A Study in Propaganda and the Eccles Case

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Two Plan B Reports

A STUDY IN PROPAGANDA

and

THE ECCLES CASE
A STUDY IN PROPAGANDA

by

Cleo C. Geddes

Report No. 1 submitted in partial fulfillment of the requirements for the degree of MASTER OF SCIENCE in History Plan B

UTAH STATE UNIVERSITY
Logan, Utah

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INTRODUCTION

Adolf Hitler's rise to power had its beginnings in the distressed years following the First World War. The defeat of Germany was a shattering experience for Adolf. In Mein Kampf, he revealed his agony.

I could stand it no longer. . . . Everything went black again before my eyes; I tottered and groped my way back to the ward, threw myself on my bunk, and dug my burning head into my blanket and pillow. . . . So it had all been in vain. In vain all the sacrifices and privations; . . . in vain the hours in which, with mortal feat clutching at our hearts, we nevertheless did our duty; in vain the death of two million who died . . . Had they died for this? . . . Did all this happen only so that a gang of wretched criminals could lay hands on the fatherland?1

Hitler believed that this defeat did not come on the battlefield, but rather because of a political "stab in the back" at home. He felt the people on the home front, especially the businessmen were not strong enough in their support of the war.

It was this feeling of betrayal that drove Hitler to action. This resolve found expression for Hitler by joining the newly formed National Socialist German Worker's Party. This party, formed in 1919, grew in strength until in 1933 Hitler was to declare it the only legal party in Germany.

Hitler believed that a nation must maintain stability before it deserves the loyalty of its citizens. But loyalty to Hitler meant that the people would have to recognize that Germany was always

1Adolf Hitler, Mein Kampf (Boston, Massachusetts: Houghton Mifflin Company, 1943), pp. 204-205.
right and competing nations wrong.  

Hitler realized that loyalty and obedience to the state would only come through propaganda and indoctrination. He claimed that the Third Reich would last for a thousand years. A program to indoctrinate the youth of Germany would have to be developed if such an undeviating mold were to be created.

Prior to 1933, the German elementary and secondary schools had been under the jurisdiction of local authorities and the universities under the jurisdiction of the individual states. When Hitler came to power in 1933, all schools were brought under the jurisdiction of the Reich. On April 30, 1934, Bernard Rust, a Nazi Party member and friend of Hitler, was appointed to this powerful position of Minister of Education giving the Nazis the opportunity to shape the education system to fit their goals.

This paper will examine some of the effective techniques used by the Hitler regime to condition public school students to the Nazi movement.

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PHILOSOPHY OF EDUCATION AS A BASIS FOR PROPAGANDA

While imprisoned in the old fortress at Landsberg in the summer of 1924, Hitler wrote his book, Mein Kampf. Here he revealed his thoughts concerning education. George Kneller pointed out that:

Hitler puts the aim of all education under three headings: first, the fostering of sound, healthy, "pure-blooded" bodies; second, the development of character, involving silent obedience to authority and joy of responsibility; third, the dissemination of ordinary, useful instruction.⁴

The youth of Germany were to be molded into an instrument that would preserve and improve the quality of the German race. Since everyone spent a great portion of his life in school, the education program was to emphasize physical fitness from earliest childhood to adult life. Hitler said in his book Mein Kampf:

Not a day should go by in which the young man does not receive one hour's physical training in the morning and one in the afternoon, covering every type of sport and gymnastics. And here the sport in particular must not be forgotten, which in the eyes of many "folkish" minded people is considered vulgar and undignified: Boxing..."Why?" There is no sport that so much as this one promotes the spirit of attack, demands lightning decisions, and trains the body in steel dexterity. ...But above all the young, healthy body must also learn to suffer blows.⁵

The state was expected to teach the principles of racial hygiene throughout the nation, not only in the schools, but in all other state controlled activities. The dangers of contaminating German blood with elements of outside races were to be emphasized in great detail.⁶

⁵Hitler, p. 410.
⁶Kneller, p. 141.
Another aspect of Hitler's physical fitness philosophy was teamwork, which he felt should be emphasized instead of individual effort. This would create an attitude of togetherness which would help unify the state and prevent subversion.

The second aim of Hitler's education program was character development. Children were to be taught firm Spartan obedience to the goals of the National Socialist State. They were to learn that in all things the state worked for the good of the people and that a good citizen was one that showed complete devotion to duty.7

As another phase of character development, Hitler felt that the schools and state should teach students that cheating, telling false tales, and informing in class were wrong. He felt that in the past Germans had undermined the state because they had not known how to hold their tongues. Hitler predicted that by stressing character formation together with physical fitness, many of the defects of the nation would be greatly modified or completely wiped out.8

One of Hitler's goals was to get the schools to teach only information that would be of practical value to the students after completing school. He felt that the youth should not be burdened with information which 95 per cent of the time would not be used. It had been his experience that teachers gave the students too many useless facts which were to be regurgitated on the tests. He firmly believed that the students should be taught only material that would benefit them practically and the community.

7 Ibid., p. 143.
8 Ibid., p. 144.
Reform was to take place in the classroom to maintain ethical, social, and spiritual values for the benefit of the country. Hitler was very interested in changing the teaching of history. Instead of teaching a lot of facts pertaining to the past, history was to be used to shape the future behavior of the German people. He felt that emphasis should be placed upon social, economic, and political trends and developments. Above all, the schools were to teach unquestionable love for country, willing sacrifice to a greater authority, and increase in national pride. The education of the individual was to bring about an inner unity of the people, thereby benefiting the community as a whole.  

By establishing a state system of education Hitler would be able to give Germans the conviction that they were equal, if not superior, to other nations and the self-confidence needed to take their position in the family of nations. This message had an understandable appeal to the citizens of an anguished Weimar Republic.

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9 Ibid.,
THE STRUCTURE OF THE GERMAN EDUCATIONAL SYSTEM

Hitler realized that his educational objectives could be achieved by using the existing educational system. This would expedite his objectives as well as give an appearance of legitimacy. Even though the structure remained the same, new Nazi principles and philosophies were integrated. It is important to outline the school structure to illustrate the many vehicles by which indoctrination could be implemented.

In cases where the family was not in a position to provide adequate care and education, children from the age of two and one-half to six years old were placed in the Kindergarten. This period was known as pre-school education.

The next step in the educational structure was the Volksschule (the elementary school). This was divided into the Grundschule (primary school), and Oberstufe (the upper grade).

In the Grundschule all the children were taught German, arithmetic, singing, drawing, gymnastics, and manual instruction. Here, the children from the ages of six to ten were taught basic elements of good citizenship. The aim of the instruction in Primary School was a gradual development of the natural aptitudes of the child into

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10 The following survey deals only with main features of the German educational system. No attempt is made to give details of the various measures of reform that were introduced within the structure itself.

a moral will to work."\textsuperscript{12} The children were taught to use their hands through practical experience and by direct observation in the field and factory. They were also given a chance to develop physically by means of games, gymnastics, and walks.\textsuperscript{13}

Children between the ages of 10 and 14 were eligible to attend the Oberstufe. Here they were prepared for a practical career. At this stage, personal development of the student and devotion to the nation were emphasized. The subjects taught at this time were: German, history, citizenship, general and local geography, biology, arithmetic, geometry, drawing, singing and gymnastics. "The aim of the courses in Biology, Geography and History was to introduce the pupil to the fundamental question of Ethnology, Heredity, Racial Hygiene, Genealogy, and the Science of Population."\textsuperscript{14}

After completing the Oberstufe (age 14), the student could enter into a variety of Berufsschule (vocational schools). "It carries on the work of the Elementary School by giving supplementary instruction, up to the age 18, to young people of both sexes who are preparing for some profession, and thus provides for the majority of young workers."\textsuperscript{15} Besides educating the young person to be a good citizen, the Berufsschule also sought to fill the labor needs of the industrial profession. During the period of their practical training young workers were required to spend six or eight hours in school every week and the rest of the time on the job gaining practical experience. Their

\textsuperscript{12}Ibid., p. 12. \hfill \textsuperscript{13}Ibid., p. 13. \hfill \textsuperscript{14}Ibid. \hfill \textsuperscript{15}Ibid., p. 14.
employers were legally bound to permit the to attend this weekly formal class period of instruction.  

The Oberstupe was compulsory throughout the German Reich, unless at the end of primary school (age 10) adequate provisions had been made for the student to attend another type of school. The other types of schools provided for students of this age were Mittelschule (central school) or Höhere Schule (secondary school).

Before entering the Mittelschule the students had to pass an examination. Students in the Mittelschule were trained to take up posts of medium importance in commerce, industry, administration, agriculture and forestry. The Mittelschule built on the foundations laid in the four-year course of the Grundschule and usually consisted of six classes (ages 10 to 16).  

During the first three years all students were required to take the same classes. Then during the next three years they specialized in various subjects. While attendance at the elementary school was free, fees were charged by the central school.

Another alternative for the students was the Höhere Schule (secondary school). As with the Mittelschule, a student was admitted to this school after passing a qualifying examination. Höhere Schule's aim was to give these students who were particularly well qualified in mind, character, and body an education which would enable them to occupy the leading positions in the political, cultural, and economic affairs of Germany.

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16 Ibid.  
17 Ibid., p. 15.  
18 Ibid., p. 16.
The Secondary School course is organized into eight stages, of one year each. It provides a thorough, all-round education, which will enable the young person to overcome difficulties, arising in the daily life of the community, with courage and self-confidence. 19

The secondary school consisted of the Oberschule, Aufbauschule, and Gymnasium. The Oberschule curriculum was divided into languages, science, and mathematics. The Aufbauschule was a special type of secondary school. It was similar to a boarding school and was entered at age twelve rather than ten. It built upon the foundations laid in the six-year course of elementary school, and thus afforded talented elementary students the opportunity of checking out of the upper grade phase of elementary school and obtaining the opportunities of secondary school education. Gymnasium was the classical secondary school. It was designed to promote and promulgate German culture. The curriculum consisted of Latin, Greek, and English. It had the special task of preserving and handing down the cultural heritage of past ages. 20 Upon leaving the Höhere Schule the student was then able to gain admission to the universities or colleges for technical training.

Hitler supplemented the formal school system with two other key programs, the Hitler Youth and the Labour Service. These were important parts of the Hitler Youth Educational program and cannot be excluded from the organizational structure.

The Hitler Youth was divided into the following sub-organizations:

1. The Jungvolk, for boys from 10 to 14 years of age.
2. The Hitler-Jugend, for boys from 14 to 18 years of age.
3. The Jungmadel, for girls from 10 to 15 years of age.

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19 Ibid., p. 17.
20 Ibid., p. 18.
SCHOOL STRUCTURE

Kindergarten
(pre-school)
Age 2½ to 6 years

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<td>13</td>
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4. The Bund Deutscher Madel, for girls from 14 to 21 years of age. 21

One of the goals of the state was to organize the youth of Germany into age-grouped units, outside of the classroom. Within these units the youth were to "... be educated physically, mentally and morally for the service of their country and the community of the German People." 22

The Hitler Youth were organized on a similar basis as the boy and girl scout program. They were taken on camping and hiking trips. Where possible they were required to wear a uniform, the boys in a brown shirt and the girls in a white blouse and blue skirt. Upon reaching the age of 14, the boys were given a Swastika arm band to wear. This became a symbol to the boy that he was a member of the Brownshirts organization, in other words, he was a Storm Trooper in miniature. 23

Upon reaching the age of eighteen, the boys continued the work of the Hitler Youth by entering the Labour Service Camp. This service was required of all boys between the ages of 18 and 25. The function of the camp was to build up a labor force along military lines, establish comradeship, learn discipline, in contact with German soil for which he would learn to die, relieve economic problems, and maintain the physical and mental well-being of the country. 24

In the camps the boys wore uniforms like soldiers, but worked in the fields and carried spades instead of rifles. Their day started

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with reveille at five o'clock in the morning, ten minutes of exercise, one hour to dress and put bunks in order, and then assignment of daily tasks. The rest of the day was spent at work with breaks for breakfast and lunch. After the evening meal the boys were to listen to political talks and engage in recreation.\textsuperscript{25}

\textsuperscript{25}Ibid., p. 214.
INDOCTRINATION

The Nazi school system, Hitler Youth, and labor camps were to play an important role in Hitler's future Germany. In each of these institutions the youth received intensive mental and physical indoctrination.

The terms propaganda and indoctrination are nearly synonymous. Propaganda is a term used to describe the propagation of a doctrine to the masses. Indoctrination is a term used to describe the propagation of a doctrine to a small group of people. Both terms mean, "any effort to persuade and win people to the acceptance of some particular proposal or support of a cause... seeks to win one to the support of a cause by favorable presentation of one side of the case... indicates working up of sentiment for a movement or objective which will not command support on its own merits."26

Lumbley suggests a variety of methods to sway or convince people. These methods are as follows:

1. The mechanical method,
2. The literary method,
3. The suppression method,
4. The distortion method,
5. The fabrication method.

Each of these has been used by various countries throughout history.

Germany became a master of them between 1933 and 1945.

The mechanical method is the use of radio, television, moving pictures, and other mechanical communication media. This method can be used to influence both the masses and small groups.27

The literary method, a silent way of informing people, includes the publication of books, poems, newspapers, pamphlets, and leaflets.28

The suppression method of propaganda is used to prevent the people from getting hold of information concerning bad things that are taking place. For example, the Nazis did not want the people to hear of German defeats during the war and therefore would prevent the real story from reaching the home front.29

The term, distortion, refers to the deliberate or purposeful twisting or "fixing up" of the facts that finally reach the people. Communications are reshaped or distorted in a variety of ways by adding a word, phrase, sentence, or paragraph; by leaving out a word or sentence; by using words with double meanings; or by using words with obscure meanings.30

Fabrication is the creating of something that never existed. The winning of a battle never fought.

Each of these methods of indoctrination were carefully integrated into the German school system, Hitler Youth corp, and labor camps. This point will be illustrated by using material obtained from people who were youths in Germany during the Hitler regime. However, this

27 Ibid., p. 109.
28 Ibid., p. 111.
29 Ibid., p. 120.
30 Ibid., p. 122.
discussion will deal only with the indoctrination that took place in the school system and Hitler Youth. It must also be pointed out that the illustrations given were unique to these people living in a given town and in a given school system. Even though the school system and Hitler Jugend was organized on a uniform, national basis throughout Germany, there were different methods of indoctrination and these methods would vary from place to place because of population, types of schools, classrooms, teachers, and leaders.

Emmie Cziep, a student and member of the Hitler Youth, lived in Vienna during Hitler’s rule over Austria. She described school as an educational program geared to the Nazi state. The system was designed to produce loyalty in young Nazis. She described her classroom as very plain with pictures of the Nazi Party leaders hanging on the wall. 31

The curriculum consisted of basic subjects found in any normal school. But where possible, they were always slanted toward the Nazi system.

The history we were taught should be taken with a grain of salt. . . . Britain for example— the English history and the background of its kings was so slanted as to make the British appear to be terrible. . . . Instead of learning about the great men of history, we had to concentrate on the lives of the Nazi leaders. We had to know when they were born, what they did, and what their political philosophies were. . . . Music was another example. I realize that most of the composers came from Austria and Germany, but there was no mention of French, Swedish, or Russian composers—they were completely left out.

Emmie said the teachers she had in school had magnetic personalities.

They were enthusiastic and convinced of what they were doing. All

31 Emmie Cziep Collette, private interview held in Idaho Falls, Idaho, March 1, 1969. Unless otherwise noted, the material on the next two pages is from this interview.
of them but one were members of the Nazi Party and would wear the emblem to school each day.

One of the next ways used to commit students to Nazism was to get them to take an active part in helping with the war effort. A monthly project was to sort and count out the ration cards and pass them out. Ration cards were used by each citizen in procuring food at the stores. Certain ration cards would be used for certain kinds of food products and only with a ration card could a person obtain a given type and amount of food.

Another monthly project entered into by the schools was the selling of little trinkets to passengers on the streetcar. These trinkets varied from little plastic clusters of berries, to pictures of composers and writers, to small booklets that could be worn on the lapel of a man's suit coat. These small booklets contained propaganda designed to build support for the Nazis. According to Emmie, the trinkets and booklets were easy to sell because if a person did not wear one in his lapel he ran the risk of being stopped by some party member on the street and having to buy several of them.

Emmie said she remembers this as being a fun activity because they were able to ride on the streetcar. After selling trinkets and pamphlets the students would return to the school where they would turn in the money obtained. The following is the translation of one of these pamphlets:

"All that has been created would have been impossible. All that we have done would not have been able to succeed. There would have been no thirtieth of January nor 21st, nor 16th of March. The developments which followed it would not have come about had the German people not gone through an inner transformation. That it became possible for us to bring the German people a new idea and to give this people through this idea a new form of life is the greatest deed of hundreds of years of our people. It is the greatest achievement that will have significance much farther
than any other achievement because it actually happened. As Führer I can think of no greater work nor no more proud opportunity in all the world than to serve this people. One could offer me different sections of the globe as a gift, but I would rather serve as the most insignificant citizen of this people. With this people it will and must succeed and we will go forward to the coming duties." 32

The above quote was found on the last three pages of a little lapel booklet titled, The Führer and His People, which was a reprint of a speech Hitler had given at a May Day celebration. The first pages of the booklet contained pictures of Hitler with his people.

Emmie was required by the school to attend certain exhibitions such as the one titled the "Eternal Jew."

When I came out of there even though I was a good church member . . . I was just as hateful as the next person because of the things I had seen. They had a picture showing a big fat old Jewish man raping some little girl and a Jewish man kicking some mother and her children out of their house because they could not afford to pay the rent. 33

At her particular school Emmie and her classmates were required to keep a "War Diary." It was supposed to have been a factual account of the war from the beginning to the end. The material included in the diary was dictated to the students periodically by the teacher. Included within the diary are subtle pieces of indoctrination. It was slanted to give the appearance that the German war effort was moral and legitimate. In short, it was an attempt to justify the war and to make the students hate the enemy.

In the first part of the diary Germany's justification for going to war is given:

32 Heinrich Hoffmann, The Fuhrer and His People--Picture Documents (Published by the German government during World War II), pp. 32-35.

33 Emmie Cziep Collette, interview.
"We Germans are people without lands. 144 Germans live on a quarter of a mile of land.
"On 1 quarter of a mile of ground live 7 Russians.
"On 1 quarter of a mile of ground live 9 Frenchmen.
"On 1 quarter of a mile of ground live 13 Britains.
"On 1 quarter of a mile of ground live 15 Italians.
"How did this come about? In past centuries other nations have taken it from us, because there were many small states which fought among themselves and would not unite into a German Reich.
"Only our Führer has united all Germans into one Reich and he wants to create land for the present and future generations of German people. 34

The diary explains that in the summer of 1939, the danger of war was brought closer because of the agitation of the Polish against the Germans. Since it appeared that Germany would be pushed into war by the Poles, the Germans began to make preparations for war--but on a defensive basis. Many men received their induction papers, and military transports, cars, and tanks were sent north. Bomb shelters in the homes were checked and people began to prepare for enemy bombers.

The diary then pointed out that the Führer made demands for peace with Poland, but received no answer, and therefore defensive attacks were made against Poland in September of 1939. With these attacks England and France declared war on Germany. With the English and French declaration of war the "Führer made once more a peace offer to the western powers. Yet they remained silent."36

Emmie told that they attended a film titled German-land in Africa. She explained that the film told of how Britain had stolen German lands during the First World War and that these lands had been

stolen even though they had been purchased through honest dealings with the Africans. The film explained that the Germans had high hopes of regaining their rightful possessions.

The positive was always presented in the diary to make the students feel that the war was going well. A quote taken from the diary illustrates this point:

"The fighting in Finland and in the western front is very insignificant because of the cold weather . . . there is much snow, and coal transportation is suffering. Yet, there are plenty of provisions available. . . . By the end of January the German Luftwaffe had registered a big success against England. Many English merchant ships were sunk. Even the English people admitted that each German fighter bomber hit its target well, and only one German airplane was lost."37

An entry on January 30, 1940, describes a celebration held in honor of the anniversary of the Third Reich. A festival hour was held in the morning at Emmie's school and in the evening the Führer gave a speech on the revenge of England and France.

"They do not want to see Germany united and will once again split it up into small states and weaken her future. We, however, want to have a good future and want to give the German people their just place in the world which they deserve. The German people will live and our enemy shall have the war which it wanted."38

Another entry in the diary that places blame upon the Allies referred to a publication in the Cologne newspaper, "the founded documents," in which English and American statesmen were discovered as the war agitators against Germany in 1938-1939. The "founded documents" as published in the newspaper illustrated to the German people that the blame for the war was upon America and Britain rather than upon the Germans. 39

37 Ibid., Jan. 30, 1940. 38 Ibid. 39 Ibid., end of March, 1940.
A December 11th entry tells that in the fifth meeting of the Reichsttag the Führer gave an overview of the military and political events of 1941. He defended himself against the "'Warmonger Roosevelt'" and therefore declared war on the United States. 40

The diary explains that periodically the students of the school would have a drive to obtain goods that could be sent to the front to help the fighting soldiers. A description is given of the items gathered on one particular occasion.

"We are working for the soldier. Our school furnishes 1 respirator, 5 snow caps, 104 ear muffs, 8 abdominal bandages, 8 knee protectors, 40 mitten wristers, 3 fist warmers, 728 sole protectors, 1 scarf, 1 waistcoat, and 2 caps." 41

She explained that the school's effort was just a small part of a national campaign to collect goods for the soldiers and that this campaign was carried out with selfless love for the country.

On March 3rd a very interesting entry is made concerning the attempts of the United States to bring South America under her jurisdiction. "'The U.S.A. wants to bring the whole South American states into her jurisdiction, for that purpose a conference in Rio de Janeiro was held.'" The diary stated that the Americans managed to get all the South American states to break off diplomatic relations with the Axis Powers and that the whole idea of breaking relations began with the "'help of the U.S.A. propaganda agitators and the emigrant Jews.'" The diary stated that this entire movement was started in Brazil where there were many German settlements at the time of the war. It also said that these settlements were robbed

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40 Ibid., Dec. 11, 1941. 41 Ibid., Winter, 1941.
of their properties by the American propagandists. 42

The January 30th entry of the diary states that the Führer declared that Germany was not fighting the war alone, but also for Europe and the civilized world. 43

The remaining part of the diary describes the events that took place in the latter part of the war. As the Germans began to lose the war the entries became shorter and shorter, but still attempted to reassure the students that all was going well.

Inge Adams was a member of the Hitler Youth and lived in a small town outside Heidelberg in southwestern Germany. (She was one year old when Hitler took over the country.) In 1939 she started the first grade and for the next seven years was educated under the Hitler regime. Four of these years were spent in the grade school and three years in the Gymnasium. 44

Mrs. Adams described a normal school day. The day started with a pledge of allegiance to the Führer. There was a person at the door to make sure the class was at attention when the teacher entered the room. Although this procedure seems militaristic, to the students it was natural. Upon entering the room the teacher would greet the students with a "Heil Hitler" immediately followed with the same response from the students. "Heaven help you if your nose and tip of your fingers weren't straight." The same type of salute was given at the end of the class when the bell rang dismissing the students. In addition, before leaving, each student had to stand at attention

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42 Ibid., March 3, 1942. 43 Ibid., January 30, 1942.

44 Inge came to America and married Mr. Adams. She is now a resident of Ogden, Utah, and is an instructor in German at Weber State College.
and receive the proper dismissal from the teacher. 45

Mrs. Adams described the room as being very plain with the Nazi flag on the wall. The only places they had pictures of the party leaders was in the main auditorium. Every room had to have a picture of Adolf Hitler.

It was usually a picture of Hitler standing by a child in a garden. That's the Hitler we knew; he was always portrayed as a father figure and as we grew older he became a friend. He was portrayed differently to each class and age group of society. If you had seen him, you really had it made prestige wise.

According to Mrs. Adams, Hitler was always presented in a way that showed him to be the "prophesied" savior of Germany. She said, "there was no question in my mind that he was supposed to be there. I still have a very slanted view of history." She said that students had to know all about Hitler, where he was born, where and what he did. "At a minute's notice you had to recite this."

Once a week they held a memorial hour where all the students gathered in the auditorium to remember the war dead and hear a speech by some Nazi leader on the principles they must uphold, and how they had to defeat the enemy and the Jews.

Inge commented on the Jews. She said they did not study about them but were told that they were an evil and had no place in the country. This was all she knew about them, "strangely enough, friends of ours were Jews. I had never associated them with evil and when I did, it was quite a shock." She went on to say that the indoctrination was so severe and thorough that it did not leave room for individual thought.

45 Inge Adams, private interview held at Logan, Utah, June 8, 1969. Unless otherwise noted, the following material is from this interview.
The confirmation ceremonies were replaced with a nationalistic ceremony, according to Mrs. Adams. She cited one example of the ceremony. "On this day you give your child to Adolf Hitler, he shall now be his or her father." This was one time that she questioned for a moment what was going on, but as a rule one did not think or question.

Closely connected to the school was the Hitler Youth organization. Each Sunday morning the church bells would ring and the youth would assemble to march. Marching and singing war songs was the customary thing to do. The marching took place in the streets and would be supervised by the S.R., who were the overseers. If a person failed to show up for the march the S.R. would go to his home and see why he was absent. There was always a roll call; "there was nothing without roll call, whether you went to school or to church, it did not matter where you went you had a roll call."

They also marched every Wednesday and Saturday afternoon at three o'clock. On these days they would receive a military style roll call and then recite the biography of Adolf Hitler. After this they would be dismissed for an activity, which could be knitting sweaters for the German soldiers on the Russian Front, finding people who had been bombed out recently and helping them, or gathering herbs for tea.

They received a first aid course in the Hitler Youth and school. When the bombs fell they felt it their obligation to help dress the wounds of the victims. "Our thought patterns were geared toward being responsible. Because we were members of the youth movement we felt that it was our duty to do these things, and we did them."
They also participated in hikes and campfires on the Wednesday and Saturday activities. Here, "we were taught about morals, proper behavior, and proper dress . . . they were fun activities . . . you had your little uniform, it was a very enjoyable thing. I did not know anyone who did not enjoy it."

One of her biggest problems in the Hitler Youth was her grandfather. He would not let her go to the Sunday morning marches and when she did not show up there would be a familiar knock at their door. One of the S.R. would ask her grandfather where she was and he would respond by telling them that "she can go to church or she can stay home, but she cannot march through the streets on Sunday." He was not a Nazi Party member, but never did receive any physical injury from the Nazis for not allowing his granddaughter to attend the Sunday marches. However, Mrs. Adams did say that once in a while he would be taken to Nazi headquarters and questioned. Her grandfather was a very influential man in their community and hired a number of employees in his business. She felt this was one reason why the Nazis never harmed him. It would have caused too much questioning and excitement in the community. Mrs. Adams said they begged and begged him not to say anything to the Nazi leaders and to cooperate with them, but of course he would not listen.

Inge said that as a Hitler Youth you could go to church as long as it did not conflict with the Young Volk, and that her school even held Bible studies each day.

The moral teachings, according to Mrs. Adams, were very high in the Young Maedel. "You were always told the Young Maedel does not do that, your Fuhrer, your soldiers, your parents would be ashamed of you."
She felt that the Young M adel program would have been good had it not been so patriotic. It left you knowing what you should do morally; "there never was any question on what was right or wrong, it was decided for you; never did you question--it was unthinkable."

The experiences of Emmie and Inge illustrate the intensive indoctrination programs directed at the youth of Germany under the Hitler regime. Their experiences can be added to by the memoirs of Melita Maschmann, another Hitler Youth. Melita's memoirs are recorded in the book, Account Rendered. Her experiences were similar to Emmie's and Inge's and seem to verify their accounts when she said, "the Hitler Youth was not a youth movement at all: it became more and more 'the state youth organization'--that is to say it became more and more institutionalized, and finally became the instrument which the National Socialist regime used to run its ideological training of young people and the war work for certain age groups."46 She said the boys and girls fulfilled the tasks required of them by the youth organizations, "that you learned to obey too often and too unhesitatingly--they learned too little about thinking for themselves and acting on their own initiative. But this obedience had for them the moral value of a soldier's obedience, rightly understood."47

Their memoirs show how three young German girls growing up


47 Ibid., p. 144.
during the Nazi regime were transformed into dedicated Nazis. So thorough was the training that years would be required to undo the damage done. Their experiences must serve as a reminder that the line between legitimate "education" and the process of indoctrination, though vaguely defined, must be kept in mind by anyone who stands before a classroom.
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THE ECCLES CASE

by

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PREFACE

Originally this paper was supposed to consider the legal rights of polygamous wives in Utah after polygamy was outlawed. However, a brief historical survey showed that such women had no legal rights. While the husband was alive, this fact usually did not cause any trouble. But when the husband died the inequity was glaring. Legally, the estate of a man was to be distributed among the first wife and her children with the wife getting two-thirds and the children sharing one-third. Any other wives had no claim on the man's estate. However, the law did state that if an illegitimate child could prove a man to be his father, he became heir to a share of the man's estate. In this way a polygamous wife could, through her children, have some legal claim on her husband's estate. I do not know if this technique was used very often, but the case on which I have written is an excellent illustration of this technique in practice.
INTRODUCTION

In 1843 Joseph Smith, founder of the Church of Jesus Christ of Latter-day Saints, revealed the doctrine of polygamy to members of the church. The limitations of this doctrine were as follows:

... Plural marriage was to be limited to persons of high character, approved lives, and living under the most sacred obligations to chastity, and granted this privilege of the church's marriage system only under the most carefully guarded permission of the church, amounting to divine sanction.¹

Joseph Smith told the church members that the doctrine would not be under condemnation, for under these circumstances the man would be receiving his wives upon the same principle and under the same conditions as followed in the Bible.

The practice of plural marriage in the Mormon Church received much opposition by non-church members. The opposition continued and eventually led to the passage of an anti-polygamy law in the U.S. Legislature in 1862. This law was appealed by the church and the United States Supreme Court handed down a decision in 1879 upholding the congressional act against polygamy.

On October 6, 1890, President of the Mormon Church, Wilford Woodruff, made an official declaration to the members of the church concerning polygamy. The "Manifesto" was in reaction to claims that the leaders of the Mormon Church were encouraging and urging the continuance of the practice of polygamy. In the declaration he

stated that the church was not teaching polygamy nor permitting any person to enter into its practice.

With the end of polygamy in Utah many problems relating to its practice became apparent. One of these problems will be discussed in this paper.
THE ECCLES CASE

Between June 21, and July 16, 1915, the case of Albert (Geddes) Eccles v. David Eccles Estate was heard in the Second Judicial District Court in Ogden, Utah. For nearly a month this case, commonly known as the "Eccles Case," rated front page news coverage in the Utah newspapers, and even stimulated comment in the East.

Upon the death of the well-known financier, David Eccles, the case was brought under consideration by a relatively unknown woman, Margaret Geddes, who claimed that she had secretly been a plural wife of David Eccles, that he was the father of her son Albert, and that Albert thus had a legal claim to a share of the Eccles estate.

To understand why the case commanded such widespread interest, one must first know something about the lives of David Eccles and Margaret Geddes and the status of polygamy at the time.

David Eccles, one of the most prominent men in the history of Utah, was a native of Paisley, Renfrewshire, Scotland. He was born in May, 1849. When David was fourteen, he and his family came to America. Upon their arrival they made their way from New York to Florence, Nebraska, where they entered a party of Mormon pioneers enroute to Utah. Upon reaching the Salt Lake Valley the family settled in Ogden.¹

In the summer of 1869, David, who was then twenty, went to Almy, Wyoming, where he worked in the coal mines. After working in Wyoming

¹Orson F. Whitney, Utah Since Statehood: Historical and Biographical (Salt Lake City, Utah: The S. J. Clarke Publishing Company, 1919), 11, 50.
he returned home and found a job chopping logs at a sawmill in the mountains east of Ogden. With money he had earned at the sawmill he was able to purchase a yoke of oxen.

With a yoke of oxen he was able to sign a logging contract with David Janes in 1872. After a year of contract work he went into the logging and sawmill business with H. E. Gibson and W. T. Van Noy. Soon they were doing well enough to open a retail lumber yard in Ogden. After a few years in partnership David was able to purchase the interests of his partners.

In 1881 he went to Scofield, Utah, where for eight years he operated four sawmills. After this, with a few picked associates, he established a sawmill in eastern Oregon in 1889. His lumber business in eastern Oregon paved the way for more ambitious operations. While in Oregon, he gained the reputation of being one of the most successful lumbermen of the Northwest. His activities kept abreast with the development of the lumber trade, enabling him to expand into wider horizons within the business world. It was in connection with the lumber interests that he built the Sumpter Valley Railway between Baker City and Prairie City in eastern Oregon and the Mount Hood Railroad in western Oregon.²

Another field of investment opened up for David in 1898 with the organization of the Ogden Sugar Company. He saw the potential of the developing sugar industry in the West and established factories in Ogden, Utah, and La Grande, Oregon. As the sugar industry developed he built new factories in Logan, Utah, in 1901, and Burley,

²Ibid., p. 54.
Idaho, in 1911. These factories were organized into the Amalgamated Sugar Company with David Eccles as president. 3

As Eccles enhanced his financial position he embarked on many other business ventures. He organized and financed the Utah Construction Company. He helped build the Utah and Pacific Railroad in southern Utah, which ran from Milford to Nevada. He was stockholder and board officer of two streetcar companies. He financed a condensed milk company, two implement companies, and many other minor companies. At the time of his death in 1912 he was identified with fifty-six industrial corporations and twenty banking institutions. Some of the banks were the Deseret National Bank of Salt Lake City, the Deseret Savings Bank of Salt Lake City, the First National Bank of Ogden and the Ogden Savings Bank.

On the 27th of December, 1875, Eccles married Bertha Marie Jensen, a daughter of Christen and Maren Jensen. David and Bertha had twelve children.

On the second of January, 1885, David entered into plural marriage by marrying Ellen Stoddard, daughter of John K. and Emma Stoddard, at Logan, Utah. Ellen, who was only 18 at the time of her marriage, was born July 20, 1867, and became the mother of nine children. 4

3 Ibid.

4 Ibid., p. 55. For the benefit of the reader in identifying the family witnesses who testified at the trial, the children of David and Bertha were: David Christen, born November 29, 1877; Le Roy, born November 20, 1879; Vida, born July 9, 1882; Royal, born December 9, 1885; Bertha Oliva, born January 22, 1887; Joseph Merrill, born August 22, 1889; Lila, born November 26, 1891; Laura, born May 9, 1894; Flora, born May 9, 1894; William Jack, born August 8, 1895; Annie Vivian, born April 18, 1897; and Homer Gordon, born
The measure of David Eccles’ influence in the commercial, industrial, and financial development of the West can scarcely be overstated. He was not only interested in the business world but was active in supporting the Republican party of the day. He served two years on the Ogden city council and two years as the mayor. During his term as city mayor the Ogden City Hall was built. He was a member of the Church of Jesus Christ of Latter-day Saints and contributed heavily to the church. It has been stated that when the church authorized a million dollar bond issue, Mr. Eccles carried one hundred thousand dollars of it.\(^5\)

On December 5, 1912, David Eccles died of a heart attack while visiting Salt Lake City. The dynasty that he built can still be seen in various business enterprises of the present day.

The other key party of the "Eccles Case" was Margaret Ferguson Cullen Geddes. She was born on March 23, 1865, at Glasgow, Scotland, the daughter of James Cullen and Elizabeth Hart Cullen. While in Scotland she was baptized a member of the Church of Jesus Christ of Latter-day Saints. In June of 1884 at age nineteen Margaret immigrated to Salt Lake City, Utah, where she lived with her aunt, Margaret Young.\(^6\)

She married William S. Geddes in the Logan Temple on December 4, 1884. The marriage ceremony was performed by Marriner W. Merrill

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April 18, 1901. The children of David and Ellen were: Marriner S., born September 9, 1890; Marie, born November 2, 1892; Spencer, born July 20, 1894; Jesse, born May 12, 1896; Emma, born March 6, 1898; George, born April 9, 1900; Norah, born July 18, 1902; Ellen, born June 23, 1905; and Willard, born February 22, 1909.

\(^5\)Ibid., p. 56.

of the Council of the Twelve Apostles. Through this marriage Margaret became the second wife of William. After the marriage she lived in Salt Lake City for a short time, then moved to Granite Ward, Preston, Clarkston and North Powder, Oregon, where she joined her husband who was employed as a bookkeeper by David Eccles. While in Oregon, she gave birth to Margaret Elizabeth, born July 24, 1887, and Flora Edna, born September 20, 1889.

Margaret said that Oregon was a lovely place to live because she was not bothered by the law. Before moving to Oregon it had been necessary for her to keep on the move to avoid the government officials who were prosecuting polygamists.

According to some accounts she moved back to Plain City, Utah, in June of 1891. On August 22, 1891, her husband, William S. Geddes, died and on January 15, 1892 she gave birth to another daughter whom she named Williamena (Winnie) Martha Geddes.

Margaret resided in Plain City until 1899 and then moved to Salt Lake City to what was known as Constitution block. On May 21, 1899, she gave birth to a son whom she named Albert. The father of Albert was not known.  

She resided in Salt Lake City for the remaining years of her life. From 1915 until the depression she spent a great deal of time touring Europe and other parts of the world. During the depression she lost most of her financial assets and even had to sell her home and move into an apartment. She died at the age of ninety on the 8th of November, 1954, in Salt Lake City.  

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7 Ibid., p. 150 
8 Ibid., p. 151.
One point that should be brought out is that David Eccles and Margaret Geddes were very close friends during the 1890's--especially after the death of her husband in 1891. William had been employed by David Eccles, who upon his (William's) death, felt inclined to provide financial assistance for Margaret. This close relationship continued until 1912 when David died. It was during this period that Margaret gave birth to Albert.

Upon David Eccles' death his estate was to be divided among his heirs. By 1915 the estate had been assessed and was ready to be divided. However, Margaret Geddes exploded a bombshell and stopped the proceeding by claiming that she had secretly been married to David and that he was the father of Albert. On February 23, 1915, Thomas W. Sloan, guardian of Albert, filed an objection and protest against the final account and distribution of the Eccles Estate. The objection, in the form of an affidavit, was presented to the judge in Ogden on the 8th of March, 1915. The affidavit of petition and protest submitted by the lawyers of Albert Geddes stated:

Wherefore, your petitioner:

1. Objects to the settlement of said final account.
2. Objects to the distribution of said estate as prayed for in said petition for final distribution.
3. Objects to the final distribution of said estate as prayed for until the said case so aforesaid filed in the District Court of Salt Lake County by Albert Eccles, by his guardian as aforesaid; as plaintiff against David C. Eccles as administrator as aforesaid, and other heirs of said estate, defendants is finally determined.
4. That David C. Eccles', administrator be required to return by inventory and appraisement all of the property, both real and personal, of which the said David Eccles died seized, including that omitted from the inventory and appraisement and from his account as hereinbefore alleged, and that upon distribution of said estate that the property of said estate.
5. That in the event of a distribution of said estate is ordered, that your petitioner, Albert Eccles, have distributed to him as a son of said David Eccles, deceased, and as one of his heirs at law, such portion thereof as he is justly entitled to, to-wit and undivided one-thirty third interest thereof.

6. For such other relief as may be just. 9

Another affidavit was submitted to the courts on the eighth day of March, 1915, by William W. Sloan, guardian of Albert Eccles. It stated:

Affidavit of Albert Eccles:

Albert Eccles being duly sworn upon oath says: that he is a minor of the age of fifteen years; that he was born on the 21st day of May, 1899 at Salt Lake City County, Utah, and is now a resident of said county and State; that the said David Eccles in his life time, duly acknowledged himself to be the father of said affiant.

Affiant further says that he has been advised and believes that as such son of David Eccles, deceased, and because that said David Eccles during his life time, duly acknowledged himself to be the father of said affiant he is an heir at law and entitled to a distributive share of estate of said David Eccles deceased, to-wit, and undivided one-thirty third thereof. 10

Although the protest had been submitted to the courts, the Eccles family decided that the original distribution of the estate (excluding Albert) should be carried through as originally planned. They believed that the story and claim of Margaret and Albert Geddes was unfounded and could be proven invalid in court. Besides, if such a case were to prove Margaret wrong, their name would be cleared in the eyes of the public.

The trial of Albert Geddes versus David Eccles Estate began on June 21, 1915, at Ogden, Utah, in the Second Judicial District Court

9 Albert (Geddes) Eccles v. Eccles Estate, Probate Court, Case 2169, Ogden, Utah (1915).

10 Ibid.
in and for Weber County, State of Utah, Probate Division, at ten o'clock in the morning and ran until six o'clock. On that afternoon a jury of eight was chosen to determine the heirship of Albert Geddes. The jury was selected from a special venire of sixty people, with great emphasis placed upon religious beliefs of the prospective jurors. The counsel for the opposing parties examined and cross-examined the talesmen. It was hinted by C. W. Boyd of the defense that the tenets of the Mormon church might play a major part in the testimony offered in the case. The prospective jurors were interrogated as to whether or not they would decide the case solely on the law and evidence, even though under those conditions a verdict might appear to be a reflection on the church to which they belonged, or on a certain member of the church.

The defense used three peremptory challenges and excused E. J. Horrocks, a grocer; John F. Slater, a farmer; and James F. Hadley, a teamster. The plaintiff exercised only one peremptory challenge by excusing W. L. Crawford, a former employee of David Eccles.\footnote{Salt Lake Tribune (Salt Lake City, Utah), June 22, 1915, p. 6.}

By 6 p.m. a jury had been selected and sworn in to defend the right of justice. All the members of the jury were married men and all had children. Four were farmers or fruitgrowers, one was a saloonkeeper, one a railroad man, one a marble worker, and one a road supervisor. The following is a list of the jurors:

W. N. Baker of Roy, orchardist, Mormon.
H. H. Mc Cool of Ogden, railroad man, non-Mormon.
Robert O. Bybee of Uinta, carpenter, Mormon.
Neils Lofgren of Huntsville, farmer, Mormon.
John H. Warren of North Ogden, farmer, Mormon.
George Timmerman of Ogden, saloonkeeper, non-Mormon.
John Parry of Ogden, marble worker, Mormon.
John H. Higley of Hooper, road supervisor, Mormon.  

The attorneys for the plaintiff (Albert) were Judge W. H. King of Salt Lake City and Judge Thomas Marioneaux of Salt Lake City.
The attorneys representing the defendant were Colonel Charles W. Boyd of Ogden, Frank J. Gustin and Waldemar Van Cott of Salt Lake City, and James H. DeVine and Royal Eccles of Ogden. The judge hearing the case was Judge J. A. Howell of the Second District Court.  

The attorneys of the plaintiff announced that they would endeavor to prove that in August, 1898, a contract of matrimony was entered into between Mrs. Margaret Geddes and David Eccles, and that a marriage ceremony was performed by an official of the Mormon Church. They supported this statement by an affidavit sworn to by Mrs. Geddes and filed in the court. They also said they would prove that Albert Eccles was born to Mrs. Geddes in May, 1899, and that during his lifetime David Eccles acknowledged Albert as being his son. The Salt Lake Tribune on June 22, 1915, pointed out that the announcement that the plaintiff in the case would try to prove a plural marriage came as a surprise to those who had been following the case. The assumption at the time had been that the plaintiff would rely solely upon the alleged acknowledgement of David Eccles that he was the father of the boy.  

The first person to take the witness stand on June 22 was Mrs. Margaret Geddes. For the first time in her life Mrs. Geddes made

\[12\] Ibid., p. 1.  
\[13\] Ibid.  
\[14\] Ibid.
public all the details of her life from her childhood to the time of the death of David Eccles, whom she claimed was her husband under the doctrine of polygamy.

According to Mrs. Geddes, the greater part of her mature life was spent as a plural wife, first of William S. Geddes and next of David Eccles. In both cases, she said, she was compelled to keep her relations with her husbands a secret, was forced to travel under assumed names and bear the stigma that resulted from her position as the mother of children whose fathers could not be publicly recognized. She stated that she wanted to live polygamy because of her religion and her convictions of the truthfulness of that doctrine.  

While on the witness stand Margaret testified of her relationship with David Eccles:

"In the spring of 1887, in North Powder, Oregon, I met David Eccles. I saw him frequently in Oregon from then until I left there in June 1891." 

She said that her husband died in Oregon in August of 1891, and that for some months afterward she made her home in Plain City with Mrs. Minnie Geddes, another plural wife of William S. Geddes. She later secured a home of her own in Plain City and there in 1895 David Eccles began to call on her frequently. The *Salt Lake Tribune* records the following testimony on her relationship with David:

"When did he first show evidence of affection further than that of a friend?" asked Judge King.
"In 1897."
"What did he say or do?"
"He took me in his arms and kissed me, fondled my hair and said, 'Maggie, give me the right to take care of you. I would like to marry you if it can be arranged. Maggie, if I can find a man who will consent to officiate at the marriage ceremony, will you consent?"

"I said, 'I don't think you can find a man who will agree to marry us on account of the manifesto.'

"He said, 'Oh, yes; we can get around the manifesto all right. There are several that are doing it right now.'

"I said, 'Very well; it will please me as much as it does you.'"

"What further did he say, if anything?" asked Judge King.

"Mr. Eccles said, 'Apostle Merrill married me to Ellen Stoddard; who married you to Will Geddes?'

"I said, 'Apostle Merrill married us.'

"He said, 'I think we can get him to marry us.'" 17

Mrs. Geddes went on to testify that the subject of marriage came up frequently during the next thirteen months. It was her claim that David Eccles arranged the ceremony. She could not remember the exact date of the marriage, but believed that it was in the last week of August, 1898. On this particular day she said she met Mr. Eccles at the First National Bank in Ogden before noon. He told her to meet him at the bank at half past five that afternoon. She said she went to the bank at the appointed time, but he told her that the bank was too public and that she should go to the office of the Eccles Lumber Company at 6 p.m. Later, when she got inside the door of the lumber company David introduced her to the man that was to marry them. She said the man was the same man that married her previously to William S. Geddes in Logan. 18 She testified that she stayed at the office for about an hour and a half after the marriage ceremony. She said that she then went to David’s home. This point was brought out in the following dialogue between her and the Eccles' lawyer.

"Then where did you go?"

"I went to the home of Mrs. Bertha Eccles."

"Alone?"

"Yes sir."

17 Ibid.

18 Ibid.
"Who did you see there?"
"Mrs. Bertha Eccles."
"What, if anything, did she say to you?"
"She said 'Maggie, where in the world have you been? Joe
has been riding his bicycle all over town looking for you.' I
didn't answer her, she made me some tea and then Bertha Eccles--
now Mrs. Bertha Wright--drove with me to my home at Plain City.
We were taken there by a hired man of David Eccles in an Eccles
Buggy."19

The Eccles lawyer, Colonel Boyd, continued to question Margaret
concerning her relations with David Eccles. She said that following
the marriage Mr. Eccles visited her frequently at her residence in
Plain City. After residing in Plain City for awhile she moved to
Salt Lake City.

"Why did you move to Salt Lake?"
"To protect David Eccles, to preserve my honor and to
avoid talk and rumors."
"Did you think that your honor was in any way involved?"
"Yes."
"Don't you believe in the sanctity of the doctrine of
plural marriages?"
"Yes sir."
"Then upon what theory do you advance the theory that your
honor would be in any way involved, no matter what the result of
your sacred union with Mr. Eccles?"
"Because he told me that if there were issue from our marriage
I must deny that he was the father of that issue."
"Do you mean to say that you thought he would disown his
child?"
"He didn't want me to disclose his relations with me. Mr.
Eccles was the only gentleman visitor at my home in Plain City,
and it was to save him that I went to Salt Lake. People in the
country always know more about your affairs than you do yourself."
"You were reputed to be an unmarried woman in Plain City both
before and after the birth of your child, were you not?"
"So that your child could only be explained upon the theory
of a plural marriage or that you were not a virtuous woman."
"I am a virtuous woman. I always was a virtuous woman."20

Margaret then told of the birth of the child at St. Mark's Hospital,
of Mr. Eccles' subsequent visit to the home of Mrs. Flora Neilson where
she and the child were staying, and his acknowledgement of the parenthood

19Ibid., June 24, 1915, p. 3. 20 Ibid.
of the child. Of this visit she stated, "First he kissed me and then the baby. He spoke of the baby's eyes and said they were just like his. He said they used to call him 'little black eyes.' . . . He spoke of the beautiful hair the child had."\textsuperscript{21}

Margaret said that Mr. Eccles had been a close friend of her uncle, David Neilson, the husband of Flora. After Albert was born, Mr. Eccles talked to David and told him, "not to worry about Maggie. He said that he would be responsible for her, that he was the father of her baby and that he would see that she and the baby were well cared for."\textsuperscript{22} Margaret said that from the birth of the child until his death David Eccles had always supported her and the child, and that he made monthly provision for their support and visited them frequently. He was with them on the night of his death:

"On the night of his death," asked Judge King, "what time did Mr. Eccles come to your house?"

"About half past five o'clock. He stayed to dinner and left at seventeen minutes after eight o'clock to catch the 8:20 car. He said he was going back to Ogden on the 9 o'clock car."

"Did you ever see this purse before?" asked Judge King, exhibiting a small coin purse.

"Yes, sir, Mr. Eccles gave that to Albert the last night of his life. He put a dollar in it and then took it back, saying he was going to give him a nickel. He said, 'Here's a nickel for you; and he handed him a five-dollar gold piece. The gold piece is still in the purse.'"

The purse and the gold piece were placed in evidence.

"Did he give you any money on that occasion?"

"Yes, he gave me $100 in gold."\textsuperscript{23}

Margaret went on to testify that while he was returning to Ogden he was struck with a heart attack and died a few hours later.

Three remaining points of Margaret's testimony need to be mentioned at this time. One of these had to do with the attempt of her bishop in

\textsuperscript{21}\textit{Ibid.}, June 23, 1915, p. 2. \textsuperscript{22}\textit{Ibid.} \textsuperscript{23}\textit{Ibid.}
Plain City to have her excommunicated from the church; another was
Margaret's involvement in the Smoot hearing in Washington, D.C.; and
last there were letters written to her by David. Margaret explained
that she was called to Washington, D.C., on December 13, 1904, as
a witness before the Committee on Privileges and Elections of the
United States Senate. This investigation was an effort to show that
plural marriages were still being solemnized in Utah after the Mani-
manifesto had been accepted by the church, and that Senator Reed Smoot
should be denied his seat in the Senate.

Margaret said Eccles had told her if she was ever in trouble to
go to see Mr. Young in the Deseret National Bank. Upon being subpoenaed
to testify in the Smoot hearings, Margaret told how Mr. Young made an
appointment for her to see Mr. Eccles at the bank.

The meeting of David and Margaret was described in the Salt Lake
Tribune:

"Tell them you do not know who is the father of your child,"
Mrs. Geddes said David Eccles had instructed her.
"I cannot go before the world and my little children and
declare that I am a bad woman," Mrs. Geddes said she replied . . .
"Mr. Eccles then told me," she said, "to have in mind Silas
W. Eccles, and when they asked me if Mr. Eccles was the father
of my child, having this man in my mind, I could truthfully say
no. He told me to be sure to deny that David Eccles was the
father of my child. He said it would be terrible for him if I
testified that he was the father of the child." 24

Upon going to Washington, D.C., Margaret was examined by Robert
W. Tayler, counsel for the protesters. Her testimony was as follows:

"... Mr. Tayler--How many children have you now, Mrs. Geddes?
Mrs. Geddes--Four living children.
Mr. Tayler--How old are they?
Mrs. Geddes--My oldest boy is dead, but the four living
ones are aged, the one 17, the one 15, one 13, and one five and
a half.

24Ibid., p. 1.
Mr. Tayler--Who is your second husband?
Mrs. Geddes--I have no second husband.
Mr. Tayler--Who is the father of the youngest child?
Mrs. Geddes--I decline to answer that question.
Mr. Tayler--Is his name Echols?
Mrs. Geddes--No, sir.
Mr. Tayler--Where was the child born?
Mrs. Geddes--Salt Lake City."25

Colonel Boyd of the defense questioned Margaret about her testimony in Washington. He read portions of her testimony at the Smoot hearing and questioned her about it as follows:

"When you told Mr. Tayler that you had no living husband, did you tell an untruth?"
"It was an untruth."
"Did you try to evade answering the questions asked you?"
"I tried to follow the instructions given me by David Eccles."
"Did you follow his instructions in keeping the name of Silas W. Eccles in mind when you were asked if Mr. Eccles were the father of your child?"
"There was no occasion to do that. I was not asked if Mr. Eccles was the father of my child, but I was asked whether or not Mr. Echol was the father of my child."
"Did you not think that Mr. Tayler had David Eccles in mind when he asked that question?"
"I did not know, I did not want to think."
"Did you intend to evade the question?"
"No, sir."26

The defense turned their questioning from the Smoot hearings to the question of alleged excommunication of the Mormon Church. Margaret described how her bishop in Plain City had endeavored to have her excommunicated because she had refused to disclose the name of the father of Albert. She said Mr. Eccles went to the office of the first presidency of the Mormon Church to see President Lorenzo Snow. He did not see President Snow, but he did see George Snow Gibbs, secretary to President Snow. Mr. Eccles asked Mr. Gibbs to use his influence with President Snow to have the bishop of Plain City cease his efforts

25 Ibid., p. 2. 26 Ibid., June 24, 1915, p. 3.
to excommunicate Margaret. Margaret testified that at this time Mr. Eccles told Mr. Gibbs he was the father of Albert and was her husband. Mr. Gibbs then asked Mr. Eccles when the polygamous marriage ceremony was performed. Mr. Eccles replied that it was during the presidency of Wilford Woodruff, who had dealt more leniently with cases of polygamy than had President Snow.

Following this interview with Mr. Eccles, Mr. Gibbs took the matter up with Snow and a letter was sent to the bishop at Plain City signed by Snow and George Q. Cannon, a counsellor in the presidency. President Joseph F. Smith was not present when the matter was under discussion. As a result of this letter the matter was dropped by the Plain City bishop. Later Mr. Gibbs conveyed this information to Mr. Eccles, who expressed gratification and again told Mr. Gibbs that he was the father of the child. 27

All the material and testimony presented above was given on June 21, 22, and 23. On June 24 through July 1 the defense presented material that for the first time since her cross-examination seemed to confuse Margaret. The material presented consisted of old letters claimed to have been written by Margaret and David during their association with one another. The letters were to play an important role in the case because it was the claim of the defense that the letters written to David by Margaret never at any time recognized her as his wife or Albert as being his son.

The defense said the letters were, almost without exception, requests for assistance. In almost every instance Mrs. Geddes told

of the poverty of her family and requested financial assistance. Nowhere in any of the letters was there a hint that there were any closer relations between the two than those which might have existed between a wealthy philanthropist and a needy suppliant. The defense produced letters that cast doubt upon the marriage relationship of Margaret and David. Colonel Boyd of the defense produced a copy of a letter written to Mrs. Geddes by David Eccles asking who was the father of the child. The letter, written to Mrs. Geddes is reproduced below:

"October 3, 1901

"Sister Maggie Geddes,
"Salt Lake City:

"Please find enclosed my check for $30. Hoping this will find you and the children all well. I came out here yesterday, so I thought that you would need some money before I got back, so I send a check from hear sic. I have sent Minnie one also.

"You will remember I ask you sometime ago a question regarding your boy's father. And you promised to tell me sometime. Now if you feel like you want to part with the secret let me know who the father is. I will assure it will never do you any harm as you know Maggie I always have been your friend and might be suspected and if so I would like to be in a position to put them right. If you write on receipt of this send it here to Baker.

"I will close hoping you are well and happy.

"From your friend as ever
"D. Eccles."28

An answer to the above letter was given as additional evidence for the defense.

"310 Constitution bld.
"Salt Lake City, Oct. 17, 1901

"Mr. David Eccles,
"Ogden City:

"Your note of the 3rd inst. received and contents noted.
"Many thanks for your kind remembrances of me in sending

28 Ibid., June 29, 1915, p. 7.
check which came at a very opportune time and did much good.

"In regard to your question about Albert's father, I do not know that it would be best for me to write anything about it at present. You have so far been a good friend to me and I wish you to continue to be so in the future and if I were to write and tell you who it was just for the purpose of putting people right, that might suspect innocent ones, why, then it would go broadcast, and what would profit the one that I have shielded all this time. As there have been a number of innocent people suspected, I have thought it best to neither accuse or exonerate. Don't you think this is best thing to do at present. I would rather trust you than anyone I know for I do not think you would do me a very great deal of harm, if you could avoid it, yet I promised over a year ago that if I got so that I wished to tell you who the boy's father was, that I should tell the authorities of the church first. Then you are about the one that comes first after that.

"I have heard that you were good at giving counsel and advice, well, the first time you are in the city just drop in and let me tell you a few of my troubles. . . . Pardon me if I have wearied you, but you are a woman's friend you must hear a woman's plaints.

"Good-by, write soon."29

In reply to the above letters Margaret admitted that they were actually written by David and herself, but that the letters could not divulge the relationship between her and David because they could, and had in the past, gotten into the possession of members of their own families, and their knowing about the marriage would only cause trouble for David.

The Salt Lake Tribune dated July 1, 1915, gives an explanation concerning the letters.

. . . The letters which were introduced in evidence as written by her to David Eccles were written under an agreement with him that they should contain nothing that would reveal their relations. She said that most of the letters were intercepted, that "Young Dave" had admitted opening several.30

After the defense had examined Margaret concerning the letters it

29Ibid.

permitted her to step down from the witness stand. With the conclusion of Margaret's testimony and cross-examination other witnesses took the stand.

The first witness to take the stand was Flora Neilson. After giving a review of her life and testifying that she once remained overnight at the Eccles home in Ogden, Mrs. Neilson told how she became aware of the close association of Margaret and David.

"I went over to the Constitution block to see Maggie one day in April in 1899," she said. "I opened the door and saw Maggie sitting on Mr. Eccles's lap. I was surprised and I started to leave, but Maggie got up and said, 'Come in auntie.' Mr. Eccles asked me about my husband and then asked me if I knew of Maggie's condition. I said that I did not, and then he told me that Maggie was expecting to be a mother the next month and that he was responsible for her condition. He then asked me if Maggie could come to my house. I said she couldn't because my husband works nights and would have to rest in the daytime. He then asked me if I would see a doctor and arrange for her to go to the hospital. I said I would." 31

Flora continued her testimony by saying that she saw a Dr. A. S. Bowers and arranged for a room at St. Mark's Hospital on May 21, 1899. She said that after the birth of the child she had frequently seen David Eccles at the different places where Mrs. Geddes had lived, and that she had frequently seen him fondle the boy and heard him refer to him as his son. 32

The next important person to take the witness stand was George F. Gibbs, secretary to the first presidency of the Mormon Church. Mr. Gibbs swore that David Eccles had told him that he was the father of Albert and that Margaret was his plural wife. Mr. Gibbs then testified that he had kept the information given him by Mr. Eccles a close secret until October of 1914, when he told Mrs. Bertha M.

31 Ibid., July 2, 1915, p. 2.
32 Ibid.
Eccles about it. He said that he had not revealed this information at any time to the civil authorities, nor had he gone to Washington to testify concerning the facts in the case at the time of the Smoot inquiry. He said that he was aware at the time that Mrs. Geddes testified to an untruth at the hearing in the Smoot investigation at Washington, D.C., but said he understood she had done so in order to shield Mr. Eccles.

Mr. Gibbs said that Mr. Eccles called to see him about the excommunication proceedings that had been instituted by Bishop George W. Bramwell against Margaret Geddes. He further stated that Mr. Eccles had told him that Bishop Bramwell was trying to get Mrs. Geddes to reveal the name of the father of her child, and that she had promised Mr. Eccles not to reveal his name. Mr. Gibbs stated that Mr. Eccles said, "she belongs to me, and I am the father of her child. I will take care of her." 33

Mr. Gibbs said that he, John Henry Smith, and Grant Geddes had interceded with President Lorenzo Snow and George Q. Cannon, his first counsellor, in behalf of Mrs. Geddes. At that time Joseph F. Smith was a member of the first presidency of the church, but was absent from the meeting in which the discussion about Margaret was held. Mr. Gibbs said that as a result of consultation, a letter was sent to the bishop of Plain City and the proceedings against Mrs. Geddes were stopped. 34

33 Ibid., July 3, 1915, p. 1. The Deseret News (Salt Lake City, Utah), on July 3, p. 1, does not go into the testimony of Mr. Gibbs. It states that Mr. Gibbs verified that the church authorities told Bishop Bramwell of Plain City to forget excommunication.

Following Mr. Gibbs' testimony Frank I. Sefrit of Bellingham, Washington, former general manager of the Salt Lake Tribune, was called to the witness stand. He was called by the plaintiff to testify about the conversations he had had with Eccles concerning two articles published in the Tribune which had listed Eccles as a polygamist. According to Sefrit, Eccles had demanded that statements concerning his connection with Margaret Geddes be retracted. Mr. Sefrit said that Mr. Eccles had threatened to sue the Tribune if this were not done. However, Mr. Sefrit said, Eccles refused to sign an affidavit stating that he was not the father of the child of Mrs. Geddes and that he was not married to her in polygamy.

Another interesting witness for the plaintiff was Joseph Sceili, a cement contractor and miner. He swore that in October, 1912, he saw Mr. Eccles at the home of Mrs. Geddes, 26 Twelfth South Street, Salt Lake, and that Mr. Eccles had embraced Albert, kissed him and called him "son." Mr. Sceili said that he had been hired by Mr. Eccles to remove a tree at the rear of the home of Mrs. Geddes.

One of the most humorous witnesses of the Eccles case was Mrs. Laura Grieve of Plain City. She told how she kept a lookout for Mr. Eccles as he visited Margaret in Plain City:

With a lowered voice Mrs. Grieve told of seeing the buggy of Mr. Eccles stop in front of Mrs. Geddes's home in Plain City one summer evening in 1908.

"I made it a point to see when that buggy left," said Mrs. Grieve.

Continuing, Mrs. Grieve described each of a number of trips down the street in Plain City to see if the buggy had gone. At the end of each description of the trips she made to the Geddes home she added in hushed tones, "and the buggy was still there." Soon the court, the jury, the attorneys and everyone in the courtroom almost, except the witness, was

35 ibid.

36 ibid., p. 4.
roaring with laughter.
"I don't see anything funny about it," said Mrs. Grieve, and the mirth broke out anew.37

Mrs. Grieve continued her testimony by saying that she had seen Mr. Eccles at Mrs. Geddes' home in Plain City frequently and that she had heard Mr. Eccles refer to himself as Albert's father.

More than twenty-five witnesses took the stand in behalf of Margaret Geddes before the plaintiff rested. Each of them testified that David Eccles had acknowledged himself to be the father of Albert.

After the testimonies of the plaintiff were presented the defense made an attempt to have a dismissal of the case. The Salt Lake Tribune reported:

"The defense now moves a non-suit on the ground that the petitioner has failed to prove any issue in the case which the estate or the heirs of David Eccles are required to defend. We contend that the petitioner has presented no proof of the acknowledgment of the paternity of the child by David Eccles within the meaning of the statute and further that there has been no proof submitted that the petitioner is the issue of any marriage null in law."38

The defense further stated that before Albert could get any legal inheritance he had to be acknowledged as the son of David. The state law, according to the defense, stated:

"First, it must be a public acknowledgment, that is, as defined by the statute, receiving it as his own with the consent of his wife, if he is married, admitting it into his family, and otherwise treating it as if it were a legitimate child."39

The defense argued that there had been no legal proof of such acknowledgment by David Eccles, and that the alleged evidence presented had been by relatives and "village gossips." Mr. Gustin of the defense said there must be an acknowledgment in which there can be no chance

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38 Ibid., July 8, 1915, p. 3.  
39 Ibid.
for fraud, "no chance, to use the language of the street, for a frame-up. This case is an illustration of what any man leaving a dollar may expect after his death." Despite the arguments presented by the defense, the judge overruled the motion for a dismissal and the trial proceeded.

Since the attempt for a dismissal failed, the defense began its examination of witnesses by calling Bertha M. Eccles to the stand. Mrs. Eccles claimed that many of the descriptions given by Margaret Geddes were inaccurate and false.

The defense also sprang a surprise by offering in evidence the diary of Apostle Marriner W. Merrill, the person who was to have performed the marriage of Margaret and David. The diary indicated that Apostle Merrill was not in Ogden from July 31, 1898, to September 3, 1898. The contention of the plaintiff had been that Apostle Merrill performed the ceremony uniting David Eccles and Margaret Geddes in Ogden during the latter part of August, 1898. The diary was identified by President Alma Merrill of Richmond as being in his father's handwriting.

The plaintiff made strenuous objection to the use of the diary as evidence on the grounds that it was incompetent and hearsay evidence. This contention was upheld by the court and the diary was not received in evidence.

President Smith of the Church of Jesus Christ of Latter-day Saints was called to the witness stand. He stated that at the time it was alleged that David Eccles and Margaret Geddes were united in

\[40\text{Ibid.}\]

\[41\text{Ibid., July 9, 1915, p. 3.}\]
plural marriage no member of the Mormon Church was authorized to solemnize or pretend to solemnize any such plural marriage. Under cross-examination President Smith was asked if there had not been plural marriages performed since the Manifesto. He said, "I'm very sorry to say that there have."42

Mrs. Ellen Stoddard Eccles was another of the interesting witnesses for the defense. She was the plural wife of David Eccles and had lived either in Oregon or Logan during the greater part of the time since her marriage. Mrs. Eccles told of her life in polygamy. She said that David Eccles always provided her with plenty of money to live on, that David had given her about $200,000 in lumber and sugar stocks, and that during her lifetime he had always had an open account at the bank on which she drew.43

The defense used this testimony to show that, had Margaret actually been married to David, she would have been better provided for. In her testimony, Margaret had often referred to herself as a poor wife always in need of money. In addition Mrs. Stoddard said that David had never shown Margaret any affection.

Joseph Eccles was a prime witness for the defense. Margaret had referred to him in her testimony concerning the night of her marriage. She had claimed that after the marriage she went to Bertha Eccles' home to have supper and that Joseph had been riding all over the town looking for her on his bicycle. But Joseph testified that he first owned a bicycle in 1900, that he never learned to ride one until then, and that never in 1898 or at any other time did he

42 Ibid., p. 1.  
ride around Ogden or any other place looking for her.

Arthur Van Oerkon said he was not in America at the time Mrs. Geddes said he had taken her and Bertha Eccles from the Eccles home to Plain City in 1898. He said he came to America in April, 1899, and soon afterward entered the employ of Mr. Eccles.

John W. F. Volker and W. H. Toller, former employees of the Eccles Lumber Company, were called to the stand and testified that it would have been impossible for the marriage to have taken place in the office of the lumber company because they were in the office themselves until 6:30 or 7 p.m. every workday evening.

Bishop John Watson, of Ogden, was called to the witness stand and said that it was not an unusual thing for David Eccles to call certain friends by the term "my son." He swore that Mr. Eccles frequently called him "my son" or "my boy," and that it would have been possible for David to call Albert by the same name.

More than fifteen witnesses were called to the stand to testify for the defense. The testimonies either refuted statements given by the plaintiff or presented additional information verifying their own claim.

One of the main sources of evidence presented by the defense was the sixty-two letters said to have been written by Margaret Geddes to David Eccles during their association. The defense claimed that without exception, the letters requested financial aid, and that none of them in any way ever suggested that David Eccles was the father.

44 Ibid., p. 7.
45 Ibid.
46 Ibid., July 11, 1915, p. 2.
47 Ibid.
of Albert. On the contrary, they gave evidence that he was not the father of Albert. 48

In order to prove that the letters were written by Margaret the defense called in handwriting experts. On July 12, 1915, the handwriting experts Albert S. Osborne of New York and Theodore Kytka of San Francisco testified that the letters had been written by Margaret. With this statement of evidence the defense abruptly brought its case to a close, even though it still had other witnesses to call.

Before retiring to arrive at a verdict the jury was given a set of requests and instructions by the defense and plaintiff. For the defense:

If you believe from the evidence that any witness in this case has intentionally and willfully testified falsely to any material fact then you may disregard the entire evidence of such witness, except in as far as it may be corroborated by credible evidence adduced in this trial.

The jury are instructed that there is insufficient evidence upon which to base a finding that the petitioner, Albert Eccles, is an heir of David Eccles deceased. And you are therefore instructed to find a verdict in favor of the estate of David Eccles deceased. And the heirs set out in the petitioner who in this cause have been termed defendants, and against.

You are instructed that acknowledgement such as is contemplated under the statutes of Utah to permit an illegitimate child to inherit must be such an open acknowledgement and recognition of such illegitimate child as to clearly, convincing satisfactorily and to the exclusion of any other conclusions establish the alleged acknowledgement.

The evidence of such acknowledgement must be so clear, convincing and satisfactory as to leave no substantial doubt in your mind that such acknowledgement was actually and intentionally and in good faith. 49

For the plaintiff:

This is a proceeding to determine whether or not the boy Albert

48Ibid., July 12, 1915, p. 8.
49Eccles v. Eccles Estate.
is an heir of David Eccles, deceased. . . First: that he is a legitimate child of David Eccles, deceased, by virtue of a marriage contract entered into between said David Eccles and Margaret Geddes his mother, and that he was born of such marriage.

The court further instructs you that marriage is a status arising from an agreement between a man and woman to sustain towards each other for life the relation of husband and wife.

If David Eccles, deceased, ever at any time acknowledged himself to be the father of Albert, then Albert is one of the heirs of said David Eccles, deceased, even if there was never a marriage ceremony between David Eccles and the mother of Albert. It is expressly declared by the statute that every illegitimate child is an heir of the person who acknowledges himself to be the father of such child. Such acknowledgement need not be made in writing and need not be made publicly or generally. If made upon a single occasion, it is sufficient to give the child the right to inherit, and this is true, even if the acknowledgement is made secretly and confidentially.50

The judge then gave his instructions to the jury. He told them to consider the evidence of a plural marriage only as far as it gave assistance in determining if David acknowledged himself as being the father of Albert. He said the sole question to be decided in the case was whether or not David Eccles acknowledged himself to be the father of Albert and that other questions or issues were to be withdrawn from their consideration.

After giving the instructions to the jury they were dismissed and asked to return a verdict. By a decision that was unanimous but for the dissent of one man, a jury in the Second District Court, at noon on July 16, declared Albert Geddes Eccles to be a son of the late David Eccles and heir to one thirty-third of the millions left by him. This verdict was printed as follows at the Weber County Court House in Ogden:

50Ibid.
We, the jury, impaneled in the above entitled case, find the issues joined in favor of the plaintiff, that the said David Eccles, deceased, in his lifetime acknowledged himself to be the father of petitioner, and that said petitioner is an heir of said deceased.

Signed: Niels Lofgren, Foreman.
H. H. McCool.
John Parry.
George Timmerman.
Joseph W. Higley.
Robert O. Bybee.
John H. Warren.51

After the trial the lawyers representing the Eccles Estate filed appeals for a new trial. They claimed that the trial had been unfair in that the weather had been extremely hot, facts had been misrepresented, and the witness had been unrepiable. They pushed for a retrial throughout August and September, but by the end of September they decided to settle with Albert out of court. Evidence is not available concerning the exact amount he received, but indications point to approximately $200,000.00.

51Ibid.
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