ordinance, its fifth, to protect Joseph Smith from arrest. It did not deal with habeas corpus but gave "the city council, marshal, constables, and city watch," authority to "require all strangers who shall be entering this city, or are already tarrying, or may hereafter be tarrying in said city in a civil and respectful manner to give their names, former residence, for what intent they have entered or are tarrying in the city, and answer such other questions as the officer shall deem proper or necessary."[85] This ordinance further protected Smith, in that officers like Reynolds and Wilson would not be able to approach Smith while he was in Nauvoo, because, using this ordinance, law officers could stop all strangers as potential disease-carriers.[86]

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[81]Ibid.

[82]*History of the Church*, 5:444.

[83]Ibid.

[84]Ibid.

[85]Nauvoo City Council, Minutes, June 29, 1843.

[86]The purpose of this ordinance was not to prevent contagious disease in Nauvoo, but rather to keep people from arresting Joseph Smith. On

December 8, 1843: Sixth Ordinance

On December 8, 1843, the city council went into special session. On the agenda was one item: preparation "for any invasion from Missouri."[87] On December 2, Mormons Daniel Avery and his son from Bear Creek, Hancock County, were kidnapped by a party of Missourians and taken to Missouri. Avery later made a detailed affidavit: "Colonel [Levi] Williams held his bowie-knife to his breast. Six of the others stood with their pistols cocked and their fingers upon the triggers, muzzles presented at his body, ready to fire; and two stood with clubs, and amidst the most horrid oaths and imprecations, took and bound with silk handkerchiefs your said affiant, and led him away between two men, one holding a savage bowie-knife on one side, and the other a cocked pistol on the other side." After being forced to walk for about a mile, he was tied on a horse and the journey resumed.

> I now called for a trial, as I had told them all the way that I never resisted legal authority. . . . They forced me into a skiff and bound me, and five men put me across. . . . They landed at the tavern on the south side of the Des Moines [River]. . . About noon they got ready and started with me, guarded upon a horse, for McCoy's in Clark county, Missouri, about twelve miles distant. . . .
>
> At Waterloo I was examined by a magistrate, who committed

Friday June 23, the *History of the Church* describes Joseph's arrest and the need for this ordinance: "I sent William Clayton to Dixon at ten a.m., to try and find out what was going on there. He met Mr. Joseph H. Reynolds, the sheriff of Jackson county, Missouri, and Constable Harmon T. Wilson, of Carthage, Illinois, about half way, but they being disguised, they were not known by him. . . . They arrived at Mr. Wasson's while the family were at dinner, about two p.m. They came to the door and said they were Mormon elders, and wanted to see Brother Joseph. . . . They then hurried me off, put me in a wagon without serving any process, and were for hurrying me off without letting me see or bid farewell to my family or friends, or even allowing me time to get my hat or clothes, or even suffer my wife or children to bring them to me." *History of the Church,* 5:439–41. Four days later, the Prophet's journal reported that other strangers in Nauvoo that caused him alarm: "Tuesday, June 27th Reported to be many strangers in the city. Watch doubled in the city this night." He repeated on Wednesday: "Some anxiety about so many strangers and suspicious characters in this city. New ordinance proposed by some Alderman." Faulring, *An American Prophet's Record*, 288.

[87]Faulring, *An American Prophet's Record*, 431.

> me upon the substance of an affidavit made by my son in duress with a bowie-knife at his breast, and upon a promise that he should be liberated from Monticello jail, [Lewis County, Missouri] where he was confined after being kidnapped some three or four weeks previous.

Avery was unable to post the bail of $1,000. He was transported to Monticello chained to his horse and passed the night in chains. "The court concluded to let me to bail under bonds of $1000, but this I could not obtain. Subsequently it was reduced to $500, but all in vain, for I was unaquainted [sic] with the people."[88] Two days later, Avery sued for a writ of habeas corpus and made his way back to Nauvoo on foot, arriving two days before Christmas.[89]

The Saints in Nauvoo were horrified by the kidnapping, realizing that the same fate could befall Smith. Six days after Avery's capture, the city council thus passed a "Special Ordinance in the Prophet's Case, vs. Missouri." This ordinance stated in part: "If any person or persons shall come with process, demand, or requisition, founded upon the aforesaid Missouri difficulties, to arrest said Joseph Smith, he or they so offending shall be subject to be arrested by any officer of the city, with or without process, and tried by the Municipal Court, upon testimony, and, if found guilty, sentenced to imprisonment in the city prison for life: which convict or convicts can only be pardoned by the Governor, with the consent of the Mayor of said city."[90] The ordinance, which claims powers beyond those granted to Nauvoo by its city charter, showed the city council's and Joseph Smith's fear and frustration in matters dealing with Missouri. A life sentence for serving process is, in fact, so harsh that it seems impossible that any court would uphold such a sentence on appeal. On February 12, 1844, without giving a reason, the city council repealed this sixth ordinance, apparently deciding to rely on habeas corpus to protect Smith.

Three months later on May 6, 1844, Joseph Smith was involved in a civil case, in which he again used a writ of habeas corpus. Francis M. Higbee sued Smith for $5,000 in damages but failed to state what

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[88]*History of the Church*, 6:146–48.

[89]Ibid., 6:142.

[90]Nauvoo City Council, Minutes, December 8, 1843.

he accused Smith of in the warrant for Smith's arrest.[91] On May 8, Smith petitioned the Nauvoo Municipal Court for a writ of habeas corpus, even though the warrant had been issued by the circuit court at Carthage, Illinois.[92] Before the municipal court, Smith claimed that "the proceedings against him are illegal; that the said warrant of arrest is informal, and not of that character which the law recognizes as valid; that the said writ is wanting and deficient in the plea therein contained; that the charge or complaint which your petitioner is therein required to answer is not known to the law." Also, he claimed that the suit was "instituted against him without any just or legal cause; and further that the said Francis M. Higbee is actuated by no other motive than a desire to persecute and harass."[93]

The case was argued before the municipal court with Smith represented by George P. Styles and Sidney Rigdon. Smith called eight witnesses who testified to "(1) the very bad and immoral character of Francis M. Higbee; and (2) the maliciousness of his prosecution of Joseph Smith."[94] The court, after hearing Smith's evidence, discharged him from the arrest, found the suit malicious, and ordered Higbee to pay the court costs: $36.26½.[95]

With the successful use of the writ of habeas corpus in a civil case, it seemed that Smith was totally immune from any proceeding against him. In criminal cases, with warrants issued from Illinois and Missouri and from civil cases, Smith continually evaded authorities with the writ of habeas corpus.

Non-Mormon Reaction to Nauvoo's Habeas Corpus Acts

Nauvoo's series of habeas corpus acts caused outrage among non-Mormons and dissident Mormons, and they expressed their anger in many area newspapers and in attempts to repeal the Nauvoo Charter. Their outrage at what they saw as the circumvention of American law was also one of the central themes of the anti-Mormon paper printed in Nauvoo on June 7, 1844, the *Nauvoo Expositor*. The

[91]Faulring, *An American Prophet's Record*, 477.

[92]*History of the Church*, 6:357.

[93]Ibid., 6:358.

[94]Ibid., 6:360. The eight witnesses were Brigham Young, Sidney Rigdon, Hyrum Smith, Orrin Porter Rockwell, Cyrus H. Wheelock, Joel S. Miles, Henry G. Sherwood, and Heber C. Kimball.

[95]Ibid., 6:427.

last paragraph in its first (and only) issue called for the repeal of the Nauvoo charter, mainly because of the perceived abuse of habeas corpus:

> The people of the State of Illinois will, consequently, see the necessity of repealing the charter of Nauvoo, when such abuses are practiced under it; and by virtue of said chartered authority, the right of the writ of Habeas Corpus in all cases arising under the city ordinance, to give full scope to the desired jurisdiction. The city council have passed ordinances, giving the Municipal court authority to issue the writ of Habeas Corpus in all cases when the prisoner is held in custody in Nauvoo, no matter whether the offender is committed in the State of Maine, or on the continent of Europe, the prisoner being in the city under arrest. It is gravely contended by the legal luminaries of Nauvoo, that the ordinances give them jurisdiction, not only jurisdiction to try the validity of the writ, but to enquire into the merits of the case, and allow the prisoner to swear himself clear of the charges.[96]

Other regional newspapers had similar reactions. The *Iowa City Standard* in reference to habeas corpus stated, "Much feeling exists upon the subject of the extraordinary powers granted to the Mormons; and a strong effort is on foot to bring about a repeal of the Nauvoo Charter."[97] The paper also reported on the repeal of the December 6, 1843, ordinance to protect Joseph Smith, claiming that the repeal was due to "strong vindictive feelings . . . excited against the Mormons." It reflected that the public opposition "will force them to be more bearable in the future, or result in their expulsion."[98]

The *Bloomington Herald*, a Missouri newspaper, also criticized Smith's ability to evade the law: "We learn that Joe Smith was lately indicted in some of the upper counties in this State for treason and murder, growing out of the Mormon war. Immediately thereafter a writ was issued and . . . [w]e are told that Smith has left for parts unknown, or at least keeps himself so concealed that he cannot be arrested."[99] This article did not comment on Smith's use of habeas corpus; but just a few days before Smith's death, the *Bloomington Herald* published its criticism of the Nauvoo habeas corpus acts:

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[96]*Nauvoo Expositor* 1, no. 1 (June 7, 1844): 3.

[97]"Illinois," *Iowa City Standard* 3, no. 4 (December 29, 1842): 2.

[98]*Iowa City Standard* 4, no. 14 (April 4, 1844): 2.

[99]"Joe Smith," *Bloomington Herald* 3, no. 35 (June 30, 1843): 2.

> Its charter confers upon the Mayor power to grant, hear, &c. decide upon writs of habeas corpus, under which many criminals arrested for offenses against the laws of the States were set at liberty. Recently, Jeremiah Smith, charged with having obtained money from the Treasury of the United States under false pretences, fled the Territory, joined the Mormons, and sought the protection of the Prophet. By him he was kept concealed, but produced under such restraints as prohibited the officers from taking him from within his jurisdiction for trial. Service was made upon the refuge, and upon trial, released under the writ of habeas corpus.[100]

The *Davenport Gazette* also reported that Smith obtained "a writ of habeas corpus, in the Boggs' case, [and] the trial resulted in his discharge."[101] This same paper sneered that Smith was "protected by that immaculate body the Nauvoo Municipal Court."[102] It reported a meeting in September 1843 in which citizens of Carthage met and passed resolutions about the "Mormon problem." One of the resolutions stated that the Mormons "are unwilling to submit to the ordinary restraints of the law; we are therefore forced to the conclusion that the time is not far distant, when the citizens of this country will be compelled to assert their rights in some way."[103] The *Gazette* also sarcastically reported the passage of Nauvoo's sixth habeas corpus act on December 8, 1843, an admittedly extreme measure:

> The Mormons have recently, held a meeting at Nauvoo, at which they resolved that "Joe Smith" is not guilty of any charge made against him by the State of Missouri. The city authorities have passed an ordinance, directing the imprisonment for life, of any person who shall come within the corporate limits of Nauvoo, with a legal process for the arrest of Joe Smith, for an offense committed by him in this State during the Mormon difficulties. The prophet Joe . . . also considers it

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[100]"Mormons—Trouble at Nauvoo," *Bloomington Herald* 4, no. 33 (June 21, 1844): 2. See also *History of the Church*, 6:343, where Joseph Smith directs Willard Richards to assist Jeremiah Smith in obtaining a writ of habeas corpus because he was "expecting to be arrested by the U.S. Marshall for getting money which was due him." The Municipal Court of Nauvoo heard testimony on Jeremiah Smith's case. Ibid., 6:418–22.

[101]"Mormonism," *Davenport Gazette* 2, no. 22 (January 19, 1843): 2.

[102]"Joe Smith," *Davenport Gazette* 2, no. 52 (August 17, 1843): 3.

[103]"Anti-Mormon Meeting," *Davenport Gazette* 3, no. 5 (September 21, 1843): 3.

his duty, as Lieut. General of the Nauvoo Legion and of Militia of Illinois, to enforce said ordinance.[104]

A few weeks later, the *Gazette* reported that the people of Carthage "denounce Joe Smith 'as the most foul-mouthed blackguard that was ever commissioned by Satan to vex and torment the children of men,' and repeating the grievances which they have suffered, declared that there is no alternative now left but . . . to repel every indignity or oppression offered by the Mormons, at the point of bayonet."[105]

Though the newspaper reports were not always correct or fair, they did communicate the frustration of Nauvoo's Gentile neighbors in Illinois and their belief that Smith had positioned himself above the law. That frustration drove Smith's assassination on June 27, 1844, at Carthage. Though his murder was not committed specifically because of the habeas corpus acts, those acts contributed directly to the bad feelings between the two groups in Illinois.

THE *NAUVOO EXPOSITOR* AND THE FINAL WRIT

On June 7, 1844, eight disaffected members—Sylvester Emmons, Wilson Law, William Law, Charles Ivins, Francis M. Higbee, Chauncey L. Higbee, Robert D. Foster, and Charles A. Foster—published the first issue of the *Nauvoo Expositor*. Its prospectus stated that its purpose was "to advocate, through the columns of the Expositor, the UNCONDITIONAL REPEAL OF THE NAUVOO CITY CHARTER." After the first issue was put into circulation, the city council passed an ordinance authorizing the abatement of public nuisances, then declared the press to be such a nuisance, and authorized the mayor (Joseph Smith) to order its abatement. He gave the order to John P. Greene, the city marshal, who carried out these instructions—throwing the type and supplies into the street and burning the office furniture.

When the owners complained, David Bettisworth, a constable for Hancock County, arrested Smith, but he again invoked a writ of habeas corpus, allowing him to be tried in Nauvoo where the municipal court, presided over by George W. Harris acquitted him. After public outrage throughout Illinois, Daniel H. Wells, a non-Mormon

[104]"The Mormons," *Davenport Gazette* 3, no. 23 (January 25, 1844): 2.
[105]"Joe Smith," *Davenport Gazette* 3, no. 26 (February 15, 1844): 2.

(although pro-Mormon) Justice of the Peace retried Smith on June 17 in the Justice Court of Hancock County. Smith was tried for causing

> a riot committed in the city of Nauvoo, county aforesaid, on or before the 10th day of June, 1844, by forcibly entering a brick building in said city, occupied as a printing office and taking therefrom by force, and with force of arms, a printing-press, types and paper, together with other property, belonging to William Law, Wilson Law, Robert D. Foster, Charles A. Foster, Francis M. Higbee, Chauncey L. Higbee and Charles Ivins, and breaking in pieces and burning the same in the streets.[106]

He was again acquitted. Smith submitted the following defense at his second trial:

> Joseph Smith objected to calling in question the doings of the City Council, and referred to the proceedings of Congress to show that all legislative bodies have a right to speak freely on any subject before them, . . . that the execution of such order could not be a riot, but a legal transaction; that the doings of the City Council could only be called in question by the powers above them, and that a magistrate had not that power; that the City Council was not arraigned here for trial, but individuals were arraigned for a riot. If the City Council had transcended their powers, they were amenable to the Supreme Court.[107]

Wells accepted this defense, which outraged non-Mormons in surrounding areas and throughout the Illinois generally, who saw the destruction of the *Expositor* as an attack on freedom of the press. Governor Ford went to Carthage to diffuse the tensions and demanded that Smith come to Carthage to be tried again, this time by the circuit court.

After briefly contemplating fleeing out of the state, on June 24, 1844, Smith left for Carthage with Hyrum Smith, John Taylor, Porter Rockwell, W. W. Phelps, Willard Richards, and thirteen members of the city council. At Carthage, he submitted to arrest. He and Hyrum were put in the Carthage Jail, as the safest place for them. Other members of the party were not charged; some returned to Nauvoo while others stayed with the Smith brothers and other supporters came and went over the next three days. In the late afternoon of June 27, after

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[106]*History of the Church*, 6:488.
[107]Ibid., 6:489.

Governor Ford left Carthage, a mob of men stormed the jail and attacked the four Mormon men in it: Joseph and Hyrum Smith, John Taylor, and Willard Richards. Joseph and Hyrum were killed, Taylor was severely wounded but survived, and Richards received only a flesh wound.

CONCLUSION

Joseph Smith was murdered for many reasons, both religious and political. However, receiving only rare attention are the Nauvoo habeas corpus acts, which infuriated non-Mormon neighbors and dissidents, contributed to the general feelings of ill will toward the Mormons, and heightened the tensions that led to the Smith brothers' deaths. Though the effects of the acts ultimately changed Mormonism forever, they also have a place in legal American history. Whether the Mormons were motivated by self-serving reasons, indignation at what they perceived as the lack of justice for them as a religious minority, or even a love of justice, these habeas corpus acts became the most expansive ever passed in either the American and British legal system.

Joseph Smith as Guardian: The Lawrence Estate Case

Gordon A. Madsen

Edward Lawrence, a convert to the Mormon Church from Canada, arrived in Illinois in the winter of 1839–40, the same winter that the Saints were expelled from Missouri. Traveling with him were his wife, Margaret, their six children, Edward's brother John with his family, and others, most of whom, like Edward had been introduced to the gospel by John Taylor and Almon W. Babbitt. Edward Lawrence bought a farm from William and Amelia Ayers in Lima, Adams County, Illinois, just south of its border with Hancock County.[1] Edward and Margaret's six children were Maria, sixteen; Sarah, thirteen; James, eleven; Nelson, nine; Henry, four; and Julia Ann, three. Margaret was pregnant with their seventh child when Edward died. His exact death date is not known but he had made his will on November 5, 1839, and it was admitted to probate

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[1]William and Amelia Ayers to Edward Lawrence, Warranty Deed dated February 15, 1839, recorded July 31, 1839, Deed Book O, p. 95, Adams County Recorder's Office, Quincy, Illinois.

on December 23, 1839, confirming his death between those two dates. Daughter Margaret was born April 5, 1840.[2]

The primary importance of Edward Lawrence's estate lies in its relevance to the fiduciary integrity of Joseph Smith who became involved in the guardianship of the Lawrence children. Joseph Smith's actions have usually been seen as negligent or even exploitive, based on a statement of William Law, who signed with Hyrum Smith as one of Joseph's sureties in connection with the administration of the guardianship.

On March 10, 1887, forty-three years after Joseph's death, Wylhelm Ritter von Wymetal, a German doctor/journalist living in Salt Lake City, was writing a series of columns for the *Salt Lake Daily Tribune*. He had published a book (1886) using the barely disguised psuedonym "W. Wyl." He sought to interview William Law, then living in Shullsburg, Wisconsin, a request Law declined at least once, but to which he finally agreed. Wyl conducted the interview in person in Shullsburg at the home of Law's son, Thomas. Wyl and Law corresponded prior to the interview; and Wyl printed three of Law's letters, dated January 7, 20, and 27, 1887, in the *Tribune* on July 3, 1887.[3] The interview itself appeared in the July 31, 1887, issue of the *Tribune*.[4]

In his letters, Law disagreed with some of the statements that Wyl had earlier furnished to him and accused Wyl's source of "deceiv[ing] or willfully [lying] to" Wyl.[5] Law's initial mistrust of Wyl's sources is important. Wyl was a strident anti-Mormon, as Law knew; and although he expressed no reservations about Wyl personally, perhaps Law's misgivings about the honesty of Wyl's other interviewees should caution the reader about the extent to which Wyl may have imposed his agenda

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[2]Edward Lawrence, Will, in Adams County Circuit Clerk's Record Archive, 1:44–46 (hereafter cited as Lawrence Will by page number). The probate file, while incomplete, contains nineteen documents, unpaginated, Adams County Circuit Clerk, Probate Records, Box 28, certified copies in my possession (hereafter cited as Lawrence Probate Papers).

[3]William Law, Letters to W. Wyl, *Salt Lake Daily Tribune*, January 7, 20, 27, 1887; rpt., in Lyndon W. Cook, *William Law, Biographical Essay–Nauvoo Diary–Correspondence–Interview* (Orem, Utah: Grandin Book, 1994), 102–11.

[4]The interview is reprinted in ibid., 115–36.

[5]Law to Wyl, January 7, 1887, in ibid., 104.

on the interview. Unfortunately, Law's reaction to the published interview has not been preserved, so we have no way of knowing if Law felt that his words had been correctly reported. The interview covered several topics, but the one relevant to the Lawrence estate reads:

> Soon after my arrival in Nauvoo the two L— girls came to the holy city, two very young girls, 15 to 17 years of age. They had been converted in Canada, were orphans and worth about $8,000.00 in English gold. Joseph got to be appointed their guardian, probably with the help of Dr. [John C.] Bennett. He naturally put the gold in his pocket and had the girls sealed to him. He asked me to go on his bond as guardian, as Sidney Rigdon had done. "It is only a formality," he said. Foolishly enough and not yet suspecting anything, I put my name on the paper. Emma complained about Joseph's living with the L— girls, but not very violently. It is my conviction that she was his *full accomplice*, that she was not a bit better than he. When I saw how things went, I should have taken steps to be released of that bond, but I never thought of it. After Joseph's death, A. W. Babbitt became guardian of the two girls. He asked Emma for a settlement about the $8,000.00. Emma said she had nothing to do with her husband's debts. Now Babbitt asked for the books, and she gave them to him. Babbitt found that Joseph had counted an expense of about $3,000.00 for board and clothing of the girls. Now Babbitt wanted the $5,000.00 that was to be paid. Babbitt who was a straight, good, honest, sincere man set about to find out property to pay the $5,000.00 with. *He could find none.* Two splendid farms near Nauvoo, a big brick house, worth from $3,000.00 to $4,000.00, the hotel kept by Joe, a mass of vacant town lots, all were in Emma's name, not transferred later, but transferred from the beginning. She always looked out for her part. When I saw how things stood, I wrote to Babbitt to take hold of all the property left by me in Nauvoo and of all claims held by me against people in Nauvoo. And so the debt was paid by me—Emma didn't pay a cent.[6]

Writers who have quoted or alluded to the Law interview as filtered through Wyl have treated it in a variety of ways ranging from reliable evidence of Smith's subterfuge at one extreme to only troublesome to Joseph and Emma on the other.[7] True, Thomas Gregg, who reprinted the entire Wyl/Law interview, cautioned in his 1890 biogra-

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[6]Ibid., 119–20; emphasis Law's.

[7]Thomas Gregg, *The Prophet of Palmyra* (New York: John B. Alden,

phy, *The Prophet of Palmyra*:

> The statements of the [Law] interview must be taken for what they are worth. While many of them are corroborated elsewhere and in many ways, there are others that need verification, and some that probably exist only in the mind of the narrator. One fact, however, will obtrude itself upon the mind of the reader—that while these seceders [among whom he included Law] are making these damaging statements against the prophet and the leaders at Nauvoo, it is remembered that only a year or so earlier they were denying them when made by others. It is for them to reconcile these damaging facts.[8]

But until now, no one has researched the probate records in Adams County. The recently discovered documents show Joseph Smith's honorable and responsible involvement step-by-step through the legal progress of the estate and guardianship, compelling a significant reappraisal of the accuracy of the Law/Wyl reminiscence that impugns the honesty of Joseph and Emma Smith and others, while denying that Law committed any irresponsible act.[9]

ILLINOIS PROBATE LAW AND EDWARD'S ESTATE

Under the Illinois probate law then in force, when someone died leaving a will, that document was presented to a probate justice of the peace and "admitted" (proved by witnesses to be the genuine

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1890), 508–9; Fawn Brodie, *No Man Knows My History* (1945; New York: Alfred A. Knopf, 1966 printing), 457; Linda King Newell and Valeen Tippets Avery, *Mormon Enigma: Emma Hale Smith* (Garden City, N.Y.: Doubleday & Co., 1984), 144; Linda Sillitoe and Allen Roberts, *Salamander: The Story of the Mormon Forgery Murders* (Salt Lake City: Signature Books, 1988), 537; Richard S. Van Wagoner, *Mormon Polygamy: A History* (Salt Lake City: Signature Books, 1989), 66; Todd Compton, *In Sacred Loneliness: The Plural Wives of Joseph Smith* (Salt Lake City: Signature Books, 2001), 478; George D. Smith, *Nauvoo Polygamy: ". . . but we called it celestial marriage"* (Salt Lake City: Signature Books, 2008) 195–98.

[8]Gregg, *The Prophet of Palmyra*, 504. This statement precedes Gregg's reproduction of the complete Wyl/Law interview in an appendix.

[9]I am deeply indebted to Stanley L. Tucker, attorney at law in Carthage, Illinois, who, in the early 1990s, shared with me his copy of the Lawrence guardianship file which he found in the Adams County probate records. Prior to that time, I had searched only the legal records of Hancock County, in which Nauvoo is located.

last will and testament of the deceased). These witnesses had seen the testator sign the will at the time it was being made and then appeared in court after his death to testify about it. The judge then ordered that letters of administration be issued to the executors named in the will, giving them authority to carry out its provisions.[10] If the deceased person left minor children, the court was required to appoint a guardian for them and whatever property they inherited until they came of legal age (twenty-one for sons and eighteen for daughters), whether the will named a guardian or not.

Edward's will appointed his wife, Margaret, his brother John, and his friend Winslow Farr as executors of his will.[11] An entry at the bottom of the will signed by Andrew Miller, the probate justice of the peace, admitted the will to probate; Joseph Orr and John H. Stockbarger, who had both signed the will as witnesses, testified in person that it was, in fact, Edward's will.[12] Missing from the file are the order appointing the three executors and the letters of administration that Miller would have issued to them; but other documents in the file make it clear that Margaret Lawrence, John Lawrence, and Winslow Farr were, indeed, appointed as executors and acted in that capacity.

Margaret's appointment has particular significance. Illinois probate law of that time gave a widow two choices. Within six months after her husband's death, she had to choose to take what her husband had given her in his will or reject it and claim a dower interest in the estate. Illinois statutes defined "dower" as one-third of the husband's personal property and one-third of his real property for life, meaning that she could occupy, farm, or rent the property but could not mortgage or encumber it in any way that would extend beyond her lifetime. There was no mandate that she physically occupy the property, although most widows did. As a practical matter, one-third often meant occupying the whole real estate unless it could conveniently be divided ("partitioned," in legal parlance) so that the widow got the

[10]Today "Letters of Administration" relate to the estates of people who die *without* a will; their court-appointed agents are called administrators. The writ issued to executors who carry out the provisions covered by a will is called "Letters Testamentary." In nineteenth-century Illinois, "Letters of Administration" covered all estates, and the terms "executors" and "administrators" were used interchangeably.

[11]Lawrence Will, 45.

[12]Ibid., 46.

home, for example, and the guardian could manage the remaining two thirds. After her death, then the deceased husband's children or other heirs would inherit it.[13] If Margaret had claimed a dower, she would have received her "distribution" (meaning, the one-third of Edward's personal and real property) while the other two executors would have then turned over the remaining two-thirds to the court-appointed guardian to manage. The fact that Margaret served as a co-executor indicates that she chose to take the inheritance that Edward had granted her in the will.

Executors had four principal legal duties: (1) to gather the property owned by the deceased, both real and personal (this duty existed regardless of whether there was a will or whether a will covered all of the property) and have it appraised by two or more independent, court-appointed appraisers; they could not be heirs or relatives; (2) to notify all creditors of the deceased (usually by publishing an announcement in a local newspaper) to present their claims against the deceased by a stated deadline; (3) to pay the deceased's debts and expenses of the last illness and funeral; and (4) to distribute the remaining estate to the heirs, unless the will provided otherwise.[14] Edward's will did provide otherwise. He ordered that the estate remain intact during Margaret's life. It was relatively common for a husband's will to make other arrangements for the property if his widow remarried, but Edward's will did not include such a provision.

Edward willed to Margaret "the interest arising from one-third of all my Estate Both Real and personal During her natural lifetime and after the death of my Said wife I do order my said Executors to Divide the Remainder of the Said property and Estate that I have given to my wife as aforesaid Equally amongst all my legal Heirs then living."[15] Thus, by electing to take her bequest as stated in Edward's will, Margaret was entitled to the "interest" of one-third of the estate; this provision did not mean partitioning the estate into thirds with interest from that one-third paid to her, but rather one-third of the "interest" of the whole estate. Since comparatively few estates in rural Illinois were composed of income-producing assets, "interest" was statutorily defined as 6 percent of the total value of the estate, whether

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[13]*The Public and General Statute Laws of the State of Illinois, 1839* (Chicago: Stephen F. Gale, 1839), "Wills," Sec. 40, p. 696.

[14]Ibid., "Wills," Secs. 95–125, pp. 710–17.

[15]Lawrence Will, 44.

the estate was income-producing or not.[16] Thus, Margaret was entitled to an annual payment of 2 percent of the value of the estate until her death.

The court-appointed guardian of the minor children would, by statute, serve until the youngest child died or came of age. At that point, the guardian and executors were required to render an accounting to the court, make a final distribution, and close the estate.[17] Edward's will had not named a guardian.

Inventory, Appraisal, and Notice to Creditors

The surviving records in the Lawrence Probate Papers enable us to trace the legal stages, step by step. The next one was the inventory and appraisal of his estate filed February 18, 1840.[18] After listing livestock (one horse, three cows), a wagon, household furnishings and miscellaneous tools, it ends with twelve promissory notes or mortgages that were owed to Edward at the time of his death, most of them by individuals living in Canada. The total appraised value of the estate is listed as $2,793.76, with these notes and mortgages accounting for $2,615.34.[19]

The next item in the Lawrence Probate Papers is a newspaper clipping headed "Administrator's Notice": "The undersigned having taken out letters of administration on the estate of Edward Lawrence, deceased, late of Adams county Illinois, will attend before the Probate Justice of the Peace at his office in Quincy, in said county, on the first Monday of September 1840, for the purpose of settling and adjusting all claims against said estate. All persons indebted to said estate are requested to make immediate payment to the undersigned." It was signed by Margaret Lawrence, Winslow Farr, and John Lawrence, as "Administrators of the estate of Edward Lawrence."

Attached to the notice are the certifications by the publishers of the *Quincy Whig* confirming that the notice had been published in the paper for four consecutive weeks, between July 18 and August 8,

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[16]*The Public and General Statute Laws*, "Interest." Sec. 1, p. 343.

[17]Ibid., "Wills," pp. 686–724; "Minors, Orphans and Guardians," pp. 465–69.

[18]The court-appointed appraisers were T. G. Hoekersmith, Isaac Wilson, and John C. Wood. I have no biographical information on them.

[19]Appraisal, February 18, 1840, Lawrence Probate Papers.

1840.[20] Creditors could make their claims by early September, but debtors were asked to make payment immediately. By August, the executors had completed the first two steps of their responsibilities: identifying the heirs (including posthumous daughter Margaret), collecting and appraising the estate assets, and publishing the notice to creditors. A new development, however, frustrated moving to the third and fourth steps—Margaret's marriage to Josiah Butterfield on December 24, 1840.[21] Butterfield, a Mormon living at Bear Creek in Adams County, was a widower. His wife, Polly, had died on September 20, 1840, following an eighteen-month illness, leaving one known child, Josiah Jr., age unknown. The Butterfield-Lawrence marriage thus occurred three months after Polly's death and about a year after Edward's. This union had far-reaching implications for the Lawrence estate's ultimate disposition.

In January or early February 1841, co-executor John Lawrence, filed an undated and untitled petition with the court alleging that Edward's will stated: "And I do further request of my brother, John Lawrence, that he shall act as my agent or Attorney and I do by this, my last will and testament, constitute him, the said John Lawrence, my legal Attorney to collect all moneys due me in the province of Canada."

John contended that Margaret refused to give the notes to him. He also made a more serious accusation: that "Margaret had in her possession at the death of the said Edward money belonging to his estate which she has not accounted for and that she still has the same or has embezzled it." He requested that the court require Margaret and her new husband to appear before Justice Miller and "answer under oath touching the money as aforesaid in their or her possession."[22]

On February 11, Justice Miller held a hearing on this petition. Margaret and Josiah countered that executors are not obliged to answer to their co-executors for their conduct or be required to disclose under oath their conduct in the management of estate affairs. After

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[20]Administrator's Notice, clipping from the *Quincy Whig*, in Lawrence Probate Papers.

[21]*Marriages of Adams County, Illinois 1825–1860* (N.p.: Great River Genealogy Society, 1979), 1:17.

[22]John Lawrence, untitled and undated petition, Lawrence Probate Papers.

hearing the evidence and attorneys' argument for both parties,[23] Justice Miller ordered that the Butterfields make such a disclosure under oath. The Butterfields' attorneys announced their intention to appeal.[24] Then, just a week later, on February 18, John Lawrence, Winslow Farr, and Josiah Butterfield filed an "Agreement to Dismiss Appeal," conditioned on the requirement that Margaret and Josiah deliver the promissory notes and the other personal property and money to the court.[25] Although a modern reader would wonder why Josiah, but not Margaret, signed this agreement, a nineteenth-century participant would not because "coverture" was then the law in Illinois and most of the other states of the Union. "Coverture" meant that a married woman's "civil existence . . . is, for many purposes merged in that of her husband."[26] Thus, Margaret could act in her own name as a widow (or, in legal terms, a "feme sole"); but upon remarriage, her identity had been subsumed into Josiah Butterfield's, and he became the new co-executor.

The following day, February 19, a supplemental inventory and appraisal of the assets that Margaret had earlier withheld were filed, adding $1,910.62½ to the value of the estate.[27] Five months later, a bill of sale dated July 7, 1840, totaling $154.56¼ was added to the file, followed nine months later by a second bill dated on April 3, 1841, for $177.05. These two bills accounted for the sale of most of the personal

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[23]Miller's order names "Backenstos and Warren" as the Butterfields' attorneys but does not identify John's attorney. "Backenstos" may well be Jacob B. Backenstos, who by May 1843 had become the clerk of the Circuit Court of Hancock County. There is no record that he ever practiced law in either Adams or Hancock County, however. The 1840 census lists "J. B. Backenstos" as living in Sangamon, Adams County, Illinois. Calvin A. Warren, a resident of Quincy, served as Joseph Smith's attorney in several matters during 1842–43. After Joseph and Hyrum Smith's assassinations, he represented some of the accused murderers.

[24]Order, February 11, 1841, Lawrence Probate Papers.

[25]Agreement to Dismiss Appeal, Lawrence Probate Papers. The agreement was signed February 17 and filed February 18, 1841.

[26]John Bouvier, *A Law Dictionary Adapted to the Constitution and Laws of the United States of America and of the Several States of the American Union*, 15th ed. (Philadelphia, J. B. Lippincott Company, 1888), "Coverture."

[27]Supplemental Appraisal, February 19, 1841, Lawrence Probate Papers.

property listed in the two appraisals, as the statute required.[28] A second undated summary then itemized those sales along with the estate's other assets, showing its final value as $4,155.26½.[29]

GUARDIANSHIP

A separate responsibility of the court was to appoint a guardian for Edward's seven children, all of whom were under legal age when he died. Minor children whose father had died were classed as "orphans" even though their mother was alive; a father's will could name a guardian but the court would still have to confirm the appointment. When a decedent failed to designate a guardian under Illinois law, children who were age fourteen and older could nominate their own choice for guardian, and the court would appoint that guardian for them and their younger siblings.[30] As a widow, Margaret could have been named as that guardian (assuming that the children over fourteen nominated her); but because of her remarriage, she had lost her separate legal identity, and Josiah would have become the children's guardian.

Two of the children were over fourteen: Maria (seventeen) and Sarah (fourteen). Rather than nominate their stepfather or their uncle, John Lawrence, the two girls nominated Joseph Smith as guardian for them and their siblings. Their reasons remain undocumented. Perhaps the friction between Uncle John and their mother made John an unappealing candidate. Josiah and his son had moved into the Lawrence home in Lima, and the adjustment difficulties in stepfamilies are notorious.

These speculations about John Lawrence's and Josiah Butter-

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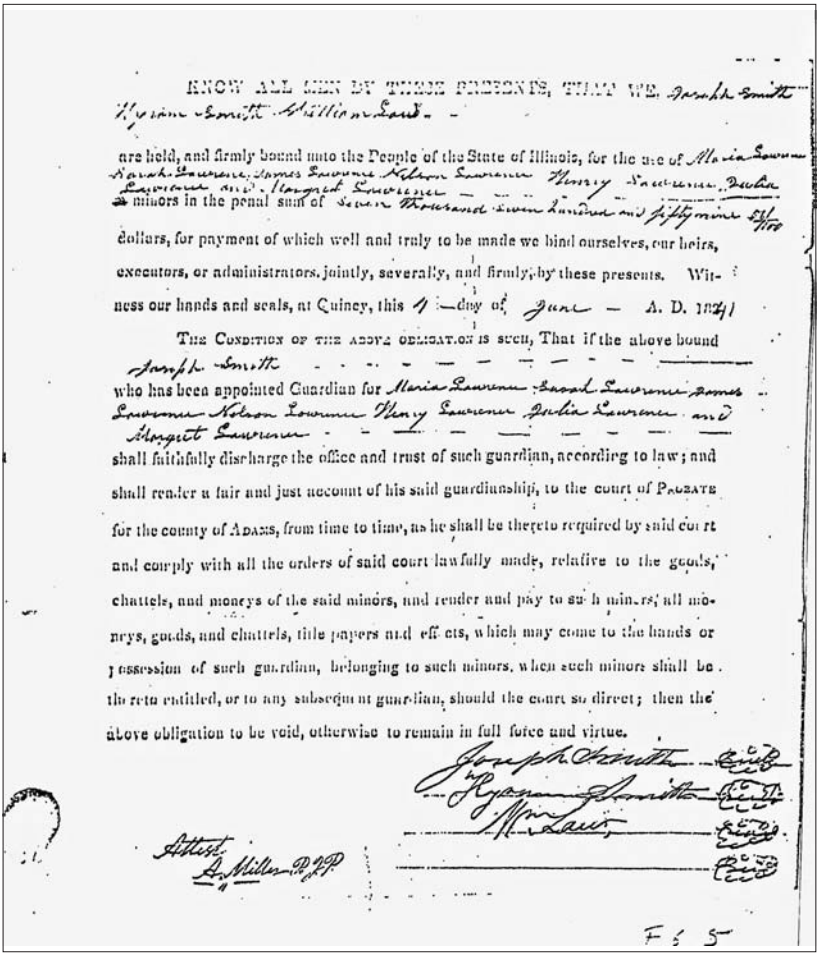
[28]*The Public and General Statute Laws*, "Wills," Sec. 91, pp. 709–10. "The executor or administrator shall, as soon as convenient, after making the inventory and appraisment, as hereinbefore directed, sell at public sale all the personal property, goods, and chattels of testator . . . for the payment of the debts and charges against the estate."

[29]Sale Bill #1, July 7, 1840; Sale Bill #2, April 3, 1841, revised summary of assets, n.d., Lawrence Probate Papers.

[30]*The Public and General Statute Laws*, "Minors, Orphans and Guardians," Sec. 1., p. 465: "The courts of probate, in their respective counties, shall admit orphans, minors, above the age of fourteen years, father being dead, to make choice of guardians, and appoint guardians for such as are under the age of fourteen years, in all cases where such minor shall be possessed of, or entitled to real or personal estate."



KNOW ALL MEN BY THESE PRESENTS, THAT WE, Joseph Smith Hyrum Smith & William Law

are held, and firmly bound unto the People of the State of Illinois, for the use of Maria Lawrence Sarah Lawrence, James Lawrence Nelson Lawrence Henry Lawrence Julia Lawrence and Margaret Lawrence minors in the penal sum of Seven Thousand Seven Hundred and fifty nine 44/100 dollars, for payment of which well and truly to be made we bind ourselves, our heirs, executors, or administrators, jointly, severally, and firmly, by these presents. Witness our hands and seals, at Quincy, this 4 day of June A. D. 1841

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound Joseph Smith who has been appointed Guardian for Maria Lawrence Sarah Lawrence James Lawrence Nelson Lawrence Henry Lawrence Julia Lawrence and Margaret Lawrence shall faithfully discharge the office and trust of such guardian, according to law; and shall render a fair and just account of his said guardianship, to the court of PROBATE for the county of ADAMS, from time to time, as he shall be thereto required by said court and comply with all the orders of said court lawfully made, relative to the goods, chattels, and moneys of the said minors, and render and pay to such minors, all moneys, goods, and chattels, title papers and effects, which may come to the hands or possession of such guardian, belonging to such minors, when such minors shall be thereto entitled, or to any subsequent guardian, should the court so direct; then the above obligation to be void, otherwise to remain in full force and virtue.

Joseph Smith (Seal)
Hyrum Smith (Seal)
Wm Law (Seal)
(Seal)

Attest
A. Miller P.P.P.

F 5 5

Photo 1. The Guardian's Bond, signed by Joseph Smith and his two sureties, Hyrum Smith and William Law, on June 4, 1841. All photographs are of certified copies in my possession.

field's unsuitability, however, do not explain why the girls chose Joseph Smith. I have found no record suggesting any prior acquaintance with or association between any of the Lawrences and Joseph Smith. But Joseph accepted the nomination and was thus injected squarely into the family dynamic.

Four documents in the Lawrence Probate Papers, all dated June 4, 1841, spell out the next steps.

By law, the guardian (Joseph) and his two sureties (Hyrum

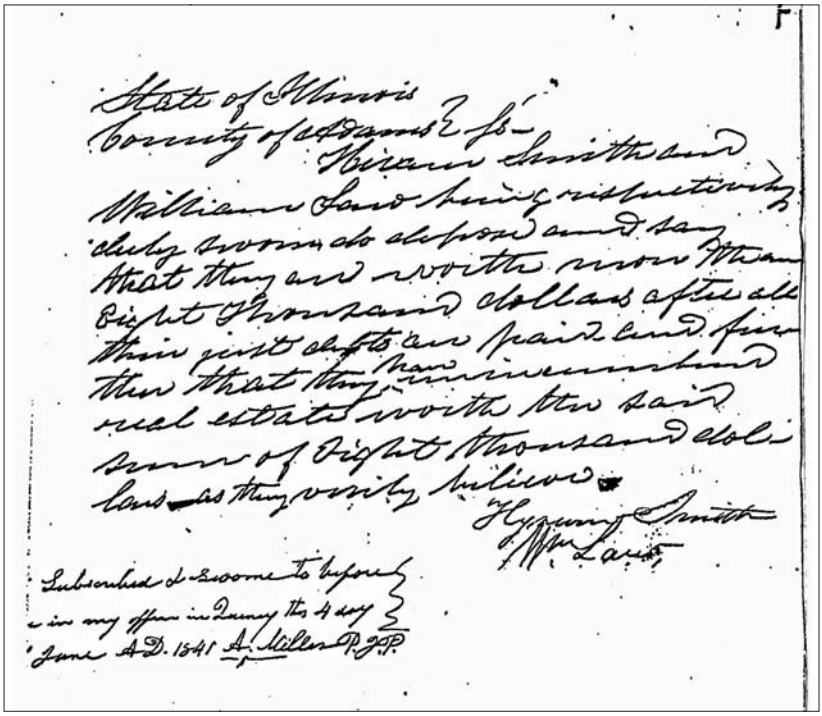
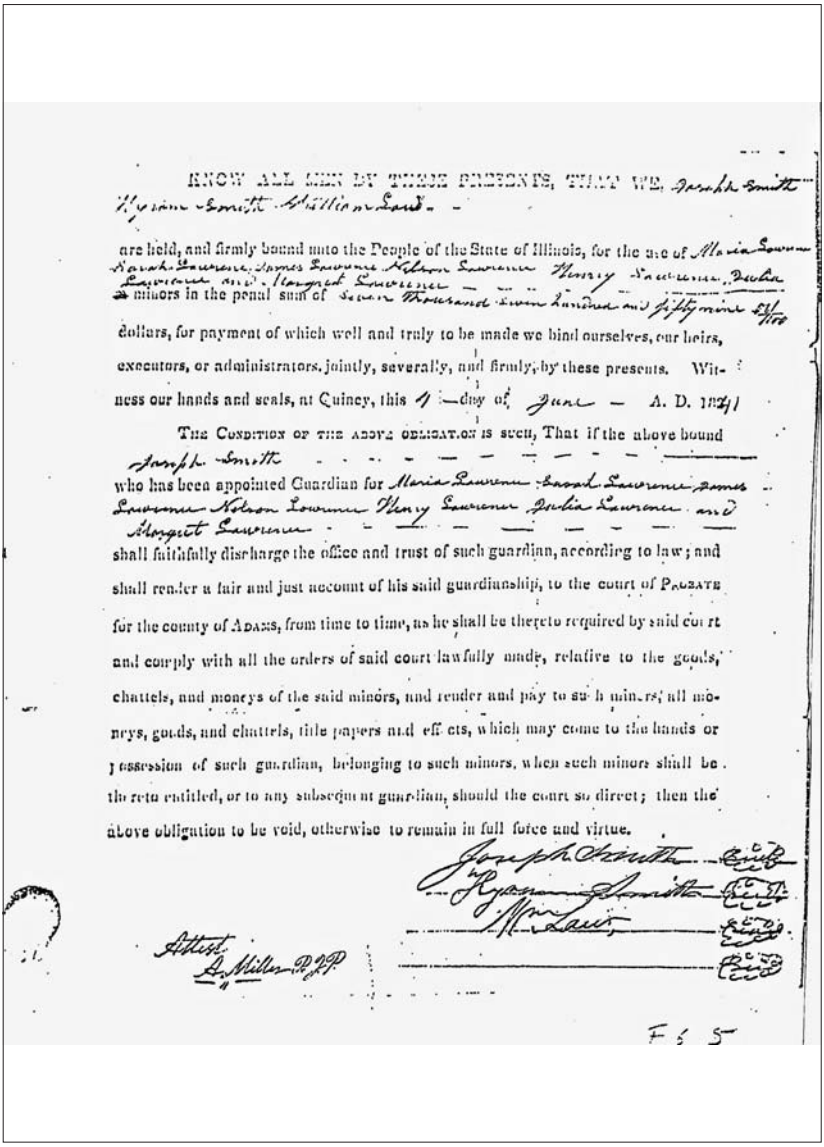

State of Illinois
County of Adams } ss.
Hyrum Smith and
William Law being respectively
duly sworn do depose and say
that they are worth more than
Eight Thousand dollars after all
their just debts are paid and for
ever that they have unincumbered
real estate worth the said
sum of Eight Thousand dol-
lars as they verily believe.
Hyrum Smith
Wm Law
Subscribed & sworne to before
me in my office in Quincy this 4 day
of June A.D. 1841 A. Miller J.P.

Photo 2. Affidavit of Hyrum Smith and William Law, signed June 4, 1841, stating that each had a net worth of more than $8,000 (more than double the valuation of the estate).

Smith and William Law) first signed a bond guaranteeing that the guardian "shall faithfully discharge the office and trust of such guardian" and spelling out his duties: rendering periodic accounts of his guardianship, complying with court orders, and paying to his wards at the proper time "all moneys, goods, and chattels, title papers and effects" (Photo 1), making a bond of $7,759.06, $95.98 more than twice the estate value.[31]

Buttressing the bond, as the law required, Hyrum and William

[31]Ibid., 465–66: "The courts of probate shall take, of each guardian appointed under this act, bond with good security, in a sum double the amount of the minor's estate, real and personal, conditioned as follows." There follows the language that appears in Photo 1 beginning "The Conditions of the above obligations is such . . . "



KNOW ALL MEN BY THESE PRESENTS, THAT WE, Joseph Smith Hyram Smith William Law

are held, and firmly bound unto the People of the State of Illinois, for the use of Maria Lawrence Sarah Lawrence James Lawrence Nelson Lawrence Henry Lawrence Julia Lawrence and Margret Lawrence minors in the penal sum of Seven Thousand Seven hundred and fifty nine $3/100 dollars, for payment of which well and truly to be made we bind ourselves, our heirs, executors, or administrators, jointly, severally, and firmly, by these presents. Witness our hands and seals, at Quincy, this 4 day of June A. D. 1841

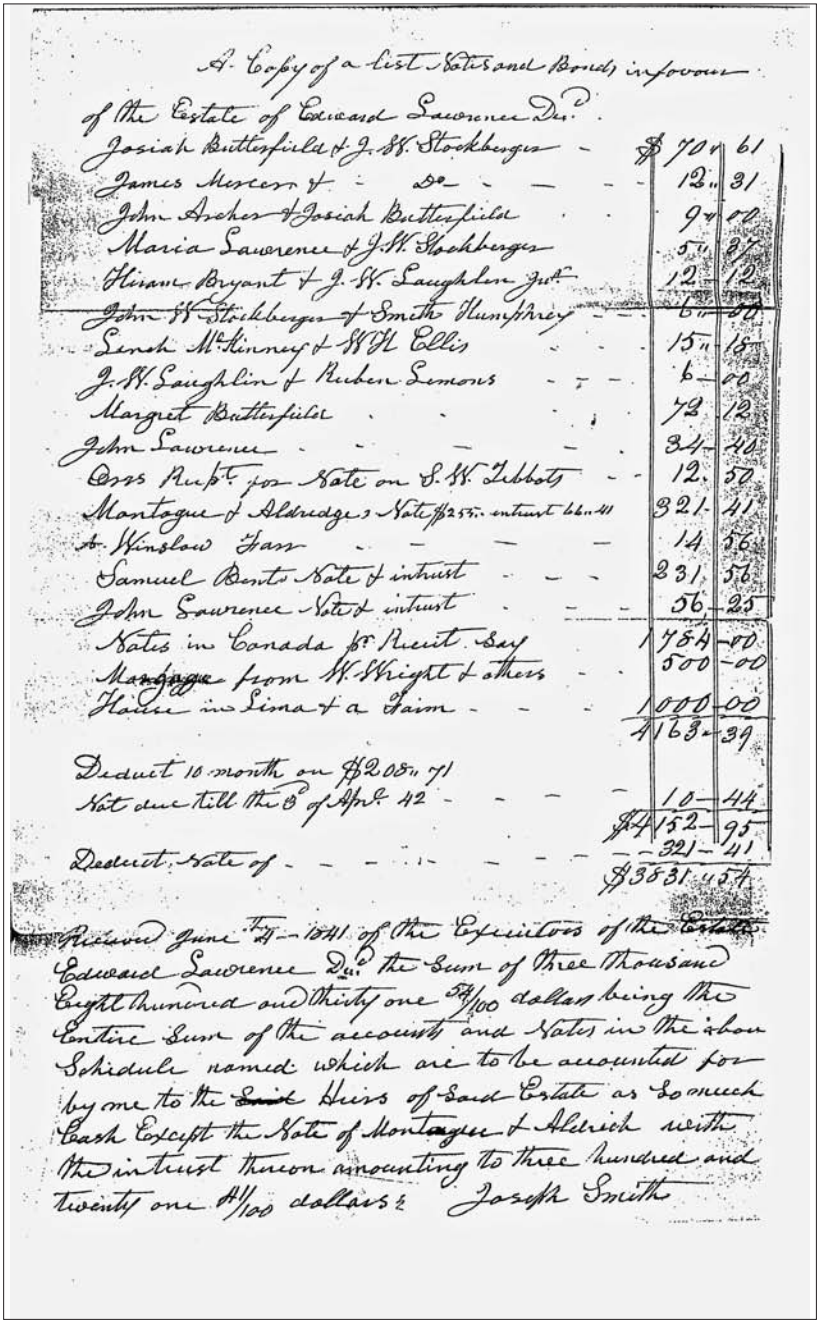
THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound Joseph Smith who has been appointed Guardian for Maria Lawrence Sarah Lawrence James Lawrence Nelson Lawrence Henry Lawrence Julia Lawrence and Margret Lawrence shall faithfully discharge the office and trust of such guardian, according to law; and shall render a fair and just account of his said guardianship, to the court of PROBATE for the county of ADAMS, from time to time, as he shall be thereto required by said court and comply with all the orders of said court lawfully made, relative to the goods, chattels, and moneys of the said minors, and render and pay to such minors, all moneys, goods, and chattels, title papers and effects, which may come to the hands or possession of such guardian, belonging to such minors, when such minors shall be thereto entitled, or to any subsequent guardian, should the court so direct; then the above obligation to be void, otherwise to remain in full force and virtue.

Joseph Smith Seal
Hyram Smith Seal
Wm Law Seal
Seal

Attest
A. Miller P.J.P.

F 5 5

Photo 3. Order of Andrew Miller, Probate Justice of the Peace in Adams County, appointing Joseph Smith as guardian of the Lawrence children on June 4, 1841.



A Copy of a list Notes and Bonds in favour of the Estate of Edward Lawrence Dec.d

Josiah Butterfield & J. W. Stockberger	$ 70	61
James Mercer & Do	12	31
John Archer & Josiah Butterfield	9	00
Maria Lawrence & J. W. Stockberger	5	37
Hiram Bryant & J. W. Laughlen Jun.r	12	12
John W. Stockberger & Smith Humphrey	6	00
Lenah McKinney & W. H. Ellis	15	18
J. W. Laughlin & Ruben Lemons	6	00
Margret Butterfield	72	12
John Lawrence	34	40
Ross Rup.t for Note on S. W. Tibbots	12	50
Montague & Aldredge's Note $255.. intrust 66..41	321	41
A. Winslow Farr	14	56
Samuel Bent's Note & intrust	231	56
John Lawrence Note & intrust	56	25
Notes in Canada pr. Recit. Say	1784	00
Mortgage from W. Wright & others	500	00
House in Lima & a Farm	1000	00
	4163	39
Deduct 10 month on $208.. 71 Not due till the 3d of Apr.l 42	10	44
	$4152	95
Deduct Note of	321	41
	$3831	54

Received June 4th 1841 of the Executors of the Estate Edward Lawrence Dec.d the Sum of Three thousand Eight hundred and thirty one 54/100 dollars being the Entire Sum of the accounts and Notes in the above Schedule named which are to be accounted for by me to the ~~Said~~ Heirs of Said Estate as So much Cash Except the Note of Montague & Aldrich with the intrust thereon amounting to three hundred and twenty one 41/100 dollars &c Joseph Smith

Photo 4. A clerk's copy of the itemized assets of Edward Lawrence's estate as guardian and Joseph Smith's receipt of these assets (last paragraph), also signed on June 4, 1841.

filed a supporting affidavit certifying that each had a net worth of "more than eight thousand dollars after all their just debts are paid." (See Photo 2.) Next, Justice Miller made the formal appointment. (See Photo 3.) The final piece of paperwork acknowledged delivery of the promissory notes and other estate assets to Smith, for which he signed a receipt at the document's foot (Photo 4).[32] The assets totaled $3,831.54. A note at the foot of this list specifies that a "Montague & Aldridge Note for $321.41 & interest" is excluded. Whether that note had been collected and accounted for previously by the executors or had been deemed uncollectible is not known.

What happened next is not completely clear. Often wards followed the property to the guardian's home, or the guardian (usually when there were no surviving parents) placed the minors in a foster home. No statutory or customary rules applied, and housing for the wards took a variety of forms almost as disparate as other marital and family connections. In the Lawrence family, as of June 1841 Maria (eighteen), Sarah (fifteen), James (thirteen), and Nelson (eleven) were all out of the Lima home. That fact is documented by a bill dated June 4, 1842, that Josiah Butterfield submitted to Joseph Smith as guardian for "supporting" the three youngest children (seven-year-old Henry, six-year-old Julia Ann, and two-year-old Margaret) for one year beginning June 4, 1841.[33] Had the older siblings remained at Lima, Butterfield would have included their support in his bill. From the Church's 1842 Nauvoo census, it appears that Maria and Sarah had joined Joseph and Emma's household, although the date of their move to Nauvoo is not documented. James was living with Hyrum Smith. I have not yet discovered Nelson's whereabouts, but as noted below, he was somewhere in the Nauvoo vicinity.[34] It is unknown whether the new housing arrangement was mutually agreed between the Butterfields, Lawrences, and Smiths or whether lingering or new

[32]These four documents are the beginning papers in a separate Lawrence Guardianship file, Box #28 of the Adams Circuit Court clerk's records, hereafter cited as Lawrence Guardianship file. Certified copies in my possession.

[33]Joseph Butterfield to "Joseph Smith, Guardian," Bill for Support, June 4, 1842, Lawrence Probate Papers. This bill is filed with the probate papers rather than the guardianship papers.

[34]Nauvoo Stake, Ward Census, 1842, microfilm of holograph, 49, LDS Church History Library.

friction arose between those older children and their stepfather that prompted the move of all four. In all events, no complaint or motion was made in Judge Miller's court protesting or dissenting from this arrangement.

MANAGING THE ESTATE AND JOSEPH'S GUARDIANSHIP

Illinois law of the 1840s did not require a guardian to keep estate assets separate from his own property, as modern law requires. However, James Kent's influential *Commentaries on American Law* (1844 edition), notes:

> The guardian's trust is one of obligation and duty, and not of speculation and profit. He cannot reap any benefit from the use of the ward's money. He cannot act for his own benefit in any contract, or purchase, or sale, as to the subject of the trust. If he settles a debt upon beneficial terms, or purchases it at a discount, the advantage is to accrue entirely to the infant's benefit. He is liable to an action of account at common law, by the infant, after he comes of age; and the infant, while under age, may, by his next friend [a relative who is of legal age], call the guardian to account by a bill in chancery. . . . Every general guardian, whether testamentary or appointed, is bound to keep safely the real and personal estate of his ward, and to account for the personal estate, and the issues and profits of the real estate, and if he make or suffers any waste, sale, or destruction of the inheritance, he is liable to be removed, and to answer in treble damages.

Kent then treats the general statutory prohibition against selling any of the ward's real property, unless authorized by the court and concludes:

> And if the guardian puts the ward's money in trade, the ward will be equally entitled to elect to take the profits of the trade, or the principal, with compound interest, to meet those profits when the guardian will not disclose them. So, if he neglects to put the ward's money at interest, but negligently, and for an unreasonable time, suffers it to lie idle, or mingles it with his own, the court will charge him with simple interest, and in cases of gross delinquency, with compound interest. These principles are understood to be well established in the English equity system, and they apply to trustees of every kind; and the principal authorities upon which they rest were collected and reviewed in the chancery decisions of New York, to which it will be sufficient to re-

The Estate of Edwd. Lawrence Deceased Heirs
To Joseph Smith Guardian Dr.

1841 July 10	To Expences incurred in Collecting Seven Hundred and Five Canada as per W. & W. Law Receit herewith	$14	00
	To one Year Intrust on a Campbell Note for five hundred dollars which Said intrust Could not be Collected by law	$30	00
Sept. 29th	To Expences incurred Collecting five hundred ninety Seven dollars and fifty cents in Canada By W. & W. Law. as per their Receit herewith	40	00
April 8th 1842	To Probate Fee paid H Rogers Per A. Miller order P.J.P.	18	00
June 4th	To amount paid Josiah Butterfield for Boarding heirs pr. bill herewith	156	00
	To intrust on one third the Estate paid the widow as per Receipt herewith	83	05
	To Clothing furnished Mariah Lawrence from 4th June 1841 to June 1842	11	57
	To Clothing Furnished Sarah Lawrence from the 4 June 1841 to 4 June 1842	24	57
	To Clothing furnished James Lawrence from 4th June 1841 to 4 June 1842	6	88
	To Clothing furnished Nelson Lawrence from the 4 June 1841 to 4th June 1842	13	95
	To furnishing Clothing Juliann Lawrence from 4th June 1841 to 4th June 1842	2	84
	To Clothing furnished Henry Lawrence from 4th June 1841 to June 4th 1842	3	88
		$394	62

Endorsed on the acct on file

I do Solemly swear the within account Correct as to the Charges the Heirs of Edward Lawrence Dec.d

Joseph Smith guardian

Subscribed & Swone to before me this 3 day of June A.D. 1843 A. Miller P.J.P.

Photo 5. On June 3, 1843, Joseph Smith voluntarily submitted an accounting of his 1841–42 guardianship, including attempts to collect the debts in Canada and payment to Josiah Butterfield for "boarding" his three young stepchildren.

The Estate of Edwd Lawrence Heirs

To Joseph Smith Guardian Dr

To Amount paid Mary Butterfield from June 4th 1842 to June 3^d 1843 — — $49 " 00

Amount paid Maria Lawrence Dr do — — 25 " 26

Dr — Dr Sarah Lawrence — Dr Dr — — 5 " 49

Dr — Dr Nelson Lawrence Dr Dr — — 1 — 82

Dr — Dr Henry Lawrence Dr Dr — — 3 — 75

$85 — 32

I do Solemly Swear the above account is Correct as to the Charges against the Heirs of Edward Lawrence Dec^d

June the 3 — 1843 Joseph Smith Guardian

Subscribed and Swome to before me this 3 day of June A.D. 1843

A. Miller P.J.P.

Joseph Smith Guardian of the Heirs of Edward Lawrence Dec^d Dr

June 4 1841 To Recent filed in the papers to this amount . . $3831 — 54

To the intrust for one year . . . 229 — 89

$4061 — 43

By Guardian acc^t for 1841 — — — 404 — 62

In the hands of the Guardian — $3656 — 81

June 3 1843 Intrust for 1842 to 18 June 1843 . . . 219 — 40 3/4

In the hands of Guardian — — — $3876 — 21 3/4

June 3 1843 By Guardians account Rendered in . . . 85 — 32

In the hands of the Guardian — $3790 — 89 3/4

State of Illinois
Adams County } sct. I Andrew Miller Probate Justice of the Peace

In and for Adams County State of Illinois do hereby Certify the above and foregoing to be a true Transcrip from ~~from~~ the Records and papers on file in my office

In testimony hereof I have Set my hand and affixed the Seal of the probate court at office ~~in~~ the city of Quincy this the 22 day of April A.D. 1845 A. Miller P.J.P.

Photo 6. On this second page of Joseph Smith's accounting of his 1841-42 guardianship, submitted to the court on June 3, 1843, he enumerates the money paid to or for the four older children (Maria, Sarah, Nelson, and Henry) and the payment to Margaret Lawrence Butterfield of her "interest" in the estate.

> fer, as they have recognized the same doctrine. Those doctrines, with some exceptions, pervade the jurisprudence of the United States.[35]

In short, guardians were prohibited from profiting from the wards' estates and could be removed and/or slapped with treble damages if they did. They were also enjoined from leaving the estate idle or intermingling it with their own unproductive assets, a lack of action for which they would also be charged with simple or compound interest or the profits attributable to the estate assets. In other words, the sanctions against guardians' self-enrichment or idleness were removal and/or imposition of interest—simple, compound, or treble—depending on the severity of the misconduct or neglect. Those sums would be collected from the bonds posted by the guardians and their sureties at the times of their appointment to serve.

The statute also gave guardians broad powers to expend the funds on behalf and for the benefit of their wards, including the expense of their education. Additionally, the same statute obliged guardians to render accounts "from time to time" to the probate court, for adjustment, if necessary. The court had the power to remove and replace a guardian or require him and his sureties to furnish a larger bond as additional security for the guardian's faithful performance.[36]

Without being ordered to do so, Joseph rendered an accounting to the court on June 3, 1843, which showed receipts, expenses, and status of the estate to that date. Photo 5 shows a list of expenses for June 1841-June 1842. The first three items show efforts to collect the Canadian notes. The first item establishes that "W.& W. Law" col-

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[35]James Kent, *Commentaries on American Law*, 5th ed., 4 vols. (New York: James Kent, 1844), 2:228–31. See also *Rowan vs. Kirkpatrick* (1852), Illinois Supreme Court, 14 Ill. 1, and *Bond vs. Lockwood* (1864) 33 Ill. 212. The Rowan case began in 1844. The Bond case quotes the Rowan decision with approval. Both cases adopt and apply the principles in *Kent's Commentaries*, which were, by Smith's time, widely used by judges and attorneys. *Kent's Commentaries* were the American equivalent and competitor to *Blackstone's Commentaries*. See also the cases summarized in Bouvier, *A Law Dictionary*, "Guardian."

[36]*The Public and General Statute Laws*, "Minors, Orphans and Guardians," Sec. 7, p. 466. See also Secs. 8–11, pp. 466–67. At no time during Smith's lifetime was any petition filed with Probate Justice Miller on behalf of the Lawrence children asking for Smith's removal or for an accounting or increase of the bond.

lected a note for $705, for which they received a fee of $14.00. "W. & W. Law" were William Law and his brother Wilson. The second item is a note from a J. Campbell for $500.00 on which no interest could be collected for one year. Joseph therefore took an expense of $30.00. A corroborating receipt reads: "Rec'd. of Joseph Smith a note on J. Campbell of upper Canada for five hundred dollars payable next July, without interest, which when collected we promise to pay to said Joseph Smith or order Nauvoo Ill. Jan. 24th, 1842. W & W. Law."[37]

The third item is a $597.50 note also collected by the Laws (Photo 5). A second receipt likewise confirms that the Law brothers were assigned to collect this note: "Received of Wilson Law Four Hundred and fifty Dollars in part payment of monies collected by said Wilson Law in Canada for which I have claim on said Law. Joseph Smith."[38] This particular receipt apparently refers to item 3, since items 1 through 3 are the only debts in Photo 5 connected to "W & W Law," and would suggest that, of the original $597.50, $450.00 had been collected and paid to Joseph, leaving $147.50 still due. Those entries also indicate that Edward Lawrence's brother John did not act as collector in Canada after all.

As discussed below, the remaining $147.50 of this debt was likely never collected in full. The document trail concerning the Canadian collections stops with this itemized list in Photo 5. However, as Photo 6 shows, Joseph increased the value of the estate annually at the statutorily required rate of 6 percent and paid Margaret Lawrence Butterfield her share as though he had possession and use of all the Lawrence assets.

The fourth item in Photo 5 shows that Joseph paid a fee pursuant to an order of Judge Miller, and item 5 is the payment of Josiah Butterfield's bill. The next item documents Joseph's payment to Margaret of her annual statutory interest. The remaining entries are for items of clothing from Joseph's Nauvoo store for all of the Law-

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[37]W. & W. Law, Receipt, [n.d.], Joseph Smith Collection, LDS Church History Library. "Or order" was a standard legal term meaning that the note's owner—the named payee—could endorse it to a third party; in other words, if Joseph had endorsed this Law receipt to someone else, that third party could collect from Law pursuant to Joseph's "order."

[38]Joseph Smith, Receipt to Wilson Law, April 11, 1844, Newel K. Whitney Collection, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah.

rence children except daughter Margaret, who was three in 1843. Because Nelson appears on this list, he was presumably living in or near Nauvoo.

Photo 6 further details Joseph's expenses in behalf of the Lawrence children, as well as his summary of the fluctuations in the estate for the previous two years (1841–43). The sum of $3,831.54 was the estate's value when Joseph Smith was appointed guardian. Those entries read:

1841	To Recei[p]t filed in the papers to this amount		$3,831.54
	To the interest for one year	229.89	
			$4,061.43
	As by Guardian acct. for 1841	404.62[39]	
	In the hands of the Guardian		$3,656.81
June 3	Interest for 1842 to 18 June 1843	219.40¾	
1843	In the hands of the Guardian		$3,876.21¾
1843			
June 3	By Guardians account herein in	85.32	
	In the hands of the Guardian		$3,790.89¾

These numbers show how a guardian rendered an accounting to the probate court. The estate is enlarged by 6 percent (the legal rate of interest) at the beginning of each year ($229.89 is 6 percent of $3,831.54; $219.40¾ is 6 percent of $3,656.81). The expenses (the sums underlined) are then deducted, and the net remaining value of the estate is then used to compute the chargeable interest or enlargement for the following year. Joseph charged himself 6 percent of the full stated value of the estate, even though its assets (the Canadian notes, originally totaling $1,784) had not been fully collected and likely never were.

Unlike Josiah Butterfield, who billed the estate for boarding Edward's three youngest children, Joseph made no claim against the estate for boarding or supporting Sarah and Maria, nor did Hyrum for James, nor did whoever cared for Nelson. Furthermore, Joseph was entitled by statute to make a claim of 6 percent as compensation for

[39]The $404.62 is $10.00 more than the $394.62 shown in Photo 5 as the total expenses for the first year. Was an additional item of $10.00 added to the total? Or was it an error of arithmetic?

acting as the children's guardian, but he never did.[40]

Photo 4 lists, among the estate's assets, "house in Lima & a Farm" valued at $1,000. On April 1, 1842, Joseph sold the farm, but not the home to William Marks for $1,150, a profit to the estate.[41] The deed was signed and acknowledged on April 1, 1842, but was not filed with the county recorder until October 17, 1853—eleven years later. This transaction is not listed in Photos 5–6. The reconstituted Butterfield household lived in the home until sometime in 1842, when they moved to Nauvoo. There is no record that Joseph sold, rented or otherwise disposed of the Lima home.

The *Times and Seasons*, the Church's official newspaper in Nauvoo, was initially a monthly periodical. It first appeared in November 1839 published by Don Carlos Smith, Joseph's youngest brother, and Ebenezer Robinson, both of whom had learned the printing business under Oliver Cowdery in the Church's printing office at Kirtland. Don Carlos died August 7, 1841, at age twenty-five, and Robinson continued printing until February 4, 1842. In addition to the *Times and Seasons* Robinson also produced the Nauvoo edition of the Book of Mormon.[42] Then Willard Richards, acting as Joseph's agent, contracted to purchase the printing establishment from Robinson for $6,600. John Taylor and Wilford Woodruff were appointed the new editors, under Joseph's supervision; and over the ensuing months, or perhaps years, Smith paid Robinson in full.[43] While the paper trail is incomplete, Smith invested whatever Lawrence estate funds he ulti-

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[40]*The Public and General Statute Laws*, "Wills," Sec. 121, p. 718: "Executors and administrators shall be allowed, as a compensation for their trouble, a sum not exceeding six per centum on the whole amount of personal estate, . . . with such additional allowances for costs and charges in collecting and defending the claims of the estate, and disposing of the same as shall be reasonable." "Minors, Orphans, and Guardians" Sec. 14, p. 467 in the same source spells out: "Guardians on final settlement, shall be allowed such fees and compensation for their services as shall seem reasonable and just to the judge of probate, not exceeding what are, or shall be allowed to administrators."

[41]Book 17 of Deeds, p. 77, Adams County Recorder's Office.

[42]Kyle R. Walker, "'As Fire Shut Up in My Bones'": Ebenezer Robinson, Don Carlos Smith, and the 1840 Edition of the Book of Mormon," *Journal of Mormon History* 36, no. 1 (Winter 2010): 1–40.

[43]Ebenezer Robinson, "Items of Personal History of the Editor," *The*

mately obtained, together with some of his own capital, to finally pay the $6,600.00 as discussed below. He treated the printing operation as the corpus (body) of the Lawrence estate. By December of 1842, Smith signed a formal five-year lease with Taylor and Woodruff for the printing establishment including the building in which it was housed.[44] Since the estate's value was $3,790 in June 1843, the difference of $2,810 to make up the $6,600 purchase price of the print shop came from Joseph's personal assets.

Preparing the Proposed Final Acounting

On January 23, 1844, Joseph's principal financial clerk, William Clayton, noted in his journal: "Joseph sent for me to assist in settling with Brother [John] Taylor about the Lawrence Estate." Clayton worked that day on posting books and preparing accounts for its settlement.[45] If Clayton finished this summary and accounting, they have not survived. The source that Joseph used for his 1842–43 accountings to the court were "Joseph Smith's Daybook B" and "Joseph Smith's Daybook C"—the running ledgers Clayton and others used to record transactions in Joseph's Red Brick Store in Nauvoo.[46] Presumably Clayton also used them for his accounting on the Lawrence estate. They cover from the beginning of Joseph's guardianship on June 4, 1841, through January 15, 1844, apparently the last entry Clayton posted. They corroborate the accountings Joseph rendered to the court for the years ending in June 1842 and June 1843, enumerate clothing or other goods that the Butterfields and

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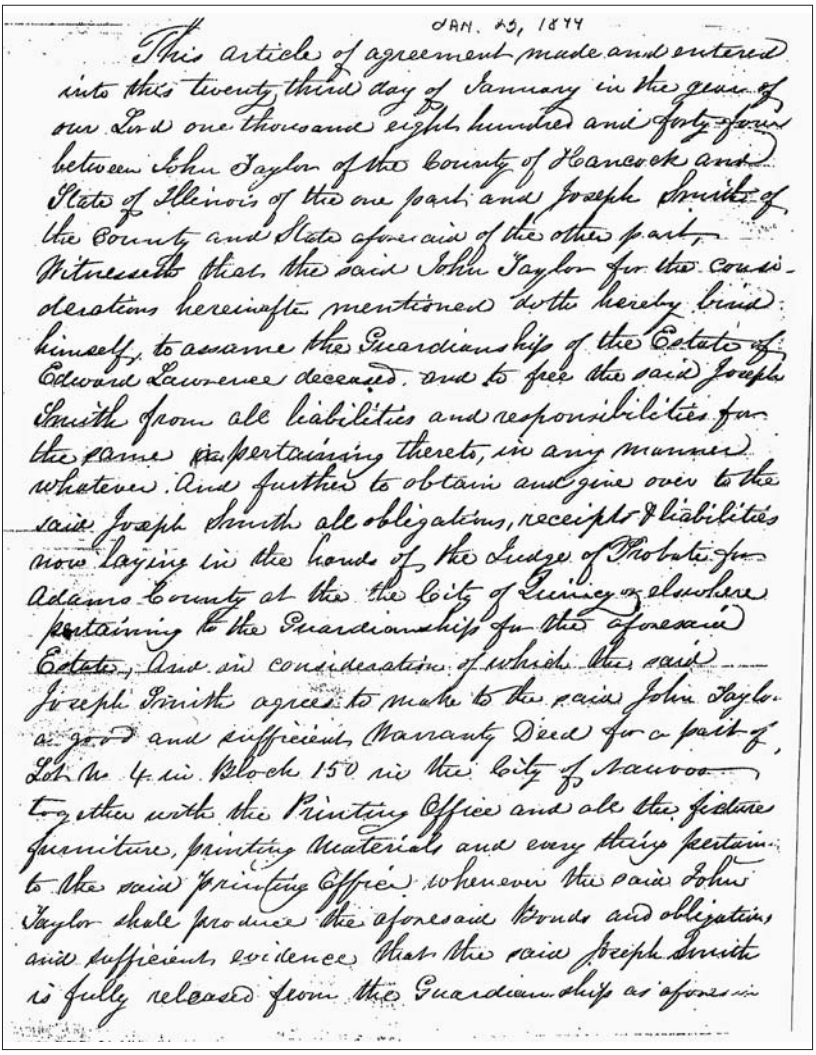
Return 2 (October 1890): 346. The printing establishment consisted of two presses with type, a stereotype foundry, a bindery, and stereotype plates of the Book of Mormon and Doctrine and Covenants, plus incidental equipment and supplies, all of which were itemized in the lease.

[44]Lease, December 1, 1842, Joseph Smith Collection.

[45]George D. Smith, ed., *An Intimate Chronicle: The Journals of William Clayton* (Salt Lake City: Signature Books, 1991), 124–25.

[46]"Joseph Smith's Daybook B" and "Joseph Smith's Daybook C," Masonic Lodge Library, Cedar Springs, Iowa. In the 1960s, James L. Kimball received permission to copy all of the entries in both volumes. From them, he extracted all the entries related to the Lawrence estate, Margaret and Josiah Butterfield, and the Lawrence children, and graciously shared them with me. In July 2003, I visited this library and verified all the Lawrence items.



JAN. 23, 1844

This article of agreement made and entered into this twenty third day of January in the year of our Lord one thousand eight hundred and forty four between John Taylor of the County of Hancock and State of Illinois of the one part and Joseph Smith of the County and State aforesaid of the other part, Witnesseth that the said John Taylor for the considerations hereinafter mentioned doth hereby bind himself, to assume the Guardianship of the Estate of Edward Lawrence deceased and to free the said Joseph Smith from all liabilities and responsibilities for the same or pertaining thereto, in any manner whatever. And further to obtain and give over to the said Joseph Smith all obligations, receipts & liabilities now laying in the hands of the Judge of Probate for Adams County at the the City of Quincy or elsewhere pertaining to the Guardianship for the aforesaid Estate, And in consideration of which the said Joseph Smith agrees to make to the said John Taylor a good and sufficient Warranty Deed for a part of Lot No 4 in Block 150 in the City of Nauvoo together with the Printing Office and all the fixture furniture, printing Materials and every thing pertaining to the said printing Office whenever the said John Taylor shall produce the aforesaid Bonds and obligations and sufficient evidence that the said Joseph Smith is fully released from the Guardianship as aforesaid

Photo 7. These "Articles of Agreement," dated January 23, 1844, constituted the beginning steps in transferring the guardianship for the Lawrence children and estate from Joseph Smith to John Taylor. The document remained unsigned because the intermediate steps were not taken before Joseph's death in June 1844.

Lawrence children received from Joseph's store, and include cash payments directly to them, payments of travel expenses, tavern bills, charges from "Yearsleys Store" for Mrs. Butterfield or the Lawrence sisters, and tuition to "Luce's school" for the children.

As noted above, Joseph's accounting for 1842–43 shows an "interest" payment to Margaret Butterfield of $49. The spreadsheets show additional payments amounting to $26.81 dated two days later on June 6, 1843, two days after the 1843 accounting. The 1843 accounting to the court also fails to show a payment to Butterfield for boarding his three youngest stepchildren, but the later spreadsheet entries do. As of January 1844, Joseph owed Margaret and Josiah Butterfield $272.81 from the estate; but the daybooks show that he actually paid them $319.39—an overpayment of $46.58. The daybooks further show that, between June 1843 and January 1844, Joseph made additional payments either for or directly to the three younger Lawrence children of $111.01. For the whole period from June 1841 through January 1844, payments to or for Maria Lawrence totaled $89.78 and those for Sarah amounted to $93.31.

Transferring the Guardianship

After the apostles returned from their mission to Great Britain in June and July of 1841, Joseph Smith transferred many of his Church and business responsibilities to them.[47] By January 23, 1844, as Clayton noted in his journal, Smith began arranging to transfer the Lawrence guardianship to John Taylor, perhaps because Taylor had been associated with the Lawrence family's conversion. Photo 7, the agreement prepared to facilitate that transfer, specified that Taylor, "for the considerations hereinafter mentioned doth hereby bind himself to assume the Guardianship of the Estate of Edward Lawrence deceased and to free the said Joseph Smith from all liabilities and responsibilities for the same. . . . And further to obtain and give over to [meaning "take over from"] the said Joseph Smith all obligations, receipts & liabilities now laying [sic] in the hands of the Judge of Probate."[48] The "considerations" mentioned in this agreement were the printing office, lot, equipment, and supplies, which Joseph had had William W. Phelps, Newel K. Whitney, and Willard Richards appraise

[47]Ronald K. Esplin, "Joseph, Brigham, and the Twelve: A Succession of Continuity," *BYU Studies* 21, no. 3 (Summer 1981): 301–41.

[48]Agreement, January 24, 1844, in Trustee in Trust Miscellaneous Fi-

on January 23–24. He was disappointed at how low their evaluation was: $2,832.[49] Smith had paid Robinson more than double that amount over the previous years and had considered the printing business to be well in excess of the Lawrence estate's value, which by January 1844 amounted to $3,360.49¾.[50] However, neither Smith nor Taylor signed this agreement; and Taylor, though he took some steps to implement it, was overtaken by the rapidly developing events that resulted in Joseph Smith's death six months later.

For Taylor to be appointed guardian was a multi-step process that would have required Taylor, plus two new sureties, whose net worth was more than $6,720 (twice the $3,360 value of the estate), and probably Joseph Smith as well, to appear in Quincy before Justice Miller to sign the necessary papers. Joseph would have needed, at the same time, to give John a warranty deed for the lot and a transfer document for the printing equipment and supplies. Perhaps the final decision to transfer the guardianship was not made until June 4 (see below); but three weeks later, Joseph was dead.

The transfer of the printing operation had its own legal complexities. The firm of Taylor and Woodruff was a partnership publishing the semi-monthly *Times and Seasons* and the weekly *Nauvoo Neighbor*.[51] On March 27, 1844, they dissolved the partnership, and Taylor assumed the lease, previously held jointly, of the printing plant and

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nancial Papers, Joseph Smith Collection. "Trustee in Trust," was the frequently used term to designate "a person in whom some estate, interest, or power in or affecting property of any description is vested [held] for the benefit of another." Bouvier, *A Law Dictionary*, "Trustee." It was the statutorily designated title in Illinois to be used by agents or officers of churches who held title or possession of said church's property. Hence, Joseph was listed on Church property as "Trustee in Trust."

[49]According to Joseph Smith, Journal, January 23, 1844, LDS Church History Library: "W. W. Phelps, N. K. Whitney and W. Richards prized the printing office & Lot at $1,500—printing apparatus. $950. Binde[r]y, $112. founde[r]y, $270. Total, 2,832." and January 24, "Called at my office about 1 oclock thought the appr[a]isal of the printing office was too low."

[50]That figure is the June 1843 accounting total ($3,790.89) minus the daybook expenses paid between June 1843 and January 1844 ($319.39 and $111.01 paid to or for the children). The total presumes that all of the Canadian notes had been collected, which was probably not the case.

[51]Peter Crawley, *A Descriptive Bibliography of the Mormon Church: Vol. 1,*

building.[52] Witnessing this document were Elias Smith, Maria Lawrence, and Sarah Lawrence. It seems reasonable, therefore, that Maria and Sarah understood that the printing enterprise assets constituted the corpus of the estate, as validated by their acting as witnesses. Maria was twenty, and Sarah turned eighteen two months later.

Litigation

On April 11, 1844, as noted above, Joseph Smith acknowledged receiving $450 as part payment of the money that the Law brothers had collected in Canada and "had claim" for the balance, which the brothers acknowledged. But they refused to pay. On May 2 when Joseph "sent William Clayton to Wilson Law to find out why he refused paying his note, he [Law] brought in some claims as a set-off which Clayton knew were paid, leaving me no remedy but the glorious uncertainty of the law."[53]

Events unfurled rapidly from that point on. Disaffected over both plural marriage and what the Law brothers saw as Joseph's domination, they broke openly with the Church and were excommu-

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1830–1847 (Provo, Utah: BYU Religious Studies Center, 1998), 1:92–94, 218–19.

[52] John Taylor, Untitled notice, Nauvoo, March 27, 1844, John Taylor Papers, LDS Church History Library.

[53] Joseph Smith Jr. et al., *History of the Church of Jesus Christ of Latter-day Saints,* edited by B. H. Roberts, 2d ed. rev. (6 vols., 1902–12, Vol. 7, 1932; rpt., Salt Lake City: Deseret Book, 1950 printing), 6:350. None of the quotation appears in Joseph's Nauvoo Journal. However, Clayton wrote on May 2, 1844: President Joseph "desired me to go to [the] Mr. Laws to find out why they refused to pay their note. I went with Moore and asked Wilson what he meant by saying he had got accounts to balance the note. He seemed to tremble with anger & replied that he had demands for his services when he was ordered to call out the Legion to go meet Smith besides money that he had expended at that time. I told him that was a new idea & that Genl Smith had had no intimation of any such thing. Wm Law came in and mentioned $400 which was borrowed of Baily $300 of which I am satisfied was paid, and the other $100 Wm Law said he would pay and give it to help defray the expense of the persecution but he now demands the $100 and some more of the $300." Quoted in James B. Allen, *No Toil nor Labor Fear: The Story of William Clayton* (Provo, Utah: Brigham Young University Press, 2002), 410–11.

nicated on April 18, 1844. On May 24, 1844, a grand jury in Carthage issued an indictment against Joseph Smith for "Perjury and Adultery" based on testimony by William Law, Robert D. Foster, and Joseph H. Jackson. The indictment named Maria Lawrence as co-respondent (partner) in the adultery charge.[54] Having been forewarned of the coming indictment, Smith, on May 27 rode to Carthage "thinking it best to meet my enemies=before the court and have my Indictments investigated." His attorneys William Richardson, Onias Skinner, and Almon W. Babbitt pressed the court for an immediate hearing; but the prosecution, claiming that a necessary witness was unavailable, moved the court to grant a continuance to the next term of court. Smith's journal continues, "I was left to give bail to the Shirif [sic] at his option & he told me I might go home and he would call and take bail some time."[55] Such a procedure was perfectly acceptable in the nineteenth century, since courts convened only quarterly. An individual who was arrested gave bail to appear at the next term of court and went to jail only if and when he failed to appear and was rearrested.

The consequences of such an indictment were both legally and socially scandalous. Maria Lawrence's reputation would have been publicly damaged, independent of what the reputational consequences might have been to Joseph. She and her sister had been sealed to Joseph on May 11, 1843, nearly two years after the guardianship was created, with Emma's initial consent but later repudiation.[56] Even if this celestial marriage could have been made known, it would not have alleviated the scandal—just turned it in another, even more flamboyant, direction.

On the day following Joseph's appearance in Carthage, May 28, 1844, William Law petitioned Probate Justice Miller (Photo 8) stating "that he has reason to believe and does believe that the said Joseph

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[54]*People vs. Joseph Smith*, May 24, 1844, Circuit Court Record, Hancock County, Book D, pp. 128–29.

[55]Joseph Smith, Journal, May 27, 1844.

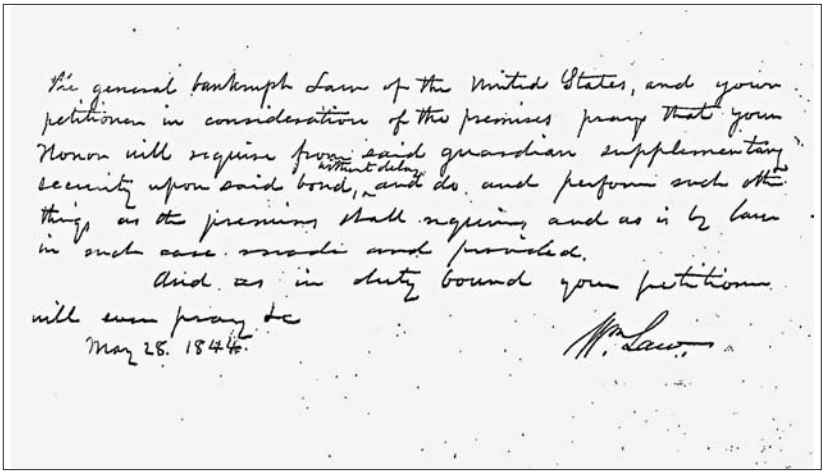
[56]Lyndon W. Cook, *Nauvoo Marriages [and] Proxy Sealings, 1843–46* (Provo, Utah: Grandin Book, 2004), 46–47; Newell and Avery, *Mormon Enigma*, 143–46; Compton, *In Sacred Loneliness*, 474–80. For plural marriage more generally, see Danel Bachman and Ronald K. Esplin, "Plural Marriage," *Encyclopedia of Mormonism*, 4 vols. (New York: Macmillan Publishing, 1992), 3:1091.

To the Honorable Andrew Miller Probate justice of the Peace in and for the County of Adams in the State of Illinois

Your Petitioner William Law of the County of Hancock in said state of Illinois respectfully represents to your Honor that Joseph Smith of said Hancock County was appointed by the Probate Court of Adams County guardian of Sarah Lawrence, Maria Lawrence and others, heirs of Edward Lawrence deceased, and still continues guardian of said heirs, and that your petitioner William Law and one Hiram Smith, are security of the said Joseph Smith upon the bond given by him the said Smith as guardian of said children, and your petitioner represents that he has reason to believe and does believe that the said Joseph Smith who has possession of property to a large amount belonging to said heirs, is in danger of becoming utterly insolvent, if he is not already so, and that there will be great danger of the said heirs losing all of the property now in the hands of said Smith belonging to them unless the said Smith shall be compelled forthwith to appear before your honor and render his account upon oath touching the said guardianship, and your petitioner prays of this Hon Court that said Smith, guardian as aforesaid, be ordered by your Honor to appear before said Court in Adams County on ~~Saturday~~ Monday the 1st day of July 1844 then and there to submit to such examination by this Hon Court, as is by law in such case made and provided, and that your Honor will proceed in the premises, as shall appear to your Honor just and proper.

Your Petitioner also represents to your Honor that Hiram Smith the Co-security with your petitioner upon said bonds, has since the signing the same, been declared a bankrupt under

Photo 8. On May 28, 1844, William Law sent this letter to Justice Andrew Miller, reporting financial incompetence, if not outright fraud, on the part of Joseph and Hyrum Smith in the Lawrence guardianship.


the general bankrupt Law of the United States, and your petitioner in consideration of the premises pray that your Honor will require from said guardian supplementary security upon said bond, without delay and do and perform such other things as the premises shall require and as is by law in such case made and provided.
And as in duty bound your petitioner will ever pray &c
May 28. 1844.
Wm Law

Smith who has possession of property to a large amount belonging to said heirs, is in danger of becoming utterly insolvent, if he is not already so." The heirs were in obvious financial jeopardy if this were the case. Law added that "Hiram Smith the co-surety . . . has . . . been declared a bankrupt under the general bankrupt Law of the United States." He asked Miller to "require from said guardian supplementary security."[57] Although Law did not say so, he was obviously trying to be released from his own liability on the guardian's bond. However, Joseph Smith's death interrupted any action Miller may have taken in response to Law's petition.

On June 4, Joseph met with John Taylor, Almon Babbitt, Hyrum Smith, Willard Richards, Lucian Woodworth, and William W. Phelps and decided to file a counter-suit charging the Laws, Joseph H. Jackson, and two of their associates, Charles A. and Robert D. Foster, with "perjury, slander, etc." The group "counseled Taylor to go in with a prosecution in behalf of—Maria," which he could do once he was confirmed as her guardian. As a necessary accompaniment, Joseph also "Concluded to go to Quincy with—Taylor & give up my Bonds of

[57]William Law, Petition to Probate Justice Andrew Miller, May 28, 1844, holograph, Lawrence Guardianship file. "William Law Petition" is written on the wrapper of this letter, but there is no notation of the date on which it was received and filed.

guardianship etc."[58] That earlier counsel meant that Joseph, after being replaced by Taylor as guardian, could in his own name solely pursue the Laws, Fosters, and Jackson and that Taylor could join in the prosecution as Maria's guardian.[59]

This plan to prosecute the Laws and others has some interesting legal aspects. William Law had supplied testimony under oath that led to Joseph's indictment. If the adultery case had gone to trial and the jury had found Joseph not guilty, then Law would have been liable to a criminal charge of perjury and civil liability for slander. Possibly Joseph planned to prove his innocence, not only by his and Maria's denial of sexual intercourse but also by the testimony of a reputable physician that he had conducted a physical examination and found that Maria was still a virgin. It would have been both foolhardy and fruitless for Joseph to have suggested such a lawsuit to begin with without something of such weight to present at trial. The fact that Maria had lived in the Smith household for a period of time was not of much consequence, since guardians customarily housed their wards under their own roof.

No documents after this date refer to transferring the guardianship to Taylor, probably because the Laws, Fosters, and other dissidents published the first (and only) issue of the *Nauvoo Expositor* on June 7, igniting a firestorm in which its destruction led directly to the arrest and subsequent deaths of Joseph and Hyrum Smith on June 27.

Post-Martyrdom Events

John Taylor continued to print the *Times and Seasons*, the *Nauvoo Neighbor*, and other publications until the Mormon exodus from Nauvoo beginning in February 1846. He moved the printing establishment from its shop on Bain and Water streets to a building adjoining his new home on Main and Kimball in May 1845.[60] What arrangements he made, if any, with the Butterfields, Maria and Sarah Lawrence, and the younger Lawrence children were not recorded by any of the parties.

Meanwhile, following the deaths of Joseph and Hyrum, Emma Smith, who was five months pregnant, appeared in the Hancock

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[58]Joseph Smith, Journal, June 4, 1844.

[59]Even though Maria was then of legal age, the guardianship had not been dissolved because the estate, as required by the will, had to remain intact as long as Margaret lived, so that she could receive her "interest."

[60]Dean C. Jessee, ed., "The John Taylor Nauvoo Journal," *BYU Studies* 23, no. 3 (Summer 1983): 47–48.

County Probate Court on July 17, 1844, where she was appointed administratrix of Joseph's estate and guardian of her four children, all of whom were minors, ranging from thirteen-year-old Julia to six-year-old Alexander.[61] When some creditors of the estate petitioned the court to raise the limit of her bond as administratrix, she elected to surrender her letters of administration and was succeeded by Joseph W. Coolidge, a neighbor, friend, and a creditor of the estate, on September 19, 1844. Emma continued as the children's guardian.[62]

On August 13, 1844, Hyrum Smith's widow, Mary Fielding Smith, had similarly appeared in Hancock County Probate Court and had been granted letters of administration for Hyrum's estate.[63] She did not, however, petition for guardianship at that time.

Emma spent August 30 and September 1, 1844, in Quincy with William Clayton, to settle "the Lawrence business." Justice Miller informed them that a new guardian for the Lawrence children would need to be appointed before making a settlement.[64] At that point, Emma was seven months pregnant, probably another reason for delaying action.

On September 5, Margaret Lawrence Butterfield, and her two sons, James and Nelson, who were by then over age fourteen, petitioned the Hancock County Probate Court to appoint Almon W. Babbitt as guardian of the five minor Lawrence children.[65] (Maria and Sarah had reached their majority.) Babbitt was appointed with a bond set at $5,000; he had four sureties: Andrew H. Perkins, Jacob B.

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[61]Entry, Probate Record, Hancock County, Vol. A, p. 341, microfilm, LDS Family History Library. David Hyrum was born November 17, 1844.

[62]Ibid., 356.

[63]Entry in Probate Record, Hancock County, Vol. A, pp. 345–46.

[64]James B. Allen, *Trials of Discipleship: The Story of William Clayton, a Mormon* (Urbana: University of Illinois Press, 1987), 185 note 10.

[65]Almon Whiting Babbitt had a Church career filled with reverses. Germane to this paper is his mission to Canada in 1837–38 during which he, with John Taylor, was instrumental in converting the Lawrence family. He became an attorney and represented Joseph Smith and the Church before the martyrdom, and the Church and its leaders, including John Taylor, after the martyrdom. Following the Smith murders, he was appointed a trustee with Joseph L. Heywood and John S. Fullmer to dispose of the assets of the Church and of individual Mormons in Illinois as they emigrated west. Andrew Jenson, *LDS Biographical Encyclopedia*, 4 vols. (Salt Lake City:

Backenstos, Minor R. Deming, and Joseph B. Noble.[66]

Eight months later on May 6, 1845, two events happened that had an impact on the Smiths, Lawrences, and Butterfields. Almon Babbitt submitted a claim to Coolidge of $4,033.87 against Joseph Smith's estate on behalf of the Lawrence heirs. Coolidge approved the claim.[67] On the same day, Mary Fielding Smith petitioned the probate court to be appointed guardian of John, Jerusha, and Sarah, Hyrum's children by his first wife, Jerusha Barden Smith (Jerusha's eldest daughter, Lovina, was married), and her own children, Joseph Fielding and Martha Ann. Her bond was set at $3,000, and her sureties were Robert Pierce and Almon W. Babbitt.[68] By today's standards, at least some of Babbitt's simultaneous functions would be strictly forbidden as conflicts of interest, but it was not an issue in the mid-nineteenth century, in part, perhaps, because his actions were transparently disclosed to the courts.

Four months later, on September 1, Babbitt, acting as guardian for the Lawrence minors, filed a lawsuit against Joseph Smith's estate, Hyrum Smith's estate, and William Law. His goal was to recover whatever assets he could from Joseph's estate, then obtain the remainder from Hyrum's estate and from Law, based on Hyrum's and Law's bond as sureties for Joseph as guardian.[69] Seven weeks later on October 23, Babbitt withdrew the claim ("plaintiff takes a non-suit").[70] Then in January 1846, Babbitt filed a new action against the two estates, adding Maria and Sarah Lawrence as co-plaintiffs with himself as guardian for the minor Lawrence children. This time he did not

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Andrew Jenson History Company, 1901–36), 1:284–86; *Wilson Law vs. John Taylor*, Circuit Court Record, Hancock County, Book D, pp. 178, 228 (May 1845). As noted above, Josiah and Margaret Butterfield and Margaret's three younger children—Henry, Julia Ann, and Margaret—had moved from Adams County to Nauvoo sometime in 1842. Hence, Hancock County had jurisdiction for their probate court petition.

[66]Probate Record, Hancock County, Vol. A, p. 352.

[67]Probate Record, Hancock County, Vol. A, p. 421.

[68]Ibid., p. 422.

[69]Summons, *A. W. Babbitt, Guardian, vs. William Law et al.,* Circuit Court Record, Hancock County, Book D, p. 356; photocopy at Perry Special Collections.

[70]Ibid.

name William Law as a defendant.[71]

When the court next convened on May 19, 1846, it dismissed the September complaint in accordance with Babbitt's October nonsuit motion[72] and tried the second case, filed in January. Both Coolidge and Mary Fielding Smith defaulted (failed to appear). After hearing evidence of damages, the court rendered judgment against each estate for $4,275.88 plus court costs.[73] No entry appears in the files of Joseph's estate, Hyrum's estate, or the Lawrence guardianship that Babbitt ever received any payment on these judgments, so he probably did not. He would have been legally bound as guardian to report such payments had they been made.

Babbitt had been present at the meeting on June 4, 1844, when Joseph Smith and John Taylor finalized the decision to transfer the printshop. On becoming guardian, logically he would have pursued those assets by claiming that the Lawrence children had an equitable interest in them. Perhaps he did not because, according to Willard Richards's diary, the apostles in Nauvoo on August 12, 1844, "voted that the estate of Joseph Smith settle its own debts, and the Church have nothing to do with it." They also voted that John Taylor "hire the printing office & establishment, of the *Nauvoo Neighbor* & *Times & Seasons*, of the Church, and have nothing to do with the Lawrence estate."[74] Although John Taylor was still recovering from the bullet wounds he had received at Carthage some six weeks earlier, he attended this meeting. Even though it was very soon after the Smith brothers' deaths, creditors and ultimately the Hancock County probate and circuit courts were making strenuous efforts to

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[71]Making Law a judgment debtor was superfluous because of the purpose of these suits, which was a friendly act to both widows. The suits gave each of them a creditor's claim before other creditors filed, both to give the women whatever the suits recovered and perhaps to dissuade other creditors from filing claims. In Mary's case, only a few other small creditors made claims; Babbitt released his claim on that estate to facilitate its sale to the Church's trustees (of which he was one) so Mary could buy the equipment and supplies to travel west.

[72]*A. W. Babbitt, Guardian, vs. William Law et al.*, May 19, 1846, Circuit Court Record, Hancock County, Book D, pp. 404–5.

[73]Ibid., pp. 445–46.

[74]Willard Richards, Diary, holograph and typescript, August 12, 1844, LDS Church History Library.

include in Joseph's estate many assets that the Twelve considered to be Church property, including the Nauvoo House, the Mansion House, the Homestead, and numerous lots in Nauvoo that Joseph sold, both as the Church's Trustee in Trust and in his own name. That legal tangle took until 1851 to conclude. The case was resolved, however, on issues other than the creditors' assertion that Joseph had defrauded them. The only payments from Joseph's estate went to satisfy the U.S. government's claim relating to the steamship *Nauvoo*, attorneys' fees, court costs, and a negotiated dower interest granted to Emma.[75]

In other words, the Twelve instructed Taylor not to become the Lawrence children's guardian. Almon Babbitt replaced Joseph as guardian on the family's nomination, then sued Joseph's and Hyrum's estates, obtaining judgments of about $4,200 against each. He left John Taylor out of the legal maneuverings and omitted William Law in the later suits, thus freeing Law from his bond as Joseph's surety.

Analysis of William Law's Statement

Now it is possible to scrutinize William Law's 1887 interview by W. Wyl for factual accuracy. Maria and Sarah were not "worth about $8,000.00 in English gold." Rather, their supposed worth was their potential interest in their father's estate valued only at $3,831.54 and made up primarily of promissory notes which, when delivered to Joseph Smith, they eventually might inherit.[76] Joseph was not appointed guardian with "help" from the notorious John C. Bennett, but because Maria and Sarah nominated him. If the statement that he "naturally put the gold in his pocket" is an accusation that Joseph absconded with the estate assets, the record makes clear that the reverse is true.

Guardians, first, were allowed to co-mingle trust funds with their own and, second, were charged with the value of the estate and required to account to the court for the management, receipts, and expenditures, having posted a bond to guarantee faithful perfor-

[75]Joseph I. Bentley, "In the Wake of the Steamboat Nauvoo," *Journal of Mormon History* 35, no. 1 (Winter 2009): 41–45.

[76]Perhaps Law confused this number with the affidavit he signed as surety in which he swore that his net worth exceeded $8,000. He could not possibly, however, have thought that the estate consisted of "English gold." A more likely possibility is that the confusion was Wyl's and the English gold was his invention.

mance of duties, all of which Joseph did. Law's statements that Maria and Sarah were sealed to Joseph and that he, Law, signed on the guardian's bond were correct, but the co-signer was Hyrum Smith, not Sidney Rigdon, nor did these sealings impact Joseph's guardianship functions.

There is no evidence to support Law's assertion that "Babbitt found that Joseph had counted an expense of about $3,000.00 for board and clothing of the girls." Smith asked for no allowance whatsoever for boarding the sisters (although he was entitled to claim one), and the total sum expended from the estate for clothing and educating the two sisters was $89.78 for Maria and $93.31 for Sarah. Babbitt, as successor guardian, had access to the Adams County guardianship file which he had copied and had filed as part of his petition before the Hancock County Probate Court. He knew that Joseph had made no such boarding claim, and Law got no such story from Babbitt. Thus, it was a complete fabrication—but from Wyl or Law? The remaining arithmetic regarding a $5,000.00 balance is, accordingly, also incorrect.

The record also refutes Law's statement, "When I saw how things went, I should have taken steps to be released of that bond, but I never thought of it." He both "thought of it" and did indeed "take steps" to be relieved of it. His recital of a confrontation between Babbitt and Emma is suspect for several reasons. First, when Babbitt became guardian of the younger Lawrence siblings (the "two girls" were already of legal age), Emma Smith had already relinquished her position as administratrix of Joseph's estate and had been replaced by Joseph Coolidge. Coolidge, not Emma, would have been the party with whom Babbitt needed to contend. Second, the printing establishment, which represented the corpus of the estate, was in John Taylor's possession, not Emma's. Third, the judgments obtained against Joseph's estate were granted by default and may well have been a collusive rather than an adversarial process. Finally, my search of the land records of Hancock County for that time period shows that Emma owned no real property at Joseph's death and that the court put essentially all of the real property listed in his name into his estate. Only after years of litigation did Emma ultimately receive title to the Mansion House and the Nauvoo House in 1851.[77] Emma therefore had no claim to Lawrence estate assets, nor did she have any property that Babbitt could have pursued. If Law really made those statements, he either did not know or had for-

[77]Following the Church's incorporation in Illinois in 1841, on parcels

gotten what Babbitt actually did as guardian.

Law's final claim was that he authorized Babbitt to "take hold of all the property left by me in Nauvoo" together with all claims owing Law; and thus as Law's agent, Babbitt paid the debt at Law's expense. This statement is also questionable. If payment had been made from any source, Babbitt was legally obligated to report it to the court, but he made no such report.

In comparing the documentary record with the Law interview, made forty-three years after the facts to a writer who was energetically pursuing an anti-Mormon agenda, Mark Twain's statement seems applicable: "When I was younger I could remember anything, whether it happened or not. But as I grew older, it got so that I only remembered the latter."[78]

Aftermath

What happened to the Butterfields and the Lawrence children is an interesting story in itself, but it lies outside the focus of this article. In brief, Josiah and Margaret Butterfield separated around 1846 after having two sons together. Except for Maria, Margaret, all the Lawrence children, and her two Butterfield sons emigrated to Utah. Nelson left Winter Quarters with the Bradford Leonard family in the Ezra T. Benson Company of 1849.[79] Margaret and the seven children, ranging from twenty-two-year-old Sarah to four-year-old Edward

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which were in Joseph's name (either in his own name or as Trustee in Trust for the Church), Emma sometimes signed as co-grantor with Joseph to relinquish any potential dower interest. Joseph, pursuant to a voted direction from the Church, deeded to William Clayton, who then deeded to Emma and Joseph's children, one group of town lots for their inheritance should their father meet an untimely death. The court, in the Joseph Smith Estate imbroglio, left those lots undisturbed in the names of the children. I'm indebted to colleague Joseph I. Bentley for this research.

[78]As quoted in Andre Trudeau, *Gettysburg: A Testing of Courage* (New York: Harper-Collins Publishers, 2002), vii. I am indebted to my good friend and colleague Ronald O. Barney for this quotation.

[79]Journal History of the Church of Jesus Christ of Latter-day Saints (chronological scrapbook of typed entries and newspaper clippings, 1830–present), LDS Church History Library, Emigration 1849 Supplement, E. T. Benson Company, 12G.

Butterfield left in 1850 in the Edward Hunter company.[80] That company was the first to be assisted by the newly formed Perpetual Emigrating Fund from which Margaret borrowed $28. As a single mother with a family of seven, she needed a good deal more help than $28. She certainly received additional assistance, most likely from John Taylor and Almon Babbitt.

Taylor continued publishing the *Times and Seasons* until the exodus from Nauvoo. The last issue was dated February 15, 1846, and John closed down operations in March. Babbitt took over the printing establishment and, in partnership with some others, at least two of whom were non-Mormons, published the weekly *Hancock Eagle* (April 3–October 24, 1846). He then sold the operation to Samuel Slocum who began a new weekly, the *Nauvoo New Citizen*, in December 1846.[81]

Meanwhile, on August 19, 1846, a promissory note between Babbitt and his fellow trustees acting for the Church, and Babbitt as "Guardian of the Minor heirs of Edward Lawrence deceased" was executed and signed (Photo 9). The trustees borrowed $3,884.61[82] from Babbitt-as-guardian, promising to pay "One day after date." That language made the note immediately negotiable (transferable). Written crossways across it is "Cancelled By new note," meaning that Babbitt did not cash it but kept it until it was cancelled by a

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[80]Ibid., October-December 1850, Emigration Supplement, Edward Hunter Company, 7; see also Martha Spence Heywood, Journal, microfilm of holograph, September 9, 1850, LDS Church History Library.

[81]Crawley, *A Descriptive Bibliography*, 1:21–22, 2:17.

[82]Whether this sum represents the price of the print shop and indicates that Slocum took possession before Babbitt's last issues came off the press would be conjecture. One ought to be able to conclude, however, that the print shop brought no less than the $3,884.61 Babbitt loaned to the trustees—which, in turn, suggests that Joseph's disappointment in the 1844 appraisal of the operation was indeed justified and was $33.07 more than the $3,831.54 that Joseph was originally charged with receiving. So Joseph's augmenting the estate and buying the printing establishment, and John Taylor's and A. W. Babbitt's maintaining and reselling it, preserved the principal (corpus) intact; and if Babbitt's loan to the trustees was not all the price he obtained from Slocum, the principal was still larger than the value of the assets originally conveyed to Joseph.

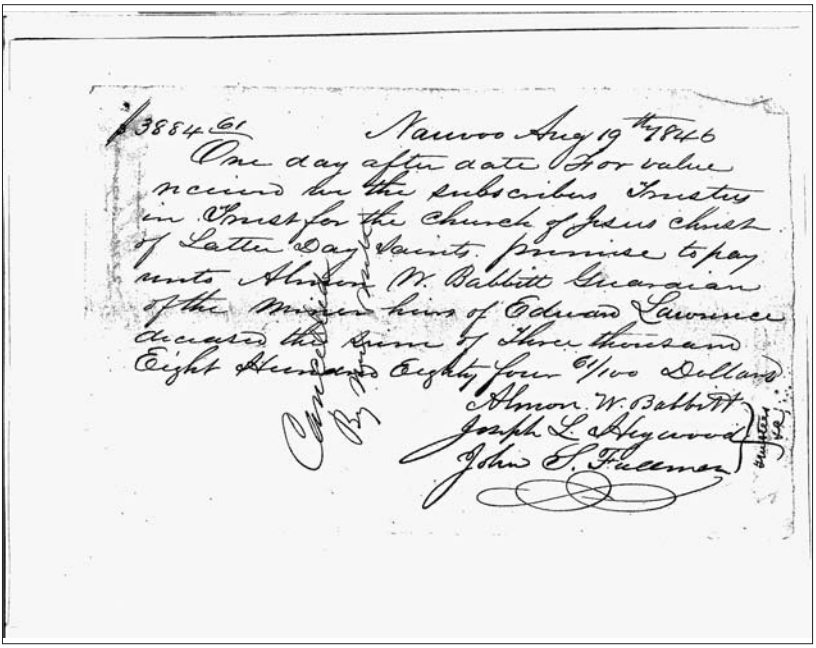
$3884.61 Nauvoo Aug 19th 1846
One day after date for value
received we the subscribers Trustees
in Trust for the Church of Jesus Christ
of Latter Day Saints promise to pay
unto Almon W. Babbitt Guardian
of the Minor heirs of Edward Lawrence
deceased the sum of Three thousand
Eight Hundred Eighty four 61/100 Dollars
Almon W. Babbitt
Joseph L. Heywood
John S. Fullmer

Photo 9. Promissory note for $3,884.61 that Church trustees Almon W. Babbitt, Joseph L. Heywood, and John Fullmer signed on August 19, 1846, to Babbitt as guardian of the Lawrence estate.

new one.[83] Nearly three years later, on July 4, 1849, an unsigned receipt appears to be the final settlement between Babbitt and his co-trustees. Three items are credited to Babbitt: (1) "balance of account on books" in the sum of 3,789.91, (2) "due on note Lawrence Estate" 1,248.22, and (3) a promissory note to an individual for $255.97, making a balance due of $5,294.10 "independent of services as Trustee." The receipt adds a note: "There is however some property still in his hands which he is ready to convey over and dispose of to their credit."[84]

Obviously, Babbitt was still functioning as guardian of the Lawrence estate when this receipt was made on July 4, 1849. Whether he

[83]Untitled note, Nauvoo, August 19, 1846, signed Almon W. Babbitt, Joseph L. Heywood, and John S. Fullmer, holograph, Nauvoo Trustee Papers, 1846–48, LDS Church History Library.

[84]Unsigned receipt, July 4, 1849, beginning "Balance of Account on Books . . .," holograph, Nauvoo Trustee papers, 1846–48, LDS Church His-

collected rent or some other payment from Taylor from June 1844 through March 1846 is not documented, but he at least took possession of the print shop without any adverse claim from Taylor. He loaned more than $3,800 from the estate to the Church's trustees (of which he was one) in August 1846, and three years later that debt had been reduced to just over $1,200. While it is unknown when or how Margaret and family made it to Winter Quarters, they departed from it for Utah in 1850. The reduction in the estate had occurred by July 1849; and since Babbitt had been acting as guardian at least through that date, it seems reasonable that the money helped Margaret and her children outfit themselves to cross the plains.

Maria married Almon W. Babbitt on January 24, 1846, as his plural wife and died giving birth to a son, who also died, at Nauvoo.[85] Babbitt was thus not only a guardian but a member of the family, continuing a relationship that had begun as missionary and convert in Canada. Every opportunity for an attachment was present, and plural marriage facilitated a closer union.

CONCLUSION

Thanks to the probate and court records, which are often considered static and somewhat obscured by legalese, it is possible in some measure to demonstrate what really happened during Joseph Smith's tenure as guardian of the Edward Lawrence estate. Contrary to the negative picture painted by the Law-Wyl interview, the record shows that he performed his duty honorably. He did not claim compensation for service as guardian, and he made no claim for boarding Maria and Sarah; he was more generous in expenditures for and to the children and to the Butterfields than the law required. And finally he took all the steps that time allowed to make an orderly transfer of the guardianship to John Taylor.

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tory Library.

[85]B[enjamin] F. Johnson, Statement, *Deseret Evening News*, August 6, 1897, 5. I am indebted to friend and colleague Jeffery O. Johnson for this reference. See also Lyndon W. Cook, *Nauvoo Marriages [and] Proxy Sealings 1843–1846*, 47.

Reviews

Mari Graña. *Pioneer, Polygamist, Politician: The Life of Dr. Martha Hughes Cannon.* Guilford, Conn.: TwoDot, an imprint of Globe Pequot Press, 2009. 179 pp., 8 photographs, chronology, bibliography, index. Paperback: $16.95. ISBN: 978–0–7627–5272–0

Reviewed by Anne Wilde

The title of this book could well have included the word *physician*, as, along with "Mattie's" other talents and abilities, she became an accomplished doctor in the Utah Territory. Martha Hughes Paul (who was using her stepfather's name at that point) was one of three women in the 1870s called by Brigham Young to study medicine, the other two being Romania Pratt and Ellis Shipp. According to President Young, "The time has come for women to come forth as doctors in these valleys of the mountains" (16).

Martha studied at the University of Michigan's School of Medicine, which had just started to admit women in 1870, though stipulating that they had to sit in a separate classroom out of sight of the male students. In 1880, after only two years of classes, she received her M.D., followed by a bachelor of oratory degree in 1882. She was the only woman in her graduating class.

After returning to the Utah Territory, she opened a private practice, which was interrupted when LDS "Church authorities" (29) called her to be the resident physician at Deseret Hospital. There she met Angus Munn Cannon, twenty-three years her senior, president of Salt Lake Stake, and a member of the hospital's board of directors. Within the year (1884), she secretly became Cannon's fourth wife.

Mattie's medical practice was further interrupted when she became pregnant with her first child (Elizabeth) in 1885 and had to go into hiding, at first in Grantsville and Centerville, and eventually as far away as England where she stayed for some of the time with her mother's relatives. (She herself was a

convert from Wales.) She also traveled to Paris and Switzerland. Mostly because of health problems and distance, Mattie had only three children with Angus: Elizabeth, James (born 1890), and Gwendolyn (born 1899, nine years after the Manifesto). Gwendolyn died at age twenty-nine, leaving a husband and one son. Mattie also miscarried a son between Elizabeth and James as the result of a carriage accident.

In spite of long separations, Mattie and Angus seem to have been genuinely attached to each other. While Mattie was in England, Angus wrote warmly: "You have been loved as much as woman has been, are, and yet will be loved, as only a true heart is capable of loving you" (53). At times Mattie would answer with equal warmth. However, for most of her time in England her letters betray a wide variety of mood swings—jealousy, love, self-reproach, loneliness, excitement, gratitude, and worry. When she returned to America at the end of 1887, Angus surprised her by meeting her and Lizzie in New York.

Angus returned to Utah while Mattie and Lizzie went to Michigan because of the continuing risks of being a plural wife in Utah. She wrote her husband from Michigan: "I would rather spend one hour in your society, than a whole lifetime with any other man I know of" (63).

In June 1888, after three years' absence from Utah, Mattie decided that it was finally safe to return to Salt Lake, where she once again set up her home-office. In mid-1890, immediately after the birth of her son, James, Mattie took both children to San Francisco for a brief "second exile" (69). Upon her return from California some months later, she became a leader in the Utah Woman's Suffrage Association, giving speeches throughout Utah, and even in Chicago and Washington, D.C., participating with Susan B. Anthony and Elizabeth Cady Stanton. In 1893, the *Chicago Record* stated: "Mrs. Dr. Martha Hughes Cannon . . . is considered one of the brightest exponents of the women's cause in the United States" (80).

Interestingly, Mattie was a member of the Democratic (formerly Liberty) Party and her husband was a staunch Republican—which resulted in their running in a field of six for an "at large" position. Angus, who had been Salt Lake Stake president for twenty-eight years by that point, must have been embarrassed when Mattie was elected and became the first woman state senator in the United States, eventually serving two terms. Public health was her primary concern, and she served on the State Board of Health—which was created because of her legislative bill—through 1903.

For several years Mattie and her three children moved back and forth between California and Utah—mostly because of Mattie's health. Angus died in June 1915 at age eighty-one, leaving six wives and 113 descendants. Mattie then moved permanently to Los Angeles, where she worked in a clinic for the poor as part of the UCLA medical program. She remained a steadfast

Mormon, as did Elizabeth and James.

Mattie died in Los Angeles on July 10, 1932, and at her request, her son James burned her diaries, a most lamentable development that prevents us from knowing as much about Mattie as we do about other loyal, hardworking pioneer women, e.g., Emmeline Wells, Ellis Shipp, and Romania Pratt. Throughout her life, she had followed Brigham Young's admonition: "We believe women are useful, not just to sweep houses, wash dishes, make beds, and raise babies, but that they should stand behind the counter, study law or physic . . . all this to enlarge their usefulness for the benefit of society. . . . In following these things they are but answering the design of their creation" (131).

Mattie herself declared: "Somehow I know that women who stay home all the time have the most unpleasant homes there are. You give me a woman who thinks about something besides cook stoves and wash tubs and baby flannels, and I'll show you, nine times out of ten, a successful mother" (131).

Graña noted that this controversy over a Mormon woman's proper place continues today, quoting Ezra Taft Benson's 1980 instruction to LDS Church members that "a mother's place is in the home!" (139)

Mari Graña accurately points out that, as the LDS Church discontinued the practice of plural marriage, "the women ceased to have the independence that polygamy had required of them as heads of families. . . . The priesthood gradually claimed full control of the society. . . . Certain women's religious practices and entitlements, as well as women's secular provinces, began to be taken away by the patriarchy" (134). She illustrates this evolving Church position by briefly mentioning the ERA, Sonia Johnson, and the September Six.

I would like to know more about the author, but biographical information was skimpy. Trained as an urban planner, Graña moved from California to Santa Fe to become a writer. She is the author of four earlier histories including a prizewinning regional New Mexico history and a biography of her grandmother, Mary Babcock Atwater, also a physician. She does not explain her motivation to write this book on Martha Hughes Cannon, her relationship to Martha, if any, or her interest in or connection to Mormon history.

Although being a plural wife arguably had as least as much impact on Mattie's life as her profession, Graña personally seems to find plural marriage quite repugnant. She characterizes polygamy with such harsh terms as "conjugal harems" (33), "polygamist cults" (xii), and "polygamy in its nature negated romantic love" (133). She confesses mystification about "why an intelligent, ambitious young woman, having just finished an extensive education and rising in her career, would secretly sneak off to the Endowment House to be sealed for eternity to a man old enough to be her father—a man who was already married to three women [and] had seventeen children"

(40). I think one obligation of a biographer is to try and see the world as the subject saw it; otherwise, important elements in interpreting the subject for a modern reader remain inexplicable.

At times Graña's information is less than accurate. For example, she refers to the "Fundamentalist LDS Church (FLDS)" as being the all-encompassing term to describe those who have continued the practice of plural marriage; in reality, the FLDS group, numbering about 10,000, is only one group among many of the approximately 38,000 individuals who call themselves Fundamentalist Mormons (xii). Utah officially became a state in 1896, not in 1895, which is when the enabling legislation passed (80, 84); Joseph Smith's brother spelled his name "Hyrum," not "Hiram" (145); apostasy from the LDS Church is not an "unpardonable sin" (2); and some footnotes do not include the page numbers of the references.

Deservedly, Martha Hughes Cannon has continued to be honored by the people of Utah, including: (1) the Martha Hughes Cannon Public Health Building in Salt Lake City, (2) an endowed chair in radiology at the University of Utah's Medical School, (3) an award in her name to recognize people who have made significant contributions to the health of Utah mothers and children, (4) a musical, *Mattie*, produced by Dixie State College in St. George, and (5) an eight-foot statue of her in the Utah Capitol rotunda.

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George U. Hubbard. *When the Saints Came Marching In: A History of the Church of Jesus Christ of Latter-day Saints in Denton, Texas 1958–2008*. Denton, Tex.: Tattersall Publishing, 2009. x + 326 pp. Maps, tables, photographs, appendices, index. Hardback: $15.00. ISBN: 978–0–9679775–3–9; http://www.tattersallpub.com/index.html

Reviewed by Jared Tamez

From the outset, George Hubbard, long-time Denton resident and himself an "early" (1951) convert, is clear that he wrote this book not just to chronicle prominent events in the history of Mormonism in Denton, but

also to pay tribute to pioneering members and to celebrate Denton's Church life in preparation for the fiftieth anniversary of the Church's establishment in Denton. In the preface he writes, "Compiling this history has been a spiritually uplifting experience for me, and I hope that those who read it will also find it spiritually rewarding and inspiring" (viii). I appreciated this candid statement and, as a result, I could sit back and enjoy the book, not worrying that the author was trying to push some convoluted or dubious argument. I have to say that I thoroughly enjoyed the book and believe Hubbard succeeds in his goals.

Hubbard divides his narrative into growth phases. Part 1, "In the Beginning," consists of three chapters and contains a brief sketch about the status of Church organization in the 1940s in the Dallas/Fort Worth area. This section also introduces the reader to a few key families and LDS students who attended Denton's two colleges (now universities). This section culminates with the establishment of the first formal LDS organization in Denton, a Sunday School, in 1959.

Part 2, "The Formative Years" (chaps. 4–10), follows the Church in Denton through branch organization and chapel construction until the formation of the Denton Ward in 1967. Part 3, "The Development Years" (chaps. 11–18) explores the development of Denton Ward from 1967 until its first division in 1975. Part 4, "The Growth Years" (chaps. 19–23), ends with the organization of the Denton Stake in 1992. Part 5, "The Expansion Years," is the final chronological section and comprises Chapters 24–27. This section follows the expansion of the Denton Stake and its units through 2008.

Part 6, "Cutting across the Time Periods," tells additional stories about members and their conversions (chaps. 28–29). Hubbard observes: "Although a major focus of this book has been on the large collection of Church members with outstanding leadership skills that the Lord brought together in Denton to nurture the Church during its early years, the Church in Denton has also been blessed with thousands of members who have served in less visible callings and who have made the Church what it is" (251).

The seventh and last part, "Church Growth in Denton's Neighboring Cities" (chaps. 30–32) gives brief sketches of the development of LDS branch, ward, and stake organizations in neighboring Decatur, Gainesville, and Lewisville. Six appendices provide some useful historical data including chronologies and lists of Church leaders.

Each chapter contains a variety of personal accounts, likely gleaned from oral interviews or personal writings, with the result that the text is vivid with voices. The book also contains a wealth of photographs of members, activities, and fliers, programs, and pamphlets relevant to the narrative. Though the book does tend to center on prominent families and events in ecclesiastical development, Hubbard is quite successful in integrating stories of

rank-and-file members and in chronicling the social aspects of Mormon life in Denton. He describes cottage meetings, positive interactions with other local churches, and "spaghetti dinners and frog leg dinners" among other activities. In raising money to build their meeting house, local members sold frog legs and other concessions during such community events as the county fair—the branch's Boy Scouts providing the frogs.

Other elements that figure prominently throughout the book are athletic events and musical and dramatic presentations. One bishop mused, "I have seen roadshows from California to Washington, D.C., but in Denton they are done right. Denton is the Broadway of the Mutual roadshow" (102). Hubbard also recounts spiritual manifestations attending such events as the Dallas Temple dedication.

A recurring theme expressed in the book is the concept of the Church as family. Several times the author talks about "the unifying effect of the various activities of the day and how they strengthened the bonds that Church members already had for one another" (92). "Without exception, those who are still available speak with sincere nostalgia of the love and enjoyment they experienced during those development years in the Denton Ward. They were years of love, activity, spirituality, and enjoyment. . . . Kaye Calabrese, who joined the Church in 1969, remembers the feeling that the Denton saints were 'one big, happy family . . . [and] the enjoyment of potluck dinners almost every week" (87). The author frequently notes how Church members forged a community of the faithful though social events and service.

A local history such as this also allows for some interestingly candid glimpses into interactions between local and general leadership. When Bishop Richard Ragsdale was released in 1973, Ell Sorensen was summoned to Dallas to meet with Apostle LeGrand Richards: "It turned out to be a very unusual and memorable meeting. Instead of being his usual jovial self, Elder Richards was all business. 'Let me see your recommend,' he said. Brother Sorensen pulled out his temple recommend. 'No, your recommend to be bishop.' . . . Brother Sorensen had never heard of such a document. . . . Elder Richards was not amused. . . [and telephoned a stake presidency member to demand] 'What's the idea of sending this man down here without a recommend to be bishop? How do I know that he doesn't drink or smoke or chase bad women? . . . When I go home and report to the brethren, if I get excommunicated for not following proper protocol, it's your fault.' And with that he hung up the phone and proceeded to ordain Brother Sorensen a bishop" (85–86). Colorful anecdotes like this sprinkle the text.

As I read, I detected an interesting dynamic in how members native to Denton conceived of themselves in relation to Mormons who moved in, largely from the Intermountain West. On the one hand, Hubbard refers often to these individuals as "life-long members of the Church" who enter the

narrative at pivotal moments to provide "gospel maturity." But on the other, he identifies local members (largely converts) as having a wealth of faith, grit, and determination. For example, Hubbard identifies John and Margaret Porter as "the founders of the LDS Church in Denton." The Porters were Texas natives who converted to the Church in nearby Fort Worth in 1958 before moving to Denton in 1959 where they were instrumental in establishing the first Sunday School. Hubbard praises the Porters for their enthusiasm and hard work, noting, "Although it was the Porters who were called to be the leaders, it was the Arringtons and the Melchoirs who provided the experience and gospel maturity that were sorely needed. The Lord truly provided" (56).

Hubbard subsequently writes enthusiastically about Sanfred and Virginia Elieson, "life-long members of the Church" and, for almost two pages, describes their friendships with prominent Church leaders such as Bruce R. McConkie, Melvin J. Ballard, David O. McKay, Gordon B. Hinckley, M. Russell Ballard, and others. "Such was the measure of the family who decided to make the Denton area their home. It was as though a portion of Heaven had come down to become a nurturing father and mother to the Denton Saints" (103–5). Although the reader sees convert families such as the Porters join the ranks of mission presidents and area authorities, the aura of veneration surrounding "life-long" members never falters.

Interestingly, though Hubbard consistently holds established Church conventions and leaders in high regard, one prominent source of recurring tension between local leadership and "Salt Lake" remains the Church Building Department. Construction on the first meetinghouse in Denton lagged in 1961 because Denton's branch leadership could not agree with the Building Department about the roof's design. Additionally, the Building Department wanted three separate phases of construction to begin at different periods of time. The local leadership wanted the first two phases completed simultaneously. Providentially, because of a local family connection with Henry D. Moyle, counselor in the First Presidency, Branch President John Porter was able to consult Moyle about the delay. A few days later, "John got a very cooperative phone call from the Building Department" (60). The first two of three phases were completed simultaneously in 1964.

In 1973 the ward had grown large enough to necessitate building the third phase. Upon hearing that the Building Department planned to use drywall for the interior walls instead of brick (like the two earlier phases), Bishop Richard Ragsdale argued for brick construction. "The Church has to be economical in the use of its funds, and drywall construction is cheaper than brick," he was told. Ragsdale responded, "We will accept the drywall construction and get the next phase built. Then after it is built and dedicated, we will tear down the drywall and replace it with brick. And we will

use our tithing money to do it." After a brief huddle, the Building Department representatives concluded, "You will get your brick" (82).

If these stories aren't enough, at least two other episodes during the construction of the Dallas Temple and the Denton Stake Center ended up causing disagreements between Denton leaders and the Church Building Department. In both cases, the Building Department after making firm demands, capitulated when Denton leaders were even firmer. Unfortunately, the text takes this willingness to defy "Salt Lake" in this context for granted and never really explains the dynamic, nor does Hubbard see a similar dynamic in other contexts. Perhaps further investigation could yield interesting observations about this relationship.

A lack of footnotes presents probably the largest deficiency, given the historical nature of the book. A lengthy list of "persons consulted" appears in an appendix along with a handful of publications (mostly privately published) and scrapbooks, but there is no clear connection between the text and these sources. Additionally, some sources alluded to in the text do not appear in this list of sources consulted. This is not really surprising given the book's origin and purposes; but to help remedy this deficiency, I would urge the author to collect and arrange his research materials and donate a copy to a local university or archive for the reference of future researchers.

Additionally, Hubbard clearly wrote the book to Dentonites, or at least to those familiar with the Denton area. In one especially vivid example, while discussing the location of a 1967 residence, Hubbard writes, "They [the Arrington family] lived temporarily in a small house just west of Art Cooper (where the Turners now live) while building a new home just east of Art Cooper." Current residents will likely know where "the Turners" live and longer-time residents might even know where Art Cooper lived, but this description might not provide much aid to anyone else and possibly not even to future members in Denton. Clearer identifications and more maps would have greatly enhanced the experience for an outside or future reader.

All told, I believe this history will appeal not only to local residents but to a wider Church membership. It and books like it should also not be overlooked by historians of twentieth-century Mormonism. Hubbard touts the "remarkably unique" nature of the development of the Church and the Mormon experience in Denton (viii). Without discounting the truly unique elements of the story, I found that many of Hubbard's themes corresponded with similar themes that have surfaced in my research of the Church in south Texas, right down to pronounced conflicts with the Church Building Department, which "just didn't understand" how to construct a building suitable for the climate of south Texas. To what extent were these and similar themes common to other regions of Texas, of the South, or beyond? Histories like this can help historians discover and explore such questions.

I hope that many similar works will be produced at the local level all over the Church. Such efforts involve the recovery and preservation of the voices and stories of Church members from a variety of backgrounds and experiences and often result in the accumulation of a wealth of primary documentation. As a result, I can't help but see historical efforts like Hubbard's as a win-win for those seeking to find spiritual fulfillment in Church history and those who would seek to understand the Church's history through academic frameworks (whether or not the latter includes the former). When those efforts can break beyond the often monotonous droning of fact recital and provide a fresh, interesting narrative, as this book does, it is all the better.

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Susan Easton Black, ed. *The Best of the* Frontier Guardian. Provo, Utah: BYU Studies/Salt Lake City: University of Utah Press, 2009. 186 pp. No index. DVD-ROM, *The Frontier Guardian*. Paper: $19.95. ISBN: 978–0–8425–2740–8

Reviewed by Blair Dee Hodges

> There is no paper in the land
> That ever yet has come to hand
> That takes as just and bold a stand,
> As the noble Frontier Guardian....
>
> Orson Hyde stands at the helm
> The cause of error to o'erwhelm
> And clear away its nasty phlegm,
> All through the Frontier Guardian.
> ("The Frontier Guardian," by North Pigeon Joe, 113.)

As the vanguard companies of Latter-day Saint pioneers prepared for their first winter in the Great Basin in late 1847, federal Indian agents in Missouri complained that Mormons camped along the Missouri River were stripping the area of wood and game. To avoid further conflict, the Mormons moved to the eastern bank in Pottowattamie County, Iowa, and established Kanesville (later Council Bluffs), which became the central staging area for migrating Saints and other pioneers traveling to Oregon and California. Brigham

Young appointed Apostle Orson Hyde to oversee the community.

For roughly four years, Hyde directed the Mormon migration and edited a biweekly newspaper, the *Frontier Guardian*. The paper helped tie Church leaders, emigrants, and local settlers together. Alongside other Latter-day Saint newspapers, books, pamphlets, broadsides, and other publications, the *Guardian* is another reminder of the Mormon belief that "the extensive circulation of the printed word" is a crucial "impetus to the rolling of the great wheel of salvation" (122). The *Guardian*'s eighty-one issues are an important source for understanding this period of Mormon history. Now the *Guardian* has been made more readily available by *BYU Studies* and the University of Utah Press in Susan Easton Black's *The Best of the Frontier Guardian*.

The paperback volume consists of an introduction to the contents of the newspaper followed by thirteen chapters organized by themes said to represent the *Guardian's* "best." In the opening chapter, Black very briefly situates the *Guardian* in the context of other LDS newspapers and explains Orson Hyde's background and experiences as apostle and editor:

> Assuming his position as editor, Hyde confessed, "It is with a trembling hand, and a faltering knee that we step forward to our seat in the Editorial chair." Nevertheless, Hyde frequently used the *Guardian* to vent his frustrations and disappointments, and an overview of the paper says as much about the editor as it does about the paper itself. It reveals Hyde's need for money, his assistants' unscrupulous tactics, and his transition from printing an official Church newspaper to a secular publication. (8)

After tracing the development of the *Guardian*'s four volumes, Black's introduction concludes with a description of the newspaper's development and general content. The thirteen themes are: "General Epistles" of the First Presidency, "Counsel" from Brigham Young and the First Presidency, Church conference minutes, efforts of boundary maintenance against splinter groups, political conflicts between Orson Hyde and Almon W. Babbitt, poetry, letters from the mission field, news from the California gold fields, instructions for westward-bound emigrants, announcements of marriages, announcements of deaths, "words of wisdom" (pithy statements and anecdotes), and humor. A significant weakness throughout these selections is the absence of introductions, analysis, annotation, and contextualization of the content. Readers might wonder why a Church conference in 1851 "voted to observe the words [sic] of wisdom, and particularly to dispense with the use of tea, coffee, snuff, and tobacco" (58) or why the death of Oliver Cowdery was announced in one obscure sentence (171). The excerpts provide a general flavor of the *Guardian*'s content, although Black does not explain her method of selecting the "best."

The DVD archive of the *Guardian* offers rich possibilities for researchers interested in Latter-day Saint publication history. I agree with Sherry Pack

Baker's assessment that, "while much good work already has been done in Mormon *media* studies, this area has not as yet been overtly recognized as a discipline unto itself."[1] Making full works like the *Guardian* available is an important step in the direction of better media-centered studies of Mormonism. Understanding the context in which Latter-day Saint publications arose better illuminates their content and tone. The *Guardian* inherited the idea-centered and overtly partisan nature of early American newspapers. The power of print was widely acknowledged after colonial printers successfully opposed the Stamp Act of 1765, whereby British Parliament attempted to impose a tax on publishers in colonies of British America. The First Amendment extended a remarkable measure of freedom, much of which was used to promote the interests of rising political parties. Technological advances made the printing press more affordable and available, which helped lead to the rise of "'alternative' media—the black and American Indian press and the abolitionist, women's, and labor publications."[2] Alexis de Tocqueville's observation that, during the 1830s, "there is scarcely a hamlet that has not its newspaper" was only a slight exaggeration, and his assessment of the press's purpose was accurate: "It rallies the interests of the community round certain principles and draws up the creed of every party; for it affords a means of intercourse between those who hear and address each other without ever coming into immediate contact."[3]

Some Americans resisted this new power, believing that it tended to corrupt the moral sense of the community, provide excuses for the invasion of privacy, encourage crime and vice, or dumb down the readership. By contrast, Latter-day Saints embraced the new technology with gusto. Following the printing of the Book of Mormon, the next official publication of the fledgling Church came in the form of a newspaper, with many more to follow. In 1831 Joseph Smith received a revelation (D&C 70) creating a Literary Firm to take charge of publishing revelations and receiving remuneration. In addition, missionaries produced their own tracts to warn of the impending Millennium and counter anti-Mormon accusations.[4] Several LDS newspapers disseminated sermons, revelations, political positions, notices of

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[1]Sherry Pack Baker, "Mormon Media History Timeline, 1827–2007," *BYU Studies* 47, no. 4 (2008): 117–23.

[2]Hazel Dicken-Garcia, *Journalistic Standards in Nineteenth-Century America* (Madison: University of Wisconsin Press, 1989), 51.

[3]Alexis de Tocqueville, *Democracy in America*, Signet Classics (2001), edited by Richard C. Heffner, 93–94, 1835; http://tinyurl.com/yk446cr (accessed December 21, 2009).

[4]David J. Whittaker, "Early Mormon Pamphleteering," *Journal of Mormon History* 4 (1977): 43.

births, deaths, and marriages, and other items of interest. LDS leaders clearly recognized the utility of the press and in 1845 took steps to centralize the voice of the Church. Parley P. Pratt's "Regulations for the Publishing Department of the Latter-day Saints in the East" rebuked independent Mormon printers and warned Saints to patronize only official publications.[5] The *Guardian*, one such official paper, served as the main organ for the Church in America from 1849 to 1852. Such contextualization from Black would have helped the reader better understand its role and importance.

Like earlier LDS papers, the *Guardian* followed the general newspaper format of the times, though with an LDS slant. Newspapers before the Civil War had not yet entered the industrialized business-oriented model of news-gathering which gave rise to the professionalization of journalism, the decline of party presses, yellow journalism, the Associated Press, and well-staffed newsrooms. Embodying Joseph Smith's overlap of the sacred and secular, the *Guardian* ran sermons and agricultural advice next to advertisements and jokes. Ezra T. Benson, one of Hyde's counselors at Kanesville, testified of that overlap: "We talk about moving to the Valley, about our labor, our stock, calves, &c., because it is our religion" (71). Orson Pratt, one of Mormonism's foremost authors and publishers, exultantly wrote from England on July 23, 1850, that the increasing ease and speed of travel had "almost united the continents into one" (119). Technological developments enabled Isaiah's prophesied "swift messengers" to warn the world of coming judgment and gather the elect to Zion. "The extensive circulation of the printed word," Pratt continued, "has also given an impetus to the rolling of the great wheel of salvation" (122).

The book itself is brief and interesting, but the real treasure is attached to the inside back cover: a DVD-ROM containing the complete archive of the *Guardian*, including scanned images of every page in addition to searchable HTML text. The DVD is simple to navigate, but the quality of the scanned images could be improved. The bottom left side of each scan is too light, making some words difficult to make out except by zooming in on each image. It is not clear if the defect is in the scans or the paper pages, but it seems to be the former. A search feature allows wild-card text searches. The DVD also includes sixteen photographs and a collection of "annotations" compiled by Black: lists of all the names and places mentioned in the *Guardian* and a glossary of 135 "commonly used" nineteenth-century terms. The DVD makes the book well worth the cover price, joining similar collections that offer important, if uneven, access to primary documents from the privacy

[5]Parley P. Pratt, "Regulations for the Publishing Department of the Latter-day Saints in the East," *New York Prophet* 1 (January 4, 1845): 2; rpt. *Times and Seasons* 6 (January 15, 1845): 778.

and proximity of a personal computer.[6] Perhaps Susan Easton Black's greatest contribution to Mormon history to date has been providing such grist for other historians' mills.[7] Orson Hyde certainly thought the *Guardian* was worth the attention of Latter-day Saints: "Who, among the Saints," he asked, "will raise up a family of children without giving them education, the bible [sic], and the *Guardian*?" (10).

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Reid L. Neilson and Terryl L. Givens, eds. *Joseph Smith Jr. Reappraisals after Two Centuries*. New York: Oxford University Press, 2009. xi, 284 pp. Notes, bibliography, and index. Paper: $24.95. ISBN: 978–0–19–536976–2

Reviewed by Shannon Flynn

Periodically a new book comes along that has a significant impact on academic research and the direction of future scholarly studies. I believe that *Joseph Smith Jr.: Reappraisals after Two Centuries* is such a book. The two hundredth anniversary of Joseph Smith's birth (2005) seemed to be something of a watershed year in how Joseph Smith is viewed in academic circles. The commitment by the LDS Church to the Joseph Smith Papers project and the conference at the Library of Congress in 2005 are a few examples of how analysis of Joseph Smith has progressed above and beyond the simple battle of apologetics and polemics.

Reid Neilson and Terryl Givens have assembled an impressive collection of some of the best thinking about Joseph Smith available today from both LDS and non-LDS sources. According to the introduction, most are "previously unpublished papers," but the editors do not differentiate individual es-

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[6]For a slightly dated overview of available CD-ROM collections, see Ronald Walker, David J. Whittaker, and James B. Allen, *Mormon History* (Urbana: University of Illinois Press, 2001), 87–88. See also Richard E. Turley, ed., *Selected Collections from the Archives of the Church of Jesus Christ of Latter-day Saints*, 2 vols., 74 disks, DVD (Provo, Utah: Brigham Young University Press, [Dec. 2002].

[7]Other primary-source contributions by Black, all published in Provo, Utah, by the BYU Religious Studies Center, are *Membership of the Church of Jesus Christ of Latter-day Saints, 1830–1848*, 50 vols. (1989); *Early Members of the Reorganized Church of Jesus Christ of Latter Day Saints*, 6 vols. (1993); and *Annotated Records of Baptisms for the Dead 1840–1845, Nauvoo, Hancock County, Illinois*, 7 vols. (2002).

says by prior publication.

In the introduction, Neilson and Givens define "the rationale behind this collection": "The day has come when the founder of Mormonism and his prominent role in American history and religious thought cannot be denied. The attention paid to Smith's teachings, charismatic ministry, and religion-making imagination now comes from scholars in American history, religious studies, sociology, biblical studies, Christian philosophy, literature, and the humanities—all of whose areas of concentration are represented in this collection. It is our intent to reflect in these pages the wide-ranging interest in Joseph Smith that the commemorative conferences only suggest" (7).

The book consists of fifteen essays in three categories: "American Prophet," "Sacred Encounters," and "Prophetic Legacy." Because of space constraints, I will focus on a few that I believe are representative of the book's tone and tenor. An outstanding characteristic of the essays as a whole—one that was a quite pleasant surprise—was an articulation of positions so objective that, as a reader, I could not detect whether the author was Mormon. It wasn't very long ago that discussions of Joseph Smith were so emotionally charged that polemics and apologetics were *de rigueur*. I therefore see this book as a significant but natural advance. Perhaps any new church automatically starts out with a target on its back and, as a matter of survival, needs to respond in kind. But maturity, accompanied by a deepened and expanded understanding, requires finding a common language and being able to discuss vigorously but not defensively (or offensively).

I approached "Prophets in America circa 1830: Ralph Waldo Emerson, Nat Turner, Joseph Smith" by Richard H. Brodhead somewhat warily since comparisons between historical figures are sometimes so strained that the reader must conclude that the author is trying to make the evidence fit the conclusion—or that the points of comparison exist only in the author's mind. Happily, Brodhead's essay was an eye-opening analysis of contrasts and similarities between Nat Turner and Joseph Smith, though less strong in the comparisons with Emerson. The essay points out that Smith and Turner had no direct contact during their lifetimes. However, in a rather powerful way, Brodhead helped me understand my own perspective. I accept Joseph Smith as a prophet though I'd never thought of Nat Turner in those terms. I have nothing invested in Turner or his religious experiences and thus stand completely "outside," evaluating his claims skeptically. Of course, this is how non-Mormons would see Joseph Smith—an idea that I had long accepted but which, in the context of this essay, I could deal with directly. I would heartily recommend this essay for its interest, its illumination of the subject, and its new tools for thinking about Joseph Smith.

It does, however, contain one of the very few historical errors that I found in the book, the mention that "Joseph Smith was at work translating the

Book of Mormon from 1825 through 1829" (15). The correct dates are 1827 through 1829. It is a minor error, but one the editors should have caught.

The sixth chapter, "Joseph Smith vs. John Calhoun: The States' Rights Dilemma and Early Mormon History" by James B. Allen is a must-read for anyone who is serious about understanding Mormonism's early stages. I don't know how many times I have heard the quotation from President Martin Van Buren, "Gentlemen, your cause is just, but I can do nothing for you," used as prima facie evidence of the entire federal government's eagerness to join in persecuting the Mormons. But as Allen clarifies, anybody sitting at Van Buren's desk would have told Joseph Smith the same thing. This essay is an excellent overview of political realities and especially the period's much more limited assumptions and expectations about federal powers. Joseph Smith and John C. Calhoun occupied opposite ends of the spectrum. Joseph Smith and his associates were, in fact, more than a little naive in thinking that the federal government could see its way clear to impinge on state sovereignty, a key issue that made the Civil War with its loss of hundreds of thousands of American lives virtually inevitable. Allen's essay provides clarity and context for one of Mormonism's most misunderstood episodes.

In "Joseph Smith, American Culture, and the Origins of Mormonism," Klaus J. Hansen explores the American landscape of the early nineteenth century and how it contributed to Joseph Smith's founding of a new religion. Richard Dilworth Rust broadens our understanding by casting Joseph Smith as a person Herman Melville would have appreciated as a "thought diver" in "'I Love All Men Who Dive': Herman Melville and Joseph Smith." Catherine L. Albanese takes a close-up look at who Joseph Smith was personally and how his religious background can help us divine his motivations in "The Metaphysical Joseph Smith."

Chapter 8, "Joseph Smith: Prophecy, Process, and Plenitude" by Terryl L. Givens, is one of the best essays in the book. His thesis is to re-create Joseph Smith's time and context—"meeting him on his own terms," as he puts it (107). Givens lays out a historical context, introduces contemporary characters such as Thomas Robert Malthus and Charles Darwin who help the modern reader see Smith as he saw himself, and guides us away from Smith filtered through a modern lens. For example, Givens compares Joseph with William Blake in asserting that they both, as Blake puts it, "must create my own system, or be enslaved by another man's" (108).

I disagree with some of Givens's assessments, for instance, his conclusion that "Joseph Smith almost always put himself in an agonistic, if not antagonistic, relationship to all prior systems" (108). This, in my opinion creates an idea that Smith was primarily a provocateur and secondarily a religious leader. I believe Smith's primary motivation was to bring forth a new religious idea; if it conflicted with prior traditions, that was okay; and if it didn't,

that was okay, too. However, in the tradition of good essay writing, I don't want to dismiss Givens, I want to debate him. Givens makes me think, makes me come up with my own evidence and conclusions. I want to write my own essay and have a two-hour sit-down with Givens. I appreciate what I've learned from Givens and, more, his prodding me to go beyond him.

Richard L. Bushman provides a fascinating look at the legacy of Joseph Smith's creation of both sacred places and sacred works in "Joseph Smith and the Creation of the Sacred," a two-part essay comparing the temple tradition of the Old Testament with the evolving temple tradition of the Latter-day Saints. In "Visions, Revelations, and Courage in Joseph Smith," Douglas J. Davies uses courage as an approach to Joseph Smith by taking the debate out of the simple arenas of faith-centered belief or psychopathology. "Seeking the Face of the Lord: Joseph Smith and the First Temple Tradition" by Margaret Barker and Kevin Christensen concludes the essays in the "Sacred Encounters" section.

The essay by Laurie F. Maffly-Kipp is, in my opinion, the capstone of the book. In "Tracking the Sincere Believer: 'Authentic' Religion and the Enduring Legacy of Joseph Smith Jr.," she presents a fascinating case for trying to separate the person of Joseph Smith from the work of Joseph Smith. This essay demonstrates in a powerful way how so much of the discussion—especially when cast as apologetics or polemics—centers on questions about background and character. Was Joseph Smith a good or bad person? Did he have mental issues? Was he a charlatan or a saint? So much of belief or unbelief centers on our assessment of his personal character. Maffly-Kipp reframes the argument. In one paragraph, she highlights the dichotomy: "Another way an insider might approach this question is by asking, Why does it matter if Smith was a pious man, as long as God provided the Book of Mormon and restored priesthood through him? Mormon salvation may be dependent on what Joseph Smith did, but is it dependent on what he felt? Or on what modern-day believers claim he felt? This equation—Smith's sincerity equals religious legitimacy—means that any personal failing of Smith calls into question the truth of Mormonism itself" (185).

Richard J. Mouw's essay "The Possibility of Joseph Smith: Some Evangelical Probings" begins with this prologue: "Richard Bushman once posed an interesting question to a group of evangelical scholars who were gathered with our Mormon counterparts for dialogue. 'Is Joseph Smith possible for you?,' he asked us. I want to engage in some probing about Bushman's question in this essay." Mouw's simple answer is: "Of course Joseph Smith is possible" (189), but he then lays out some of the fundamental theological differences between Evangelicals and Mormons. Mouw is not combative or unkind, but he also does not try to gloss over the divide that exists. His candor is refreshing. This essay is also reality therapy for Mormons who think that

anyone not actively hostile to Joseph Smith is on his way to baptism. For all of the objective dialogue and friendly feelings manifest in the relatively recent common ground of scholarly discourse, there are some significant divisions between mainstream Christians and Mormons that will not be reconciled soon.

Reid L. Neilson's "Joseph Smith and Nineteenth-Century Mormon Mappings of Asian Religions" is well written and well researched; but as Neilson clarifies in his introduction, Joseph Smith would have likely known little or nothing about Asian religions. Thus, this chapter would have been better placed in a different book. In "The Prophethood of Joseph Smith," Wayne Hudson urges accepting Joseph Smith as a prophet regardless of the reader's religious convictions. A non-Mormon, Hudson uses his own perspective to refocus the discussion on trying to understand Smith's impact rather simply dismissing him. He essentially asks: Can we agree on and start from the basis of saying Joseph Smith was a legitimate prophet without violating our own personal belief systems? It is a question not easily answered. In David J. Whitaker's chapter, "Studying Joseph Smith Jr.: A Guide to the Sources," he states: "All studies of Joseph Smith (1805–1844) must begin with the original manuscripts which document his life" (221). Whittaker then provides a good summary of what those sources are and where they can be found.

I wish I had space to comment on all of the essays, since I think this is a must-have volume for any serious student of Joseph Smith and Mormon history—and now, after doing some catching up, American history.

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Zvi Ben-Dor Benite. *The Ten Lost Tribes: A World History*. New York: Oxford University Press, 2009. 302 pp. Illustrations, maps, endnotes, bibliography, index. Hardback: $29.95. ISBN 978–0–19–530733–7

Reviewed by Jonathan A. Stapley

> *Nine tenths of those who come into this Church are the pure blood of Israel, the greater portion being purely of the blood of Ephraim. He was the first-born, and the first blessing of old Jacob was upon Ephraim. Joseph was a saviour to the house of his father, and will be to the whole house of Israel in the last days. We are Israel, we are already a portion of that venerable house. . . . You will never see a*

> *man called to preside in the Priesthood of God on the earth who is not purely of the blood of Abraham.* —Brigham Young[1]

Mormon Israelism is peculiar, both in regards to the indigenous population of the American continents as well as to persistent beliefs, readily observed in the patriarchal blessings of each member, that most members are descendants of and heirs to the ten lost tribes of Israel. It is consequently no surprise that Mormonism figures prominently in Zvi Ben-Dor Benite's recent world history of the ten tribes. Perhaps not surprising, as well, is Benite's fundamental miscomprehension of Mormonism in relation to his subject.

Benite's stated task is a world history, tracing the ten tribes across time and place, from the kernels of historicity to the most developed modern myths and beliefs. Overall, he succeeds in communicating that history. The story of the tribes is vast, spanning millennia of cultural evolution and exchange. After introducing his volume, Benite begins with the foundational narrative of the Bible, which describes the political division into Israel and Judah, followed by Assyria's subsequent defeat and depopulation of Northern Israel. Importantly, Benite uses extant Assyrian records and up-to-date scholarship to contextualize not only the actual events but also the consumption of their interpretation within the self-reinforcing framework of contemporary Assyrian propaganda. This framework then expands as the known world expands from the Persian and Islamic spheres of influence and then to the New World.

The significance of the ten tribes to various religions and their spiritualization is also a key theme throughout the work. Perhaps due to the popularity of authors such as Margaret Barker, the idea of Josiah's reformation with its crafty Deuteronomists may not be as unpalatable to Mormons as it might have been just a few years ago. Benite shows just how such reformations transformed the lost ten tribes into a spiritual (and political) force. The lost tribes as a contiguous people, however, do not really exist until after the Jewish Bible. "The rudiments of a tale about the loss of an Israelite group were encoded in the biblical era," writes Benite. "But the emergence of a distinct entity known as 'the lost tribes' or the 'ten tribes' is a legacy of the postbiblical period, and it is only then that the ten tribes come into being as a distinct collective category within 'the people of Israel' and are assigned a distinct place within world geography and a role in world history" (58). Perhaps the most significant development in the history of the tribes was the

[1]Brigham Young, Sermon, October 9, 1853, in "Minutes of the General Conference of the Church of Jesus Christ of Latter-day Saints," *Millennial Star* 16 (January 28, 1854): 52.

creation of the book of 2 Esdras, a pseudepigraphal book, which, building upon other apocrypha, elucidated the theology and geography of the tribes.

Through reinterpretation, rabbinic and other, the tribes chose exile for purity's sake and became a powerful people. Midrashic sources describe their return, from across a sabbatic river and from deep within the earth. The history is punctuated with pivotal appearances by characters, frauds—pious or not—that expanded the myth and for some, gave it concrete reality. The current state of Israel naturalizes the Falasha (Jewish Ethopians) based on the association of Ethopia with the tribe of Dan by Eldad ha-Dani, one such ninth-century trickster.

Christian interest in the ten tribes is of rather late vintage. It was not until the second millennium C.E. that Christians engaged the tribes, exchanging knowledge with Jews, with each crafting narratives favorable to their own perspectives. Christians associated the tribe with the myth of Prester John. Benite shows how, with the expanding world, both Protestants and Catholics sought for the ten tribes, first on the borders of the Old World, then in the Canary Islands, and then in the New World. The belief that native peoples in the American continents were the lost tribes was common well into the nineteenth century. Benite also addresses the origins of British Israelism, another important context for Mormonism.

Benite's unfamiliarity with Mormonism is betrayed by casual mistakes: referring to the Church as "the Mormon Church of the Latter-day Saints" (187) and dating the Kirtland Temple theophany to 1831 (186). He relied heavily on R. Clayton Brough's *The Lost Tribes: History, Doctrine, Prophecies and Theories about Israel's Lost Ten Tribes* (Bountiful, Utah: Horizon, 1979) for the bulk of his Mormon sources. This volume, while somewhat useful, is dated and historiographically flawed. Benite frames the tribes in a theology of loss (14–22) which he rightly recognizes as being reflected in Mormonism (185, 198). The garden of Eden, Zion (both ancient and modern), and Israel were all just beyond the reach of early Mormons and served as archetypes for the restoration. However, this broader resonance is not clear in Benite's explication of the Book of Mormon, framing it as an attempt to save the history of the ten lost tribes and their American landing from science, which was beginning to dismantle such theories: "As revelations, Mormon claims are immune to any scientific challenge—not the case with the Jewish Indian theory, which relied on ethnographic findings. Nevertheless, scientific challenges to Mormonism have been an integral part of its history since its inception. And for its part, Mormon science is interested in proving the correlation between the various nations mentioned in the Book of Mormon and, for instance, the mound builders" (187).

Though many nineteenth-century authors such as Ethan Smith asserted an American geography for the ten tribes, the Book of Mormon does not.

The bulk of its narrative deals with Hebrews who traveled to America before the Babylonian captivity. True, the Book of Mormon incorporates the history of similar refugees led by God from before the Assyrian deportation and after the tower of Babel, but all the characters of the book lie outside of the lost tribes.[2]

Furthermore, as evidenced in the opening quotation of this review, Mormons not only saw Hebrews in Native Americans, but also themselves. Benite acknowledged early Mormon discourse regarding Zion and Israel, but he failed to see the prominent and intense belief that Mormons are literally descendants of the lost tribes. Related to British Israelism, early Mormons generally viewed the tribes as assimilated in the cultures of the world. Their descendants were indistinguishable from the unmixed populations except by their reaction to the gospel. Two years after the organization of the Church, the *Evening and Morning Star* printed "The Ten Tribes," an article that delineated the early Mormon view, based on tradition but also heavily influenced by the Book of Mormon's allegory of the olive tree (Jacob 5), that God scattered Israel all over the world.[3] Joseph Smith and other early Mormons did appear to believe in the traditional eschatological return of the remnant tribes from "the northern countries,"[4] but it is not until the early and middle twentieth century that Mormon leaders invested more heavily in the myth, with many believing in supernaturally obscured intact tribes.[5]

Benite completely misses this development of Mormon thought on the

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[2]Grant Underwood, *The Millenarian World of Early Mormonism* (Urbana: University of Illinois Press, 1993), 66.

[3][No author], "The Ten Tribes," *Evening and Morning Star* 1 (October 1832): 33–34.

[4]Joseph Smith, Letter to N. C. Sexton, January 4, 1833, Kirtland, in Dean C. Jessee, ed., *The Personal Writings of Joseph Smith* (Salt Lake City: Deseret Book, 1984), 273–74. See also Underwood, *The Millenarian World of Early Mormonism*, 67, 85; Revelation, November 3, 1831, in Robin Scott Jensen, Robert J. Woodford, and Steven C. Harper, eds., *Revelations and Translations: Manuscript Revelation Books, Facsimile Edition,* in THE JOSEPH SMITH PAPERS series, edited by Dean C. Jessee, Ronald K. Esplin, and Richard Lyman Bushman (Salt Lake City: Church Historian's Press, 2009), 207–8 [D&C 133:26–34]. Joseph Smith may have also believed that God removed the tribes from the planet. Jill Mulvay Derr and Karen Lynn Davidson, eds., *Eliza R. Snow: The Complete Poetry* (Provo, Utah: Brigham Young University Press/ Salt Lake City: University of Utah Press, 2009), 407–8; Scott G. Kenney, ed., *Wilford Woodruff's Journal, 1833–1898*, typescript, 9 vols. (Midvale, Utah: Signature Books, 1983–85), 5:385, 6:363; Bathsheba W. Smith, "Recollections of the Prophet Joseph Smith," *Juvenile Instructor* 27 (June 1, 1892): 344.

[5]James E. Talmage, *The Articles of Faith: A Series of Lectures on the Principal Doctrines of the Church of Jesus Christ of Latter-day Saints* (Salt Lake City: Deseret News, 1899), 335–40, 348–50; Orson F. Whitney, *Saturday Night Thoughts: A Series of Disser-*

subject over time, instead focusing on unrepresentative data and mistaken interpretation. Despite this error with regards to Mormonism, his volume will nevertheless be useful to many readers and offers a robust bibliography for further study.

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Mitch Horowitz. *Occult America: The Secret History of How Mysticism Shaped Our Nation*. New York: Bantam Books, 2009. 290 pp. Bibliographic essay, index. Hardcover, $27.00. ISBN 978–0–553–80675–5

Reviewed by Matthew Bowman

Mitch Horowitz has written an often gleefully fascinating book. Horowitz is editor in chief of the Tarcher imprint of Penguin Books, which publishes volumes on topics like the Mayan apocalypse, interpreting your own dreams, "energy medicine," the "Human Potential Movement," the investing secrets of King Solomon, and other such esoterica. He built a career writing for such classic publications as *The Fortean Times*, each issue a veritable encyclopedia of frogs falling from the sky, crop circles, and cryptozoology. The journal is named for Charles Fort, the World War I-era prophet who wrote vast compendia of strange phenomena with titles like *Lo!* and *The Book of the Damned* and is generally credited with coming up with the idea of alien abduction, coining the term "teleportation," and, crucially, suggesting that there are vast untapped powers available to the human mind—powers that can make you rich, let you see into the future, and find your keys.

In this volume, Horowitz argues that Charles Fort is not, in fact, a crank but rather that Fort had his finger on the American zeitgeist. Horowitz makes his case thus: "Whether the occult changed America, or the other way around, certainly this much is clear: The encounter between America and occultism resulted in a vast reworking of arcane practices and beliefs from the Old World and the creation of a new spiritual culture. This new culture

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tations on Spiritual, Historical and Philosophic Themes (Salt Lake City: Deseret News, 1921), 128–29; John H. Taylor, Sermon, *Conference Report*, October 1937, 41–42; Bruce R. McConkie, "Lost Tribes of Israel," in his *Mormon Doctrine*, 2d ed. (Salt Lake City: Bookcraft, 1966), 455–58. Individuals such as B. H. Roberts extensively engaged ten tribes scholarship.

extolled religious egalitarianism and responded perhaps more than any other movement in history to the inner needs and search of the individual. At work and at church, on television and in bookstores, there was no avoiding it: occult America had prevailed (258).

Horowitz believes that what he calls the "occult" was a radically optimistic movement in America, built around a very American exaltation of "an unlikely ethic of social progress and individual betterment" (3). It flourished outside the folds of the churches, driven forward by the eccentricities, genius, and spiritual hunger of individuals as diverse as the dentist's wife Mary Baker Eddy, the cobbler's son Andrew Jackson Davis, and the druggist Frank B. Robinson—self-made prophets with followings of thousands all. And it was this very confidence in the potential of the average American to access and understand esoteric spiritual knowledge and to use it for individual betterment and empowerment which makes the occult, according to Horowitz, America's true religion.

Befitting such an argument, the bulk of Horowitz's book consists of mini-biographies of figures like those above. The great Depression-era psychic, theologian, medium, and healer Edgar Cayce gets his own chapter, which emphasizes the coherent structure of Cayce's mystic thought and argues: "If there was an inner, or occult, philosophy behind the world's historic faiths, Cayce had come as close as any modern person to defining it" (235). Similar homage is paid to Manly Hall, the eccentric genius who sat for most of his twenties in the New York Public Library's Reading Room, composing a vast work reconciling virtually every genre of esoteric thought; to Timothy Drew, the North Carolinian who renamed himself Noble Drew Ali and invented "Moorish Science"; and the magician Paul Foster Case, whose 1909 encounter with a mysterious person calling himself the "Master of Wisdom" propelled him into the Hermetic Order of the Golden Dawn and eventually into developing a systematic theory of the Tarot.

Yet despite the tantalizing promises of the dust jacket that Horowitz will explore the "supernatural passions that marked the career of the Mormon prophet Joseph Smith," he uses a cursory three-page recapitulation of D. Michael Quinn's *Early Mormonism and the Magic World View*, 2d ed. (Salt Lake City: Signature Books, 1998) primarily as a springboard into a subject that seems to interest him more: Masonry.

This sort of frenetic leap from oddball to oddball embodies the basic weaknesses of Horowitz's book. First, it is weirdly organized. Awareness that Horowitz seems to have intended a chronological approach emerges only gradually after the reader has been spun through two opening chapters that jump from person to person and movement to movement with only the barest thread of argument or transition tying them together. The first chapter after the introduction is titled "The Psychic Highway," referring to the

Burned-Over District of antebellum upstate New York. In considering this location, Horowitz in the span of thirty pages deals with, in order, the Shakers, the mysterious "Dark Day" in 1780 when the sun failed to rise, various Indian mythologies, the Millerites, the Mormons, Masonry, the resurrected Quaker prophetess Jemima Wilkinson, Mesmerism, Emanuel Swedenborg, and the great Spiritualist Andrew Jackson Davis. One's head spins, and Horowitz's book seems so bursting with facts and so besotted with the obscure and quirky that it threatens to come apart at the seams.

The second chapter is not much better. Fuzzily titled "Mystic Americans," it begins with the late nineteenth-century, vaguely Hindu Theosophical movement, leaps back in time to Transcendentalism and the occult traditions of Europe, touches on Mary Todd Lincoln's enjoyment of séances, and concludes with the psychic proclivities of the late nineteenth-century feminist Victoria Woodhull. Parsing a coherent argument or narrative thread out of such a patchwork is difficult.

Fortunately, Horowitz then calms down and most of the following chapters have a great deal more focus, though his propensity toward narrating the lives of such fascinating figures as Henry Wallace (Theosophist and Franklin Roosevelt's vice-president for one term) or William Fuld (the stodgy Presbyterian who made the Ouija board into a board game), rather than drawing out evidence to support his argument continually threatens to dismember the book into a collection of anecdotes.

This tendency also indicates Horowitz's second great weakness. One gets the sneaking sense that "occult" means anything Horowitz finds novel, interesting, or appropriately weird. At one point, he defines it as that which "deals with the inner aspect of religion; the mystical doorways of realization and the secret ways of knowing. Classical occultism regards itself as an initiatory spiritual tradition" (8). This is, though charmingly mystical itself, not a terribly precise definition. Indeed, monastic Roman Catholicism or Orthodox Judaism might well qualify. Elsewhere, occultism emerges as that which deals with the spiritual or hidden world and how it affects the present and material. That definition is clearer, sort of. However, such obscurity allows Horowitz to place Joseph Smith and Mary Baker Eddy in the same pages with the Maharishi Maresh Yogi, which is an achievement not to be sneezed at.

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Néstor Curbelo. *The History of the Mormons in Argentina*. Spanish edition

2000. English translation by Erin Jennings. Salt Lake City: Greg Kofford Books, 2009. Chronology (front matter) and timeline (back matter), appendices, list of oral histories, 116 illustrations and photographs, chapter notes, bibliography, index. Paper: $24.95. ISBN: 978–1–58958–052–7

Reviewed by Don Chapman

I want to call this history "The Little Book that Could." It has such heart, devotion, and earnestness that I want it to succeed. You can almost hear it saying to itself, "I think I can, I think I can." The trouble is, I don't know what it thinks it can do. I don't know if the book itself knows. With a title like *The History of the Mormons in Argentina*, you would expect a large express engine of a book. But that is not what we get. A more reasonable title would have been ***A** History of **Some** Mormons in Argentina*, and even then I think the other translation of the Spanish word *historia* would be better: a story. At first glance, that is what this book looks like—stories and tidbits about Mormons ranging from 1925 to the present.

In a lot of ways, this book reminds me of the amateur histories that I grew up with, like Miranda C. Stringham, *Basalt-Firth since 1900* (Idaho Falls, Ida.: Hansen Printing, 1972.) You know the type: narratives from families in the area, assorted sacrament meeting programs, memories of notable high school football games, news clippings, scattered photos, and such. This book is like that. It starts with a chronological table that details the years that missions and stakes were created and that mission presidents and area authorities were called, but it also includes such dates as the *Brooklyn*'s arrival in San Francisco, Brigham Young's designation of the temple site in Salt Lake City, the completion of the transcontinental railroad in the United States, and the launching of the seminary program in Utah.

The introductory chapter starts out almost defensively, asserting the legitimacy of the Church in Argentina with its 300,000 members and citing the eleventh Article of Faith. The introduction ends with the most important "firsts" of the Church in Latin America, including Parley P. Pratt's journey to Chile and the establishment of the Church in Mexico. In between it gives a two-paragraph history of the events of the restoration and a summary of missionary work around the world. How all these themes are to be tied together is left up to the reader. From that point, the book chugs through the earliest attempts to establish the Church in Latin America, the first missionaries sent to Argentina, and the first missions organized in Argentina and Brazil. Interspersed among the dates and names of all these firsts are details of translating the Doctrine and Covenants into Spanish, reminiscences from old-stock members, ages and hometowns of the first fifteen missionaries to serve in Argentina, and the visit of J. Reuben Clark in 1933. Before we finish

the book, we will have traversed a seven-page chapter about the organization of missions in the rest of South America, four pages quoting the dedicatory prayer for the Buenos Aires Temple, four pages listing all the mission presidents who have presided over Argentine missions, and one page quoting David O. McKay's talk at the Teatro Nacional Cervantes. The book ends with the 1996 visit of Gordon B. Hinckley as a sort of triumphant pinnacle and vista into the twenty-first century. As a bonus, we get another historical timeline in the appendix which overlaps much of the chronology given at the beginning of the book, though we learn some additional details such as Russia's official recognition of the Church in 1991.

As a returned Argentine missionary, I began this book eager to know more about the Church and its Saints beyond the borders of my own experience, but the jumble reminded me more of some of the cramped *pensiones* I lived in. What do you do with such a book? It is too hard to see any sweeping narrative that you could call "*The* History." Everything in such a book is too fragmented and scattered for that.

I don't know a lot about historiography, but I would want a book that claims to be *the* history of anything to have a clear focus, to analyze and synthesize sources, to provide insight and shape to a collection of events. I reluctantly confess that, after reading the book for a few minutes, I lost any confidence that the book was going to do that job. There is little explicit analysis and synthesis; it is a hodge-podge collection ranging from the names of the first missionaries to Mexico to the lists of area presidencies to the announcement of the São Paolo temple. The book would probably best be approached as a chronicle—as the stories, highlights, and names of important people of his community, in this case the Church.

But even on those terms, I am a little disappointed. I think the best parts of the book are the stories. I especially liked the story of Juan Carlos Avila, an Argentine missionary, who was sent to Arroyito in 1950 to reopen a branch that the police had closed. Even though a police strip barred the front door of the meetinghouse, Elder Avila and his companion sneaked through the back door to eat and sleep in the meetinghouse. After they had fasted for more than two days, they were transferred, but the Church received permission to reopen the branch (113–14). I think publishing such personal stories could have made a very welcome contribution, but oral histories aren't emphasized much, even though the introduction promises that the book will focus "primarily on the faith and experiences of individuals and how religion motivated and changed their lives" (xxx) and lists some seventy tape-recorded interviews (231–33). Personal stories in an authentic voice, like Elder Avila's, are rare, often overwhelmed by the minutia of who was the first local missionary, mission president, high councilor, and so on. Furthermore, many of the stories come from published sources bearing an institutional

imprimatur.

Actually the book isn't as formless as I may have suggested. After reading most of the book, I realized that Curbelo's chapter sequencing does indeed present a discernible pattern for viewing the growth of the Church in Argentina. It's just that the pattern is camouflaged by the haphazard presentation within the chapters. The book begins with the first missionaries to Latin America and the translation of the Book of Mormon into Spanish, both in the nineteenth century (chaps. 1–2). Once the narrative shifts to Argentina proper, the emphasis is on the missionaries and mission presidents who became the unifying force in the Church during the early days (1925–45; chaps. 3–4, 7–8, 10). Simultaneously, local men were cultivated as leaders so that stakes could become a source of strength for the members (chaps. 5, 8–9). This growth culminated with the building of temples (chaps. 11–13) and the appointment of area presidencies (chap. 14). Often Curbelo begins a chapter or theme with the earliest latter-day revelation on the subject (e.g. mission work, temples, priesthood leadership) and then couches the history of the Church in Argentina as the natural fulfillment of the principles outlined in those early revelations. The book, then, is essentially an ecclesiastical history. It has a heavy, almost exclusive, emphasis on the development of the Church as an entity. That is why visits from General Authorities matter so much in this book and why the "firsts" that are mentioned mostly have to do with Church organization: first branch, first ward, first stake, first mission president, etc.

An ecclesiastical history is as valid as any other. It would have given me the focus that I was asking for, had it been easier to recognize. But the decision to write an ecclesiastical history means that most of the personal stories, especially those of the women get left out. An exception is Sister Maria Abrea's account of her visit to Salt Lake City, where she was able to be sealed: "Within minutes of leaving the Salt Lake City airport, we saw the temple. There it was, like a quiet and gigantic manifestation of faith" (149). But even this story was taken from the Caseros Branch Newsletter and feels almost formulaic in places. The omission of women's stories is particularly regrettable. Even as an Anglo missionary, I noticed the patient, diligent, stalwart, long-suffering women who dutifully attended every meeting and attended to every duty, even when there were only twenty or thirty or sixty members coming to the branch. They were widows, women whose husbands wouldn't join the Church, and women who never married. In only a few cases were they married to strong, priesthood-holding husbands. No matter their station, they all had interesting stories to tell about their faith and trials.

Since Curbelo's heart is so obviously in the right place, I wish he had shown us the hearts of more Argentines. Church membership is dear and precious to many members in Argentina, even though it has meant devoting

countless hours to struggling branches, humoring stumbling missionaries, listening to sermons in English-accented Spanish, pulling children out of first-communion catechism at school, waiting for a temple to become accessible, and watching children drift away from Church activity for want of other LDS friends. It is a faith-promoting story to see the faith that has been promoted in Argentina. I believe that Curbelo is temperamentally suited to tell this story. But his emphasis on priesthood authorities, both general and local, effaces most of that—even for the priesthood leaders themselves, who had to have had their own moments of trial and growth that would have made interesting stories.

As it is, Curbelo tells an interesting enough story. I now know what I hadn't known as a missionary—that Argentina was where missionary work first started in South America, that I served in the time of the great expansion, that the tremendous growth of the Church in South America in the 1970s and 1980s was a fairly new development, and that the local leaders were still largely converts themselves, just hitting their stride. I now know that the imported ecclesiastical heroes of the Church in Argentina include Reinhold Stoof, Harold Brown, Ernest Young, and Ronald Stone, and that the Argentine heroes include Fermín Barjollo, Miguel Angel Avila, Juan Carlos Avila, Hugo Catrón, Antonino Gianfelice, and Angel Abrea, whereas I had heard only of Angel Abrea while I was a missionary, and then only because he was a General Authority.

Curbelo also brought to my attention several interesting issues that could have been developed much more thoroughly. How have the Church and individual members found their place in a society dominated by the Catholic Church? How have they negotiated with a government that explicitly endorses the Catholic Church, while sometimes repressing other religions? What has it meant to be part of a church with headquarters in the USA? Why were the first missionary efforts directed toward *German*-speaking Argentines? How did the early members regard that emphasis and how do members now regard that piece of history? What do the promises to "Lehi's children" mean to a South American nation of immigrants? How did members manage when North American missionaries were withdrawn during World War II?

So even though this book isn't really *the* history of the Mormons, I can sincerely say that it aroused my interest and suggested several possibilities for what some other histories of the Church in Argentina could be. If Curbelo's book can be seen as a catalyst—something to spur others (or Curbelo himself) into collecting and sifting through stories or analyzing church-state relations or documenting the work of local Argentine missionaries—then perhaps it can say of itself: "I thought I could, I thought I could." Now, if only some more books will come along that will really get the history of the Mor-

mons in Argentina up and over that hill!

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Virginia Hatch Romney and Richard O. Cowan. *The Colonia Juárez Temple: A Prophet's Inspiration.* Provo, Utah: BYU Religious Studies Center, 2009. xi, 218 pp. Photographs, maps, notes, six appendices, index. Cloth: $29.95. ISBN 978–0–8425–2727–9

Reviewed by J. Sherman Feher

Temples have been a special part of my life. From growing up in St. George, Utah, where the temple was the most significant architectural feature on the landscape, to feeling light and strength from the Oakland Temple on the hillside as I went through Coast Guard boot camp, to feeling comfort in the Provo Temple after my father had died—these and many other temple experiences have touched my life in very special ways. To me, this book provides background and understanding of one of the more significant changes in the approach to constructing LDS temple buildings.

Authors Virginia Hatch Romney, a resident of Colonia Juárez, and Richard O. Cowan of BYU's religion faculty, document aspects of modern temple building in nine chapters including: (1) a general history of the Mormon colonies in Mexico, (2) a summary of LDS temple building from 1836 to 1997, (3) the historical context for the inspiration related to small temples, including this one, (4) the historical narrative of site section, construction, openhouse, and dedication of the Colonia Juárez Temple; and (5) information on other Mexican temples (eleven at this writing, ten of them also small temples).

This book is, in part, a distillation of a two-volume, 450-page history of the Colonia Juárez Temple written by Virginia Hatch Romney in 1998–99. She prepared copies for the cornerstone of the temple, the Temple and Historical Departments at Church headquarters, and the Mexico North Area office (92). One of the more significant events in LDS temple-building history is the shift from very large, expensive temples to smaller, less-expensive temples that make temple blessings available to more Saints throughout the world—and it started at in Colonia Juárez.

> President Hinckley also spoke of his experience (at a regional conference) following the visit to Colonia Juárez, "There came to my mind an idea I'd never thought of before. It was inspired of the Lord to build a

> temple there, a small one, very small, six thousand square feet with facilities." The President emphasized that "every faithful member needs access to the house of the Lord. The gospel is not complete without the ordinances of the temple." Later, in the temple's dedicatory prayer, the prophet specifically used the word "revelation" to describe the source of the small temples concept. "It was here in northern Mexico, that Thou didst reveal the idea and the plan of a smaller temple, complete in every necessary detail, but suited in size to the needs and circumstances of the Church membership in this area of Thy vineyard. That revelation came of a desire and a prayer to help Thy people of these colonies who have been true and loyal during the century and more that they have lived here." (20–21)

Local members continued their faithfulness by providing most of the landscaping, also working with skilled craftsman from the States and employees of construction firms. Romney's narrative quotes the experiences of many different people who worked on the temple:

> David Wills, an employee of Jacobsen [Construction], was assigned to be project manager. His wife, Janet, recorded the following: "David came home from the general conference priesthood session and remarked that smaller temples had been announced. He said he felt that he would be asked to work on one of these temples in Latin America, even though he knew that his employer, Jacobsen, hadn't been awarded any other temple construction contracts. I felt the same and told him our family would be ready to relocate when the time came. From this point on, prayer and faith became more important in our home than ever before." A few weeks later David met with Jacobsen's vice president of operations, and they discussed the company's interest in building some of the small temples that had been announced. David was told that he would be Jacobsen's representative if the company was successful in obtaining any of these contracts. "My husband was able to tell them that we had already discussed the possibility," Janet continued, "and the answer was yes." (45)

Romney also shares a story of a Colonia Juárez resident who was very involved with the construction of the temple:

> When the temple was announced in October 1997, high school student Chad Call had just begun his senior year at the academy. He decided that after graduation he would stay to work on the temple until it was finished instead of going away to work or attend college. At the time he was only seventeen and would not reach missionary age for two years. As soon as school was out in May 1998, Chad was hired and became an assistant to David [Wills]. He proved to be a very valuable employee. There were many days when David was out of town and Chad was in charge, quite an undertaking for an eighteen-year-old. (47)

Another interesting insight from this book is the relatively large number of Church leaders (General Authorities, mission presidents, and temple presidents) or their wives who emerged from this relatively small Mormon town. Camilla Eyring, who married Spencer W. Kimball, is one example.

The names of 184 of these leaders are listed in Appendix B.

A number of anecdotes relate to other Mexican temples:

> The temple in Ciudad Juárez truly is international, serving Saints in the two countries. It is located there rather than in the neighboring city of El Paso, Texas, because United States citizens could enter Mexico much more easily than could people from Mexico cross the border into the U.S. . . . The temple was completed and ready for its public open house. Over 25,000 attended. Many commented on how the temple was an oasis of peace in striking contrast to the bustle of this larger border city. One professional man commented, "I don't need to die to see heaven. This is heaven." (166)

The six appendices are: (1) President Hinckley's Remarks at the Juárez Academy Fireside (on June 5, 1997), (2) Leaders with Ties to the Colonies, (3) President Hinckley's General Conference Announcement, (4) Elder Eran A. Call's Remarks at Temple Groundbreaking, (5) Items Included in the Cornerstone Box, and (6) Dedicatory Prayer by President Gordon B. Hinckley.

One way in which this book could have been improved would have been a larger, more detailed area map that would highlight Colonia Juárez. The existing map (6) is difficult to read given its size (2 3/4" x 2 3/4") unless one is familiar with the area. A scale and north arrow would be a nice additions. A second map should be added to identify the location of other temples in Mexico. I would also like to know why Romney chose certain items to be placed in the cornerstone.

Many books have been written on LDS temples and temple worship. The two basic primers are James E. Talmage, *The House of the Lord* (Salt Lake City: Deseret News, 1912), subsequently revised and printed several times; and Boyd K. Packer, *The Holy Temple* (Salt Lake City: Bookcraft, 1980). Good resources that cover multiple temples are N. B. Lundwall, *Temples of the Most High* (Salt Lake City: Zion's Printing and Publishing, 1941); Laurel B. Andrew, *The Early Temples of the Mormons* (Albany: State University of New York Press, 1978); and Richard O. Cowan, *Temples to Dot the Earth* (Salt Lake City: Bookcraft, 1989). Other works include Elwin C. Robison, *The First Mormon Temple* [Kirtland] (Provo, Utah: Brigham Young University Press, 1997); E. Cecil McGavin, *The Nauvoo Temple* (Salt Lake City: Deseret Book, 1962), and Matthew S. McBride, *A House for the Most High: The Story of the Original Nauvoo Temple* (Salt Lake City: Greg Kofford Books, 2006); Janice Force DeMille, *The St. George Temple: First 100 Years* (Hurricane, Utah: Homestead Publishers, 1977); Nolan P. Olsen, *Logan Temple: The First 100 Years* (Providence, Utah: Keith W. Watkins and Sons, 1978); Manti Temple Centennial Committee, *The Manti Temple* (Provo, Utah: Community Press, 1988); Church of Jesus Christ of Latter-day Saints, *The Salt Lake Temple: A Centennial Book of Remembrance, 1893–1993* (Salt Lake City: Author, 1993); Evan

Tye Peterson, *The Ninth Temple: [Mesa, Arizona] A Light in the Desert* (Orem, Utah: Granite Publishing, 2002); Delbert V. Groberg, *The Idaho Falls Temple: The First LDS Temple in Idaho* (Salt Lake City: Publishers Press, 1985); and Twila Bird, *Build unto My Holy Name: The Story of the Denver Temple* (N.p.: Denver Colorado Area Public Communications Council, 1987).

Romney and Cowan provide much of the same type of information as these earlier books about the history and importance of temple work, in addition to their contribution of insights about the significant shift to smaller temples.

This book on the Colonia Juárez Temple is thorough and well documented—from site selection through initial operation—including the inspiration for it and other small temples as well as vignettes on other Mexican temples. It is oriented to the general reader but also has more detailed information for historians interested in the background for smaller temples and, to a lesser extent, LDS temple building in Mexico.

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Will Bagley. *Always a Cowboy: Judge Wilson McCarthy and the Rescue of the Denver & Rio Grande Western Railroad.* Logan: Utah State University Press, 2008. Xii, 316 pp. Photographs, notes, bibliography, index. Cloth: $34.95, ebook: $28.00. ISBN 978–0–87421–715–5

Reviewed by Lavina Fielding Anderson

Wilson McCarthy was born in 1884; grew up as a Mormon ranchboy in American Fork, Utah; drove cattle north to Montana "when, as he liked to recall, 'there wasn't a fence between Great Falls and the North Pole'" (58); earned a law degree at Columbia; and was appointed judge of Utah's Third District court in 1919. He resigned a little over a year later but was forever afterward known as "Judge McCarthy." In February 1932, he was appointed by the beleaguered U.S. President Herbert Hoover to the Reconstruction Finance Corporation. Two years later, he became court-appointed director of the "bankrupt wreck" of the Denver & Salt Lake Railroad, a sub-company of the Denver & Rio Grand Western, which he rescued from ruin before resigning eighteen months later but which he continued to nurture as its president for the next twenty years.

This railroad company shares the title of McCarthy's biography, and its photographs appear on the front and back dust jacket. Railroad aficionados will enjoy Bagley's vivid reconstruction of the Denver & Rio Grande's his-

tory. Looted by the Goulds to finance other projects, its infrastructure deteriorated to the point that "D&RGW stood for 'Dangerous & Rapidly Getting Worse.' 'Hell,' Rio Grande engineers taunted competing crews, 'we kill more people than you carry'" (2, 189). McCarthy rebuilt that infrastructure, as Bagley summarizes in a blizzard of statistics: 1,130 new bridges, 2,039,000 ties, a million dollars on rails "every year for the next five years," standard gauge replacing narrow-gauge, diesel replacing steam, and the creation of the tourist-magnet Vista-Dome cars (3).

The thesis that drives this biography of a too-little-known twentieth-century Mormon, Wilson McCarthy, includes his entire generation: "His life was more than the story of a cowboy who became a successful attorney and corporate leader; it was also the story of the generation of leaders who saved American capitalism from a devastating economic depression and helped American democracy win an apocalyptic world war," writes Bagley (xi). McCarthy's life shares the stage with the rise and fall of the region's railroads," nor does Bagley hesitate to add: "My study of the Roaring Twenties and the era's grisly demise, with its obvious parallels to our own time, turned out to be not only entertaining but terrifying" (x).

The book is organized chronologically, beginning with the arrival of McCarthy's paternal grandparents fleeing the potato famine of 1845 in Ireland. His father, Charles, became a freighter in the West (according to a family story, he worked one season for Orrin Porter Rockwell), and courted Mary Mercer, daughter of British immigrants whose devout Mormon roots went back to 1838. After Charles had homesteaded in Grass Valley, the two were married by a justice of the peace. Four years later, Charles was baptized, and the two were endowed and sealed in Salt Lake's Endowment House. Bagley affirms that it was "not a conversion of convenience" (19–20) for, after six childless years of marriage, Charles, with Mary's full consent, married her younger sister, Margery ("Maud") as his plural wife. Ironically, it was Mary who became pregnant with the first of her three children while Maud remained childless. Charles also served a mission and—an even more telling evidence of religious sincerity—a term in the federal penitentiary. Both events are engagingly described, as is the next chapter in the family saga— ranching in Alberta. Charles even became a Canadian citizen (55). Wilson, already a seasoned cowhand, spent his adolescence ranching in Canada. His sister recalls that the McCarthys ran as many as "15,000 of cattle and 25,000 head of sheep" at one time (68). Wilson and his older brother served sequential LDS missions in Great Britain while the lengthy ordeal of the Reed Smoot hearings definitively though reluctantly closed the door on Mormon polygamy. Wilson attended the LDS University in Salt Lake City where he met Minerva Woolley, granddaughter of Apostle Charles C. Rich. He married her after one year at the University of Toronto's law school, and they began their married life at Co-

lumbia's law school where they were active members of New York City's Mormon colony and where Wilson became a Democrat. McCarthy's practice of law in Utah, begun in 1913, led to several political appointments and involvement in banking which founded his fortune. McCarthy's role as a Democrat in a state where Reed Smoot's Republicanism dominated but did not control politics makes for enthralling reading.

McCarthy's Mormonism also sheds critical light on the little-studied social history of Mormonism in disruptive transition during the early decades of the twentieth century. Bagley sees McCarthy as representative of "many Latter-day Saints of his generation" (2). He gave names and blessings to his son and all four of his daughters, was called in 1925 as second counselor to Bryant Hinckley, president of Liberty Stake, and associated with future apostles J. Reuben Clark, Stephen L Richards, and Adam S. Bennion. However, "Wilson's boyhood may have left too much cowboy in him to pay much attention to increasingly important rules such as the Word of Wisdom" (which President Heber J. Grant made mandatory in 1927). He also resisted the requirement to announce excommunications from the pulpit and once "fulfilled the letter of the law by announcing the member's banishment . . . to an empty chapel on a Saturday afternoon" (97). Wilson and Minerva belonged to a weekly history discussion group "that included apostles Tony Ivins and Joseph Fielding Smith (who was serving as LDS Church historian at the time), and Gaskell Romney," Mitt Romney's grandfather. They also belonged to a dinner group of couples, which they hosted in their turn. "At these events, the Word of Wisdom's proscription of alcohol was not," as Bagley tactfully puts it, "operational" (100).

Although Wilson's and Minerva's church attendance and tithe-paying became sporadic when the family moved to Washington, D.C., in 1932, "McCarthy, always without hesitation, identified himself as a Mormon" (139), and David O. McKay, then a counselor in the First Presidency, presided at, conducted, and offered the benediction at his funeral, held in the Assembly Hall in 1956 (283).

The marriage appears to have been a very happy one, with McCarthy as a fond and even indulgent father. In later years, Minerva, "perhaps in response to cyclical depression" would engage in days of "binge drinking," followed by months of abstinence (150), but there is no evidence that Wilson ever considered a divorce.

Although I found the Mormon elements of the McCarthy story more interesting than either the railroad history or McCarthy's role on the national stage of the Depression years, I was far from bored by those chapters. They show Wilson McCarthy as a man with gifts commensurate to the demands of a frightened nation caught in a downward spiral and provide an alternate, non-hero-worshipping view of Franklin D. Roosevelt. Although the first re-

action to McCarthy's name proposed to membership on the Reconstruction Finance Corporation was the "legitimate question . . . 'Who the hell is he?'" (116), McCarthy rapidly proved his worth, both in good judgement, negotiating skills, and above all, a view of civic responsibility that, depressingly from a 2010 perspective, seems old-fashioned. He resigned after twenty months, left Washington without regret (149), moved to California where he engaged in business activities, then accepted the monumental task of becoming president of the Denver & Salt Lake Railroad and restoring it to financial health. His rapid success, as Bagley persuasively argues, helped position the United States to mobilize for and win World War II; and Bagley attributes success to McCarthy's "code of social responsibility and personal integrity" that marked an abrupt end to the profiteering that had been accepted from the robber barons (169; see chaps. 7–9). McCarthy's post-war activities included a return to ranching that validates Bagley's final evaluation: "Anyone who assumes the burdens and duties of corporate or government leadership would do well to consider the simple but inspiring example of a humble but inspiring man who was first, last, and always a cowboy" (291).

This biography cannot be dismissed as a routine work for hire. Will Bagley, a sparkling writer with a gift for a vivid phrase, a telling anecdote, and lucid analysis, makes no effort to conceal both admiration and affection for his subject. His preface freely confesses his warm feelings for Geraldine McCarthy White Clark, McCarthy's youngest daughter, who commissioned this biography but who also babysat Bagley in their shared Avenues neighborhood in Salt Lake City and for whose daughter, Courtney, Will experienced the pangs of first love (xi). The inside back jacket flap includes an irresistible photograph of Geri, to whom the book is dedicated, with Courtney and Will as toddlers, in Cottonwood, Utah. More importantly, on the basis of Bagley's research discoveries, he writes a passionate but well-reasoned afterword: "Judge McCarthy and an Alternate Vision of America's Future," which laments the series of mergers and shut-downs that ended the separate existence of the D&RGW after a 118-year history and speculates on how the nation might be different with a healthy rail system.

As a reader, I appreciated Bagley's description of his editorial methods in dealing with sources (xii), the handsome and professional bookmaking of the University of Utah Press, and the illuminating photographs. This engaging story, replete with colorful details, is meticulously but unobtrusively attributed, and the citations reveal careful and far-ranging research. Bagley represents the embodiment of Eric Hobsbawm's characterization of historians as "professional remembrancers of what their fellow-citizens wish to forget" (vi). "Cowboy" has become a pejorative term, connoting reckless individualism that jeopardizes team success; but Bagley reminds us of an earlier

day when it stood for the values of competence, modesty, personal honor, endurance, and loyalty to the brand.

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Lu Ann Faylor Snyder and Phillip A. Snyder, eds. *Post-Manifesto Polygamy: The 1899–1904 Correspondence of Helen, Owen, and Avery Woodruff*. Vol. 11 in LIFE WRITINGS OF FRONTIER WOMEN. Logan: Utah State University Press, 2009. xiv, 196 pp. Photographs, maps, biographical list, endnotes, bibliography, index. Cloth: $34.95. ISBN: 978–0–87421–739–1

Reviewed by Todd and Laura Compton

One of the most dramatic, tragic, and continually surprising eras in Mormon history is the period of post-Manifesto polygamy: 1890 through the first decade of the twentieth century. In this era, LDS leaders publicly gave up polygamy, yet many of the highest Church leaders continued to encourage it and practice it secretly. For political reasons, LDS leaders *had* to give up polygamy; but for religious reasons, many of them *could not* give up the practice. The Church did not suddenly discontinue plural marriage in 1890; it had to go through two decades of painful, confusing transition.

In the latest volume of the LIFE WRITINGS OF FRONTIER WOMEN series from USU Press, Phillip Snyder has developed the research of his spouse, Lu Ann Faylor Snyder, to create an easily accessible, sometimes fascinating, sometimes disconcerting, study. *Post-Manifesto Polygamy: The 1899–1904 Correspondence of Helen, Owen, and Avery Woodruff* is one of the few books documenting the lives of LDS Church members in good standing living in post-Manifesto polygamous unions; and as such, it is and will be an important window into this unusual lifestyle.

There are many myths about Mormon polygamy. The standard misinformation about post-Manifesto polygamy is that, after President Woodruff renounced further polygamy in 1890, no polygamous marriages were authorized by Church leaders. However, two rogue apostles, John W. Taylor and Matthias F. Cowley, with some of their followers, continued to practice and encourage plurality, unbeknownst to other Church leaders. When the leaders found out about it, they dropped the two men from the Quorum of the Twelve, and then removed them from the Church.

This radically wrong account of post-Manifesto polygamy—which is prob-

ably the view held by most LDS Church members and which even continues to be passed on by some historians[1]—has been rejected by a series of remarkable, courageous, works of history in our century.[2] As a result, a truer portrait of the era has emerged.

The Snyders' book is not primarily analytical and does not try to cover the wide sweep of the historical period; instead, it is more like Sam Taylor's *Family Kingdom*, as it looks at one polygamous family in great depth. However, unlike Taylor's novel-like memoir, it is more scholarly, telling a complex and fascinating story largely through contemporary documents and letters, supplemented by Avery Clark Woodruff's autobiography.

Owen married his first wife, Helen May Winters, on June 30, 1897. Four months later in October 1897, when Owen was only twenty-four, his father, Church President Wilford Woodruff, called him to be an apostle and brought him into the Quorum of the Twelve. Owen had a close relationship with Joseph F. Smith, and, according to Owen himself, Smith encouraged and authorized him to take a plural wife (16). Matthias Cowley performed the marriage between Owen and eighteen-year-old Avery on January 18, 1901 (18), in Preston, Idaho.[3]

Owen once said that he was the product of a polygamous family and was

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[1]For example, Jacob Olmstead criticizes Terryl L. Givens's treatment of post-Manifesto polygamy as minimizing "the extent to which post-Manifesto marriages were contracted" and being inaccurate because he fails to reflect the spiritual crises the Manifesto caused. Review of Terryl L. Givens, *The Latter-day Saint Experience in America*, in *Journal of Mormon History* 34, no. 1 (Winter 2008): 272. Conservative historians often state that some plural marriages were contracted after the Manifesto, without giving the crucial context that these new plural marriages were encouraged and authorized by members of the First Presidency and that a number of apostles were not only officiators but participants.

[2]High points have been Samuel Woolley Taylor's biography of his father and mother, John W. Taylor and Janet Maria Woolley Taylor, *Family Kingdom* (New York: McGraw-Hill Book, 1951); Kenneth L. Cannon, "After the Manifesto: Mormon Polygamy, 1890–1906," *Sunstone* 8 (January-April 1983): 27–35, revised version in D. Michael Quinn, ed., *The New Mormon History* (Salt Lake City: Signature Books, 1992), 201–20; D. Michael Quinn, "LDS Church Authority and New Plural Marriages, 1890–1904," *Dialogue: A Journal of Mormon Thought* 18, no. 1 (Spring 1985): 9–105; Thomas G. Alexander, *Mormonism in Transition: A History of the Latter-day Saints, 1890–1930* (Urbana: University of Illinois Press, 1986); and B. Carmon Hardy's two magisterial works: *Solemn Covenant: The Mormon Polygamous Passage* (Urbana: University of Illinois Press, 1992) and *Doing the Works of Abraham: Mormon Polygamy: Its Origin, Practice, and Demise*, Vol. 9 of KINGDOM IN THE WEST (Norman: Arthur H. Clark Company, an imprint of the University of Oklahoma Press, 2007).

[3]The Snyders do not give a place of marriage, but this information is in D. Michael Quinn, "Plural Marriages after the 1890 Manifesto," lecture at Bluffdale, Utah, August 11, 1991, transcript available at http://www.ldshistory.net/pc/post-

willing to die for the Principle. In a Church meeting, he predicted that (authorized) polygamy would continue in the LDS Church till the Second Coming and asked Joseph F. Smith, seated on the stand, to correct him if he was wrong. Smith made no correction.

While the Snyders document some of Owen's life, the majority of the correspondence in this volume is by and about his wives. Their letters record their joys and sorrows, fears and frustrations in coping with an absent husband, a life of secrecy, and, for Helen especially, the burden of basically being a single parent much of the time. Fortunately, they ignored his instructions (at least in part) to burn all of his personal correspondence with them. In consequence, we have a partial record of how Owen tried to assuage his wives' fears and reassure them while simultaneously providing guidance, counsel, and direction on running households, paying bills, and completing tasks on his behalf.

This candid correspondence reveals how difficult it was for Helen to accept a sister-wife when she had probably expected a monogamous marriage. Helen confided to Owen two months before his marriage to Avery:

> Your prayers, dearest, in my behalf have been answered. I do feel better than when you left me but still I do not feel exactly as I used to. I love just the same but there is something that tries me all the time and I think it will always be so, perhaps in a less degree. But we cannot expect a reward unless we make a sacrifice, and if it were no trial or sacrifice for me, where off [sic] would be the blessing. . . . I have selfishness & stubbornness to overcome. I can see now that I have spent my whole life in the gratification of my own selfish pleasure, but in the future I live for others, for you, my nobler purer self, for that's what you are to me, and for my children. . . . I must rise above self and conquer all that is selfish or coarse in my nature. (59)

She did her best to welcome Avery into the Woodruff family, and Avery wrote in her autobiography that Helen "treated me like a real sister—always did" (124).

Avery's youthful enthusiasm in her early letters and journal entries gradually gives way to frustration and loneliness as she recognizes that she will never be a public wife and will always need to remain in hiding from all but her very closest associates. She recalled her first impressions of Elder Owen Woodruff when he was speaking at a conference in Star Valley, Wyoming, where her family lived, in August 1900: "I had never seen bro. W. before, but he at once captured my admiration and respect—I felt that he was a great man—pure and holy. I questioned my love for Fred [her current suitor]—if only I could see him I would know! My frustration mounted during the rest

man.htm (accessed November 26, 2009).

[4]Ibid.

of the service" (47).

As the hardships and realities of a life in hiding began to take their toll on Avery, her idealistic views of marriage changed. Troubles with childbearing also plagued young Avery, adding to her loneliness and sometime despair. On January 16, 1904, Owen wrote to her, "It made me feel badly dear to know that you cried yourself to sleep and I hope you will not let this occur again but that you will be comforted and cheered with the 'prospects' of the future" (127).

One theme that emerges in these letters is the cloak-and-dagger atmosphere of secrecy that surrounded post-1890 polygamy. Letters between Owen and Avery are written under aliases; even the places of writing have code names (Salt Lake City is "Bethel," for example). Owen, while traveling with a group of Church leaders, wrote to "Mattie" (Avery) under the name, "Ivan," referring to himself in the third person: "We feel very much honored in having with us Apostle Woodruff and Prest. Duffin of our Mission" (103).

The lead editor of this book, Lu Ann Faylor Snyder, died before it was finished, and her husband, Phillip A. Snyder, completed it. He is an English professor, and we should not expect him to be an expert in Mormon history. While this book has been edited well, with an excellent introduction and informative notes, some minor points are bothersome. There are many typos, and it is hard to tell whether they were mistakes in the holographs or appeared in the typescript or production stages. One wishes that the odder apparent typographical errors had explanatory endnotes. To do justice to the editorial procedures, however, we found the reproduction of interlinear insertions, deletions, and/or marginalia helpful and undistracting.

There are a couple of errors in the section of the introduction dealing with Nauvoo polygamy (4, 9). Joseph Smith's first plural wife in Nauvoo was Louisa Beaman, not Louisa Batemen. Also, the Snyders identify Mary Ann Frost Stearns Pratt, Helen's ancestor, as sealed to Joseph Smith during his lifetime, then to Parley P. Pratt after Joseph's death. Actually, historians are divided on whether she married Joseph Smith during his lifetime. What *is* certain is that she married Pratt in 1837 and was his legal wife throughout the Nauvoo period. It is also certain that she was sealed to Joseph Smith after his death with Pratt acting as Smith's proxy. She later divorced Pratt.

This book would have been improved by providing richer context from a few of the following works. Some of the significant scenes in this drama take

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[5]George D. Smith, *Nauvoo Polygamy: ". . . but we called it celestial marriage"* (Salt Lake City: Signature Books, 2008), 207–9, accepts her as one of Joseph Smith's plural wives. However, Todd Compton, *In Sacred Loneliness: The Plural Wives of Joseph Smith* (Salt Lake City: Signature Books, 2001), 2, 8, 633, finds the evidence for a sealing to Joseph Smith during his lifetime unpersuasive.

place in Star Valley, Wyoming, Avery's home when she met Owen. Dan Erickson's important "Star Valley, Wyoming: Polygamous Haven," *Journal of Mormon History* 26, no. 1 (Spring 2000): 123–64, gives background on its post-Manifesto history. References to the Smoot hearings would have been improved by referring to Kathleen Flake's superb *The Politics of American Religious Identity: The Seating of Senator Reed Smoot, Mormon Apostle* (Chapel Hill: University of North Carolina Press, 2004). As the Snyders discuss the many General Authorities who were friends or relatives of Owen, Helen, and Avery, they often confine themselves to citations from Andrew Jenson's useful but outdated *LDS Biographical Dictionary*; additional references to modern, scholarly works when possible, such as D. Michael Quinn, *The Mormon Hierarchy: Extensions of Power* (Salt Lake City: Signature Books, 1997), would have been preferable.

This book has some beautiful photographs of Avery, Owen, and Helen. It would have been wonderful if one or two of the handwritten letters and/or diary entries from each of had been included as well. Handwriting communicates a personality and a presence that just cannot be reproduced with typesetting, no matter how careful or precise.

All readers of Mormon history owe the Snyders a great debt of gratitude for this marvelous book, which gives scholarly permanence to the moving story of a unique family and adds much to our understanding of a continually fascinating and important transition period in our history.

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Marlene C. Kettley, Arnold K. Garr, and Craig K. Manscill. *Mormon Thoroughfare: A History of the Church in Illinois, 1830–1839*. Provo, Utah: BYU Religious Studies Center, 2006. xi, 124 pp. Maps, notes, index. Paper: $14.95. ISBN 0–8425–2652–8

Reviewed by Joseph Johnstun

Mormon Thoroughfare: A History of the Church in Illinois 1830–1839 is a great little history that whets the appetite for considerably more. Marlene C. Kettley, Arnold K. Garr, and Craig K. Manscill set out to rectify the

deficiency of the neglected history of the importance of Illinois as the main route of missionaries and members traveling to and from Missouri, as well as the history of the early converts to the Church of Jesus Christ of Latter-day Saints in Illinois (ix).

On first picking up the book, I found it hard to take seriously for two reasons: its small size (only eighty-five pages of actual text), and a map on the cover that places Nauvoo on the wrong bend of the Mississippi River. (Imagine placing Salt Lake City next to Utah Lake on a map today.) Once inside, however, the authors do a terrific job of covering each of the different segments of the Church in Illinois prior to the establishment of Nauvoo. The first chapter, "Mission to the Lamanites, 1830–31" describes the very difficult conditions that a handful of missionaries encountered on their way to preach to the Lamanites. During that terrible winter of 1830–31, Parley P. Pratt and his companions were unable to pass the ice floes on the Ohio River and were forced to cross overland from the southern tip of Illinois to the area of present-day East St. Louis on foot.

Other chapters cover the 1831 mission to Missouri, early converts in Illinois, the passage of Zion's Camp, the movement of Church headquarters from Kirtland to Missouri, and, as a concluding chapter, the kindness of the 1,600 citizens of Quincy, Illinois, who took in nearly 5,000 exiled Mormons before the establishment of Nauvoo as Church headquarters.

The time and effort spent scouring through each of Illinois's county histories to find mention of the Church or to place events in context are fantastic. For example, to illustrate the unusually violent winter of 1830–31 when the missionaries were plowing their way south:

> *The History of Adams County, Illinois* tells of a man who lived on the Illinois River and "went a mile and a half from home on the morning the snow began to fall, to haul in some corn." By the time he reached his destination, it was snowing so hard "it was almost impossible for any one to see or get about." He stayed until evening, hoping the storm would subside. However, "it continued with increased fury, and by night was over eighteen inches deep, and still falling." Nevertheless, the man felt he must get back home to his wife and children, so he decided he would "climb on the back of his most gentle ox and ride him home." Unfortunately the ox's back was so slippery that he could not stay on it. In desperation, he "decided to wind the tail of the gentle ox firmly around his hand, and endeavor to follow [the ox] home." Sadly, "before he went many rods he found it impossible to keep his feet." So he simply hung onto the ox's tail and made the animal "drag him the entire distance home." (4–5)

At other times, the authors mention incidents with frustratingly little detail. The people sounded so compelling that I had to find more. For example: In March 1832, missionaries Parley P. Pratt and John Murdock were roused from their sleep one night by Isaac K. McMahan, "who had followed them for twenty-seven miles in order to be baptized. McMahan insisted on

being baptized immediately, so the services were held at two o'clock in the morning. McMahan was then ordained an elder and taught the importance of gathering to Zion" (23).

I soon found myself Googling McMahan and learned that he had been a very early settler in Madison County, Illinois. It appears as though the instructions of Pratt and Murdock did not take, as he did not move to Kirtland or Missouri, and returned to Methodism, and then became a Baptist. While not a "faith-promoting" story in the end, it is still a rather remarkable example that shows the sometimes impetuous nature of early converts.

The authors occasionally have trouble staying on topic, detouring into several-page summaries of the Church in Kirtland and Missouri. For instance, in Chapter 6, "The Saints Flee from Ohio to Missouri—1838," it is not until the bottom of the fifth page in a thirteen-page chapter that Joseph Smith gets to Illinois. From page 6 to the middle of page 10, the authors describe the preparations and travels of the Kirtland Camp in Ohio; pages 12–13 are on the Kirtland Camp in Missouri. So, for the migration of the body of the Church through Illinois in 1838, only two pages actually deal with the Illinois experience.

The authors' choice of source material was occasionally quite puzzling. There seems to have been a conscious effort to avoid more scholarly published versions of letters and reminiscences, and quote from more "pop" histories. As an example, the authors used Scot Facer Proctor and Maurine Ward Proctor's *The Revised and Enhanced History of Joseph Smith by His Mother* (Salt Lake City: Bookcraft, 1998) instead of the more scholarly and better flavored *Lucy's Book: A Critical Edition of Lucy Mack Smith's Family Memoir* (Salt Lake City: Signature Books, 2001) by Lavina Fielding Anderson. When it came to letters from Joseph Smith, they quoted from Gracia Jones's *Priceless Gifts* (American Fork, Utah: Covenant Communications, 1998) instead of Dean C. Jessee's *Personal Writings of Joseph Smith* (rev. ed., Salt Lake City: Deseret Book, 2002).

All in all, *Mormon Thoroughfare* is a great book for the novice on Church history, similar in size, style, and depth to *Our Heritage: A Brief History of the Church of Jesus Christ of Latter-day Saints* (Salt Lake City: Church of Jesus Christ of Latter-day Saints, 1996). However, the topic of the Church in Illinois from 1830 to 1839 is a fairly specialized one. Very few people are acquainted with the subject, and the authors miss an opportunity to engage more people by not giving enough detail to spur a deeper interest in their

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[1]James T. Hair, *Gazetteer of Madison County, Containing Historical and Descriptive Sketches* (Alton, Ill.: James T. Hair, 1866), 248, and "Madison County [Illinois] Letters," http://genealogytrails.com/ill/madison/letter30.html (accessed March 12, 2009).

readers. I could not help wondering if the book had been written as a text for some future BYU introductory course on the Church in Illinois. Like many 100-level course textbooks, it has enough information to make it a good introduction to the topic, but not enough detail to make it a compelling read, or even to keep the average student from trading it in at the end of the course. For those familiar with or interested in the history of the Church in Illinois before Nauvoo, it will leave them desperate for more.

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Brian Q. Cannon and Jessie L. Embry, eds. *Utah in the Twentieth Century.* Logan: Utah State University Press, 2009. ix, 412 pp. Photographs, maps, notes, index. Cloth: $32.95. ISBN: 978–0–87421–744–5

Reviewed by Brandon Johnson

Utah in the Twentieth Century, edited by Brian Cannon and Jessie Embry, is both an engaging contribution to the historical literature on Utah and an apt reminder that the state's twentieth-century past is a fertile and significant field deserving of sustained historical inquiry. It is unfortunate that—at least so far—Utah's twentieth century has not kindled the same level of intellectual curiosity among scholars as the nineteenth; the MX missile and the New Deal apparently do not enjoy the academic and popular appeal of such "alien" subjects (at least to twenty-first-century sensibilities) as polygamy and theocratic government. Yet, as the volume's editors remind us, "The state's development between 1900 and 2000 . . . teaches us about both Utah's commonalities and its distinctiveness in the constellation of states" (8).

The part that Mormonism has played—socially, culturally, and politically—in Utah history is an important thread that runs through several of the collected essays. The state's cultural distinctiveness, born of its shared Mormon and oppositional non-Mormon past, did not entirely fade away following statehood in 1896, Cannon and Embry point out. Nor has the LDS Church lost its relevance as part of Utah's sociopolitical environment, though the degree of its political and cultural power may have changed. "Mormonism," the volume's editors assert, "has continued to configure Utah's social landscape in manifold ways over the twentieth century" (8).

The book's sixteen essays include a few that should be of great interest to readers interested primarily in Mormon history. David Rich Lewis's piece on

Bernard DeVoto is a true gem; its portrait of the cantankerous writer from Ogden is delightful. The Ogdenite wielded his pen like a "skinning knife" in his 1926 essay, "Utah," slashing away at the backwardness of his native state, a condition brought about, to his mind, by the cultural torpor of Mormonism (97). Utah's Mormons, of course, strenuously resisted this reading of the past and present; there was nothing wrong with their home state, they contended. But as Lewis points out, DeVoto did something far more important in his essay than simply reveal the cultural sterility of 1920s Utah: He offered a historical explanation for that sterility, namely that the theological concessions Mormon authorities made to seat Reed Smoot in the U.S. Senate (1903–33) ultimately pushed Mormonism toward a mind- and spirit-numbing cultural blandness. According to Lewis, "the palpable presence of LDS Church authority in daily life faded" under the leadership of Joseph F. Smith and Heber J. Grant, "even as those leaders exercised new sources of power and found ways to assure members that they were still a peculiar (but not too peculiar) people" (99).

Further, Lewis writes, quoting DeVoto, "class interests bridged [Utah's] religious fault lines. As this new class coalition emerged, more than ever before, Utah 'began to look and feel more like the rest of the United States' " (101). Utah's early LDS settlers may have been herd-like in their servility to Church leaders, argued DeVoto, but at least they were not boring. The same, he implied, could not be said for their twentieth-century descendants. According to Lewis, the prickly DeVoto showed that Utahns—particularly Mormons—have "a past and present that often traps them in the ways they imagine and project themselves." Lewis continues:

> When DeVoto observed that Utahns lost whatever exceptionalism they had claim to when they abandoned their colorful past and became sadly, boringly normal, he played on their basic human vanity and fears of being irrelevant at worst, the butt of a national joke at least. He put his finger on an institutional dissonance within Mormonism specifically as church leaders reworked theological memory and an identity grounded in peculiarity. The continuing insistence on peculiarity—even as Mormons insisted they were like everyone else—seemed more elusive in the twentieth century as their claims became more strident. In the transformation, this altered identity became a most difficult pill to swallow. It still is. (102)

Another important essay for those interested in Mormon history is Jacob Olmstead's piece on the Cold War plan to base the MX (Missile Experimental) missile in western Utah and eastern Nevada, and the campaign to mobilize LDS leaders, who intended to stay out of the fray, against its construction. According to Olmstead, the story of the grassroots elements of the anti-MX movement in Utah, while important, has displaced the lesser-known, but very important narrative of the drive to get the Mormon hierarchy to oppose the missile policy. Olmstead argues further that most existing

reports of the anti-missile crusade have been unduly dominated by the personality of Edwin B. Firmage. "Others," Olmstead writes, "whose efforts were also important have been left in obscurity" (147).

These other personalities included state senator Frances Farley, former Democratic congressman Wayne Owens, and KUTV coordinator of research Chad Dobson. The value of Olmstead's essay lies in its systematic narration of how Farley, Dobson, Owens, and others exploited their familiarity with the state's "power structure" to, in Olmstead's words, "bring the church into the dialogue" over the MX missile (151). Farley and Dobson, for instance, informally approached Mormon leaders and laypeople with ties to the Democratic Party—including Neal A. Maxwell and Chase Peterson—while Owens reached out to one of his close friends, Richard Hinckley, son of Apostle Gordon B. Hinckley, chairman of the Church's Special Affairs Committee (SAC). It was through these personal ties and an untiring schedule of educational and technical briefings for Church authorities by national experts that the anti-MXers focused the SAC's attention on the missile deployment plan and slowly convinced the committee of the plan's wrongheadedness.

Finally, on May 5, 1981, the LDS First Presidency issued a statement opposing the MX. "Though they may not have recognized it," Olmstead writes, "convincing the SAC to view the construction of the [MX system] primarily in terms of its technical, environmental, and moral failings was a major victory for members of the opposition who had worked to get the church involved. Without this orientation, which developed as the SAC met with visitors and received technical and moral information concerning the [MX], it is unlikely the discussion would have moved beyond the committee" (160). Olmstead concludes by surmising that even "outsiders, using traditional lobbying tactics," can convince the LDS Church, "often considered monolithic and unassailable, to use its political weight for partisan political purposes" (161).

Two other essays that should attract the attention of students of Mormon history were written by Joseph Darowski and Matthew Godfrey. Darowski's piece focuses on the work of onetime Utahn and Mormon Dean Brimhall to defang claims that the LDS Church Security Plan was a worthy alternative to the Works Progress Administration, a centerpiece of Franklin Delano Roosevelt's New Deal, while Godfrey's essay concentrates on Senator Reed Smoot's political efforts to protect Utah's sugar beet industry (in which the LDS Church was highly leveraged) through a high protectionist tariff. In the end, both pieces highlight the great extent to which Mormon leaders were involved in national politics in the period between 1900 and 1940.

Other essays in the volume also have interesting things to say about Mormonism and should be perused with care. These include Kristen Rog-

ers-Iverson's piece on the history of Blue Valley in Utah's south-central desert and an essay by Wayne Hinton and Stephen Roberds on the relationship between Mormonism and conservative political ideology in the state.

Finally, the volume contains several essays that deal only superficially with Mormonism. These include pieces by Stephen Sturgeon on Everett Ruess, Susan Rugh on Utah's historic motels, Amanda Borneman on women parachute-makers in World War II-era Sanpete County, Brian Cannon on the disfranchisement of Utes on the Uintah-Ouray Reservation, John McCormick and John Sillito on the Industrial Workers of the World's 1913 free-speech fight in Salt Lake City, Jessie Embry on changing city government in Provo, James Allen on the postwar history of public education in Utah, Adam Eastman on the Central Utah Project, Jedediah Rogers on the Sagebrush Rebellion, and Doug Alder on the late-twentieth-century transformation of Washington County.

Hopefully, the essays in this volume that illuminate the interplay between place, politics, and belief in the twentieth century will help spark similarly enlightening work from other scholars. Unfortunately, the anthology is mute on the subject of whether any of its contents were published previously, forcing readers to guess about the freshness of the research in it. Still, serious students of Mormon and Utah history will be sure to pick up this book and learn from it.

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Megan Sanborn Jones. *Performing American Identity in Anti-Mormon Melodrama*. New York: Routledge, 2009. xiv, 208 pp. Photographs, notes, bibliography, index. Cloth: $105.00. ISBN 978-0-415-80059-4

Reviewed by Michael Austin

Despite its lowbrow subject matter, Megan Sanborn Jones's *Performing American Identity in Anti-Mormon Melodrama* is not a work for mass consumption. Originally developed as a doctoral dissertation at the University of Minnesota, it is a work of serious scholarship that makes few concessions to the non-specialist reader. As a work of serious scholarship, though, it is superb. Jones has plunged deep into the archives of American

drama and unearthed the scripts of a dozen nineteenth-century plays that feature Mormon villains in typical melodrama plots and has tracked down references to a dozen more whose scripts are probably lost forever. She provides both a historical context and a contemporary critical framework for these plays, and she constructs a plausible thesis about their role in a much larger drama: America's construction of a national identity.

The primary texts in this study—works with titles like *The Prophet*, *The Danites in the Sierras*, and *Deseret Deserted*—range from reasonably well-known plays with documented production histories to all-but-unknown closet dramas never intended for the stage. All were written between 1850 and 1890, or, roughly, between the colonization of Utah and the abolition of polygamy. Sanborn Jones's conclusions are right in line with those of other studies about the Mormon image in the nineteenth century, including Gary Bunker and Davis Bitton's *The Mormon Graphic Image* (Salt Lake City: University of Utah Press, 1983) and Terryl L. Givens's *Viper on the Hearth* (New York: Oxford University Press, 1997). *Performing American Identity in Anti-Mormon Melodrama* fills out and deepens the picture created by these earlier works, and it also provides a crucial link between the popular fiction of the nineteenth century and such early twentieth-century silent films as *Trapped by the Mormons* and *A Mormon Maid*.

The image of Mormonism that comes through in all of these studies is dominated by the two fixed tropes of polygamy and religious violence, each of which receives a chapter-length treatment in Sanborn Jones's book. Nobody familiar with the prose literature of the period will find anything surprising here. The melodramas in the study almost all feature lecherous Mormon patriarchs who attempt to seduce virtuous young women with preposterous religious rhetoric. And when they are not indulging their unnatural lusts, they are busy sending out Danite avengers, massacring wagon trains, and subjecting backsliders to the rituals of blood atonement—the standard fare, in other words, for fictional Mormons across nineteenth-century literary genres. The plays in Sanborn Jones's study all tap into the larger pool of Mormon stereotypes available to any late nineteenth-century writer in America or England, which is exactly what we should expect to find in a popular genre such as the stage melodrama.

The book's final chapter—and, in my opinion, the most interesting—deals with the way that the plays equate Mormons with "Turks" or with "the representation of the exotic East that was found in the very same media" (121). Drawing on Givens's work, Sanborn Jones shows how these equations incorporate both tropes of polygamy and religious violence, in the process establishing Mormons as something fundamentally non-American: "Assigning Mormons a Turkish identity associated Mormons with a group already viewed with extreme prejudice. In collapsing Mormons and

Turks into a new racial community, Mormonism was tainted by the Orientalist assumption of gross treachery, carnality, and indolence already associated with Turks. Turks, on the other hand, were made more fearful by their newly discovered geographical proximity in the Salt Lake Valley" (123).

This ethnic rebranding was necessary because Mormons in the nineteenth century were largely white, English-speaking, and of European descent. They were always in danger of being confused with "real" Americans—and because they actively proselyted within America's borders, their heterodoxy threatened to contaminate the whole country unless they could somehow be defined as other. With Mormonism safely relegated to the status of "foreign," anti-Mormon melodrama becomes a way to construct and assert American identity through contrast. Sexually depraved, violent, intolerant Mormons are what Americans are not; the opposite (chaste, peaceful, tolerant) must be what Americans are.

At the end of the first decade of the twenty-first century, Mormonism has once again become a prominent fixture of American popular culture. Mormon characters now appear regularly in movies (*September Dawn*, *Latter Days*) television programs (*Big Love*), bestselling books (*Under the Banner of Heaven*, *The 19th Wife*), and stage drama (*Angels in America*). We cannot understand these portrayals without understanding the nineteenth-century image that they are distantly, but materially, related to. In *Performing American Identity in Anti-Mormon Melodrama*, Megan Sanborn Jones reconstructs a part of that image that has evaded all of her predecessors. Her work combines the archival skill of a historian with the analysis of a literary critic and the instincts of a stage professional. The result is an impressive piece of scholarship that will be indispensable to anyone with an interest in America's perceptions of the Mormon people.

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BOOK NOTICES

Fred E. Woods and Thomas L. Farmer. *When the Saints Came Marching In: A History of the Latter-day Saints in St. Louis*. Orem, Utah: Millennial Press, 2009. x, 230 pp. Photographs, illustrations, notes, index, appendices. Paper: $19.95. ISBN: 978–1–932597–65–3

Narratives about the history of the LDS Church in Missouri are often dominated by accounts of Far West, Jackson County, and Clay County (among other locations in western Missouri). Less known are the history and significance of eastern Missouri. To help close this gap, Fred E. Woods, professor of Church history and doctrine in the Brigham Young University Religion Department, and Thomas L. Farmer, a long-time resident of St. Louis and historian for the St. Louis Mormon Historical Society, have teamed up to provide this history of the LDS Church in St. Louis from 1831 to 2008.

Chapter 1, "Early Beginnings: From Seed to Branch" traces the origins of the Church in St. Louis from 1831 to 1847. The authors point to St. Louis as a place of refuge and gathering. After Missouri Governor Lilburn W. Boggs issued his famous Extermination Order in 1838, not all Mormons fled the state. Some also settled, unmolested, in St. Louis.

In the years following the LDS Church's departure from Nauvoo, droves of emigrants trekked to Utah. Chapter 2, "The St. Louis District" discusses the increased organization of the Church from 1847 to 1854. St. Louis served as a crucial point of passage for many of these emigrants. With numbers swelling into the thousands, Brigham Young approved organization of the St. Louis Stake in 1854 (Chapter 3). It was dissolved in 1857 preceding the Utah War. St. Louis had been on the most commonly followed route to Utah (with emigrants landing in New Orleans and coming up the Mississippi River) but with the extension of rail lines to Iowa, Church agents encouraged emigrants to travel on a northern route that bypassed St. Louis. These developments reduced the LDS presence in St. Louis.

Chapter 4, "The Decline and Rebirth of the Church in St. Louis" (1857–49), discusses how the Church in St. Louis persevered and began to grow anew. Chapter 5, "The Path to Creation of the St. Louis Area Stakes" covers 1949 to 1989, while Chapter 6, "The St. Louis Temple," spans the announcement of the St. Louis Temple in 1990 to its completion in 1997. Finally,

Chapter 7 brings the story to 2008, discusses a variety of interfaith relationships cultivated between Mormons and other churches, and praises St. Louis as a continuing bastion of tolerance, acceptance, and friendship for Latter-day Saints.

Utilizing a variety of sources, the text offers a local perspective of the Church in St. Louis and offers the reader a number of interesting anecdotes. Church Architect Edward O. Anderson, contemplating the first chapel to be built by the LDS Church there, "felt that the city needed something much larger and grander" than the $100,000 structure originally planned (80). Local leaders agreed but were alarmed when the Church ordered that the local contribution be changed from 20 percent to 30 percent. Branch president Roy Oscarson traveled to Salt Lake City to discuss it with Presiding Bishop LeGrand Richards. Oscarson (writing in his journal) told Richards, "I don't have the courage or the strength to go back and ask the saints to raise $10,000 more to build a $100,000 chapel, much [less] to raise the money for one which would cost much more." Richards responded, "Well, Brother Oscarson, if you don't have the strength and courage then we'll have to wait until the Lord finds someone who will."

Oscarson next presented his case to President George Albert Smith and J. Reuben Clark, his first counselor. They agreed that the 20 percent contribution ought to apply up to the original $100,000 and the 30 percent on costs above that amount. Years later when Richards was an apostle and Oscarson was stake president, Richards visited the stake on September 26–27, 1964, and heard Oscarson "share his account of Elder Richards's reprimand and testimony of the blessings adversity can bring. What is more, after President Oscarson finished his remarks, he sat down next to Elder Richards, who patted him on the knee and said, 'You like me better now, don't you?'" (81).

A lengthy appendix (84 pp.) lists known members of the Church in the St. Louis area to about 1862 with specific references to archival and published records, which will be of use to genealogists and researchers alike.

Kenneth W. Merrell, *Scottish Shepherd: The Life and Times of John Murray Murdoch, Utah Pioneer*. Salt Lake City: University of Utah Press, 2006. xvi, 230 pp. Illustrations, notes, appendix (Children of John Murray Murdoch), bibliography, and index.

This family history, which author Kenneth W. Merrell, the great-great-grandson of John Murray Murdoch, describes as "part biography and part social history" (xii) presents a portrait of a Scottish convert whose conversion was thorough and whose long life was devoted to the LDS Church despite several trying experiences.

The book begins with two chapters of context on Scotland's geography, history, famous Scots, and the larger Murdoch family. John was born in 1820 in Ayrshire, the sixth of

eight children. His father, a coal miner, was asphyxiated in attempting to rescue an individual overcome by "black damp" (nitrogen and carbon dioxide). Eleven-year-old John went to work as a shepherd, then in the mines.

He was strongly influenced toward Mormonism by his brother-in-law, confirmed by a dream in which a "beautiful little bushy tree" that had just been planted had, in just "a day or two . . . already taken root and was actually showing signs of bearing fruit" (34). He and his wife, Ann Steele Murdoch, emigrated in 1852 at the behest of Brigham Young who wished to establish the sheep industry in Utah and had commissioned Franklin D. Richards, mission president, to send two shepherds and their dogs (48). This instruction apparently comes from family stories, as the author does not provide a citation.

Both of John and Ann's young children died, at least partially from semi-starvation during the journey, after they reached the United States. Their three-year-old daughter's death was accompanied by an event so horrible that John, in his brief biography at age eighty, recorded an alternate version that stressed the kindness of strangers but told a nephew the grisly details. When he and Ann, who was pregnant, were preparing the body for burial, a sympathetic stranger offered to have a wagon convey the little body in its "substantial box" to the cemetery "free of charge." The wagon took a different route than the walking path; and after John had buried his daughter, he returned by the wagon road, entered a building he had passed by before, and was watching "a large vat of boiling water" when "to my horror [I] saw the head of my own little girl with her yellow curly hair rise to the surface and disappear. . . . We learned that this was a dissecting establishment" (63).

The trek across the plains, which resulted in twenty-four deaths in their company and the birth of their third child in a violent hailstorm, was further plagued by cholera, accidents, stampedes, and food shortages. In Salt Lake City, Brigham Young had changed his mind about raising sheep, so John worked at a variety of odd jobs, including digging potatoes for Brigham Young, and they lived for three years in Third Ward.

In 1856 John's seventy-three-year-old mother became one of the scores of fatalities in the Martin Handcart Company but left the cherished family memory of telling her son-in-law (who also succumbed): "Tell John I died with my face toward Zion" (82). "Wee Granny's" death prompted the often-reproduced painting by Clark Kelly Price, commissioned by the family (211).

John served in the Utah Militia in Echo Canyon during the Utah War, in the Third Ward bishopric, in the first branch presidency when the family moved to Heber Valley in 1860, then as counselor in the high priests' quorum until just before his death, then was ordained a stake patriarch in 1890. He was also a militia captain during the Black Hawk War but did not leave the county.

He married another Scots-

woman, Isabella Crawford, who was fourteen years his junior as his plural wife. Together, his two wives bore twenty-two children, nine of whom (41 percent) predeceased their parents (156). Except briefly after the Manifesto, the two women shared the same household, each having a separate section, and the family life seems to have been remarkably harmonious. Family stories relate glimpses of the wives walking arm in arm or all three sitting by the fireside holding hands (198). Several of the children were musical, and family evenings spent singing provided cherished memories.

In April 1891, John was arrested for cohabitation and sentenced to a month in the penitentiary and a fine of $100. Unprepared for the sentence, he received permission to return to Heber, collect his clothing, and present himself at the penitentiary (described as being in Provo). He had to insist that the warden admit him because he had no commitment papers (185).

Considering the book's title, information about Murdoch's sheepherding activities is surprisingly brief (163–67). He served as "supervisory shepherd" in the Wasatch Sheep Cooperative until it disbanded (no dates) and then lost his own herd (no date) when it was entrusted to an unreliable shepherd, an event that may have ended his sheep ranching (167).

John died at age eighty-nine, leaving 101 grandchildren. Murdoch's descendants at the book's writing are estimated at 6,000 or more (214).

Chad Orton and William W. Slaughter. *40 Ways to Look at Brigham Young: A New Approach to a Remarkable Man*. xx, 323 pp. Photographs, notes, index. Salt Lake City: Desert Book, 2008. Paper: $23.95. ISBN-13: 978-1-59038-786-3

With this appealing title borrowed from *Forty Ways to Look at Winston Churchill: A Brief Account of a Long Life* by Gretchen Rubin (2004) and her *Forty Ways to Look at JFK* (2005), the authors introduce their subject: "If Brigham Young is not the most misunderstood individual on the lists of the 100 greatest and most influential Americans, he likely has been the most maligned" (xiii), due at least in part to the numerous roles he played. In forty short chapters, the authors present many of those roles (convert, missionary, disciple of Joseph Smith, preacher, leader, family man, and colonizer, etc.).

Other chapters provide Young's views, as preserved in his sermons (self-sufficiency, recreation, the Deseret Alphabet, education, conservation of natural resources, etc.). Orton and Slaughter acknowledge: "When it comes to the confusion surrounding Brigham, at times he could be his own worst enemy," since he typically did not respond to criticism in the press and usually "saw no reason to tone down his frequently fiery rhetoric" (xiv).

They return to this point more than once to defend Young. For example, in "A Hard-Spoken New

Yorker with a Soft Side," they state: "During Brigham's lifetime, people frequently pulled his words out of context to suit their own purposes, whether to justify their own actions or to create a stereotype, much as people now take his words out of context to perpetuate long-held myths. . . . Then as now, people have confused how Brigham used the 'if clause.' He spoke both hyperbolically and conditionally—to understand which he was using, his words need to be examined in context. While it is not clear how his hyperbolic examples—usually given impromptu and frequently featuring frontier violence imagery—compare with his more carefully crafted conditional statements in accomplishing his ultimate goal of turning sinner into saints, it is clear that he did succeed in making his rhetoric memorable through his occasional use of tongue-in-cheek and over-the-top statements" (153).

As an example, they quote his 1853 instructions: "'If you want to know what to do with a thief that you may find stealing, *I say kill him on the spot* [emphasis in original], and never suffer him to commit another iniquity.' . . . His words were designed to cause the wrongdoer [to] pause at a time when Utah was experiencing an increase in crime and did not have a penitentiary in which to incarcerate criminals. While there is no record that thieves following Brigham's proclamation began to experience widespread summary justice, there is evidence that following the completion of the territorial penitentiary the following year thieves began to be incarcerated" (154).

They acknowledge but do not resolve the question of Brigham's baptismal date, which has been variously recorded as April 9, 14, and 15, 1832 (8). Still other chapters provide a chronology, "fun facts," a list of "wisdom" quotations, and acidic announcements of his death. One of the milder statements actually came from the *Salt Lake Tribune*, which editorialized: "We believe that the most graceful act of his life has been his death" (264). Orton and Slaughter identify as Brigham's "finest hour" the 1856 rescue of the handcart companies and "his greatest discourse" as the one he gave to mobilize the community's rescue effort.

On the Mountain Meadows Massacre, Orton and Slaughter comment that Brigham's statements on "the issues of apostates leaving and the approaching army . . . stand in stark contrast to what has long been claimed. They strongly point to the fact that the massacre happened not because people followed his preaching but because they chose to either ignore or distort it" (190–91).

Particularly interesting were the numerous illustrations appearing throughout the book, including a twenty-page photo section following Brigham from a stylish 1846 to a profile taken the year before his death, rarely used photographs of his plural wives and children, and an 1898 photograph of seven of his widows.

An error that should be corrected in a second printing is misidentifying the Perpetual Emigrating Fund as the "Perpetual Education Fund" (134).

Chad Orton is an archivist and

William W. Slaughter is a photo historian and senior reference specialist in the LDS Church History Library. Both have published earlier works on Mormon history. In this work, they have retained "the spelling and punctuation errors" of Young holograph documents, while "silently correct[ing]" errors in quotations by others (269 note 1).

William Thomas Allison and Susan J. Matt, eds. *Dreams, Myths, & Reality: Utah and the American West*. Salt Lake City: Signature Books, 2008. viii, 310 pp. Biographical notes and chapter endnotes. Paper: $29.95. ISBN 978–1–56085–174–5

This anthology consists of fourteen lectures in the series funded by William J. Critchlow III at Weber State University, Ogden, Utah, dealing with Utah and Western history. The earliest was delivered in 1990 and the most recent in 2003. The editors acknowledge and celebrate the "variety of perspectives" in these lectures that "restore forgotten voices to the history books and remind us once again of the great texture and color to be found in the tapestry of the American past" (viii).

An important contribution of this lecture series is how it captures work by senior scholars, seven of whom have died since delivering their lecture. A particular strength is that so many of them were also teachers and knew how to present material coherently and concisely, enliven it a vivid anecdote, and draw a persuasive conclusion. This limitation on length is both a strength and a weakness, requiring focus on the most important points but perhaps leaving readers wanting more information on some details.

Space does not allow describing each lecture. Readers of the *Journal of Mormon History* probably have the greatest interest in those chapters dealing directly with Mormon personalities and themes. Carol Cornwall Madsen's impressive analysis of "The Personal Diplomacy of Emmeline B. Wells" documents her commitment to women's issues, put to the test in a conflict of interests when she, as part of the Utah delegation to the National Council of Women, was pressured to support a resolution decrying polygamist B. H. Roberts's seating in Congress. None of the Utah delegation had supported Roberts, since he "had been an outspoken critic of woman suffrage" (282). Through skillful lobbying and over the violent objections of the large WCTU delegation, the resolution that finally passed contained only vague language that "lawmakers [should] be law abiding" (281). Wells also made the then-minority decision to become a Republican, perhaps, Madsen hypothesizes, "to build relationships" (285).

William J. Critchlow III's lively lecture on his ancestor James Brown and his role in founding Ogden depicts a tough Mormon Battalion veteran who had a memorable quarrel with Sam Brannan in the Nevada desert en route to California to collect the battalion's pay. Strong words quickly escalated; and in Abner Blackburn's account of the episode,

"They pounded each other with fists and clubs until they were separated. They both ran for their guns. We parted them again. We started on and left Brannon with his own horses" (20). For the rest of the trip, the two parties traveled separately.

Critchlow also documents Brown's purchase of Miles Goodyear's fort on the Weber with "gold Spanish doubloons" (21); ironically, their exact number was never recorded. Brown received a 10 percent commission and a share commensurate with his rank—a fortune for the time; but "of the 210 square miles of land purchased by the captain, he and his family retained less than 300 acres, giving the balance to his fellow Saints" (25).

Lectures dealing more generally with the Utah and the West are James P. Ronda, "Everything by the Book: Lewis and Clark's Voyage into Print," Wayne Carver, "Strictly Personal: History, Baseball, Plain City, and Me," Leonard J. Arrington, "Symbols of Growth and Development: The First National Bank of Ogden and Its Affiliates," Dean L. May, "Gold, War, and the New West of the 1860s," Ross Peterson, "Sharing America: The Environmental Legacy of Stewart Udall," Ronald W. Walker, "Native Women on the Utah Frontier," and David Howard Bain, "From Wasatch to Green Mountains: Tracking Bernard DeVoto, Teacher/Historian."

Spanning both Mormon and Utah themes is Jean Bickmore White's "Dreams, Myths, and Reality: A Centennial Perspective on Utah's Constitution," which also gave this volume its title. In it, she identifies as "a myth with a kernel of truth wrapped in a blanket of misinformation" the common belief that Utah's constitution virtually copied Nevada's. "The largest share came from the Washington State constitution" (209–10).

Anne Bradshaw. *Chamomile Winter*. Springville, Utah: Bonneville Books, 2001. x, 203 pp. Map. Paper: $12.95. ISBN 1–55517–558–9

Chamomile Winter, the sequel to *Terracotta Summer*, follows three members of the O'Shea family as they "find the courage to choose between forgiveness and revenge" (front cover). Set in 1964 in the British Isles, one strand of the story follows Ken, one of the Church's labor missionaries constructing a chapel in Southport, England. He must deal with Maxwell, a lazy and obnoxious companion who is poorly educated and from a disadvantaged background. Ken forgives his behavior when Maxwell falls in love with a young woman who is pregnant after being raped; her entire family is baptized.

The second story takes place in Northern Ireland where Rosie O'Shea grows chamomile to make comforting pots of steaming tea. Nineteen-year-old Patrick, after a brush with the IRA, is sulky and secretive, despite the prayerful concern of his sister, Jan, and Fiona, who loves him. Threats to his family blackmail him into a plot to receive smuggled ammunition, but he eludes capture when Fiona's intervention brings the police to the ren-

dezvous and the IRA agents are captured instead. Patrick accepts responsibility for his actions and seeks his family's forgiveness. "His balding head gleaming," Stephen R. Covey, president of the Ireland Mission, gives a sermon urging his listeners (including Patrick) to exert will power "'through the making of a covenant'" (96).

The third story begins in the United States where Ruth, Ken and Patrick's aunt, has taken refuge after a youth of being sexually abused by her brother Gerald (not the boys' father), investigates the Church, and decides she must confront Gerald. She comes to Southport without telling the family, just as the seawall is breached in a torrential storm. In the most dramatic scene of the book, Gerald rows her and two neighbor children to safety while she confronts him about the abuse. He excuses himself: His wife wasn't sexually satisfying; they had taken Ruth in after the parents' death so she owed him something; she could have refused; it was a long time ago; and their own father had been physically abusive (177–78). Although Gerald refuses to accept responsibility for his actions, Ruth feels peace. The novel goes beyond this spiritual resolution. Gerald falls overboard and is pulled down in quicksand off the shore before rescue arrives.

The novel provides many descriptions of local color, most of them, considering the winter season, awash with rain, icy sleet, or penetrating damp, even indoor. Examples of local color include dialect and idiomatic expressions; for example, "It's tipping down good enough to wash off your warts out there" (125).

Connie B. Otteson. *George Brunt: Young Pioneer of Eagle Rock.* Caldwell, Ida.: Caxton Printing, 2009. 205 pp. Photographs, illustrations, maps, chronology, historical essay (epilogue), bibliography, index. Paper: $12.95 + $5 shipping. ISBN 978–0–615–294007–0. To order copies, contact cotteson @cableone.net or www.otto_soft.com.

This "read-along storybook for fourth grade students" was designed to celebrate the founding of Bonneville County, Idaho, in February 1911. Though fiction, it centers on the life of George Brunt, who, as a nine-year-old in 1885 arrived from Utah with his family at Eagle Rock (now Idaho Falls), Idaho. George's Mormonism must be deduced from references to Utah, to John Steele as a local "Church leader" (9), and the fact that the major funder of the book was the Delbert V. and Jenny Groberg Family Trust. Delbert Groberg was Idaho Falls stake president and temple president; and Mary Jane Groberg Fritzen, founder of the Bonneville County Heritage Association, their daughter, is a sister of LDS General Authority John H. Groberg—details that do not appear in this work. The only explicit mention of Mormonism appears in a catalogue of area churches: a Baptist church, a planned Methodist-Episcopal Church, a small congregation of "Catholics meeting in the school-

house," and a Mormon meeting house that features "a beautiful crystal chandelier, donated by Mr. Lewis, a Jewish merchant in town" (36–37).

The family traveled by covered wagon, put in a hasty crop of winter wheat, and barely endured a brutal winter in a tiny shack, inadequately heated by quick-burning sagebrush. "Papa made them take to their beds even in the daytime just to keep from freezing. He only stoked the fire when Mama cooked their meals, but . . . with their food nearly gone, Papa rationed them to just one scanty meal a day" (98). Crop failure and a new baby in the spring sent George's father to Montana where he found work as a mechanic but died six weeks after his arrival.

Against this background of grinding poverty and arduous labor, eased by the kindness of neighbors, George, his older brother, and his sister worked at odd jobs typical of the period. The whole family pitched in to provide laundry services badly needed by the residents and railroad workers. His mother's "hands bled every night after being in hot water and lye soap all day and from using the tin scrubbing board for hours at a time. Sometimes she sat on her bed rubbing bacon grease in the raw sores, then using it on her shoulders and neck to ease the pain of stooping over the wash tub and lifting the heavy irons from the stove to the ironing board" (122). The solution, proposed by one of the railway workers, was to send the bundles of laundry to Ogden on the train where a professional (presumably Chinese) laundry did them up and returned them two days later, washed, starched, and ironed.

The family's arrival and integration into the community is a useful device for introducing many of the area's residents. One of the most colorful was former trapper Richard ("Beaver Dick") Leigh, who had settled down as a guide and hunter only to lose his first Indian wife, Jenny, and their six children to smallpox. He married a second Indian wife, and they raised three children.

The collapse of the railroad roundhouse during a violent windstorm was a blow to the area's economy, but George persevered and eventually achieved his dream of becoming a respected and prosperous merchant.

A particular strength of this book is its fifty-five photographs, many from private collections and the Museum of Idaho, supplemented by six drawings by John Hart plus the cover. Stories about George skillfully build on these illustrations. For example, one historic photograph shows a beautiful young Bannock woman, head erect and smiling faintly, who proudly shows off her baby in a cradleboard (16). The description of this woman (polka-dot blouse, plaid blanket, and silver earrings) are details that George notices about her before trading marbles for arrowheads with young Bannock boys (18). As another example, a Hart drawing shows men sawing rectangles of ice out of the river, then steering them to solid ice with peaveys (94).

The novel ends five years after it begins with George and his older sis-

ter buying a town lot so they can build their mother a comfortable home. The epilogue gives a brief sketch of the later lives of the Brunts but, more importantly, confirms the historical identity of characters and episodes. The only story that was complete fiction was George's shooting a mountain lion as a twelve-year-old shepherd (188).

A teacher's supplement by Deanna Hovey is available by special order to Connie Otteson. Families with Idaho roots should also enjoy this story.

Scott C. Esplin. *The Tabernacle: "An Old and Wonderful Friend."* Provo, Utah: BYU Religious Studies Center, 2007. xii, 263 pp. Photographs, bibliography, index. Hardback: $23.86. ISBN: 978–0–8425–2675–3

In *The Tabernacle: "An Old and Wonderful Friend,"* Scott C. Esplin provides an in-depth study of the construction and history of the Salt Lake Tabernacle. The book begins with a detailed timeline of the construction and changes over time, followed by Esplin's introduction. His purpose was to examine and enhance the work done by Stewart L. Grow in the light of the "wealth of catalogued, indexed, and even electronically searchable resources [now] available" (14). He adds that "changes continue to be made to the Tabernacle" and "significant events have occurred . . . since Grow wrote his thesis sixty years ago" (14). Esplin shares Grow's opinion that "a history should be written of the most famous building which [LDS] pioneer society produced" to preserve the "history of the construction of the remarkable building" (13). Of the Tabernacle's history, Esplin states:

> The Tabernacle has stood as a witness to significant events in Church and world history for the past 140 years. When first opened in 1867, it was the primary meeting place for a Church with a membership of approximately 100,000 located in only four stakes (Salt Lake, Weber, Utah, and Parowan) and ten organized missions. A sixty-six-year-old Brigham Young presided over the first general conference in the building, during which the Church sustained twenty-eight-year-old Joseph F. Smith as the newest member of the Quorum of the Twelve. Now 140 years, thirteen Church Presidents, and nearly thirteen million members later, the building still stands as a solid reminder of the faith, ingenuity and vision of its pioneer builders (60–61).

Changes and events significant to the Tabernacle since the publication of Grow's thesis include improvement in lighting, sound, and decoration but the greatest change happened during the 2007 renovation. The purpose was to reinforce the structural integrity of the building and help it withstand potential earthquakes. Of the renovations, President Gordon B. Hinckley declared, "Buildings, like men, grow old. They don't last forever unless you look after them, and this building is old now. I want the historicity of [the Ta-

bernacle] preserved. I don't want anything done here which will destroy the historical aspect of this rare gem of architecture" (41). Under the watchful eye of President Hinckley, necessary changes were made to make the building more safe and accommodating.

Following the introduction, Esplin summarizes Stewart L. Grow's life and contributions in education and politics. He also explains that Grow's interest in the Tabernacle stemmed from two factors: (1) "Only a small amount of writing had been done on the subject" (71) and (2) his great-grandfather, Henry Grow, aided in its construction. Esplin concludes, "This edited version of Grow's thesis provides those interested in the Salt Lake Tabernacle with access to its classic history" (72). He also explains that the book corrects some miscopied sources, grammar, and punctuation errors, and modernizes some areas for clarity.

Originally published in 1947, Stewart L. Grow's thesis consists of eleven chapters. Chapter 1 summarizes Church history and defines terms helpful in understanding Mormon culture and the Tabernacle's purpose. Chapters 2 and 3 discuss the construction of the Kirtland and Nauvoo temples and the original Tabernacle in Salt Lake City. Next, Grow documents the current Tabernacle's construction. Considering primitive methods and a lack of materials, Grow declares, "It is quite a tribute to these people that they completed the Tabernacle as soon as they did" (175).

In following chapters, Grow reports on the first general conference held in the Tabernacle, the gallery, organ, acoustics, architects, its social and economic role in hosting many historical events and providing jobs for a large number of people, and additions and renovations since its original construction. Grow predicts, "So great is the pride of the Mormon people in their historic Tabernacle that it is unlikely that any major change will be made which might affect its remarkable acoustics or otherwise impair its usability" (252).

Though the Tabernacle has been used as a civic and cultural center many times, its main purpose was and still is to serve as a gathering place and a missionary tool for the LDS Saints. President John Taylor prayed that the Tabernacle would be "a holy and sacred place wherein [God's] servants may stand forth to declare [His] words and minister unto [His] people in the name of [His] Son" (49). The building served as the central location for the Church's general conferences until the completion of the new Conference Center in 2000. Before the Tabernacle was retired from being the primary location for general conference, President Hinckley said, "The Spirit of the Lord has been in this structure. It is sacred to us" (62). Esplin acknowledges, "Indeed, the building's primary contribution has been spiritual" (51).

Howard Carlos Smith. *Keeper of the Prophet's Sword: Joseph Bates Noble, Body Guard to the Prophet Joseph*

Smith 1810–1900. Twin Falls: Blip Communications, 2009. Photographs, notes, bibliography, index. Paper: $12.95. ISBN 978–0–615–28601–3

"Though small in stature," states Howard Carlos Smith, "Joseph Bates Noble was a Big Man" (118). In this biography, he describes Noble as one of Joseph Smith's bodyguards and his loyal friend.

One purpose of the book is to describe in detail Joseph Smith's sword, apparently obtained for his activities in the Nauvoo Legion: "The sword blade measures 35-1/2 inches, and the hilt measures 5-1/2 inches and the overall length is 41 inches" (14). The sword's hilt is black steel and has a hand protector. Although Howard Smith was the sword's temporary keeper in 2007, the weapon is currently in possession of Lamar Noble, Joseph Noble's great-grandson. The sword is shown in several black and white pictures and also in color (11, 12, 14, 53).

Another artifact that the book covers in both words and illustration is the oak cane made from Joseph Smith's casket lid that Emma Smith gave to Bates in 1844. The author also highlights Wilford Woodruff's oak staff (87) and a black coffin cane now located in the Pioneer Memorial Museum of Daughters of Utah Pioneers. The book also contains colored photographs of these canes (84, 87).

Howard Smith has also included another sword in his book, that of Captain A. E Dodge, which he carried during the Black Hawk War in Utah. (See p. 80 for a colored photograph.) The sword has a brass and wood hilt. William R. Carey donated it to the Pioneer Memorial Museum. Howard Smith does not explain what connection, if any, the Dodge sword had to either Joseph Smith or Joseph Bates Noble.

Howard Smith recounts Joseph Bates Noble's life with considerable emphasis on his participation in Zion's Camp (1834), which marched from Ohio to Missouri with the intention (never fulfilled) of reinstalling the Saints expelled from Jackson County, back on their property. When an outbreak of cholera struck the camp, Noble, age twenty-four, helped Joseph Smith heal the sick.

As another memorable experience with Joseph Smith, five years later in Nauvoo on July 22, 1839, Noble was stricken with fever (probably malaria) but was miraculously healed by Joseph Smith who told him, "Brother Noble, you have been too long with me to lie here" (46).

Noble became one of Nauvoo's earlier practitioners of plural marriage, as taught by the Prophet. With the approval of his first wife, Mary Adeline Beaman, he married Sarah B. Alley on April 5, 1843 (106), and, two months later, Mary Ann Washburn on June 28, 1843 (107).

Joseph Smith gave his Nauvoo Legion sword to Noble before he entered Carthage Jail in June 1844 where he was killed. Noble and six other officers of the Nauvoo Legion helped transport the bodies of Joseph and Hyrum Smith from the Hamilton Hotel to Nauvoo. Noble was also involved in the funeral procession and burial service of the

Smith brothers.

Joseph Noble's faith in Joseph Smith transferred to the Quorum of the Twelve and the leadership they provided. In Winter Quarters, his second wife, Sarah Alley, died, and "five weeks later" he married Susan Hammond Ashby on February 1, 1847" (108). He headed the Bates Noble Company, consisting of 171 people, that reached the Salt Lake Valley in 1847. He married his fifth wife, Sylvia Loretta Mecham in January 1857 (114).

Arnold K. Garr. *Joseph Smith: Presidential Candidate*. Orem, Utah: Millennial Press, 2007. viii, 125 pp. Appendices, notes. Paper: $9.95. ISBN: 1–932597–53–0

Arnold K. Garr, chair of Church history and doctrine at Brigham Young University, has written this book to "tell the story of [Joseph Smith's] remarkable accomplishments as a governmental leader" (vii). A summary of Garr's extensive research on the subject, this book is a straightforward overview that begins with a brief chronology of Joseph Smith's political activities and a Frequently Asked Questions section—for example: "Why did Joseph Smith decide to run for President?" and "How serious was Joseph Smith's campaign for President?"

To explain Joseph's decision to run for president, Garr says, "When he determined that none of the leading candidates for president would pledge his support in gaining redress for the Saints, the Prophet held a historic meeting in the mayor's office [in Nauvoo] on January 29, 1844. During that meeting, which was attended by the Quorum of the Twelve Apostles and other leaders, Willard Richards made a motion that Joseph Smith should run for the presidency on an independent electoral ticket and that those present should use 'all honorable means in [their] power to ensure his election.' Thus formally began one of the most intriguing third-party campaigns for president of the United States in the history of the nation" (38).

Garr begins his narrative with Joseph Smith's meeting with U.S. President Martin Van Buren in Washington, D.C., on November 28, 1839, Smith's service on the Nauvoo City Council and as mayor, and the steps in his decision to becoming a presidential candidate. The following chapters describe his campaign strategy, the 337 electioneering missionaries who campaigned for him, and the Massachusetts Convention held in Boston on July 1, 1844 (four days after Smith's death), where at least six members of the Quorum of the Twelve gathered for an "official state convention for Joseph Smith's independent political party, which would elect delegates to a national convention to be held in Baltimore on July 13, 1844" (64).

In an epilogue, Garr addresses the question of whether Joseph Smith was a serious presidental candidate: "If the Prophet directed Church leaders to call more than three hundred men to campaign in every state of the Union and orga-

nize forty-seven conferences in fifteen different states, then he was absolutely serious about influencing public opinion" (72). Garr also mentions the significant press coverage of the campaign as an indication that it was taken seriously by the public. However, Garr does not speculate on what the outcome would have been had Joseph Smith not been killed.

The appendices contain documents that provide additional detail, such as the text of the campaign pamphlet *General Smith's Views of the Powers and Policy of the Government of the United States*, containing Joseph Smith's platform. These documents also include correspondence between Smith and John C. Calhoun, the conference schedule for electioneering missionaries, and a list of their names.

David Robinson, *Joseph, Joseph: Kingdom of God in the West.* Bloomington, Ind.: AuthorHouse, 2007. viii, 429 pp. Historical fiction, maps, endnotes, appendix. Cloth: $21.95. ISBN: 978–1–4343–2568–6

"This book is a fictional story in a historical setting of the life Joseph Smith might have lived had he gone west and not returned to Nauvoo and Carthage" (v), writes David Robinson. The book includes no background about this author. His novel quotes Brigham Young: "If Joseph Smith, the Prophet, had followed the Spirit of revelation in him, he never would have gone to Carthage. Do you understand that? . . . Joseph intended to go west. He designed to raise a company to come to the very country we now occupy" (v). Robinson, building on this quotation, creates the world that might have been had Joseph come west.

The novel begins with Joseph and Hyrum Smith crossing the Mississippi River with Willard Richards and Porter Rockwell on the night of June 22, 1844. Accused of cowardice, the brothers returned to Nauvoo and went to Carthage where they were killed. In Robinson's narrative, Joseph, Hyrum, and Porter Rockwell went deeper into Iowa where they joined Thomas Roberts, Ira Miles, Moses Smith, Stephen Markham, and Seth Palmer and headed toward the Rocky Mountains to prepare a place of refuge for the Saints. Joseph sent Willard Richards back to instruct Brigham Young that he (Joseph) had resigned as Church president and that Brigham should succeed him, finish the temple, endow the Saints, and lead them west. Joseph also commissioned Richards to assign some Saints to create a waystation near Council Bluffs (Winter Quarters), and have the Nauvoo Legion defend the city until the last Saint had left. The Council of Fifty, the Council of the Anointed, and the Danites were entrusted with leadership responsibilities.

Governor Thomas Ford, who aspires to become U.S. president, disbands the state militia and issues a warrant for Joseph's and Hyrum's arrest. Militia colonel Levi Williams, enraged by these events, pursues Joseph with an informal posse, seeking

his death. In a turn of events, they fall into Joseph's hands but receive more compassionate treatment than they were willing to give him.

Meanwhile, William Law, Nauvoo Stake president, and Sidney Rigdon, Joseph's counselor in the First Presidency, counter Richards's instruction by disclosing Joseph's polygamy, claiming that he died as a fallen prophet. Richards's unsupported testimony is dramatically confirmed when Brigham speaks at a public meeting in Joseph's voice and also appears to resemble Joseph physically. This miracle convinces the congregation to sustain Brigham as the Church president.

On the plains, Joseph's company encounters Jubal Appleton, a mountain man, and Yute and Shoshone Indians. Initially suspicious, they are won over when Joseph defeats a mighty Yute warrior and speaks to them in their own tongue. They lead Joseph's party to the Great Salt Lake Valley where the Mormons settle among the natives and jointly found the nation of Deseret. Meeting with the Yute and Shoshone chiefs, Joseph asks:

> "What shall we call our nation of united tribes?" . . . Joseph heard a little mumbling but no one ventured a name. Then Joseph said, "Wakara, you told me that a Yute tribe is like an ant hill, or a beehive."
>
> "That's right," Wakara agreed. "In the Yute tribe, everyone has a job to do and everyone does his own job for the good of the tribe, like a beehive."
>
> "Isn't that the kind of nation we want?" Joseph's voice showed excitement, "with every tribe doing their own job for the good of the nation. Why not name our nation after the honeybee?" . . .
>
> After some time Wakara broke away from the others, turned and said, "We will call our nation Deseret, after the honeybee, and we will cooperate together each tribe with another, as honey bees do in the beehive." (198)

In Robinson's nation of Deseret, Joseph assigned the natives as companions to seasoned missionaries and sent them out to teach the other western tribes. Indians have the right to vote and sit on juries, cultivating a relationship of trust and equality. During the winter of 1844–45, Joseph and Hyrum led a group to San Diego where they negotiated to make it the port for Deseret. After winning the friendship of the initially resistant Mexicans, Joseph met with British consul James A. Forbes and explained: "We want to acquire clear title to all of California from the sea to the tops of the mountains starting in the south and moving northward. We're not interested in any disputed titles, or land that's already been granted. Hurry, before Mexico gets itself in a war with the United States. If we can't establish our independence, the land is of no use to us" (236). He also predicted that Mexico will lose such a war.

With the cooperation of his new allies, Joseph and his company rebuilt San Diego's fortifications, were given ownership of a fleet which he named "the Navy of Deseret," captured Monterey and Fort Sutter, and built up the Nauvoo Legion, now numbering nearly five thousand

men. European converts poured into San Diego. Joseph led farmers and builders to the Salt Lake Valley to build up Deseret's capital. Surveyors designated Deseret's boundaries as north 42 degrees latitude, east to the Rocky Mountains, west to the Pacific Ocean, and south to the modern-day border with Mexico.

Led by George Miller, Samuel Bent, David Fullmer, and Lyman Wright, the first company of Saints arrived in the Salt Lake Valley on July 24, 1845, to find a thriving settlement. The Council of Fifty began governing the new nation in harmony with the natives. Although Mary Fielding Smith and Eliza R. Snow came to the valley, Emma Smith remained in Nauvoo.

As community building flourished, Brigham Young continued to function as Church president under the guidance of Joseph Smith as senior member of the priesthood on earth, giving him the authority to preside over Brigham. Back in California, Joseph bought recognition for Deseret from Parliament's representative, Lord Nathan Rothschild. Opposition came from Levi Williams, who captured Joseph and took him to Missouri's former governor, Lilburn W. Boggs, at Soda Springs. Boggs shot Joseph twice in the chest; but after a priesthood blessing, Joseph miraculously coughed up the bullets and revealed a plot by the Illuminati, a powerful secret group in Washington, D.C., that planned to deprive Americans of religious freedom.

Meanwhile in Washington, D.C., John Taylor and John Bernhisel successfully negotiated with a reluctant President James K. Polk to sell northern California from the Sierra Nevadas to the current Oregon northern state line for $10 million and to recognize Deseret as a nation. With the cash, two British converts purchased Zion in Jackson County, Missouri. The novel ended by Joseph and some apostles traveling back to Nauvoo with the captured Boggs where he will be tried for expelling the Saints from Missouri.